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ORDINANCE NO. 1971-M-27

AN ORDINANCE AMENDING CHAPTER 6 ENTITLED, "APPOINTIVE OFFICERS," OF THE MUNICIPAL CODE OF THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS that the Municipal Code of the City of St. Charles, Kane County, Illinois as amended from time to time is further amended at Chapter 6 entitled, "Appointive Officers," to read as follows:

CHAPTER 6. APPOINTIVE OFFICERS

- I. City Attorney
- II. City Collector
- III. Director of Community Services
- IV. Building Commissioner
- V. Superintendent of Public Works
- VI. Director of Special Services
- VII. Director of Finance - Comptroller
- VIII. Municipal Budget Officer
- IX. Director of Civil Defense
- X. Director of Environmental Control
- XI. Director of Planning and Development
- XII. Superintendent of Light and Power
- XIII. General Provisions

ARTICLE I. CITY ATTORNEY

6.101 Appointment.) The Mayor by and with advice of the city council may retain an attorney to serve as legal advisor and attorney for the city.

6.102 Compensation.) The city attorney shall be paid a retainer, as prescribed from time to time by the Mayor and city council and in addition, a reasonable compensation for all services performed by him for the city at the direction of the Mayor and city council.

6.103 Additional counsel.) The Mayor and city council may engage additional counsel whenever in its opinion such additional counsel is necessary.

6.104 Suits and actions.) The city attorney shall prosecute or defend any and all suits or actions at law or equity to which the city may be a party, or in which it may be interested, or which may be brought against, or by, any officer of the city on behalf of the city, or in the capacity of such person as an officer of the city.

6.105 Judgments.) It shall be the duty of the city attorney to see to the full enforcement of all judgments or decrees rendered or entered in favor of the city, and of all similar interlocutory orders.

6.106 Advice.) The city attorney shall be the legal advisor of the city, and shall render advice on all legal questions affecting the city, whenever requested to do so by any city official. Upon request by the Mayor or by the city council, he shall reduce such opinion to writing.

6.107 Special assessments.) It shall be the duty of the city attorney to see to the completion of all special assessment proceedings and condemnation proceedings.

6.108 Ordinances and documents.) It shall be the duty of the city attorney to draft or supervise the phraseology of any contract, lease or other documents or instruments, to which the city may be a party; and upon request by the Mayor and city council, to draft ordinances covering any subjects within the power of the city.

ARTICLE II. CITY COLLECTOR

6.201 Creation of Office.) There is hereby created the office of city collector, an executive office of the city. He shall be appointed annually by the Mayor, by and with the consent of the city council.

6.202 Duties.) The city collector shall collect and keep proper accounts of all special assessments levied or imposed upon property in the city; and he shall perform such other duties as may be assigned to him by the city council or director of finance.

ARTICLE III. DIRECTOR OF COMMUNITY SERVICES

6.301 Creation of Office.) There is hereby created the office of director of community services, who shall be appointed annually by the Mayor, and with the advice and consent of the city council.

6.302 Duties.) The director of community services shall perform the following duties:

A. City Sanitarian. He shall enforce all ordinances containing provisions for the protection of the public health; he shall make such inspection of food-stuffs and of the premises used for storing or selling of provisions as may be provided by ordinance; and he shall perform such other duties and functions as may be required by statute, ordinance, or the board of health.

He shall make such reports as the city council or the board of health require.

He shall make recommendations for rulings, orders or ordinances respecting the public health whenever it is necessary, or whenever he is requested to do so or when he deems it advisable.

He shall make or cause to be made such tests and analyses and inspections as may be necessary for this purpose, and such other health inspections as may be required by the council.

B. Public Information. He shall perform such further and other duties or functions as shall be required by the Mayor and city council from time to time concerning the public health and welfare.

ARTICLE IV. BUILDING COMMISSIONER

6.401 Creation of office.) There is hereby created the office of building commissioner, who shall be appointed annually by the Mayor, and with the consent and advice of the city council.

6.402 Duties.) The building commissioner shall perform the following duties:

A. Building Inspection. It shall be the duty of the building commissioner to see to the enforcement of all ordinance provisions relating to buildings or zoning and to inspect all buildings and structures being erected or altered, as frequently as may be necessary to insure compliance with the city ordinances.

