

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
JUNE 17, 2014 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
An Ordinance Classifying Fire Investigators as Peace Officers	Resolution ✓ Ordinance Motion Discussion Only	James Jackson Fire Chief

SYNOPSIS

An Ordinance has been prepared to classify certain fire investigators as peace officers by the Village.

STRATEGIC PLAN ALIGNMENT

The goals for 2011-2018 include *Exceptional Municipal Services*.

FISCAL IMPACT

N/A

UPDATE & RECOMMENDATION

This item was discussed at the June 10, 2014 Village Council meeting. Staff recommends approval on the June 17, 2014 Active Agenda.

BACKGROUND

Pursuant to Section 2910 of the Peace Officer Fire Investigation Act (20 ILCS 2910/1), political subdivisions of the State of Illinois may classify sworn members of its Fire Department as peace officers. In 2000, the Village Council adopted Ordinance No. 4197 which classified certain members of the Department as peace officers who had satisfactorily completed the necessary training course in fire and arson investigation approved by the Office of the State Fire Marshal pursuant to the Illinois Fire Protection Act. This ordinance will update the members of the Fire Department fire investigation team that can be classified as peace officers.

ATTACHMENTS

Ordinance

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Fire Chief **DATE:** June 17, 2014
(Name)

RECOMMENDATION FROM: _____ **FILE REF:** _____
(Board or Department)

NATURE OF ACTION:

- Ordinance
- Resolution
- Motion
- Other

STEPS NEEDED TO IMPLEMENT ACTION:

Motion to Adopt "AN ORDINANCE CLASSIFYING CERTAIN FIRE INVESTIGATORS AS PEACE OFFICERS BY THE VILLAGE OF DOWNERS GROVE", as presented.



SUMMARY OF ITEM:

Adoption of this ordinance shall classify certain fire investigators as peace officers.

RECORD OF ACTION TAKEN:

ORDINANCE NO. _____

**AN ORDINANCE CLASSIFYING CERTAIN FIRE INVESTIGATORS
AS PEACE OFFICERS BY THE VILLAGE OF DOWNERS GROVE**

WHEREAS, Section 2910 of the Peace Officer Fire Investigation Act (20 ILCS 2910/1) provides that political subdivisions of the State of Illinois may classify a sworn member of its fire department as a peace officer as therein provided; and,

WHEREAS, Fire Investigators, Gregory L. Morton, Philip A. Lazzara, and George J. Drobney, Jr. of the Downers Grove Fire Department are hereby relieved of peace officer duties and shall no longer be classified as a peace officer for the Village of Downers Grove.

WHEREAS, Fire Investigators Bret A. Mowery, James M. Werner and John Stoeber are:

- a. Sworn members of the Downers Grove Fire Department; and
- b. Authorized to investigate fires or explosions for the Village of Downers Grove.

WHEREAS, the Downers Grove Fire Department is an organized and paid fire department; and,

WHEREAS, the Village of Downers Grove had previously determined that it is necessary and in the best interest of the Village of Downers Grove to classify Fire Investigators Bret A. Mowery and James M. Werner as Peace Officers of the Village of Downers Grove, DuPage County, Illinois and shall continue to classify them as peace officers as they met all requirements set forth in 20 ILCS 2910/1; and

WHEREAS, the Village of Downers Grove has determined that it is in the best interest of the Village of Downers Grove to classify Fire Investigator John Stoeber as an additional Peace Officer of the Village of Downers Grove, DuPage County, Illinois.

NOW, THEREFORE, BE IT ORDAINED by the Village Council of the Village of Downers Grove, DuPage County, Illinois, as follows:

1. That the Downers Grove Village Council hereby finds the forgoing recitals to be fact.
2. That the Village Council hereby finds that Fire Investigator John Stoeber has satisfactorily completed a training program offered or approved by the Illinois Law Enforcement Training Standards Board which substantially conforms to standards promulgated pursuant to Illinois Police Training Act and “An Act in relation to firearms training for peace officers”, approved August 29, 1975,

as amended, and, has satisfactorily completed a course in fire and arson investigation approved by the Office of the State Fire Marshall pursuant to the Illinois Fire Protection Training Act.

3. That in addition to James M. Werner and Bret A. Mowery, John Stoeber is hereby classified as a peace officer of the Village of Downers Grove, DuPage County, Illinois, and they all shall possess the same powers of arrest, search and seizure and the securing and service of warrants as sheriffs of counties, and police officers within the jurisdiction of the Village of Downers Grove, DuPage County, Illinois.

4. That James M. Werner, Bret A. Mowery and John Stoeber, while in the actual investigation of fires, explosions, or, suspected arsons, and matters incident thereto, may carry a firearm as may be necessary and in conformity with the requirements, rules and regulations relating to firearms carried by members of the Downers Grove Police Department.

5. That this Ordinance shall be in full force and effect immediately upon its passage by the Village Council of the Village of Downers Grove, DuPage County, Illinois and approval of the Mayor thereof.

6. That this Ordinance supersedes and renders null and void Ordinance No. 4418 which was passed on June 4, 2002.

Mayor

Passed:

Published:

Attest: _____
Village Clerk