

Chicago Park District Code - Chapter 3

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CHAPTER III. – GOVERNMENTAL ETHICS¹

Purpose²

The Ethics Code sets forth the ethical rules to be followed by Park District Officers, Employees, and persons doing business with or seeking to do business with the Park District. Pursuant to this Chapter, Officers and Employees shall 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 or in accessing Park District property, programs and facilities. In addition, Park District Officers and Employees shall adhere to all applicable laws and regulations that provide equal opportunity for all persons, regardless of race, color, religion, gender, gender identity, gender expression, 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 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.

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

"Compensation" means money, thing of value or other economic benefit received or to 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 after contract execution.

"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.

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

"Financial Interest" means an economic or business interest that is distinguishable from that held by the general public, which includes but is not limited to:

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

² Added 05-10-2022.

³ Amended 05-10-2022.

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- (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 (10) 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 this definition, shall not include:

- a. Any interest of the spouse of an Officer or Employee that 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 one (1) percent 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 on a securities exchange pursuant to the Securities Exchange Act of 1934, as amended;
- c. The authorized compensation paid to an Officer or Employee for their office or employment;
- d. Any economic benefit equally available to the general public;
- 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 of an Officer or Employee.

"Illinois Governmental Ethics Act" means the Illinois Governmental Ethics Act 5 ILCS 420/1 et seq, as amended.

"Immediate Family Member" means spouse, parent, child, grandparent, grandchild, and sibling.

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

"Lobby" and **"lobbying"** have the same meaning as defined in the Lobbyist Registration Act, that is to communicate, including the soliciting of others to communicate, with an Officer or Employee 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 with Officers or Employees for the purpose of influencing decisions on contract specifications, evaluation of bids or proposals and negotiation of 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 and means any person who undertakes to lobby or influence Officers or Employees with responsibility for executive, legislative, or administrative actions.

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

"Officer" means any person appointed to an office of the Park District created pursuant to statute or ordinance, including but not limited to Commissioners.

"Park District Contractor" means any person (including 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 Ethics Act. See also Section B. 13 below.;

"Prohibited Source" has the same meaning as defined in the State Ethics Act 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 relations, education or consulting.

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"Relative" means a person who is related to an Officer or Employee as spouse, domestic partner, partner in a parenting relationship, fiancé or as any of the following, whether by blood or adoption: parent, child, sibling, parent's sibling (aunt/uncle), grandparent's sibling (great aunt/great uncle), first cousin, sibling's child (niece/nephew), grandparent, grandchild, family in-law, stepparent, stepchild, stepsibling, half-sibling, 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. 1.a.

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

"State Ethics Act" or **"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 Standards⁴

B. 1. Appearance of Impropriety; Fiduciary Duty.

Officers and Employees 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.

Officer and Employees shall at all times in the performance of their public duties owe a fiduciary duty to the Park District. Officers and Employees 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 Officer or Employee shall make, participate in making, or in any way attempt to use their position to influence any Park District decision or action in which they know or have reason to know that they have any Financial Interest.
- b. No Officer or Employee, or any person acting at their direction, shall contact either orally or in writing any other Park District Officer or Employee with respect to any matter involving any person with whom the Officer or Employee has a Financial Interest. 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.

B. 3. Gift Ban and Exceptions to Gift Ban..

- a. Except as permitted by the Ethics Act and in this section, no Officer, Employee or their Immediate Family Members 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 Ethics Act or this Ethics Code.
- b. Prohibited Source as defined by the Ethics Act and the Ethics Code 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;

⁴ Amended 4-6-1990; 1-21-1998; 05-10-2022.

