

**AMENDING THE MUNICIPAL CODE OF THE CITY OF DEKALB, ILLINOIS, CHAPTER 4, "POLICE DEPARTMENT," SECTION 4.02, "CHIEF OF POLICE" BY ADDING SUBSECTION G PERTAINING TO THE AUTHORITY OF THE CHIEF OF POLICE TO EXECUTE INTERGOVERNMENTAL AGREEMENTS RELATING TO POLICE ACTIVITIES.**

**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 Corporate Authorities of the City have heretofore established Chapter 4 of the City Code of the City of DeKalb which regulates the Police Department of the City and which confers certain authority upon the Chief of Police; and,

**WHEREAS**, the Corporate Authorities have determined that certain updates to said Chapter 4 are required; and,

**WHEREAS**, the City Council has the ability, pursuant to the Illinois Intergovernmental Cooperation Act and the Illinois Constitution to enter into intergovernmental agreements related to the sharing of resources and similar matters, and wishes to delegate certain authority to the Chief of Police in that regard; and,

**WHEREAS**, the City Council determines that there is an urgent public need that will be mitigated by the passage of this ordinance, and hereby includes a statement of urgency and direction that the ordinance take effect immediately upon passage and approval, having made all required findings for such immediate effect;

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

**Section 1. Ordinance Amended.**

**Section 4.02 of the City of DeKalb Code of Ordinances is and shall be amended with the addition of subsection (g) as follows:**

- g) Police Agreements. The Chief of Police is and shall be authorized to enter into one or more agreements or intergovernmental agreements with other law enforcement agencies or governmental agencies, for the shared use of available resources, shared law enforcement or prosecutorial activities, joint operations, co-policing initiatives, integration of command, mutual aid arrangements, and similar law enforcement

operations including utilization of sworn peace officers from other agencies to supplement or temporarily serve in, with or under the City's standing compliment of police officers. Said agreements may cover any terms related to such operations, including the indemnification or insuring of officers involved, chain of command issues, use of City resources, or related topics. Any such agreement shall require the approval of the City Manager. Any agreement which requires the appropriation or use of unbudgeted funds shall require the approval of the City Council for that budgetary amendment, prior to approval by the Chief of Police.

**Section 2.** All ordinances or portions thereof in conflict with this ordinance are hereby repealed. All agreements in violation of the terms of this Ordinance shall be terminated, effective immediately.

**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 immediately after passage, based upon the statement of urgency included in the preamble above (incorporated by reference herein). Publication date: May 14, 2013. Effective date: May 14, 2013.

**PASSED BY THE CITY COUNCIL** of the City of DeKalb, Illinois at a regular meeting thereof held on the 13<sup>th</sup> day of May, 2013 and approved by me as Mayor on the same day. Second reading waived. Passed on roll call vote 7-0-1. Aye: Jacobson, Finucane, Lash, Snow, Naylor, Baker, Rey. Absent: O'Leary.

**ATTEST:**

  
ELIZABETH PEERBOOM, City Clerk



  
JOHN A. REY, Mayor