



## Agenda Item Summary

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**File #:** ORD 17-180, **Version:** 1

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### **Submitted By**

Cara Pavlicek, Village Manager

### **Reviewed By**

LKS

### **Agenda Item Title**

**An Ordinance Amending Chapter 13 ("Human Rights") of the Oak Park Village Code by Adding a new Article 7 ("Welcoming Village")**

### **Overview**

The Village Board is being asked to discuss the addition of a new section in the Village's Human Rights Ordinance which would establish by Village Code, how each Village department, division, commission, committee, board, and body established by authority of an ordinance, or Village Board resolution should treat immigrant community members with respect and dignity. Per the Village Board direction, the Village Attorney has drafted the attached draft ordinance which is supported by local community groups who are in support of this action.

### **Staff Recommendation**

At the last Regular Meeting of January 16, 2017, the Village Board asked staff to conduct further research on this proposed ordinance and meet with local community groups to draft an ordinance for adoption at the next meeting.

### **Fiscal Impact**

The addition of language in the Village Code to establish Oak Park as a Welcoming Village and it is not intended to change the current use of Village resources or create expenses for the Village. Staff has reviewed federal dollars received or pending by the Village of Oak Park which include Community Development Block Grant funding, Emergency Solutions Grants and indirect grants received for capital projects such as streets. While it is the position of the Village and other units of local city government that the Federal Government may not legally restrict Oak Park from receiving these funds upon adoption of the Welcoming Village ordinance, should federal direct and indirect funding be lost, the Village would not be in a position to replace funding with other sources of local revenue and therefore, we would defer certain capital expenditures and we would not be able to award CDBG and ESG funds to local service providers until such time as the matter is resolved in the court system.

It is important to note that we believe that this ordinance is intended to build trusting and supportive relations with immigrant communities and action to take Federal funding from Oak Park would be unconstitutional.

### **Background**

The Village of Oak Park was one of the first municipalities in the country to adopt and enforce its own Fair Housing Ordinance via its Human Rights Ordinance under Chapter 13 of the Village Code which protects the rights of individuals within the protected classes of race, sex, color, religion, ancestry, national origin, veteran status, sexual orientation, age, marital status, familial status or disability in the purchasing, leasing, securing a loan, renting or occupying housing or other real estate.

The concept of a Welcoming Village Ordinance would further enhance the Village's Human Rights Ordinance by further defining how Oak Park welcomes diversity and believes that all individuals living in or visiting the Village should be treated fairly and with respect and dignity.

A Welcoming Village is a way to further enhance the Village's relationship with immigrant communities and make the Village of Oak Park an immigrant-friendly Village by strongly supporting the equal treatment of all individuals regardless of national origin. Achieving and maintaining a community that treats documented and undocumented immigrants with respect and dignity is in line with the public policy of the Village and the principles upon which the United States was founded. The Welcoming Village Ordinance will promote the general welfare of Village residents and visitors alike and formally state that immigrant community members, whether documented citizens or not, should be treated with respect and dignity by all Village employees and should not be subjected to physical abuse, threats, or intimidation.

Due to the complexity of immigration laws as well as the clear need to foster the trust of and cooperation from the public with local home rule units of government, a Welcoming Village Ordinance would clarify the communications and enforcement relationship between the Village and the federal government and to clarify what specific conduct by Village employees is prohibited because such conduct significantly harms the Village's relationship with immigrant communities.

### **Alternatives**

Pursuant to any discussion the Board may seek additional information prior to consideration of a Welcoming Village ordinance.

### **Previous Board Action**

The Village has made several amendments to the Human Rights Chapter of the Village Code during 2016, primarily related to Fair Housing.

The Village Board first discussed this issue at the January 16, 2017 Village Board Regular Meeting.

### **Citizen Advisory Commission Action**

The Community Relations Commission has indicated support for a Welcoming Village Ordinance.

### **Anticipated Future Actions/Commitments**

N/A.

### **Intergovernmental Cooperation Opportunities**

N/A.

**Performance Management (MAP) Alignment**

Community Relations is participating in the current phase of creating measurements.