

City of St. Charles, Illinois

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Minutes	2-17-2015
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Ordinance No. 2015-M-10

**Motion to approve an Ordinance Amending Title 2,
Chapter
2.24 "Board of Fire and Police Commissioners," Section
2.24.040 "Powers and Duties," and Section 2.24.060
"Rules and Regulations" of the St. Charles Municipal
Code.**

**Adopted by the
City Council
of the
City of St. Charles
February 17, 2015**

**Published in pamphlet form by
authority of the City Council
of the City of St. Charles,
Kane and Du Page Counties,
Illinois, February 23, 2015**



City Clerk



City of St. Charles, Illinois

Ordinance No. 2015-M-10

An Ordinance Amending Title 2, Chapter 2.24 "Board of Fire and Police Commissioners," Section 2.24.040 "Powers and Duties" and Section 2.24.060 "Rules and Regulations" of the St. Charles Municipal Code

WHEREAS, the City of St Charles (the "City") is a home rule municipality duly organized and existing pursuant to the Illinois Constitution of 1970 and the laws of the State of Illinois, and,

WHEREAS, the City has provided for a Board of Fire and Police Commissioners pursuant to the City's statutory and home rule authorities, and

WHEREAS, The Board of Fire and Police Commissioners has approved certain Rules and Regulations, and

WHEREAS, the City finds it necessary to amend Title 2, Chapter 2 24 as follows

Section 2 4 040 Powers and Duties shall be removed in its entirety and the following language is inserted in lieu thereof

Section 2.4.040 Powers and Duties

The Board of Fire and Police Commissioners shall have such powers and duties as are now or as may be hereafter given to it by law pursuant to the Municipal Code 65 ILCS 5/1 1 1 et seq It shall be the duty of the Board to make appointments to Police and Fire Departments of the City where applicable, and said Board shall conduct and hold all entrance and promotional examinations and exercise such other powers and duties as provided by law, and Section 2 24 060, Rules and Regulations shall be added to read as follows

Section 2.24.060 - Rules and Regulations

The Board shall publish a set of rules to be known as the Rules and Regulations of the St Charles, Illinois Board of Fire and Police Commissioners Said rules are hereby incorporated into and made a part of this Chapter and Ordinance by reference

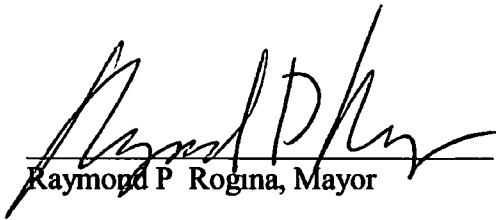
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, AS FOLLOWS

1 That Title 2, Chapter 2 24 of the St Charles Municipal Code shall be amended as presented

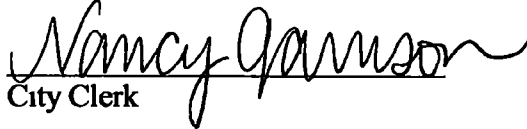
PRESENTED to the City Council of the City of St Charles, Illinois, this 17th day of February 2015

PASSED by the City Council of the City of St Charles, Illinois, this 17th day of February 2015

APPROVED by the Mayor of the City of St Charles, Illinois, this 17th day of February 2015


Raymond P Rogina, Mayor

ATTEST


City Clerk

COUNCIL VOTE

Ayes 9

Nays

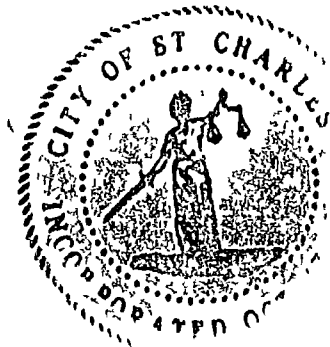
Absent 1

Abstain

APPROVED AS TO FORM

City Attorney

DATE _____





ST CHARLES
SINCE 1834

**RULES AND REGULATIONS
OF THE
BOARD OF FIRE AND POLICE COMMISSIONERS
CITY OF ST. CHARLES
STATE OF ILLINOIS**

APPROVED by the Board of Fire and Police Commissioners: January 12, 2015

ADOPTED by City Council: _____

PUBLISHED: _____

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**RULES AND REGULATIONS
OF THE
BOARD OF FIRE AND POLICE COMMISSIONERS
OF THE
CITY OF ST. CHARLES
STATE OF ILLINOIS**

As approved by the Board of Fire and Police Commissioners of the City of St Charles, Illinois, and adopted by the City Council of the City of St Charles, effective _____, 2015

