



## VILLAGE OF RIVER FOREST LOCAL ETHICS COMMISSION MEETING

Thursday, January 20, 2021 – 7:00 PM  
Village Hall – 400 Park Avenue – River Forest, IL 60305  
First Floor Community Room

### AGENDA

Public comments sent in advance of the meeting are shared with the Commission. You may submit your written public comments via email in advance of the meeting to: [jpape@vrf.us](mailto:jpape@vrf.us). You may listen to the meeting by participating in a Zoom conference call as follows: dial-in number: 312-626-6799 with meeting ID: 826 9290 4801 or by clicking here: <https://us02web.zoom.us/j/82692904801>. If you would like to speak during public comment, please email [jpape@vrf.us](mailto:jpape@vrf.us) by 4:00 PM on Thursday, January 20th, 2021.

The agenda is as follows:

- I. Call to Order/Roll Call
- II. Citizen Comments
- III. Approval of Meeting Minutes – November 4, 2021
- IV. Old Business
  - a. Continued Discussion Regarding Review of Ethics Code
- V. New Business
- VI. Other Business
- VII. Adjournment

# **VILLAGE OF RIVER FOREST LOCAL ETHICS COMMISSION MEETING MINUTES**

**November 4, 2021**

A meeting of the Local Ethics Commission was held on November 4, 2021 at 6:00 p.m. in the First Floor Community Room at the River Forest Village Hall, 400 Park Avenue.

## **I. CALL TO ORDER/ROLL CALL**

The meeting was called to order at 6:00 p.m. Assistant to the Village Administrator Pape noted that the meeting was occurring telephonically, as well as in person, as permitted by the State of Illinois State of Emergency in response to the COVID-19 pandemic and Illinois Open Meetings Act. Upon roll call, the following persons were:

Present: Chair Daley and Commissioner Senat.

Absent: Commissioner Ignoffo.

Also Present: Assistant to the Village Administrator Jon Pape.

## **II. CITIZEN COMMENTS**

None was heard.

## **III. APPROVAL OF MEETING MINUTES – SEPTEMBER 29, 2021**

A MOTION was made by Commissioner Senat and SECONDED by Chair Daley to approve the meeting minutes of the September 29, 2021 meeting of the Local Ethics Commission as presented.

AYES: Chair Daley and Commissioner Senat.

NAYS: None.

Motion Passes.

## **IV. OLD BUSINESS**

### **a. Continued Discussion Regarding Review of Ethics Code**

The Commission reviewed the redline and comment-noted draft of the ethics code that Chair Daley had compiled based on the Commission's input. Chair Daley stated that notes included were agreed on by the Commission, but required review by the Village's legal counsel in order to determine how they would best be incorporated. Chair Daley walked through the copy highlighting the main topics and trends of the proposed changes.

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It was determined that the next step would be for Chair Daley and Mr. Pape to take the draft back to the Village Attorney for review and counsel so that a more finalized draft could be prepared by them and brought back for consideration.

**V. NEW BUSINESS**

No new business was heard.

**VI. OTHER BUSINESS**

The Commission determined that its next meeting would be Thursday, January 20<sup>th</sup> at 6 p.m.

**VII. ADJOURNMENT**

A MOTION was made by Commissioner Senat and SECONDED by Chair Daley to adjourn the November 4, 2021 meeting of the Local Ethics Commission at 6:22 p.m.

AYES: Chair Daley and Commissioner Senat.

NAYS: None.

Motion Passes.

Respectfully submitted:

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Jonathan Pape  
Assistant to the Village Administrator

Approved:

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Peggy Daley, Chair  
Local Ethics Commission

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Date

CHAPTER 23  
ETHICS

SECTION:

~~1-23-1: Definitions~~

~~1-21-1(a) —; Preamble~~

~~1-23-2: Definitions~~

~~1-23-3: Prohibited Political Activities~~

~~1-23-34: Gift Ban~~

~~1-23-3-15: Ethical Standards For Elected And Appointed Officers~~

~~1-23-46: Duty to Report~~

~~1-23-7: Ethics Advisor~~

~~1-23-58: Ethics Commission~~

~~1-23-69: Penalties~~

~~1-23-1-23-: PREAMBLE AND OTHER LAWS~~

~~The purpose of this Chapter is to establish a code of ethical conduct for all “Village Covered Individuals” and “Contractors,” as defined in Section 1-23-2 below. The requirements of this Chapter are intended to meet or exceed the ethics requirements imposed on Village Covered Individuals and Contractors in State and Federal law. To the extent State or Federal law, or another Village ordinance, policy or requirement, imposes stricter ethical standards than in this Chapter, the strictest standards shall apply. Additional ethics requirements applicable to Village Covered Individuals and / or Contractors, as the case may be, are imposed in the following laws, among others:~~

~~A. Illinois Public Officer Prohibited Activities Act, 50 ILCS 105/0.01, et seq., as amended;~~

~~B. Illinois Election Code, 10 ILCS 5/1-1, et seq., as amended;~~

~~C. Illinois Public Officer Simultaneous Tenure Act, 50 ILCS 110/0.01, et seq., as amended;~~

~~D. Illinois State Officials and Employees Ethics Act, 5 ILCS 430/1-1, et seq., as amended;~~

~~E. Illinois Governmental Ethics Act, 5 ILCS 420/1-101, et seq., as amended;~~

~~F. Illinois Municipal Code, 65 ILCS 5/1-1-1, et seq., as amended;~~

~~G. Illinois Criminal Code, 720 ILCS 5/1-1, et seq., as amended; and~~

~~H. Illinois Liquor Control Act, 235 ILCS 5/1-1, et seq., as amended.~~

~~1-23-2: DEFINITIONS:~~

~~For purposes of this Chapter, the following terms shall be given these definitions-, whether or not capitalized herein:~~

**CAMPAIGN FOR ELECTIVE OFFICE:** Any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, state, or local public office or office in a political organization, or the selection, nomination, or election of presidential or vice presidential electors, but does not include activities: a)

**Commented [GTS1]:** Added at Ethics Commission suggestion, includes references to significant State ethics laws.

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relating to the support or opposition of any executive, legislative, or administrative action, b) relating to collective bargaining, or c) that are otherwise in furtherance of the ~~person's~~person's Official Duties.

**CANDIDATE:** A person who has filed nominating papers or petitions for nomination or election to an elected Village office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election for such office, as defined in Section 9-1-3 of the ~~election code~~Illinois Election Code, 10 ILCS 5/9-1.3, as amended.

**COLLECTIVE BARGAINING:** Has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act, 5 ILCS 315/3, as amended.

**COMPENSATED TIME:** Means, with respect to an employee, any time worked by or credited to the employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this chapter, does not include any designated holidays, vacation periods, personal time, compensatory time off or any period when the employee is on a leave of absence. With respect to Village Covered Individuals whose hours are not fixed, "compensated time" includes any period when the person is on premises under the control of the employer or when the person is executing his or her Official Duties, regardless of location.

**COMPENSATORY TIME OFF:** Authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked more than the minimum work time required of that employee as a condition of his or her employment.

**CONTRACTOR:** Means a contractor, sub-contractor or any person or entity doing, or seeking to do, business with the Village.

**CONTRIBUTION:** Has the same meaning as that term is defined in Section 9-1.4 of the election code

**COVERED INDIVIDUAL:** Persons who are subject to the provisions of this ordinance including employees, sub-contractors, officers, and persons doing or seeking to do business with the Village. Illinois Election Code, 10 ILCS 5/9-1.4, as amended.

**Commented [GTS2]:** Definition split into "Village Covered Individuals," "Village Board Members and Commissioners" and "Contractors," so the ethics requirements can be correctly applied to each category.

**EMPLOYEE:** A person employed by the Village of River Forest, whether on a full time or part time basis or pursuant to a contract, whose Official Duties are subject to the direction and control of ~~an employer~~the Village with regard to the material details of how the work is to be performed but does not include an independent contractor.

**EMPLOYER:** The Village of River Forest.

**GIFT:** Any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, tickets, travel expenses and honoraria for speaking engagements related to or

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attributable to the Village Covered Individual's employment or work on behalf of the Village.

**IMMEDIATE FAMILY MEMBER:** Any individual's spouse, domestic partner, civil union partner, parent, step-parent, child, step-child, sibling, step-sibling, dependent, any family member living in the same household as such individual, fiancé or fiancée.

**LEAVE OF ABSENCE:** Any period during which an employee does not receive: a) compensation for employment, b) service credit towards pension benefits, and c) health insurance benefits paid for by the employer.

**OFFICER:** A person who holds, by election or appointment, an office created by statute or ordinance, regardless of whether the officer is compensated for service in his or her official capacity.

**OFFICIAL DUTIES:** Actions performed that are either required or authorized as part of an individual's position ~~as a Covered Individual~~ to effectuate the assignments of that position.

