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**RULES AND REGULATIONS
OF THE BOARD OF
POLICE COMMISSIONERS
VILLAGE OF PONTOON BEACH, ILLINOIS**

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RULES AND REGULATIONS OF THE
BOARD OF POLICE COMMISSIONERS
OF THE VILLAGE OF PONTOON BEACH, ILLINOIS

As adopted by the Board of Police Commissioners of the Village of Pontoon Beach, Illinois, effective June 17, 1998.

CHAPTER 1—ADMINISTRATION

SECTION 1 SOURCE OF AUTHORITY

The Board of Police Commissioners of the Village of Pontoon Beach, Illinois derives its power and authority from an act of the General Assembly entitled, “Division 2.1 Board of Police Commissioners”, Chapter 65 5/10-2-1 of the Illinois Compiled Statutes.

SECTION 2 DEFINITIONS

The word “commission” and/or “board” wherever used shall be the Board of Police Commissioners of the Village of Pontoon Beach, Illinois. The word “officer” shall mean any person holding a permanent office in the Village of Pontoon Beach, Illinois. The masculine noun or pronoun includes the feminine.

SECTION 3 QUALIFICATION FOR OFFICERS OF BOARD

The board shall consist of three (3) members appointed by the President with the advice of and consent of Village Trustees. The terms of office shall be three (3) years and appointments may not be made within thirty (30) days from the date a President’s term of office expires. Appointments are for staggered terms with one commissioner serving to the end of the current calendar year, one commissioner serving to the end of the next ensuing calendar year and the third commissioner serving until the end of the second next ensuing calendar year. If, at the expiration of a commissioner’s term a successor is appointed.

SECTION 4 MEETINGS

Meetings shall be held in March and September of each calendar year and as necessary. Notice shall be posted at the principle office of the Board and the location of where the meeting will be held.

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

The Board shall annually, in September elect a Chairman and a Secretary. They shall hold office until the next yearly September meeting and 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 forms, papers, books, records and completed examinations of the Board.

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Meetings shall be open, notice therefore to be posted forty-eight (48) hours prior to convening, called by the filing of a notice writing with the Secretary of the Board and signed either by the Chairman or any two (2) members thereof. The notice shall contain a complete agenda of the business to be submitted for the consideration of the Board at such meetings, and shall set forth the time and place of such meetings, and no other business shall be considered at such meetings unless by unanimous consent of the Board.

During a 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 invited persons, as the Board may deem necessary. The Secretary will record the motion to close the meeting, record the roll call vote of members on said motion and keep minutes of the closed sessions.

The parliamentary procedure prescribed in "Roberts Rules of Order" shall be followed as far as applicable.

Meetings shall be held in accordance with the Open Meetings Act, Illinois Compiled Statutes, Chapter 5, and Section 120/1-120/5.

The order of business at any meeting shall be:

1. Reading of the minutes
2. Communications
3. Unfinished business
4. New business
5. Adjournment

SECTION 5 RULES AND ADMENDMENTS

The Board shall have the authority of making rules to accomplish their purpose and for original appointment, promotion, for the conduct of discipline hearings, discipline and/or removal of commissioned police officers, with the exception of the Chief.

The rules shall apply only to conducting examinations for original appointments, promotion, appeal of suspensions and to the conduct of hearings on charges brought against an officer of the police department.

No such rule shall be made by the Board to govern the operation of the police department unless the Village council authorizes such authority.

The Board may not make or enforce any rule which will in any way inhibit or prohibit any employee from exercising his full political right to engage in political activities, including the right to petition, make speeches, campaign door to door and to run for public office, so long as the employee does not engage in these activities while he is at work or on duty and does not represent or identify himself as a member of the police department.

The Board may make amendments to these rules. Amendments to the rules of the Board may be made at any meeting of the Board. All amendments shall forthwith be printed for distribution and notice shall be given of the place or places where said rules may be obtained. Such notice shall be published in a newspaper of general circulation in the Village of Pontoon Beach. The notice shall specify the date, not less than ten (10) days subsequent to the date of such publication, when rules shall go into effect.