CHAPTER I - ADMINISTRATION

SECTION 1 - SOURCE OF AUTHORITY

The Board of Fire and Police Commissioners of the City of St Charles, Illinois derives its power and authority from an Act of the General Assembly entitled, "Division 2 1 Board of Fire and Police Commissioners", of Chapter 65 of the Illinois Compiled Statutes (65 ILCS 5/10-2 1 et seq), the City of St Charles Code and the Home Rule Authority of the City of St Charles derived from the Illinois Constitution, Article VII, Section 6

SECTION 2 - DEFINITIONS

The word "Commission" and/or "Board" wherever used shall mean the Board of Fire and Police Commissioners of the City of St Charles, Illinois The word "Officer" shall mean any person holding a permanent office in the Police or Fire Department of the City of St Charles, Illinois The masculine noun or pronoun includes the feminine The singular includes the plural, and the plural the singular

SECTION 3 - OFFICERS OF BOARD AND THEIR DUTIES

The Board shall annually, on the first meeting in May elect a Chairman and a Secretary They shall hold office until the end of the fiscal year of the municipality and until their successors are duly elected and qualified The Chairman shall be the presiding officer at all meetings The Secretary shall keep the Minutes of all meetings of the Board in a permanent record book and shall be the custodian of all the forms, papers, books, records and completed examinations of the Board

SECTION 4 - MEETINGS

- a) Regular meetings shall be held monthly, notice shall be posted and meetings shall be open to the public
- b) Special meetings shall be open, notice thereof to be posted forty-eight (48) hours prior to convening, called by the filing of a notice in writing with the Secretary of the Board and signed either by the Chairman of the Board or any two members thereof This notice

shall contain a brief statement of the business to be submitted for the consideration of the Board at such special meetings, and shall set forth the time and place of such special meeting, and no other business shall be considered at such special meeting unless by unanimous consent of the Board

- c) During any regular or special meeting a closed session may be held upon a proper motion made by any single member of the Board for the purpose of discussing personnel. Closed sessions may be limited to Board members and such invited persons as the Board may deem necessary. The secretary will record the motion to close the meeting, record the roll call vote of the members on said motion and keep minutes of the closed session. An audio or video record of each closed session will be maintained by the Secretary of the Board and, after a minimum of 18 months, shall be disposed of in accordance with the provisions of the Open Meetings Act.
- d) Public notice of any regularly scheduled or special meeting shall be held in accordance with the Open Meetings Act, Illinois Compiled Statutes, Chapter 5, "120/1-120/5
- e) If a member is unable to be physically present at a meeting of the Board, whether it be for health related reasons, the need to conduct personal business or the business of the Board, or due to a personal or family emergency, that member may attend and participate at a Board meeting by telephonic or other electronic means provided that a quorum of the Board's members are physically present at the meeting and vote to approve the attendance of the missing member(s) by way of telephonic or other electronic means. The minutes of the meeting shall reflect, by name, those members of the Board who are physically present as well as those attending by telephonic or other electronic means. Notice that a board member will be in attendance and participating at a Board meeting, not in person but electronically, shall be provided to the Board's recording secretary or the municipal clerk at least 48 hours prior to the scheduled meeting.
- f) The agenda for a "Regular Meeting" shall allow for an "Open Forum" to permit individuals to appear before and address their concerns to the members of the Commission. The commission may limit those individuals appearing during the open forum to a presentation not to exceed three (3) minutes and may require an individual to be seated if the individual addresses those present in a disrespectful or discourteous manner or the subject matter being presented is not relevant to the duties and responsibilities of the Fire and Police Commission.

SECTION 5 - QUORUM

A majority of the members of the Board shall constitute a quorum for the conduct of all business

SECTION 6 - ORDER OF BUSINESS

The order of business at any meeting shall be

- a) Call to Order
- b) Roll Call
- c) Public Forum (Citizen Comments)
- d) Approval of Minutes
- e) Correspondence
- f) Old Business
- g) New Business
- h) Executive (Closed) Session
- i) Adjournment

SECTION 7 - PROCEDURE

The parliamentary procedure prescribed in Robert's "Rules of Order" shall be followed as far as applicable

SECTION 8 - AMENDMENTS

Amendments to the rules of the Board may be made at any meeting of the Board All amendments to these rules and regulations must be adopted and approved by ordinance of the City Council before taking effect

SECTION 9 - ANNUAL REPORT AND BUDGET REQUEST

The Board shall submit an Annual Report of its activities as required by §5/10-2 1-19 of the Board of Fire and Police Commissioners Act, and a Budget Request for the ensuing year, as required by local ordinance and the aforementioned §5/10-2 1-19

CHAPTER II - APPLICATIONS

SECTION 1 - RESIDENCE

Applicants for examination must be citizens of the United States

SECTION 2 - APPLICATION BLANKS

Applications for a position shall be filed upon blank forms furnished by the Commission, and applicants must comply with the requirements of said form in every respect. The application must be filed with the Board prior to taking an examination.

