



PLEASANT DALE PARK DISTRICT

7425 S Wolf Road

Burr Ridge, IL 60527

SECTION 6.1 GENERAL USE REGULATIONS

Parks and Facilities

Table of Contents

Section 6.1

General Use Regulations

A

Regulations

Section 1

General Provisions

Section 2

Sports and Recreation

Section 3

Public Use; Hours

Section 4

Building, Facility and Field Rentals

Section 5

Reporting of Accidents

B

Offenses Affecting District Functions

C

Picnics

D

Prohibitions Against Activities

Section 1

Abandonment of Property

Section 2

Advertisement, Signs, Peddling, and Solicitation

Section 3

Aircraft/Model Aircraft/Drones

Section 4

Alcoholic Liquors/Intoxication

Section 5

Animals/Protection of Non-Domesticated Animals

Section 6

Assault, Battery, Fighting, and Reckless Conduct

Section 7

Begging

Section 8

Bicycling

Section 9

Boating, Kayaking and Canoeing/Model Watercraft

Section 10

Bribing Employees

Section 11

Camping

Section 12

Commercial Photography

Section 13

Criminal Trespass to Property

Section 14

Damage to District Property

Section 15

Disorderly Conduct

Section 16

District Equipment and Vehicles

Section 17

Drugs/Cannabis/Controlled Substances

Section 18

Dumping, Polluting, and Littering

Section 19

Encroachment on District Property

Section 20

Fires

Section 21

Fireworks

Section 22

Fortune Telling/Gambling

Section 23

Golfing

Section 24

Hindering Employees

Section 25

Hitchhiking

Section 26

Impersonating an Officer

Section 27

Indecent Conduct and Speech

Section 28

Loitering

Section 29	Minors
Section 30	Misappropriation of Property
Section 31	Mob Action
Section 32	Motorized Vehicles
Section 33	Obstructing Travel
Section 34	Plants, Shrubs, or Trees
Section 35	Resisting or Interfering with Officer
Section 36	Restrictions Applicable to Specific Recreational Activities
Section 37	Restrooms, Washrooms, and Locker Rooms
Section 38	Skateboarding
Section 39	Sledding/Snowboarding/Ice Skating
Section 40	Sleeping In or On District Property
Section 41	Smoking, E-Cigarettes, and Chewing Tobacco
Section 42	Sound and Energy Amplification
Section 43	Swimming
Section 44	Theft of Property/Services
Section 45	Throwing Missiles
Section 46	Unauthorized Meetings and Entertainment
Section 47	Unlawful Assemblies
Section 48	Weapons

E Public Assemblies

F Vehicles

G Penalties

Section 6.1 General Use Regulations

A. General Provisions

1.1 Control Over District Property

Control over District property shall be vested in the Board of Commissioners, which has established these regulations, and may establish other rules and regulations from time to time in its sole discretion, as well as penalties for violations thereof.

1.2 Designation and Citation of Regulations

The regulations embraced in the following sections shall constitute and be designated as “The General Us Regulations of the Pleasant Dale Park District” and may be so cited.

1.3 Definitions

When used in these General Use Regulations, the following terms shall have the meanings set forth below:

- “Board” means the Board of Park District Commissioners of the Pleasant Dale Park District.
- “Court” means the Fifth Municipal District Circuit Court, Cook County, which has jurisdiction over District legal disputes.
- “District” means the Pleasant Dale Park District of Cook County, Illinois.
- “District Property” means all of the property, real and personal, of every kind and description located within the jurisdiction of, or owned, administered, leased or licensed by, or otherwise in the possession or under the control of the District, including, without limitation, every building, shelter, street, sidewalk, trail, path, beach, park, playground, minerals, overhead air rights, easements, wilderness or open space, or other structure or public place or facility, and all District waters located on or adjacent to or flowing over property located within the jurisdiction of, or owned, administered, leased or licensed by, or otherwise in the possession or under the control of the District.
- “District Waters” means all water located on or adjacent to or flowing over land located within the jurisdiction of, owned, leased or licensed by, in the possession of, under the control of, or generally administered or operated by the District, including, without limitation, all natural or manmade lakes, rivers, creeks, streams, ponds, and drainage ways.
- “Executive Director” means the Executive Director of the District.
- “Permit” means the written authorization issued by or under the authority of the District, by a District officer or employee empowered to grant said authorization,

to a Person to do or engage in a particular act or acts on District property. Said authorization is subject to the terms and conditions specified in the Permit, as well as these Regulations and any applicable federal, state, local, and/or other District laws, ordinances, rules, and regulations.

