

VILLAGE OF CHAPIN  
ORDINANCE NO. 2016-8

AN ORDINANCE AMENDING ORDINANCE NO. 2009-7 ENTITLED AN  
ORDINANCE ESTABLISHING RULES AND REGULATION  
FOR CHAPIN COMMUNITY PARK

FOR THE  
VILLAGE OF CHAPIN, MORGAN COUNTY, ILLINOIS

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ADOPTED BY THE  
PRESIDENT AND BOARD OF TRUSTEES  
OF THE  
VILLAGE OF CHAPIN, MORGAN, COUNTY, ILLINOIS

THIS 10<sup>th</sup> DAY OF August, 2016

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Published in pamphlet form by authority of the President and Board of Trustees of  
the Village of Chapin, Morgan County, Illinois, this 11<sup>th</sup> day of  
August, 2016.

ORDINANCE NO. 2016-8

**AN ORDINANCE AMENDING ORDINANCE NO. 2009-7 ENTITLED AN  
ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR CHAPIN  
COMMUNITY PARK, VILLAGE OF CHAPIN, MORGAN COUNTY, ILLINOIS**

**WHEREAS**, the corporate authorities find it to be in the best interests of Village residents to amend its rules and regulations for the use and enjoyment of the Village's municipal park, commonly known as *Chapin Community Park*, by providing procedures to prohibit access to the park by individuals based on inappropriate or illegal behavior by individuals while at the park.

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF CHAPIN, MORGAN COUNTY, ILLINOIS, AS FOLLOWS:**

**SECTION 1:** Ordinance 2009-7 entitled, *An Ordinance Establishing Rules and Regulations for Chapin Community Park, Village of Chapin, Morgan County, Illinois*, is amended by the addition of Paragraph P as set forth below.

**P. BARRING/NO TRESPASSING NOTICE.** A single incident or persistent inappropriate behavior(s), illegal activities and/or violations of this ordinance or other local, state and federal laws and/or ordinances may result in the issuance of a Barring/No Trespassing Notice. The result of this issuance will be that the person, adult or juvenile, will be prohibited from entering Chapin Community Park. Violation of this policy may result in an arrest or citation for trespassing. The term of the barring notice will be no less than sixty (60) days and up to two (2) years for the person named in the notice.

The recommendation to bar an individual may be made by any member of the corporate authorities and any member of the Chapin Police Department. The recommendation, which shall be delivered to the Village President or his/her designee, must be in writing and state the name and address of the person sought to be barred along with an explanation of why the person should be barred from the park. The Village President or his/her designee shall decide whether to issue a barring/no trespassing notice, and the term of the notice. Prior to making a final decision, the Village President or his/her designee may conduct an investigation into the matter to the extent he/she deems it appropriate.

A barring/no trespassing notice will be delivered in person or by certified mail, return receipt requested, as well as by first class mail. A notice sent by certified mail, return receipt requested and by first class mail will be deemed received on the third day following the date of mailing. A copy of the notice shall be provided to the Chapin Police Department, the Morgan County Sheriff's Department, and to the Morgan County State's Attorney.

The barring/no trespassing notice shall notify the person that he/she has the right to appeal the barring/no trespass notice to the corporate authorities of the Village. The request for appeal must be in writing and delivered to the office of the Village Clerk, 510 Everett Street, Chapin, Illinois 62628 within ten (10) days of receipt of the notice. The filing of an appeal does not stay the enforcement of the barring/no trespassing notice. If the individual that was barred fails to file a notice of appeal within the period

provided, the barring/no trespassing notice will be final. If an appeal is made, a public hearing before the corporate authorities will be scheduled and notice of the same given to the appellant within thirty (30) days of receipt of the appeal. The notice of the hearing shall state the date, time and location of the hearing. The appellant shall have the burden of proof. If the appellant fails to attend the hearing, the barring/no trespassing notice will be final. The corporate authorities will issue its decision within ten (10) days of the hearing and will deliver it in person or by certified mail, return receipt requested, as well as by first class mail. The decision of the corporate authorities may be appealed to the Circuit Court of Morgan County, Illinois, pursuant to the *Illinois Administrative Review Law*, 735 ILCS 5/3-101 et seq., as amended from time to time.

**SECTION 2:** This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form.

Passed and approved by the President and Board of Trustees of the village of Chapin, Morgan County, Illinois, this 10<sup>th</sup> day of August, 2016.



\_\_\_\_\_  
President

(SEAL)

ATTEST:

  
\_\_\_\_\_  
Village Clerk

Ayes: 4  
Nays: 0  
Absent: 3

STATE OF ILLINOIS     )  
                                  )  
COUNTY OF MORGAN    )

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**PUBLICATION CERTIFICATE**

I, Mary Brockhouse, certify that I am the duly appointed and acting Clerk of the Village of Chapin, Morgan County, Illinois.

I further certify that on the 10<sup>th</sup> day of August, 2016, the President and Board of Trustees of the Village of Chapin, Illinois, passed and approved Ordinance No. 2016-8, entitled:

**AN ORDINANCE AMENDING ORDINANCE NO. 2009-7 ENTITLED AN ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR CHAPIN COMMUNITY PARK**

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2016-8, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the Village Hall, commencing on the 11<sup>th</sup> day of August, 2016, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request in the Office of the Village Clerk.

DATED at Chapin, Illinois, this 11<sup>th</sup> day of August, 2016.

Mary Rae Brockhouse  
Village Clerk

(SEAL)

STATE OF ILLINOIS     )  
                                  )  
COUNTY OF MORGAN    )

SS                    CERTIFICATION

I, Mary Brockhouse, Clerk of the Village of Chapin, Morgan County, Illinois, do hereby certify that attached copy of Ordinance No. 2016-8 is a true and correct copy of an Ordinance passed by the President and Board of Trustees of the Village of Chapin, at a regular meeting of said Village Board held on the 10<sup>th</sup> day of August, 2016, all as the original of the same remains in the official records of my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Village of Chapin, this 10<sup>th</sup> day of August, 2016.

Mary Rae Brockhouse  
Village Clerk

(SEAL)