**POLITICAL ACTIVITY:** Any activity in support of or in connection with any campaign for elective office, question of public policy or any political organization, but does not include activities: a) in furtherance of the person's "Official Duties" such as work associated with executive, legislative, or administrative action or b) relating to collective bargaining. Political activity as defined herein shall not include any activities which the Village is precluded from regulating under the United States Constitution, the Constitution of the State of Illinois, Federal law or State law.

**Commented [GTS3]:** Added per Ethics Commission request.

**POLITICAL ORGANIZATION:** A party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a County Clerk under Section 9-3 of the election code Illinois Election Code, 10- ILCS 5/9-3, as amended, but only with regard to those activities that require filing with the State Board of Elections or a County Clerk.

### PROHIBITED POLITICAL ACTIVITY:

A. Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.

B. Soliciting contributions, including, but not limited to, the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.

C. Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.

D. Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.

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- E. Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
- F. Assisting at the polls on election day on behalf of any political organization or candidate for elective office or for or against any referendum question.
- G. Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.
- H. Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
- I. Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
- J. Preparing or reviewing responses to candidate questionnaires in connection with a campaign for elective office or on behalf of a political organization for political purposes.
- K. Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
- L. Campaigning for any elective office or for or against any referendum question.
- M. Managing or working on a campaign for elective office or for or against any referendum question.
- N. Serving as a delegate, alternate, or proxy to a political party convention.
- O. Participating in any recount or challenge to the outcome of any election.

**PROHIBITED SOURCE:** Any person or entity who:

- A. Is seeking official action from the Village: 1) by an officer board or commission appointment, or 2) by an employee, or by the officer or another employee directing that employee;
- B. Does business or seeks to do business with the Village;
- C. Conducts Village activities with a Village Covered Individual;
- D. Has interests that may be substantially affected by the performance or nonperformance of the official duties of the Village Covered Individual (Ord. 3074, 5-24-2004);

**1-23-1 (a); PREMAMBLE**

The purpose of this provision is to establish the code of conduct for every Covered Individual including but not limited to, employees, independent contractor, elected and appointed officials and persons doing or seeking to do business with the Village of River Forest. All such persons shall:

(1) — Owe a fiduciary duty to E. Is registered or required to be registered with the Illinois Secretary of State under the Illinois Lobbyist Registration Act, 25 ILCS 170/1. *et seq.*, as amended, except that an entity not otherwise a prohibited source does not become a prohibited source merely because a registered lobbyist is one of its members or serves on its board of directors; or

F. Is an agent of, a spouse of, or an immediate family member who is living with a “prohibited source.”

**Commented [GTS4]:** Added from recent State law amended referenced by Ethics Commission.

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**VILLAGE BOARD MEMBERS AND COMMISSIONERS:** Means each of the Village of River Forest;

(2) ~~Treat President, Village Clerk, members of the public with respect and be responsive and forthcoming in meeting their requests for information;~~

(3) ~~Protect Board of Trustees, members of the board of the Village of River Forest's interests when contracting for outside services;~~

(4) ~~Put forth honest effort in the performance of their duties;~~

(5) ~~Conduct business on behalf and members of the commissions of the Village of River Forest in a financially responsible manner;~~

(6) ~~Protect and conserve~~

**VILLAGE COVERED INDIVIDUAL:** Means each of the Village property and assets, and use Village property and assets for authorized purposes or activities;

(7) ~~Adhere to all applicable laws and regulations; and~~

(8) ~~Report any violations, suspected violations, or other misconduct under this article to the \_\_\_\_\_~~

~~This provision not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the Village of River Forest, its departments, agencies, or entities, its Board Members and Commissioners, appointed officers, commission members, volunteers and employees, or agents, or any other person. The fiduciary duty owed by officials, appointees and employees shall include, but not be limited to, the following duties:~~

(1) ~~Avoiding the appearance of impropriety; the Village.~~

(2) ~~Complying with laws and regulations by avoiding both the violation of any applicable law or regulation and the creation of a strong risk of a violation of any other law or regulation;~~

(3) ~~Conserving Village of River Forest property and assets and avoiding their wasteful use;~~

(4) ~~Conducting business on behalf of the Village in a financially responsible manner;~~

(5) ~~Protecting the Village of River Forest's best interests when contracting for outside services; and~~

(6) ~~Reporting any violations, suspected violations, or other misconduct under this article to the \_\_\_\_\_.~~

**1-23-23: PROHIBITED POLITICAL ACTIVITIES:**

A. Village Covered Individuals and Contractors shall not knowingly perform any prohibited political activity during any time where they are being compensated by the Village. Except as noted herein, Village Covered Individuals and Contractors shall not knowingly use any Village property or resources by engaging in any prohibited political activity.

~~Except as noted herein, Covered Individuals shall not knowingly use any village property or resources for any campaign for elective office.~~

1. Exceptions:

a. A Village employee may use a Village vehicle designated for his/her unrestricted full time use for any purpose while not on compensated time, and



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b. A Village officer may use any room for a political campaign which room is available for use by the general public.

B. At no time shall any Village Covered Individual or Contractor knowingly use the services of any other Village Covered Individual or Contractor, by requiring that person to perform any prohibited political activity: 1) as part of that ~~Covered Individual's village work~~person's Village work or duties, 2) as a condition of Village employment or doing business with the Village, or 3) during any compensated time.

C. ~~A Village~~ Covered ~~Individual~~Individuals and Contractors shall not be required at any time to participate in any prohibited political activity in consideration for ~~that Covered Individual~~ being awarded business with the Village, additional compensation or any employee benefit.

D. A Village Covered Individual shall not be awarded any additional compensation or employee benefit in consideration for the person's participation in any prohibited political activity.

E. Nothing in this Section prohibits activities that are otherwise appropriate for a Village Covered Individual to engage in as a part of his or her official Village employment, duties or activities that are undertaken by a Village Covered Individual on a voluntary basis as permitted by law.

F. No person either: 1) in a position that is subject to recognized merit principles of public employment, or 2) in a position the salary for which is paid in whole or in part by Federal funds and that is subject to the Federal standards for a merit system of personnel administration applicable to grant in aid programs, shall be denied or deprived of Village employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club. ~~(Ord. 3074, 5-24-2004)~~

**1-23-~~34~~: GIFT BAN:**

A. Solicitation Or Acceptance Of Gifts: Except as set forth in Subsection B. of this Section, no Village Covered Individual, and no spouse ~~of or~~and no immediate family member living with a Village Covered Individual (collectively ~~referred to herein as "the "recipients";")~~referred to herein as "the "recipients";"), shall knowingly solicit or accept any gift from any "prohibited source", ~~as defined herein~~, or which is otherwise prohibited by law or ordinance. No prohibited source shall ~~knowingly offer~~knowingly offer or make a gift that violates this Section.

B. Exceptions: Subsection A of this section is not applicable to the following:

1. Opportunities, benefits, and services that are available on the same conditions as for the general public.

2. Anything for which the Village Covered Individual or his or her spouse or immediate family member, pays the fair market value.

3. Any: a) contribution that is lawfully made under the election code or b) activities associated with a fundraising event in support of a political organization or candidate.

4. Educational materials.

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5. Reasonable expenses associated with travel in furtherance of official duties

6. A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.

7. Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the Village Covered Individual's association with the Village or ~~his~~their immediate family members association with the Village and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: a) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; b) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and c) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other Village Covered Individuals, or their spouses or immediate family members.

8. Food or refreshments not exceeding seventy- five dollars per person in value on a single calendar day; provided that the food or refreshments are: a) consumed on the premises from which they were purchased or prepared or b) catered. For the purposes of this section, ~~"catered"~~ means food or refreshments that are purchased ready to consume which are delivered by any means.

9. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of the Village Covered Individual), if the benefits have not been offered or enhanced because of the official position or employment of the Village Covered Individual, and are customarily provided to others in similar circumstances.

10. Intragovernmental and intergovernmental gifts. For the purpose of this ~~act~~, "Section. "intragovernmental gift" means any gift given to a Village Covered Individual from another Village Covered Individual and "intergovernmental gift" means any gift given to a Village Covered Individual by ~~a~~an officer or employee of another governmental entity.

11. Bequests, inheritances, and other transfers at death.

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12. Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than one hundred dollars. Each of the exceptions listed in this Subsection B is mutually exclusive and independent of every other.

