



Forest Preserve District of Cook County Board of Commissioners
Legislation and Intergovernmental Relations Committee REVISED Minutes

Tuesday, May 19, 2015

**9:00 AM Cook County Building, Board Room, Rm 569
118 North Clark Street, Chicago, Illinois**

ATTENDANCE

Present: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Gorman, Goslin, Moore, Murphy, Schneider, Sims, Silvestri, Steele and Tobolski (15)

Absent: Vice Chairman Fritchey and Commissioner Silvestri (2)

PUBLIC TESTIMONY

Chairman Suffredin asked the Secretary to the Board to call upon the registered public speakers, in accordance with Cook County Code.

1. Benjamin Cox, President & CEO of the Friends of the Forest Preserve
2. Joel Africk, President & CEO of the Respiratory Health Association
3. George Blakemore, Concerned citizen

15-0244

Sponsored by: TONI PRECKWINKLE, President, Forest Preserve District of Cook County Board of Commissioners

PROPOSED ORDINANCE AMENDMENT

Title 1 Chapter 7 Section 1 - Administrative Departments

BE IT ORDAINED, by the Forest Preserve District of Cook County Board of Commissioners, that Title 1 - Administrative, Chapter 7 - Administrative Departments, Section 1 - Departments Established of the Forest Preserve District of Cook County Code is hereby amended as Follows:

Sec. 1-7-1. Departments Established.

There shall be maintained under the supervision of the President and Board of Commissioners various departments, each under the authority of a head of department governed by the rules of the Board, and all of said departments shall be under the general supervision and direction of the General Superintendent of the District, as follows:

- (1) Office of the General Superintendent, General Office, under the direction and general supervision of the General Superintendent.
- (2) Office of the Secretary, the duties of which may be in whole or in part, contracted to be performed by the County of Cook, under the direction and general supervision of the General Superintendent or the Secretary.
- (3) Legal Department, under the direction and general supervision of the Chief Attorney.
- (4) Finance and Administration, under the direction and general supervision of the Chief Financial Officer, who also shall be deemed the Treasurer.
- (5) Resource Management Department, under the direction and general supervision of the Director of Resource Management.
- (6) Landscape Maintenance Department, under the direction and general supervision of the Director of Landscape Maintenance.
- (7) Facilities and Fleet Maintenance Department, under the direction and general supervision of the Director of Facilities and Fleet Maintenance.
- ~~(7)~~ (8) Planning and Development Department, under the direction and general supervision of the Director of Planning and Development.
- ~~(8)~~ (9) Department of Law Enforcement, under the direction and general supervision of the Chief of Police.
- ~~(9)~~ (10) Permits, Concessions, and Volunteer Resources, ~~and Recreation~~ Department, under the direction and general supervision of the Director of Permits, Concessions, and ~~Recreation~~, Volunteer Resources ~~and Permits~~.
- ~~(10)~~ (11) Human Resources, under the direction and general supervision of the Director of Human Resources.
- (12) Conservation and Experiential Programming Department, under the direction and general supervision of the Director of Conservation and Experiential Programming.

Effective date: This ordinance shall be in effect immediately upon adoption.

Legislative History: 4/14/15 Forest Preserve District of Cook County Board of Commissioners referred to the Legislation and Intergovernmental Relations Committee

A motion was made by Commissioner Daley, seconded by Commissioner Murphy, that this Ordinance Amendment be approved. The motion carried by the following vote:

Ayes: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Gorman, Goslin, Moore, Murphy, Schneider, Sims, Silvestri, Steele and Tobolski (15)

Absent: Vice Chairman Fritchey and Commissioner Silvestri (2)

15-0245

Sponsored by: TONI PRECKWINKLE, President, Forest Preserve District of Cook County Board of Commissioners

PROPOSED ORDINANCE AMENDMENT

Title 1 Chapter 8 Section 2 - District Finance

BE IT ORDAINED, by the Forest Preserve District Cook County Board of Commissioners, that Title 1 - Administrative, Chapter 8 - District Finances, Section 2 - Contracts and Purchases of the Forest Preserve District of Cook County Code is hereby amended as Follows:

1-8-2: - CONTRACTS AND PURCHASES.

A. *Conditions and Restrictions on Awarding a Contract:*

2. *Restrictions on Awarding a Contract:* No person or business entity shall be awarded a contract or subcontract with the Forest Preserve District, for a period of five (5) years from the date of conviction or entry of a plea or admission of guilt, if that person or business entity:
 - a. Has been convicted of an act committed, within the State, of bribery or attempting to bribe an officer or employee of a unit of State or local government or school district in the State in that officer's or employee's official capacity;
 - b. Has been convicted of an act committed, within the State, of bid-rigging or attempting to rig bids as defined in the Sherman Anti-Trust Act and Clayton Act;
 - c. Has been convicted of bid-rigging or attempting to rig bids under the laws of the State;
 - d. Has been convicted of an act committed, within the State of Illinois, of price-fixing or attempting to fix prices as defined by the Sherman Anti-Trust Act and Clayton Act;
 - e. Has been convicted of price-fixing or attempting to fix prices under the laws of the State of Illinois;
 - f. Has been convicted of defrauding or attempting to defraud any unit of State or local government or school district within the State of Illinois;
 - g. Has been adjudicated guilty or liable in any judicial or administrative proceeding of committing a repeated or willful violation of the Illinois Wage Payment and Collection Act, 820 ILCS 115/1 et seq., Illinois Minimum Wage Act, 820 ILCS 105/1 et seq., the Illinois Worker Adjustment and Retraining Notification Act, 820 ILCS 65/1 et seq., the Employee Classification Act, 820 ILCS 185/1 et seq., the Fair Labor Standards Act of 1938, 29 U.S.C. 201, et seq., or any comparable state statute or regulation of any state, which governs the payment of wages;
 - gh. Has made an admission of guilt of such conduct as set forth in subparagraphs a. through fg. above, which admission is a matter of record, whether or not such person or business entity was subject to prosecution for the offense or offenses admitted to;
 - hi. Has entered a plea of nolo contendere to charges of bribery, price-fixing, bid-rigging, fraud, or wage theft as set forth in subparagraphs a. through gf. above.
3. *Disqualification of Business Entity:* A person or business entity shall be disqualified if:
 - a. It is convicted, or enters a plea of nolo contendere, or makes an admission of guilt to any act described in subparagraphs 2.a. through 2.hi. above.

4. Exceptions: If a person or business entity is ineligible to contract with the District due to the provisions of Section 1-8-2.A.2.g above, then the person or business entity seeking the contract may submit a request for a reduction or waiver of the ineligibility period to the Purchasing Agent. The request shall be in writing in a manner and form prescribed by the Purchasing Agent and shall include that one or more of the following actions have been taken:

- a. There has been a bona fide change in ownership or control of the ineligible business entity;
- b. Disciplinary action has been taken against the individual(s) responsible for the acts giving rise to the violation;
- c. Remedial action has been taken to prevent a recurrence of the acts giving rise to the disqualification or default; or
- d. Other factors that the person or business entity believes are relevant.

The Purchasing Agent shall review the documentation submitted, make any inquiries deemed necessary, request additional documentation where warranted and determine whether a reduction or waiver is appropriate. Should the Purchasing Agent determine that a reduction or waiver of the ineligibility period is appropriate; the Purchasing Agent shall submit its decision and findings to the District Board.

In addition, a using department may request an exception to such period of ineligibility with respect to a particular contract by submitting a written request to the Purchasing Agent, supported by facts that establish that it is in the best interests of the District that the contract be made from such ineligible person or business entity. The Purchasing Agent shall review the documentation, make any inquiries deemed necessary, and determine whether the request should be approved. If an exception is granted, such exception shall apply to that contract only and the period of ineligibility shall continue for its full term as to any other contract. Said exceptions granted by the Purchasing Agent shall be communicated to the District Board.

45. *Voiding Contracts:* Any contract or subcontract found to have been awarded in violation of this subsection shall be voidable at discretion of the Forest Preserve District Board of Commissioners. Payment for work completed at the time of any such voiding shall be at a quantum meruit rate less a twenty-five (25) percent liquidated damage reserve.
56. *Hearing:* The determination as to whether a Person is disqualified under any provision of this Section 1-8-2 of the District's Code or has made a false statement, shall be made pursuant to the Cook County Department of Administrative Hearings pursuant to Chapter 2, Article IX, of the Cook County Code.
76. *Appeals:* Decisions of the Cook County Administrative Hearing Department shall be subject to review pursuant to the Illinois Administrative Review Act (735 ILCS 5/3-101 et seq.).
87. *Bids to Contain Information Herein:* Specifications for all bids shall contain the information contained in this subsection and bidders shall certify that they have read the information contained herein and are not in violation thereof.

V. *Disqualification Due to Prior Default or Termination:*

DD. Selection of Professional Services for Debt Transactions:

1. Selection.

(a) For each debt transaction or for multiple debt transactions the Chief Financial Officer shall select three or more firms from the qualified list developed by the District and/or Cook County for each of the following, as required for the transaction: bond counsel, underwriter counsel, special tax counsel, pension-disclosure counsel, and financial advisor.

(b) The Chief Financial Officer shall request that each of the law firms under consideration to provide legal services submit a proposal which shall include at least the following: experience with the relevant type of financing; knowledge of the District; the key personnel to be assigned for the engagement, including their qualifications and experience; the proposed fees or fee structure for the engagement; the firm's capacity for, experience in, and commitment to providing continuing legal advice and support in such areas as compliance and taxation; and the manner and degree to which the firm will use an engagement on the contemplated financing initiative to promote or incubate the participation of minorities, women, and veterans as legal professionals, on the potential engagement.

(c) The Chief Financial Officer shall request that each of the firms under consideration for investment banking services submit a proposal which shall include at least the following: experience with the particular type of financing; a recommended strategy for identifying and targeting investors in the bonds or notes; knowledge of the District; the key personnel to be assigned for the engagement, including their qualifications and experience; the proposed fees or fee structure for the engagement; and the manner in and degree to which the firm will use an engagement on the contemplated financing initiative to promote or incubate the participation of minorities, women, and veterans as finance professionals, on any potential engagement.

(d) The Chief Financial Officer shall request that each of the financial advisors under consideration to provide financial-advisory services submit a proposal which shall include at least the following: experience with the particular type of financing; knowledge of the District; the key personnel to be assigned for the engagement, including their qualifications and experience; the proposed fees for the engagement; the firm's capacity for, experience in, and commitment to providing advice and support in such areas as pricing and marketing of municipal bonds; and the manner in and degree to which the firm will use an engagement on the contemplated financing to promote or incubate the participation of minorities, women, and veterans as finance professionals, on the potential engagement.

(e) To redress the historical under-representation of minority- and woman-owned firms in the financial services arena, in the selection of law firms, investment banks, and financial advisors associated with bond issuances, it shall be the continued goal of the District that:

- (1) No less than thirty-five percent (35%) of the cumulative remunerated portion of legal services associated with a financing initiative shall be provided by law firms that are certified as MBEs or WBEs under District's Minority- and Women-Owned Business Enterprise Ordinance and that consistently maintain and staff a functional commercial presence and office in Cook County, IL; and
- (2) No less than thirty-five percent (35%) of the cumulative underwriting liability in a financing initiative shall be undertaken by investment banks that are at least 51 percent owned, controlled, and managed by one or more persons who are either a minority or a woman and that consistently maintain and staff a functional commercial presence and office in Cook County, IL; and

(3) No less than thirty-five percent (35%) of the cumulative remunerated portion of financial-advisory services associated with a financing initiative shall be provided by financial-advisor firms that are at least 51 percent owned, controlled, and managed by one or more persons who are either a minority or a woman and that consistently maintain and staff a functional commercial presence and office in Cook County, IL.

(f) The Chief Financial Officer shall recommend to the President the selection of legal counsel, investment banks, financial advisors, and other professionals based upon the proposals provided per this subdivision. In making the recommendation, the Chief Financial Officer shall consider methods to give multiple firms a fair opportunity to compete for and participate in District bond sales. The selection shall be made by the President upon the recommendation of the Chief Financial Officer, and shall be submitted to the District Board for approval. The Chief Financial Officer shall report to the District Board a summary of the rationale of any proposed financing initiative; the financial benefits of a proposed financing approach with regards to the District's long-term fiscal health; a summary of the financing team proposed to work on the financing initiative; an identification of any firms that are certified as MBEs or WBEs or 51 percent owned, controlled, and managed by minority individuals or women; the total estimated participation of such firms as a percentage of professional services (comprised of legal and financial advisory services) and as a percentage of underwriting liability; and, on financing initiatives where circumstances are such that the 35 percent goals set forth in Subsection (e) cannot be prudently reached, an explanation of such circumstances. The proposals by firms selected to work on a financing initiative shall be available for review by members of the District Board.

2. Specific bond underwriter requirements. Each contract between the District and any bond underwriters shall include the following:

(a) The underwriter shall use its best efforts to assure that the District meets its objectives in the fair and reasonable allocation of bond selling commissions to members of the underwriting syndicate, particularly to Cook County and minority- and women-owned firms; and

(b) The underwriter shall report the allocation of bond selling commissions and fees received by each member of the underwriting syndicate to the Chief Financial Officer within 30 days of closing of the bond issue; and

(c) The underwriter shall comply with all limitations or disclosure requirements concerning political contributions that are or may be imposed by the Municipal Securities Regulatory Board or the Securities and Exchange Commission. Failure by the underwriter to comply with this provision shall not void the sale, but the underwriter may be subject to disqualification.

3. Continued Management of Bond Proceeds.

(a) When permissible and practicable under related bond ordinances, debt instruments, and debt agreements, the Chief Financial Officer shall maintain investment of bond proceeds in accord with:

(1) The Illinois Public Funds Investment Act; or

(2) Such policies as are promulgated by the Chief Financial Officer, following submission to the District Board.

(b) In selecting financial institutions to serve as broker-dealers in acquiring investments of bond proceeds under this Section, the Chief Financial Officer shall, for each contemplated investment,

elicit proposals from at least three broker-dealers deemed qualified under policies and procedures promulgated by the Chief Financial Officer, the State of Illinois, or the City of Chicago.

(c) In the selection of broker-dealers under this Section, it shall be the continued goal of the District that no less than 35 percent of the cumulative value of the proposed investment purchased in a given fiscal year shall be consummated by one or more broker-dealers that consistently maintain and staff a functional commercial presence and office in Cook County, IL and are at least 51 percent owned, controlled, and managed by minority individuals or women.

Effective date: This ordinance shall be in effect immediately upon adoption.

Legislative History: 4/14/15 Forest Preserve District of Cook County Board of Commissioners referred to the Legislation and Intergovernmental Relations Committee.

A motion was made by Commissioner Daley, seconded by Commissioner Murphy, that this Ordinance Amendment be approved. The motion carried by the following vote:

Ayes: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Gorman, Goslin, Moore, Murphy, Schneider, Sims, Silvestri, Steele and Tobolski (15)

Absent: Vice Chairman Fritchey and Commissioner Silvestri (2)

15-0248

Sponsored by: TONI PRECKWINKLE, President, Forest Preserve District of Cook County Board of Commissioners

PROPOSED ORDINANCE AMENDMENT

Chapter 4 Recreation in Forest Preserves

BE IT ORDAINED, by the Forest Preserve District of Cook County Board of Commissioners, that Title 2 – Forest Preserve Land and Property, Chapter 4 – Recreation in Forest Preserves, Section 2 Picnics of the Forest Preserve District of Cook County Code is hereby amended as Follows:

2-4-2: PICNICS EVENTS REQUIRING PERMITS.

~~No person shall use any portion of the Forest Preserve District property nor any of the buildings within said District for the purposes of meeting or holding picnics to the exclusion of any other person or persons from such portion of the property or buildings of the District without having first obtained a permit in writing from the District, with proper authorization of the General Superintendent or his designee. Any person violating any of the provisions of this Section shall be fined seventy five dollars (\$75.00) for each offense.~~

A. Permits, Non-profit organization reduced rate.

- ~~1. For any Special Use Permit for a special event or special activity field permit for a special event or special activity with participation in excess of 25 persons, or requested in conjunction with an event under Category W, Category X, Category Y, Category Z of the Fee Schedule, the total of all applicable fees as calculated by the Recreation Department of the Forest Preserve District shall be reduced by~~

~~50 percent, when the applicant is a school or bona fide nonprofit organization, residing in the County of Cook.~~

~~2. A bona fide nonprofit organization is one which is engaged in charitable, educational, civic, youth and faith based activities. For purposes of qualifying for the Nonprofit Organization Reduced Rate, an applicant must submit proof of the following:~~

~~a. Exemption under Section 501(c)(3) of the Internal Revenue Code;~~

~~b. Current registration with the Illinois Attorney General as a charitable organization;~~

~~c. The location of the official headquarters or administrative office of the organization submitting the request for said permit is located in the County of Cook and is the same as that which is on file with the Illinois Attorney General, or was submitted for exemption under Section 501(c)(3) of the Internal Revenue Code, except in the case of local chapters of national organizations, wherein the local chapter maintains a Cook County office and submits proof of affiliation with the national organization.~~

~~3. If the applicant is a school located within Cook County, no additional documentation or proof of nonprofit status shall be required other than a letter signed by an official of the school stating that the activity/event is officially sanctioned under and supervised by employee(s) of the school.~~

~~4. Notwithstanding any other published deadlines, all applications for Reduced Rate Special Use or Special Activity Field Permits must be received by the Recreation Department no less than 45 days prior to the date of the Special Event or Activity.~~

~~5. Vending of food or merchandise is not allowed under Reduced Rate Special Use or Special Activity Field Permits, except for charitable organization with net assets of ten thousand dollars (\$10,000.00) or less who apply for the vending fee permit waiver. Qualification for the vending fee permit waiver requires registration with the Illinois Attorney General's office as a charitable organization, and submission of a balance statement for the previous year to verify its assets as the time of application for a permit. all other permits for events that include vending and/or sale of food or merchandise shall be charged at the full rate.~~

~~6. Effective Date: This subsection takes effect January 1, 2009.~~

A. *Classifications of Uses.* There are some uses of District property that, because of their nature, are allowed only with a permit. Through the permit application and review process, the District can determine whether these uses can be conducted in a manner that protects public safety, District property, the District's objectives and goals for the District property sought to be used, and the rights and interest of other members of the public. These uses are identified below in Section 2-4-2(B) – Permit Required. Uses that require a fee other than a permit fee (e.g. license fee) are described where applicable in the District's Code of Ordinances.

B. Permit Required. No person shall use any portion of the Forest Preserve District property nor any of the buildings within said District, for any of the following uses, unless the person has first obtained, and has physical possession of, a permit allowing such use in writing from the District, with proper authorization of the General Superintendent or his or her designee, or when required, the Board of Commissioners, in accordance with Section 7-1-1 Fees:

1. a picnic or other gathering with 25 or more people;
2. any use on District property, if the District property is not open to the general public at the time of the proposed use;

Cross References: Hours of Operation, §2-4-1; Entering Buildings or Areas Closed to Public or Scheduled for Specific Group or Activity, § 3-3-11

3. uses that are intended or likely to either exclude or interfere with use of or enjoyment by other members of the public of a particular area of District property, including, weddings, receptions, meetings, assemblies, parades, marches, drills, maneuvers, rallies, pickets, speeches, and/or addresses involving 25 or more people;
4. conducting shows, exhibits, dramatic or musical performances, plays, acts, or motion pictures;
5. taking any still or motion pictures or painting or drawing pictures for commercial purposes or for use in commercial advertising;
6. play or operate any sound amplification device including radios, television sets, public address systems, musical instruments, and the like; or operate any other energy amplification device in such a way as to be audible beyond the immediate vicinity of such device or musical instrument or in such a manner as to disturb picnic areas or other public gathering places;

Cross Reference: Disorderly Conduct, §3-3-1

7. or conduct organized contests or sports, including any team sport or game such as baseball, football, field hockey, volleyball, lacrosse, soccer, track or horseshoes;

Cross Reference: Sports and Games, §2-4-3

8. conducting day camps or play camps, or other organized activities for a group; or

Cross Reference: Day Camps, §3-3-16

9. any use of or on District property that requires a permit under other sections of the District's Code.

Cross References:

Fees and Occupancy of District Lands, §1-9-3
Use of Balloons, Airplanes, and Parachutes, §2-1-1
Protection of Native Landscape, §2-2-1
Erection and Ownership of Structures, §2-3-1

Glass Beverage Container Ordinance, § 2-3-8

Alcoholic Beverages, §3-3-2

Discharging Toy Firearms, 3-3-6

Fireworks, §3-3-7

Injury or Destruction to Forest Preserve property, §3-3-14

Snowmobile: Permit to Operate, §4-4-2

Railroads, § 5-1-4

General License and Permit Provisions, § 6-1-1 et seq.

Permit Required, §6-2-1

Fee Schedules, §7-1-1

C. Permit Rules and Application Review.

1. Establishment of Rules. In addition to the rules identified in this Ordinance, the General Superintendent may promulgate additional rules governing a permit or the permit application and review process (the “Rules”) if those rules are designed:
 - (i) to protect or minimize damage to District property and the flora and fauna within the District;
 - (ii) to protect the physical safety of people using District property;
 - (iii) to minimize the interference by the proposed use with the use and enjoyment of District property by others;
 - (iv) to ensure an orderly and organized use of District property; or
 - (v) to assure compliance with applicable laws and regulations.
2. Duration of Permit. The District may, in its discretion, make the permit valid for a period of less than one year, or any portion thereof, or on an annual basis; provided, however, that the fees charged are consistent with Title 7, Chapter 1 (Fee Schedule) of the District’s Code of Ordinances. Permits are not transferable and permit fees paid to the District are not refundable. The actual permit (not an electronic copy) must be available for inspection at and during the event/activity for which the permit was acquired.
3. Compliance with Rules. The person or entity to whom or which a permit has been issued shall comply with all applicable laws and Rules. The District may revoke a permit for any violation of such laws or Rules. Any misuse or damage to District property will be the responsibility of the permit holder. The District may keep part or all of a permit holder’s security deposit to remedy damage to District property.

Cross References: General Penalty and Late Fee, § 1-4-1(D); Application of Provisions, §1-4-2; Limitation of Remedial Action, §3-3-20; Revocation of Licenses or Permits, §6-1-4
4. Special Conditions. In the case of permits for events which may require special law enforcement services, or which would place an atypical burden on District resources , or which increase the District’s liability exposure, the General Superintendent may (1) authorize additional fees to be imposed to cover the cost of such special law enforcement

services, or atypical burden; and/or (2) require the permit applicant to provide liability insurance naming the District as an additional insured with coverage limits reasonably necessary to protect the District.

5. District's Reserved Right. Even if a permit has been granted, the District reserves the right to restrict access to or close any District property temporarily or to revoke a permit because of (i) a threat to the safety of those using such property, including threats posed by the weather, or (ii) potential damage to sensitive natural resource areas, or (iii) interference by the permittee with the use and enjoyment of District property by others.