The building commissioner shall have the power to order all work stopped on construction or alteration or repair of the buildings, plumbing or electrical installations in the city, when such work is being done in violation of any provision of any ordinance relating thereto. Work shall not be resumed after the issuance of such an order, except on the written permission of the commissioner; provided that, if a stop order is an oral one it shall be followed by a written stop order within twenty-four hours. Such order may be served by the commissioner, his agent, or any policeman.

The building commissioner shall have the power to make or cause to be made on entry into any building or premises where the work of altering, repairing or constructing of any building is going on, for the purpose of making inspections, at any reasonable hour.

B. Plumbing Inspection. It shall be the duty of the building commissioner and he is hereby empowered to enforce all city ordinances, relating to the installation, care and standards of plumbing. He shall make all necessary inspections and tests which may be needed in the performance of his duties.

The building commissioner shall have the power to enter any building or premises on or in which plumbing fixtures or pipes are being installed, altered or repaired, at all reasonable hours, to make inspections to insure compliance with the ordinance or the city relative thereto.

Whenever the building commissioner shall find plumbing work being done in violation of the city ordinances he shall have the power to order the work stopped until the ordinances are complied with. It shall be unlawful to continue any such work after a stop order has been issued, except upon written order [REDACTED] of the building commissioner; provided that when such a stop order is an oral order it shall be followed by a written stop order within twenty-four hours.

C. Issuance of permits. The building commissioner will issue all building permits and certificates of occupancy and make records thereof.

D. Electrical Inspection. He shall enforce the electrical code as amended from time to time and shall make all necessary inspections and tests which may be made in performance of his duties.

He shall have the powers to enter any building or premises on or in which electrical work is being done to insure compliance of the ordinances of the city relative thereto. Whenever he shall find electrical work being done in violation of the city ordinances he shall have the power to order the work stopped until the ordinances are complied with.

It shall be unlawful to continue any such work after a stop order has been issued, except upon the written order [REDACTED] of the building commissioner, provided that when such stop order is an oral order, it shall be followed by a written stop order within twenty-four hours.

6.403 Penalty.) Any person, firm, or corporation who shall continue work in violation of a stop order shall be fined not less than one dollar nor more than ten dollars for each offense; and a separate offense shall be deemed committed on each day during or on which a violation of a stop order occurs or continues.

ARTICLE V. SUPERINTENDENT OF PUBLIC WORKS

6.501 Creation of office.) There is hereby created the office of superintendent of public works, an executive office of the city. The superintendent of public works shall be appointed annually by the Mayor and by and with the advice and consent of the city council.

6.502 Duties.) The superintendent of public works shall perform the following duties:

A. He shall have charge of the construction, repair, and maintenance of all public streets, sidewalks, alleys, driveways, parkways and other public ways including keeping the same clean, and all gutters and drains in proper order and free from defects.

B. He shall have the care and custody of the city water supply and water distribution system and all equipment and appurtenances thereto.

C. He shall have charge of and custody of sanitary and storm sewers and shall keep them in good repair.

D. All employees or officers assigned to the department of public works shall perform their duties subject to the orders and under the supervision of the superintendent.

E. The superintendent of public works shall be the ex-officio building commissioner in the absence of the building commissioner due to death, sickness, or vacation.

ARTICLE VI. DIRECTOR OF SPECIAL SERVICES

6.601 Creation of office.) There is hereby created the office of director of special services, who shall be appointed annually by the Mayor by and with the advice and consent of the City Council.

6.602. Duties.) The director of special services shall perform the following duties:

- A. City purchasing agent.
- B. Supervise the dutch elm program and reforestation program.
- C. Supervise garbage and refuse collection.
- D. Maintain all city equipment (except fire department equipment).
- E. Maintain all city buildings and shall be the custodian of all property.
- F. Assist the superintendent of public works in any and all of his duties and act in his behalf during his absence.
- G. Assume responsibility for insurance program as to coverage, premiums and maintain records of policies including handling of claims and adjustments.

6.603 Bond.) Such officer shall be bonded for the sum of two thousand dollars for the performance of his duties. Such bond shall be approved by the director of finance.

