Legislation Details

File #:	15-3813 **Version:** 1	**Name:**	SEAL AMENDMENT
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File created:	6/4/2015	**In control:**	Criminal Justice Committee
On agenda:	6/10/2015	**Final action:**	9/9/2015
Title:	PROPOSED ORDINANCE AMENDMENT		

AMENDING THE COOK COUNTY CODE OF ORDINANCE RELATING TO THE OFFICIAL SEAL OF COOK COUNTY TO PROHIBIT FRAUDULENT AND DECEPTIVE USE BY PRIVATE PERSONS AND ENTITIES

WHEREAS, the County of Cook is a Home Rule Unit of Government pursuant to the 1970 Illinois Constitution, Article VII, Section 6; and,

WHEREAS, pursuant to its home rule power, the County of Cook may exercise any power and perform any function relating to its government and affairs, including the power to regulate for the protection of the public health, safety, morals and welfare; and,

WHEREAS, the official seal of Cook County ("County Seal") is an important symbol of the government of Cook County which is used by Cook County government officials, departments and agencies to convey, and does convey, the official imprimatur of the Cook County government; and

WHEREAS, when members of the public see the County Seal on any communication or object, they are likely to believe, and do reasonably believe, that the person or entity displaying the County Seal is a Cook County government official, department or agency, and that the communication or object has been approved by a Cook County government official, department or agency; and thus the display of the County Seal communicates official approval by Cook County government and an association with official Cook County government business; and

WHEREAS, from time to time, private persons or entities have displayed the County Seal on various communications and objects with the intent and/or the effect of misleading and confusing members of the public into believing that the private person or entity is acting as a representative of the Cook County government and/or acting on official Cook County business; and

WHEREAS, examples of potential fraudulent misuse of the County Seal include, but are not limited to, the use of the County Seal on letters from non-government entities offering property tax appeal assistance under the ruse of gathering sensitive personal financial information and the use of the County Seal by private persons to gain entry to the residences and workplaces of people living and doing business in Cook County under the false pretense of being Cook County government officials or employees; and

WHEREAS, such fraudulent use of the County Seal puts the most vulnerable members of the public at financial and physical risk and creates a public safety danger;

NOW THEREFORE, BE IT ORDAINED, by the Cook County Board of Commissioners, that Part I General Ordinances, Chapter 2 - Administration, Article I - In General, Section 2-1 of the Cook County Code is hereby amended as follows:

Sec. 2-1. - Official Seal.

(a) Establishment and use. The seal hereinafter described, and used with or without colors, shall be and is hereby established, created and declared to be the official seal of the County. For general

use, the plain impression on white containing the figures and symbols hereinafter described shall be sufficient.

(b) Description. The seal shall be circular having within its center an outline of the map of the County across which is a scroll bearing the legend “January, 1831” marking the time the County was created by the State legislature; in the lower left portion of the design there appears an illustration of a ship sailing on Lake Michigan, symbolic of the County’s geographical location, shipping port and, in a broad sense, all forms of transportation; in the upper right portion there appears a group of diversified buildings, symbolical of government, schools, churches, fine arts, dwellings, business and industry; with the entire design being encircled by a border upon which appears the printed words “Seal of Cook County, Illinois.”

(c) Coloration. The colors of the official seal shall be as follows:

(1) The outline map of the County, occupying the central portion of the design, shall be in gold, with its border a thin black line;
(2) The scroll across the face of the map shall be white, bordered by a thin black line, the date within the scroll - “January, 1831” - shall be lettered in maroon;
(3) The sky shall be a light blue, the lake a turquoise green;
(4) The ship shall be in maroon, except for the superstructure, which is white;
(5) The group of diversified buildings shall be maroon;
(6) The broad circular border, encompassing the group of symbols shall be in cobalt (blue), edged on both the inner and outer sides with a fine line of gold;
(7) The lettering - “Seal of Cook County, Illinois” - which appears on the cobalt border, shall be in gold.

(d) No person, as defined by §1-3 of this Chapter of the Cook County Code of Ordinances, shall use or display any image or likeness of the seal described in this section for the purpose of conveying, or in a manner that is reasonably likely to convey, the false impression of endorsement, sponsorship or approval by the government of Cook County or by any official, department, agency or instrumentality thereof. Any person violating this provision shall be ordered to cease and desist in such use and shall be subject to a fine as set forth by the Cook County Board of Commissioners in Chapter 32, section 32-1 of this Code. The determination as to the imposition of penalties under this Section shall be determined in the Cook County Department of Administrative Hearings pursuant to Chapter 2, Article IX, of the Cook County Code of Ordinances. Nothing herein prohibits a duly authorized Cook County official, or a person acting under his or her direction, from using or displaying any image or likeness of the seal described in this section.

(d)(e) Custody. The official seal shall be kept in the custody of the County Clerk to be used by the County Clerk when required.

NOW THEREFORE, BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Part I General Ordinances, Chapter 32 - Fees, Sec. 32-1-Fee Schedule, Chapter 2-Administration, 2.1, of the Cook County Code is hereby amended as follows:

If any person violates this provision, in addition to such other equitable remedies, the penalties shall be:
1. For a first violation, such person shall be subject to a fine of not less than $50 nor more than $250;
2. For any subsequent violation, such person shall be subject to a fine of not less than $250 or nor more than $500.00.

Effective date: This ordinance shall be in effect immediately upon adoption.

Sponsors: JESÚS G. GARCÍA

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
9/9/2015	1	Board of Commissioners	approve as substituted	Pass
7/29/2015	1	Criminal Justice Committee		
7/29/2015	1	Criminal Justice Committee		
7/1/2015	1	Board of Commissioners	defer	Pass
6/30/2015	1	Criminal Justice Committee		
6/10/2015	1	Board of Commissioners	refer	Pass

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