

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

DISTRICT # _____

- Resolution or Ordinance (Blue) Waiver of First Requested _____
- Recommendations of Boards, Commissions & Committees (Green)
- Other Business (Pink)

TO : PRESIDENT AND BOARD OF TRUSTEES

FROM : Scott Niehaus, Village Manager

DATE : January 26, 2023 B of T February 2, 2023

SUBJECT: Ordinance Amending Title 3, Chapters 31, 33 and 34 of the Lombard Village Code in Regard to Residency Requirements

SUBMITTED BY: Scott Niehaus, Village Manager

BACKGROUND/POLICY IMPLICATIONS:

Ordinance amending Chapters 31, 33 and 34 of the Village Code to require the Police Chief, the Fire Chief and the Deputy Fire Chief to reside within the village or within thirty (30) miles of the corporate boundaries of the Village.

Fiscal Impact/Funding Source:

Review (as necessary):

Finance Director _____ Date _____

Village Manager _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda distribution.



MEMO TO : Village President Keith Giagnorio and
Lombard Village Board

FROM : Scott R. Niehaus
Village Manager

DATE : January 24, 2023

SUBJECT : **ORDINANCE AMENDING RESIDENCY REQUIREMENTS FOR PUBLIC SAFETY
UPPER MANAGEMENT**

With the recent retirement announcements of both Police Chief Roy Newton and Deputy Fire Chief Ray Kickert, I have found it necessary to review our current ordinances as they pertain to the residency requirements for upper management employees in our public safety departments. This is necessary to ensure that our employment requirements are consistent with industry standards and do not adversely impact our ability to attract and retain qualified employees for our top-level positions. Provided below is a brief summary that explains the current residency requirements for various department head-level and line positions:

Village Manager and Deputy Village Manager – No residency requirement to live within the corporate limits of the Village. Both positions required to live within the State of Illinois.

Police Chief – Residency required within 5 miles of the intersection of Main and Wilson.

Deputy Police Chief – No residency requirement to live within the corporate limits of the Village. Both positions required to live within the State of Illinois.

Fire Chief - Residency required within 5 miles of the intersection of Main and Wilson.

Deputy Fire Chief - Residency required within 5 miles of the intersection of Main and Wilson.

Department Heads - No residency requirement to live within the corporate limits of the Village. Both positions required to live within the State of Illinois. This was previously a requirement which was rescinded in 2013.

Sworn Police Officers - No residency requirement to live within the corporate limits of the Village. Required to live within the State of Illinois.

Sworn Firefighters - No residency requirement to live within the corporate limits of the Village. In addition, shift fire fighters can live in Illinois, Lake County, Wisconsin and Lake County, Indiana. The out of state residency was authorized by ordinance in 2018.

In an effort to determine the current industry standard, I contacted DMMC to see if they had any recent survey data. The attached spreadsheet reflects the results of a survey conducted in September of 2022. As you will see, only one (1) responding community required their public safety chiefs to live within the corporate limits (Bolingbrook). All others either had no residency or a generous radius of 25 to 30 miles.

In addition, I did a simple survey of our current employees of Police and Fire that hold the promoted ranks of Deputy Chief, Police Sergeant, Police Lieutenant, Battalion Chief and Fire Lieutenant. Out of 28 total employees, only 11 would currently live within the 5-mile radius of our current ordinance.

Current technology limits the need for rapid response from senior staff to emergency incidents. In addition, given the current industry standard and residence locations of our future department leaders, I am seeking Village Board support to amend the ordinance to allow the Police Chief, Fire Chief and Deputy Fire Chief to live within 30 miles of our corporate limits. I believe doing so will benefit the village in the following ways:

1. Creation of a deeper applicant pool for future vacancies to be filled by both internal and external individuals where necessary;
2. Allow us to exercise strategic succession planning by developing existing employees for increased responsibility in the future;
3. Eliminate potential concerns of interested employees who are hesitant to apply due to concerns about family/school commitments, real estate market issues or high interest rates.

Attached for your reference is a draft ordinance prepared by the village attorney for consideration at the next Village Board meeting on February 27, 2023.