Every applicant must be of good moral character, of temperate habits, of sound health and must be physically able to perform the duties of the position applied for. The burden of establishing these facts rests upon the applicant.

The applicant shall furnish with his application a copy of his Military Service Record, Discharge Papers, Social Security Card, Birth Certificate, High School Diploma or G E D Certificate, a copy of his College or University Degree and, if requested, a copy of a certified transcript of his course work from an accredited College or University.

Those seeking military and/or education preference points shall additionally furnish the following:

Every applicant shall furnish with their application a copy of their U S Form DD214 (copy #4), if applicable, for all periods of military service. If the above documentation is not provided at the time of application the Commission will not consider military preference points.

Police Applicants/Educational Preference Points Every applicant shall furnish with their application a copy of their educational transcripts and any degree awarded. Persons who have successfully obtained an Associate's Degree from an accredited college or university in the field of law enforcement or criminal justice are eligible to receive 1.75 educational preference points. In the alternative, persons who have successfully obtained a Bachelor's Degree from an accredited college or university are eligible to receive 3.50 educational preference points. Any promotional exam candidate who is eligible for educational preference points shall make a claim in writing with proof thereof within ten (10) calendar days after the date of the posting of the initial eligibility register or such claims shall be deemed waived. The preference points under this subsection shall not be cumulative. No person shall receive the educational preference points for a promotional appointment granted by this subsection 2-24-04 (A) after he or she has received one promotion from an eligibility list on which he or she was allowed such preference.

Fire Applicants/Educational Preference Points Persons who have successfully obtained an Associate's Degree from an accredited college or university in the field of fire science or a Bachelor's Degree in any field are eligible to receive 5.00 educational preference points. Any applicants who have served a minimum of 12 months on active duty in the service of the U S Military and who have either been honorably discharged or, in lieu of an honorable discharge, are still serving in an active or inactive reserve status are eligible for 5.00 preference points. Promotional candidates are eligible for the following educational preference points: Associate's Degree – 2

points, Bachelor's Degree – 4 points, Master's Degree – 6 points Promotional candidates who have served a minimum of 12 months on active duty in the service of the U S Military and who have either been honorably discharged or, in lieu of an honorable discharge, are still serving in an active or inactive reserve status are eligible for 3 50 preference points Military preference points may only be used only once for promotion

A false statement knowingly made by a person in an application for examination, connivance in any false statement made in any certificate which may accompany such application or complicity in any fraud touching the same, shall be regarded as good cause for exclusion from the examination

SECTION 3 - DISQUALIFICATION

The Board may refuse to examine an applicant or, after examination, to certify him as eligible

- a) Who is found lacking in any of the established preliminary requirements for the service for which he or she applies
- b) Who is physically unable to perform the duties of the position to which he or she seeks appointment
- c) Who is addicted to the use of drugs or intoxicating beverages or is found to have taken or used drugs and/or narcotics illegally
- d) Who has been convicted of a felony or any misdemeanor involving moral turpitude, as specified in §5/10-2 10-6 of the Board of Fire and Police Commissioners Act
- e) Who has been dismissed from any public service for good cause
- f) Who has attempted to practice any deception or fraud in his or her application
- g) Who may be found disqualified in personal qualifications or health
- h) Whose character and employment references are unsatisfactory
- i) Who does not possess a high school education or its equivalent
- j) Who has applied for a position as a police officer and is or has been classified by his or her Local Selective Service Draft Board as a conscientious objector
- k) Who has applied for a position as a firefighter and is not currently certified as a Firefighter II (Advanced) by the Illinois State Fire Marshal's Office or licensed as an Emergency Medical Technician – Paramedic (EMT-P) by the State of Illinois
- l) Who has been previously disqualified as an eligible candidate by the Board of Fire and Police Commissioners from an existing St Charles eligibility list shall be disqualified for any future consideration

- m) Who has been previously disqualified for employment with the City of St Charles due to the failure of a polygraph exam, the failure of a police background investigation, the failure of a psychological examination or the failure of a medical exam which includes a drug test, shall be disqualified for any future consideration

Any applicant, or eligible, deemed disqualified hereunder, shall be notified by the Board

SECTION 4 - DEFECTIVE APPLICATIONS

Defective applications shall be returned to the applicant for correction, provided the applicant is not otherwise disqualified for the position sought

NOTE All qualifications and requirements listed in these Rule and Regulations must be met prior to the last date for filing applications, except as otherwise provided in the application packet provided by the City or in these Rules and Regulations

SECTION 5 - AGE REQUIREMENTS

Applicants shall be under 35 years of age, at the time of application and at such time as the final eligibility list is posted, unless exempt from such age limitation as provided in Section 5/10-2 1-6 of the Fire and Police Commissioner's Act Applicants, at such time as they file their application with this board, must be 21 years of age Proof of birth date will be required at time of application

SECTION 6 - NOTICE OF ACCEPTANCE.

