

AURORA TOWNSHIP
KANE COUNTY, ILLINOIS

ORDINANCE No. 2026-01

**AN ORDINANCE LIMITING USE OF CERTAIN TOWNSHIP OF AURORA
PROPERTY TO THE CONDUCT OF TOWNSHIP BUSINESS AND PROHIBITING
CIVIL IMMIGRATION ENFORCEMENT ACTIVITIES THEREON**

WHEREAS, Aurora Township (“*Township*”) is an Illinois township formed and operating pursuant to the Illinois Township Code (“*Code*”), 60 ILCS 1/1 et seq.; and

WHEREAS, Section 85-10(c) and (f) of the Illinois Township Code, 60 ILCS 1/85-10(c) and (f), authorizes Aurora Township to own and hold real and personal property for public purposes and for use by its residents; and

WHEREAS, Section 85-10(c) and (f) of the Illinois Township Code, 60 ILCS 1/85-10(c) and (f), authorizes Aurora Township to own and hold real and personal property for public purposes and for use by its residents; and

WHEREAS, Township electors have exclusive authority to regulate the use of the Township’s corporate property and have undertaken no actions to authorize the use of Township real or personal property by third parties in furtherance of federal civil immigration enforcement activities; and

WHEREAS, the Township desires to expressly restrict the use of certain Township property and facilities that are not and have never been authorized or customarily used as traditional or designated public forums for public expression, including restricted areas within Township Main Office, Aurora Township Youth & Community Center, and the Aurora Township Highway Department facilities that are reserved for Township personnel, agents, residents, contractors or other invitees, and meeting attendees conducting, engaging with or otherwise furthering Township business and affairs or the dedicated and limited purposes for which any of the foregoing facilities (cumulatively, “Township Buildings”) were established (“Intended Users”), and parking lots and curtilage accessory to the Township Buildings (cumulatively, “Restricted Township Property”); and

WHEREAS, the Township must maintain authority and control over its own resources, property, and personnel; and

WHEREAS, the Township finds that access to Restricted Township Property by non-Intended Users or other persons not engaging in conduct in furtherance of Township business and affairs may have the effect of obstructing, impeding, interfering with, or otherwise being incompatible with the Intended Users and the dedicated purposes to which Restricted Township Property is devoted, thereby compromising accessibility to and the of the Intended Users and intended purposes of Restricted Township Property, including any program, activity, function, meeting, business or special event being conducted thereon; and

WHEREAS, the Township desires to provide clarity regarding permissible uses of Restricted Township Property owned or controlled by the Township in furtherance of Township business purposes; and

WHEREAS, in addition to the general use limitations for Restricted Township Property identified hereinabove, the Township desires to ensure all people in Aurora Township can live with respect, safety, and dignity regardless of immigration or citizenship status; and

WHEREAS, the Illinois TRUST Act, 5 ILCS 805/1, et seq., provides important protections for immigrant communities and prohibits state and local law enforcement from participating in federal immigration operations and limits public agencies cooperating with federal immigration enforcement activities; and

WHEREAS, consistent with the TRUST Act, the Township desires to expressly prohibit the use of Restricted Township Property for federal civil immigration enforcement staging areas, processing locations, or operations bases in order to avoid unauthorized and unintended support for federal civil immigration enforcement operations; and

WHEREAS, use of Restricted Township Property for federal civil immigration enforcement operations would erode trust between Township residents and local law enforcement and thereby compromise public safety and effective community policing; and

WHEREAS, the Township's restrictions on the use of Restricted Township Property set forth herein cannot and are not intended to prohibit federal immigration enforcement personnel from entering upon Restricted Township Property to execute a duly authorized and issued criminal arrest warrant; and

WHEREAS, the Township may nevertheless require in connection with the execution of an arrest warrant on Restricted Township Property that the federal immigration enforcement personnel entering upon Restricted Township Property produce the arrest warrant upon request and identify themselves sufficiently to enable verification that such personnel are authorized to execute the arrest warrant in order to distinguish between bona fide immigration enforcement activities and criminal conduct; and

WHEREAS, the Township of Aurora is committed to ensuring the safety, dignity, and human rights of all residents, regardless of race, religion, immigration status, or national origin; and

WHEREAS, the Supervisor and Township Board (“Corporate Authorities”) are of the opinion that it is in the best interests of the health, welfare and safety of the residents of the Township of Aurora to adopt the policies and procedures as set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees for Aurora Township, Kane County, as follows:

SECTION 1: Incorporation by Reference. The forgoing recitals are hereby incorporated into this Ordinance as findings of the Aurora Township Board of Trustees.

SECTION 2: Policy Adopted. The Township hereby implements the following policies and procedures for all Restricted Township Property:

Limitations on Use of Restricted Township Property

- A. The use of Restricted Township Property as defined hereinabove (whether owned, leased or otherwise under Township Control) shall be limited to conduct in furtherance of the purposes for which such Restricted Township Property was designed and intended, including the conduct of Township business and matters reasonably related thereto.
- B. No Restricted Township Property as defined hereinabove (whether owned, leased or otherwise under Township Control) shall be used as a staging area, processing location, operations base, or other support for federal civil immigration enforcement. Prohibited uses include but are not limited to assembling, mobilizing, or deploying vehicles, equipment, materials, or personnel for the purpose of carrying out federal civil immigration enforcement operations.
- C. Implementation and Enforcement

The Township Ordinance Enforcement Officer, or his or her designee, shall erect or cause signage to be erected in prominent places on Restricted Township Property as defined hereinabove (whether owned, leased or otherwise under Township Control) identifying it as Restricted Township Property that is owned and controlled by the Township of Aurora and is reserved for Township business only. Such signage shall further declare that the Restricted Township Property shall not be used as a staging area, processing location, operations base, or other support for federal civil immigration enforcement. Prohibited uses include but are not limited to assembling, mobilizing, or deploying vehicles, equipment, materials, or personnel for the purpose of carrying out federal civil immigration enforcement operations.

Within 30 days of the adoption of this Resolution, the Ordinance Enforcement Officer shall take such steps as he deems reasonably necessary to implement this Resolution. These implementing procedures shall provide that any Township employee or agent who becomes aware of the attempted or actual use of Restricted Township Property for unintended purposes shall immediately report such activity to the Supervisor or Ordinance Enforcement Officer. Such official shall inform anyone violating the policy set forth herein of such violation and command the cessation of such violation.

SECTION 3: Non-Interference. Nothing in this Resolution shall be construed as restricting or interfering with the execution of lawful judicial warrants or the enforcement of criminal law, nor as limiting the rights of any person or entity under state or federal law.

SECTION 4. Severability. That this ordinance and every provision thereof shall be considered severable. If any word, phrase, clause, sentence, paragraph, provision, section, or part of this ordinance is found to be void, unconstitutional, or otherwise unenforceable, all remaining portions of this ordinance not so declared void, unconstitutional, or unenforceable shall remain in full force and effect.

SECTION 5. Resolution of Conflicts. That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.

SECTION 6. Effective Date. That this ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

Adopted by the Aurora Township Board, Kane County, Illinois on January 8, 2026 by roll-call vote as follows:

AYES: 5

ABSTAIN:

NAYS: 0

ABSENT:


Supervisor

ATTEST:


Clerk

PUBLISHED: _____