- “Person” means any individual, natural person, firm, partnership, association, corporation, company, trust, organization or any other group acting as a unit, or any manager, lessee, agent, servant, partner, member, director, officer or employee of any such group, or any of them, including any executive administrator, treasurer, receiver or other representative appointed according to law. This definition shall not include the District and any authorized officer, employee (full or part-time, regular or short-term), or agent of the District when acting within the scope of his authority.
- “Regulations” means the General Use Regulations of the District approved by the Board and all amendments and supplements thereto.
- “State” means the state of Illinois.

1.4 Rules of Construction and Scope

In interpreting these Regulations, the following rules of construction shall be observed

a. Words and Terms:

And/Or

“And” may be read “or” and “or” may be read “and” if the sense requires it.

Gender

Words in any section importing the masculine gender shall include the feminine and neuter as well as the masculine.

May

The word “may” is permissive and discretionary.

Shall

The word “shall” is mandatory.

Singular/Plural

Any term in the singular shall include the plural.

- b. These Regulations are in addition to and supplemental to all applicable state, federal, local, and District laws, ordinances, rules, and regulations

including without limitation the Park District Code (70 ILCS 1205/1-1 *et seq.*).

- c. The meaning of any term, phrase, or word not otherwise defined in these Regulations shall be construed and interpreted to mean the same as said term, phrase, or word is otherwise defined, construed or interpreted in such applicable federal, state, local, or District laws, ordinances, rules, or regulations. The meaning of any term, phrase, or word not otherwise defined in these Regulations or in such applicable federal, state, local, or District laws, ordinances, rules, or regulations, shall retain its ordinary and properly understood meaning.
- d. An attempt to commit an act or engage in an activity prohibited under these Regulations shall likewise be deemed prohibited in the same manner as the commission of such act or the engaging in such activity and subject to the same penalties.
- e. These Regulations shall apply to and be enforceable within and upon all District property, and shall regulate the use thereof by all Persons. However, no provision hereof shall make unlawful any act necessarily performed by any officer, employee or agent of the District, when acting within the scope of his authority or in his line of duty, or any other Person summoned by such person to assist him.

1.5 Regulations to be Liberally Constructed

All general provisions, terms, phrases and expressions contained in these Regulations shall be liberally construed in order that the true intent of the District may be fully carried out.

1.6 Designations and Headings: Construction

All designations and headings of chapters, articles, divisions and sections are intended only for convenience in arrangement and as mere catchwords to indicate the contents of such chapters, articles, divisions or sections, whether printed in boldface type or italics and shall not affect the meaning of construction, nor be used in the interpretation, or any provision of these Regulations.

1.7 Conflicting Provisions

- a. If the provisions of different chapters, articles, divisions or sections of these Regulations conflict with or contravene each other, the provisions of each chapter, article, division or section shall prevail as to all matters and questions most closely arising out of the subject matter of that chapter, article, division or section.

- b. If clearly conflicting provisions are found in different sections of the same chapter, the provisions of the section last enacted shall prevail unless the construction is inconsistent with the meaning of that chapter.
- c. Notwithstanding the foregoing, in the event of any conflict in the provisions of these Regulations, the more specific or more stringent provision shall govern.

1.8 Amendments and Reference to Regulations

Any additions or amendments to these Regulations, when passed in such form as to indicate the intention of the Board to make the same part of these Regulations, shall be deemed to be incorporated in these Regulations so that a reference to the General Use Regulations of the District shall be understood to include them.

1.9 Severability

It is declared to be the intention of the Board that the sections, subsections, paragraphs, sentences, clauses and words of these Regulations are severable. If any sections, subsections, paragraphs, sentences, clauses or words are declared unconstitutional or otherwise invalid by the lawful judgment or decree of any court or competent jurisdiction, its unconstitutionality or invalidity shall not affect the validity of any of the remaining sections, subsections, paragraphs, sentences, clauses and words of these Regulations, since such remaining sections, subsections, paragraphs, sentences, clauses and words would have been enacted by the Board without and irrespective of any unconstitutional or otherwise invalid section, paragraph, sentence, clause or word being incorporated into these Regulations.