C. Disposition Of Gifts: A Village Covered Individual, his or her spouse or an immediate family member living with the Village Covered Individual, does not violate this chapter if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under section 501(c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded. ~~(Ord. 3074, 5-24-2004)~~

### **1-23-3-15: ETHICAL STANDARDS FOR COVERED INDIVIDUALS**

A. Purpose And Application: The Village ~~of River Forest has adopted~~adopts these ethical standards ~~for Covered Individuals~~ (hereinafter referred to in this section as the "ethical standards") to assure public confidence in the integrity of local government and its effective and fair operation. ~~This section shall apply to all Covered Individuals as defined in this chapter and shall include, without limitation, the village president, members of the village board, and the members of all advisory boards and commissions of the village, employees, independent contractors and persons seeking or doing business with the village..~~

B. Policy Statement: The citizens and businesses of the Village are entitled to have fair, ethical and accountable local government ~~where Officers, employees, subcontractors and persons doing or seeking to do business in connection with the Village which Covered Individuals and Contractors who~~ have earned the ~~public's~~public's full confidence. In keeping with the ~~village's~~Village's commitment to excellence, the effective functioning of democratic government requires that:

1. Village Covered Individuals and Contractors comply with the letter and spirit of the laws and policies affecting the operations of government and avoid even the appearance of impropriety;
2. Village Covered Individuals and Contractors be independent, impartial and fair in their judgment and actions;
3. Village Covered ~~Individuals~~Individuals use public office for the public good, not for personal gain;
4. Public deliberations and processes are conducted by Village Board Members and Commissioners transparently, unless legally entitled to be conducted in executive session, in an atmosphere of respect and civility; and  
~~in an atmosphere of respect and civility; and~~

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5. Public deliberations and processes are conducted by the Village Board Members and Commissioners free of abusive conduct and personal attacks that are unrelated to public business.

C. Ethical Standards: Pursuant to the above policy statement, and to assure public confidence in the integrity of local government and commitment to respect and civility in public discourse, the following ethical standards are imposed:  
and commitment to respect and civility in public discourse, all Covered Individuals shall comply with the following:

**Commented [GT55]:** Used “Village Covered Individuals,” “Village Board Members and Commissioners” and “Contractors” below to track applicable requirements for each.

1. Working For The Common Good: Recognizing that stewardship of the public interest must be their primary concern, Village Covered Individuals shall work for the common good of the people of the Village, shall work for the best interests of River Forest the Village and shall not for work on behalf of any private or personal interest, and they shall assure fair and equal treatment of all persons, claims and transactions coming before the Village board, as well as various advisory boards and commissions-. Village Covered Individuals shall put forth an honest effort in the discharge of their Official Duties in a fiscally responsible manner.

2. Compliance With Laws: Village Covered Individuals and Contractors shall comply with the laws of the United States, the State of Illinois and the Village of River Forest in the performance of their Official Duties. These laws include, without limitation: the United States and Illinois constitutions; the State and County laws and ordinances pertaining to conflicts of interest, gift bans, election campaign disclosures, employer responsibilities, and open processes of government; and local ordinances and policies.

3. Respect For Process: Covered Individuals Village Board Members and Commissioners shall perform their Official Duties in accordance with the processes and rules of order established by the village board and the advisory boards and commissions of the Village governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the Village Board by the Village staff.

4. Conduct Of Public Meetings: Covered Individuals Village Board Members and Commissioners shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the public body; and focus on the business at hand. Covered Individuals Village Board Members and Commissioners shall further refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.

5. Sharing Of Relevant Information: Covered Individuals Village Board Members and Commissioners shall publicly share substantive information that is relevant to a matter under consideration by the public body their respective bodies, which may have been received from sources outside of the public decision making process.

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6. Conflict Of Interest: In order to assure their independence and impartiality on behalf of the common good, the Village Covered Individuals shall not use their official offices or positions to influence government decisions in which they currently have or are actively pursuing a financial interest or an organizational responsibility or personal relationship which may create a conflict of interest, or which give the appearance of a conflict of interest. As may be related to matters before them, Village Covered Individuals shall disclose investments, interests in real property, sources of income, and gifts, including those held or received by their spouses; and they shall abstain from participating in deliberations and decision making where conflicts may exist.

No Village Covered Individual or that person's immediate family as defined herein, members living with the Village Covered Individual, shall have a financial relationship or a controlling interest, whether directly or indirectly personally and/or through any business, corporation, LLC, partnership, or consulting or professional entity, in or be engaged in doing business with, any elected or appointed officer, contractor, employee or vendor of the Village of River Forest.

No Village Covered Individual shall have a financial or other personal interest, whether directly or indirectly, with any Village Covered Individual or Contractor which is incompatible with the proper discharge of his or her Official Duties or work on behalf of the Village or that would tend to impair his or her independence of judgment.

No Village Covered Individual shall hire or recommend for employment with the Village of River Forest, or with a Contractor or vendor of the Village of River Forest, any immediate family member as that term is defined herein, of the Village Covered Individual.

~~For purposes of sub-paragraphs (a) through (d) inclusive, the phrase "Village of River Forest" shall mean the municipal corporation of River Forest itself as well as its current Departments (including Administration & Finance, Building and Zoning, Fire, Police, and Public Works) and its current Boards and Commissions (including the Village Board, Board of Fire and Police Commissioners, Development Review Board, Economic Development Commission, Finance and Administration Committee, Fire Pension Board, Historic Preservation Commission, Local Ethics Commission, Plan Commission, Police Pension Board, Sustainability Commission, Traffic and Safety Commission, Zoning Board of Appeals, Age Friendly Advisory Ad Hoc Committee, and Deer Management Ad Hoc Committee) and such other Departments, Boards, and Commissions as may be from time to time created. Nothing herein shall limit any appointment power of the Village President otherwise conferred by the River Forest Village Code of Ordinances.~~

**Commented [GTS6]:** Deleted because not needed per definitions in Section 1-23-2.

7. Confidential Information: Village Covered Individuals and Contractors shall respect the confidentiality of information concerning the property, personnel or affairs of the Village. Village Covered ~~Indivuals~~ Individuals and Contractors shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

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8. Use Of Public Resources: Village Covered Individuals shall be prohibited from using public resources not available to the public in general, such as Village staff time, equipment, supplies or facilities, for private gain or personal purposes.

9. Representation Of Private Interests: In keeping with their role as stewards of the public interest, Village Covered Individuals and Contractors shall not appear on behalf of the private interests of third parties before any board or commission of the Village on which they serve, and for purposes of this subsection the Plan Commission, Zoning Board of Appeals, and Development Review Board shall be considered as one commission. This prohibition shall not prohibit a Village Covered Individual or Contractor from appearing on their own behalf before any board or commission of the Village on which they serve.

**Commented [GTS7]:** Added to acknowledge that people can request variations or relief from the Village Board on their own behalf, even if they are a Village Covered Individual or Contractor.

10. Positive Workplace Environment: Village Covered Individuals shall support the maintenance of a positive and constructive workplace environment for Village staff and for citizens and businesses dealing with the Village. OfficersVillage Board Members and Commissioners shall recognize their special role in dealings with Village staff to in no way create the perception of inappropriate direction to Village staff.

11. Policy Role Of Village Covered ~~Indiviiduals~~ Individuals: Village Covered Individuals shall respect and adhere to the administrative structure of the Village as outlined ~~by this in the~~ Village Code. The Village ~~board~~ President and Board of Trustees determines the policies of the Village with the advice, information and analysis provided by the Village's public, boards and commissions, and ~~village~~ staff. Village Covered Individuals shall not interfere with the administrative functions of the Village or the Official Duties of the Village administrator, nor shall they impair the ability of Village staff to implement Village policy decisions.

12. Statement Of Economic Interest: All officers, including appointees to Village commissions, shall file a statement of economic interest with the Cook County Clerk with the information required by, and within the time required by, article 4A of the Illinois Governmental Ethics Act, 5 Illinois Compiled Statutes 420/4A, as amended.

D. Implementation: ~~The~~ These ethical standards are intended to be self-enforcing and are most effective when Village Covered Individuals and Contractors are thoroughly familiar with and embrace the ethical standards. Therefore, the ethical standards shall be included in the regular orientations for all ~~employees, sub-contractors~~ Village Covered Individuals and officersContractors. Upon entering office, employment or service to the Village, as the case may be, each Village Covered Individual shall sign a statement affirming they have read and understand the ethical standards in this Chapter.

E. Enforcement: Unless the conduct in question also violates Federal, State, or County law, rules or regulations, or also violates other Sections of this Chapter or any other Chapter of this Code, the Village Board shall have the exclusive authority to enforce the ethical standards of this Section and impose penalties for violations thereof. Except as otherwise provided by law, a violation of the ethical standards shall in no way be construed as a basis for challenging the validity of a decision rendered by the Village Board or any advisory

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board or commission of the Village. Members of the public are encouraged to bring violations of the ethical standards to the attention of the Village Board. Village Board enforcement of this Section must occur within twelve months after the complainant knew or reasonably could have known of the alleged violation.

**Commented [GTS8]:** Added timeline consistent with Ethics Commission scope, so future Village Boards do not reach too far back.