SN:cb

Attachment

Sn personnel residency public safety 01242023

DMMC Survey - Fire and Police Chief Residency Policy

9/14/2022

Municipality:	A member has requested information relating to policies requiring residency/proximity for Fire and Police Chiefs. If your community has a policy, we ask that you please share a copy.
<i>Village of Addison</i>	Addison does not have a policy nor mandates a residency for the Police Chief. Our Fire Department is a District
<i>Village of Bolingbrook</i>	All department heads, including the police and fire chief, must live in town.
<i>Village of Carol Stream</i>	We do not require residency.
<i>Village of Clarendon Hills</i>	We do not have a specific policy. We currently have a Fire Chief who lives in town, and a Police Chief who lives quite a distance away.
<i>City of Darien</i>	No policy in Darien.
<i>City of Elmhurst</i>	Elmhurst has no residency requirement.
<i>Village of Itasca</i>	Our police department has no residency or proximity requirement for any police officer with the exception of the Director/Chief of Police which is 30 miles.
<i>City of Naperville</i>	No residency or proximity requirement for anyone in public safety.
<i>Village of Oak Brook</i>	The Village of Oak Brook does not require residency or proximity for any staff member.
<i>Village of Schaumburg</i>	<p align="center">This is our policy:</p> Every person hired or appointed to the position of Assistant Village Manager or Department Director shall have and maintain personal principal residence either within the corporate limits of the Village of Schaumburg or within a response radius of thirty (30) minutes (during normal travel conditions) from the Schaumburg municipal boundaries, as soon as practicable after employment or appointment. Residence within the City of Chicago will not be accepted and does not meet these criteria.
<i>City of Warrenville</i>	Warrenville does not have a residency requirement for Police Chief, but in our recent posting we included language that the Chief is expected to live close enough that they can actively participate in community events and respond to police matters.
<i>Village of Westmont</i>	We have no policy specific to either Chief position. Neither one lives in town.
<i>City of West Chicago</i>	No residency for our Police Chief and the Fire District doesn't either for its Chief.
<i>City of Wheaton</i>	No formal policy.
<i>Village of Winfield</i>	No policy.
<i>Village of Woodridge</i>	We have a blanket radius requirement of 30 miles for our employees. See <i>*attached*</i> pertinent section of our Employee Handbook. NOTE: We have given additional 6 month extension on being required to live within 30 miles (as crow flies) within 6 months We do not have a Fire Dept in Woodridge; we're served by Fire Districts.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 3, CHAPTERS 31, 33 AND 34
OF THE LOMBARD VILLAGE CODE IN REGARD TO RESIDENTIAL
PROXIMITY REQUIREMENTS FOR THE POSITIONS OF FIRE CHIEF
POLICE CHIEF, AND DEPUTY FIRE CHIEF**

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

SECTION 1: That Title 3, Chapter 31, §31.65(A) of the Lombard Village Code is hereby amended to read in its entirety as follows:

“(A) The Fire Chief and Deputy Fire Chief of the village are hereby required to have residency as required by Title 3, Chapter 33, §33.24 of the Village Code.”

SECTION 2: That Title 3, Chapter 33, §33.24(A) and (B) of the Lombard Village Code is hereby amended to read in its entirety as follows:

“(A) The Fire Chief and Deputy Fire Chief shall be required to reside within the village or within thirty (30) miles of any point on the corporate boundary of the village.

(B) Any person appointed to the position of Fire Chief or Deputy Fire Chief, who does not meet the requirement of this section at the time of appointment, shall have one year to come into compliance with this section from the date of appointment. The Village Manager shall have the discretion to grant said person additional time to come into compliance with this section based on a showing of hardship.”

SECTION 3: That Title 3, Chapter 34, § 34.27(A) of the Lombard Village Code is hereby amended to read in its entirety as follows:

“(A) The Police Chief shall be required to reside within the village or within thirty (30) miles of any point on the corporate boundary of the Village.”

SECTION 4: That this Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as provided by law.

Passed on first reading this _____ day of _____, 2023.

First reading waived by action of the Board of Trustees this _____ day of _____, 2023.

Passed on second reading this _____ day of _____, 2023, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this _____ day of _____, 2023.

Keith T. Giagnorio
Village President

ATTEST:

Elizabeth Brezinski
Village Clerk

Published by me in pamphlet form this _____ day of _____, 2023.

Elizabeth Brezinski
Village Clerk