

Chicago Park District Code - Chapter 3

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CHAPTER III. – GOVERNMENTAL ETHICS¹

Purpose²

This Ethics Code is intended to complement the mission and core values of the Park District which is provide beautiful and safe parks and facilities as well as recreation and leisure opportunities that meet the needs of children and families in Chicago. With Ethics guidance, Park District officials and employees will act impartially in the performance of their duties so that no private organization or individual is given preferential treatment in conducting business with the Park District and in accessing Park District property, programs and facilities. In addition, Park District officials and employees shall adhere to all applicable laws and regulations that provide equal opportunity for all persons, regardless of race, color, religion, gender, national origin, age, sexual orientation, disability, or other protected category.

Section A. - Definitions³

The following words, terms, phrases and their derivatives shall have the meanings set forth in this section. When ~~not inconsistent~~consistent with the context, the present tense shall include the future tense; the plural number shall include the singular number and the singular number shall include the plural number.

~~"Administrative Action" means any decision on, or proposal, consideration, enactment or making of any rule, regulations, or other official non-ministerial action or non-action by any office, department or division or by any officer or employee on any matter which is within the official jurisdiction of the General Superintendent~~

"Commissioner" means any person appointed to the position of commissioner of the Park District, pursuant to the Park Act. A Park District Commissioner is also an Officer.

~~"Business Relationship" means any contractual or other private business dealing of a Commissioner, or his or her spouse, or of any entity in which the Commissioner or his or her spouse has a Financial Interest with a person or entity which entitles the Commissioner to compensation or payment in the amount of \$2,500 or more during the prior twelve months.~~

~~Provided, however, that the exclusions applicable to a "Financial Interest", as set forth in this section shall also apply with respect to a "business relationship". "Contractual or other private business dealing" shall not include any employment relationship of a Commissioner's spouse with an entity when such spouse has no discretion concerning or input relating to the relationship between that entity and the Park District.~~

"Compensation" means money, thing of value or other economic benefit received or to

¹ Added Complete Chapter 1-24-1989; Amended 4-6-1990; 11-27-1990; 1-21-1998

² Added <date> (Amendments introduced at 03-15-2023 Board Meeting).

³ Amended <date> (Amendments introduced at 03-15-2023 Board Meeting).

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be received in return for, or as reimbursement for, services rendered or to be rendered.

"Contract Management Authority" means personal involvement in or direct supervisory responsibility for the formulation or execution of a Park District contract, including without limitation the preparation of specifications, evaluation of bids or proposals, negotiation of contract terms or supervision of performance once the contract has been executed.

"Doing Business" means any one or any combination of sales, purchases, park permits or park event permits, sponsorships, leases or other contracts to, from, or with the Park District within the preceding three years.

~~**"Economic Interest"** means any interest valued or capable of valuation in monetary terms; provided, the "Economic Interest" is subject to the same exclusions as "Financial Interest".~~

"Employee" means an individual employed by the Park District, whether part-time or fulltime, but does not include independent contractors or excludes appointed members of the Park District Board of Commissioners.

~~**"Expenditure"** means a payment, distribution, loan advance, deposit, or gift of money or anything of value.~~

"Financial Interest" means:

- (i) any interest as a result of which a person currently receives or is entitled to receive in the future more than \$2,500 per calendar year;
- (ii) any interest with a cost or present value of \$5,000 or more;
- (iii) any interest representing, or resulting from ownership of, more than ten percent of a privately held corporation, partnership, sole proprietorship, firm, enterprise, franchise, organization, holding company, joint stock company, receivership, trust, or any other legal entity organized for profit.

"Financial Interest", for purposes of clauses (i) and (ii) of this subsection definition, shall not include:

- a. Any interest of the spouse ~~or~~ of an Employee or Commissioner which interest is related to the spouse's independent occupation, profession or employment;
- b. Any ownership through purchase at a fair market value or through transfer by inheritance of less than 1% of the shares of a corporation, or any corporate subsidiary, parent or affiliate thereof, regardless of the value of or dividends on such shares, if such shares are registered

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on a securities exchange pursuant to the Securities Exchange Act of 1934, as amended;

- c. The authorized compensation paid to an Employee or Commissioner for ~~his/her~~their office or employment;
- d. Any economic benefit equally available to~~Economic Interest not distinguishable from the Economic Interests of~~ the general public ~~generally~~;
- e. A time or demand deposit in a financial institution;
- f. A money market/mutual fund account;
- g. An endowment or insurance policy or annuity contract purchased from an insurance company.

"Gift" means 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, and honoraria for speaking engagements related to or attributable to government employment or the official position of an employee or Commissioner.

"Illinois Governmental Ethics Act" means the Illinois Governmental Ethics Act 5 ILCS 420/1 et seq, as amended, ~~anything of value received or to be received, but shall not include "Compensation" or a "Political Contribution" as defined in this Section.~~

"Immediate Family Member" means spouse, mother, father, parent, child, grandchild, grandparent, grandchild, brother, and sister and sibling.~~grandmother, grandfather, grandparent, grandchild, brother, and sister and sibling.~~

"Inspector General" refers to the Office of the Inspector General for the Park District in Chapter II, Section D of the Park District Code.

"Legislation and Legislative Action" means the introduction, sponsorship, consideration, debate, amendment, passage, defeat, approval, or other official action or non-action on any ordinance, resolution, motion, order appointment, report and any other matter pending or proposed in the Board or a committee or other subdivision thereof, including any other matter which may be the subject of Board action.

"Lobby" and "lobbying" have the same meaning as defined in the Lobbyist Registration Act (25 ILCS 170), that is to communicate, including the soliciting of others to communicate, with an Employee or Commissioner for the ultimate purpose of influencing any executive, legislative, or administrative action. Such actions under the Act include the development, drafting, introduction or approval or rejection of any Board ordinance or resolution, including Park District Code revisions. Lobbying also includes communications

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with Employees or Commissioners for the purpose of influencing decisions on drafting of contract specifications, evaluation of bids or proposals and negotiation of terms on Park District contracts, including sales, purchases, [park permits](#) or [park event permits](#), sponsorships, and leases.

"Lobbyist" has the same meaning as defined in the Lobbyist Registration Act (25 ILCS 170 and means any person who undertakes to lobby or influence Employees and Commissioners with responsibility for executive, legislative, or administrative actions.

"Lobbyist Registration Act" means the Lobbyist Registration Act, 25 ILCS 170 et seq., as amended.

means any person who, on behalf of any person other than himself, or as any part of his duties as an Employee of another, undertakes to influence any legislative or administrative action, including but not limited to:

- (1) — A bond inducement ordinance;
- (2) — A concession agreement;
- (3) — The introduction, passage or other action to be taken on an ordinance, resolution, motion, order, appointment or other matter before the Park District Board of Commissioners;
- (4) — The preparation of contract specifications;
- (5) — The solicitation, award or administration of a contract;
- (6) — The award or administration of a grant, loan, or other agreement involving the disbursement of public monies; or
- (7) — Any other determination made by a Employee or Commissioner of the Park District with respect to the procurement of goods, services or construction.

Provided, however, that a person shall not be deemed to have undertaken to influence any legislative or administrative action solely by submitting an application for a Park District permit or by responding to a Park District request for proposals or qualifications.

The term "Lobbyist" shall include, but not be limited to, any attorney, accountant or consultant engaged in the above described activities; provided, however, that an attorney shall not be considered a lobbyist while representing clients in a formal adversarial hearing; and provided further that the term "Lobbyist" shall not include a person who, on an unpaid basis, seeks to influence legislative or administrative action on behalf of an entity that is not engaged in a profit seeking enterprise; further provided that an Employee, officer or director of a not for profit entity who seeks to influence legislative or administrative action on behalf of such an entity shall not be considered a lobbyist for purposes of this chapter.

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"Park District Contractor" means any person (including ~~his~~[their](#) agents or Employees acting within the scope of their employment) who has provided goods or services to the Park District pursuant to contract.