F. Penalties: Penalties for violations of this Section shall be in the form of reprimand, formal censure or removal of an officer from an advisory board or commission of the Village. Further, the Village Board shall have the option of referring a violation of this section to the Village Prosecutor for issuance of a citation in the Circuit Court of Cook County, in which case the Village Prosecutor shall seek a monetary fine pursuant to Section 1-23-69 of this Chapter. However, no penalty shall be imposed by the Village Board under this section without first providing the Village Covered Individual or Contractor with reasonable notice of the charges and an opportunity to be heard before the Village Board. The penalties provided for in this section shall be considered cumulative and shall in no way be construed as preventing the enforcement of any Federal, State or County law, ordinance, rule or regulation, or other Sections of this Chapter or any other Chapter of this code. ~~state or county law, rule or regulation, or other sections of this chapter or any other chapter of this code. (Ord. 3352, 10-12-2010; amd. Ord. 3809, 5-26-2020)~~

### ~~1-23-4~~

#### **1-23-6: DUTY TO REPORT:**

This Section applies to Village Covered Individuals and Contractors who do not have a duty to report violations of this Chapter under Federal law, State law or Village ordinance or policy. Village Covered Individuals and Contractors who have a duty to report violations of this Chapter under Federal law, State law or another Village ordinance or policy shall not be required to comply with the duty to report in this Section and shall instead report violations of this Chapter as otherwise required.

**Commented [GTS9]:** Added per Ethics Commission request.

Any Village Covered Individual or Contractor with knowledge that a Village Covered Individual or Contractor has violated a requirement of this Chapter has an obligation to report the violation to the Village Administrator (or the Village President if the Village Administrator is the alleged offender) within a reasonable time of obtaining knowledge of the violation, but in no case shall the time period for a report be longer than seventy-two hours.

#### **1-23-7: ETHICS ADVISOR:**

The Village Attorney shall serve as the ~~village's~~Village's ethics advisor and, upon request, shall provide guidance to ~~the Village~~ Covered Individuals concerning the interpretation of and compliance with the provisions of this Chapter. ~~(Ord. 3074, 5-24-2004)~~

#### **1-23-58: ETHICS COMMISSION:**

A. There is hereby created a commission to be known as the Ethics Commission of River Forest. The Commission shall be comprised of a chairperson and two other members



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nominated by the Village President and approved by the Board of Trustees. All members shall be residents of the Village. No person shall be appointed as a member of the Commission who is an immediate family member ~~as defined, to any elected officer~~ of the Village President or Board of Trustees. Initially, two commissioners shall serve two-year terms, and the third commissioner shall serve a one-year term. Thereafter, all commissioners shall be appointed to two-year terms. Commissioners may be reappointed to serve subsequent terms. A quorum shall consist of two commissioners, and official action by the Commission shall require the affirmative vote of two members. ~~(Ord. 3596, 4-25-2016)~~

B. The Commission shall have the following powers and duties:

1.1. To consider "Written Charges," as defined below, for alleged violations of duties imposed in Sections 1-23-3 and 1-23-4 of this Chapter.

**Commented [GTS10]:** Clearly defined the scope of the Ethics Commission's jurisdiction, which is unchanged from that currently in place.

2. To promulgate procedures and rules governing the performance of its duties and the exercise of its powers.

2. Upon receipt of a signed, written complaint3. The Commission shall act only upon the receipt of a signed, written complaint plausibly alleging a violation of this Chapter within the Commission's purview by a Village Covered Individual or a Contractor, and clearly identifying the complainant. An acceptable written complaint shall be a "Written Charge." Upon receipt of a Written Charge, to investigate, conduct hearings and deliberations, issue recommendations for disciplinary actions, impose fines in accordance with Section 1-23-69 of this Chapter and refer violations of this Chapter within the Commission's purview to the appropriate attorney for prosecution. The commission shall act (1) upon the receipt of a signed, written complaint alleging a violation of this chapter and clearly identifying the complainant, or (2) upon a reasonable belief conduct which materially breaches this ordinance has occurred.

**Commented [GTS11]:** Added a "plausibility" requirement to written complaints, so clearly frivolous ones can be discarded immediately.

34. To receive information from the public pertaining to its investigations and to require additional information and documents from persons who may have violated the provisions of this Chapter.

45. To compel the attendance of Village Covered Individuals and Contractors and to compel the production of books and papers pertinent to an investigation. It is the obligation of all Village Covered Individuals and Contractors to cooperate with the commission during the course of its investigations. Failure or refusal to cooperate with requests by the Commission shall constitute grounds for discipline or dischargebe a violation of this Chapter.

**Commented [GTS12]:** Major change from Commission proposal.

56. The powers and duties of the Commission are limited to matters clearly within the Commission's purview of as set forth in this Chapter.

C. 1. Complaints alleging a violation of this Chapter within the purview of the Commission shall be filed with the ~~ethics~~ Commission upon receipt by the Village, unless the



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~~complaint~~Written Charge alleges facts which may, in the opinion of the Village Attorney (or ~~the~~ Village Administrator if the Village Attorney is the alleged offender), constitute a crime. If the ~~complaint~~Written Charge alleges facts which may constitute a crime, it shall first be referred to a law enforcement agency or the ~~state's~~State's Attorney and may later be ~~filed~~refiled with the Commission if the agency or ~~state's~~State's Attorney declines prosecution or fails to act within thirty days.

2. Within ~~threeten~~ business days after the receipt of a ~~complaint~~Written Charge, the Commission shall send by certified mail, return receipt requested, a notice to the respondent that a ~~complaint~~Written Charge has been filed against him or her and a copy of the ~~complaint~~Written Charge. The Commission shall send by certified mail, return receipt requested, a confirmation of the receipt of the ~~complaint~~Written Charge to the complainant, ~~if applicable~~ within ~~threefive~~ business days after receipt by the Commission. The notices to the respondent and the complainant shall also advise them of the date, time, and place of the meeting to determine the sufficiency of the complaint and to establish whether probable cause exists to proceed. A copy of the ~~complaint~~Written Charge shall be provided to the Village Attorney, Village Administrator, Village President and Village Board of Trustees immediately upon its receipt by the Commission. ~~The Village Administrator shall assign Village staff to support the Commission in the discharge of its duties under this Section.~~

**Commented [GTS13]:** Changed at Ethics Commission's request.

**Commented [GTS14]:** Added this requirement to address Ethics Commission's request for resources to perform its duties.

3. Upon not less than forty-eight ~~hours'~~hours' public notice, the Commission shall meet to review the sufficiency of the ~~complaint~~Written Charge and, if the ~~complaint~~Written Charge is deemed sufficient to ~~plausibly~~ allege a violation of this Chapter ~~within the Commission's purview~~, to determine whether there is probable cause, based on the evidence presented by the ~~complainant~~Written Charge, to proceed. All ~~complaints~~Written Charges shall be treated as confidential until such time as the Commission determines that there is probable cause to proceed. The meeting may be closed to the public to the extent authorized by the Open Meetings Act. The Commission shall issue notice to the complainant, ~~if applicable~~, and the respondent of the ~~commission's~~Commission's ruling on the sufficiency of the ~~complaint~~Written Charge, and, if necessary, on probable cause to proceed within ~~seven~~fifteen business days after receiving the complaint.

4. If the ~~complaint~~Written Charge is deemed sufficient to allege a violation of this Chapter and there is a determination of probable cause, then the ~~commission's~~Commission's notice to the parties shall include a hearing date scheduled within four weeks after the ~~complaint's~~complaint's receipt. Alternatively, the Commission may elect to notify in writing the attorney designated by the Corporate Authorities to prosecute such actions and request that the complaint be adjudicated judicially. If the ~~complaint~~Written Charge is deemed not sufficient to allege a violation or if there is no determination of probable cause, then the Commission shall send by certified mail, return receipt requested, a notice to the parties of the decision to dismiss the complaint, and that notice shall be made public.

5. If the ~~complaint~~Written Charge is deemed sufficient to allege a violation of this Chapter, then the Commission shall notify in writing the attorney designated by the Corporate

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Authorities to prosecute such actions and shall transmit to the attorney the complaint and all additional documents in the custody of the commission concerning the alleged violation.

6. On the scheduled date and upon at least forty-eight ~~hours~~'hours' public notice of the meeting, the Commission shall conduct a hearing on the ~~complaint~~Written Charge and shall allow both parties the opportunity to present testimony and evidence. The hearing may be closed to the public only if authorized by the Open Meetings Act.

7. Within thirty days after the date the hearing or any recessed hearing is concluded, the Commission shall either: a) dismiss the ~~complaint~~Written Charge or b) issue a recommendation for discipline to the alleged violator and to the Village Administrator, or if the Village Administrator is the alleged violator, to the Village President, or impose a fine upon the violator, or both. The ~~pf~~findings in the case, any recommendation for discipline, and any fine imposed shall be a matter of public information.

8. If the hearing was closed to the public, the respondent may file a written demand for a public hearing on the ~~complaint~~Written Charge within seven business days after the issuance of the recommendation for discipline or imposition of a fine, or both. The filing of the demand shall stay the enforcement of the recommendation or fine. Within fourteen days after receiving the demand, the Commission shall conduct a public hearing on the ~~complaint~~Written Charge upon at least forty-eight ~~hours~~'hours' public notice of the hearing and allow both parties the opportunity to present testimony and evidence. Within seven days thereafter, the Commission shall publicly issue a final recommendation to the alleged violator and to the Village President or Village Administrator, or impose a fine upon the violator, or both.