1
2
3 SECTION 6 ANNUAL REPORT AND BUDGET REQUEST
4

5 The Board shall submit an annual report of its activities and a budget request for the ensuing year.
6
7

8
9
10
11 CHAPTER 2 APPLICATION PROCESS
12

13 SECTION 1 RESIDENCE
14

15 Residency requirements in effect at the time an individual enters employment with the police department *will be*
16 *in accordance to the Village of Pontoon Beach ordinance.*
17

18 SECTION 2 APPLICATION BLANKS
19

20 Application for the position of probationary police officers shall be filed upon blank forms furnished by the Board
21 of Police Commissioners and applicants must comply with the requirements of the form in every respect. The
22 completed application must be filed with the Board of Police Commissioners at least seven (7) working days prior
23 to the orientation date.
24

25 The applicant shall furnish with the application a copy of his/her birth certificate, military service record and
26 discharge papers and if applicable certified educational transcripts shall be mailed directly from the college or
27 university to the Board.
28

29 A false statement made by a person in an application for examination, any false statement made in any certificate
30 which may accompany such application or complicity in any fraud touching the same, shall be regarded as just
31 cause for exclusion from further examination processes.
32

33 Every applicant must be of good moral character, of temperate habits, of sound health and must be physically able
34 to perform the duties of the position applied for. The burden of establishing these facts rest upon the applicant.
35

36 SECTION 3 DEFECTIVE APPLICATIONS
37

38 Defective applications shall be returned to the applicant for correction, provided the applicant is not otherwise
39 disqualified for the position sought.
40

41
42 SECTION 4 PHYSICAL AND MEDICAL EXAMINATIONS
43

44 Applicants for original appointment may be subject to a physical aptitude and shall be required to submit to a
45 thorough medical examination by a licensed physician appointed by the Board of Police Commissioners of the
46 Village of Pontoon Beach.
47

48 SECTION 5 AGE REQUIREMENTS
49

50 Applicants who are twenty (20) years of age and successfully completed two (2) years of law enforcement studies
51 at an accredited college or university *and have not reached their 35th birthday* shall be eligible to take the initial
52 examination for probationary police officer. Any applicant who is twenty (20) years of age and appointed to
53 active duty shall not have the power of arrest, nor be permitted to carry firearms, until he reaches twenty-one (21)
54 years of age. Applicants who are twenty-one (21) years of age, or older, must possess a high school diploma or an
55 equivalent high school education certificate to be eligible to take the initial examination for probationary police
56 officer. Proof of birth date is required at time of application.

1
2 SECTION 6 NOTICE OF ACCEPTANCE
3

4 The Secretary will notify all applicants whose applications have been accepted by the Board to be present for
5 orientation and subsequent examination with an executed Physicians Certificate that they are physically capable of
6 participating in a strenuous “Physical Aptitude Test”.
7
8
9

10 SECTION 7 RELEASE OF LIABILITY
11

12 All applicants shall provide a physician’s certificate of being physically capable to participate in a strenuous
13 physical job related aptitude test. All applicants shall execute and deliver to the Board a release of all liability as
14 the result of taking a physical aptitude test in favor of the Village of Pontoon Beach, the Village Board of Police
15 Commissioners, its agents and representatives on a form to be prescribed by the Board.
16

17 SECTION 8 DISQUALIFICATION
18

19 The Board may refuse to examine an applicant or, after examination, to certify as eligible who:
20

- 21 A. Does not meet the minimum qualifications of peace officers as identified in the job description of the
22 Pontoon Beach Police Department Policy Manual, as approved by the President and Village Board of
23 Pontoon Beach.
- 24 B. Is found lacking in any of the established preliminary requirements for the services for which he applies.
- 25 C. Is physically unable to perform the job related duties of the position to which he seeks appointment.
- 26 D. May be found disqualified in personal qualifications or health.
- 27 E. Is addicted to the use of intoxicating beverages or is found to have taken or used drugs and/or narcotics
28 illegally *in the past year*.
- 29 F. Has been convicted of a felony or any misdemeanor involving moral turpitude, as specified in the Illinois
30 Compiled Statutes, 65 ILCS 5/10-2.1-6.
- 31 G. Has been dismissed from any public service for good cause.
- 32 H. Has attempted to practice any deception or fraud in the written application or any accompanying
33 certificate.
- 34 I. Whose character and employment references are in the determination of the Board of Police
35 Commissioners to be unsatisfactory?
- 36 J. Does not possess or is unable to obtain a valid Illinois drivers license.
- 37 K. Has an unacceptable driving history and/or is uninsurable by the village insurance carrier.
38

39 Applicants deemed disqualified shall be notified in writing by the Board of Police Commissioners.
40

41 CHAPTER 3 ORIGINAL APPOINTMENT EXAMINATIONS
42

43 SECTION 1 NOTICE OF EXAMINATIONS
44

45 Examinations shall be held on the dates fixed by the Board and advertised in at least one (1) local newspaper in
46 accordance with the Illinois Compiled Statutes. Examinations may be postponed by order of the Board; however,
47 the order shall state the reason for such postponement and shall designate a new date for said examination and of
48 this new date fixed for said examination.
49
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1
2 SECTION 2 EXAMINATIONS
3

