

ORDINANCE

AN ORDINANCE AMENDING CHAPTER 17 ("OFFENSES"), ARTICLE 1 ("IDENTIFICATION OF SPECIFIC OFFENSES") OF THE OAK PARK VILLAGE CODE TO ADD A NEW SECTION 17-1-37 ('HALLOWEEN TRICK OR TREATING HOURS')

WHEREAS, the Village of Oak Park ("Village") 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 shall be 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, pursuant to the Village's home rule authority, the Village Board has determined to set Halloween trick or treating hours as set forth herein in the interests of the public health, safety and welfare.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, in the exercise of their home rule powers, as follows:

Section 1. Recitals Incorporated. The above recitals are incorporated herein by reference as though fully set forth.

Section 2. Village Code Amended. Chapter 17 ("Offenses"), Article 1 ("Identification of Specific Offenses") of the Oak Park Village Code is amended by adding a new Section 17-1-37 ("Halloween Trick or Treating Hours") to read as follows:

17-1-37: HALLOWEEN TRICK OR TREATING HOURS:

Halloween trick or treating is permitted only on October 31 of each calendar year from 3:00 p.m. to 7:00 p.m. Trick or treating at other hours or on other days shall be treated as a violation of this Code.

Section 3. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

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

ADOPTED this 7th day of October, 2019, pursuant to a roll call vote at follows:

| Voting | Aye | Nay | Abstain | Absent |
|---------------------------|-----|-----|---------|--------|
| President Abu-Taleb | | | | |
| Trustee Andrews | | | | |
| Trustee Boutet | | | | |
| Trustee Buchanan | | | | |
| Trustee Moroney | | | | |
| Trustee Taglia | | | | |
| Trustee Walker-Peddakotla | | | | |

APPROVED this 7th day of October, 2019.

Anan Abu-Taleb, Village President

ATTEST

Vicki Scaman, Village Clerk

Published in pamphlet form this 7th day of October, 2019.

Vicki Scaman, Village Clerk