9. If a ~~complaint~~Written Charge is filed during the sixty days preceding the date of any election at which the respondent is a candidate, the Commission shall render its decision as required under subsection C7 of this section within seven days after the ~~complaint~~Written Charge is filed, and during the seven days preceding that election, the Commission shall render such decision before the date of that election, if possible.

10. The Commission may fine any person who knowingly violates any provision of this Chapter ~~within the Commission's purview~~ or who knowingly files a frivolous complaint alleging a violation of this Chapter ~~within the Commission's purview~~. The Commission may recommend ~~to the Village President and Board of Trustees~~ any appropriate discipline up to and including discharge ~~or removal of office~~ for any Village ~~employee~~Covered Individual found in violation of this chapter or person filing a frivolous ~~complaint~~Written Charge. The recommendation of the Commission shall be deemed sufficient cause for discipline ~~or~~ discharge ~~or removal from office~~ without further proceedings by the Village, unless the offender is subject to the jurisdiction of the ~~police~~Board of Fire and ~~fire commission~~Police Commissioners or as otherwise required by a collective bargaining agreement or employment contract.

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11. A ~~complaint~~Written Charge alleging a violation of this Chapter within the Commission's purview must be filed ~~withing~~within twelve months after the complainant knew or reasonably could have known of the alleged violation." (Ord. 3074, 5-24-2004).

**Commented [GTS15]:** Current ordinance has 6 months, Ethics Commission proposes changing it to 12 months.

1-23-~~69~~: PENALTIES:

A. A person who knowingly violates any provision of this chapter or who knowingly files a frivolous complaint alleging a violation of this chapter is subject to a fine in an amount of not less than fifty dollars (\$50.00) and not more than ~~one thousand~~ five~~seven~~ hundred fifty dollars (\$~~1500~~750).

B. ~~B-Subject to limitations in collective bargaining agreements and contracts to which the Village is a party,~~ in addition to a fine, any Village Covered Individual who knowingly violates any provision of this chapter or who knowingly files a frivolous complaint alleging a violation of this chapter is subject to discipline, discharge, ~~or, in removal from office, as~~ the case ~~of sub-contractors or persons doing or seeking may be.~~ Subject to ~~do business with~~ limitations in Collective Bargaining agreements and contracts to which the Village is a party, in addition to a fine, any Contractor which knowingly violates any provision of this chapter or who knowingly files a frivolous complaint alleging a violation of this chapter, the Village Board may ~~issue a recommendation determining~~ that such ~~persons are~~ Contractor is no longer eligible to do business with the Village ~~and bar said Contractor from doing business with the Village.~~ (Ord. 3074, 5-24-2004

**Commented [GTS16]:** Added clearer language allowing the Village Board to bar a Contractor who violates the Ethics Ordinance.

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CHAPTER 23  
ETHICS

SECTION:

- ~~1-23~~**1-1: Preamble**
- ~~1-23~~**2: Definitions**
- ~~1-23~~**23: Prohibited Political Activities**
- ~~1-23~~**34: Gift Ban**
- ~~1-23~~**3-45: Ethical Standards For Elected And Appointed Officers**
- ~~1-23~~**46: Duty to Report**
- ~~1-23~~**7: Ethics Advisor**
- ~~1-23~~**58: Ethics Commission**
- ~~1-23~~**69: Penalties**

~~4-23~~**1-23-1: PREAMBLE AND OTHER LAWS**

The purpose of this Chapter is to establish a code of ethical conduct for all “Village Covered Individuals” and “Contractors,” as defined in Section 1-23-2 below. The requirements of this Chapter are intended to meet or exceed the ethics requirements imposed on Village Covered Individuals and Contractors in State and Federal law. To the extent State or Federal law, or another Village ordinance, policy or requirement, imposes stricter ethical standards than in this Chapter, the strictest standards shall apply. Additional ethics requirements applicable to Village Covered Individuals and / or Contractors, as the case may be, are imposed in the following laws, among others:

- A. Illinois Public Officer Prohibited Activities Act, 50 ILCS 105/0.01, *et seq.*, as amended;
- B. Illinois Election Code, 10 ILCS 5/1-1, *et seq.*, as amended;
- C. Illinois Public Officer Simultaneous Tenure Act, 50 ILCS 110/0.01, *et seq.*, as amended;
- D. Illinois State Officials and Employees Ethics Act, 5 ILCS 430/1-1, *et seq.*, as amended;
- E. Illinois Governmental Ethics Act, 5 ILCS 420/1-101, *et seq.*, as amended;
- F. Illinois Municipal Code, 65 ILCS 5/1-1-1, *et seq.*, as amended;
- G. Illinois Criminal Code, 720 ILCS 5/1-1, *et seq.*, as amended; and
- H. Illinois Liquor Control Act, 235 ILCS 5/1-1, *et seq.*, as amended.

**1-23-2: DEFINITIONS:**

For purposes of this Chapter, the following terms shall be given these definitions, whether or not capitalized herein:

**CAMPAIGN FOR ELECTIVE OFFICE:** Any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, state, or local public office or office in a political organization, or the selection, nomination, or election of presidential or vice presidential electors, but does not include activities: a) relating to the support or opposition of any executive, legislative, or administrative action,

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b) relating to collective bargaining, or c) that are otherwise in furtherance of the ~~person's official duties; person's~~ Official Duties.

**CANDIDATE:** A person who has filed nominating papers or petitions for nomination or election to an elected Village office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election for such office, as defined in Section 9-1.3 of the ~~election code~~ Illinois Election Code, 10 ILCS 5/9-1.3, as amended.

**COLLECTIVE BARGAINING:** Has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act, 5 ILCS 315/3, as amended.

**COMPENSATED TIME:** Means, with respect to an employee, any time worked by or credited to the employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this chapter, does not include any designated holidays, vacation periods, personal time, compensatory time off or any period when the employee is on a leave of absence. With respect to ~~officers or employees~~ Village Covered Individuals whose hours are not fixed, "compensated time" includes any period ~~of time~~ when the ~~officer~~ person is on premises under the control of the employer ~~and any other time~~ or when the ~~officer or employee~~ person is executing his or her Official Duties, regardless of location.

**COMPENSATORY TIME OFF:** Authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked ~~in excess of~~ more than the minimum work time required of that employee as a condition of his or her employment.

**CONTRACTOR:** Means a contractor, sub-contractor or any person or entity doing, or seeking to do, business with the Village.

**CONTRIBUTION:** Has the same meaning as that term is defined in Section 9-1.4 of the ~~election code~~ Illinois Election Code, 10 ILCS 5/9-1.4, as amended.

**EMPLOYEE:** A person employed by the Village of River Forest, whether on a full time or part time basis or pursuant to a contract, whose Official Duties are subject to the direction and control of ~~an employer~~ the Village with regard to the material details of how the work is to be performed, but does not include an independent contractor.

**EMPLOYER:** The Village of River Forest.

**GIFT:** Any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, tickets, travel expenses and honoraria for speaking engagements related to or attributable to ~~government~~ the Village Covered Individual's employment or ~~the official position~~ work on behalf of an officer or employee ~~the Village~~.

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**IMMEDIATE FAMILY MEMBER:** Any individual's spouse, domestic partner, civil union partner, parent, step-parent, child, step-child, sibling, step-sibling, dependent, any family member living in the same household as such individual, fiancé or fiancée.

**LEAVE OF ABSENCE:** Any period during which an employee does not receive: a) compensation for employment, b) service credit towards pension benefits, and c) health insurance benefits paid for by the employer.

**OFFICER:** A person who holds, by election or appointment, an office created by statute or ordinance, regardless of whether the officer is compensated for service in his or her official capacity.

**OFFICIAL DUTIES:** Actions performed that are either required or authorized as part of an individual's position to effectuate the assignments of that position.

**POLITICAL ACTIVITY:** Any activity in support of or in connection with any campaign for elective office, question of public policy or any political organization, but does not include activities: a) ~~relating to in furtherance of the support or opposition of any person's "Official Duties" such as work associated with~~ executive, legislative, or administrative action, or b) relating to collective bargaining, ~~or c) that are otherwise in furtherance of Political activity as defined herein shall not include any activities which the person's official duties.~~ Village is precluded from regulating under the United States Constitution, the Constitution of the State of Illinois, Federal law or State law.

**POLITICAL ORGANIZATION:** A party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a County Clerk under Section 9-3 of the ~~election code- Illinois~~ Election Code, 10- ILCS 5/9-3, as amended, but only with regard to those activities that require filing with the State Board of Elections or a County Clerk.