2.1 Games and Sports/Interference with Other Users

- a. No person shall engage in any sport, game, or amusement on District property where prohibited by the District. No Person shall walk, remain, conduct himself or herself, or go upon any portion of District property designated for any particular game, sport, amusement in such a way as to interfere with the use of that portion of District property by Persons who are using the same for the particular sport, game or amusement for which it has been designated. No Person shall engage in any permitted activity in a rough or reckless manner so as to endanger, injure or damage any person or property in any way.
- b. No Person shall unreasonably disturb or interfere with any Person occupying an area or participating in any activity on District property under the authority of a permit.
- c. No Person shall use a golf club, baseball bat, tennis racket, or other device, to strike, hit, propel or otherwise throw any object, such as balls or rocks,

on District property, except in designated areas, and only as such device is intended to be used.

2.2 Use of Play Equipment by Adults Prohibited

No adult Person or physically mature adolescent shall, in any manner, use any of the playground apparatus or devices meant exclusively for the use of children.

2.3 District Athletic Fields

All organized team activities, including, but not limited to games and practices with coach and/or parent present, on any District athletic field must be issued a permit by the Athletic Supervisor.

2.4 Lessons and Instructions

No person may use District property, land or other facilities for private lessons, instructional purposes, or any other services for monetary gain unless they are employees of the District or specifically authorized to do so by the Executive Director, which authorization may be terminated immediately upon verbal notice by the Executive Director.

2.5 Nondiscrimination on District Property

While on District property, land, or facilities, users shall adhere to the nondiscrimination requirements of federal, state, and local laws and regulations. These include but are not limited to the 1964 Civil Rights Act, the Americans with Disabilities Act, and the Illinois Human Rights Act.

3.1 Public Use; Hours

- a. All parks are closed from 10:00pm to 6:30am daily except by permit or during District Special Events. No person shall remain in the park system, sleep in any park, nor place, swing, occupy or use a hammock therein between 10:00pm and 6:30am unless so authorized by the Executive Director.
- b. District building hours of operation will vary depending on the season.
- c. Athletic field lights will be illuminated no later than 11:00pm unless so authorized by the Executive Director.
- d. Special Closings: The District may close one or more parts of District property, including athletic fields, paths, facilities, or any part thereof, to the public at any time and for any interval of time, either temporarily or at regular intervals, and either entirely or only as to certain uses, as deemed advisable and in the best interest of the public and the District.

- e. **Schedules, Fees, Rules, and Regulations:** Time schedules for the operation of, and the activities to be conducted on District property, and the amount of facility permit and program fees may be reviewed and approved periodically by the Board. As permitted by law, fees charged to non-residents of the District need not be the same as fees charged to residents of the District. The Board may otherwise establish policies, rules, and regulations for proper conduct by persons using District property. Specific policies, rules and regulations pertaining to District property and programs may be posted at or on the applicable District property, published in the District's program guide, or otherwise made available to the users of District property, who shall be charged with actual knowledge thereof and shall obey or comply with all such policies, rules, and regulations. All persons shall abide by all District policies, rules and regulations and with the direct orders or requests of employees or agents of the District when using District property.
- f. **Admissions/Identification:** No person shall enter into, or be or remain in or upon District property without paying any required admission fees, without complying with any required registration requirements that may be established by the District, and without displaying any required admission identification. All required admission identification cards, papers and tickets are non-transferable and must be individually registered, unless otherwise specifically noted thereon. A charge may be made by the District for replacing required lost admission identification cards, papers, and tickets.

4.1 Building, Facility, and Field Rentals

This section relates to group and individual use of all District facilities. The "facility" includes indoor and outdoor spaces. Specific policies may be implemented for specific District facilities (baseball fields, tennis courts, building rooms, etc.) and to the extent those policies differ from those contained herein, the specific policies will prevail.

