

AN ORDINANCE
AMENDING CHAPTER 2.52 ENTITLED “POLICE DEPARTMENT” OF THE ELGIN
MUNICIPAL CODE AND CHAPTER 3.08 OF THE ELGIN MUNICIPAL CODE ENTITLED
“BOARD OF FIRE AND POLICE COMMISSIONERS”

WHEREAS, the City of Elgin is a home rule unit pursuant to Article VII, Section 6 of the Illinois Constitution and, as a home rule unit, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the city council of the City of Elgin has determined it is necessary and desirable to amend city ordinances regarding the authorized strength, structure, and management of the Elgin police department; and

WHEREAS, the authorized strength, structure, and management of the police department pertain to the government and affairs of the city.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELGIN, ILLINOIS:

Section 1. That Section 2.52.010 of the Elgin Municipal Code entitled “Establishment; divisions” be and is hereby further amended by amending subparagraph A thereof to read as follows:

- “A. There is established an executive department of the city to be known as the police department. The police department shall consist of no more than one hundred ninety-five (195) sworn members, of which one (1) member shall be chief, no more than one (1) member shall hold the rank of deputy chief, no more than three (3) members shall hold the rank of commander, no more than eight (8) members shall hold the rank of lieutenant, no more than twenty-two (22) members shall hold the rank of sergeant and the balance of said members shall be of police officer rank.”

Section 2. That Section 2.52.170 of the Elgin Municipal Code entitled “Appointments” be and is hereby further amended by amending subparagraphs A and B thereof to read as follows:

- “A. All regular members of the police department except the chief, deputy chief, commanders, lieutenants, and sergeants shall be appointed and promoted by the board of fire and police commissioners as provided by law except as provided in this section as follows:
1. The chief of police, with the approval of the city manager, shall select from among the three (3) highest ranked candidates on any eligibility list when making original appointments to the police department. Except as provided in section 3.08.020H, any such candidate not selected shall

retain their position on the eligibility list for the term of such list. No such candidate for original appointment shall fail to be selected more than twice during the term of any applicable eligibility list in favor of any candidate who has been ranked lower on any such eligibility list.

2. All appointees to a position as a member of the police department shall have attained the age of twenty-one (21) years.
3. The chief of police, with the approval of the city manager, shall select from among the three (3) highest ranked candidates on any eligibility list when making promotional appointments to the police department. Except as provided in section 3.08.020H, any such candidate not selected shall retain their position on the eligibility list for the term of such list.
4. In the event more than one candidate is appointed simultaneously, the appointee's overall score on the eligibility list shall determine seniority.

“B. The chief of police, deputy chief, commanders, lieutenants, and sergeants shall be appointed or promoted by the city manager. The deputy chief shall be appointed or promoted either from among members of the department holding the rank of commander, lieutenant or sergeant, or from among qualified persons who are not members of the department, upon the recommendation of the chief of police. Commanders shall be appointed or promoted either from among members of the department holding the rank of lieutenant or sergeant, or from among qualified persons who are not members of the department, upon the recommendation of the chief of police. Lieutenants shall be appointed or promoted from among members of the department holding the rank of sergeant. Sergeants shall be appointed or promoted from among members of the department holding the rank of patrol officer.

Section 3. That Section 3.08.020 of the Elgin Municipal Code entitled “Duties; appointments; exceptions” be and is hereby further amended by amending subparagraph B thereof to read as follows:

“B. The chief of the fire department, assistant fire chief, battalion fire chief and fire marshal of the fire department are and shall be exempt ranks and positions and shall be appointed or promoted by the city manager and shall be subject to removal by the city manager. The chief, deputy chief, commanders, lieutenants, and sergeants of the police department are and shall be exempt ranks and positions not subject to promotional testing pursuant to Division 2.1 of the Illinois Municipal Code and shall be appointed or promoted by the city manager and shall be subject to removal by the city manager.”

Section 4. That nothing in this ordinance is intended to affect existing lieutenant and sergeant promotional eligibility lists or the ranking of candidates on those lists.

Section 5. That any promotional rules of the board of fire and police commissioners will not apply to police lieutenant and police sergeant promotions or appointments.

Section 6. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance be and are hereby repealed to the extent of any such conflict.

Section 7. That this ordinance shall be in full force and effect upon its passage and publication in the manner provided by law.

s/ David J. Kaptain
David J. Kaptain, Mayor

Presented: May 28, 2025
Passed: May 28, 2025
Vote: Yeas: 8 Nays: 0
Recorded: May 28, 2025
Published: May 28, 2025

Attest:

s/ Kimberly Dewis
Kimberly Dewis, City Clerk