"Park District Property" means tangible or intangible property owned or controlled by the Park District, including but not limited to grounds, facilities, equipment, and intellectual property.

"Person" means any individual, entity, corporation, partnership, firm, association, affiliate, union, trust, estate, as well as any parent or subsidiary of any of the foregoing, whether or not operated for profit.

"Prohibited Political Activity-" has the same meaning as defined in the State Officials and Employees Ethics Act (5 ILCS 430/1 ~~et seq~~)[-](#). See also Section ~~_____~~[B. 13](#) below.
~~means:~~⁴

~~-Serving as an officer of a political party, of a political club, or of an organization relating to a campaign for elected office; as a member of a national, state or local committee of a political party, club or organization; as an officer or member of a committee of a political party, club or organization; or being a candidate for any of these positions;~~

~~-Organizing or reorganizing a political party, club or organization;~~

~~-Directly or indirectly soliciting, receiving, collecting, handling, disbursing, or accounting for assessments, contributions, or other funds for any political party, political fund, candidate for elected office, or any committee thereof or committee which contributes to any of the foregoing;~~

~~Organizing, selling tickets to, promoting or actively participating in a fundraising activity of a public office holder, candidate in an election or political party, political club or an organization but not including attendance at such a fundraising event;~~

~~-Taking an active part in managing the political campaign of a candidate for public office in an election or a candidate for political party office;~~

~~Becoming a candidate for, or campaigning for, an elective public office in an election;~~

~~Soliciting votes in support of or in opposition to a candidate for public office in an election or a candidate for political party office;~~

~~Acting as recorder, watcher, challenger or similar officer at the polls on behalf of a political party or a candidate in an election;~~

⁴ ~~Amended 1-10-1995~~

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~~Driving voters to the polls on behalf of a political party or a candidate in an election;~~

~~Endorsing or opposing a candidate for public office in an election or a candidate for political party office in a political advertisement, a broadcast, campaign literature, or similar material, or distributing such material;~~

~~Serving as delegate, alternate or proxy to a political party convention;~~

a. ~~Addressing a convention, caucus, rally or similar gathering in support of or in opposition to a candidate for public office or political party office;~~

b. ~~Initiating or circulating a nominating petition for elective office; and~~

c. ~~Soliciting, collecting, paying, making or receiving a contribution for any political party, political fund, candidate for public or party office, or any committee thereof of committee which contributes to any of the foregoing.~~

"Political Contribution" means any gift, subscription, loan, advance, deposit of money, allotment of money or anything of value given or transferred by one person to another including in cash, by check, by draft, through a payroll deduction or allotment plan, by pledge or promise, whether or not enforceable, or otherwise, for purposes of influencing in any way the outcome of any election. For the purposes of this definition, a political contribution does not include:

a. ~~A loan made at a market rate by a lender in his or her ordinary course of business;~~

b. ~~The use of real or personal property and the cost of invitations, food and beverages, voluntarily provided by an individual in rendering voluntary personal services on the individual's residential premises for candidate related activities; provided the value of the service provided does not exceed an aggregate amount of \$150.00 in a reporting period as defined in Article 9 of the Illinois Election Code;~~

c. ~~The sale of any food or beverage by a vendor for use in a candidate's campaign at a charge less than the normal comparable charge, if such charge for use in a candidate's campaign is at least equal to the cost of such food or beverage to the vendor.~~

"Prohibited Source" has the same meaning as defined in the State Officials and Employees Ethics Act (5 ILCS 430/) in reference to unlawful sources of Gifts and is further described in Section B. 3 below.

"Professional Services" means services in any occupation requiring advanced or specialized education and training, including without limitation law, accounting, insurance, real estate, engineering, medicine, architecture, dentistry, banking, finance, public

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relations, education or consulting.

"Relative" means a person who is related to an Employee or Commissioner as spouse, domestic partner, partner to a civil union, partner in a parenting relationship, fiancé or fiancée or as any of the following, whether by blood or adoption: father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, grandparents-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law spouse or as any of the following, whether by blood or adoption: parent, child, brother or sister, aunt or uncle, niece or nephew, grandparent, grandchild, father in law, mother in law, son in law, daughter in law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister, half-brother or half-sister, and shall include any similar relationship, whether created by blood or law.

"Reporting Individual" For purposes of this section, the following persons shall be referred to as "reporting individuals":

- (i) Each Commissioner;
- (ii) Each Employee designated as a reporting individual pursuant to Section C(4)-. 1.a.

"Spouse" means a person who is related to an officer or employee by either marriage or civil union.

"State Ethics Act" means the State Officials and Employees Ethics Act, 5 ILCS 430 et seq. as amended.

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Section B. - Conduct and Ethics Standards⁵

B. 1. Appearance of Impropriety; Fiduciary Duty.

Employees and Commissioners have a special relationship of trust with the public and therefore must conduct themselves so as to avoid the appearance that they are violating the provisions of the Ethics Code. In other words, conduct which appears to create a conflict of interest even if not constituting a violation of the Ethics Code must be avoided. Whether particular circumstances create an appearance that these Code provisions have been violated shall be determined from the perspective of a reasonable person with knowledge of the relevant facts.

Employees and Commissioners shall at all times in the performance of their public duties owe a fiduciary duty to the Park District. Employees and Commissioners must avoid conduct that would have a negative impact on their character and fitness or qualification to work for the Park District.

B. 2. Improper Influence.

a. -No Employee or Commissioner shall make, participate in making, or in any way attempt to use his/hertheir position to influence any Park District decision or action in which he/shethey knows or has-have reason to know that he/shethey havees any Financial Economic Interest or other economic interest distinguishable from that of the general public. distinguishable from its effect on the public generally.

a.b. No Commissioner, or any person acting at the direction of such Commissioner, shall contact either orally or in writing any other Park District Employee or Commissioner with respect to any matter involving any person with whom the Commissioner has a -Financial Interestbusiness relationship. or other economic interest distinguishable from that of the general public. In addition, no Commissioner may participate in any discussion in any committee hearing or in any Park District Board meeting or vote on any matter involving the person with whom the Commissioner has a Financial Interest or other economic interest or business relationship distinguishable from the general public.

B. 3. Gift Ban and Exceptions to Gift Ban.Offering, Receiving and Soliciting Gifts or Favors.

a. Except as permitted by the State Officials and Employees Ethics Act (5 ILCS 430/) and in this section, no Employee or Commissioner and no Spouse or Immediate Family Members of same shall intentionally solicit or accept any gift from any Prohibited Source, as defined herein. No Prohibited Source shall intentionally offer or make a Gift that violates the Act or this Ethics Code.

⁵ Amended 4-6-1990; 1-21-1998; Amendment introduced at 03-15-2023 Board Meeting.

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a.b. Prohibited source as defined by the Act means any person who:

- (i) is seeking official action (i) by an officer or (ii) in the case of an employee, by the employee, officer, Park District, or other employee directing that employee;
- (ii) does business or seeks to do business (i) with the officer or (ii) in the case of an employee, by the employee, officer, Park District or other employee directing that employee;
- (iii) conducts activities regulated (i) by the officer or (ii) in the case of an employee, by the employee, officer, Park District or other employee directing that employee; or
- (iv) has interests that may be substantially affected by the performance or non-performance of the official duties of the officer or employee;
- (v) is registered or required to be registered with the Secretary of State under the Lobbyist Registration Act, 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
- (vi) is an agent of, a spouse of, or an immediate family member who is living with a “prohibited source.”

b.c. No person shall give to any Employee or Commissioner, or their Spouse or Immediate Family Member to the spousean anonymous Gift , or minor child of either of them, or any immediate family member residing with either of them, and none of them shall solicit or accept any anonymous Gift.

d. No person shall give or offer to give to any Employee, Commissioner or to the Spouse or Immediate Family Member minor child of either of them, or any immediate family member residing with either of them, and none of them shall accept anything of value including but not limited to a gift, favor or promise of future employment, based upon any mutual understanding, either explicit or implicit, that the votes, official actions, decisions or judgments of any Employee or Commissioner, concerning the business of the Park District would be influenced thereby.

