

SANGAMON COUNTY, ILLINOIS

ORDINANCE
NUMBER 17-02

**AN ORDINANCE AMENDING SECTION 31.03 OF THE VILLAGE CODE TO ALLOW
A HEARING OFFICER TO REVIEW ETHICS COMPLAINTS**

THOMAS S. GRAY, Village President
PAT SCHAD, Village Clerk

MARK CLAYTON
TERRY FOUNTAIN
DAVID KIMSEY
NINA LINDHORST
MATT MAU
JOE SCHATTEMAN
Village Trustees

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Chatham
on JAN 10, 2017

Sorling Northrup – 1 N. Old State Capitol Plaza, Suite 200, Springfield, IL 62705

ORDINANCE NO. 17-

**AN ORDINANCE AMENDING SECTION 31.03 OF THE VILLAGE CODE TO ALLOW
A HEARING OFFICER TO REVIEW ETHICS COMPLAINTS**

WHEREAS, the Village of Chatham (“Village”), Sangamon County, State of Illinois, is a duly organized and existing Village created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Illinois Municipal Code; and

WHEREAS, Section 31.03(O)(2)(b) of the Village Code establishes a process for reviewing ethics complaints filed under Chapter 31 and for making recommendations to the Village Board; and

WHEREAS, Section 31.03(O)(2)(b) is vague as to “disinterested” trustees and does not specifically allow for the appointment of a hearing officer to review ethics complaints and to then make a recommendation to the Village Board; and

WHEREAS, the Village Board desires to amend Section 31.03(O)(2)(b) to clarify that the Village Board may appoint a hearing officer to complete the initial review of ethics complaints and make recommendations to the Village Board.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Chatham, County of Sangamon, as follows:

Section 1. Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

Section 2. Amendment. Title III, Section 31.03(O)(2)(b) shall be amended as follows:

In the case of an appointed officer or an elected officer, refer the matter to an ad hoc committee composed of the President and two disinterested Trustees (or, if the complaint is against the President, to three disinterested trustees) for investigation. The ad hoc committee shall render its findings to the entire Board within thirty days of referral of the matter, along with a recommendation as to

what action, if any, should be taken with respect to the alleged violation. In lieu of the appointment of an ad hoc committee, the Village Board may appoint and designate a hearing officer to conduct the investigation. The hearing officer shall render his or her findings to the entire Board within thirty days of referral of the matter, along with a recommendation as to what action, if any, should be taken with respect to the alleged violation. The hearing officer must be a licensed attorney with experience presiding over administrative or judicial tribunals.

Section 3. Severability. In the event a court of competent jurisdiction finds this ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

Section 4. Repeal and Savings Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the Village of Chatham prior to the effective date of this ordinance.

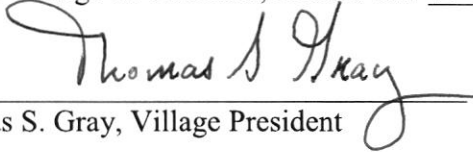
Section 5. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this 10 day of JAN, 2017.

	YES	NO	ABSENT	PRESENT
MARK CLAYTON	✓			
TERRY FOUNTAIN	✓			
DAVID KIMSEY	✓			
NINA LINDHORST	✓			
MATT MAU	✓			
JOE SCHATTEMAN			ABSTAIN	
THOMAS S. GRAY				
TOTAL	5		1 ABSTAIN	

APPROVED by the President of the Village of Chatham, Illinois this 10 day of

JAN, 2017.



Thomas S. Gray, Village President

Attest:


Pat Schad, Village Clerk