

ORDINANCE NO. 2013-05

**An Ordinance Amending the West Dundee Municipal Code,
Title 1, Chapter 8, Village Departments and Chapter 9, Personnel Policies and Procedures
for the Village of West Dundee**

WHEREAS, the Village of West Dundee, Kane County, Illinois, is a home rule municipality as contemplated under Article VII, Section 6 of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's home rule powers and functions as in the Constitution of the State of Illinois; and

WHEREAS, the Village of West Dundee has no stated policy to provide for severance upon termination of Department Manager personnel; and,

WHEREAS, the Village Board finds it appropriate to provide severance should personnel in these high ranking, non-sworn staff positions be terminated without cause;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES, VILLAGE OF WEST DUNDEE, KANE COUNTY, ILLINOIS, THAT,

SECTION 1: That Section 1-9-13(H) of the West Dundee Municipal Code shall be added, to read as follows:

1-9-13(H): SEVERANCE: In the event that Village terminates the employment of the Finance Director, Community Development Director or Public Works Director without cause, Village shall pay severance equal to one (1) week's pay for each year of service, up to a maximum of eight (8) weeks. In the event the Village opts to terminate this employment with cause, no severance will be provided. "Cause", for the purposes of this paragraph, shall be defined as an indictment alleging commission of a felony, theft of Village of West Dundee property or services or material violation of any State or Village code of ethics. Anything not defined as "with cause" shall be presumed to be "without cause".

SECTION 2: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.


SECTION 3: All ordinances or parts of ordinances in conflict herewith area hereby repealed to the extent of such conflict.

SECTION 4: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

APPROVED this 18th day of March, 2013, by a roll call vote as follows:

AYES: Trustees Osth, Hanley, Yuscka, Kembitzky and Voss
NAYS: Trustee Price
ABSENT: None

ATTEST:


Barbara Traver
Village Clerk


Larry Keller
Village President