

Chapter 40: RESTRICTIONS ON USE OF CITY OWNED PROPERTY

Section 40-1. Restrictions on Use of City-Owned Property.

No City-owned and controlled parking lot, building (including interior and exterior areas of any parcel upon which a building is located), vacant lot, or park shall be used as a staging area, processing location, or operations base for civil immigration enforcement.

For purposes of this Chapter, "staging area" means an area that is used to assemble, mobilize, and deploy personnel, vehicles, equipment, or materials, for any purpose arising out of or related to civil immigration enforcement operations. For purpose of this Chapter, "City-owned" includes the Phillips Park Family Aquatics Center and affiliated parking spaces.

Sec. 40-2 Scope.

Nothing in this Chapter shall be construed to restrict or interfere with the execution of lawful judicial warrants or the enforcement of criminal law, nor as limiting the rights of any person or entity under applicable law, other than as specifically stated herein. This Chapter does not apply to property that is subject to an existing lease or concession agreement to which the City is a party. This Chapter is not intended to, and shall not be interpreted to, interfere with any such lease or agreement.

Nothing in this Chapter shall be construed to guarantee the safety of any individual, nor shall this Chapter be construed to

1 impose any duty of care, special relationship, or liability on the
2 City of Aurora, its officials, employees, officers or agents.

3 **Sec. 40-3 Documentation.**

4 a. Except as provided in subsection 40-3(b), any City
5 employee, official, or agent who observes the attempted or actual
6 use of a City-owned and controlled parking lot, vacant lot, garage,
7 or other property as a staging area, processing location,
8 operations base, or other support for civil immigration
9 enforcement in violation of this Chapter shall without endangering
10 themselves or others at the time, and/if they are fearful for their
11 safety at the time, as soon as practical, report by name or
12 anonymously to their supervisor, who shall as soon as practical,
13 report to the Mayor's Office or his/her/their designee(s). The
14 Mayor's Office or his/her/their designee(s) is responsible for
15 documenting all attempted or actual violations of this Chapter and
16 creating procedures to comply with the Illinois Accountability
17 Commission as established in Executive Order 25-06.

18 b. The Aurora Police Department shall adopt procedures to
19 document violations of this Chapter when sworn officers on duty
20 observe such violations.

21 **Sec. 40-4 Signage.**

22 a. City departments and agencies shall collaborate to
23 identify City-owned and controlled parking lots, vacant lots,
24 garages, and other City-owned property that could be used as a

1 staging area, processing location, operations base, or other
2 support for civil immigration enforcement.

3 b. City departments and agencies shall ensure that all such
4 properties have clear signage stating: "This property is owned and
5 controlled by the City of Aurora. It may not be used for civil
6 immigration enforcement, including use as a staging area,
7 processing location, or operations base pursuant to Chapter 40 of
8 the Aurora Code."

9 c. Where available and appropriate, city departments may
10 utilize physical barriers such as locked gates to limit access to
11 City-owned and controlled parking lots, vacant lots, garages, or
12 other property consistent with this Chapter and in conjunction
13 with proper signage.