Cross Reference: Limitation of Remedial Action, §3-3-20

6. Review of Application. The District shall grant the permit unless it determines that:

- (i) the proposed use would interfere or be inconsistent with (a) the District's current or designated use of the District property upon which the proposed use would take place, (b) the District's future plans for the District property upon which the proposed use would take place, or (c) a license issued by the District for the use of the District property upon which the proposed use would take place;
- (ii) the proposed use may materially damage District property or materially impact sensitive natural resource areas;
- (iii) the proposed use will delay, hinder, or prevent the District's implementation of planning for the District property;
- (iv) the proposed use will interfere with other scheduled or existing uses of the District property sought to be used or would occur at a time when the District property sought to be used is not open to the public;
- (v) the proposed use violates federal, state or local laws or Rules;
- (vi) the proposed use poses a substantial threat or danger to public safety or, if it is a contest or sporting event, poses a reasonable likelihood of physical injury;
- (vii) the applicant has misrepresented, falsified, or withheld required information;
- (viii) the applicant has, within the previous year, violated this Ordinance or Rules and, based on such violation(s), the applicant's future use of District property may interfere with others' use and enjoyment of District property;

Cross Reference: Limitation on Remedial Action, §3-3-20

- (ix) the applicant still owes the District damages or outstanding fee(s) for prior event(s) held by applicant on District property; or

Cross Reference: General Penalty and Late Fee, § 1-4-1(D)

- (x) the proposed use would interfere with others' enjoyment and use of District property.

D. *Reduced Rate Permits.* For any event, activity, and/or use for which a permit is required, the permit fee shall be reduced as follows: (1) by 50 percent, when the applicant is a school or bona fide nonprofit organization, residing in the County of Cook; and (2) by 50 percent, when the applicant is a veterans' organization residing in the County of Cook.

1. Non-Veteran Non-Profit Organizations. A bona fide nonprofit organization is one which is engaged in charitable, educational, civic, youth and faith-based activities. For purposes of qualifying for the reduced rate, an applicant must submit proof of the following:

- (i) Exemption under Section 501(c)(3) of the Internal Revenue Code; or current registration with the Illinois Attorney General as a charitable organization; and
- (ii) The location of the official headquarters or administrative office of the organization submitting the request for said permit is located in the County of Cook and is the same as that which is on file with the Illinois Attorney General, or was submitted for exemption under Section 501 (c)(3) of the Internal Revenue Code, except in the case of local chapters of national organizations, wherein the local chapter maintains a Cook County office and submits proof of affiliation with the national organization.

If the applicant is a school located within Cook County, no additional documentation or proof of nonprofit status shall be required other than a letter signed by an official of the school stating that the activity, event, and/or use is officially sanctioned under and supervised by employee(s) of the school.

2. Veterans Organizations. Veterans organizations include, but are not limited to; the Retired Enlisted Association, Veterans of Foreign Wars, and American Legion. An applicant must submit proof of the following:

- (i) Exemption under Section 501(c)(3) or 501(c)(19) of the Internal Revenue Code; and
- (ii) The location of the official headquarters or administrative office of the organization submitting the request for said permit is located in the County of Cook and is the same as that which was submitted for exemption under Section 501(c)(3) or 501(c)(19) of the Internal Revenue Code, except in the case of local chapters of national organizations, wherein the local chapter maintains a Cook County office and submits proof of affiliation with the national organization.

3. Costs Not Waived. Any rate reduction shall not apply to applicable application fees, cost of District provided security, and vending.

4. Deadlines. Notwithstanding any other published deadlines, all applications for permits at a reduced rate must be received by the District no less than 45 days prior to the date of the event, activity, and/or use, unless such time period is otherwise waived by the General Superintendent.

Cross Reference: Fees, §7-1-1

E. Penalties. Any person or entity violating any of the provisions of this Section (excluding Section 2-4-2(B)(9)) shall be fined not less than seventy-five dollars (\$75.00) or more than five hundred dollars (\$500.00) for each offense, plus the actual permit fee(s) which would have been charged had the person or entity properly obtained the permit. If a permit is required under another section of the District's Code per Section 2-4-2(B)(9), then a violation of such requirement shall be fined in accordance with such other section of the District's Code.

Effective date: This ordinance shall be in effect immediately upon adoption.

Legislative History: 4/14/15 Forest Preserve District of Cook County Board of Commissioners referred to the Legislation and Intergovernmental Relations Committee.

A motion was made by Commissioner Daley, seconded by Commissioner Murphy, that a substitute Ordinance Amendment be accepted. The motion carried by the following vote:

Ayes: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Gorman, Goslin, Moore, Murphy, Schneider, Sims, Silvestri, Steele and Tobolski (15)

Absent: Vice Chairman Fritchey and Commissioner Silvestri (2)

PROPOSED SUBSTITUTE TO FILE 15-0248

Sponsored by: TONI PRECKWINKLE, President, Forest Preserve District of Cook County Board of Commissioners

PROPOSED ORDINANCE AMENDMENT

Chapter 4 Recreation in Forest Preserves

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2-4-2: PICNICS EVENTS REQUIRING PERMITS.

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~~A. Permits, Non profit organization reduced rate.~~

1. ~~For any Special Use Permit for a special event or special activity field permit for a special event or special activity with participation in excess of 25 persons, or requested in conjunction with an event under Category W, Category X, Category Y, Category Z of the Fee Schedule, the total of all applicable fees as calculated by the Recreation Department of the Forest Preserve District shall be reduced by 50 percent, when the applicant is a school or bona fide nonprofit organization, residing in the County of Cook.~~
2. ~~A bona fide nonprofit organization is one which is engaged in charitable, educational, civic, youth and faith-based activities. For purposes of qualifying for the Nonprofit Organization Reduced Rate, an applicant must submit proof of the following:
 - a. ~~Exemption under Section 501(c)(3) of the Internal Revenue Code;~~
 - b. ~~Current registration with the Illinois Attorney General as a charitable organization;~~
 - c. ~~The location of the official headquarters or administrative office of the organization submitting the request for said permit is located in the County of Cook and is the same as that which is on file with the Illinois Attorney General, or was submitted for exemption under Section 501(c)(3) of the Internal Revenue Code, except in the case of local chapters of national organizations, wherein the local chapter maintains a Cook County office and submits proof of affiliation with the national organization.~~~~
3. ~~If the applicant is a school located within Cook County, no additional documentation or proof of nonprofit status shall be required other than a letter signed by an official of the school stating that the activity/event is officially sanctioned under and supervised by employee(s) of the school.~~
4. ~~Notwithstanding any other published deadlines, all applications for Reduced Rate Special Use or Special Activity Field Permits must be received by the Recreation Department no less than 45 days prior to the date of the Special Event or Activity.~~
5. ~~Vending of food or merchandise is not allowed under Reduced Rate Special Use or Special Activity Field Permits, except for charitable organization with net assets of ten thousand dollars (\$10,000.00) or less who apply for the vending fee permit waiver. Qualification for the vending fee permit waiver requires registration with the Illinois Attorney General's office as a charitable organization, and submission of a balance statement for the previous year to verify its assets as the time of application for a permit. all other permits for events that include vending and/or sale of food or merchandise shall be charged at the full rate.~~
6. ~~Effective Date: This subsection takes effect January 1, 2009.~~

A. Classifications of Uses. There are some uses of District property that, because of their nature, are allowed only with a permit. Through the permit application and review process, the District can determine whether these uses can be conducted in a manner that protects public safety, District property, the District's objectives and goals for the District property sought to be used, and the rights and interests of other members of the public. These uses are identified below in Section 2-4-2(B) – Permit Required. Uses that require a fee other than a permit fee (e.g. license fee) are described where applicable in the District's Code of Ordinances.

B. Permit Required. No person shall use any portion of the Forest Preserve District property nor any of the buildings within said District, for any of the following uses, unless the person has first obtained, and has physical possession of, a permit allowing such use in writing from the District, with proper authorization of the General Superintendent or his or her designee, or when required, the Board of Commissioners, in accordance with Section 7-1-1 Fee Schedule:

1. a picnic or other gathering with 25 or more people;
2. any use on District property, if the District property is not open to the general public at the time of the proposed use;
Cross References: Hours of Operation, §2-4-1; Entering Buildings or Areas Closed to Public or Scheduled for Specific Group or Activity, § 3-3-11
3. uses that are intended or likely to either exclude or interfere with use of or enjoyment by other members of the public of a particular area of District property, including, weddings, receptions, meetings, assemblies, parades, marches, drills, maneuvers, rallies, pickets, and/or addresses involving 25 or more people;
4. conducting shows, exhibits, dramatic or musical performances, plays, acts, or motion pictures;
5. taking any still or motion pictures or painting or drawing pictures for commercial purposes or for use in commercial advertising;
6. play or operate any sound amplification device including radios, television sets, public address systems, musical instruments, and the like; or operate any other energy amplification device in such a way as to be audible beyond the immediate vicinity of such device or musical instrument or in such a manner as to disturb picnic areas or other public gathering places;

Cross Reference: Disorderly Conduct, §3-3-1

7. conduct organized contests or sports, including any team sport or game such as baseball, football, field hockey, volleyball, lacrosse, soccer, track or horseshoes;

Cross Reference: Sports and Games, §2-4-3

8. conducting day camps or play camps, or other organized activities for a group; or

Cross Reference: Day Camps, §3-3-16

9. any use of or on District property that requires a permit under other sections of the District's Code.

Cross References:

Fees and Occupancy of District Lands, §1-9-3
Use of Balloons, Airplanes, and Parachutes, §2-1-1
Protection of Native Landscape, §2-2-1
Erection and Ownership of Structures, §2-3-1
Glass Beverage Container Ordinance, § 2-3-8
Alcoholic Beverages, §3-3-2
Discharging Toy Firearms, §3-3-6
Fireworks, §3-3-7
Injury or Destruction to Forest Preserve property, §3-3-14
Snowmobile: Permit to Operate, §4-4-2
Railroads, § 5-1-4
General License and Permit Provisions, § 6-1-1 et seq.
Permit Required, §6-2-1
Fee Schedules, §7-1-1

C. Permit Rules and Application Review.

1. Establishment of Rules. In addition to the rules identified in this Ordinance, the General Superintendent may promulgate additional rules governing a permit or the permit application and review process (the “Rules”) if those Rules are designed:
 - (iii) to protect or minimize damage to District property and the flora and fauna within the District;
 - (iv) to protect the physical safety of people using District property;
 - (iii) to minimize the interference by the proposed use with the use and enjoyment of District property by others;
 - (iv) to ensure an orderly and organized use of District property; or
 - (v) to assure compliance with applicable laws and regulations.
2. Duration of Permit. The District may, in its discretion, make the permit valid for a period of less than one year, or any portion thereof, or on an annual basis; provided, however, that the fees charged are consistent with Title 7, Chapter 1 (Fee Schedule) of the District’s Code of Ordinances. Permits are not transferable and permit fees paid to the District are not refundable. The actual permit (not an electronic copy) must be available for inspection at and during the event/activity for which the permit was acquired.
3. Compliance with Rules. The person or entity to whom or which a permit has been issued shall comply with all applicable laws and Rules. The District may revoke a permit for any violation of such laws or Rules. Any misuse or damage to District property will be the responsibility of the permit holder. The District may keep part or all of a permit holder’s security deposit to remedy damage to District property.

Cross References: General Penalty and Late Fee, §1-4-1(D); Application of Provisions, §1-4-2; Limitation of Remedial Action, §3-3-20; Revocation of Licenses or Permits, §6-1-4

4. Special Conditions. In the case of permits for events which may require special law enforcement services, or which would place an atypical burden on District resources, or which increase the District's liability exposure, the General Superintendent may (1) authorize additional fees to be imposed to cover the cost of such special law enforcement services, or atypical burden; and/or (2) require the permit applicant to provide liability insurance naming the District as an additional insured with coverage limits reasonably necessary to protect the District.

5. District's Reserved Right. Even if a permit has been granted, the District reserves the right to restrict access to or close any District property temporarily or to revoke a permit due to (i) imminent threat of grave harm to persons or property, including threats posed by the weather; or (ii) potential damage to sensitive natural resource areas.

