

ORDINANCE

AN ORDINANCE AMENDING ARTICLE 13-7 (“WELCOMING VILLAGE”) OF THE OAK PARK VILLAGE CODE REGARDING THE USE OF VILLAGE PROPERTY FOR CIVIL IMMIGRATION ENFORCEMENT PURPOSES

WHEREAS, the Village of Oak Park, as a home rule unit of local government as provided by Article VII, Section 6 of the Illinois Constitution of 1970, has the authority to exercise any power and perform any function pertaining to its government and affairs except as limited by Article VII, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, as a home rule unit, the Village of Oak Park’s powers are construed liberally as held by the Illinois Supreme Court in the case of *Scadron v. City of Des Plaines*, 153 Ill.2d 164 (1992); and

WHEREAS, the Village Board has determined to amend the Oak Park Village Code with respect to the use of Village property for civil immigration enforcement as set forth in this Ordinance.

NOW THEREFORE, BE IT ORDAINED by the President and the Board of Trustees of the Village of Oak Park, Cook County, Illinois, as follows:

Section 1. Recitals Incorporated. The above recitals are incorporated herein by reference.

Section 2. Village Code Amendments. The Village Code of Ordinances of the Village of Oak Park, Illinois, is amended as set forth below, with **additions bold and double-underlined**.

AMENDMENT ONE:

Section 13-7-1 (“Definitions”) of the Village Code is amended to add the following additional definition:

STAGING AREA: An area used to assemble, mobilize, and deploy vehicles, equipment, or materials, and related personnel, for the purpose of carrying out civil immigration enforcement operations.

AMENDMENT TWO:

Section 13-7-5 (“Civil Immigration Enforcement Actions; Federal Responsibility”) of the Village Code is amended to add the following new Subsection 13-7-5.E:

No Village-owned and controlled parking lot, vacant lot, garage, or other Village-owned property may be used as a staging area, processing location, or operations base for the purpose of civil immigration enforcement. The Village Manager is authorized to: (a) make physical improvements to Village-owned properties to implement the restrictions in this Subsection 13-7-5.E, (b) post signage on Village-owned property to implement the restrictions, and (c) provide private property owners with signage, at no cost, to delineate the non-public areas of private property on which owners may desire to restrict activities related to civil immigration enforcement, which owners may post at their own discretion and at their sole risk.

1. The regulations in this Subsection 13-7-5.E do not apply to Village-owned property which is subject to an existing lease, license agreement, or other usage agreement to which the Village is a party and is not intended to, and may not be interpreted to, interfere with any such lease or agreement.

2. The regulations in this Subsection 13-7-5.E do not prohibit the lawful use of Village-owned property for purposes other than a staging area, processing location, or operations base for civil immigration enforcement, nor do the regulations restrict any person or entity from carrying out functions unrelated to those purposes on such property.

3. Nothing in this Subsection 13-7-5.E may be construed as restricting or interfering with the execution of lawful judicial warrants or the enforcement of criminal law, nor as limiting the rights of any person or entity under state or federal law.

Section 3. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance is held invalid, the invalidity thereof will not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict. This Ordinance will take effect upon passage and may be published in pamphlet form by the Office of the Village Clerk.

Section 4. Effective Date. This Ordinance will be in full force and effect after its passage, approval and publication as required by law.

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ADOPTED this __ day of _____, 2025, pursuant to a roll call vote as follows:

Voting	Aye	Nay	Abstain	Absent
President Scaman				
Trustee Eder				
Trustee Enyia				
Trustee Leving Jacobson				
Trustee Straw				
Trustee Taglia				
Trustee Wesley				

APPROVED this __ day of _____, 2025.

Vicki Scaman, Village President

ATTEST

Christina M. Waters, Village Clerk

Published in pamphlet form this __ day of _____, 2025.

Christina M. Waters, Village Clerk