

CHAPTER 14

CONTINUITY OF GOVERNMENT

14.01	Definitions
14.02	Designation, Status, Qualifications and Term of Emergency Interim Successors
14.03	Assumption of Powers and Duties of Officers by Emergency Interim Successor
14.04	Recording and Publication
14.05	Formalities of Taking Office
14.06	Quorum and Vote Requirements

14.01 DEFINITIONS

- (a) **DEFINITIONS.** As used in this Chapter, unless the context otherwise clearly indicates:
- (1) **"Unavailable"** shall mean either that a vacancy in office exists and there is no deputy authorized to exercise all of the powers and discharge the duties of the office, or that the lawful incumbent of the office (including and deputy exercising the powers and discharging the duties of an office because of a vacancy) and his duly authorized deputy are absent or unable, for physical, mental or legal reasons, to exercise the powers and discharge the duties of the office.
 - (2) **"Attack"** shall mean any attack or series of attacks by an enemy of the United States causing, or which may cause, substantial damage or injury to civilian property or persons in the United States in any manner, by sabotage or by the use of bombs, missiles, shellfire, or atomic, radiological, chemical, bacteriological, or biological means or other weapons or process.
 - (3) **"Duly Authorized Deputy"** shall mean a person who is presently authorized to perform all of the functions, exercise all of the functions, exercise all of the powers and discharge all of the duties of an office in the event the office is vacant or at such times as it lacks administration due to the death, absence or disability of the incumbent officer.
 - (4) **"Emergency Interim Successor"** shall mean a person designated pursuant to this Chapter for possible temporary succession to the powers and duties, but not the office, of a Village officer in the event

that such officer or any duly authorized deputy is unavailable to exercise the powers and discharge the duties of the office.

14.02 DESIGNATION, STATUS, QUALIFICATIONS, AND TERMS OF EMERGENCY INTERIM SUCCESSORS

- (a) **ELECTIVE OFFICERS.** Within thirty (30) days after first entering upon the duties of his office, each member of the Village Board and all Village Elected Officers shall, in addition to any duly authorized deputy, designate such number of emergency interim successors to his office and specify their rank in order of succession after any duly authorized deputy so that there will be not less than three duly authorized deputies or emergency interim successors or combinations thereof for the office.
- (b) **APPOINTIVE OFFICERS.** The Village Board shall within the time specified in subsection (a) of this Section, in addition to any duly authorized deputy, designate for appointive officers such number of emergency interim successors to these officers and specify their rank in order of succession after any duly authorized deputy so that there will be not less than three duly authorized deputies or emergency interim successors or combination thereof for each officer.
- (c) **REVIEW OF DESIGNATIONS.** The incumbent in the case of those elective officers specified in subsection (a) of this Section, and the Village Board in the case of those appointive officers specified in subsection (b) of this Section, shall review and, as necessary, promptly revise the designations of emergency interim successors to insure that at all times there are at least three such qualified emergency interim successors or duly authorized deputies or any combination thereof for each officer specified.
- (d) **QUALIFICATIONS.** No person shall be designated or serve as an emergency interim successor unless he may under the constitution and statutes of this State and the charter or ordinances of this Village, hold the office of the person to whose powers and duties he is designated to succeed, but no provision of any Ordinance prohibiting an officer or employee of this Village from holding another office shall be applicable to an emergency interim successor.
- (e) **STATUS OF EMERGENCY INTERIM SUCCESSOR.** A person designated as an emergency interim successor holds that designation at the pleasure of the designator: Provided, that he must be replaced if removed. He retains this designation as emergency interim successor until replaced by another appointed by the authorized designator.

14.03 ASSUMPTION OF POWERS AND DUTIES OF OFFICER BY EMERGENCY INTERIM SUCCESSOR

If, in the event of an attack, any officer named in subsections (a) and (b) of Sec. 14.02 of this Chapter and any duly authorized deputy is unavailable, his emergency interim successor highest in rank in order of succession who is not unavailable, shall, except for the power and duty to appoint emergency interim successors, exercise the powers and discharge the duties of such officer. An emergency interim successor shall exercise these powers and discharge these duties only until such time as the lawful incumbent officer or any duly authorized deputy or an emergency interim successor higher in rank in order of succession exercises, or resumes the exercise of, the powers and discharge of the duties of the office, or until, where an actual vacancy exists, a successor is appointed to fill such vacancy or is elected and qualified as provided by law.

14.04 RECORDING AND PUBLICATION

The name, address, and rank in order of succession of each duly authorized deputy shall be filed with the Village Clerk and each designation, replacement or change in order of succession of an emergency interim successor shall become effective when the designator files with the Village Clerk the successor's name, address, and rank in order of succession. The Village Clerk shall keep on file all such data regarding duly authorized deputies and emergency interim successors and it shall be open to public inspection.

14.05 FORMALITIES OF TAKING OFFICE

At the time of their designation, emergency interim successors shall take such oath and do such other things, if any, as may be required to qualify them to exercise the powers and discharge the duties of the office to which they may succeed.

14.06 QUORUM AND VOTE REQUIREMENTS

In the event of an attack, quorum requirements for the Village Board shall be suspended, and where the affirmative vote of a specified proportion of members for approval of an Ordinance, resolution or other action would otherwise be required, the same proportion of those voting there on shall be sufficient.