

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

CERTIFICATION

I, LUS E. CHAVEZ, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Burnham, Cook County, Illinois, (the "Village"), and as such Village Clerk, I am the keeper of the official journal of proceedings, books, records, papers, minutes, entries, documents, resolutions, ordinances, and files of the Village and of the President and Board of Trustees, (the "Corporate Authorities"), thereof, and that attached is a full, true, and correct copy of ORDINANCE NO. 2017-O-005 now on file in my office entitled:


**ORDINANCE NO. 2017-O-005
POLICE DEPARTMENT – PROBATIONARY PERIOD AN ORDINANCE
AMENDING CHAPTER 50 – LAW ENFORCEMENT – ARTICLE 11 –
POLICE DEPARTMENT – DIVISION 1 – GENERALLY – SECTION 50-
34 – PROBATIONARY PERIOD, OF THE CODE OF ORDINANCES,
VILLAGE OF BURNHAM, COOK COUNTY, ILLINOIS**

I further certify that said Ordinance No. 2017-O-005 was duly passed on roll call vote by the Board of Trustees of the Village on the 26th day of September, 2017, and approved by the President of the Village on the 26th day of September, 2017, and that said Ordinance attached is now in full force and effect and has not been rescinded.

I do further certify that the deliberations of the Corporate Authorities on the passage of said Ordinance was taken openly, that the vote on the passage of said Ordinance was taken openly; that said meeting was held at a specified time and place convenient to the public; that notice of said meeting was duly given to all newspapers, radio or television stations and other news media requesting such notice; and that said meeting was called and held in strict compliance with the provisions of "AN ACT in relation to meeting", approved July 11, 1957, as amended, and the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied will all of the provisions of said Act and said Codes and with all of the procedural rules of the Corporate Authorities.

IN WITNESS WHEREOF, I have affixed hereunto my official signature as

Village Clerk of the Village and the seal of the Village this 26th day of September, 2017.



LUS E. CHAVEZ
Village Clerk

(SEAL)



**THE VILLAGE OF BURNHAM
COOK COUNTY, ILLINOIS**

ORDINANCE NO. 2017 - O - 005

POLICE DEPARTMENT – PROBATIONARY PERIOD

**AN ORDINANCE AMENDING CHAPTER 50 – LAW
ENFORCEMENT – ARTICLE 11 – POLICE DEPARTMENT –
DIVISION 1 – GENERALLY – SECTION 50-34 – PROBATIONARY
PERIOD, OF THE CODE OF ORDINANCES, VILLAGE OF
BURNHAM, COOK COUNTY, ILLINOIS**

WHEREAS, the Village of Burnham, Cook County, Illinois, (the “Village”) has elected by Referendum on March 11, 1980 to become a home rule unit, and accordingly, pursuant to the provisions of the *Constitution of the State of Illinois* of 1970, particularly Article VII, Section 6(a) thereof, the Village is a home rule unit; and

WHEREAS, pursuant to the powers of a home rule unit set forth in Article VII, Section 6(a) of the *Constitution of the State of Illinois* of 1970, the Village may exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of public health, safety, morals, and welfare, to license, to enact ordinances therefore; and

WHEREAS, the President and Board of Trustees of the Village of Burnham (“the Corporate Authorities”) have determined that it is advisable, necessary, and in the best interest of

the public health, safety, and welfare to amend certain regulations with regard to the police department, particularly the probationary period for full-time police officers; and,

WHEREAS the current Village Code of Ordinances of the Village of Burnham provides for a twelve (12) month probationary period for full time officers; and

WHEREAS the collective bargaining agreement, dated August 17th, 2017, between the Village of Burnham and the Illinois Council of Police (Union) on behalf of the full-time police officers established an eighteen (18) month probationary period for full time officers; and

WHEREAS, the President and Board of Trustees of the Village of Burnham (the Corporate Authorities) have determined that it is advisable, necessary, and in the best interest of the residents of the Village of Burnham to amend the Code of Ordinances of the Village of Burnham to change the probationary period for police officers to eighteen (18) months; and

BE IT ORDAINED by the Village President (Mayor) and Board of Trustees of the Village of Burnham, Cook County, Illinois, in the exercise of its home rule powers, as follows:

Section 1. INCORPORATION OF PREAMBLES

THAT, the Corporate Authorities of the Village hereby find that all of the recitals contained in the preambles of this Ordinance are true, correct and complete and do hereby incorporate them into this Ordinance by this reference as if they were set forth verbatim in this section.