Cross Reference: Limitation of Remedial Action, §3-3-20

6. Review of Application. The District shall grant the permit unless it determines that:

- (iii) the proposed use would interfere or be inconsistent with (a) the District's current or designated use of the District property upon which the proposed use would take place, (b) the District's future plans for the District property upon which the proposed use would take place, or (c) a license issued by the District for the use of the District property upon which the proposed use would take place;
- (ii) the proposed use may materially damage District property or materially impact sensitive natural resource areas;
- (iii) the proposed use will delay, hinder, or prevent the District's implementation of planning for the District property;
- (iv) the proposed use will interfere with other scheduled or existing uses of the District property sought to be used or would occur at a time when the District property sought to be used is not open to the public;
- (v) the proposed use violates federal, state or local laws or Rules;
- (vi) the proposed use poses a substantial threat or danger to public safety or, if it is a contest or sporting event, poses a reasonable likelihood of physical injury;
- (vii) the applicant has misrepresented, falsified, or withheld required information;
- (viii) the applicant has, within the previous year, violated this Ordinance or Rules and, based on such violation(s), the applicant's future use of District property may interfere with others' use and enjoyment of District property;

Cross Reference: Limitation on Remedial Action, §3-3-20

(ix) the applicant still owes the District damages or outstanding fee(s) for prior event(s) held by applicant on District property; or

Cross Reference: General Penalty and Late Fee, § 1-4-1(D)

(x) the proposed use would interfere with others' enjoyment and use of District property.

D. *Reduced Rate Permits.* For any event, activity, and/or use for which a permit is required, the permit fee shall be reduced as follows: (1) by 50 percent, when the applicant is a school or bona fide nonprofit organization, residing in the County of Cook; and (2) by 50 percent, when the applicant is a veterans' organization residing in the County of Cook.

1. *Non-Veteran Non-Profit Organizations.* A bona fide nonprofit organization is one which is engaged in charitable, educational, civic, youth and faith-based activities. For purposes of qualifying for the reduced rate, an applicant must submit proof of the following:

(i) Exemption under Section 501(c)(3) of the Internal Revenue Code; or current registration with the Illinois Attorney General as a charitable organization; and

(ii) The location of the official headquarters or administrative office of the organization submitting the request for said permit is located in the County of Cook and is the same as that which is on file with the Illinois Attorney General, or was submitted for exemption under Section 501 (c)(3) of the Internal Revenue Code, except in the case of local chapters of national organizations, wherein the local chapter maintains a Cook County office and submits proof of affiliation with the national organization.

If the applicant is a school located within Cook County, no additional documentation or proof of nonprofit status shall be required other than a letter signed by an official of the school stating that the activity, event, and/or use is officially sanctioned under and supervised by employee(s) of the school.

2. *Veterans Organizations.* Veterans organizations include, but are not limited to; the Retired Enlisted Association, Veterans of Foreign Wars, and American Legion. An applicant must submit proof of the following:

(i) Exemption under Section 501(c)(3) or 501(c)(19) of the Internal Revenue Code; and

(ii) The location of the official headquarters or administrative office of the organization submitting the request for said permit is located in the County of Cook and is the same as that which was submitted for exemption under Section 501(c)(3) or 501(c)(19) of the Internal Revenue Code, except in the case of local

chapters of national organizations, wherein the local chapter maintains a Cook County office and submits proof of affiliation with the national organization.

3. Costs Not Waived. Any rate reduction shall not apply to applicable application fees, cost of District provided security, and vending.

4. Deadlines. Notwithstanding any other published deadlines, all applications for permits at a reduced rate must be received by the District no less than 45 days prior to the date of the event, activity, and/or use, unless such time period is otherwise waived by the General Superintendent.

Cross Reference: Fees, §7-1-1

E. Penalties. Any person or entity violating any of the provisions of this Section (excluding Section 2-4-2(B)(9)) shall be fined not less than seventy-five dollars (\$75.00) or more than five hundred dollars (\$500.00) for each offense, plus the actual permit fee(s) which would have been charged had the person or entity properly obtained the permit. If a permit is required under another section of the District's Code per Section 2-4-2(B)(9), then a violation of such requirement shall be fined or penalized in accordance with such other section of the District's Code unless such other section is silent with respect to fines or penalties, in which case, a fine or penalty may be imposed in accordance with Title 1 – Administrative, Chapter 4 – General Penalty.

Effective date: This ordinance shall be in effect ~~immediately upon~~ 90 days after adoption.

A motion was made by Commissioner Daley, seconded by Commissioner Murphy, that this Ordinance Amendment be amended to change the Effective date to “90 days after adoption.” The motion carried by the following vote:

Ayes: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Gorman, Goslin, Moore, Murphy, Schneider, Sims, Silvestri, Steele and Tobolski (15)

Absent: Vice Chairman Fritchey and Commissioner Silvestri (2)

A motion was made by Commissioner Daley, seconded by Commissioner Murphy, that this Ordinance Amendment be adopted as substituted and amended. The motion carried by the following vote:

Ayes: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Gorman, Goslin, Moore, Murphy, Schneider, Sims, Silvestri, Steele and Tobolski (15)

Absent: Vice Chairman Fritchey and Commissioner Silvestri (2)

15-0249

Sponsored by: TONI PRECKWINKLE, President, Forest Preserve District of Cook County Board of Commissioners

PROPOSED ORDINANCE AMENDMENT

Chapter 4 Recreation in Forest Preserves

BE IT ORDAINED, by the Forest Preserve District of Cook County Board of Commissioners, that Title 2 – Forest Preserve Land and Property, Chapter 4 – Recreation in Forest Preserves, Section 2 Boating of the Forest Preserve District of Cook County Code is hereby amended as Follows:

2-4-5: BOATING.

- A. *General Restrictions:* No person shall bring into, use or navigate any boat, yacht, canoe, kayak or paddle board; plastic, canvass or rubber raft, inner-tube, sail-surf board or other watercraft upon any watercourse, lagoon, lake, pond or slough under the exclusive control of the Forest Preserve District, except at such place or places as may be provided or designated for such purpose by administrative order of the General Superintendent and in accordance with rules and regulations.

Effective date: This ordinance shall be in effect immediately upon adoption.

Legislative History: 4/14/15 Forest Preserve District of Cook County Board of Commissioners referred to the Legislation and Intergovernmental Relations Committee.

A motion was made by Commissioner Daley, seconded by Commissioner Murphy, that this Ordinance Amendment be approved. The motion carried by the following vote:

Ayes: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Gorman, Goslin, Moore, Murphy, Schneider, Sims, Silvestri, Steele and Tobolski (15)

Absent: Vice Chairman Fritchey and Commissioner Silvestri (2)

15-0250

Sponsored by: TONI PRECKWINKLE, President, Forest Preserve District of Cook County Board

PROPOSED ORDINANCE AMENDMENT

Chapter 3 Miscellaneous Misconduct

BE IT ORDAINED, by the Forest Preserve District of Cook County Board of Commissioners, that Title 3 – Police Regulations, Chapter 3 – Miscellaneous Misconduct, Section 3 Disorderly Conduct of the Forest Preserve District of Cook County Code is hereby amended as Follows:

3-3-1: DISORDERLY CONDUCT.

10. ~~All persons who engage in behavior that intimidates others or interferes with or unreasonably disrupts others in the normal use of the Forest Preserves, that occurs as a result of intoxication, drunkenness or the influence of alcoholic beverage(s), drug(s), controlled substance(s) or intoxicating compounds(s)~~ Appears in any public place manifestly under the influence of alcohol, narcotics or other drug, not therapeutically administered, to the degree that he/she may endanger himself/herself or other persons or property, or annoy persons in his/her vicinity; shall be deemed guilty of disorderly conduct and upon conviction thereof shall be deemed guilty of disorderly conduct.

Effective date: This ordinance shall be in effect immediately upon adoption.

Legislative History: 4/14/15 Forest Preserve District of Cook County Board of Commissioners referred to the Legislation and Intergovernmental Relations Committee

15-0251

Sponsored by: TONI PRECKWINKLE, President, Forest Preserve District of Cook County Board of Commissioners

PROPOSED ORDINANCE AMENDMENT

Chapter 3 Miscellaneous Misconduct

BE IT ORDAINED, by the Forest Preserve District of Cook County Board of Commissioners, that Title 3 – Police Regulations, Chapter 3 – Miscellaneous Misconduct, Section 3 Limitation on Remedial Action of the Forest Preserve District of Cook County Code is hereby amended as Follows:

3-3-20: LIMITATION ON REMEDIAL ACTION.

B. Notwithstanding, the foregoing provision of Subsection A. of this Section, ~~where the violation of the Code or the Permit is the distribution of alcoholic if beverages, the remedial action of the Forest preserve District Police Force shall include ordering curtailment of such distribution~~ the Forest Preserve District Police Force can take remedial action including ordering curtailment of the picnic, event, or other activity taking place, regardless of whether any prior violation of the Code or Permits has taken place, in the following instances:

- (i) the violation of the Code or the Permit is the distribution or sale of alcoholic beverages;
- (ii) imminent threat of grave harm to persons or property, including threats posed by the weather;
- (iii) potential damage to sensitive natural resource areas; or
- (iv) interference by the permittee with the use and enjoyment of District property by others.

Effective date: This ordinance shall be in effect immediately upon adoption.

Legislative History: 4/14/15 Forest Preserve District of Cook County Board of Commissioners referred to the Legislation and Intergovernmental Relations Committee.

A motion was made by Commissioner Daley, seconded by Commissioner Murphy, that a substitute Ordinance Amendment be accepted. The motion carried by the following vote:

Ayes: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Gorman, Goslin, Moore, Murphy, Schneider, Sims, Silvestri, Steele and Tobolski (15)

Absent: Vice Chairman Fritchey and Commissioner Silvestri (2)

PROPOSED SUBSTITUTE TO FILE 15-0250

PROPOSED ORDINANCE AMENDMENT

Chapter 3 Miscellaneous Misconduct

BE IT ORDAINED, by the Forest Preserve District of Cook County Board of Commissioners, that Title 3 – Police Regulations, Chapter 3 – Miscellaneous Misconduct, Section 3 Disorderly Conduct of the Forest Preserve District of Cook County Code is hereby amended as Follows:

3-3-1: DISORDERLY CONDUCT.

~~10. All persons who engage in behavior that intimidates others or interferes with or unreasonably disrupts others in the normal use of the Forest Preserves, that occurs as a result of intoxication, drunkenness or the influence of alcoholic beverage(s), drug(s), controlled substance(s) or intoxicating compounds(s) appear in any public place manifestly under the influence of alcohol, narcotics or other drug, not therapeutically administered, to the degree that he/she may endanger himself/herself or other persons or property, or disturb the peace of persons in his/her vicinity.;~~
shall be deemed guilty of disorderly conduct and upon conviction thereof shall be deemed guilty of disorderly conduct.

Effective date: This ordinance shall be in effect immediately upon adoption.

A motion was made by Commissioner Daley, seconded by Commissioner Murphy, that this this Ordinance Amendment be adopted as amended by substitution. The motion carried by the following vote:

Ayes: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Gorman, Goslin, Moore, Murphy, Schneider, Sims, Silvestri, Steele and Tobolski (15)

Absent: Vice Chairman Fritchey and Commissioner Silvestri (2)

15-0252

Sponsored by: TONI PRECKWINKLE, President, Forest Preserve District of Cook County Board of Commissioners

PROPOSED ORDINANCE

Chapter 3 Miscellaneous Misconduct

BE IT ORDAINED, by the Forest Preserve District of Cook County Board of Commissioners, that Title 3 - Police Regulations, Chapter 3 - Miscellaneous Misconduct, (New) Section 3-3-25 Possession of Drug Paraphernalia of the Forest Preserve District of Cook County Code is hereby enacted as Follows:

(New) 3-3-25: POSSESSION OF DRUG PARAPHERNALIA.