ARTICLE VII. DIRECTOR OF FINANCE - COMPTROLLER

6.701 Creation and Composition.) There is hereby created an executive department which shall be known as the Department of Finance. This department shall consist of the Director of Finance, who shall also be the City Comptroller. Other members shall be the City Treasurer, the City Collector, and their duly appointed deputies and employees assigned thereto.

6.702 Director of Finance.) The Director of Finance shall be charged with the responsibility of causing all financial records of the City to be duly kept. He shall cause to be prepared each year the annual budget report, the proper publication thereof, and the tax levy ordinance, in time for their enactment and filing as required by law.

He shall cause to be kept accounts showing at all times the financial condition of the City, including the current and anticipated revenues and expenditures of all municipal funds and accounts.

6.703 City Comptroller, Creation Thereof.) Appointment and Bond. There is hereby created the office of City Comptroller.

The City Comptroller shall be appointed annually by the Mayor with the consent and approval of the City Council. He shall, before entering upon the duties of his office, give bond to the City in such amount and form as the City Council shall approve, conditioned for the faithful discharge of his duties.

6.704 Duties Generally.) The City Comptroller and his deputy or deputies duly appointed by the Mayor with the consent and approval of the City Council shall perform the duties prescribed by statute for such officer and such other duties as are or may be required of him by any ordinance of the City. His duties as Comptroller will include the following:

- A. Maintain accounts payable records of all invoices and charges to the City after proper approval as to price, quantity and extension.
- B. Maintain cash disbursement records of all City funds disbursed.
- C. Maintain employee payroll records and prepare payrolls for payment of all approved departmental payrolls.
- D. Maintain records and prepare all tax reports for payment as required by law.
- E. Maintain, calculate and prepare billings of all utilities and services as set forth by State Statute and/or City Ordinances.
- F. Prepare and maintain special assessment rolls and assume responsibility for collection of all such funds.
- G. Maintain records and assist in real estate transactions and preparation of lease and rental agreements.
- H. Prepare internal auditing reports in accordance with accounting procedures of the auditing firm and assist in the preparation of material for the annual audit.
- I. Prepare and maintain all accounting records by funds as prescribed by State Statute, City Ordinance and approved Auditors accounting procedure for the purpose of preparing budget reports and appropriation and tax levy ordinances.
- J. He shall record and transmit to the City Treasurer for deposit all monies received from all departments or other sources of City revenue and funds.

6.705 Supervision of Officers.) The City Comptroller shall exercise a general supervision over all the officers of the City charged in any manner with the receipt, collection and disbursement of City revenues, and the collection and return of all such revenues into the treasury. All of such officers shall be specifically responsible for the audit and approval of all expenditures and disbursements.

6.706 Custody of Books and Papers.) The City comptroller shall have the charge, custody and control of all deeds, leases, warrants, vouchers, books and papers of any kind, the custody and control of which is not given to any other officer.

6.707 Duties in Connection with Bonds.) The City Comptroller shall keep in his office, in a book expressly kept for that purpose, a correct list of all outstanding bonds of the City, showing the number and amount of each and for and to whom the bonds are issued. When any city bonds are purchased, paid or cancelled, such books shall show the fact; and in his annual report he shall describe, particularly, the bonds sold during the year, and the terms of sale, with each and every item of expense thereof; he shall also keep a record of all bonds issued by the city including the registration thereof when requested. It shall be the duty of the City Comptroller to attest all bonds of the city.

ARTICLE VIII. MUNICIPAL BUDGET OFFICER

6.801 Creation of Office.) There is hereby created the office of Municipal Budget Officer who shall be qualified and appointed annually by the Mayor, by and with the advice and consent of the city council.

6.802 Duties.) It shall be the duty of the Municipal Budget Officer to perform the following duties:

A. Prepare and encourage the use of efficient planning, budgeting, auditing, reporting, accounting and other fiscal management procedures.

B. Compile an annual budget in accordance with ordinances of the City.

C. Examine all books and records of all municipal departments, commissions and boards which relate to monies received by the municipality, municipal departments, commissions, boards and paid out by the municipality, municipal departments, commissions and boards, debits, accounts receivable, amounts owed by or to the municipality, municipal departments, commissions and boards.

