

## ORDINANCE

### **AN ORDINANCE AMENDING SECTION 9-1-15 ("IMPERSONATING A FIREFIGHTER"), SECTION 17-1-28 ("IMPERSONATING A POLICE OFFICER OR FIREFIGHTER"), AND SECTION 19-3-1 ("IMPERSONATING A POLICE OFFICER") OF THE OAK PARK VILLAGE CODE REGARDING PENALTIES FOR IMPERSONATING POLICE OFFICERS AND FIREFIGHTERS**

**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 penalties for impersonating public safety officials 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 and ~~deletions struck through~~.

#### **AMENDMENT ONE:**

Section 9-1-15 ("Impersonating a Firefighter") of the Village Code is amended to read as follows:

It shall be unlawful for any person, not a member of the Fire Department, to impersonate a firefighter or officer of the Fire Department at a fire, on going to or returning from a fire, by wearing a cap or badge or in any other way. **A person who violates this Section is guilty of a misdemeanor and is subject to a term of incarceration not to exceed six months and a fine not to exceed one thousand five hundred dollars (\$1,500.00). Each day of violation shall be deemed a separate offense. Penalties imposed in this Section are in addition to, and not in lieu of, penalties under State law.**

#### **AMENDMENT TWO:**

Section 17-1-28 ("Impersonating a Police Officer or Firefighter") of the Village Code is amended to read as follows:

~~It shall be unlawful to impersonate a police officer or a firefighter.~~ **It is unlawful for any person to falsely represent themselves as a local, state, or federal law enforcement official or firefighter, or, with the intent to deceive, use or wear in public or imitate any**

of the signs, signals or devices adopted and used by local, state, or federal law enforcement officials or firefighters, or to wear in public the uniform or badge adopted or used as the uniform or badge of any local, state, or federal law enforcement organization or firefighting organization. A person who violates this Section is guilty of a misdemeanor and is subject to a term of incarceration not to exceed six months and a fine not to exceed one thousand five hundred dollars (\$1,500.00). Each day of violation shall be deemed a separate offense. Penalties imposed in this Section are in addition to, and not in lieu of, penalties under State law.

**AMENDMENT THREE:**

Section 19-3-1 ("Impersonating a Police Officer") of the Village Code is amended to read as follows:

It shall be unlawful for any person to falsely represent himself or assume or pretend to be a police officer of the Village or a member of the police force or Police Department of the Village, or with the intent to deceive, use or wear in public or imitate any of the signs, signals or devices adopted and used by the Police Department of the Village, or to wear in public the uniform or badge adopted or used as the police uniform or badge of the Village or any other which shall be similar in appearance. A person who violates this Section is guilty of a misdemeanor and is subject to a term of incarceration not to exceed six months and a fine not to exceed one thousand five hundred dollars (\$1,500.00). Each day of violation shall be deemed a separate offense. Penalties imposed in this Section are in addition to, and not in lieu of, penalties under State 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 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