4 The examinations shall be practical in character and relate to those matters which fairly test the capacity of the
5 person examined to discharge the duties of the positions to which they seek appointment.
6

7 The Board shall conduct examinations to establish an eligibility register. A request for such examinations shall be
8 entered in the minutes of the Board and shall include a statement of the time and place where such examinations
9 will be held.
10

11 Applications will be received for at least a two (2) week period, which shall terminate at least seven (7) working
12 days prior to the orientation date.
13
14

15
16 SECTION 3 TYPE OF EXAMINATIONS
17

18 The selection process consists of orientation, physical aptitude, written and oral examinations structured to test the
19 capacity of the applicant in discharging the duties of the position to which he seeks appointment.
20

21 A. ORIENTATION
22

23 In addition to an explanation of the selection process, a general overview of the duties and responsibilities of the
24 department and information as to the type of written examination employed by the orientation date upon receiving
25 an application blank. It is a requirement that all applicants attend the original appointment orientation program.
26

27 B. PHYSICAL APTITUDE EXAMINATION
28

29 All applicants shall submit to job related physical aptitude examination.
30

31 C. WRITTEN EXAMINATIONS
32

33 Only candidates who have successfully completed the job related physical aptitude examination will be permitted
34 to participate in the written examination. The material used in this examination shall adequately reflect the
35 candidate's aptitude to assimilate training as a police officer. Candidates will be informed of the minimum cut off
36 score required on the written test, normally at the orientation briefing. ***(75% will be the minimum passing score
37 on all written examinations.)***
38
39

40 All written examinations are the property of the Board of Police Commissioners and scoring by the Board shall be
41 final and conclusive and not subject to review by any other board or tribunal of any kind or description.
42

43 Candidates who fail to achieve a passing score will be notified and eliminated from all further consideration.
44

45 D. ORAL EXAMINATION
46

47 All Commissioners shall participate in the Oral Examination except wherein one Commissioner is absent due to
48 illness or when matters of an emergency nature precludes, his attendance. In no event shall less than a majority of
49 the Commissioners conduct the Oral Examination. Questions shall be asked of Candidates on speech, alertness,
50 ability to communicate, judgment, emotional stability, self-confidence, social skill and general fitness for the
51 position. On completion of each Oral Examination the Commissioners will discuss the Candidate's abilities using
52 the traits listed above. Candidates who fail to successfully complete the Oral Examination will be notified and
53 eliminated from all further consideration.
54
55
56

1 SECTION 4 INITIAL ELIGIBILITY REGISTER

2
3 After the orientation, physical aptitude and written examinations have been completed, the Board will prepare an
4 initial eligibility register of the candidates who have successfully completed those portions of the employment
5 process.

6
7 The candidates are placed on the initial eligibility register in descending order based on the total numbers of
8 cumulative points received throughout the testing process. A dated copy of the initial eligibility register shall be
9 made available to each person appearing thereon.

10
11 This register is subject to change with the addition of five (5) maximum *veteran or educational preference points*
12 as prescribed in Illinois Compiled Statutes 65ILCS 5/10-2.1-8 and 65 ILCS 5/10-2.1-9.

13
14
15 *Preference Point Breakdown*

- 16 • *Veteran’s Points* 5
- 17 • *Illinois Police Training Act (Police Cadet) Points* 5
- 18 • *Bachelor’s Degree Points* 4
- 19 • *Associate Degree in Criminal Justice Points* 3
- 20 • *Part-Time or Full-Time Officer in the State of Illinois*
- 21 • *.5 Point per year – Maximum 10 years* 5

22
23 Candidates who are eligible for *preference points* shall make a claim in writing with proof thereof within ten (10)
24 days after the date of the initial eligibility register or such claim shall be deemed waived. *Veteran or educational*
25 *preference* rights shall be explained fully at the orientation session. *The preference points awarded under this*
26 *section shall not be cumulative.*

27
28 SECTION 5 FINAL ELIGIBILITY REGISTER

29
30 The Commissioners will prepare a final eligibility register, which shall include:

- 31
- 32 • *A completed application*
- 33 • *Orientation meeting*
- 34 • *Written and Physical Aptitude examination*
- 35 • *An oral Examination*
- 36 • *Veteran or educational preference points.*

37
38 A dated copy of the final eligibility register shall be made available to each person appearing thereon. This copy
39 shall include the date of expiration of the register two (2) years hence.