D. Obtain such additional information from the municipality, municipal departments, commissions and boards as may be useful for purposes of compiling an annual budget, such information to be furnished by the municipality, municipal departments, commissions and boards in the form required. Any department, commission or board which refuses to make such information as required of it available to the Budget Officer shall not be permitted to make expenditures under any subsequent budget for the municipality until such municipal department, commission or board shall comply in full with the request of the Budget Officer.

E. Establish and maintain such procedures as shall insure that no expenditures are made by municipality, municipal departments, commissions, or boards except as authorized by the budget.

6.803 Reporting Relationships.) The Municipal Budget Officer shall be generally supervised by the City Comptroller. The Municipal Budget Officer may supervise duly appointed deputies and employees assigned thereto.

ARTICLE IX. DIRECTOR OF CIVIL DEFENSE

6.901 Creation of Office.) There is hereby created the office of Director of Civil Defense, who shall be appointed annually by the Mayor, by and with the advice and consent of the city council.

6.902 Duties.) The Director of Civil Defense shall perform the following duties:

A. He shall direct responsibility for the administration, training, and operation of the Civil Defense organization, subject to the director of the Mayor as provided by statute.

B. In the event of the absence, resignation, death, or inability to serve as the Director of Civil Defense, the Mayor or any person designated by him shall be and act as Director until a new appointment is made as provided in this Article.

ARTICLE X. DIRECTOR OF ENVIRONMENTAL CONTROL

6.1001 Creation of Office.) There is hereby created the office of Director of Environmental Control, who shall be appointed annually by the Mayor, by and with the advice and consent of the city council.

6.1002 Duties.) The Director of Environmental Control shall perform the following duties:

A. He shall supervise all air, noise and water pollution control.

B. He shall supervise the operation of the sewage plant.

ARTICLE XI. DIRECTOR OF PLANNING AND DEVELOPMENT

6.1101 Creation of Office.) There is hereby created the office of Director of Planning and Development, who shall be appointed annually by the Mayor, by and with the consent and advice of the city council.

6.1102 Duties.) The Director of Planning and Development shall perform the following duties:

A. He shall supervise all planning functions regarding the extension of the city utilities, development of land usage within the city limits and surrounding area, and shall be the consultant to the Plan Commission and Zoning Board of Appeals.

ARTICLE XII. SUPERINTENDENT OF LIGHT AND POWER

6.1201 Creation of Office.) There is hereby created the office of Superintendent of Light and Power, who shall be appointed annually by the Mayor, by and with the consent and advice of the City Council.

6.1202 Duties.) The Superintendent of Light and Power shall perform the following duties:

A. He shall supervise the lighting of the public streets and shall keep the lighting system in sufficient operation and good repair.

B. He shall have supervision over the operation, maintenance, and repair of the electrical distribution system of the city.

C. He shall be given the same powers of entry and stop order as given to the Building Commissioner.

ARTICLE XIII. GENERAL PROVISIONS

6.1301 Ex-Officio Duties.) In the absence of department heads due to illness, vacation, death or emergency, the Mayor shall appoint a temporary department head.

6.1302 Further Duties.) Department heads or other appointed officers shall perform such further and other duties or functions as shall be required by the Mayor and the City Council from time to time.

IT IS FURTHER ORDAINED by the City Council of the City of St. Charles, Kane County, Illinois that the City Clerk review all the ordinances of the City of St. Charles effected by this ordinance in order to prepare a list of changes to be presented to the City Council, changing all ordinances to reflect and contain the appropriate name of the Appointive Officer as it should be changed to accomplish the intent of this ordinance and by this ordinance, said changes are hereby ordained, subject to being confirmed by appropriate supplemental ordinance after said list is prepared.

PRESENTED to the City Council of the City of St. Charles, Illinois this 6th day of July, 1971.

PASSED by the City Council of the City of St. Charles, Illinois this 10th day of July, 1971.

APPROVED by the Mayor of the City of St. Charles, Illinois this 6th day of July, 1971.



MAYOR

ATTEST: 
CITY CLERK