- a. The organization or individual in whose name the facility is being used is responsible to see that all rules and regulations are followed and shall assume liability for all persons associated with their rental.
- b. The organization or individual assumes liability for any damage to the building, grounds or equipment.
- c. The organization or individual shall produce or display a permit or contract when requested to do so by any authorized person for the purpose of enforcing compliance with any federal, state, local, or District law,

ordinance, rule, or regulation, when such permit or contract is required to engage in any activity on District property.

- d. The facility must be left in the same condition in which it was found.
- e. The organization or individual is responsible to see that no member of their group is in possession of or under the influence of illegal drugs or alcoholic beverages.
- f. The organization or individual will not offer or expose for sale any article without written permission from the Executive Director.
- g. The organization or individual will not charge an admission fee, sell tickets or solicit donations at the facility without prior written permission from the Executive Director.
- h. Organizations or individuals will be required to sign a waiver or supply the District with a Certificate of Insurance naming the Pleasant Dale Park District as the Certificate Holder and Additional Insured.
- i. District facilities may be used during non-normal operating hours only by permission of the Board or Executive Director.
- j. Whenever group members are under 18 years of age, adequate adult supervision shall be provided.
- k. Depending on the nature of the event and rental, a security deposit may be required to secure the rental date. The security deposit will be returned in full if the facility has not suffered any damage and does not require excessive clean-up.
- l. The District reserves the right to refuse future rentals to organizations or individuals that do not follow the terms of their contract, instructions, and/or caused damage or excessive clean-up to the facility.

5.1 Reporting of Accidents

Persons involved in an incident on District property resulting in personal injury or property damage, shall report the incident to the District as soon as possible, and to the police within twenty-four (24) hours after the incident.

B. Offenses Affecting District Functions

1.1 Police/Security Force

- a. The Burr Ridge Police Department, Willow Springs Police Department, and the Countryside Police Department, through intergovernmental agreements with the District, have the authority to enforce all federal, state, local, and District laws, rules regulations, and ordinances, including these Regulations on District property. Police personnel shall have the authority to eject from District property, arrest, or issue citations to any person who violates these Regulations or any applicable federal, state, local, and/or other District laws, rules, regulations, or ordinances on District property.
- b. All municipal, county, state and other law enforcement authorities shall also be authorized to enforce these Regulations and all other laws and regulations, including District ordinances, on District property.

1.2 Rules to be Obeyed

No person shall violate or disobey any provision of these Regulations or any other District ordinance, policy, rule or regulation regulating conduct or activities on District property even though the same may not have been posted. No person shall violate or disobey the direction or instructions contained in any notice or sign posted by the District relating to the use of District property, or the directions or instructions of any Burr Ridge, Willow Springs, or Countryside Police Department member or any employee of the District seeking to enforce compliance with these Regulations, or any applicable federal, state, local and/or other District laws, rules, or regulations.

1.3 Parties to Violation of these Regulations

- a. Every person who commits, attempts to commit, conspires to commit, or aids or abets in the commission of any act in violation of these Regulations or other ordinance, rule or regulation of the District, as a principal, agent, or accessory, shall be guilty of such offense, and every person who falsely, fraudulently, forcibly or willfully induces, causes, coerces, requires, permits, or directs another to violate any provision of these Regulations is likewise guilty of such offense.
- b. Any person who is the owner, registered owner, or person in control of any animal, vehicle or other property of any kind brought, placed, parked or allowed to remain on District property in violation of these Regulations or other District ordinance, rule, or regulation, shall be deemed prima facie responsible for such violation and shall be subject to the penalties provided herein.

C. Picnics

1.1 Requirements

- a. Picnics may be held in any unrestricted area on District property not specifically set aside for other recreational activity. A permit is required for group picnics involving ten (10) or more persons. Groups of less than ten (10) persons do not require a permit unless the group desires to reserve a designated area or shelter to the exclusion of others.
- b. No person shall use, infringe upon, or disturb a group in possession of a valid permit for use of District property, except with the permission of the group possessing such permit.

