

**FRANKFORT SQUARE PARK DISTRICT
WILL AND COOK COUNTIES, ILLINOIS**

ORDINANCE 21-08-333

**AN ORDINANCE
TO AMEND THE CONDUCT CODE
TO ADOPT HEALTH AND SAFETY MEASURES**

WHEREAS, Section 8-1(d) of the Illinois Park District Code grants the Frankfort Square Park District (“District”) the power and authority to establish by ordinance all needful rules and regulations for the government and protection of parks, boulevards and driveways and other property under its jurisdiction, and to effect the objects for which such districts are formed; and

WHEREAS, the Board of Park Commissioners has heretofore adopted Risk Management Policies including the Behavior Management Policy to codify the rules and regulations pertaining to the control of persons and activities in the Frankfort Square Park District (the “Conduct Code”); and

WHEREAS, COVID-19 is a severe respiratory illness, caused by the SARS-CoV-2 virus, a new strain of coronavirus that is spread from person to person, posing a threat to the health and safety of the residents of the District; and

WHEREAS, the World Health Organization has indicated that COVID-19 is spread primarily by respiratory droplets produced when an infected person coughs or sneezes and droplets can also be generated by talking, laughing, or exhaling; and

WHEREAS, the Center for Disease Control (“*CDC*”) recommends wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain (e.g., grocery stores and pharmacies); and

WHEREAS, the U.S. Surgeon General acknowledged that there is a significant amount of asymptomatic spread and recommends that individuals use face coverings to reduce the spread of COVID-19; and

WHEREAS, the Director of the National Institute of Allergy and Infectious Diseases has further recommended that individuals wear facial coverings to prevent individuals from infecting others; and

WHEREAS, the Board of Park Commissioners desires to amend rules and regulations in the Conduct Code to protect the health, safety and welfare of the Park District’s officers, employees, invitees, guests, patrons, and visitors by enforcing health and safety measures which comply with the most current mitigation strategies recommended by the CDC and the State of Illinois.

NOW, THEREFORE, BE IT ORDAINED by the Board of Park Commissioners of the Frankfort Square Park District, Cook County, Illinois, as follows:

SECTION 1. Recitals. The Board adopts the foregoing recitals as its legislative findings, declares that such recitals accurately describe the purpose and intent of this Ordinance, and direct that this Ordinance shall be liberally construed to most fully protect the health, safety and welfare of the Frankfort Square Park District community.

SECTION 2. Conduct Code; Amendments. The Conduct Code is hereby amended by adding a new section HEALTH AND WELFARE, as presented below:

HEALTH AND WELFARE:

A. The Board declares its intent to and shall hereafter enforce all health and safety measures which comply with the most current mitigation strategies recommended by the CDC and the State of Illinois. It is the intent of the Board for this regulation to be flexible insofar as the health and safety measures to be enforced will be revised from time to time to remain in concert with Federal and State public health guidelines. The Executive Director shall post on the District website (a) a link to Illinois Department of Public Health website where the most recent health and safety measures and mitigation strategies are published, and (b) any administrative rules created by the Executive Director for the enforcement of this ordinance and the protection of public health and safety. Individuals eligible for an exemption based on a disability or sincerely held religious belief may apply for an exemption from this regulation and avoid the penalties herein described.

B. Any individual over the age of 2 who, after being given an oral warning, fails or refuses to comply with the health and safety measures and/or mitigation strategies published by the Illinois Department of Public Health shall be in violation of this Section.

C. Any individual over the age of 2 who violates this Section will be ejected from the Park District. An individual ejected from the Park District who refuses to leave will be guilty of a trespass. Nothing herein shall limit any other remedies available to the District for a violation of the Conduct Code, all of which may be enforced cumulatively.

D. Any individual who violates this Section three (3) times within a thirty (30) day period will be, for one week, ineligible to participate in any District activities or use any park and will be suspended from any programs in which he or she is registered, in each case without any refund of any fees or charges.

E. The rules prescribed herein shall not apply to third parties which lease, rent, license, or use park premises for non-Park District activities. Such third parties shall be responsible for establishing and enforcing their own health and safety requirements.

SECTION 3. Severability. In the event any provision of this Ordinance or the regulations adopted hereby are found by a court of competent jurisdiction to be unenforceable, in whole or as applied, it is the Board's intent for such finding to have no effect on the enforcement of all other provisions and applications of this Ordinance and these regulations to the fullest extent permitted by law.

SECTION 4. Effective Date. This Ordinance will be effective immediately upon being passed and approved in the manner provided by law.

SO ORDAINED this _____ Day of _____, 2021.

AYES:

NAYS:

ABSENT:

APPROVED:

President, Board of Park Commissioners

ATTEST:

Secretary, Board of Park Commissioners