e. No Employee or Commissioner or Spouse or Immediate Family Member of same shall accept any gift of cash or its equivalent including gift cards and vouchers from

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a Prohibited Source, regardless of dollar value.

f. Employees assigned to the Chicago Park District's Departments of Purchasinges,
~~and Revenue, and Human Resources~~ their Spouses, and Immediate Family
Members spouse, or minor child of either of them, or any immediate family member
residing with either of them, shall be prohibited from soliciting or accepting any
gifts from a Prohibited Source, including Park District Contractors, This total gift
ban includes including food or refreshments, regardless of the dollar value.

g. Gift Ban Exceptions:

The restrictions on gifts in subsections a. and b., above, do not apply to the following:

- (i) Opportunities; benefits, and services that are available on the same conditions as for the general public;
- (ii) Anything for which the officer or employee pays the market value;
- (iii) Any (a) contribution that is lawfully made under the Election Code or under the State Ethics Act or (b) activities associated with a fundraising event in support of a political organization or candidate;
- (iv) Educational materials and missions unless disallowed by rules/guidance promulgated by the State Ethics Commission or Auditor General;
- (v) Travel and expenses including meals or refreshments in connection with meetings, appearances, public events, fundraising events or ceremonies related to official Park District business if furnished by the sponsor of such meeting or public event or fundraising event or ceremony, unless disallowed by rules/guidance promulgated by the State Ethics Commission or Auditor General;
- (vi) A gift from a Relative as defined herein;
- (vii) Anything provided by an individual on the basis of a personal friendship unless the officer or employee has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the officer or employee and not because of the personal friendship. In determining whether the gift is provided on the basis of personal friendship, the officer or employee 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 officer or employee the

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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 officer or employee, the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees;

- (viii) Food or refreshments not exceeding \$75 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. “Catered” means food or refreshments that are purchased ready to eat and delivered by any means;
- (ix) Food, refreshments, lodging, transportation and other benefits resulting from the outside business activities (or outside activities that are not connected to the duties of the officer or employee), or the Spouse of the officer or employee, if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee and are customarily provided to others in similar circumstances and which activities occur while such Commissioner or Employee is not at work or on duty for the Park District;
- (x) Intra-governmental and inter-governmental gifts given to an officer or employee with “intra-governmental gift” meaning a gift given to an officer or employee from another officer or employee at the Park District; and “inter-governmental gift” meaning any gift given to an officer or employee by a member, officer or employee of another governmental entity;
- (xi) Bequests, inheritances and other transfers at death; and/or
- (xii) Any item or items from any one prohibited source during any calendar year having a cumulative total of less than \$100.

Each of the exceptions listed above is mutually exclusive and independent of one another.

~~e.h.~~ Any gift given in violation of the provisions of this section shall be returned or donated to charity, given to the Comptroller to add to Park District inventory, or, if a food or drink item exceeding \$75 in value and feasible, put in a common area for consumption.

~~d.i.~~ Any Employee or Commissioner who receives any Gift gift or money for participating in the course of his/hertheir public employment in speaking engagements, lectures, debates or organized discussion forums shall report it to the

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Ethics Advisor ~~Officer~~ within five business days.

e.j. Compensation for services wholly unrelated to the Employee's or Commissioner's Park District duties and responsibilities does not fall within the definition of a Gift, provided that such services are rendered as part of such Employee's or Commissioner's non-Park District employment, occupation or profession and while such Employee or Commissioner is not at work or on duty for the Park District.

~~It shall be presumed that a non-monetary Gift having a value of less than \$50 does not involve such an understanding.~~

~~No person who has an Economic Interest in a specific Park District business, service, or regulatory transaction shall give, directly or indirectly, to any Employee or Commissioner whose decision or action may substantially affect such transaction, or to the spouse or minor child of such Employee or Commissioner, and none of them shall accept any gift of (i) cash or its equivalent regardless of value, or (ii) an item or service other than an occasional one of nominal value, less than \$50, as long as the items or services from any one source do not exceed a cumulative value of \$100 during any calendar year. Nothing herein shall be construed to prohibit such person from accepting gifts from a Relative.~~

~~Except as prohibited in subsections (a) and (b), nothing in this Section shall prohibit any person from giving or receiving: (i) an award publicly presented in recognition of public service; (ii) commercially reasonable loans made in the ordinary course of the lender's business; (iii) political contributions, provided they are reported to the extent required by law; (iv) reasonable housing, including travel and expenses, entertainment, meals or refreshments furnished in connection with public events, appearances or ceremonies related to official Park District business, if furnished by the sponsor of such its nominal value.⁶ turned over to the Comptroller, who shall add the gift to the inventory of the Park District. Nothing in this Section shall prohibit any Employee or Commissioner, or his spouse, minor child or immediate family member residing with the Employee or Commissioner, from accepting a gift on the Park District's behalf; provided however, that the person accepting the gift shall promptly report receipt of the gift to the Ethics Officer and to the Comptroller, who shall add it to the inventory of Park District property. Nothing in this Section shall prohibit any Employee or Commissioner from accepting food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purpose of this Section, "catered" means food or refreshments that are purchased ready to eat and delivered by any means.~~

~~Nothing in this Section shall prohibit any Employee or Commissioner, or his spouse, minor child or immediate family member residing with the Employee or Commissioner, from accepting a gift on the Park District's behalf; provided however, that the person accepting the gift shall promptly report receipt of the gift to the Ethics Officer and to the Comptroller, who shall add it to the inventory of Park District property. Nothing in this Section shall prohibit any Employee or Commissioner from accepting food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purpose of this Section, "catered" means food or refreshments that are purchased ready to eat and delivered by any means.~~

B. 4. Solicitation or Receipt of Money for Advice or Assistance.

No Employee or Commissioner, or their Spouses ~~or child of either of them, or any Immediate Family member residing with the Employee or Commissioner~~ shall solicit or accept anything of value including, but not limited to, money, gifts, favors, services or promises of future employment, in return for advice or assistance on matters directly

⁶ Added April 11, 2012

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relating to the responsibilities or duties of such Employee or Commissioner or concerning the operation or business of the Park District, provided, however, that nothing in this section shall prevent an Employee or Commissioner or the Spouse or Immediate Family Member of an Employee or Commissioner from accepting compensation for services wholly unrelated to the Employee's or Commissioner's Park District duties and responsibilities and rendered as part of ~~his or her~~their non-Park District employment, occupation or profession.

B. 5. Unauthorized Use of Park District Property.

No Park District Employee or Commissioner shall engage in or permit the ~~unauthorized~~ use of any Park District property, including, but not limited to grounds, facilities or equipment that is not authorized by the Park District Code. Use of Park District property for purposes other than Park District business shall be considered an unauthorized use.

B. 6. Use or Disclosure of Confidential Information.

No current or former Employee or Commissioner shall use or disclose, other than in the performance of ~~his/her~~their official duties, and responsibilities, or as may be required by law, confidential information which is information that is gained only in the course of or by reason of ~~his/her~~their relationship, employment or position with the Park District and which is not known or available publicly. Such For purposes of this section, "confidential information" includes means any information that may not be obtained pursuant to the Illinois Freedom of Information Act, 5 ILCS 140, as heretofore or hereafter amended.