40
41 *Oral Examination*

42
43 The Board of Police Commissioners shall convene a panel of not less than three (3) voting examiners.

44
45 Candidates, in sequential order, from the final eligibility list, will be interviewed. The number of candidates to be
46 interviewed will be determined by the Board.

47
48 Questions addressed by the candidate will enable the oral review panel to evaluate and assess the candidate on
49 appearance, preparation, confidence, decisiveness and ability to deal with stress, job knowledge and general
50 overall characteristics.

51
52 On completion of each oral examination the panel members will discuss with *the candidates the following*
53 *examinations:*

1. An ongoing background investigation conducted by person (s) assigned by the Board, and
2. Polygraph examination, commonly known as a lie detector test administered by a licensed operator, and
3. An in-depth psychological examination, and
4. A medical examination to determine physical fitness for duty shall be conducted or directed by a licensed physician appointed by the Board of Police Commissioners. The examination will include, but is not limited to:
 - A. Test of applicants cardiovascular system, vision and hearing, and
 - B. Test for the presence of communicable diseases, and
 - C. Test to screen for the presence of drugs and/or narcotics.

The Board reserves the right to accept applications and other initial entrance examinations for probationary police officers prior to the expiration of the two (2) years register. Candidates on the current register shall be notified and presented, the following option:

1. ***To merge candidates original final score or***
2. ***Repeat the examinations***
 - i. ***Job Related Physical Aptitude***
 - ii. ***Written Examination***
 - iii. ***Oral Examination***

Candidates who choose to merge their present final score into the new register shall have their names removed at the expiration date of the original register.

SECTION 6 SCORING EXAMINATIONS

Failure to achieve the minimum passing score in any examination will disqualify the applicant from any further participation. Each member of the oral review board will score the candidate as pass/fail. A majority score shall prevail. Candidates who fail to achieve a passing score will be notified and eliminated from all further consideration. Examinations will be held in the following sequence:

Examinations	Minimum Passing
1) Orientation	Pass/Fail
2) Job Related Physical Aptitude	Pass/Fail
3) Written Examination	*
4) Oral Examination	Pass/Fail
5) Polygraph Examination	Pass/Fail
6) Psychological Examination	Pass/Fail
7) Medical Examination	Pass/Fail

(*) Minimum cutoff point will be announced by the Board, normally at orientation, prior to conducting the examination and may vary based upon the testing agency selected to supply the examination. One point is awarded for each correct answer. ***(75% will be the minimum passing score on all written examinations.)***

The results of all examinations in the selection process are the property of the Pontoon Beach Board of Police Commissioners and scoring by the Board shall be final and conclusive and not subject to review by any other board or tribunal of any kind or description. Candidates who fail to meet the expectations of the Pontoon Beach Board of Police Commissioners will be notified and eliminated from further employment consideration.

SECTION 7 CONDITIONAL OFFER OF EMPLOYMENT

Candidates successfully meeting the expectations of the Board, and contingent upon available positions, will be presented a conditional offer of employment, subject to the successful completion of:

1. ***A psychological examination***
2. ***Physical medical examination***
3. ***An in-depth background investigation conducted by person (s) assigned by the Board.***
4. ***Entry into the Basic Police Training Academy***

1
2 SECTION 8 PROBATIONARY APPOINTMENT
3

- 4 A. Eligible candidates will be notified in writing by the Board of Police Commissioners and all vacancies to
5 the police department shall be filled by individuals from the final eligibility register in order in which
6 their names appear on the register provided they have meet all requirements previously stated and meet
7 the minimum requirements in job description for the police patrolman/peace officer as stated in the
8 Manual of Rules and Regulations of the Police Department of the Village of Pontoon Beach, Illinois and
9 approved by the Village of Pontoon Beach Board.
10 B. *All original appointments shall be on probationary period of not less than twelve (18) months from*
11 *original date of appointment. The final determination of successful completion of the probationary*
12 *period is to the Chief.*
13 C. Any person on the final eligibility register may decline *one (1)* appointment. It shall be at the option of
14 the Board to strike or maintain the name of such candidate on the register without otherwise altering the
15 candidate's original position on the final register.