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- (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;
 - (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.”
- c.** No person shall give to any Officer or Employee, or their Immediate Family Member an anonymous Gift and none of them shall solicit or accept any anonymous Gift.
- d.** No person shall give or offer a Gift to any Officer, Employee, or their Immediate Family Member and none of them shall accept a Gift or anything of value, based upon any mutual understanding, either explicit or implicit, that the votes, official actions, decisions or judgments of any Officer or Employee, concerning the business of the Park District would be influenced thereby.
- e.** No Officer, Employee, or their Immediate Family Member shall accept any Gift of cash or its equivalent including gift cards and vouchers from a Prohibited Source, regardless of dollar value.
- f.** Employees assigned to the Chicago Park District’s Departments of Purchasing, Revenue, and Human Resources, and their Immediate Family Members shall be prohibited from soliciting or accepting any Gifts from a Prohibited Source, including Park District Contractors (unless the individual who gave the Gift, also at the same time, gave the same or similar Gift to all Employees or other Departments), regardless of dollar value. This total gift ban includes food or refreshments, regardless of the dollar value.

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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 (10 ILCS 5/1 et seq. as amended) 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 or 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 or 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 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 Gift to other Officers or Employees;

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- (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 Officer 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.

- 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.
- i.** Any Officer or Employee who receives any Gift for participating in the course of their public employment in speaking engagements, lectures, debates or organized discussion forums shall report it to the Ethics Advisor within five business days.
- j.** Compensation for services wholly unrelated to the Officer’s or Employee’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 Officer’s or Employee’s non-Park District employment, occupation or profession and while such Officer or Employee is not at work or on duty for the Park District.

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

No Officer, Employee, or their or Immediate Family 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 relating to the responsibilities or duties of such Officer or Employee or concerning the operation or business of the Park District, provided, however, that nothing in this section shall prevent an Officer, Employee, or their Immediate Family Member from accepting compensation for services wholly unrelated to the Officer's or Employee's Park District duties and responsibilities and rendered as part of their non-Park District employment, occupation or profession.

B. 5. Unauthorized Use of Park District Property.

No Park District Officer or Employee shall engage in or permit the use of any Park District property, including, but not limited to grounds, facilities or equipment that is not authorized by the Park District Code.

B. 6. Use or Disclosure of Confidential Information.

No current or former Officer or Employee shall use or disclose, other than in the performance of 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 their relationship, employment or position with the Park District and which is not known or available publicly. Such "confidential information" includes information that may not be obtained pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq., as amended.

B. 7. Conflicts of Interest.

- a. No Officer or Employee shall make or participate in the making of any governmental decision with respect to any matter in which they have a Financial Interest.
- b. Any Commissioner who has a Financial Interest in any 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 of such interest within 72 hours of the introduction of any ordinance, resolution, 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 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.

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- c. Any Employee who has a Financial Interest in a person with a matter with the Park District over which they have Contract Management Authority shall disclose the nature of such interest immediately , to the head of the department, and the Ethics Advisor or, in the case of a department, office, or division head, to the General Superintendent and to the Ethics Advisor. 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 Officer 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) an Officer or Employee, or their agent, partner, associate or affiliate; or (ii) a Relative of the Officer or Employee or (iii) a person that employs or intends to employ any of the above.
- e. Any Officer 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 Officer or Employee is or should be aware of the pendency of the matter.
- f. Any Commissioner who has or obtains a Financial Interest 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.

B. 8. Representation of Other Persons.

- a. No Officer or Employee may represent, or have an Financial Interest in the representation of, any person other than the Park District in any formal or informal proceeding before or after the 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 their employment.
- b. No Officer or Employee shall have any Financial Interest 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

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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 Officer or Employee may represent any person in the circumstances described in subsection (a) or (b) unless the matter is wholly unrelated to the Officer's or Employee's Park District duties and responsibilities.

B. 9. Post-Employment Restrictions.

- a. No former Officer or former Employee shall, for a period of one year after the termination of the Officer's or Employee's term of office or employment, assist or represent any person in any business transaction involving the Park District, if such Officer or Employee participated personally and substantially in the subject matter of the transaction during their term of employment or office; provided, that if the former Employee exercised Contract Management Authority, this prohibition shall be permanent as to that contract.
- b. The provisions of subsection (b) do not apply to any former Officer or former Employee who is acting within the scope of their employment while employed by any other governmental unit.
- 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 a 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.
- 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 Officer or Employee shall have a Financial 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 within the meaning of this section.