B. 7. Conflicts of Interest. ~~Appearance of Impropriety.~~⁷

- a. No Commissioner or Employee shall make or participate in the making of any governmental decision with respect to any matter in which ~~he/she/they has-have~~ any Financial Economic Interest or other economic interest or business relationship distinguishable from the general public.
- b. ~~To avoid even the appearance of impropriety, any Commissioner who~~ Any Commissioner who has a Financial Interest or other economic interest or business relationship distinguishable from the general public (i) has any Economic Interest in any matter pending before the Board distinguishable from that of the general public; or (ii) has a business relationship with a person or entity with a matter pending before the Board or any Board Committee that requires board action~~;~~; shall publicly disclose the nature and extent of such interest or business relationship on the journal of proceedings of the Board of Commissioners, and shall notify the Board Secretary Ethics Officer of such interest within 72 hours of ~~delivery by the Secretary to the Commissioner, of~~ the introduction of any ordinance, resolution,

⁷ ~~Amended 12-18-1991~~

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order or other matter before the Board, or as soon thereafter as the Commissioner is or should be aware of such potential conflict of interest. ~~The Ethics Officer shall make such disclosure available for public inspection and copying immediately upon receipt.~~ The Commissioner shall abstain from voting on the matter but shall be counted present for purposes of a quorum. The obligation to report a potential conflict of interest under this subsection arises as soon as the Commissioner is or should be aware of such potential conflict.

- c. Any Employee who has a Financial ~~an Economic~~ Interest or other economic interest or business relationship distinguishable from the general public in a person with a matter with the Park District over in any matter pending before the Park District which ~~he/she~~they have Contract Management Authority shall disclose the nature of such interest immediately to the Ethics Officer, and if the matter is pending is ~~his/her~~their own department or division, to the head of the department, and the Ethics Advisor Officer or, in the case of a department, office, or division head, to the General Superintendent and the Ethics Advisor Officer, ~~except as provided by subsection (b). In the case of the General Superintendent, he/she shall disclose such interest to the Board and the Ethics Officer.~~ The obligation to report under this subsection arises as soon as the Employee is or should be aware of the pendency of the matter. This subsection does not apply to applications for health, disability or workers' compensation benefits.
- d. No Commissioner or Employee shall participate directly or indirectly in the selection, award or administration of a Park District contract, including contracts for sales, purchases, park permits or park event permits, sponsorships, or leases if a real or apparent conflict of interest exists. Such a conflict would arise when any of the following persons has a Financial Interest in the person being selected for the contract: (i) a Commissioner or Employee, or their agent, partner, associate or affiliate; or (ii) a Relative of the Commissioner or Employee or (iii) a person that employs or intends to employ any of the above.
- e. Any Commissioner or Employee who becomes aware of an actual or apparent conflict of interest or an organizational conflict of interest shall report such conflict to the Ethics Advisor, and in the case of an Employee if the matter is pending is their own department or division, to the head of the department, or, in the case of a department, office, or division head, to the General Superintendent. The obligation to report under this subsection arises as soon as the Commissioner or Employee is or should be aware of the pendency of the matter.
- f. Any Commissioner who has or obtains a Financial Interest or other economic interest or business relationship distinguishable from the general public with a person doing business with the Park District must disclose that relationship as soon as practicable to the Board President, and any such disclosures shall be maintained by the Board Secretary.

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B. 8. Representation of Other Persons.

- a. No Employee or Commissioner may represent, or have an Financial Economic Interest or other economic interest or business relationship distinguishable from the general public in the representation of, any person other than the Park District in any formal or informal proceeding before or after transaction with the Park District in which the Park District's action or non-action is of a non-ministerial nature; provided that nothing in this subsection shall preclude any Employee from performing the duties of ~~his/her~~their employment.
- b. ~~No Employee or Commissioner may have any Financial Economic Interest or other economic interest or business relationship distinguishable from the general public~~ in the representation of any person, in any judicial or quasi-judicial proceeding before any administrative agency or court in which the Park District is a party and that person's interest is adverse to that of the Park District, or in any judicial or quasi-judicial proceeding before any administrative agency or court in which the Park District may be liable for the judgment or may be obligated to indemnify any of the parties.
- c. ~~No Employee or Commissioner may represent any person in the circumstances described in subsection (a) or (b) unless the matter is wholly unrelated to the Employee's or Commissioner's Park District duties and responsibilities.~~

B. 9. Post-Employment Restrictions.

- ~~a. No former Employee or former Commissioner of the Park District shall assist or represent any person other than the Park District in any judicial or administrative proceeding involving the Park District, if such Employee or Commissioner was counsel of record or actually participated in the proceeding during his/her term of office or employment.~~
- ~~b.a.~~ b.a. No former Employee or former Commissioner shall, for a period of one year after the termination of the Employee's or Commissioner's term of office or employment, assist or represent any person in any business transaction involving the Park District, if such Employee or Commissioner participated personally and substantially in the subject matter of the transaction during ~~their~~his/her term of employment or office; provided, that if the former Employee exercised Contract Management Authority with respect to a contract, this prohibition shall be permanent as to that contract.
- b. The provisions of subsection (b) do not apply to any former Employee or Commissioner who is acting within the scope of ~~his/her~~their employment while employed by any other governmental unit.

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- c. For a period of one year after the termination of ~~their~~ tenure on the Board, the Park District shall not enter into any contracts or agreements for goods ~~or~~ services with the former Commissioner or with any ~~entity that is not an existing Park District contractor~~, other than a publicly traded corporation, employing the former Commissioner, unless the former Commissioner receives less than \$2,500 per year from that ~~entity~~.
- e.d. The provisions of this Section apply independently of other regulations for professionals including licensure regulations and disciplinary codes.

B. 10. Financial Interest in Purchase of Park District Property.

No Employee or Commissioner shall have a Financial Interest ~~an Economic Interest~~ in the purchase of any property that belongs to the Park District unless sold pursuant to competitive procedures in accordance with this Code. Compensation for property taken pursuant to the Park District's eminent domain power shall not constitute a Financial Interest ~~an Economic Interest~~ within the meaning of this section.

B. 11. Prohibited Conduct.

- a. No Employee or Commissioner or the ~~S~~spouse of such Employee or Commissioner or any entity in which such Employee or Commissioner or ~~his or her~~their ~~S~~spouse has a Financial Interest, shall apply for, solicit, accept or receive a loan of any amount from any person who is either doing business or seeking to do business with the Park District; provided, however, that nothing in this section prohibits application for, solicitation for, acceptance of or receipt of a loan from a financial lending institution, if the loan is negotiated at arm's length and is made at market rate in the ordinary course of the lender's business. This subsection shall not apply to an entity in which the only Financial Interest of the Employee or Commissioner or ~~his or her~~their ~~S~~spouse is related to the ~~S~~spouse's independent occupation, profession or employment.
- a.b. No Employee or Commissioner shall knowingly negotiate the possibility of future employment or business with any person, except with a government agency that has a matter currently pending before such Employee or Commissioner.
- c. ~~b.~~—No Employee or Commissioner with hiring authority shall advocate for employment, retain or hire as a Park District Employee or Park District ~~C~~contractor any person with whom the Employee or Commissioner has a Financial Interest ~~business relationship~~. For purposes of this section, "business relationship" shall have that meaning attributed to it in the Definition section of this chapter.

B. 12. Nepotism. Employment of Relatives

- a. No Employee or Commissioner shall employ or advocate for employment, ~~or directly~~

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supervise in any Park District department over which ~~he or she~~they exercises authority, supervision or control, any person (i) who is a Relative of such Employee or Commissioner; or (ii) in exchange for or in consideration of the employment of any of said Employee or Commissioner's Relatives by any other Employee or Commissioner. An Employee or Commissioner does not violate this section if a Relative is hired to work in the same Park District Department, provided that the Employee or Commissioner does not directly supervise their Relative; however, the relationship must be disclosed to the Employee's supervisor or, in the case of a Commissioner, to the Board President.

b. An Employee or Commissioner does not violate this section when a Relative exercises their rights under a collective bargaining agreement and thereby becomes employed in a Park District department in which said Employee or Commissioner works or over which they exercise authority, supervision or control, if:

- (i) the Employee promptly discloses the existence of the relationship to their supervisor or, in the case of a Commissioner, to the Board President; and
- (ii) the Employee or Commissioner refrains from having any personal involvement in the review or approval of any terms or conditions of the Relative's employment; and
- (iii) management makes reasonable efforts to ensure that the Employee or Commissioner shall not exercise authority, supervision or control over said Relative.

b.c. No Employee or Commissioner shall exercise Contract Management Authority where any Relative of the Employee or Commissioner is employed by or has contracts with persons doing Park District work over which the Employee or Commissioner has or exercises Contract Management Authority if a Relative of the Employee or Commissioner will perform any part of the contract, or will derive an economic benefit from the contract, or if any Relative exercises Contract Management Authority over the contract.

e.d. No Employee or Commissioner shall use or permit the use of his/her/their position to assist any Relative in securing employment or contracts with persons over whom the Employee or Commissioner exercises Contract Management Authority. The employment of or contracting with a Relative of such a Park District Employee or Commissioner by such a person within six months prior to, during the term of, or six months subsequent to the period of a Park District contract, shall be evidence that said employment or contract was obtained in violation of this Section.