A. Definitions. Drug paraphernalia means all items, equipment, products and materials of any kind which may be used unlawfully in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body cannabis or a controlled substance in violation of the Cannabis Control Act (720 ILCS 550/1 et seq.) and the Illinois Controlled Substance Act (720 ILCS 570/100 et seq.). It includes, but is not limited to, pipes, bongs, rolling papers and any other item converted for the uses set forth above.

B. Violation. No person shall possess, bring onto or use drug paraphernalia on District property.

C. Penalty.

1. Any person violating Subsection (B) shall be subject to a mandatory fine of not less than two hundred dollars (\$200.00).

2. Any motor vehicle which is used in any manner to facilitate the possession of drug paraphernalia in violation of Subsection (B) shall be subject to seizure and impoundment pursuant to Section 3-4-1 of this Code.

Effective date: This ordinance shall be in effect immediately upon adoption.

Legislative History: 4/14/15 Forest Preserve District of Cook County Board of Commissioners referred to the Legislation and Intergovernmental Relations Committee.

A motion was made by Commissioner Daley, seconded by Commissioner Murphy, that this Ordinance Amendment be approved. The motion carried by the following vote:

Ayes: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Gorman, Goslin, Moore, Murphy, Schneider, Sims, Silvestri, Steele and Tobolski (15)

Absent: Vice Chairman Fritchey and Commissioner Silvestri (2)

15-0253

Sponsored by: TONI PRECKWINKLE, President, Forest Preserve District of Cook County Board of Commissioners

PROPOSED ORDINANCE AMENDMENT

Chapter 3 Miscellaneous Misconduct

BE IT ORDAINED, by the Forest Preserve District of Cook County Board of Commissioners, that Title 3 – Police Regulations, Chapter 3 – Miscellaneous Misconduct, Section 3 Alcoholic Beverages of the Forest Preserve District of Cook County Code is hereby amended as Follows:

Section 3-3-2 ALCOHOLIC BEVERAGES.

A. Words and Terms Defined: The term "alcoholic beverage(s)" in this provision is used to include products of or containing alcohol, alcoholic liquor or intoxicating liquor. Except for products one-half (½) of one (1) percent, or less, of alcohol by volume.

Alcohol means the products of distillation of any fermented liquid, but does not include denatured alcohol or wood alcohol.

Alcoholic liquor includes products of or containing alcohol, spirits, wine and beer for human consumption as a beverage.

Beer means a beverage obtained by the alcoholic fermentation of an infusion of barley or other grain, malt and hops in water and includes, among other things, beer, ale, and stout.

Spirits means beverages which contain alcohol obtained by distillation and includes brandy, rum, whiskey, gin or other spirituous liquors.

Wine means any alcoholic beverage obtained by the fermentation of the natural contents of fruits and vegetables, except wine intended for use and used by any church or religious organization for sacramental purposes.

B. *Sale of Alcoholic Beverages*: The sale of alcoholic beverages is allowed on District land only under the following circumstances:

1. Alcoholic beverages may be sold in connection with the operation of the facilities of the Chicago Zoological Society or the Chicago Horticultural Society on land owned by the District.

2. Alcoholic beverages may be sold on any land used for a golf course owned by the District, ~~pursuant to the terms and conditions of a Special Use Permit, duly approved by the Board.~~

3. Subject to the requirements described below, alcoholic beverages may be sold in connection with authorized events held on District property for recreational purposes where the consumption or possession of alcohol is not prohibited.

(a) Requests for permits for the sale of alcoholic beverages on District property must be initiated by completing an application for a Special Use Permit;

(b) The applicant seeking a permit for the sale of alcoholic beverages must provide the District with evidence satisfactory to the District that the applicant has a license or permit to sell alcoholic beverages from the city, village, or incorporated town in which alcoholic beverages are proposed to be sold; or issued by the Cook County Liquor Commissioner if alcoholic beverages are proposed to be sold within unincorporated Cook County; for the time, date, and place of event for which the permit allowing sale of alcoholic beverages is requested;

(c) The applicant seeking a permit for the sale of alcoholic beverages must provide the District with evidence satisfactory to the District that the applicant has license or permit to sell alcoholic beverages from the State of Illinois for the time, date, and place of event for which the permit allowing the sale of alcoholic beverages is requested; and

(d) The applicant seeking a permit for the sale of alcoholic beverages must provide the District with evidence satisfactory to the District that the applicant has dram shop liability insurance at maximum coverage limits so as to hold the District harmless from all financial loss, damage, and harm.

For clarification, alcohol may be deemed to be sold if given away free with paid for item, depending on applicable facts and circumstances.

C. Application:

~~1. Except as to those instances where the issuance of a Special Use Permit for the sale of alcoholic beverages has otherwise been approved by the Board, requests for said Permits shall be initiated by completing and filing an application on a form provided by the District. Failure to furnish information required in said application or furnishing incomplete or false information, in said application, shall constitute a basis for the denial of said application.~~

~~2. Each application shall be signed and verified by oath or affirmation by the Applicant, if a natural person, or in the case of an association, by a member or partner thereof, or, in the case of a corporation, by an executive officer thereof or any person specifically authorized by the corporation to sign the application.~~

~~3. Each application shall be accompanied with a nonrefundable application fee in an amount determined by the Board.~~

DC. Possession and Consumption of Alcoholic Beverages: Except as stated herein, the possession or consumption of alcoholic beverages is permitted in or upon the District's land, property or facilities, provided that:

1. The possession or consumption of any alcoholic beverage does not violate any provision of this Code or any federal, state, or local law; and
2. The quantity of the alcoholic beverages is for the personal use and consumption of the possessor, his family members or his guests; and
3. The possession, sale or consumption of alcoholic beverages is prohibited in or upon the District's land, property or facilities where the District's Board of Commissioners (the "Board") or its General Superintendent has so provided; and
4. The consumption of any alcoholic beverage is prohibited upon or within fifty (50) feet of any roadway or within any area designated for parking by the District.

ED. Penalty: Any person violating any of the provisions of this Section shall be fined not less than seventy-five dollars (\$75.00) or more than five hundred dollars (\$500.00) for each offense.

Effective date: This ordinance shall be in effect immediately upon adoption.

Legislative History: 4/14/15 Forest Preserve District of Cook County Board of Commissioners referred to the Legislation and Intergovernmental Relations Committee

A motion was made by Commissioner Daley, seconded by Commissioner Murphy, that this Ordinance Amendment be approved. The motion carried by the following vote:

Ayes: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Gorman, Goslin, Moore, Murphy, Schneider, Sims, Silvestri, Steele and Tobolski (15)

Absent: Vice Chairman Fritchey and Commissioner Silvestri (2)

15-0254

Sponsored by: TONI PRECKWINKLE, President, Forest Preserve District of Cook County Board of Commissioners

PROPOSED ORDINANCE AMENDMENT

Title 1 Chapter 9 Section 3 - Fees and Occupancy of District Lands.

BE IT ORDAINED, by the Cook County Board of Commissioners, that Title 1 - Administrative, Chapter 9 - Land Acquisitions and Dedications, Section 3 - Fees and Occupancy of District Lands of the Forest Preserve District of Cook County Code is hereby amended as Follows:

1-9-3: - FEES AND OCCUPANCY OF DISTRICT LANDS.

- A. *Occupancy by Other than Forest Preserve District Employees:* Hereafter, all leases, privileges and occupancy must be requested by the applicant from the Board of Forest Preserve Commissioners, and no leases or permits of occupancy shall be given without first having the approval of the Board.
- B. *Resident District Employees:* Employee occupancy shall be governed as follows:
1. All Employees occupying residences are required and must agree to perform the following duties.
 - a. Must be thoroughly familiar with District boundaries within their assigned area and make periodic inspections to make certain that District property is protected and report any prohibited or illegal activity and encroachments.
 - b. Be on constant watch for fires. During times of extreme fire dangers, must be available to report for fire duty. All watchman residents must be fire certified as a burn crew member and be in possession of the issued personal fire protection gear, flapper and/or backpack pump.
 - c. Check all bodies of water; clean up all minor debris; check all facilities for vandalism; and during the appropriate seasons check area frequently for illegal hunters.
 - d. Complete and submit Resident Watchman Report on a bi-monthly basis.
 - e. Must be constantly aware that as a public employee residing on public lands assistance must be offered to those visitors who need and request help and/or information. Must ensure that the District provided sign indicating that the residence is a Watchman Residence is prominently posted at all times.
 2. All occupants of District residences will pay utilities costs (heat, electric, water and sewage).
 3. An employee granted permission to occupy a Residence that is attached to a District facility shall pay an occupancy fee of Four Hundred and sixty-eight dollars (\$468.00) per month.
 4. An employee granted permission to occupy a Residence that is adjacent to a District facility shall pay an occupancy fee of Five Hundred and eighty-five dollars (\$585.00) per month.
 5. An employee granted permission to occupy a Free Standing residence shall pay an occupancy fee of Seven Hundred and two dollars (\$702.00) per month.
 6. Every two years, subject to approval for renewal of the Occupancy Agreement, every resident will sign a new agreement with any changes that have been voted upon by the Housing Committee and approved by the General Superintendent. Any fee increase will commence at this time based on the Consumer Price Index added to the current fee and incorporated into the new Occupancy Agreement.

7. All fees collected will be placed into a Special Revenue fund, which will be used to maintain the major repairs of the residences and/or build standard maintenance facilities with an attached apartment. A house that has been deemed obsolete or is a burden to the District will be authorized for demolition.
8. The Housing Committee shall conduct no less than one annual inspection of all residences. If a house has been deemed by the Housing Committee to be obsolete or a burden to the District, a recommendation for demolition will be presented to the Board of Commissioners. The Housing Committee may authorize random inspections of each residence in the Housing Program as deemed necessary to maintain the integrity of the program and compliance with the terms of the Occupancy Agreement.
9. All residents will be responsible for "Minor Maintenance" and the Forest Preserve District will be responsible for "Major Maintenance", as each term is defined in the Occupancy Agreement.
10. This section, relating to Fees and Occupancy of District Lands, shall be re-evaluated by the Housing Committee and reported to the General Superintendent on an annual basis. ~~An Annual Report, which will include any recommended changes, shall be placed on the Agenda of the March meeting of the Forest Preserve District Board of Commissioners.~~
11. Those employees who retire or resign from employment with the District shall be required to vacate the premises within a reasonable time, not to exceed sixty (60) days after their last day of employment. Retirees and employees who resign shall be responsible for paying all required fees.
12. Widows/Widowers of employees shall be required to vacate the premises within a reasonable period of time, not to exceed six (6) months after the spouse's demise, provided widows/widowers are appropriately indicated in the Occupancy Agreement. Widows/Widowers shall be responsible for paying all required fees, but shall not be responsible for providing services of the Occupancy Agreement.
13. The General Superintendent shall establish policies and procedures for the occupancy of District residences as set forth in the Resident Watchman Program Manual. The General Superintendent has the discretion to add or subtract any task necessary to assist in the mission statement of the Forest Preserve District.
14. A Housing Committee shall be appointed and designated by the General Superintendent.
15. The performance of all duties and responsibilities of the resident watchman as set forth in the Occupancy Agreement shall be monitored by the Housing Committee. Failure to perform or to adhere to the terms of the Occupancy Agreement by the resident watchman and authorized occupants of the District residence may result in termination of the Occupancy Agreement.
16. The Forest Preserve District Superintendent shall place on the agenda of the March meeting of the Forest Preserve District Board of Commissioners an Annual report to the Forest Preserve Board of Commissioners listing the names of employees occupying forest preserve homes for part or all of the fiscal year, as well as their job titles and salaries. In addition, the report shall contain copies of all watchman reports filed by employees occupying forest preserve homes.