D. Prohibitions Against Activities

1.1 Abandonment of Property

- a. It is unlawful for any person to abandon any personal property on District property, including, but not limited to: cars, boats, appliances, garbage, furniture, or refuse.
- b. Property left unattended for longer than twenty-four (24) hours or unattended property that interferes with any District visitors' safety, orderly management of District property, or presents a threat to District resources may be impounded or removed by the District at any time. The owner of such property shall be responsible and liable for all costs and expenses associated with the impounding, removal, storage, or other disposal of the property.
- c. Any person finding lost or unattended property on District property shall report such finding to the District as soon as is practicable. Whenever a District employee finds lost or unattended property on District property he shall report such findings to the Executive Director. The District will attempt to make every reasonable effort to locate the property's owner(s).
- d. Unattended property that has been impounded or property that has been found shall be stored for a minimum period of thirty (30) days. All property not claimed shall be disposed of as the District deems appropriate.
- e. In addition to all fines and other penalties for violation of this section, the District may remove and destroy such property and assess the costs for such removal to the person abandoning the property.

1.2 Advertisement, Signs, Peddling, and Solicitation

The purpose of this section is to control commercial enterprises or sales on District property and to ensure the public uninterrupted use and enjoyment of District property without being subject to exploitation.

- a. No person shall offer for sale any articles or things, or conduct or solicit any contributions, business, trade, occupation, or profession on District property, unless a permit therefor has first been obtained from the District.
- b. No person shall fix any placard, sign, handbill, pamphlet, circular, or any other writing or printed material or objects containing advertising matter or announcements of any kind whatsoever on any District tree, shrub, post, building, gate, sign, or other District property unless:
 - (1) The Executive Director or his designee has granted permission therefor;
 - (2) The advertising matter provides information about events, activities, programs and facilities sponsored by the District, sponsored by other governmental entities, or special recreation associations of which the District is a member or with which the District has an agreement; or
 - (3) The advertising matter is information displayed or distributed by groups whose purpose is to provide financial or volunteer support for the District and its events, activities, programs, property and facilities.
- c. No person shall distribute, display, post, or fix any sign, handbill, pamphlet, circular or any other writing or printed material or objects within any District building, except in areas expressly designated for such use and except with the permission of the Executive Director or his designee.
- d. No peddler, vendor, or any other person shall engage in any activity upon District property for gain, or for which any charge is made, or in any commercial sale, rental, exhibition, or distribution of goods or services, including, without limitation, the giving of instruction or lessons for a fee, unless such person has first obtained a permit or contract therefor from the District.
- e. No person shall sell printed or written material on District property unless a permit has first been obtained therefor from the District.
- f. No person engaged in the activities described in this section shall obstruct or impede pedestrians or vehicles; harass visitors on District property with physical contact or persistent demands; misrepresent the affiliations of those engaged in such activities; misrepresent what the solicited funds will be

used for or whether the merchandise is available without cost or donation; or interfere with, interrupt, or engage in conduct incompatible with the purpose of any program, activity, function, and/or special event conducted or sponsored by the District.

1.3 Aircraft/Model Aircraft/Drones

- a. No person shall fly, cause to be flown or permit or authorize the flying of aircraft of any kind at any time over District property at an elevation lower than the minimum safety requirements established by the Federal Aviation Administration or other governmental authority, at an elevation which is lower than is reasonably safe under the circumstances, or in a manner which endangers the safety of any person on District property.
- b. No person shall land, cause to be landed, or permit or authorize the landing of any aircraft on District property unless a permit therefor has first been obtained from the District, except when necessitated by unavoidable emergency.
- c. No person shall bring, use, fly, control, operate; cause to be brought, used, flown, controlled or operated; permit or authorize the bringing, use, flying controlling or operating, or otherwise participate in the operation of miniature or motorized or wire-controlled or unmanned aircraft systems including model aircrafts and drones, or rockets on or over District property, unless a permit therefor has first been obtained from the District. For purposes of this section: a) an “unmanned aircraft system” means an unmanned aircraft and its associated elements, including communication links and the components that control the unmanned aircraft, that are required for the safe and efficient operation of the unmanned aircraft in the national airspace system; and b) an “unmanned aircraft” shall mean any aircraft that is operated without the possibility of direct human intervention from within or on the aircraft. Any person authorized to operate an unmanned aircraft system on District property shall comply with all regulations established by the Federal Aviation Administration, the State of Illinois, the District, the local municipality and any other governmental authority having jurisdiction over such use and operation of the unmanned aircraft.
- d. No person shall parachute or otherwise descend from an aircraft into or onto District property or cause, permit or authorize another person to parachute or otherwise descend from any aircraft into or onto District property, unless a permit therefor has first been obtained from the District, except when necessitated by unavoidable emergency.