B. 13. Prohibited Political Activity.

a. Under the State Ethics Act, no Employee or Commissioner shall intentionally

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perform any Prohibited Political Activity while performing work for the Park District. No Employee or Commissioner shall intentionally use any Park District Property, funds or other resources (including Park District email, phones, printer, computers, etc) in connection with any prohibited political activity. Engaging in Prohibited Political Activities while on the clock for the Park District (whether hourly or salaried) or using Park District Property, funds or other resources can result in fines under the State Ethics Act and/or discipline.

- b. Under the State Ethics Act, prohibited political activities done while on working time for the Park District or using Park District resources or property include:

"Prohibited political activity" means:

- (i) Preparing for, organizing, or participating in any political, political rally, political demonstration, or other political event.
- (ii) -Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.
- ~~(ii)~~(iii) -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.
- (iv) -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.
- (v) 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.
- (vi) 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.
- (vii) 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.
- ~~(iii)~~(viii) Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
- ~~(iv)~~(ix) Preparing or reviewing responses to candidate questionnaires.

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~~(v)(x)~~ 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.

~~(vi)(xi)~~ Campaigning for elective office or for or against any referendum question.

~~(vii)(xii)~~ Managing or working on a campaign for elective office or for or against any referendum question.

~~(viii)(xiii)~~ Serving as a delegate, alternate, or proxy to a political party convention

~~(ix)(xiv)~~ Participating in any recount or challenge to the outcome of any election

c. At no time shall any No-Employee or Commissioner shall directly or through an agent compel, coerce or intimidate any Park District Contractor, Employee or Commissioner to engage in Prohibited Political Activities (i) as part of that Employee or Commissioner's duties, (ii) as a condition of employment, or (iii) during any time off including compensated time off (such as holidays, vacation or personal time off).political activities during work hours, or to make, to refrain from making, to solicit or to refrain from soliciting any pPolitical cContribution or from receiving a voluntary pPolitical cContribution. No Employee or Commissioner shall knowingly solicit or accept pPolitical cContributions from persons currently doing business or seeking to do business with the Park District. Nothing in this section shall be construed (i) to prevent any Employee or Commissioner from voluntarily making a contribution or from receiving a voluntary contribution; or (ii) to infringe upon any rights protected by the Local Governmental Employees Political Rights Act, 50 ILCS 135, as heretofore or hereafter amended.

e. No Employee with Contract Management Authority shall serve on any political fundraising committee.

d. An Employee or Commissioner shall disclose to their direct supervisor (or, in the case of a Commissioner, disclose to the Board President) that they are running for political office upon filing their nominating papers or upon application of appointment to political office.

B. 14. Outside Employment.

In order to engage in outside employment, Employees must comply with the requirements set by the Rules of the Personnel Board of the Chicago Park District, Code of Conduct. No Employees or and Commissioners are not permitted to engage in-shall engage in any outside employment that conflicts with the business of the Park District or their duties or conflicts with any provision of this chapter.

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B. 15. Ethics Education Seminar.

~~Each Employee and each Commissioner identified by Section C of this chapter shall attend an ethics education seminar offered by the Ethics Officer in 2004. A person who fills a vacancy in an appointed position that requires training and a person employed in a position that requires training must complete his or her initial training within six months after commencement of his or her office or employment, and every four years thereafter. The seminar shall educate persons as to their duties and responsibilities under this chapter. Any Employee who fails to comply with this section is subject to a \$500.00 fine. Any Commissioner who fails to comply with this section is subject to censure.~~

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Section C. - Financial Disclosure⁸

C. 1. Statement of Economic Financial Interests.

The Park District complies with the Illinois Governmental Ethics Act (5 ILCS 420/) pursuant to which certain individuals referred to as “Reporting Individuals” must file on an annual basis by May 1 a Statement of Economic Interests with the Clerk of Cook County.

a. The~~For purposes of this Code, the~~ following persons as referenced in the Act or otherwise designated by this Chapter are ~~shall be referred to as~~ “Reporting Individuals”:⁹

- (i) Each Commissioner;
- (ii) Persons who are employed by the Park District and are compensated for services as employees and not as independent contractors and who:
 - (1) are or function as, the head of a department, division, bureau, authority or administrative unit within the Park District, or who exercise similar authority within the Park District;
 - (2) have direct supervisory authority over, or direct responsibility for the formulation, negotiation, issuance or execution of contracts entered into by the Park District in the amount of \$1,000 or greater;
 - (3) have authority to approve sales, purchases, park permits or park event permits~~permits, sponsorship solicitations and leases by and with licenses and permits by~~ the Park District; this item does not include employees who function in a ministerial capacity;
 - (4) adjudicate, arbitrate, or decide any judicial or administrative proceeding, or review the adjudication, arbitration or decision of any judicial or administrative proceeding within the authority of the Park District; ~~or~~
 - (5) have authority to issue or promulgate rules and regulations within areas under the authority of the Park District; ~~or~~
 - (6) have supervisory responsibility for 20 or more employees of the Park District; or.

⁸ Amendment introduced at 03-15-2023 Board Meeting.

⁹ Amended 1/16/2013

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- (7) have ~~responsibility~~ direct supervisory authority over, or direct responsibility for with respect to the procurement of goods, or services, or construction valued at \$1,000 or greater.

b. Each Reporting Individual shall file with the Cook County Clerk by May 1 of each year a verified written Statement of Economic~~Financial~~ Interests for the previous calendar year in accordance with the provisions of this section, unless ~~he/she/they~~ has have already filed a statement in that calendar year.¹⁰

~~e. Statements of Financial Interests shall also be filed by the following:¹¹~~

- ~~(1) a person whose appointment to office is subject to approval or advice and consent by the Board at the time when his/her name is submitted to the Board for consideration; and~~
- ~~(2) any other person at the time he/she becomes a Reporting Individual, including Park District Employees who become Reporting Individuals because they are newly hired or are receiving a job or title change.~~

C. 2. Designation of Reporting Individuals.¹²

On or before February 1 of each year, the Chief Administrative Officer ~~Chief Administrative Officer, or his or her designee,~~ of the Park District or their designee shall deliver to the Cook County Clerk ~~appropriate county clerk~~ a certified list, identifying the~~including~~ name, title and address~~title~~, of each Commissioner and Employee designated as a Reporting Individual. In preparing this list, the Chief Administrative Officer or their designee ~~the Chief Administrative Officer, or his or her designee~~ shall set out the names in alphabetical order.

C. 3. Content of Statements.¹³

Statements of Economic ~~Financial~~ Interests pursuant to the Illinois Governmental Ethics Act, as amended from time to time, require certain financial information which may include the following information ~~as summarized below: shall contain the following information:~~

- a. The names and instrument of ownership in any entity doing business with the Park District in which the ownership interest held by the person at the date of filing is in excess of \$5,000 fair market value or from which dividends in excess of \$1,200 were received during the preceding calendar year.

