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**THE VILLAGE OF BURNHAM  
COOK COUNTY, ILLINOIS**

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**ORDINANCE NO. 2018 – O – 006**

**POLICE DEPARTMENT – EMERGENCY HIRING SITUATION**

**AN ORDINANCE AMENDING CHAPTER 50 – LAW  
ENFORCEMENT – ARTICLE II – POLICE DEPARTMENT –  
DIVISION 1 – GENERALLY – SECTION 50-33(c) – EMERGENCY  
HIRING SITUATION OF THE CODE OF ORDINANCES, VILLAGE  
OF BURNHAM, COOK COUNTY, ILLINOIS**

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**WHEREAS**, the Village of Burnham, Cook County, Illinois, (the “Village”) has elected by Referendum on March 11, 1980 to become a home rule unit, and accordingly, pursuant to the provisions of the *Constitution of the State of Illinois* of 1970, particularly Article VII, Section 6(a) thereof, the Village is a home rule unit; and

**WHEREAS**, pursuant to the powers of a home rule unit set forth in Article VII, Section 6(a) of the *Constitution of the State of Illinois* of 1970, the Village may exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of public health, safety, morals, and welfare; to license; to tax; to incur debt; and to enact ordinances therefore; and

**WHEREAS**, the President and Board of Trustees of the Village of Burnham (“the Corporate Authorities”) have determined that it is advisable, necessary, and in the best interest of the public health, safety, and welfare to amend certain regulations with regard to the police

department, particularly the emergency hiring situation eligibility period for part-time officers transitioning to full-time police officers; and,

**WHEREAS**, the current Village Code of Ordinances of the Village of Burnham provides for a six (6) month employment period for certified part-time officers to be eligible for immediate employment as full-time police officers.

**WHEREAS**, an emergency hiring situation now exists in the Burnham Police Department wherein there are now three (3) vacancies in the police department for patrol officer.

**WHEREAS**, a fourth full time police officer has recently been injured and will be unable to return to work for several months.

**WHEREAS**, the President and Board of Trustees of the Village of Burnham (“the Corporate Authorities”) have determined that it is advisable, necessary, and in the best interest of the residents of the Village of Burnham to amend the Code of Ordinances of the Village of Burnham to change the eligibility period for certified part-time police officers to eligible for immediate employment in an emergency hiring situation; and

**BE IT ORDAINED** by the Village President (Mayor) and Board of Trustees of the Village of Burnham, Cook County, Illinois, in the exercise of its home rule powers, as follows:

**Section 1. INCORPORATION OF PREAMBLES**

**THAT**, the Corporate Authorities of the Village hereby find that all of the recitals contained in the preambles of this Ordinance are true, correct and complete and do hereby incorporate them into this Ordinance by this reference as if they were set forth verbatim in this section.

**Section 2. EMERGENCY HIRING SITUATION**

**THAT**, Section 50-33(c) of the Code of Ordinances, Village of Burnham, Illinois, is hereby amended to read as follows:

**Sec. 50-33(c). Emergency Hiring Situation.**

Upon the declaration of an emergency hiring situation by the President and Board of Trustees, a certified part-time police officer currently employed by the village for a continuous period of not less than three (3) months prior to employment as a certified full-time police officer shall be eligible for immediate employment by the Board of Fire and Police Commission and for the appointment as a full-time police patrol officer by the Board of Fire and Police Commission upon satisfactorily passing a psychological examination, polygraph device deceptive test (lie detector test), background investigation, and medical examination and the furnishing a Certificate issued by the Illinois Law Enforcement Training and Standards Board certifying him as a qualified full-time law enforcement police officer as provided by the Illinois Police Training Act irrespective of whether his or her name is on a final eligibility register for appointment to be a police patrol officer.

In the event any part-time police officer currently employed by the Village for a continuous period of not less than three (3) months and being considered for employment and appointment as a full-time patrol officer had, at time of his employment by the President and Board of Trustees as a part-time police officer, satisfactorily passed a psychological examination, polygraph device deceptive test (lie detector test), background investigation, and medical examination, the Board of Fire and Police Commissioners are hereby given the discretion in their best judgment to determine whether or not another psychological examination, polygraph device deceptive test (lie detector test), background investigation, and/or medical examination should be administered and satisfactorily passed by such part-time police officer prior to the appointment of such part-time police officer as a full time police patrol officer.

**Section 3. LEGISLATIVE ACT OF HOME RULE MUNICIPALITY**

**THAT**, this Ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such Ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or, (b) legislate in a manner or regarding a manner not delegated to municipalities by state law. It is the intent of the Corporate Authorities of the Village of Burnham, Cook County, Illinois, that to the extent that the terms of this Ordinance should be inconsistent with any non-preemptive state law, that this Ordinance should supersede state law in that regard within its jurisdiction.

**Section 4. SEVERABILITY**

**THAT**, if any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance or the application thereto any person or circumstance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such decision shall not affect the validity of the remaining sections, subsections, paragraphs, sentences, clauses, or phrases of this Ordinance or the application of such portion to other persons or circumstances, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any portion.

**Section 5. REPEALER OF CONFLICTING ORDINANCES**

**THAT**, all Ordinances, Resolutions, Motions, or Orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 6. EFFECTIVE UPON PUBLICATION**

**THAT**, this Ordinance shall be in full force and effect after its passage, approval, and publication according to law.


**Section 7. PUBLISHED IN PAMPHLET FORM**

THAT, this Ordinance shall be published in pamphlet form by the authority of the Village President (Mayor) and the Board of Trustees of the Village of Burnham, Cook County, Illinois.

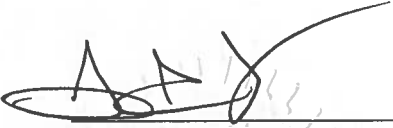
PASSED By the Village President (Mayor) and Board of Trustees of the Village of Burnham, Cook County, Illinois, this 12th day of June, 2018.

**PRESIDENT AND VILLAGE BOARD MEMBERS**

	AYES:	NAYS:	ABSENT:	ABSTAIN:
Trustee John Cap Jr.	<u>X</u>	_____	_____	_____
Trustee Denise Bonner	<u>X</u>	_____	_____	_____
Trustee Graciela Garcia	<u>X</u>	_____	_____	_____
Trustee Brenda Greer	<u>X</u>	_____	_____	_____
Trustee Carmella Richardson	<u>X</u>	_____	_____	_____
Trustee Travis Claybrooks	_____	_____	<u>X</u>	_____

  
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ROBERT E. POLK  
Village President (Mayor)

ATTEST:

  
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LUS E. CHAVEZ  
Village Clerk (SEAL)

Recorded in Village Records:

Published in pamphlet form by authority of the Village President (Mayor) and Board of Trustees of the Village of Burnham, Cook County, Illinois on 12th day of June, 2018.

ATTEST:

  
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LUS E. CHAVEZ, VILLAGE CLERK  
(SEAL)