

Chapter 4
POLICE DEPARTMENT

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4.01 CREATION

There is hereby established for the City a Police Department which shall consist of the Chief of Police and as many officers as deemed necessary by the Corporate Authorities.

4.02 CHIEF OF POLICE

A. Appointment: Notwithstanding the provisions of Section 4.09 and pursuant to 64 ILCS 5/10.2.1-4, the Chief shall be appointed by the Mayor with the consent of the City Council.

B. Compensation: The Chief shall receive such compensation as the Mayor and City Council shall from time to time determine.

4.03 DUTIES OF CHIEF

The duties of the Chief shall be as follows:

1. To wear at all times when on duty a star or badge showing his authority.
2. To perform all the duties imposed upon him by law and the ordinances of the City, and such other duties as the Mayor and City Council may, from time to time, require.
3. To at all times conserve the peace within the City and to enforce the ordinances thereof.
4. To serve summons and warrants in all cases arising under the ordinances thereof.

5. To serve and execute without delay any and all notices and writs which may be placed in his hands for service and obey all orders issued by the Mayor or City Council.
6. To promptly arrest all persons who in his presence violate any ordinance and to file complaints against such parties before a court having jurisdiction of the matters involved.
7. To assist in enforcing the ordinances and other measures pertaining to the health of the City.
8. To regulate and direct, when necessary, the travel and movement of all persons, teams and vehicles traveling or going in the public streets or other thoroughfares of the City for the purpose of preventing injury to persons or property and of preserving peace and public order.
9. To attend meetings of the City Council when directed by the Council and to preserve order therein under the direction of the Mayor.
10. To have control and supervision of the City Jail and to keep the same in a clean and sanitary condition and to attend to and have custody and charge of all persons imprisoned therein.
11. To render a complete report on any matter or matters coming under his supervision when so required by the Corporate Authorities.
12. To adopt rules and duties for department personnel, subject to approval by the corporate authorities.
13. To serve as the liaison officer to facilitate the cooperation and protection of the City with the McHenry County Emergency Services and Disaster Agency, as outlined in 20 ILCS 3305/10. (Ord. 96-119, §6, 1996)
14. Perform such other duties as assigned by the Mayor.
15. The Chief shall report to the Mayor and City Administrator.

4.04 POLICE OFFICERS

- A. Powers and Duties: All police officers shall have and possess all the powers conferred upon them by law and by the Ordinances of the City, particularly:
 1. To serve warrants and summons in the City in all cases arising under the Ordinances of the City.

2. To make arrests and detain persons as provided by law.
3. To at all times conserve the peace within the corporate limits of the City, and when necessary in the performance of such duty or in the enforcement of the ordinances of this City, to call to their assistance any and all able-bodied citizens thereof.
4. To wear at all times when on duty a star or badge showing their authority.
5. To perform such duties as may be required by state law, ordinances of the City and rules and regulations of the Harvard Police Department.
6. To be on call and available 24 hours a day.
7. To perform such other duties as may be assigned them by the Chief.

C. Compensation: Police officers shall receive such compensation as the Corporate Authorities shall from time to time determine.

D. Residency: Within a period of 12 months from the date of the probationary appointment, all police officers shall live within 30 air miles of the corporate limits of the City. (Ord. 96-142, §1, 1996; Ord. 95-145, §1, 1995)

E. Part-Time Police Officers: Part-time police officers, not covered under the terms of any bargaining agreement of the City or the Police Pension Fund, shall have the same duties and powers as full-time police officers employed by the City.

4.05 DEPUTY CHIEF OF POLICE

(added Ord 2011-120)

A. Appointment: Notwithstanding the provisions of Section 4.10, the position of Deputy Chief is hereby established for the Police Department. The Deputy Chief, who shall be appointed by the Chief with the approval of the Mayor and City Council, shall be an exempt rank immediately below that of the Chief and shall be appointed to the position pursuant to 65 ILCS 5/10-2.1-4. The appointment shall be from the rank of sworn, full-time officers of the City. The Deputy Chief shall serve at the discretion of the Chief and, if removed from the position, shall revert to his or her prior commissioned rank pursuant to 65 ILCS 5/10.2.1-4.

B. Compensation: The Deputy Chief shall receive such compensation as the Mayor and City Council shall from time to time determine.

C. Duties of the Deputy Chief: The duties of the Deputy Chief shall be as follows:

1. Be on call and available 24 hours a day and to wear at all times when

on duty a badge and/or uniform showing the authority of the Deputy Chief.

2. Perform all the duties imposed by law, the ordinances of the City and such other duties as the Chief, Mayor and City Council may from time to time require.
3. At all times conserve the peace within the City and to enforce the ordinances thereof.
4. Serve summons and warrants in all cases arising under the ordinances thereof.
5. Serve and execute without delay any and all notices and writs which may be placed in his or her hands for service and obey all orders issued by the Mayor or City Council.
6. Promptly arrest all persons who, in his or her presence, violate any ordinance or laws and to file complaints against such parties before a court having jurisdiction of the matters involved.
7. Assist in enforcing the ordinances and other measures pertaining to the health of the City.
8. Regulate and direct, when necessary, the travel and movement of all persons, teams and vehicles traveling or going in the public streets or other thoroughfares of the City for the purpose of preventing injury to persons or property and of preserving peace and public order.
9. Attend any meetings as directed by the Chief of Police and to preserve order therein under the direction of the Mayor.
10. Render a complete report on any matter or matters coming under his or her supervision when so required by the Chief of Police.
11. Assist the Chief of Police in the adoption rules and regulations for department personnel.
12. Serve as the liaison officer to facilitate the cooperation and protection of the City with the McHenry County Emergency Services and Disaster Agency, as outlined in 20 ILCS 3305/10.
13. Perform such other duties as assigned by the Chief and, in his or her absence, the Mayor and City Administrator.

14. The Deputy Chief shall report to the Chief and, in his or her absence, the Mayor and City Administrator.

4.06 ASSISTING POLICE

It shall be unlawful for any citizen to refuse to assist the Chief or any police officer when called upon by such officer to do so.

4.07 RESISTING OFFICERS

It shall be unlawful for any person to resist any member of the Police Department in the discharge of his duties, or in any way interfere with or hinder or prevent him from discharging his duty as such officer, or to prevent or endeavor to do so, and it shall be unlawful to assist any person in the custody of the police force to escape or attempt to escape from such custody, or to attempt to rescue any person in custody.

4.08 POLICE COMMISSION

Pursuant to 65 ILCS 5/10-2.1-1 et seq., said provisions are hereby adopted and all applicable provisions therein (or as amended by the State Legislature in the future) are incorporated herein by reference as if fully set forth herein.

4.09 POLICE PENSION FUND and POLICE PENSION BOARD

Pursuant to 40 ILCS 5/1-101 and 40 ILCS 5/3-101 et seq., said provisions are hereby adopted and all applicable provisions therein (or as amended by the State Legislature in the future) are herein by reference as if fully set forth herein. (Ord. 2012-105, §1)

4.10 DEPARTMENT RULES

Those Harvard Police Department Rules and Regulations in effect when this Code is passed and approved by the Mayor and City Council shall serve as the rules and regulations of the Harvard Police Department and are incorporated herein by reference.