¹⁰ Amended 01/16/2013

¹¹ ~~Amended 1/16/2013~~

¹² Amended 01/16/2013

¹³ Amended 10-08-1991; 01/16/2013

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- b. The nature of any professional, business or other services rendered by the Reporting Individual or ~~their~~ Spouse or by an entity in which either have a Financial Interest from which \$5,000 or more was received in the preceding year for professional services.
- c. The identity of any capital asset in which the Reporting Individual received a capital gain of \$5,000 or more the preceding calendar other than the sale of the Reporting Individual's principal place of residence.
- d. The identity of other units of government besides the Park District which employed the Reporting Individual during the preceding year.
- ~~a.e.~~ The name of any person from which the Reporting Individual received more than \$500 in honoraria during the preceding year.
- ~~b. The name, address, and type of practice of any professional, business or other organization (other than the Park District) or individual professional practice in which the Reporting Individual was an officer, director, associate, partner, proprietor or employee, or served in any advisory capacity, and from which any income in excess of \$1,200 was derived during the preceding calendar year;~~
- ~~b. The nature of any professional, business or other services rendered by the Reporting Individual or by ~~his or her spouse, or by any entity in which the Reporting Individual or his or her spouse~~ has a Financial Interest, and the name and nature of the person or entity (other than the Park District) to whom or to which such services were rendered, if during the preceding calendar year;~~
- ~~(1) compensation in excess of \$5,000 was received for professional services by the Reporting Individual; and~~
- ~~(2) the person was Doing Business with the Park District.~~
- ~~e. The identity of any capital asset, including the address or legal description of real estate, from which the Reporting Individual realized a capital gain of \$5,000 or more in the preceding calendar year other than from the sale of the Reporting Individual's principal place of residence.~~
- ~~d. The name of any unit of government, other than the Park District, which employed the Reporting Individual during the preceding calendar year.~~
- ~~e. The name of any person from whom the Reporting Individual received during the preceding calendar year one or more gifts or honoraria having an aggregate value in excess of \$500, but not including gifts from Relatives.~~
- ~~f. The name of an instrument of ownership in any legal entity conducting business~~

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~~within the geographic boundaries of Chicago, in which the Reporting Individual had a Financial Interest during the preceding calendar year. Ownership interests representing less than five percent of the stock in publicly held corporations need not be disclosed.~~

- ~~g. The identity of any Financial Interest in real estate located within the geographic boundaries of Chicago, other than the principal place of residence of the Reporting Individual, and the address or, if none, the legal description of the real estate, including all forms of direct or indirect ownership such as partnerships or trusts of which the corpus consists primarily of real estate.~~
- ~~h. The name of, and the nature of the Park District action requested by, any entity which has applied to the Park District for a concession or any permit to conduct any business activity during the preceding calendar year, if the Reporting Individual had a Financial Interest in such entity.~~
- ~~i. The name of any person or entity Doing Business with the Park District in relation to which the Reporting Individual had a Financial Interest during the preceding calendar year, and the title or description of any position held by the Reporting Individual in such person or entity.~~
- ~~j. The name and instrument of all debts in excess of \$5,000 owed by the Reporting Individual, as well as the name and instrument of all debts in excess of \$5,000 owed to the Reporting Individual, but only if the creditor or debtor, respectively, or any guarantor of the debt, had done work for or business with the Park District in the preceding calendar year. Debt instruments issued by financial institutions whose normal business includes the making of loans or the kind received by the Reporting Individual, and which are made at the prevailing rate of interest and in accordance with other terms and conditions standard for such loans at the time the debt was contracted need not be disclosed. Debt instruments issued by publicly held corporations, and purchased by the Reporting Individual on the open market at the price available to the public, need not be disclosed.~~

C. 4. **Form for Statements of Financial-Economic Interests.**¹⁴

The Statement of Financial-Economic Interests required to be filed with the Cook County Clerk shall be completed by typewriting, legible hand printing, or in electronic form if available, and shall be verified, dated and signed by the Reporting Individual personally.

C. 5. **Filing of Statements.**¹⁵

Not later than May 1 of each year a statement must be filed by each person whose position at that time subjects him-them to the filing requirements of C.1. unless he-they has-have

¹⁴ Amended 8-8-2012; 1-16-2013

¹⁵ Amended 5-28-1991; 8-8-2012; 1-16-2013

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already filed a statement in relation to the Park District in that calendar year.

C. 6. Failure to File Statement by Deadline.¹⁶

a. Any Reporting Individual who does not comply with the deadlines to file a complete and verified Statement of Economic Interests will be subject to escalating fines as established by State law and/or the Cook County Clerk.

a.b. Any Employee who is designated a Reporting Individual and fails to file a Statement of Economic Interests may be subject to discipline, up to and including termination.

~~Statement of Financial Interests on or before June 15 with the appropriate officer, together with a \$15 late filing fee. Any such person who fails to file by June 15 shall be subject to a penalty of \$100 per day for each day from June 16 to the date of filing, which shall be in addition to the \$15 late filing fee specified above. Failure to file by June 30 shall result in a forfeiture.~~

~~e. All late filing fees and penalties collected pursuant to this Section shall be paid into the General Revenue Fund in the State treasury, if the Secretary of State receives such statement for filing, or into the general fund in the county treasury, if the county clerk receives such a statement for filing. The Attorney General, with respect to the State, and the several State's Attorneys, with respect to the State, and the several State's Attorney, with respect to counties, shall take appropriate action to collect the prescribed penalties. Failure to file a Statement of Financial Interests within the time prescribed shall not result in a fine or ineligibility for, or forfeiture of, office or position of employment, as the case may be; provided that the failure to file results from not being included for notification by the appropriate agency, clerk secretary, officer or unit of government, as the case may be, and that a statement is filed within 30 days of actual notice of the failure to file.~~

¹⁶ Amended 8-8-2012; 1-16-2013

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Section D. - Ethics ~~Officer~~ Advisor¹⁷

D. 1. Ethics ~~Advisor~~ Officer.

There is hereby created and established the position of the Ethics ~~Advisor~~ Officer. The Ethics ~~Advisor~~ Officer shall be appointed by the General Superintendent with the advice and consent of the President of the Board of Commissioners.

D. 2. Powers and Duties.

In addition to the other powers and duties specifically mentioned in this chapter, the Ethics ~~Advisor~~ Officer shall have the following powers and duties:

- a. to receive confidential inquiries and complaints pursuant to the Ethics Code;
- a.b. to consult with ~~Park District~~ Employees ~~and/or~~ Commissioners on matters involving ethical conduct and interpretation of the Ethics Code under specific circumstances;
- b.c. to provide confidential advice in response to inquiries on compliance with the Ethics Code;
- e.d. to recommend such administrative action as ~~he/she~~ they may deem appropriate to effectuate the policy of this chapter;
- d.e. to request the assistance of the General Counsel to conduct research in the field of governmental ethics and to carry out such educational programs as ~~it~~ they deems necessary to effectuate the policy and purpose of this chapter;
- f. to collaborate with and/or refer matters the Office of the Inspector General or other Park District Departments, as necessary, for the investigation of complaints;
- e.g. to prescribe forms for the disclosure and registration of information as provided in this chapter;
- f.h. to prepare ~~and publish, from time to time but at least annually~~ and submit reports to the General Superintendent and the Board which include but are not limited to (i) a summary of the Ethic Advisor's activities; (2) ; the number of ethics inquiries received (iii) any advisory opinions rendered and (iv) any recommendations to strengthen or otherwise revise the Ethics Code. The annual reports shall be made public via the Park District's website after they have been submitted to and reviewed by the General Superintendent and the Board; reports summarizing the Ethics Officer's activities and to present such reports to the General Superintendent

¹⁷ Amended Section 04-06-1990; 01-21-1998; Amendment introduced at 03-15-2023 Board Meeting.

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and the Board President;

- ~~g.i.~~ with the assistance of the General Counsel to render advisory opinions with respect to the provisions of this chapter based on a real or hypothetical set of circumstances as needed but maintaining confidentiality of the identity individuals who have sought opinions or whose conduct is involved in the circumstances described within the opinion; when requested in writing by an Official, Employee or a person who is personally and directly involved. Advisory opinions shall be made available to the public, but the identity of the person requesting the opinion and of any person whose conduct is involved in the set of circumstances described in the request for opinion, shall be confidential; and
- ~~i.~~ to carry out ethics training as described in this Section and any other trainings such investigation of the educational programs as he/she/they deems necessary to effectuate the requirements and purpose of this chapter and to maintain records of these educational activities.

