

**AMENDING CHAPTER 3 “CITY ADMINISTRATION” OF
THE MUNICIPAL CODE OF THE CITY OF DEKALB,
ILLINOIS PERTAINING TO BONDS AND INSURANCE
POLICIES.**

WHEREAS, the City of DeKalb, DeKalb County, Illinois is a home rule community with those powers granted under the provisions of the Illinois Constitution and the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et. seq.*; and,

WHEREAS, the City of DeKalb has the authority pursuant to the Illinois Municipal Code and its home rule powers to impose requirements for the posting of bonds and insurance policies within the City relative to employee and public official conduct; and,

WHEREAS, the City Council finds that the alteration of such requirements as contemplated below is required to properly promote the public health, safety, welfare and morals; and,

THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of DeKalb, DeKalb County, Illinois, as follows:

Section 1. Ordinances Amended.

Section 3.30 of the City Code of Ordinances shall have a subsection (f) added as follows:

3.12 INSURANCE POLICIES AND CLAIMS SERVICES AGREEMENTS

(f) The City of DeKalb shall obtain and maintain in place insurance coverage providing for the faithful performance of the duties of the City Manager, Finance Director, department heads, and all City employees including but not limited to sworn police officers. Said insurance shall also provide for the faithful performance of duties of the elected and appointed officials of the City of DeKalb. Said insurance coverage shall have policy limits as determined by the City Council from time to time.

Section 3.06(a) of the City Code of Ordinances shall be amended as follows:

3.06 MAYOR

(a) Oath. The Mayor shall, before entering upon the duties of office, take and subscribe to the oath prescribed by law for city officers.

Section 3.07 (c) of the City Code of Ordinances shall be amended as follows:

3.07 CITY MANAGER

c) Bond. The City Manager shall execute a bond in the amount of \$1,000 conditioned upon the faithful performance of duties, with a surety company as surety thereon. Such bond shall be approved and filed with the City and the cost thereof shall be borne by the City.

Section 3.14(a) of the City Code of Ordinances shall be amended as follows:

3.14 CITY CLERK

a) Oath. The City Clerk shall, before entering upon the duties of the office, take and subscribe the oath required by law for city officers; and execute a bond with surety to be approved by the Council, payable to the City in the penal sum of \$1,000 conditioned for the faithful performance of the duties of the office and the payment of all monies received by the Clerk according to law and the ordinances of the City.

Section 3.25(b) of the City Code of Ordinances shall be amended as follows:

3.25 FEES TO CITY TREASURY

b) Any officer violating the provisions of this section shall be personally liable and also liable on any applicable insurance policy of the City, for all moneys received as fees and not paid into the treasury in accordance with the provisions of this Section, and the same may be recovered in an action of debt in the name of the City, in the same manner as fines, penalties and forfeitures may be collected.

Section 3.29 of the City Code of Ordinances shall be deleted its entirety.

Section 4.02(a) of the City Code of Ordinances shall be amended as follows:

4.02 CHIEF OF POLICE

a) Appointment. There is hereby created the office of Chief of Police who shall be the head of the Police Department. The Police Chief shall be appointed and removed from office at the discretion of the City Manager. The appointment shall be subject to the approval of the Council.

Section 4.04(e) of the City Code of Ordinances shall be deleted in its entirety.

4.04 POLICE OFFICERS

Section 54.02(c) of the City Code of Ordinances shall be amended as follows:

54.02 FINANCE DIRECTOR

The Finance Director, serving as Treasurer, shall have a bond in an amount sufficient to satisfy the requirements applicable under 65 ILCS 5/5-3-9.

Section 2. All ordinances or portions thereof in conflict with this ordinance are hereby repealed. Further, any other provision of City Code which requires the posting of a bond by a City employee or elected or appointed official, for performance of activities within their official duties shall be repealed, unless such bond is expressly required by a superior governmental mandate.

Section 3. Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and affect the same as if the invalid provision had not been a part of this Ordinance.

Section 4. This Ordinance shall be in full force and effect after passage and publication pursuant to law. Publication date: April 14, 2015. Effective date: April 24, 2015.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a regular meeting thereof held on the 13th day of April, 2015 and approved by me as Mayor on the same day. Passed by Omnibus roll call vote of 7-0-1. Aye: Jacobson, Finucane, Lash, Snow, Naylor, O'Leary, Rey. Absent: Baker.

ATTEST:



MARCIA E. SWEIGERT, City Clerk




JOHN A. REY, Mayor