Effective date: This ordinance shall be in effect immediately upon adoption.

Legislative History: 4/14/15 Forest Preserve District of Cook County Board of Commissioners referred to the Legislation and Intergovernmental Relations Committee

A motion was made by Commissioner Daley, seconded by Commissioner Murphy, that this Ordinance Amendment be approved. The motion carried by the following vote:

Ayes: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Gorman, Goslin, Moore, Murphy, Schneider, Sims, Silvestri, Steele and Tobolski (15)

Absent: Vice Chairman Fritchey and Commissioner Silvestri (2)

15-0255

Sponsored by: TONI PRECKWINKLE, President, Forest Preserve District of Cook County Board of Commissioners

PROPOSED ORDINANCE AMENDMENT

Title 3 Chapter 3 Section 16 - Games and Sports

BE IT ORDAINED, by the Cook County Board of Commissioners, that Title 3 - Police Regulations, Chapter 3 - Miscellaneous Conduct, Section 16 - Games and Sports of the Forest Preserve District of Cook County Code is hereby amended as Follows:

3-3-16: - GAMES AND SPORTS.

- A. Skating, Sledding and Skiing in a Reckless Manner: No person shall skate, skateboard, sled or ski in any part of the Forest Preserve in a reckless manner, or at the speed greater than is reasonable and proper, having due regard to the number of people in such part of the Forest Preserve System and the use thereof, or so as to endanger life or limb, or damage the property of any person; provided, however, that nothing herein contained shall be construed to prohibit any exhibition of, or contests in, fast or fancy skating on such portions of any ice pond or rink as may be set aside for that purpose by the General Superintendent or his/her designee. Any person violating any of the provisions of this Subsection shall be fined not less than seventy-five dollars (\$75.00) or more than five hundred dollars (\$500.00) for each offense.
- B. Golf: All persons are hereby prohibited from practicing and playing golf upon any forest preserve except upon the designated public golf links of Forest Preserve at the times and in the areas as may be designated by the General Superintendent. Any person violating any of the provisions of this Subsection shall be fined seventy-five dollars (\$75.00).
- ~~C. Bicycling: Persons may operate a bicycle only on paths, trails, roadways or other areas designated for bicycle use. Any person operating a bicycle on forest preserve property other than on paths, trails, roadways or other areas designated for bicycle use, shall be fined not less than seventy five dollars (\$75.00) or more than five hundred dollars (\$500.00) for each offense.~~

~~Persons operating bicycles must ride on the right hand side of such path, trail, roadway or other area designated for bicycle use by the General Superintendent. No person may operate a bicycle while carrying another person on the handlebars, frame or fender, or so ride on a bicycle, except~~

~~in a suitable seat attached to such bicycle for such purpose. No person may operate a bicycle in a reckless manner so as to endanger pedestrians. No person shall cling or attach himself/herself or his/her bicycle to any other moving vehicle. The operator of a bicycle shall yield the right of way to all pedestrians on walkways and to all vehicles on roadways, and shall walk his/her bicycle in all areas where riding is prohibited by the General Superintendent, as indicated by sign or notice. The operator of a bicycle shall give an audible warning, by horn, bell, voice or otherwise, when approaching any pedestrian from behind. Any person violating any of the provisions of this Subsection shall be fined seventy five dollars (\$75.00).~~

DC. Day Camps: Day camps, play classes or organized groups not sponsored by the Forest Preserve may use facilities of the Forest Preserve when not in conflict with the Forest Preserve recreational program, with the approval of the General Superintendent.
(Ord. No. 11-O-10, 7-13-11)

Effective date: This ordinance shall be in effect immediately upon adoption.

Legislative History: 4/14/15 Forest Preserve District of Cook County Board of Commissioners referred to the Legislation and Intergovernmental Relations Committee

A motion was made by Commissioner Daley, seconded by Commissioner Murphy, that this Ordinance Amendment be approved. The motion carried by the following vote:

Ayes: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Gorman, Goslin, Moore, Murphy, Schneider, Sims, Silvestri, Steele and Tobolski (15)

Absent: Vice Chairman Fritchey and Commissioner Silvestri (2)

15-0256

Sponsored by: TONI PRECKWINKLE, President, Forest Preserve District of Cook County Board of Commissioners

PROPOSED ORDINANCE AMENDMENT

Title 4 Chapter 3 Section 1 - Operation of Bicycles

BE IT ORDAINED, by the Cook County Board of Commissioners, that Title 4 - Motor Vehicles and Traffic, Chapter 3 - Bicycles, Section 1 - Operation of Bicycles of the Forest Preserve District of Cook County Code is hereby amended as Follows:

4-3-1: - OPERATION OF BICYCLES.

~~A. Bicycles shall be operated as closely to the right hand curb or right hand side of the path, trail or roadway as conditions will permit and not more than two (2) bicycles shall be operated abreast or side by side.~~

~~B. It shall be unlawful for the operator of any bicycle when upon the path, trail or roadway, to carry any other person upon the handlebar or frame of any such bicycle, or for any person to so ride upon any such bicycle.~~

~~C. Bicycles shall not be operated upon any path, trail or roadway where the operation of bicycles has been prohibited or in any manner that has been prohibited by order of the Board of Commissioners or the General Superintendent and signs have been erected indicating such prohibition.~~

~~D. No person age 14 or under shall operate a bicycle nor ride upon a bicycle on Cook County Forest Preserve property, bikeway, or trail unless that person is wearing a properly fitted and fastened protective helmet that meets the standards promulgated by either: The American National Standards Institute, the American Society for Testing, the United States Consumer Product Safety Commission, or the Snell Memorial Foundation, Inc., or standards subsequently established by those entities. This requirement also applies to a person who rides upon a bicycle while in a restraining seat that is attached to the bicycle or in a trailer towed by the bicycle.~~

~~E. A violation of this ordinance is an infraction punishable by the following: first violation will be a warning; second violation will be a fine of \$10.00; and each additional violation will be a fine of \$25.00. The parent or legal guardian having control or custody of an unemancipated minor age 14 or under whose conduct violates this ordinance shall be jointly and severally liable with the minor age 14 or under for the amount of the fine imposed.~~

~~F. Fines collected for a violation of this ordinance shall be deposited in a special account of the Cook County Forest Preserve District to be used for bicycle safety education and for assisting low income families in obtaining approved bicycle helmets for children under the age of 14 years.~~

~~G. The Cook County Forest Preserve District shall create and implement a bicycle education safety program that at a minimum includes: outreach to schools; development and distribution of an informational brochure; placement of safety information on the District's website; appropriate signage in Forest Preserves; and four educational programs per year.~~

~~H. The Cook County Forest Preserve District Board of Commissioners has a desire to assure that all children have access to bicycle helmets regardless of their economic situations. To address this concern, the Forest Preserve District will develop a bicycle helmet rebate program in partnership with appropriate non profit groups for qualified, low income applicants. Proof of income, residency, and purchase must be provided. Eligibility for this program is based on Federal Poverty Guidelines.~~

~~To support this rebate program, the District will establish a designated account that can accept charitable donations and look for private, corporate, and organizational partners that would be willing to make financial contributions to the program. Additionally, fine collected in violation of this ordinance can be used for the rebate program.~~

~~(Ord. No. 2003-O-07-02-05, 5-5-04)~~

A. General: Persons may operate a bicycle only on paths, trails, roadways or other areas designated for bicycle use. Persons operating bicycles must ride on the right-hand side of such path, trail, roadway or other area designated for bicycle use by the General Superintendent. Not more than two (2) bicycles shall be operated abreast or side by side. No person may operate a bicycle while carrying another person on the handlebars, frame or fender, or so ride on a bicycle, except in a suitable seat attached to such bicycle for such purpose. No person may operate a bicycle in a reckless manner so as to endanger pedestrians. No person shall cling or attach himself/herself or his/her bicycle to any other moving vehicle. The operator of a bicycle shall yield the right-of-way to all

pedestrians on walkways and to all vehicles on roadways, and shall walk his/her bicycle in all areas where riding is prohibited by the General Superintendent, as indicated by sign or notice. The operator of a bicycle shall give an audible warning, by horn, bell, voice or otherwise, when approaching any pedestrian from behind.

- B. Motorized Bicycles. Persons may not use or ride within the District any electric or electric assisted bicycle capable of exceeding a speed of 15 miles per hour. Any violation of this provision shall be fined not less than seventy-five dollars or more than five hundred dollars (\$500.00) for each offense. This section is not intended to prohibit any person with mobility impairment(s) from using an electronic personal assistive mobility device.

4-3-2: - PENALTY.

Any person violating any of the provisions of this Chapter shall be fined as provided in Section 1-4-1 of this Code.

Effective date: This ordinance shall be in effect immediately upon adoption.

Legislative History: 4/14/15 Forest Preserve District of Cook County Board of Commissioners referred to the Legislation and Intergovernmental Relations Committee

A motion was made by Commissioner Daley, seconded by Commissioner Murphy, that this this Ordinance Amendment be accept a substitute. The motion carried by the following vote:

Ayes: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Gorman, Goslin, Moore, Murphy, Schneider, Sims, Silvestri, Steele and Tobolski (15)

Absent: Vice Chairman Fritchey and Commissioner Silvestri (2)

PROPOSED SUBSTITUTE TO FILE 15-0256

PROPOSED ORDINANCE AMENDMENT

Title 4 Chapter 3 Section 1 - Operation of Bicycles

BE IT ORDAINED, by the Cook County Board of Commissioners, that Title 4 - Motor Vehicles and Traffic, Chapter 3 - Bicycles, Section 1 - Operation of Bicycles of the Forest Preserve District of Cook County Code is hereby amended as Follows:

4-3-1: - OPERATION OF BICYCLES.

A. ~~_____ Bicycles shall be operated as closely to the right hand curb or right hand side of the path, trail or roadway as conditions will permit and not more than two (2) bicycles shall be operated abreast or side by side.~~

B. ~~_____ It shall be unlawful for the operator of any bicycle when upon the path, trail or roadway, to carry any other person upon the handlebar or frame of any such bicycle, or for any person to so ride upon any such bicycle.~~

C. General. Persons may operate a bicycle only on paths, trails, roadways or other areas designated for bicycle use. Persons operating bicycles must ride on the right-hand side of such path, trail, roadway or other area designated for bicycle use by the General Superintendent. Not more than two (2) bicycles shall be operated abreast or side by side. No person may operate a bicycle while carrying another person on the handlebars, frame or fender, or so ride on a bicycle, except in a suitable seat attached to such bicycle for such purpose. No person may operate a bicycle in a reckless manner so as to endanger pedestrians. No person shall cling or attach himself/herself or his/her bicycle to any other moving vehicle. The operator of a bicycle shall yield the right-of-way to all pedestrians on walkways and to all vehicles on roadways, and shall walk his/her bicycle in all areas where riding is prohibited by the General Superintendent, as indicated by sign or notice. The operator of a bicycle shall give an audible warning, by horn, bell, voice or otherwise, when approaching any pedestrian from behind. Any violation of this Section 4-3-1(A) shall be fined not less than seventy-five dollars or more than five hundred dollars (\$500.00) for each offense.

D. Motorized Bicycles. Persons may not use or ride within the District any electric or electric assisted bicycle capable of exceeding a speed of 15 miles per hour. Any violation of this Section 4-3-1(B) shall be fined not less than seventy-five dollars or more than five hundred dollars (\$500.00) for each offense. This section is not intended to prohibit any person with mobility impairment(s) from using an electronic personal assistive mobility device.

