

ORDINANCE NO. 2020-14

AN ORDINANCE AMENDING CHAPTER 54, SECTION 54-101 OF THE CODE OF ORDINANCES OF THE VILLAGE OF STICKNEY, ILLINOIS REGARDING FEES FOR THE USE OF THE STICKNEY VETERANS MEMORIAL PARK PAVILION

WHEREAS, the Village of Stickney (the "Village") is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; and

WHEREAS, the Village President (the "President") and the Board of Trustees of the Village (the "Village Board" and with the President, the "Corporate Authorities") are committed to ensuring the health, safety and welfare of individuals residing in, working in and visiting the Village; and

WHEREAS, the Municipal Code, Village of Stickney, Illinois (the "Village Code") currently sets forth certain regulations regarding the use of the Stickney Veterans Memorial Park Pavilion (the "Pavilion") for special events (the "Existing Regulations"); and

WHEREAS, the Corporate Authorities recognize the need to amend, update and clarify the Existing Regulations from time to time as deemed necessary; and

WHEREAS, the Existing Regulations provide for a partially refundable deposit for permit holders to use the Pavilion; and

WHEREAS, the Corporate Authorities find that it is necessary and in the best interest of the Village to charge a flat fee for use of the Pavilion instead of requiring a partially refundable deposit; and

WHEREAS, based upon the foregoing, the Corporate Authorities have determined that it is in the best interest of the Village and its residents to amend Chapter 54, Section 54-101 of the Village Code as set forth below;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, as follows:

**ARTICLE I.
IN GENERAL**

SECTION 1. INCORPORATION CLAUSE.

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

SECTION 2. PURPOSE.

The purpose of this Ordinance is to amend Chapter 54, Section 54-101 of the Village Code to update, amend, and clarify the Village's Existing Regulations regarding the use of the Stickney Veterans Memorial Park Pavilion and the adjacent park area for special events, and to authorize the President or his designee to take all actions necessary to carry out the intent of this Ordinance.

ARTICLE II.

AMENDMENT OF CHAPTER 54, SECTION 54-101 OF THE MUNICIPAL CODE, VILLAGE OF STICKNEY, ILLINOIS

SECTION 3. AMENDMENT OF CHAPTER 54, SECTION 54-101.

That Chapter 54, Section 54-101 of the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by striking out any language to be removed or repealed and underlining new language as follows:

Sec. 54-101. – Use for special events.

Special events may be held at the Stickney Veterans Memorial Park Pavilion and adjacent park, collectively referred to as the "Facilities" for the purpose of this Section, area upon the granting of a permit by the parks and recreation committee, and in accordance with the requirements set forth in this section.

- (1) A deposit flat fee of \$150.00 is required ~~of which \$25.00 will be refunded after three working days, provided all the conditions of the permit are satisfied.~~ The deposit fee may be in cash or check. ~~If by check, there must be two separate checks of \$25.00 each. One check will be used as rent for the pavilion. The other will be returned if the premise is left in good condition.~~ Facilities rental shall be for residents only and proof of residency must be submitted to the Village in a form acceptable to the Village.
- (2) Any facility used must be left in good and clean condition. ~~Users~~ Permit holders of a facility will be charged for all clean-up, restoration, or other costs incurred by the Village for use of the area against their deposit if the area is not left in satisfactory condition. ~~Users~~ Permit holders will also be charged against their deposit for any destruction of property or broken equipment. ~~If charges exceed deposit, the named permit holder will be responsible for any additional expense.~~ Failure to fulfill all obligations may result in denial of future use of village facilities Facilities by the ~~user~~ permit holder and the Village reserves the right to pursue legal action relate to any damages, restoration or clean-up costs of the facility.
- (3) Permit holder or representative must notify the Stickney Police Department (708-788-2131) upon arrival if the premises is not in good condition and explain what the problem is. The public works department ~~or other available village personnel will endeavor will arrive to~~ make the necessary changes and document the condition of the facility.
- (4) At the end of the day event the police department must be contacted again to insure the premises is left in good condition. Inspection by the public works department is mandatory ~~before the deposit refund of \$25.00 is to be considered.~~ Failure to fulfill all obligations may result in denial of future use of village facilities and the Village reserves the right to pursue legal action relate to any damages, restoration or clean-up costs of the facility.

- (5) If there is a misuse of property or any valid complaints during use by permit holder received by the police department, village officials or fire department, the village reserves the right to terminate the usage of the facility.
- (6) A "disclaimer, hold harmless and indemnity form" must be signed and delivered at the time of issuance of the permit.
- (7) Bands, amplified music, or a disc jockey will be restricted in their operation from 10:00 a.m. until 9:00 p.m. The volume of any music, and/or announcements, must be no louder than is convenient for hearing of the voluntary listeners in attendance or that otherwise violates Section 50-33 (Noise) of the village code.
- (8) Admission fees and/or ticket sales, food and beverage sales are prohibited.
- (9) Applications must be made ~~out~~ five (5) working days in advance of the requested date.
- (10) No intoxicated person shall enter, be or remain in any park or at the Facilities, nor shall any person bring within, sell, give away, or drink any intoxicating liquors in any park or at the Facilities.
- (11) Electrical power, if available, will be supplied by village.
- (12) The village will not supply any tables or chairs; however, the picnic tables in the pavilion may be used.
- (13) The washrooms may be opened, but arrangements must be made in advance with the village public works supervisor.
- (14) Only one user per year, per family or organization shall be allowed for either a Saturday, Sunday, or holiday.
- (15) A waiting list will be established on a first-come, first-served basis when all dates have been reserved, and will be used when a cancellation is received.

SECTION 3.1. OTHER ACTIONS AUTHORIZED.

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendments contemplated by this Ordinance and shall take all action necessary in conformity therewith. The officers, employees and/or agents of the Village are specifically authorized and directed to draft and disseminate any and all necessary forms or notices to be utilized in connection with the intent of this Ordinance.

**ARTICLE III.
HEADINGS, SAVINGS CLAUSES, PUBLICATION,
EFFECTIVE DATE**

SECTION 4. HEADINGS.

The headings of the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

SECTION 5. SEVERABILITY.

The provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable

and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

SECTION 6. SUPERSEDER.

All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

SECTION 7. PUBLICATION.

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall be effective and in full force ten (10) days after its passage, approval and publication in accordance with Illinois law.

PASSED this 21st day of July, 2020.

AYES: Trustees Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres and White

NAYS: None

ABSENT: None

ABSTENTION: None

APPROVED by me this 21st day of July, 2020.

Jeff Walik, President

ATTESTED AND FILED in my
office this 21st day of July, 2020.

Audrey McAdams, Village Clerk