1.4 Alcoholic Liquors/Intoxication

The following terms shall have the meanings set forth below for purposes of this section:

- “Alcoholic liquor” is as defined in the Illinois Liquor Code, 235 ILCS 5/1-1 *et seq.*
- “Under the influence” means affected by any intoxicating liquor in any determinable manner. A determination of being “under the influence” can be established by a professional opinion, a scientifically valid test, a lay person’s opinion or the statement of a witness.
 - a. No person under the influence of alcoholic liquors shall enter into, be, or remain on District property.
 - b. No person, other than the District or its authorized agents or permittees, shall bring into; possess; consume; use; sell, serve or otherwise transfer; any alcoholic beverages at any time on District property, unless a permit has first been obtained from the District for the event for which alcoholic beverages are to be brought in, sold or served, or unless the event will be sponsored by the District.
 - c. Every person possessing; consuming; using; selling, serving or otherwise transferring alcoholic liquor pursuant to this section shall be subject to and shall comply with these Regulations, and any applicable federal, state, local, and/or other District laws, ordinances, rules, and regulations regarding the possession, use, consumption, or transfer of alcoholic liquor.

1.5 Animals/Protection of Non-Domesticated Animals

There shall be no pets of any kind on District property at any time unless they are part of a District sponsored program or event. Service animals, trained to perform a specific task related to the disability of the service animal’s handler, are permitted in District sites and facilities anywhere a pedestrian may go. See the District’s Service Animal Policy (Section 3.6 of this manual) for additional details.

For purposes of this section “wildlife” means any bird, mammal, reptile, amphibian, fish, or other non-domesticated animal, or the young or eggs thereof.

- a. No person shall bring or release any wildlife onto District property; provided, however, that the District may bring or release, or permit another person to bring or release, such proscribed animals onto District property in conjunction with an activity or event conducted or sponsored by the District, or unless a permit thereof has first been obtained from the District for the ecological re-establishment on District property, in District waters, or at any similar facility maintained by the District.

- b. No person shall feed any wildlife on District property except with the permission of the Executive Director or his designee.
- c. No person shall hunt, pursue, hurt, molest, wound, harm, kill, trap, catch, poison, abuse, chase, shoot, touch, throw or propel objects at, endanger in any way, remove or cause to be removed, treat cruelly, or have in possession, any wildlife on, upon, over, or under District property, unless a permit therefor has first been obtained from the District, provided, however, that fishing is permitted in accordance with Section 1.5 below.
- d. No person shall give or offer any harmful, poisonous, or noxious substance to any wildlife on District property.
- e. No person shall touch, tease, frighten, disturb, or otherwise intentionally interfere with any wildlife while feeding, nesting, breeding, sleeping, resting, flying or engaging in any other activity on, upon, over or under District property, unless a permit thereof has first been obtained from the District.
- f. No person shall molest, touch, throw or propel an object at, destroy, dig up, crush, shake, rob or disturb, in any way tamper with or damage the nest, lair, den, burrow, or home of any wildlife found on, upon, over or under District property.
- g. The District reserves the right to mitigate birds that have become a nuisance to the District or the community.
- h. Fishing
 - (1) No person shall fish in District waters in areas at which the District has posted signage prohibiting such activity.
 - (2) Every person fishing in District waters shall comply with these Regulations, or any applicable federal, state, local, and/or other District laws, ordinances, rules and regulations including, without limitation, conservation laws and licensing requirements.
 - (3) Fishing in District waters shall be conducted by means of a hook and line, with the rod or line being closely attended. No person shall use drugs, poisons, explosives, electricity, or missiles of any kind to fish in District waters.
 - (4) No person shall dig, scratch or otherwise disturb District property in order to locate or take bait.
 - (5) Every person shall carefully and immediately return to the water from which it was taken any fish that does not conform to size or species restrictions imposed by any applicable federal, state, local

or District laws, ordinances, rules, or regulations, or that the person chooses not to keep.

(6) Ice fishing is prohibited on any District waters.