### PROHIBITED POLITICAL ACTIVITY:

- A. Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
- B. Soliciting contributions, including, but not limited to, the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
- C. Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.
- D. Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
- E. Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.

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- F. Assisting at the polls on election day on behalf of any political organization or candidate for elective office or for or against any referendum question.
- G. Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.
- H. Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
- I. Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
- J. Preparing or reviewing responses to candidate questionnaires in connection with a campaign for elective office or on behalf of a political organization for political purposes.
- K. Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
- L. Campaigning for any elective office or for or against any referendum question.
- M. Managing or working on a campaign for elective office or for or against any referendum question.
- N. Serving as a delegate, alternate, or proxy to a political party convention.
- O. Participating in any recount or challenge to the outcome of any election.

### **PROHIBITED SOURCE:** Any person or entity who:

- A. Is seeking official action from the Village: 1) by an officer board or commission appointment, or 2) by an employee, or by the officer or another employee directing that employee;
- B. Does business or seeks to do business: 1) with the officer or 2) with an employee, or with the officer or another employee directing that employee Village;
- C. Conducts Village activities regulated: 1) by the officer or 2) by an employee, or by the officer or another employee directing that employee; or with a Village Covered Individual;
- D. Has interests that may be substantially affected by the performance or nonperformance of the official duties of the officer or employee. (Ord. 3074, 5-24-2004)a Village Covered Individual;
- E. Is registered or required to be registered with the Illinois Secretary of State under the Illinois Lobbyist Registration Act, 25 ILCS 170/1, et seq., as amended, except that an entity not otherwise a prohibited source does not become a prohibited source merely because a registered lobbyist is one of its members or serves on its board of directors; or
- F. Is an agent of, a spouse of, or an immediate family member who is living with a “prohibited source.”

**VILLAGE BOARD MEMBERS AND COMMISSIONERS:** Means each of the Village President, Village Clerk, members of the Board of Trustees, members of the board of the Village and members of the commissions of the Village.

**VILLAGE COVERED INDIVIDUAL:** Means each of the Village Board Members and Commissioners, appointed officers, commission members, volunteers and employees of the Village.

### **1-23-23: PROHIBITED POLITICAL ACTIVITIES:**

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A. Village ~~employees~~Covered Individuals and Contractors shall not ~~intentionally~~knowingly perform any prohibited political activity during any ~~time where they are being compensated~~time-by the Village. Except as noted herein, Village ~~employees~~Covered Individuals and Contractors shall not ~~intentionally~~knowingly use any Village property or resources by engaging in any prohibited political activity. ~~Except as noted herein, village officers shall not intentionally use any village property or resources for any campaign for elective office.~~

### 1. Exceptions:

a. A Village employee may use a Village vehicle designated for his/her unrestricted full time use for any purpose while not on compensated time, and

b. A Village officer may use any room for a political campaign which room is available for use by the general public.

B. At no time shall any ~~officer~~Village Covered Individual or ~~village employee~~intentionally Contractor knowingly use the services of any ~~village employee~~other Village Covered Individual or Contractor, by requiring that ~~village employee~~person to perform any prohibited political activity: 1) as part of that ~~employee's village~~person's Village work or duties, 2) as a condition of Village employment or doing business with the Village, or 3) during any compensated time.

~~—C.—A village employee~~C. Village Covered Individuals and Contractors shall not be required at any time to participate in any prohibited political activity in consideration for ~~that village employee~~being awarded any business with the Village, additional compensation or any employee benefit.

D. A Village ~~employee~~Covered Individual shall not be awarded any additional compensation or employee benefit in consideration for the ~~village employee's~~person's participation in any prohibited political activity.

E. Nothing in this Section prohibits activities that are otherwise appropriate for a Village ~~employee~~Covered Individual to engage in as a part of his or her official Village employment, duties or activities that are undertaken by a Village ~~employee~~Covered Individual on a voluntary basis as permitted by law.

F. No person either: 1) in a position that is subject to recognized merit principles of public employment, or 2) in a position the salary for which is paid in whole or in part by Federal funds and that is subject to the Federal standards for a merit system of personnel administration applicable to grant in aid programs, shall be denied or deprived of Village employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club. ~~(Ord. 3074, 5-24-2004)~~

### 1-23-~~34~~: GIFT BAN:

A. Solicitation Or Acceptance Of Gifts: Except as set forth in Subsection B<sub>2</sub> of this Section, no ~~officer or employee~~Village Covered Individual, and no spouse ~~of or~~and no immediate family member living with ~~any officer or employee~~a Village Covered Individual (collectively ~~referred to herein as "the "recipients"")~~"), shall ~~intentionally~~knowingly solicit or accept any gift from any ~~"prohibited source"~~, as defined herein, or which is otherwise



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prohibited by law or ordinance. No prohibited source shall ~~intentionally~~knowingly offer or make a gift that violates this Section.

B. Exceptions: Subsection A of this section is not applicable to the following:

1. Opportunities, benefits, and services that are available on the same conditions as for the general public.

2. Anything for which the ~~officer or employee~~Village Covered Individual or his or her spouse or immediate family member, pays the fair market value.

3. Any: a) contribution that is lawfully made under the election code or b) activities associated with a fundraising event in support of a political organization or candidate.

4. Educational materials ~~and missions~~.

5. ~~Travel~~ Reasonable expenses ~~for a meeting to discuss business associated with travel in furtherance of official duties~~

6. A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.

7. Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the ~~official position or employment of~~Village Covered Individual's association with the recipient Village or his or her spouse or their immediate family ~~member~~members association with the Village and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: a) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; b) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and c) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other ~~officers or employees~~Village Covered Individuals, or their spouses or immediate family members.

8. Food or refreshments not exceeding seventy- five dollars per person in value on a single calendar day; provided that the food or refreshments are: a) consumed on the premises from which they were purchased or prepared or b) catered. For the purposes of this

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section, ~~"catered"~~ means food or refreshments that are purchased ready to consume which are delivered by any means.

9. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of ~~an officer or employee~~the Village Covered Individual), if the benefits have not been offered or enhanced because of the official position or employment of the ~~officer or employee~~Village Covered Individual, and are customarily provided to others in similar circumstances.

10. Intragovernmental and intergovernmental gifts. For the purpose of this ~~act~~, ~~"Section, 'intragovernmental gift'"~~ means any gift given to ~~an officer or employee~~a Village Covered Individual from another ~~officer or employee~~Village Covered Individual and ~~"intergovernmental gift"~~ means any gift given to ~~an officer or employee~~a Village Covered Individual by an officer or employee of another governmental entity.

11. Bequests, inheritances, and other transfers at death.

12. Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than one hundred dollars. Each of the exceptions listed in this Subsection B is mutually exclusive and independent of every other.

C. Disposition Of Gifts: ~~An officer or employee~~A Village Covered Individual, his or her spouse or an immediate family member living with the ~~officer or employee~~Village Covered Individual, does not violate this chapter if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under section 501(c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded. (~~Ord. 3074, 5-24-2004~~)

### ~~1-23-3-15: ETHICAL STANDARDS FOR ELECTED AND APPOINTED OFFICERS:~~

A. Purpose And Application: The Village ~~of River Forest has adopted~~adopts these ethical standards ~~for elected and appointed officers (hereinafter referred to in this section as the "ethical standards")~~ to assure public confidence in the integrity of local government and its effective and fair operation. ~~This section shall apply to all "officers" of the village as defined in this chapter and shall include, without limitation, the village president, members of the village board, and the members of all advisory boards and commissions of the village.~~

B. Policy Statement: The citizens and businesses of the Village are entitled to have fair, ethical and accountable local government ~~officers which in connection with Village Covered Individuals and Contractors who~~ have earned the ~~public's~~public's full confidence. In keeping with the ~~village's~~Village's commitment to excellence, the effective functioning of democratic government requires that:

~~—1.—Officers~~

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1. Village Covered Individuals and Contractors comply with the letter and spirit of the laws and policies affecting the operations of government and avoid even the appearance of impropriety;

2. ~~Officers~~ Village Covered Individuals and Contractors be independent, impartial and fair in their judgment and actions;

3. ~~Officers~~ Village Covered Individuals use public office for the public good, not for personal gain;

4. Public deliberations and processes are conducted by Village Board Members and Commissioners transparently, unless legally entitled to be conducted in executive session, in an atmosphere of respect and civility; and

5. Public deliberations and processes are conducted by the Village Board Members and Commissioners free of abusive conduct and personal attacks that are unrelated to public business.

C. Ethical Standards: Pursuant to the above policy statement, and to assure public confidence in the integrity of local government and commitment to respect and civility in public discourse, ~~all officers shall comply with the following:~~ ethical standards are imposed:

1. Working For The Common Good: Recognizing that stewardship of the public interest must be their primary concern, ~~officers~~ Village Covered Individuals shall work for the common good of the people of the Village, ~~shall work for the best interests of River Forest the Village~~ and ~~shall not for work on behalf of~~ any private or personal interest, and they shall assure fair and equal treatment of all persons, claims and transactions coming before the Village ~~board, as well as various advisory boards and commissions.~~ Village Covered Individuals shall put forth an honest effort in the discharge of their Official Duties in a fiscally responsible manner.