B. 11. Prohibited Conduct.

- a. No Officer, Employee, or their Spouse ,or any entity in which such Officer, Employee, or their 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

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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 Officer or Employee or their Spouse is related to the Spouse's independent occupation, profession or employment.

- b.** No Officer or Employee shall knowingly negotiate the possibility of future employment or business with any person, that has a matter currently pending before such Officer or Employee, except with a government agency.
- c.** No Officer or Employee with hiring authority shall advocate for employment, retain or hire as a Park District Employee or Park District Contractor any person with whom the Officer or Employee has a Financial Interest.

B. 12. Nepotism.

- a.** No Officer or Employee shall:
 - (i) employ or advocate for employment of a Relative at the Park District;
 - (ii) employ or advocate for employment at the Park District of an individual in exchange for or in consideration of the employment of a Relative at another organization or company;
 - (iii) directly supervise a Relative in any Park District department over which they exercise authority, supervision or control unless the Relative Employee at the time they join the department is a member of a collective bargaining unit.
- b.** An Officer or Employee does not violate section (a)(iii) above if:
 - (i) the Officer or 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 Officer or Employee 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 Officer or Employee shall not exercise authority, supervision or control over said Relative.
- c.** No Officer or Employee shall exercise Contract Management Authority where any Relative of the Officer or Employee is employed by or has contracts with persons doing Park District work over which the Officer or Employee has or exercises Contract Management Authority if a Relative of the Employee or Commissioner will perform

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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.

- d. No Officer or Employee shall use or permit the use of their position to assist any Relative in securing employment or contracts with persons over whom the Officer or Employee exercises Contract Management Authority. The employment of or contracting with a Relative of such a Park District Officer or Employee 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 Officer or Employee shall intentionally perform any Prohibited Political Activity while performing work for the Park District. No Officer or Employee 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 may 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:
 - (i) Preparing for, organizing, or participating in any political meeting, 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.
 - (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.

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- (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.
 - (viii) Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
 - (ix) Preparing or reviewing responses to candidate questionnaires.
 - (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.
 - (xi) Campaigning for elective office or for or against any referendum question.
 - (xii) Managing or working on a campaign for elective office or for or against any referendum question.
 - (xiii) Serving as a delegate, alternate, or proxy to a political party convention
 - (xiv) Participating in any recount or challenge to the outcome of any election
- c.** At no time shall any Officer or Employee directly or through an agent compel, coerce or intimidate any Park District Contractor, Officer or Employee to engage in Prohibited Political Activities (i) as part of that Officer's or Employee's duties, (ii) as a condition of the contract or employment, or (iii) during any time off including compensated time off (such as holidays, vacation or personal time off), or to make, to refrain from making, to solicit or to refrain from soliciting any political contribution or from receiving a voluntary political contribution. No Officer or Employee shall knowingly solicit or accept political contributions 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 Officer or Employee 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 amended.
- d.** An Officer or Employee 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.

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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. Officers and-Employees shall not engage in any outside employment that conflicts with their duties or the business of the Park District or conflicts with any other provision of this chapter.

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Section C. - Financial Disclosure⁵

C. 1. Statement of Economic Interests.

The Park District complies with the State Ethics Act 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 following persons as referenced in the State Ethics Act or are otherwise designated by this Chapter as “Reporting Individuals”:⁶
 - (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, sponsorship solicitations and leases by and with 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;
 - (5) have authority to issue or promulgate rules and regulations within areas under the authority of the Park District;
 - (6) have supervisory responsibility for 20 or more Employees of the Park District; or

⁵ Amended 05-10-2022.

⁶ Amended 01-16-2013.

