

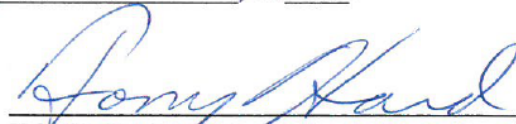
ORDINANCE NO. 902

**ORDINANCE AUTHORIZING**  
**INTERGOVERNMENTAL AGREEMENT**

WHEREAS, it is in the best interests of the City of Nokomis and the Nokomis Community Park District to enter into an agreement to enable the police officers of the City of Nokomis to enforce ordinances of the Nokomis Community Memorial Park District.


BE IT THEREFORE ORDAINED that the Mayor of the City of Nokomis is authorized to enter into an intergovernmental agreement with the Nokomis Community Memorial Park District to enable the police officers of the City of Nokomis to enforce ordinances of the Nokomis Community Memorial Park District.

Passed by a majority vote of the members of the City Council and approved by the Mayor of the City of Nokomis, Illinois on this 13th day of JANUARY, 2003.

  
\_\_\_\_\_  
TONY HARD, Mayor

(CORPORATE SEAL)

Attest:

  
\_\_\_\_\_  
PAM BURDZILAUSKAS, City Clerk

STATE OF ILLINOIS                    )  
  ) SS  
MONTGOMERY COUNTY                )


**CERTIFICATION**

I, PAMELA J. BURDZILAUSKAS, certify that I am the duly appointed and acting City Clerk of the City of Nokomis, Montgomery County, Illinois.

I further certify that on JANUARY 13, 2003 the City Council of such municipality passed and approved Ordinance No. 902 which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 902, including the Ordinance and a cover sheet thereof, was prepared and posted in the Municipal Complex commencing on JANUARY 15, 2003 and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request to the City Clerk.

Dated at Nokomis, Illinois, this 15<sup>th</sup> day of JANUARY, 2003.

  
CITY CLERK

## INTERGOVERNMENTAL AGREEMENT

This Intergovernmental Agreement, entered into this 13<sup>th</sup> day of JANUARY, 2003, by and between the City of Nokomis, a Municipal Corporation (hereinafter "City") and the Board of Commissioners of Nokomis Community Memorial Park District, (hereinafter "Board of Commissioners" or "Park District");

**WITNESSETH:**

**WHEREAS**, the Park district is a body politic.

**WHEREAS**, the Park District has been annexed into the Nokomis City limits, but believes it is in the best interests of the Park District to enable the police officers of the City to enforce ordinances of the Park District also.

**WHEREAS**, both the City of Nokomis and the Park district are units of local government or school district within the meaning of Article VII of the Constitution of the State of Illinois and are authorized to enter into intergovernmental agreements pursuant to Article VII, §10 of said Constitution and the provisions of the Intergovernmental Cooperation Act, 5 ILCS 220/1, *et seq.*; and

**WHEREAS**, the parties deem it in their respective best interests, and in the best interests of the youth and residents of the City and of the Park District, to reach mutually agreeable terms and conditions to reduce the same to writing, as herein below set forth.

**NOW, THEREFORE**, for and in consideration of valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties, and in further consideration of the promises and covenants set forth herein, it is agreed by and between the parties as follows:

1. **Recitals.** The recitals set forth hereinabove are incorporated in this Section as if set forth *in haec verba*.

2. The police officers of the City of Nokomis, Montgomery County, Illinois, are hereby authorized to enforce all ordinances of the Nokomis Community Memorial Park District as fully and completely as if they were the ordinances of the City. Said officers shall likewise enforce all ordinances of the City of Nokomis and Illinois statutes within the NCMPD.

3. **Notices.** Any notices which the parties may desire or be required to serve upon the other shall be deemed served upon the date indicated by postmark of the U.S. Mail, which shall be certified, return receipt requested, postage prepaid, addressed as follows:

Pamela Burdzilauskas, City Clerk  
City of Nokomis  
22 S. Cedar  
Nokomis, IL 62075

Mr. Michael O'Malley, President  
Nokomis Community Memorial Park district  
619 E. Union  
Nokomis, IL 62075

Both Park district and City of Nokomis reserve the right to change their respective addresses for notice purposes by so advising the other party in writing.

4. **Binding Effect.** This Agreement, when fully executed and approved, shall be binding upon and inure to the benefit of the parties hereto, their heirs, administrators, executors, successors and assigns, as the case may be.

5. **Time of Essence.** Time is of the essence in the performance of this Agreement.

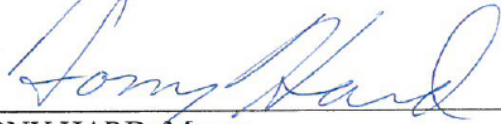
6. **Entirety of Agreement.** This Agreement constitutes the whole and entire agreement by and between the parties. No prior agreement, understanding or course of dealing between the parties constitutes a part of this Agreement unless specifically set forth herein.

7. **Authority.** Each party hereby acknowledges and warrants that it has the full power and

authority necessary to execute this agreement.

**IN WITNESS WHEREOF**, the parties hereto have duly executed this Intergovernmental Agreement as of the date and year first above written.

CITY OF NOKOMIS, a municipal corporation

BY:   
TONY HARD, Mayor


ATTEST:

  
PAMELA BURDZILAUSKAS, City Clerk

NOKOMIS COMMUNITY MEMORIAL  
PARK DISTRICT

BY:   
MICHAEL O'MALLEY, President

ATTEST:

  
JEAN McCALL, Secretary