~~C. Bicycles shall not be operated upon any path, trail or roadway where the operation of bicycles has been prohibited or in any manner that has been prohibited by order of the Board of Commissioners or the General Superintendent and signs have been erected indicating such prohibition.~~

CD. Helmets.

1. No person age 14 or under shall operate a bicycle nor ride upon a bicycle on Cook County Forest Preserve property, bikeway, or trail unless that person is wearing a properly fitted and fastened protective helmet that meets the standards promulgated by either: The American National Standards Institute, the American Society for Testing, the United States Consumer Product Safety Commission, or the Snell Memorial Foundation, Inc., or standards subsequently established by those entities. This requirement also applies to a person who rides upon a bicycle while in a restraining seat that is attached to the bicycle or in a trailer towed by the bicycle.
2. ~~E~~-A violation of Section 4-3-1(C) of this ordinance is an infraction punishable by the following: first violation will be a warning; second violation will be a fine of \$10.00; and each additional violation will be a fine of \$25.00. The parent or legal guardian having control or custody of an unemancipated minor age 14 or under whose conduct violates this ordinance shall be jointly and severally liable with the minor age 14 or under for the amount of the fine imposed.
3. ~~F~~-Fines collected for a violation of Section 4-3-1(C) of this ordinance shall be deposited in a special account of the Cook County Forest Preserve District to be used for bicycle safety education and for assisting low-income families in obtaining approved bicycle helmets for children under the age of 14 years.

4. ~~6~~The Cook County Forest Preserve District shall create and implement a bicycle education safety program that at a minimum includes: outreach to schools; development and distribution of an informational brochure; placement of safety information on the District's website; appropriate signage in Forest Preserves; and four educational programs per year.
5. ~~H~~The Cook County Forest Preserve District Board of Commissioners has a desire to assure that all children have access to bicycle helmets regardless of their economic situations. To address this concern, the Forest Preserve District will develop a bicycle helmet rebate program in partnership with appropriate non-profit groups for qualified, low-income applicants. Proof of income, residency, and purchase must be provided. Eligibility for this program is based on Federal Poverty Guidelines.
6. To support this rebate program, the District will establish a designated account that can accept charitable donations and look for private, corporate, and organizational partners that would be willing to make financial contributions to the program. Additionally, fines collected ~~in~~ for violations of Section 4-3-1(C) of this ordinance can be used for the rebate program.

~~4-3-2: PENALTY.~~

~~Any person violating any of the provisions of this Chapter shall be fined as provided in Section 1-4-1 of this Code.~~

Effective date: This ordinance shall be in effect immediately upon adoption.

A motion was made by Commissioner Daley, seconded by Commissioner Murphy, that this this Ordinance Amendment be adopted as amended by substitution. The motion carried by the following vote:

Ayes: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Gorman, Goslin, Moore, Murphy, Schneider, Sims, Silvestri, Steele and Tobolski (15)

Absent: Vice Chairman Fritchey and Commissioner Silvestri (2)

15-0258

Sponsored by: TONI PRECKWINKLE, President, Forest Preserve District of Cook County Board of Commissioners

PROPOSED ORDINANCE AMENDMENT

Title 6 Chapter 2 Section 1 – ~~Hawkers and Peddlers Vending~~

BE IT ORDAINED, by the Cook County Board of Commissioners, that Title 6 - Business, License and Permit Provisions, Chapter 2 - ~~Hawkers and Peddlers Vending~~, Section 1 - Permit Required of the Forest Preserves District of Cook County Code is hereby amended as Follows:

6-2-1: PERMIT REQUIRED ~~6-2-1: PERMIT REQUIRED.~~

~~No person shall expose or offer for sale any articles or thing, or do any hawking or peddling within or upon any of said preserves without first obtaining a permit from the District Board of Commissioners.~~

~~(1989 Code) Outside of authorized District personnel in the performance of their job duties, no person or organization shall upon or in connection with any District property: collect fees, admission or cover charges, or display or offer for sale any articles, items or things, or conduct or solicit any business, trade, occupation or profession without obtaining a valid vendor permit from the General Superintendent of the Forest Preserve or his/her delegate, and then only in accordance with the terms and conditions thereof, it being the intention of the District to control commercial enterprises or sales on District lands. Nothing in this section shall preclude the (1) collection of admission fees or cover charges, or the sale of articles, items or other things by an organization, company or other entity for the purpose of fundraising for a charitable, humanitarian or benevolent cause if the organization, company or other entity has obtained a special use permit for the event; or (2) collection of compensation in connection with an entity or individual training, instructing, or leading a fitness or athletic class involving five (5) or fewer individuals.”~~

Effective date: This ordinance shall be in effect immediately upon adoption.

Legislative History: 4/14/15 Forest Preserve District of Cook County Board of Commissioners referred to the Legislation and Intergovernmental Relations Committee

A motion was made by Commissioner Daley, seconded by Commissioner Murphy, that this Ordinance Amendment be approved. The motion carried by the following vote:

Ayes: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Gorman, Goslin, Moore, Murphy, Schneider, Sims, Silvestri, Steele and Tobolski (15)

Absent: Vice Chairman Fritchey and Commissioner Silvestri (2)

Sponsored by: LARRY SUFFREDIN and RICHARD R. BOYKIN, Cook County Board Commissioner

AN AMENDMENT PROHIBITING THE USE OF TOBACCO AND MARIJUANA ON ALL FOREST PRESERVE DISTRICT OF COOK COUNTY PROPERTY

BE IT ORDAINED, by the Cook County Board of Commissioners, that Part 1 – General Ordinances, Chapter 2 – Administration, Article III – County Board, Division 2. – Rules of Organization and Procedure, Sections 3-3-21 – 3-3-23 are hereby amended as follows:

3-3-21: - ~~SMOKING TOBACCO AND MARIJUANA USE~~ POLICY FOR FOREST PRESERVE DISTRICT FACILITIES AND PROPERTIES.

- A. *Prohibition of ~~Smoking~~ Tobacco and Marijuana Use in Cook County Forest Preserve District Facilities and Properties:* ~~The use of any tobacco or marijuana products in any form Smoking by smoking, inhaling, exhaling, burning, consuming or carrying of any lighted cigarette, lighted cigar, lighted pipe, vaporizer, snuff, snus, chewing tobacco or other lighted tobacco product in any other form ("smoking") is not permitted in any areas of any District FacilityProperty. This ban on smoking applies to all public areas of District as well as all areas used only by District employees or officials, including without limitation individual offices. This ban does not include facilities utilized as private residences.~~
- B. *Prohibition of ~~Smoking~~ Tobacco and Marijuana Use in District Vehicles:* ~~Smoking Tobacco and Marijuana use~~ is prohibited in all vehicles owned or leased by the Forest Preserve District of Cook County.
- C. *Reasonable Distance:* ~~Smoking is prohibited within fifteen (15) feet of an enclosed area of any District Facility, so as to prohibit congestion at exits that could constitute a fire hazard in the event of an emergency evacuation of the District Facility. However, if the District operates District Facilities within buildings owned by third parties and the District's use in those buildings is not exclusive, this Subsection shall apply only insofar as it restricts the conduct of District employees.~~
- ~~DC.~~ *Implementation:* All appropriate District representatives, including the General Superintendent, Superintendent of Maintenance and Operations, ~~and~~ all elected officials and the appropriate personnel of the Chicago Zoological Society and the Chicago Horticultural Society shall implement the foregoing policy.
- E. *Effect of Section:* ~~This Section supersedes and replaces any and all earlier resolutions and ordinances pertaining to the subject of a smoking policy for District Facilities. It is intended for this Section to apply to District Facilities. However, to the extent that any provision of this Section is less restrictive in regulating smoking than another ordinance, the more restrictive provision shall apply. This Section shall take effect immediately upon passage.~~
- ~~FD.~~ *Penalty:* Any person violating any of the provisions of Subsections 3-3-21.A., B., and C., shall be fined seventy-five dollars (\$75.00).

~~3-3-22: - SMOKING POLICY FOR BROOKFIELD ZOO.~~

- A. ~~*Prohibition of Smoking in Brookfield Zoo:* Smoking by inhaling, exhaling, burning or carrying any lighted cigarette, cigar, pipe, or other lighted tobacco product in any other form ("smoking") is not permitted in any areas of any Brookfield Zoo, including, without limitation, those facilities housing administrative offices, maintenance facilities, exhibits, and all enclosed and semi-enclosed areas of the Brookfield Zoo. This ban on smoking applies to all public areas as well as all areas used only by Brookfield Zoo employees or officials, including, without limitation, individual offices, except smoking is permitted in those areas designated and identified with signs as smoking areas by the Chicago Zoological Society.~~
- B. ~~*Prohibition of Smoking in Brookfield Zoo Vehicles:* Smoking is prohibited in all vehicles owned or leased by the Brookfield Zoo.~~
- C. ~~*Reasonable Distance:* Smoking is prohibited within fifteen (15) feet of any entrance to the Brookfield Zoo, so as to prohibit congestion at exits that could constitute a fire hazard in the event of an emergency evacuation of the Brookfield Zoo.~~
- D. ~~*Implementation:* All appropriate Brookfield Zoo representatives shall implement the foregoing policy.~~
- E. ~~*Effect of Section:* This Section supersedes and replaces any and all earlier resolutions and ordinances pertaining to the subject of a smoking policy for the Brookfield Zoo. It is intended for this Section to apply to Brookfield Zoo facilities. However, to the extent that any provision of this Section is less restrictive in regulating smoking than another ordinance, the more restrictive provision shall apply. This Section shall take effect immediately upon passage.~~
- F. ~~*Penalty:* Any person violating any of the provisions of this Section shall be fined seventy five dollars (\$75.00).~~

~~3-3-23: SMOKING POLICY FOR CHICAGO BOTANIC GARDEN.~~

- A. ~~*Prohibition of Smoking in Chicago Botanic Garden:* Smoking by inhaling, exhaling, burning or carrying any lighted cigarette, cigar, lighted pipe, or other lighted tobacco product in any other form ("smoking") is not permitted in any areas of any Chicago Botanic Garden facility, including, without limitation, those facilities housing administrative offices, maintenance facilities, exhibits, and all enclosed and semi-enclosed areas on the grounds of the Chicago Botanic Garden, except smoking is permitted in those areas designated and identified with signs as smoking areas by the Chief Executive Officer of the Chicago Botanic Garden or the Executive Officer's designate. This ban on applies to all public areas as well as all areas used only by Chicago Botanic Garden employees or officials, including, without limitation, individual offices.~~
- B. ~~*Prohibition of Smoking in Chicago Botanic Garden Vehicles:* is prohibited in all vehicles owned or leased by the Chicago Botanic Garden.~~
- C. ~~*Reasonable Distance:* Smoking is prohibited within fifteen (15) feet of any entrance to the Chicago Botanic Garden, so as to prohibit congestion at exits that could constitute a fire hazard in the event of an emergency evacuation of the Chicago Botanic Garden.~~
- D. ~~*Implementation:* All appropriate Chicago Botanic Garden representatives shall implement the foregoing policy.~~

~~E. *Effect of Section:* This Section supersedes and replaces any and all earlier resolutions and ordinances pertaining to the subject of a smoking policy for the Chicago Botanic Garden. It is intended for this Section to apply to Chicago Botanic Garden facilities. However, to the extent that any provision of this Section is less restrictive in regulating smoking than another ordinance, the more restrictive provision shall apply. This Section shall take effect immediately upon passage.~~

~~F. *Penalty:* Any person violating any of the provisions of this Section shall be fined seventy five dollars (\$75.00).~~

Legislative History: 4/14/15 Forest Preserve District of Cook County Board of Commissioners referred to the Legislation and Intergovernmental Relations Committee

A motion was made by Commissioner Daley, seconded by Commissioner Murphy, that this Ordinance Amendment be deferred. The motion carried by the following vote:

Ayes: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Gorman, Goslin, Moore, Murphy, Schneider, Sims, Silvestri, Steele and Tobolski (15)

Absent: Vice Chairman Fritchey and Commissioner Silvestri (2)

15-0304

Sponsored by: RICHARD R .BOYKIN, Forest Preserve District of Cook County Board of Commissioner

ORDINANCE AMENDING CHAPTER 3 OF THE FOREST PRESERVE CODE OF COOK COUNTY CONCERNING “POLICE REGULATIONS” BY ADDING A NEW SECTION, 3-1-6(A) PROHIBITING THE USE OF CAROTID CONTROL HOLDS BY THE COOK COUNTY FOREST PRESERVE POLICE.