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- (7) have direct supervisory authority over, or direct responsibility for the procurement of goods, 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 Interests for the previous calendar year in accordance with the provisions of this section, unless they have already filed a statement in that calendar year.⁷

C. 2. Designation of Reporting Individuals.⁸

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

C. 3. Content of Statements.⁹

Statements of Economic 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:

- 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.
- 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.

⁷ Amended 01-16-2013

⁸ Amended 01-16-2013

⁹ Amended 10-08-1991; 01/16/2013

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- e. The name of any person from which the Reporting Individual received more than \$500 in honoraria during the preceding year.

C. 4. Form for Statements of Economic Interests.¹⁰

The Statement of 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.¹¹

Not later than May 1 of each year a statement must be filed by each person whose position at that time subjects them to the filing requirements of C.1. unless they have already filed a statement in relation to the Park District in that calendar year.

C. 6. Failure to File Statement by Deadline.¹²

- 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.
- 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.

¹⁰ Amended 8-8-2012; 1-16-2013

¹¹ Amended 5-28-1991; 8-8-2012; 1-16-2013

¹² Amended 8-8-2012; 1-16-2013

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Section D. - Ethics Advisor¹³

D. 1. Ethics Advisor.

There is hereby created and established the position of the Ethics Advisor. The Ethics Advisor 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 shall have the following powers and duties:

- a.** to receive confidential inquiries and complaints pursuant to the Ethics Code;
- b.** to consult with Officers and Employees on matters involving ethical conduct and interpretation of the Ethics Code under specific circumstances;
- c.** to provide confidential advice in response to inquiries on compliance with the Ethics Code;
- d.** to recommend such administrative action as they may deem appropriate to effectuate the policy of this chapter;
- 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 they deem necessary to effectuate the policy and purpose of this chapter;
- f.** to collaborate with and/or refer matters to the Office of the Inspector General or other Park District Departments, as necessary, for the investigation of complaints;
- g.** to prescribe forms for the disclosure and registration of information as provided in this chapter;
- h.** to prepare 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;

¹³ Amended 04-06-1990; 01-21-1998; 05-10-2022.

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- 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; and
- j. to carry out ethics training as described in this Section and any other trainings as they deem necessary to effectuate the requirements and purpose of this chapter.

D. 3. Ethics Training.¹⁴

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

In addition to the regular, annual training, all Officers 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 Officer 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. 4. Confidentiality

- a. Complaints and inquiries directed to the Ethics Advisor, and investigations and recommendations thereon shall be kept confidential by the Ethics Advisor, the General Superintendent, and the Board of Commissioners, except as necessary to carry out the powers and duties of the Ethics Advisor or to enable another person or agency to consider and act upon the notices and recommendations of the Ethics Advisor, provided that, without identifying the person complained against or the specific transaction, the Ethics Advisor may:
 - (i) comment publicly on the disposition of their requests and recommendations; and
 - (ii) publish summary opinions to inform Park District Officers, Employees, and the public about the interpretation of provisions of this chapter.

¹⁴ Training section moved from Section B. 15; Amended 05-10-2022.

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If it is determined that the Ethics 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 Advisor.

- b.** Any Officer or Employee 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 Violation¹⁵

E. 1. Sanctions and Fines.

- a.** Officers or Employees 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.** Officers or Employees 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.** Officers or Employees 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 of this chapter may be subject to fines under the Lobbyist Registration Act.

¹⁵ Amended 04-06-1990; 01-21-1998; 05-10-2022.

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Section F. - Lobbyists¹⁶

F. 1. Lobbying the Park District Under the Lobbyist Registration Act.

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.

Officers 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.

F. 3. Prohibitions.

- a. No Lobbyist shall offer, confer or agree to confer on a Park District Officer or Employee any Gift, including the guarantee or endorsement of a loan.
- b. 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.

¹⁶ Amended 05-10-2022.

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Section G. - Construction¹⁷

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.

¹⁷ Moved to new Section G in amendments 05-10-2022.