2. Compliance With Laws: ~~Officers~~ Village Covered Individuals and Contractors shall comply with the laws of the United States, the State of Illinois and the Village of River Forest in the performance of their ~~public~~ Official Duties. These laws include, without limitation: the United States and Illinois constitutions; the State and County laws and ordinances pertaining to conflicts of interest, gift bans, election campaign disclosures, employer responsibilities, and open processes of government; and local ordinances and policies.

3. Respect For Process: ~~Officers~~ Village Board Members and Commissioners shall perform their Official Duties in accordance with the processes and rules of order established by ~~the village board and the advisory boards and commissions of~~ the Village governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the Village Board by the Village staff.

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4. Conduct Of Public Meetings: ~~Officers~~Village Board Members and Commissioners shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the public body; and focus on the business at hand. ~~Officers~~Village Board Members and Commissioners shall further refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.

5. Sharing Of Relevant Information: ~~Officers~~Village Board Members and Commissioners shall publicly share substantive information that is relevant to a matter under consideration by ~~the public body~~their respective bodies, which may have been received from sources outside of the public decision making process.

6. Conflict Of Interest: In order to assure their independence and impartiality on behalf of the common good, ~~officers~~the Village Covered Individuals shall not use their official ~~offices~~ or positions to influence government decisions in which they currently have or are actively pursuing a financial interest or an organizational responsibility or personal relationship which may create a conflict of interest, or which give the appearance of a conflict of interest. As may be related to matters before them, ~~officers~~Village Covered Individuals shall disclose investments, interests in real property, sources of income, and gifts, including those held or received by their spouses; and they shall abstain from participating in deliberations and decision making where conflicts may exist.

No Village Covered Individual, or that person's immediate family members living with the Village Covered Individual, shall have a financial relationship or a controlling interest, whether directly or indirectly personally and/or through any business, corporation, LLC, partnership, or consulting or professional entity, in or be engaged in doing business with, any elected or appointed officer, contractor, employee or vendor of the Village of River Forest.

No Village Covered Individual shall have a financial or other personal interest, whether directly or indirectly, with any Village Covered Individual or Contractor which is incompatible with the proper discharge of his or her Official Duties or work on behalf of the Village or that would tend to impair his or her independence of judgment.

No Village Covered Individual shall hire or recommend for employment with the Village, or with a Contractor, any immediate family member of the Village Covered Individual.

Nothing herein shall limit any appointment power of the Village President otherwise conferred by the Village Code.

7. Confidential Information: ~~Officers~~Village Covered Individuals and Contractors shall respect the confidentiality of information concerning the property, personnel or affairs of the Village. ~~Officers~~Village Covered Individuals and Contractors shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

**Commented [GTS1]:** Next four paragraphs are newly proposed by the Ethics Commission.

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8. Use Of Public Resources: ~~Officers~~Village Covered Individuals shall be prohibited from using public resources not available to the public in general, such as Village staff time, equipment, supplies or facilities, for private gain or personal purposes.

9. Representation Of Private Interests: In keeping with their role as stewards of the public interest, ~~officers~~Village Covered Individuals and Contractors shall not appear on behalf of the private interests of third parties before any board or commission of the Village on which they serve, and for purposes of this subsection the Plan Commission, Zoning Board of Appeals, and Development Review Board shall be considered as one commission. This prohibition shall not prohibit a Village Covered Individual or Contractor from appearing on their own behalf before any board or commission of the Village on which they serve.

10. Positive Workplace Environment: ~~Officers~~Village Covered Individuals shall support the maintenance of a positive and constructive workplace environment for Village staff and for citizens and businesses dealing with the Village. ~~Officers~~Village Board Members and Commissioners shall recognize their special role in dealings with Village staff to in no way create the perception of inappropriate direction to Village staff.

11. Policy Role Of ~~Officers~~Village Covered Individuals: Village Covered Individuals shall respect and adhere to the administrative structure of the Village as outlined ~~by this in the Village~~ Code. The Village ~~board~~President and Board of Trustees determines the policies of the Village with the advice, information and analysis provided by the Village's public, boards and commissions, and ~~village~~-staff. ~~Officers~~Village Covered Individuals shall not interfere with the administrative functions of the Village or the ~~professional~~Official Duties of the Village administrator, nor shall they impair the ability of Village staff to implement Village policy decisions.

12. Statement Of Economic Interest: All officers, including appointees to Village commissions, shall file a statement of economic interest with the Cook County Clerk with the information required by, and within the time required by, article 4A of the Illinois Governmental Ethics Act, 5 Illinois Compiled Statutes 420/4A, as amended.

D. Implementation: ~~The~~These ethical standards are intended to be self-enforcing and are most effective when ~~officers~~Village Covered Individuals and Contractors are thoroughly familiar with and embrace the ethical standards. Therefore, the ethical standards shall be included in the regular orientations for all ~~officers~~Village Covered Individuals and Contractors. Upon entering office, employment or service to the Village, as the case may be, each ~~officer~~Village Covered Individual shall sign a statement affirming they have read and understand the ethical standards ~~in this Chapter~~.

E. Enforcement: Unless the conduct in question also violates Federal, State, or County law, rules or regulations, or also violates other Sections of this Chapter or any other Chapter of this Code, the Village Board shall have the exclusive authority to enforce the ethical standards of this Section and impose penalties for violations thereof. Except as otherwise provided by law, a violation of the ethical standards shall in no way be construed as a basis for challenging the validity of a decision rendered by the Village Board or any advisory

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board or commission of the Village. Members of the public are encouraged to bring violations of the ethical standards to the attention of the Village Board. Village Board enforcement of this Section must occur within twelve months after the complainant knew or reasonably could have known of the alleged violation.

F. Penalties: Penalties for violations of this Section shall be in the form of reprimand, formal censure or removal of an officer from an advisory board or commission of the Village. Further, the Village Board shall have the option of referring a violation of this section to the Village Prosecutor for issuance of a citation in the Circuit Court of Cook County, in which case the Village Prosecutor shall seek a monetary fine pursuant to Section 1-23-~~69~~ of this Chapter. However, no penalty shall be imposed by the Village Board under this section without first providing ~~an officer~~ the Village Covered Individual or Contractor with reasonable notice of the charges and an opportunity to be heard before the Village Board. The penalties provided for in this section shall be considered cumulative and shall in no way be construed as preventing the enforcement of any Federal, State or County law, ordinance, rule or regulation, or other Sections of this Chapter or any other Chapter of this code. ~~(Ord. 3352, 10-12-2010; and, Ord. 3809, 5-26-2020)~~

### **1-23-~~46~~: DUTY TO REPORT:**

This Section applies to Village Covered Individuals and Contractors who do not have a duty to report violations of this Chapter under Federal law, State law or Village ordinance or policy. Village Covered Individuals and Contractors who have a duty to report violations of this Chapter under Federal law, State law or another Village ordinance or policy shall not be required to comply with the duty to report in this Section and shall instead report violations of this Chapter as otherwise required.

Any Village Covered Individual or Contractor with knowledge that a Village Covered Individual or Contractor has violated a requirement of this Chapter has an obligation to report the violation to the Village Administrator (or the Village President if the Village Administrator is the alleged offender) within a reasonable time of obtaining knowledge of the violation, but in no case shall the time period for a report be longer than seventy-two hours.

### **1-23-~~7~~: ETHICS ADVISOR:**

The Village Attorney shall serve as the ~~village's~~ Village's ethics advisor and, upon request, shall provide guidance to ~~the officers and employees of the village~~ Village Covered Individuals concerning the interpretation of and compliance with the provisions of this Chapter. ~~(Ord. 3074, 5-24-2004)~~

### **1-23-~~58~~: ETHICS COMMISSION:**

- A. ~~—A.—~~ There is hereby created a commission to be known as the Ethics Commission of River Forest. The Commission shall be comprised of a chairperson and two other members nominated by the Village President and approved by the Board of Trustees.

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All members shall be residents of the Village. No person shall be appointed as a member of the Commission who is ~~related, either by blood or by marriage up to the degree of first cousin, to any elected officer or Board member of the village~~an immediate family member of the Village President or by marriage up to the degree of first cousin, to any elected officer or Board member of the village. Initially, two commissioners shall serve two-year terms, and the third commissioner shall serve a one-year term. Thereafter, all commissioners shall be appointed to two-year terms. Commissioners may be reappointed to serve subsequent terms. A quorum shall consist of two commissioners, and official action by the Commission shall require the affirmative vote of two members. ~~(Ord. 3596, 4-25-2016)~~

B. The Commission shall have the following powers and duties:

~~1.~~  
1. To consider "Written Charges," as defined below, for alleged violations of duties imposed in Sections 1-23-3 and 1-23-4 of this Chapter.