WHEREAS, the sworn officers employed by the Cook County Forest Preserve Police will maintain a courteous and professional demeanor when dealing with the public pursuant to current standing orders, policies and procedures; and,

WHEREAS, the sworn officers employed by the Cook County Forest Preserve Police will maintain compliance with all laws, current standing orders, policies and procedures mandating that said officers select the appropriate level of force based on a subject’s actions, and that employees further modify their selection of options as the subject offers less or greater resistance; and,

WHEREAS, carotid control holds are largely ineffective and create the potential for a subject to panic and react with greater resistance than he or she otherwise might deploy during an officer restraint; and,

WHEREAS, the President and Commissioners of the Forest Preserve District of Cook County intend to modify the County Code of Ordinances with respect to the current orders, policies and procedures of the Office of the sworn officers employed by the Cook County Forest Preserve Police, requiring a progressive and reasonable escalation and de-escalation of officer-applied force; and,

WHEREAS, such modification by the President and Commissioners of the Forest Preserve District of Cook County is consistent with the requirements of state and federal law; and,

WHEREAS, the President and Board of Commissioners of Cook County further intend to expressly prohibit the use of carotid control holds by the sworn officers employed by the Cook County Forest Preserve, with the exception of conditions expressly enumerated in section 3-1-6(A) of this ordinance; NOW THEREFORE,

BE IT ORDAINED BY THE PRESIDENT AND COMMISSIONERS OF THE FOREST PRESERVE DISTRICT OF COOK COUNTY:

SECTION 1. The above recitals are expressly incorporated herein and made part hereof as though fully set forth herein.

SECTION 2. Chapter 3 of the Forest Preserve Code of Cook County concerning “Police Regulations” is hereby amended by adding a new Section 3-1-6(A) as follows:

Sec. 3-1-6(A) Policy on Use of Force- choke holds prohibited

1. Employees of the Cook County Forest Preserve Police shall use an amount of force reasonably necessary based on the totality of the circumstances to perform a lawful task, effect an arrest, overcome resistance, control a subject, or protect themselves or others from injury. Circumstances that may govern the reasonableness of using a particular force option include but are not limited to: (1) whether the officer reasonably believes the subject poses an immediate threat to the safety of officers or others; and (2) whether the subject is actively resisting arrest or attempting to evade arrest by flight.
2. After gaining total control of a subject, Employees of the Cook County Forest Preserve Police shall:
 - (1) Avoid sitting, kneeling, or standing on a subject’s chest, which may result in chest compression, thereby reducing the subject’s ability to breathe;
 - (2) If practicable, position the subject in a manner to allow free breathing;
 - (3) Monitor an arrestee until transported to a secure location; and,
 - (4) Seek medical attention for an arrestee who has injuries or illnesses consistent with applicable standing orders and departmental policy directives.
3. No Employee of the Cook County Forest Preserve Police shall apply a carotid control hold in the performance of his or her duties unless faced with a situation in which the use of deadly force is justified under applicable law. A carotid control hold shall include but is not limited to, any sustained pressure to the throat or windpipe, which may prevent or hinder breathing or reduce intake of air.
4. For purposes of this section the following terms shall have the following meaning:

“Employee of the Cook County Forest Preserve Police refers to any individual employed by the Cook County Forest Preserve who by virtue of that employment is vested by law with a duty to maintain public order or make arrests for offenses, whether that duty extends to all offenses or is limited to specific offenses.

SECTION 3.

(a) Nothing in this ordinance shall preclude an Employee of the Cook County Forest Preserve Police from utilizing self-defense tactics which are enumerated in the Illinois Law Enforcement Training and Standards Board prescribed certification for Law Enforcement.

(b) Notwithstanding the foregoing provisions, an Employee of the Cook County Forest Preserve Police need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest. Any such officer or employee is justified in the use of any force which he reasonably believes to be necessary to defend himself or another from bodily harm while making the arrest. However, the officer or employee is justified in using force likely to cause death or great bodily harm only when he reasonably believes that such force is necessary to prevent death or great bodily harm to himself or such other person, or when he reasonably believes both that:

- (1) Such force is necessary to prevent the arrest from being defeated by resistance or escape; and
- (2) The person to be arrested has committed or attempted a forcible felony which involves the infliction or threatened infliction of great bodily harm or is attempting to escape by use of a deadly weapon, or otherwise indicates that he will endanger human life or inflict great bodily harm unless arrested without delay.

SECTION 4. Incorporating all of the foregoing provisions, this ordinance shall be in full force and effect upon its passage and publication.

Legislative History: 4/14/15 Forest Preserve District of Cook County Board of Commissioners referred to the Legislation and Intergovernmental Relations Committee.

A motion was made by Commissioner Boykin, seconded by Commissioner Moore, that this Ordinance Amendment be motion to suspend the rules. The motion carried by the following vote:

Ayes: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Gorman, Goslin, Moore, Murphy, Schneider, Sims, Silvestri, Steele and Tobolski (15)

Absent: Vice Chairman Fritchey and Commissioner Silvestri (2)

A motion was made by Commissioner Boykin, seconded by Commissioner Tobolski, that a substitute Ordinance Amendment be accepted. The motion carried by the following vote:

Ayes: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Gorman, Goslin, Moore, Murphy, Schneider, Sims, Silvestri, Steele and Tobolski (15)

Absent: Vice Chairman Fritchey and Commissioner Silvestri (2)

SUBSTITUTE ORDINANCE FOR FILE 15-0304

Sponsored by: RICHARD R .BOYKIN, Forest Preserve District of Cook County Board of Commissioner

ORDINANCE AMENDING CHAPTER 3 OF THE FOREST PRESERVE CODE OF COOK COUNTY CONCERNING “POLICE REGULATIONS” BY ADDING A NEW SECTION, 3-1-9

PROHIBITING THE USE OF CAROTID CONTROL HOLDS BY THE COOK COUNTY FOREST PRESERVE POLICE.

WHEREAS, the sworn officers employed by the Cook County Forest Preserve Police will maintain a courteous and professional demeanor when dealing with the public pursuant to current standing orders, policies and procedures; and,

WHEREAS, the sworn officers employed by the Cook County Forest Preserve Police will maintain compliance with all laws, current standing orders, policies and procedures mandating that said officers select the appropriate level of force based on a subject’s actions, and that employees further modify their selection of options as the subject offers less or greater resistance; and,

WHEREAS, carotid control holds are largely ineffective and create the potential for a subject to panic and react with greater resistance than he or she otherwise might deploy during an officer restraint; and,

WHEREAS, the President and Commissioners of the Forest Preserve District of Cook County intend to modify the Forest Preserve of Cook County Code of Ordinances with respect to the current orders, policies and procedures of the Office of the sworn officers employed by the Cook County Forest Preserve Police, requiring a progressive and reasonable escalation and de-escalation of officer-applied force; and,

WHEREAS, such modification by the President and Commissioners of the Forest Preserve District of Cook County is consistent with the requirements of state and federal law; and,

WHEREAS, the President and Board of Commissioners of Cook County further intend to expressly prohibit the use of carotid control holds by the sworn officers employed by the Cook County Forest Preserve, with the exception of conditions expressly enumerated in section 3-1-9 of this ordinance;

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND COMMISSIONERS OF THE FOREST PRESERVE DISTRICT OF COOK COUNTY:

SECTION 1. The above recitals are expressly incorporated herein and made part hereof as though fully set forth herein.

SECTION 2. Chapter 3 of the Forest Preserve Code of Cook County concerning “Police Regulations” is hereby amended by adding a new Section 3-1-9 as follows:

Sec. 3-1-9 Policy on Use of Force- choke holds prohibited

1. Employees of the Cook County Forest Preserve Police shall use an amount of force reasonably necessary based on the totality of the circumstances to perform a lawful task, effect an arrest, overcome resistance, control a subject, or protect themselves or others from injury. Circumstances that may govern the reasonableness of using a particular force option include but are not limited to: (1) whether the officer reasonably believes the subject poses an immediate threat to the safety of officers or others; and (2) whether the subject is actively resisting arrest or attempting to evade arrest by flight.

2. After gaining total control of a subject, Employees of the Cook County Forest Preserve Police shall:

- (1) Avoid sitting, kneeling, or standing on a subject’s chest, which may result in chest compression, thereby reducing the subject’s ability to breathe;
- (2) If practicable, position the subject in a manner to allow free breathing;
- (3) Monitor an arrestee until transported to a secure location; and,

- (4) Seek medical attention for an arrestee who has injuries or illnesses consistent with applicable standing orders and departmental policy directives.
3. No Employee of the Cook County Forest Preserve Police shall apply a carotid control hold in the performance of his or her duties unless faced with a situation in which the use of deadly force is justified under applicable law. A carotid control hold shall include but is not limited to, any sustained pressure to the throat or windpipe, which may prevent or hinder breathing or reduce intake of air.
4. For purposes of this section the following terms shall have the following meaning:

“**Employee of the Cook County Forest Preserve Police** refers to any individual employed by the Cook County Forest Preserve who by virtue of that employment is vested by law with a duty to maintain public order or make arrests for offenses, whether that duty extends to all offenses or is limited to specific offenses.

SECTION 3.

(a) Nothing in this ordinance shall preclude an Employee of the Cook County Forest Preserve Police from utilizing self-defense tactics which are enumerated in the Illinois Law Enforcement Training and Standards Board prescribed certification for Law Enforcement.

(b) Notwithstanding the foregoing provisions, an Employee of the Cook County Forest Preserve Police need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest. Any such officer or employee is justified in the use of any force which he reasonably believes to be necessary to defend himself or another from bodily harm while making the arrest. However, the officer or employee is justified in using force likely to cause death or great bodily harm only when he reasonably believes that such force is necessary to prevent death or great bodily harm to himself or such other person, or when he reasonably believes both that:

- (1) Such force is necessary to prevent the arrest from being defeated by resistance or escape; and
- (2) The person to be arrested has committed or attempted a forcible felony which involves the infliction or threatened infliction of great bodily harm or is attempting to escape by use of a deadly weapon, or otherwise indicates that he will endanger human life or inflict great bodily harm unless arrested without delay.

SECTION 4. Incorporating all of the foregoing provisions, this ordinance shall be in full force and effect upon its passage and publication.

A motion was made by Commissioner Boykin, seconded by Commissioner Tobolski, that this this Ordinance Amendment be adopted as amended by substitution. The motion carried by the following vote:

Ayes: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Gorman, Goslin, Moore, Murphy, Schneider, Sims, Silvestri, Steele and Tobolski (15)

Absent: Vice Chairman Fritchey and Commissioner Silvestri (2)

ADJOURNMENT

A motion was made by Commissioner JOAN PATRICIA MURPHY, seconded by Commissioner DEBORAH SIMS, that this committee was adjourned.. The motion carried by the following vote:

Ayes: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Gorman, Goslin, Moore, Murphy, Schneider, Sims, Silvestri, Steele and Tobolski (15)

Absent: Vice Chairman Fritchey and Commissioner Silvestri (2)

Respectfully submitted,



Chairman



Secretary

*A video recording of this meeting is available at <https://cook-county.legistar.com>