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VILLAGE OF HARWOOD HEIGHTS  
COOK COUNTY, ILLINOIS

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ORDINANCE NO. 11 - 13

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AN ORDINANCE AUTHORIZING ESTABLISHMENT OF "PAVER BRICK"  
FUNDRAISER AND ESTABLISHMENT OF STANDARDS GOVERNING  
ENGRAVINGS

Passed by the Board of Trustees, May 12, 2011

Printed and Published, May 12, 2011

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By Authority of the Village Board of Trustees

VILLAGE OF HARWOOD HEIGHTS  
COOK COUNTY, ILLINOIS

I hereby certify that this document was  
properly published on the date stated above.

  
Village Clerk

**VILLAGE OF HARWOOD HEIGHTS  
COOK COUNTY, ILLINOIS**

**ORDINANCE NO. 11-13**

**AN ORDINANCE AUTHORIZING ESTABLISHMENT OF “PAVER BRICK”  
FUNDRAISER AND ESTABLISHMENT OF STANDARDS GOVERNING  
ENGRAVINGS**

**WHEREAS**, the Village of Harwood Heights (the “Village”) is an Illinois municipal corporation organized and operating pursuant to authority granted by the Constitution and Laws of the State of Illinois; and

**WHEREAS**, the Village is a home rule unit of government pursuant to Article VII, Section 6 of the Constitution of the State of Illinois of 1970, and may exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, the Corporate Authorities wish to establish a paver brick fundraising program in order to raise funds for public expenditures and provide an outlet for recognition of participating Village residents and businesses in order to encourage civic pride, recognize donations, and commemorate family members and deceased family members of donors; and

**WHEREAS**, the Corporate Authorities finds that the purposes of the paver brick fundraising program as stated herein are best served by limiting the purchase of bricks to Village residents, officers, employees, organizations and businesses; and

**WHEREAS**, the Corporate Authorities find that honoring the donors, and fostering a community spirit is best achieved by limiting inscriptions on the paver bricks

to the donor's name, the names of the donor's family members, living or deceased family members, and the date of the inscription or the date of death; and

**WHEREAS**, the Corporate Authorities have determined to create a limited public forum in the area of the installation of the brick pavers and thereby create a limited exception to the non-public forum status of said property by permitting a specific class of people – Village residents, officers, employees, organizations and businesses - to commemorate or memorialize themselves and family members, living or deceased, by purchasing paver bricks, inscribing the names of the donor and his/her/its family members, living or deceased, and the date of the inscription or the date of death;

**WHEREAS**, the Corporate Authorities expressly declare that the purpose of the paver brick fundraising campaign is not to establish a forum for public or private expressions or debate beyond the subjects enumerated herein, as the Village provides numerous other areas and avenues for expressive speech and general discourse; and

**WHEREAS**, the Corporate Authorities of the Village hereby find it to be in the best interest of the Village to authorize the establishment of a “paver brick” fundraiser, standards governing the inscriptions on said bricks, and procedures for resolving disputes regarding the permissibility of a proposed inscription.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Harwood Heights, County of Cook, Illinois, as follows:

**SECTION 1. Recitals.** The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

**SECTION 2. Title.** This Ordinance shall be known and may hereafter be referred to as the *Paver Brick Fundraiser Ordinance*.

**SECTION 3. Enactment.** The Paver Brick Fundraising Campaign shall be conducted in accordance with the following regulations:

**1. Inscription Standards/Permissible Subject Matter**

The paver brick inscription program is intended solely for Village residents, officers, employees, organizations and businesses and is established for the exclusive purpose of recognizing donors and their families and raising funds. Therefore, the only authorized inscriptions are those that:

A. contain only the name(s) of the donor(s) or family member(s) thereof and the date of the inscription; or

B. commemorate the death of a family member, and in such cases may include the name of the deceased, the words “in memory of,” and the date of death or the inscription.

No inscriptions of any other kind shall be allowed, and no text other than that described shall be permitted on any brick paver. No signs, symbols or logos of any kind are permitted.

**2. Procedures for Review & Approval.**

Following a donor's completion of a Paver Brick Order Form, which shall be available at the Village Hall for the duration of the fundraising campaign, and payment in full for the paver brick, the Village of Harwood Heights will review the content of proposed inscription to verify that it strictly adheres to the standards described in this authorizing ordinance, as follows:

A. All submissions shall be turned over by Village staff to Corporation Counsel for the Village for review within five (5) business days of receipt of the completed order form. No representations shall be made at the time of submission as to whether a proposed inscription is permissible.

B. Corporation Counsel for the Village shall be responsible for reviewing all proposed inscriptions to determine compliance with the Inscription Standards and shall render an initial decision whether to approve or reject the proposed inscription within thirty (30) days of receiving the same.

C. If Corporation Counsel rejects a proposed inscription, Corporation Counsel shall communicate such rejection and the reasons therefore to the donor in writing, together with a return of the donated funds. Such written correspondence shall notify the donor of donor's opportunity to appeal and for such appeal to be heard at a public hearing before the Corporate Authorities of the Village within thirty (30) days of requesting the same in writing.

D. A decision rendered by the majority of the assembled Corporate Authorities at said public hearing shall constitute a final decision of the Village.

E. If Corporation counsel does not reject a proposed inscription within thirty (30) days of receipt of the proposed inscription, such inscription shall be deemed accepted.

**SECTION 4. RESOLUTION OF CONFLICTS.**

All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 5. SAVING CLAUSE.**

If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance, which are hereby declared to be separable.

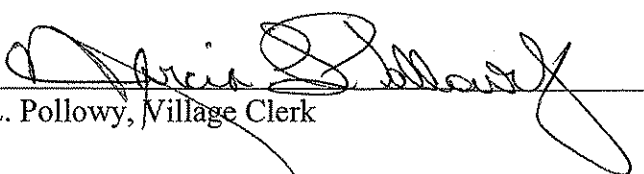
**SECTION 6. EFFECTIVE DATE.**

This Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Passed and Approved this 12th day of May, 2011.

  
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Mayor Arlene Jezierny

ATTEST:

  
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Marcia L. Pollowy, Village Clerk

VOTES

AYES: Trustee Dobrzycki, Gadzinski, Steiner, Mougolias, Schuepfer, Szlendak

NAYS:

ABSENT:

ABSTAIN: