

## PROHIBITED GIFTS POLICY

TFML Policy No. 13

The Thomas Ford Memorial Library has adopted the Village of Western Springs' Ordinance #99-2089 as its policy prohibiting the solicitation and acceptance of gifts.

### Chapter 14: State Gift Ban Act

#### 13.1 Adoption of Act.

13.11 The State Gift Ban Act (5 ILCS 425 et seq) is hereby adopted as required by Section 83 of the Act (5 ILCS 425/83).

13.12 The solicitation or the acceptance of gifts prohibited to be solicited or accepted under the Act is prohibited by any elected or appointed official or any employee of the Village.

#### 13.2 Ethics Officer.

To the extent authorized by law and to the extent required by Section 35 of the Act (5 ILCS 425/35), The Director of Law Enforcement Services (Police Chief) is appointed to serve as the "ethics officer" of the Village. The ethics officer's duties shall be as provided in Section 35 of the Act.

#### 13.3 Local Ethics Commission: Complaints

13.31 To the extent authorized by law and to the extent required by the Act, the Board of Fire and Police Commissioners is designated to serve as the Local Ethics Commission.

13.32 The Local Ethics Commission shall have the power and duties set forth in Section 55 of the Act.

13.33 To the extent that any of its provisions may be applicable, Section 45 of the Act shall be applicable to the Local Ethics Commission.

13.34 The complaint procedure and the enforcement and penalty provisions of the Act and this Chapter of the Code shall be as provided in Sections 60, 65 and 70 of the Act.

13.4 Future Amendments to State Gift Ban Act.

Any amendment to the State Gift Ban Act (5 ILCS 425/1 et seq.) that becomes effective after the passage of this Chapter of the Code shall be incorporated into this Chapter of the Code by reference and shall be applicable to the solicitation and acceptance of gifts. Any amendment that makes its provisions optional for adoption by municipalities, however, shall not be incorporated into this Chapter of the Code by reference without formal action by the Board.

13.5 Future Declaration of Unconstitutionality of State Gift Ban Act.

13.51 If the Illinois Supreme Court declares the State Gift Ban Act (5 ILCS 425/1 et seq.) unconditional in its entirety, then this Chapter of the Code shall be repealed as of the date that the Supreme Court's decision becomes final and not subject to any further appeals or re-hearings. This Chapter of the Code shall be deemed repealed without further action by the Board if the Act is found unconstitutional by the Illinois Supreme Court.

13.52 If the Illinois Supreme Court declares part of the State Gift Ban Act (5 ILCS 425/1 et seq.) unconstitutional but upholds the constitutionality of the remainder of the Act or does not address the remainder of the Act, then the remainder of the Act as adopted by this Chapter of the Code shall remain in full force and effect; however, that part of this Chapter of the code relating to the part of the Act found unconstitutional shall be deemed repealed without further action by the Board."

This Ordinance shall be in effect upon its passage, approval and publication as provided by law.

**Passed** by the Board of Trustees of the Village of Western Springs, Cook County, Illinois, at a Regular Meeting thereof, held on the 21st day of June, 1999.

Approved: 8/24/99

Reviewed: 8/23/05

Reviewed: 9/23/08

Saranne Milano  
Village President

Jeanine M. Jasica  
Village Clerk