16
17 SECTION 9 CERTIFICATION
18

- 19 A. Certification of a probationary police officer shall be conditional to the successful completion of the
20 basic training course as provided by the Illinois Law Enforcement Training and Standards Board within
21 the prescribed probationary period. **Inability to successfully complete this course shall be grounds**
22 **for dismissal.**
23 B. A classifiable set of the fingerprints of every person who is employed as a member of the Pontoon Beach
24 Police Department shall be furnished to the Illinois State Police and the Federal Bureau of Investigation.
25 C. The sole authority to issue certificates of appointment shall be vested in the Board of Police
26 Commissioners.
27

28 CHAPTER 4 PROMOTIONAL PROCESS
29

30 SECTION 1 GENERAL
31

32 The Board shall provide for promotion in the police department on the basis of ascertained merit, seniority (time
33 in service), written and oral examination, and shall provide in all cases, where it is practical, that vacancies shall
34 be filled by promotion. All examinations for promotion shall be competitive among such members of the next
35 lower rank as desire to submit themselves to examination. All promotions shall be made from the three (3) having
36 the highest rating on the final promotions eligibility register as originally posted or remaining thereon after
37 appointments have been made there from. Appointments to fill existing vacancies shall be made from those
38 names or name remaining on the promotion register. The method of examination and rules governing
39 examinations for promotion are specified below. The Board shall strike off all names of candidates for
40 promotional appointments after they have remained thereon for more than three (3) years, provided there is no
41 vacancy existing which can be filled from the promotional register.
42

43 SECTION 2 PROMOTIONAL PROCESS
44

45 Notice of the time and place of written and oral examinations shall be given by the Board by posting at job site at
46 least two (2) weeks preceding the test, however the notice may be waived, in writing, by all eligible personnel for
47 which the promotional examination is to be given. Eligible personnel interested in participation in the testing
48 process shall notify the Board in writing within ten (10) days of notice of examination. The total promotional
49 examination score shall be determined as follows:
50

- 51 A. Written examination, one (1) point for each correct answer.
52 B. Oral examination, maximum of thirty-five (35) points.
53 C. Job performance, maximum of twenty (20) points.
54 D. Seniority (time in service), one (1) point for each full year on the force: maximum five (5) points.
55

1 SECTION 3 PROMOTIONAL PREFERENCE

2
3 After the promotional examination process is completed, a preliminary eligibility list shall be posted and made
4 available to the candidates by the Board. Candidates who are eligible for United States Veterans preference points
5 shall be deemed waived.

6
7 The Board shall give preference to those whose name appears on existing promotional eligible register that was
8 engaged in a military or naval service of the United States for a period of at least one (1) year and was honorably
9 discharged.

10
11 If the candidate files a written claim and if eligible for United States veteran’s preference points, the Board shall
12 add to the total scores in accordance with state statutes.

13
14 No person shall be required to claim the veteran’s preference points until after the posting or publication of the
15 preliminary eligibility list.

16
17 After being promoted from a list where veteran’s preference points were used, no person shall receive veteran’s
18 preference points for any future promotional appointments on the Pontoon Beach Police Department.

19
20
21
22 SECTION 4 FINAL SCORE

23
24 A candidates final score shall consist of the combined score of the written and oral examinations, job
25 performance, seniority (time in service) and veteran’s preference points. Candidates shall be ranked upon a
26 promotional eligibility register in the order of their relative excellence as determined by their final score. A final
27 eligibility list will be posted and made available to each candidate.

28
29 SECTION 5 PROMOTIONAL VACANCY

30
31 Upon notice from the Pontoon Beach Village Board or other appropriate authority that a promotional vacancy
32 exists, the Board shall select the individual to be promoted in the manner specified in Section one (1) of this
33 Chapter.

34
35 Minimum qualifications for promotion to the next higher rank are stated in the job descriptions contained in the
36 Manuel of Rules and Regulations of the Police Department of the Village of Pontoon Beach, Illinois and approved
37 by the Pontoon Beach Board.

38
39 SECTION 6 TEMPORARY APPOINTMENTS

40
41 The Board may make temporary appointments, to remain in force until a regular appointment may be made, but
42 never to exceed sixty (60) days in length.

43
44 No temporary appointment of any one (1) person shall be made more than twice (2) in any calendar year.

45
46 CHAPTER 5 ORDER OF RANK, CLASSIFICATION AND OATH OF OFFICE

47
48 SECTION 1 RANK

49
50 The order of rank in the police department shall be as provided by ordinance and municipal budget.

51
52 SECTION 2 CLASSIFICATION

53
54 The Board classifies such officers in the police department for the purpose of establishing and maintaining
55 standards of the examinations and promotions based upon job descriptions and department regulations.