D. 3. Ethics Training.¹⁸

Each Employee and each Commissioner shall complete an annual written ethics training on the requirements of the Ethics Code.

In addition to the regular, annual training, all Commissioners and Employees holding the position of manager and above shall attend a live ethics training, either in-person or via remote means, as soon as is practicable after the effective date of a substantial revision to the Ethics Code, but in no event more than 120 days after, and every four years thereafter. Any new Commissioner or new Employee holding the position of manager and above shall also attend a live ethics training within 45 days of their hire or start date with the Park District.

All other Employees shall, as soon as is practicable within 120 days of the effective date of any substantial revision to the Ethics Code, but in no event more than 120 days after, receive ethics training as deemed necessary by the Ethics Officer depending on the nature of the revision, which is tailored in content and format to their duties and responsibilities for the Park District.

D. 3. ~~Actions on Complaints or Investigations~~¹⁹

- ~~a. The Ethics Officer may utilize the Office of Inspector General to conduct investigations prior to the conclusion of the investigation. The Ethics Officer shall~~

¹⁸ Training section moved from Section B. 15; Amendment introduced at 03-15-2023 Board Meeting.

¹⁹ Amended May 9, 2012

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~~give the person under investigation notice of the substance of the complaint and an opportunity to present such written information as the person may desire, including the names of any witnesses the person wishes to have interviewed by the Ethics Officer. However, the Ethics Officer may so notify the person under investigation sometime after the commencement and prior to the conclusion of such investigation when notice at commencement may interfere with any pending investigation of the Ethics Officer.~~

~~b. — At the conclusion of an investigation, the Ethics Officer shall prepare a written report including a summary of any investigation conducted by the Office of Inspector General, a complete transcript of any proceeding including, but not limited to, any testimony heard by the Ethics Officer, to be duly recorded by a qualified reporter, and including recommendations for such administrative or legal action as it deems appropriate. If the Ethics Officer determines that the complaint is not sustained, he shall so state in his report and so notify the person investigated and any other person whom the Ethics Officer has informed of the investigation.~~

~~(i) — If the person investigated is an Employee and the Ethics Officer finds that corrective action should be taken, the Ethics Officer shall send his/her report to the General Superintendent and the President of the Board.~~

~~(ii) — If the person investigated is a member of the Board and the Ethics Officer finds that corrective action should be taken, the Ethics Officer shall send his/her report to the General Superintendent and the President of the Board.~~

~~(iii) — If the person investigated is the President of the Board and the Ethics Officer finds that corrective action should be taken, the Ethics Officer shall send his/her report to the General Superintendent.~~

~~(iv) — If the person investigated is the General Superintendent and the Ethics Officer finds that corrective action should be taken, the Ethics Officer shall send his/her report to the President of the Board.~~

~~c. — A person to whom the Ethics Officer has transmitted a recommendation for action shall, within 30 days of receipt of the recommendation from the Ethics Officer, detail in writing the actions taken on the recommendation and to the extent that the person declines to take any recommended action, provide a statement of reasons for his/her decision. Nothing in this section shall preclude the Ethics Officer from notifying a person, prior to or during an investigation, that a complaint against him/her is pending and, where appropriate, recommending to him/her corrective action; provided, however, that any such notification and recommendation shall be made in writing and a copy thereof shall be transmitted contemporaneously by the Ethics Officer to the General Superintendent of the Park District.~~

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D. 4. Confidentiality

a. Complaints and inquiries directed to the Ethics ~~Officer~~Advisor, and investigations and recommendations thereon shall be kept confidential by the Ethics ~~Officer~~Advisor, the General Superintendent, and the ~~President of the~~ Board of Commissioners, except as necessary to carry out the powers and duties of the Ethics ~~Officer~~Advisor or to enable another person or agency to consider and act upon the notices and recommendations of the Ethics ~~Officer~~Advisor, provided that, without identifying the person complained against or the specific transaction, the Ethics ~~Officer~~Advisor may:

- (i) comment publicly on the disposition of ~~his/het~~their requests and recommendations; and
- (ii) publish summary opinions to inform Park District personnel and the public about the interpretation of provisions of this chapter.

If it is determined that the Ethics ~~Officer~~Advisor negligently or intentionally has publicly disclosed any information relating to an investigation or findings under this chapter, unless such disclosure is otherwise permitted under this chapter, the General Superintendent with the consent of the President of the Board may remove the Ethics ~~Officer~~Advisor.

b. Any Employee or Commissioner who is found to have publicly disclosed any information relating to an investigation or findings under this chapter, unless such disclosure is otherwise permitted under this chapter, may be subject to sanctions up to and including immediate dismissal or removal.

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Section E. - Penalties for Violation²⁰

E. 1. Sanctions and Fines.

- a. Employees or Commissioners who intentionally violate the provisions of the State Employees Ethics Act related to prohibited political activities and the gift ban are subject to fines and other penalties under the Act.
- b. Employees or Commissioners designated as Reporting Individuals who fail to file a Statement of Economic Interests in a timely manner may be subject to fees and penalties under the Illinois Governmental Ethics Act.
- c. Employees who are determined to have intentionally violated the provisions of this Chapter may be subject to discipline, up to and including termination, subject to the provisions of any applicable collective bargaining agreement.
- d. Employees or Commissioners who are alleged to have violated this Chapter or have information regarding a Park District Contractor's violation of this Chapter may be referred to the Office of the Inspector General and have a duty to cooperate with same in any investigation.
- e. Any Park District Contractor found to have violated any provision of this chapter may be prohibited from entering into any contract with the Park District for one year.
- f. Any person found to have violated any of the provisions of Section F_~~(Lobbyist Registration)~~ of this chapter may be subject to fines under the Lobbyist Registration Act., where no other penalty is specifically provided, shall be subject to a fine of not less than \$500.00 and not more than \$2,000.00.
 - a. Any Employee found to have violated any of the provisions of this chapter, to have furnished false or misleading information to the Ethics Officer with the intent to mislead or to have failed to cooperate in investigations by the Ethics Officer shall be subject to employment sanctions, including discharge, in accordance with procedures under which the employee may otherwise be disciplined. Any Commissioner who intentionally files a false or misleading Statement of Financial Interests, or knowingly fails to file a statement within the time prescribed in this chapter, or otherwise violates any provision of this chapter, shall be subject to removal from office. The sanctions imposed by this subsection shall be in addition to any other applicable penalty.
 - b. Any Employee or Commissioner who intentionally violates any provision of Sections B.2 or B.11 in a manner that would constitute a violation of Section 5-15

²⁰ Amended 4-6-1990;1-21-1998; Amendments introduced at 03-15-2023 Board Meeting.