The Secretary will notify all applicants whose applications have been accepted by the Board to be present for orientation and subsequent examination with an executed Physicians Certificate that they are physically capable of participating in a strenuous "Physical Aptitude Test

SECTION 7 - RELEASE OF LIABILITY

All applicants shall execute and deliver to the Board a release of all liability as the result of taking a "Physical Aptitude Test" in favor of the City of St Charles on a form to be prescribed by the Board

CHAPTER III - EXAMINATIONS

ORIGINAL APPOINTMENTS

SECTION 1 - NOTICE OF EXAMINATIONS

Examinations shall be held on the dates fixed by the Board and advertised in a local paper in accordance with the Statutes of the State of Illinois. Examinations may be postponed, however, by order of the Commission, which order shall state the reason for such postponement and shall designate a new date for said examination. Applicants shall be notified of the postponement of any examination and of the new date fixed for said examination.

SECTION 2 - EXAMINATIONS

The Board shall call examinations to fill vacancies in the class of service in which vacancies are liable to occur. A call for such examination shall be entered in the Minutes of the Board and shall include a statement of

- a) The time and place where such examination will be held
- b) The location where applications may be obtained and the date by which applications must be returned to the Board
- c) The position to be filled from the resulting eligibility list

SECTION 3 - TYPE OF EXAMINATIONS

Applicants must attend the orientation program sponsored by the Board. In addition, applicants may be required to participate in a physical aptitude test, written and oral examinations as determined by the Board and as more particularly set forth in 4 below. No examination shall contain questions regarding applicant's political or religious opinions or affiliations.

SECTION 4 - EXAMINATIONS - MINIMUM GRADE

The following examinations may be conducted by the Board. The sequence of testing may vary at the discretion of the Board. Failure to achieve the minimum passing grade in any examination disqualifies the applicant from any further participation. Each weighted component of the examination process shall be based upon a scale of 1 to 100. The board, at its discretion, may employ a testing vendor(s) to conduct any of the examinations administered pursuant to these rules.

<u>Examinations</u>	<u>% of Total Grade</u>	<u>Minimum Passing</u>
Orientation	-	Attendance Mandatory
Physical Aptitude Test	-	**
Written Test	70%	75%
Oral Test (Interview)	30%	75 %
Polygraph Test	-	Pass or Fail

Background Investigation - Pass or Fail

CONDITIONAL OFFER OF EMPLOYMENT

Psychological Examination - Pass or Fail

Medical Examination - Pass or Fail

**** Test may be given for demonstration purposes or on a pass/fail basis
Certification that a fire fighter candidate has successfully, within the twelve months immediately preceding the conduct of the written test, passed the Candidate Physical Ability Test (CPAT), as licensed and approved by the International Fire Chief's Association and the International Association of Fire Fighters, satisfies the candidate's obligation to complete the "physical aptitude test" component of this screening process**

Police officer applicants must have passed and possess a Police Officer Wellness Evaluation Report (POWER) proficiency card issued within the past 12 months, prior to the last date for filing applicants to the Board of Fire and Police Commissioners Candidates must also provide a POWER card, or equivalent, issued within the past 12 months at time of employment

SECTION 5 – PREFERENCE POINTS

Preference Points may be added to the scores of those candidates who have successfully completed the Physical Ability Test, the Written Examination and the Oral Interview Process as follows

MILITARY SERVICE

Any person who was engaged in the military service of the United States for total period of at least one year and who was honorably discharged therefrom, or who is now or may hereafter be on inactive or reserve duty in such military service for at least one year shall upon request, be awarded five (5) preference points It shall be the responsibility of the Applicant to provide evidence of qualifying military service as listed above with the original application for employment in order to be considered for preference points Acceptable evidence of qualifying military service shall be an official Department of Defense document such as a DD 214 Copy #4, DD 214 Copy #1 and proof of honorable service from the Department of Defense such as a DD 256 A/N/AF or other official Department of Defense documentation as deemed acceptable by the Board of Fire and Police Commissioners Preference points must be requested on a form provided by the City

EDUCATIONAL PREFERENCE POINTS,

SECTION 6- ORIGINAL APPOINTMENT - PHYSICAL APTITUDE TEST

All applicants may be required to submit themselves to a physical aptitude test In the event a physical aptitude test is administered, only candidates who have successfully passed the "written test" will be permitted to participate in the physical agility test Candidates applying for the position of a firefighter must provide proof of current CPAT certification at such time application or prior to