56

1 SECTION 3 OATH OF OFFICE

2
3 Before entering duty, any person about to become a member of the police department, or be promoted within the
4 ranks of the police department, shall take the following oath before any member of the Board of Police
5 Commissioners:

6
7 “I, _____, do solemnly swear that I will support the Constitution of the United States,
8 and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office
9 _____ according to the best of my ability.

10
11
12
13 _____
14 Signature of Employee

15
16 _____
17 Signature of Person Administering Oath

18
19 _____
20 Date

21
22
23 CHAPTER 6 HEARING OF CHARGES, REMOVALS, SUSPENSION AND DISCHARGES

24
25 SECTION 1 HEARING OF CHARGES

26
27 Hearings before the Board are not common law proceedings. The provisions of the “Code of Civil Procedure” do
28 not apply to hearings before the Board.

29
30 “Counsel” as used herein means: One who has been admitted to the bar as an Attorney-at-law in the State of
31 Illinois.

32
33 No rehearing, reconsideration, modification, vacation, or alteration of decision of the Board shall be allowed.

34
35 “Cause” is some substantial shortcoming, which renders continuance in employment, in some way detrimental to
36 the discipline and efficiency of the public service and something, which the law and sound public opinion
37 recognize as cause for the officer no longer occupying his position.

38
39 The right to determine what constitutes cause rest with the Board.

40
41 The complainant or appellant initiating any proceedings, which call for a hearing before the Board shall have the
42 burden of proof to establish by a preponderance of the evidence that cause for discipline exists or that a
43 suspension, previously imposed by the Chief of Police, is unwarranted.

44
45 The phrase “preponderance of evidence” is defined as the greater weight of evidence, that is to say, it rest with the
46 evidence which, when fairly considered produces the stronger impression and has a greater weight, and is more
47 convincing as to its truth when weighed against the evidence in opposition thereto.

48
49 All hearings shall be public, in accordance with the Open Meetings Act. However, Section forty-two (42)
50 specifically provides that for a good purpose, i. e. officers mental competency, subject matter may prove to be of
51 great embarrassment: a meeting to consider information regarding appointments, employment or dismissal of an
52 officer or to hear testimony on a complaint lodged against an officer may be closed. Under ordinary
53 circumstances, a disciplinary hearing should remain open to the public.

1 At the time and place of hearing both parties may be represented by counsel if they so desire.
2 All proceedings before the Board during the conduct of the hearing shall be recorded by a court reporter to be
3 employed by the Board.
4

5 The reporter will not transcribe the records of all hearings unless requested to do so by the Board or any party of
6 interest.
7

8 The Board shall have the power to administer oaths and all witnesses shall be sworn prior to testifying and, the
9 Board solely on evidence presented at the hearings will decide the matter.
10

11 The Board shall have the power to secure by subpoena both attendance and testimony of witnesses and the
12 production of books and papers relevant to the hearings. Any request for continuance by reason of inability to
13 serve subpoenas shall be filed with the Board at least three (3) days before the dates set for each hearing,
14 provided, however that the Board in its discretion may waive this rule.
15

16 The Board will first hear the witnesses either substantiating the charges, which have been made against the
17 respondent or in support of an appeal, brought by a suspended police officer. Thereafter, the other party shall
18 have the right to cross-examine witnesses presented by the opposition party.
19

20 SECTION 2 HEARING PROCEDURE

21

22 In all cases, written complaints shall be filed in quintuple (5), setting forth a plain and concise statement of the
23 facts upon which the complaint is based.
24

25 The Board shall have the right to determine whether there is or not probable cause for hearing a complaint and
26 may conduct such informal hearing as may be necessary for such purpose.
27

28 Upon the filing of a complaint in quintuple (5) with the Secretary of the Board and the determination by the Board
29 of proper cause for entertaining said complaint. The Secretary of the Board shall notify both the complainant and
30 respondent, by certified mail, return receipt contained in the complaint.
31

32 The Board must schedule a hearing within thirty, (30) calendar days from the date the charges are first received.
33

34 The respondent shall also be served with a copy of the complaint and if an "Order of Suspension Pending a
35 Hearing" is entered by the Board, the respondent, the complainant, the Chief of Police, the Treasurer, Personnel
36 Committee and President shall be notified of the entry of such "Order of Suspension Pending a Hearing" and be
37 served either personally or by certified mail, return receipt requested, with as copy of such order.
38

39 The matter of granting or refusing to grant a continuance of a hearing is within the discretion of the Board.
40

41 Parties may on their own behalf or by counsel stipulate and agree in writing, or on the record, as to evidence of
42 guilt. The facts so stipulated shall be considered as evidence in the proceeding.
43