2. To promulgate procedures and rules governing the performance of its duties and the exercise of its powers.

~~2. Upon receipt of a signed, written complaint~~  
3. The Commission shall act only upon the receipt of a signed, written complaint plausibly alleging a violation of this Chapter within the Commission's purview by a Village Covered Individual or a Contractor, and clearly identifying the complainant. An acceptable written complaint shall be a "Written Charge." Upon receipt of a Written Charge, to investigate, conduct hearings and deliberations, issue recommendations for disciplinary actions, impose fines in accordance with Section 1-23-69 of this Chapter and refer violations of this Chapter within the Commission's purview to the appropriate attorney for prosecution. The commission shall act only upon the receipt of a signed, written complaint alleging a violation of this chapter and clearly identifying the complainant, and not upon its own initiative or an anonymous complaint.

~~3.~~  
4. To receive information from the public pertaining to its investigations and to require additional information and documents from persons who may have violated the provisions of this Chapter.

~~4.~~  
5. To compel the attendance of ~~officers and employees~~Village Covered Individuals and ~~employees and contractors~~Contractors and to compel the production of books and papers pertinent to an investigation. It is the obligation of all ~~officers and employees of the village~~Village Covered Individuals and Contractors to cooperate with the commission during the course of its investigations. Failure or refusal to cooperate with requests by the Commission shall ~~constitute grounds for discipline or discharge~~be a violation of this Chapter.

~~5.~~  
6. The powers and duties of the Commission are limited to matters clearly within the Commission's purview ~~of as set forth in~~ this Chapter.

C. 1. Complaints alleging a violation of this Chapter within the purview of the Commission shall be filed with the ~~ethics~~Commission upon receipt by the Village, unless the ~~complaint~~Written Charge alleges facts which may, in the opinion of the Village Attorney (or



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~~the~~ Village Administrator if the Village Attorney is the alleged offender), constitute a crime. If the ~~complaint~~Written Charge alleges facts which may constitute a crime, it shall first be referred to a law enforcement agency or the ~~state's~~State's Attorney and may later be ~~filed~~refiled with the Commission if the agency or ~~state's~~State's Attorney declines prosecution or fails to act within thirty days.

2. Within ~~threoten~~ business days after the receipt of a ~~complaint~~Written Charge, the Commission shall send by certified mail, return receipt requested, a notice to the respondent that a ~~complaint~~Written Charge has been filed against him or her and a copy of the ~~complaint~~Written Charge. The Commission shall send by certified mail, return receipt requested, a confirmation of the receipt of the ~~complaint~~Written Charge to the complainant, ~~if applicable~~ within ~~threefive~~ business days after receipt by the Commission. The notices to the respondent and the complainant shall also advise them of the date, time, and place of the meeting to determine the sufficiency of the complaint and to establish whether probable cause exists to proceed. A copy of the ~~complaint~~Written Charge shall be provided to the Village Attorney, Village Administrator, Village President and Village Board of Trustees immediately upon its receipt by the Commission. The Village Administrator shall assign Village staff to support the Commission in the discharge of its duties under this Section.

3. Upon not less than forty-eight ~~hours~~hours' public notice, the Commission shall meet to review the sufficiency of the ~~complaint~~Written Charge and, if the ~~complaint~~Written Charge is deemed sufficient to plausibly allege a violation of this Chapter within the Commission's purview, to determine whether there is probable cause, based on the evidence presented by the ~~complainant~~Written Charge, to proceed. All ~~complaints~~Written Charges shall be treated as confidential until such time as the Commission determines that there is probable cause to proceed. The meeting may be closed to the public to the extent authorized by the Open Meetings Act. The Commission shall issue notice to the complainant, ~~if applicable~~, and the respondent of the ~~commission's~~Commission's ruling on the sufficiency of the ~~complaint~~Written Charge, and, if necessary, on probable cause to proceed within ~~sevenfifteen~~ business days after receiving the complaint.

4. If the ~~complaint~~Written Charge is deemed sufficient to allege a violation of this Chapter and there is a determination of probable cause, then the ~~commission's~~Commission's notice to the parties shall include a hearing date scheduled within four weeks after the ~~complaint's~~complaint's receipt. Alternatively, the Commission may elect to notify in writing the attorney designated by the Corporate Authorities to prosecute such actions and request that the complaint be adjudicated judicially. If the ~~complaint~~Written Charge is deemed not sufficient to allege a violation or if there is no determination of probable cause, then the Commission shall send by certified mail, return receipt requested, a notice to the parties of the decision to dismiss the complaint, and that notice shall be made public.

5. If the ~~complaint~~Written Charge is deemed sufficient to allege a violation of this Chapter, then the Commission shall notify in writing the attorney designated by the Corporate Authorities to prosecute such actions and shall transmit to the attorney the complaint and all additional documents in the custody of the commission concerning the alleged violation.



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6. On the scheduled date and upon at least forty-eight ~~hours~~<sup>hours</sup> public notice of the meeting, the Commission shall conduct a hearing on the ~~complaint~~<sup>Written Charge</sup> and shall allow both parties the opportunity to present testimony and evidence. The hearing may be closed to the public only if authorized by the Open Meetings Act.

7. Within thirty days after the date the hearing or any recessed hearing is concluded, the Commission shall either: a) dismiss the ~~complaint~~<sup>Written Charge</sup> or b) issue a recommendation for discipline to the alleged violator and to the Village Administrator, or if the Village Administrator is the alleged violator, to the Village President, or impose a fine upon the violator, or both. The ~~particular~~ findings in the case, any recommendation for discipline, and any fine imposed shall be a matter of public information.

8. If the hearing was closed to the public, the respondent may file a written demand for a public hearing on the ~~complaint~~<sup>Written Charge</sup> within seven business days after the issuance of the recommendation for discipline or imposition of a fine, or both. The filing of the demand shall stay the enforcement of the recommendation or fine. Within fourteen days after receiving the demand, the Commission shall conduct a public hearing on the ~~complaint~~<sup>Written Charge</sup> upon at least forty-eight ~~hours~~<sup>hours</sup> public notice of the hearing and allow both parties the opportunity to present testimony and evidence. Within seven days thereafter, the Commission shall publicly issue a final recommendation to the alleged violator and to the Village President or Village Administrator, or impose a fine upon the violator, or both.

9. If a ~~complaint~~<sup>Written Charge</sup> is filed during the sixty days preceding the date of any election at which the respondent is a candidate, the Commission shall render its decision as required under subsection C7 of this section within seven days after the ~~complaint~~<sup>Written Charge</sup> is filed, and during the seven days preceding that election, the Commission shall render such decision before the date of that election, if possible.

10. The Commission may fine any person who ~~intentionally knowingly~~ violates any provision of this Chapter ~~within the Commission's purview~~ or who knowingly files a frivolous complaint alleging a violation of this Chapter ~~within the Commission's purview~~. The Commission may recommend ~~to the Village President and Board of Trustees~~ any appropriate discipline up to and including discharge ~~or removal of office~~ for any Village ~~employee~~<sup>Covered Individual</sup> found in violation of this chapter or person filing a frivolous ~~complaint~~<sup>Written Charge</sup>. The recommendation of the Commission shall be deemed sufficient cause for discipline ~~or~~, discharge ~~or removal from office~~ without further proceedings by the Village, unless the offender is subject to the jurisdiction of the ~~police~~<sup>Board of Fire</sup> and ~~fire commission~~<sup>Police Commissioners</sup> or as otherwise required by a collective bargaining agreement or employment contract.

11. A ~~complaint~~<sup>Written Charge</sup> alleging ~~the~~ violation of this Chapter ~~within the Commission's purview~~ must be filed within ~~six~~<sup>twelve</sup> months after the ~~complainant knew or reasonably could have known of the~~ alleged violation. ~~(Ord. 3074, 5-24-2004)~~

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1-23-69: PENALTIES:

- A. ~~—A.—~~ A person who intentionally knowingly violates any provision of this chapter or who knowingly files a frivolous complaint alleging a violation of this chapter is subject to a fine in an amount of not less than fifty dollars (\$50.00) and not more than seven hundred fifty dollars ~~(\$750)~~.
- ~~—B.—~~
- B. Subject to limitations in collective bargaining agreements and contracts to which the Village is a party, in addition to a fine, any Village employeeCovered Individual who intentionally knowingly violates any provision of this chapter or who knowingly files a frivolous complaint alleging a violation of this chapter is subject to discipline-or discharge. (Ord. 3074, 5-24-2004), discharge, or removal from office, as the case may be. Subject to limitations in Collective Bargaining agreements and contracts to which the Village is a party, in addition to a fine, any Contractor which knowingly violates any provision of this chapter or who knowingly files a frivolous complaint alleging a violation of this chapter, the Village Board may determine that such Contractor is no longer eligible to do business with the Village and bar said Contractor from doing business with the Village.