Section 2. PROBATIONARY PERIOD

THAT, Section 50-34 of the Code of Ordinances, Village of Burnham, Illinois, is hereby amended to read as follows:

Sec. 50-34. Probationary Period.

All full time police officers of the police department shall serve a probationary period of eighteen (18) months in duration from the original date of appointment excluding those periods

where a probationary officer is attending training courses required by the Illinois Police Training Act, 50 ILCS 5/705-1. A police officer, during the probationary period, is subject to having his employment as a police officer terminated, with or without just cause, by the board of fire and police commissioners. The provisions set forth in 65 ILCS 5/10-2.1-17 shall not be applicable to the termination of a police officer during the probationary period of eighteen (18) months.

Section 3. LEGISLATIVE ACT OF HOME RULE MUNICIPALITY

THAT, this Ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such Ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or, (b) legislate in a manner or regarding a manner not delegated to municipalities by state law. It is the intent of the Corporate Authorities of the Village of Burnham, Cook County, Illinois, that to the extent that the terms of this Ordinance should be inconsistent with any non-preemptive state law, that this Ordinance should supersede state law in that regard within its jurisdiction.

Section 4. SEVERABILITY

THAT, if any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance or the application thereto any person or circumstance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such decision shall not affect the validity of the remaining sections, subsections, paragraphs, sentences, clauses or phrases of this Ordinance or the application of such portion to other persons or circumstances, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any portion.

Section 5. REPEALER OF CONFLICTING ORDINANCES

THAT, all Ordinances, Resolutions, Motions, or Orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 6. EFFECTIVE UPON PUBLICATION

THAT, this Ordinance shall be in full force and effect after its passage, approval, and publication according to law.


Section 7. PUBLISHED IN PAMPHLET FORM

THAT, this Ordinance shall be published in pamphlet form by the authority of the Village President (Mayor) and the Board of Trustees of the Village of Burnham, Cook County, Illinois.

PASSED By the Village President (Mayor) and Board of Trustees of the Village of Burnham, Cook County, Illinois, this 26th day of September, 2017.


PRESIDENT AND VILLAGE BOARD MEMBERS

	AYES:	NAYS:	ABSENT:	ABSTAIN:
Trustee John Cap Jr.	<u> x </u>	_____	_____	_____
Trustee Denise Bonner	<u> x </u>	_____	_____	_____
Trustee Grace Garcia	<u> x </u>	_____	_____	_____
Trustee Brenda Greer	<u> x </u>	_____	_____	_____
Trustee Carmela Richardson	<u> x </u>	_____	_____	_____
Trustee Travis Claybrooks	<u> x </u>	_____	_____	_____

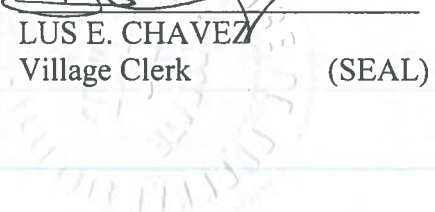


ROBERT E. POLK
Village President (Mayor)

ATTEST:



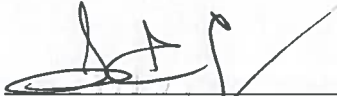
LUS E. CHAVEZ
Village Clerk (SEAL)



Recorded in Village Records:

Published in pamphlet form by authority of the Village President (Mayor) and Board of Trustees
of the Village of Burnham, Cook County, Illinois on 26th day of September, 2017.

ATTEST:



LUS E. CHAVEZ, VILLAGE CLERK
(SEAL)