44 In the event a respondent has been suspended pending a hearing and desires a continuance, it shall also be
45 stipulated and agreed that in the event said respondent is to be retained in his position as the result of a decision of
46 the Board following a hearing of the cause, then no compensation shall be paid to said respondent during the
47 period of said continuance.
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49 Motion or objections to the sufficiency of written charges must be filed or made prior to or at the hearing before
50 the Board.
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4 SECTION 3 SERVICE
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6 All papers required by these Rules and Regulations to be served shall be delivered personally to the party
7 designated or mailed, by United States Mail in an envelope properly addressed with postage prepaid, to the
8 designated party at his/her last known residence as reflected by the complaint filed with the Board except as
9 herein otherwise provided. Proof of service of any paper may be made by the certification of any person so
10 mailing the paper personally or by filing a return receipt showing that a paper was mailed, by either certified mail,
11 return receipt requested, to a party's address where it was received by a named party.
12

13 SECTION 4 FILING
14

15 All papers may be filed with the Board by mailing them or delivering them personally to the Secretary of the
16 Board. For the purpose of these Rules and Regulations, in the event the paper is delivered personally or by
17 messenger, the filing date of any paper shall be the date it was received by the Board. In the event a paper is
18 forwarded by mail, then the filing date shall be the date, which is postmarked on the envelope of such paper.
19

20
21 SECTION 5 FORMS OF PAPER
22

23 All papers filed in any proceeding shall be typewritten or printed and shall be on one (1) side of the paper only.

24 If typewritten, the lines shall be double (2) spaced, except that long quotations may be single (1) spaced and
25 indented.
26

27
28 All papers shall not be larger than eight and one-half (8 ½) by eleven (11) with margins of not less than one (1)
29 inch.
30

31 The original of all papers filed shall be signed in ink by the party filing the paper or by an officer, agency, or
32 attorney thereof and copies thereof provided the opposing party or his/her counsel.
33

34 If an attorney files papers, his name and address shall appear thereon.
35

36 SECTION 6 SUSPENSION
37

38 The Board may suspend any officer against whom charges have been preferred, pending a hearing of the charges
39 by the Board, but not to exceed thirty (30) days, without pay at any time.
40

41 In the case a police officer shall be found guilty of the charges preferred against him/her after a fair and impartial
42 hearing by the Board, he may be removed on charges or suspended for a period not exceeding thirty (30) days,
43 without pay.
44

45 The Chief of Police shall have the right to suspend any officer under his command for a period not to exceed five
46 (5) days, providing no charges on the same offense have been filed and are pending before the Board, and he shall
47 notify the Board in writing within five (5) days of the time of such suspension. Any police officer so suspended
48 may appeal to the Board for review of the suspension within five (5) days after receiving notice of such
49 suspension by filing notice of such appeal in writing with the Secretary of the Board of Police Commissioners. A
50 hearing shall be held upon such appeal and due notice to the Chief of Police who suspended such officer, and to
51 the officer so suspended. The burden of establishing that a suspension is unwarranted shall be upon the individual
52 bringing the appeal.
53

54 Upon such appeal, the Board may sustain the actions of the Chief of Police, may reverse the actions with
55 instructions that the officer so suspended receive his pay for the period involved, may suspend the officer for a
56 period of not more than thirty (30) days, or discharge the officer depending on the evidence presented.

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3 SECTION 7 DISCHARGE OR SUSPENSION AFTER HEARING
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5 No officer shall be removed or discharged except for cause, upon written charges, and after an opportunity to be
6 heard in his own defense.

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8 Discharge from office or suspension from service in the police department shall be in compliance with the Police
9 Commissioners Act of the State of Illinois, being Illinois Compiled Statutes, Division 2, Chapter 65, and Section
10 5/10-2.1-1 through 5/10-2.1-30.

11
12 The Board shall, within a reasonable time after the hearing is completed, enter its findings on the records of the
13 Board.

14
15 SECTION 8 CONFLICT OF RULES
16

17 The Rules and Regulations of the Board of Police Commissioners and the policy manual of the police department
18 shall govern the officers of the police department. In case of conflict, the Rules of the Board shall govern.

19
20 SECTION 9 POLITICAL CONTRIBUTIONS
21

22 No person in the Pontoon Beach Police Department shall be under any obligation to contribute any funds, to
23 render any political service and no such person shall be removed or otherwise prejudiced for refusing to do so.
24 No person shall discharge, promote, reduce, or in any manner change the official rank or compensation of any
25 other person in the Pontoon Beach Police Department or promise or threaten to do so, for withholding or refusing
26 to make any contribution of money or service or any valuable thing for any political purpose, or in any other
27 manner, directly or indirectly, use his/her official authority or influence to compel or induce any other person to
28 pay or render any political assessment, subscription, contribution or service.

