

65 ILCS 5/3.1-30-5

Statutes current with legislation through P.A. 102-984, except for portions of P.A. 102-813, of the 2022 Session of the 102nd Legislature.

Illinois Compiled Statutes Annotated > Chapter 65 MUNICIPALITIES (§§ 5/1-1-1 — 120/99-99) > Illinois Municipal Code (Arts. 1 — 11) > Article 3.1. Officers (Divs. 5 — 55) > Division 30. Appointed Officers in All Municipalities (§§ 5/3.1-30-5 — 5/3.1-30-25)

65 ILCS 5/3.1-30-5 Appointed officers in all municipalities.

(a) The mayor or president, as the case may be, by and with the advice and consent of the city council or the board of trustees, may appoint (1) a treasurer (if the treasurer is not an elected position in the municipality), (2) a collector, (3) a comptroller, (4) a marshal, (5) an attorney or a corporation counsel, (6) one or more purchasing agents and deputies, (7) the number of auxiliary police officers determined necessary by the corporate authorities, (8) police matrons, (9) a commissioner of public works, (10) a budget director or a budget officer, and (11) other officers necessary to carry into effect the powers conferred upon municipalities.

(b) By ordinance or resolution to take effect at the end of the current fiscal year, the corporate authorities, by a two-thirds vote, may discontinue any appointed office and devolve the duties of that office on any other municipal officer. After discontinuance, no officer filling the office before its discontinuance shall have any claim against the municipality for salary alleged to accrue after the date of discontinuance.

(c) Vacancies in all appointed municipal offices may be filled in the same manner as appointments are made under subsection (a). The city council or board of trustees of a municipality, by ordinance not inconsistent with this Code, may prescribe the duties, define the powers, and fix the term of office of all appointed officers of the municipality; but the term of office, except as otherwise expressly provided in this Code, shall not exceed that of the mayor or president of the municipality.

(d) An appointed officer of a municipality may resign from his or her office. If an appointed officer resigns, he or she shall continue in office until a successor has been chosen and has qualified. If there is a failure to appoint a municipal officer, or the person appointed fails to qualify, the person filling the office shall continue in office until a successor has been chosen and has qualified. If an appointed municipal officer ceases to perform the duties of or to hold the office by reason of death,

permanent physical or mental disability, conviction of a disqualifying crime, or dismissal from or abandonment of office, the mayor or president of the municipality may appoint a temporary successor to the officer.

History

[P.A. 87-1119, § 2](#); [88-537, § 5](#); [94-984, § 20](#).

Annotations

Notes

Editor's Notes

Section 99 of [P.A. 88-537](#) made the Act effective January 1, 1994, however, the Act was not approved until March 14, 1994.

Amendment Notes

The 1994 amendment by P.A. 88-537, effective January 1, 1994, approved March 14, 1994, added subsections (c) and (d).

The 2006 amendment by P.A. 94-984, effective June 30, 2006, made a gender-neutralizing change.

CASE NOTES

Appointment Powers

Board of Trustees

City Clerk

Creation of Policewomen's Bureau

Mayor

Outside Attorney

Police Chief