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~~of the State Officials and Employees Ethics Act if the illegal action were committed by an Employee or Official of the state government is guilty of a Class A misdemeanor as defined in the Illinois Criminal Code. Any person who intentionally violated any provision of Section B.3 is guilty of a business offense as defined in the Illinois Criminal Code.~~

- ~~e. Any Employee or Commissioner who solicits, accepts, offers or makes a gift in a manner that would constitute a violation of Section 10-10 of the State Officials and Employees Ethics Act if the illegal action were committed by or to an Employee or Officer of the state government shall be subject to a fine of not less than \$1,001 and not more than \$5,000.~~
- ~~d. Any person who intentionally makes a false report alleging a violation of any provision of this chapter to the Ethics Officer or any law enforcement official is guilty of a Class A misdemeanor as defined in the Illinois Criminal Code.~~

E. 2. Fines

- ~~d. Any person found to have violated any of the provisions of Section F_ (Lobbyist Registration) of this chapter, where no other penalty is specifically provided, shall be subject to a fine of not less than \$500.00 and not more than \$2,000.00.~~
- ~~b. Any person found to have violated any provision of this chapter, where no other penalty is specifically provided, or of furnishing misleading or incomplete information to the Ethics Officer with the intent to mislead shall be subject to a fine of not more than \$1,000.00 for each offense.~~

E. 3. Voidable Actions:

~~All Park District contracts shall include a provision requiring compliance with this chapter. Any contract negotiated, entered into, or performed in violation of any of the provisions of this chapter shall be voidable at the option of the Park District. Any permit, license, ruling, determination, or other official action of the Park District applied for or in any other manner sought, obtained or undertaken in violation of any of the provisions of this chapter shall be voidable at the option of the Park District.~~

E. 4. Other Remedies:

~~Nothing in this chapter shall preclude the Park District from maintaining an action for an accounting for any economic benefit received by any person in violation of this chapter or other law, or to recover damages for violation of this chapter.~~

E. 5. Relationship to Other Laws:

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~~The procedures and penalties provided in this chapter are supplemental and do not limit either the power of the Board to discipline its own members, or the power to otherwise discipline Park District Employees or to take appropriate administrative action or to adopt more restrictive rules. Nothing in this chapter is intended to repeal or is to be construed as repealing in any way the provisions of any other law or ordinance.~~

E. 6. Access to List of Park District Contractors.

- ~~a. The Director of the Department of Purchasing shall compile a list of all current Park District Contractors. The list shall be updated on a monthly basis and shall be made available to the Ethics Officer, General Superintendent and Board by way of computer network. The list shall be made available to other Employees and to the public by: 1) the provision of a computer terminal that is placed in a readily accessible location; and 2) the provision of a telephone number with which such persons may call with inquiries.~~
- ~~b. There shall be a presumption that any person who reasonably relies on the aforementioned list to comply with this chapter is not in violation of the Policy if the purported violation is related to the identity of any Park District Contractor.~~

E. 7. Severability.

~~If any provision of this chapter or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity does not affect other provisions or applications of this chapter which can be given effect without the invalid application or provision, and to this end each such invalid provision or invalid application of this chapter is severable, unless otherwise provided by this chapter.~~

~~It is hereby declared to be the legislative intent of the Board of Commissioners that this chapter would have been adopted had any such unconstitutional or otherwise invalid provision or application not be included.~~

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Section F. - *Lobbyists* ~~Registration~~²¹

F. 1.- Lobbying the Park District Under the Lobbyist Registration ActInformation Required of Registrants.

The practice of Lobbying and the requirements to be a Lobbyist, which include registration requirements, are found in the Lobbyist Registration Act. The purpose of Lobbyist communications or Lobbying is to influence action by government officials and employees who are responsible for executive, legislative and administrative actions. Such actions include the drafting, development and approval of ordinances, ordinance revisions, Park District code revisions and resolutions. Lobbying communications may also be done to influence the drafting of contract specifications, review of bids and proposals and the approval of Park District contracts, including sales, purchases, permits, sponsorships or leases.

F. 2. Information Required from Lobbyists.

~~Commissioners and Employees and particularly Employees with Contract Management Authority who believe that someone is communicating with them for the purpose of influencing any of the foregoing should determine the following before engaging in such communications: No later than January 20 of each year, or within five business days of engaging in any activity which requires such person to register, every person required to register shall file with the Park District Ethics Officer a sworn written statement on a form prescribed by the Ethics Officer containing the following information:~~

- ~~a. The registrants name, permanent address and temporary address (if any) while lobbying;~~
- ~~b. With respect to each client and each business entity on behalf of which the registrant expects to act as Lobbyist:
 - ~~(1) The name, business address, permanent address and nature of the business of the client or business entity;~~
 - ~~(2) Whether the relationship is expected to involve compensation or expenditures or both; and~~~~

Commissioners and Employees, particularly Employees with Contract Management Authority, who have reason to believe that a person is acting as a Lobbyist and has undertaken to influence legislative or administrative action by the Park District, shall ask the person whether they are registered as a Lobbyist with the State, and shall discontinue conversation on the matter until such time as the person is registered.

²¹ Amendments introduced at 03-15-2023 Board Meeting.

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~~If such registrant is retained by another business entity pursuant to a written agreement of retainer or employment, a copy of such agreement shall be attached. If the agreement of retainer is oral, a written statement of the substance thereof shall be attached.~~

F. 2. — Reports of Lobbying Activities.

~~No later than January 20 and July 20 of each year, each registrant shall file with the Ethics Officer a notarized written report of lobbying activities during the previous six calendar months. The report shall be on a form prescribed by the Ethics Officer and shall contain:~~

- ~~a. — The registrant's name, permanent address, and temporary address (if any) while lobbying;~~
- ~~b. — With respect to each client:
 - ~~(1) The name, business and permanent address and nature of business of the client and of any other business entities on whose behalf lobbying was performed;~~
 - ~~(2) A statement of the amount of compensation received from each client to the nearest \$1,000.00;~~
 - ~~(3) The name of each Park District committee before which the registrant lobbied and a brief description of the legislation or administrative action involved;~~~~
- ~~c. — The total amount of expenditures, outside his own business entity, for lobbying in each of the following categories:
 - ~~(1) Office expenses;~~
 - ~~(2) Public education, advertising and publications;~~
 - ~~(3) Compensation to others;~~
 - ~~(4) Personal sustenance, lodging and travel; and~~
 - ~~(5) Other expenses; provided, however, that each expenditure of \$250.00 or more shall also be itemized by the date of the expenditure, the amount, purpose and beneficiary of the expenditure, the name, address and nature of business of the recipient, and the legislative or administrative action, if any, in connection with which said expenditure was made.~~~~
- ~~d. — An itemized list of every gift given to any Employee or Commissioner of the Park District.~~

F. 3. — Prohibitions.

- ~~a. — Gifts and loans. No Lobbyist shall offer, confer or agree to confer on a Park District~~

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Employee or Commissioner any gift of cash or any loan, including the guarantee or endorsement of a loan.

- b.-** Contingent fees. No person shall retain or employ a Lobbyist for compensation contingent in whole or part upon the approval or disapproval of any legislative or administrative matter, and no person shall accept any such employment or render any service for compensation contingent upon the approval or disapproval of any legislative or administrative matter.

F. 4. ~~Retaining and Employing Lobbyists Who Have Failed to Register~~
Penalty.

~~No person shall retain or employ a Lobbyist who has failed to register as required in this article. Any person who violates this section shall be subject to a fine of \$2,000.00 for each day that the non-registered Lobbyist undertakes to influence legislative or administrative action on behalf of the person who has retained or employed the non-registered Lobbyist.~~

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Section G. - Construction²²

G. 1. Voidable Actions.

All Park District contracts shall include a provision requiring compliance with this chapter. Any contract negotiated, entered into, or performed in violation of any of the provisions of this chapter shall be voidable at the option of the Park District. Any permit, license, ruling, determination, or other official action of the Park District applied for or in any other manner sought, obtained or undertaken in violation of any of the provisions of this chapter shall be voidable at the option of the Park District.

G. 2. Other Remedies.

Nothing in this chapter shall preclude the Park District from maintaining an action for an accounting for any economic benefit received by any person in violation of this chapter or other law, or to recover damages for violation of this chapter.

G. 3. Relationship to Other Laws.

The procedures and penalties provided in this chapter are supplemental and do not limit either the power of the Board to discipline its own members, or the power to otherwise discipline Park District Employees or to take appropriate administrative action or to adopt more restrictive rules. Nothing in this chapter is intended to repeal or is to be construed as repealing in any way the provisions of any other law or ordinance.

G. 4. Severability.

If any provision of this chapter or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity does not affect other provisions or applications of this chapter which can be given effect without the invalid application or provision, and to this end each such invalid provision or invalid application of this chapter is severable, unless otherwise provided by this chapter.

It is hereby declared to be the legislative intent of the Board of Commissioners that this chapter would have been adopted had any such unconstitutional or otherwise invalid provision or application not be included.

²² Provisions moved to new Section G in amendments introduced at 03-15-2023 Board Meeting.