29
30 SECTION 10 VIOLATION OF RULES
31

32 All officers of the police department shall be subject to the policy and regulations of the department and the Rules
33 of the Board. A violation of such rules or regulations may be cause for the filing of charges before the Board and
34 a subsequent hearing and action by the Board on such charges.

35
36 SECTION 11 VIOLATION OF LAW
37

38 Any violation of the laws of the Village of Pontoon Beach, state or federal laws, by an officer of the Pontoon
39 Beach Police Department may be cause for the filing of charges against said officer. Any individual may file
40 charges, in writing, with the Board.

41
42 SECTION 12 FINDINGS AND DECISION
43

44 The Secretary shall present the findings and decision of the Board following a hearing of charges, and notice of
45 said findings and decision sent to the officer involved and the Chief of Police. If the findings and decision is that
46 an officer is guilty of charges investigated and removal or discharge is ordered, such order of removal or discharge
47 shall become effective forthwith.

48
49 Either party has thirty-five (35) days after service of the decision to file for administrative review in the Circuit
50 Court of Madison County, Illinois. The decision is deemed served when it is deposited in the United States Mail
51 or date upon which decision is personally served upon the party.
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CHAPTER 7 REDUCTION OF FORCE

SECTION 1 PROCEDURES

For the purpose of determining which officer in the lowest rank or position shall be removed, the least senior officer being the first so removed and/or laid off.

Such reductions and removals shall be in strict compliance with seniority and in no event shall an officer be reduced more than one (1) rank in a reduction of force.

Laid off officers shall have their names placed on a re-employment list in the reverse order of dates of lay-off.

SECTION 2 REINSTATEMENT

If positions are to be reinstated, furloughed officers shall be notified by the Board by United States Mail, certified with return receipt requested, and they shall have prior right to such positions.

The officer must make written application for such reinstated position within thirty (30) days after notification.

Furloughed employees may be required by the Board of Police Commissioners to submit to a physical examination to determine physical fitness prior to being reinstated.

CHAPTER 8 GENERAL

SECTION 1 POWERS

The Board shall have such other powers and duties as are given it by the Statutes of the State of Illinois and/or Village ordinances.

SECTION 2 RULES

Any Chapters, Section and/or Subsections of the foregoing Rules for the operation of the Board that are in conflict with the State Statutes or with any amendments thereto that may hereafter be enacted are null and void. This however does not invalidate any other Chapters, Section and/or Subsections of said Rules.

SECTION 3 AMENDMENTS

Amendments to the Rules of the Board may be made at any meeting of the Board. A notice shall be published, in a newspaper of neutral circulation in the Village of Pontoon Beach, specifying where such Rules are available for inspection. The notice shall specify the date, not less than ten (10) days subsequent to the date of such publication when said Rules shall become effective.

SECTION 4 LEAVES OF ABSENCE

Leave of absence shall be granted by reason of military service or duty-related disability as specified in ILCS 65 5/10-2.1-23. Leaves of absence without pay may be granted by the Board as set forth in the Personnel Code of the Village of Pontoon Beach. A leave of absence is granted by the Board, during a probationary period, such probationary period shall be suspended until the probationary employee returns from his leave of absence.

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CHAPTER 9 AMENDMENTS

Chapter 2,	Section 1,	Residence,	Page 6,	Date:	April 15, 2002
Chapter 2,	Section 8,	Disqualification,	Page 7,	Date:	April 15, 2002
Chapter 2,	Section 5,	Age Requirement,	Page 6,	Date:	April 15, 2002
Chapter 3,	Section 3,	Written Examination,	Page 8,	Date:	April 15, 2002
Chapter 3,	Section 4,	Initial Eligibility Register,	Page 9,	Date:	April 15, 2002
Chapter 3,	Section 5,	Final Eligibility Register,	Page 9,10	Date:	April 15, 2002
Chapter 3,	Section 6,	Scoring Examinations,	Page 10	Date:	April 15, 2002
Chapter 3,	Section 7,	Conditional Offer of Employment,	Page 10,11	Date:	April 15, 2002
Chapter 3,	Section 8,	Probationary,	Page 11,	Date:	June 21, 2000
Chapter 3,	Section 9,	Certification,	Page 11,	Date:	April 15, 2002
Chapter 2,	Section 8,	Disqualification,	Page 7,	Date:	Oct. 19, 2004,