

## ORDINANCE NO. F-1842

### AN ORDINANCE AMENDING ARTICLE II OF THE WHEATON CITY CODE (FIRE DEPARTMENT REORGANIZATION)

WHEREAS, the City of Wheaton, Illinois ("City") is an Illinois home rule municipality having those powers provided by State Law; and

WHEREAS, the Mayor and City Council of the City of Wheaton deem it in the best interests of the public health, safety and welfare to provide firefighting/emergency services for the residents of the City; and

WHEREAS, the Mayor and City Council of the City upon review and consultation with the Fire Chief and the City Manager have determined that the reorganization of the Wheaton Fire Department is reasonable, will promote efficient command structure, and the efficient use of Wheaton Fire Department and City resources.

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule power, as follows:

**SECTION 1:** That Article II of Chapter 30, entitled Fire Department, of the Wheaton City Code, including all of the subsections of Article II, is hereby repealed and rescinded in its entirety and replaced with a new Article II, Sections 30-31 through 30-33, of Chapter 30 which shall read as follows:

#### Sec. 30-31. - Composition and command structure.

The fire department shall consist of the Fire Chief who shall be appointed by the City Manager. The Fire Chief shall be exempt from the jurisdiction of the City Board of Fire and Police Commissioners and may be removed by the City Manager in conformance with section 2-167 of the City Code. The chain-of-command of the fire department from highest rank to lowest rank shall be as follows:

- (1) Fire Chief;
- (2) Acting Fire Chief;
- (3) Assistant Fire Chief;
- (4) Acting Assistant Fire Chief;
- (5) Lieutenant; and
- (6) Firefighter.

Sec. 30-32. - Assistant Fire Chief.

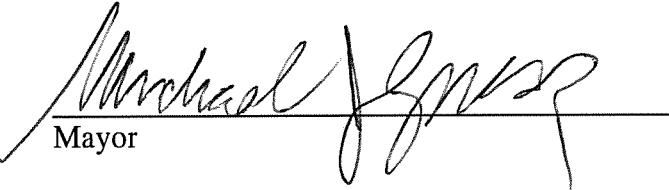
(a) *Creation of Assistant Fire Chief.* There is hereby created the position of Assistant Fire Chief. The Fire Chief, with the approval of the City Manager, shall appoint four (4) Assistant Fire Chiefs; who shall remain in such position until the Fire Chief, with the approval of the City Manager, deems otherwise. There shall be three (3) Assistant Fire Chiefs/Shift Commanders and one (1) Assistant Fire Chief/Administration. The Assistant Fire Chiefs shall report to the Fire Chief and the City Manager, and shall be exempt from the jurisdiction of the City Board of Fire and Police Commissioners. The Assistant Fire Chief may be removed by the City Manager in conformance with Chapter II, Article IV, Division 1, Section 2-167 of the City Code.

(b) *Appointment of Assistant Fire Chiefs.* The Fire Chief, with the approval of the City Manager, shall appoint the Assistant Fire Chiefs upon passage of the ordinance from which this article is derived or upon a vacancy in the position.

**SECTION 2:** All Ordinances and parts of Ordinances in conflict with or inconsistent with the provisions of this Ordinance are hereby repealed to the extent of any such conflict or inconsistency.

**SECTION 3:** That if any part or portion of this Ordinance shall be declared invalid by a court of competent jurisdiction, such partial invalidity shall not affect the remainder of this Ordinance.

**SECTION 4:** This Ordinance shall become effective and shall be in full force on January 11, 2015. Subsequent to that date the Chief in his sound discretion shall have the authority to administratively implement the timing of the reorganization of the Fire Department's composition and command as authorized herein. The City Clerk shall publish this Ordinance in pamphlet form in the manner prescribed by law.

  
\_\_\_\_\_  
Mayor

Attested by:

  
\_\_\_\_\_  
City Clerk

Ayes:	<u><b>Roll Call Vote:</b></u> Councilman Rutledge Councilman Saline Mayor Gresk Councilman Scalzo Councilman Suess Councilman Prendiville
Nays:	None
Absent:	None
<u><b>Motion Carried Unanimously</b></u>	

Passed: January 5, 2015

Published: January 6, 2015