1.6 Assault, Battery, Fighting, and Reckless Conduct

It is the policy of the District to foster an environment that is free from violence. As such, the District has a zero tolerance to violence policy. Violence against any employee, visitor, or patron will not be tolerated.

No person shall knowingly start a fight, engage in a fight, or commit any assault, batter, or reckless conduct on District property.

For purposes of this section:

- a. A person commits an assault when, without lawful authority, he engages in conduct which places another in reasonable apprehension of receiving a battery.
- b. A person commits a battery if he intentionally or knowingly, without legal justification, and by any means: (1) causes bodily harm to an individual; or (2) makes physical contact of an insulting or provoking nature with an individual.
- c. A person commits reckless conduct when he: (1) causes bodily harm to or endangers the bodily state of an individual by any means; or (2) performs recklessly any acts which cause harm or endanger safety, regardless of whether the acts are otherwise lawful or unlawful.

1.7 Begging

No person shall beg or panhandle in District buildings, facilities or playgrounds, or at the entrances or stairways of such buildings, facilities or playgrounds.

No person shall obstruct or impede pedestrians or vehicles; harass park visitors with physical contact or persistent demands; misrepresent his affiliations; interfere, interrupt, or engage in conduct incompatible with the purpose of any program, activity, function, and/or special event conducted, sponsored, licensed or otherwise permitted by the District; or attempt to coerce or intimidate another person into giving money, goods or services.

1.8 Bicycling

The following shall apply to bicycle riders on District property:

- a. When two or more persons in a group are operating bicycles, they shall not ride abreast, but shall ride in single file.

- b. No person shall cling or attach himself or his bicycle to any other moving vehicle.
- c. The operator of a bicycle shall yield the right-of-way to all pedestrians and vehicles approaching on said roadway.
- d. No person operating a bicycle shall carry another person on the same bicycle. This restriction does not apply to tandem bicycles.
- e. No person shall operate a bicycle on District property between thirty (30) minutes after sunset and thirty (30) minutes before sunrise, unless the bicycle is equipped with a clear, white, properly lighted headlight, visible under normal atmospheric conditions from not less than 500 feet and firmly attached to the bicycle, and equipped with a red reflector firmly attached to the bicycle, which is clearly visible in the headlight beam of an automobile for a distance of 500 feet to the rear of the bicycle.
- f. No person shall ride a bicycle on any street or pathway where signs are posted prohibiting riding bicycles on these streets or pathways.
- g. Bicycles shall not, at any time or in any place, be indiscriminately parked by anyone in such manner as to actually or possibly interfere with pedestrians or automobiles. No person shall leave a bicycle lying on the ground or pavement or set against trees, or otherwise in a place other than a bicycle rack when such a rack is provided and there is space available. No person shall move or in any manner interfere with any bicycle that is properly parked, or interfere with or in any manner hinder any person from properly parking a bicycle.
- h. All bicycles, when operated on roadways, shall be kept to the right and shall be operated as nearly as practicable at the right-hand edge of the roadway or sidewalk.
- i. No person shall operate a bicycle faster than is reasonable and proper, and every bicycle shall be operated with reasonable regard for the safety of the rider and of other persons and property.
- j. Every person operating a bicycle shall observe all traffic and Illinois Vehicle Code rules and regulations applicable to motor vehicles under these Regulations, except those provisions of these Regulations which, by their nature, can have no application, and except as otherwise provided by this section.

1.9 Boating, Kayaking and Canoeing/Model Watercraft

- a. No person shall bring into, launch or attempt to launch, use or navigate any boat, kayak, canoe, raft, flotation device, or other vessel in District waters, except from such places as may be designated therefor, and then only in

compliance with these Regulations, and any applicable federal, state, local, and/or other District laws, ordinances, rules and regulations.

- b. All vessels shall be registered with the Illinois Department of Natural Resources according to the Boat Registration and Safety Act, 625 ILCS 45/1-1 *et seq.*
- c. No person shall bring into, use, control or otherwise participate in the operation of miniature or motorized model watercraft on any District waters, except for a District-sponsored event or unless a permit therefor has first been obtained from the District.

1.10 Bribing Employees

No person shall give or offer any money, gift, privilege or article of value to any District employee, officer, or agent in order to violate the provisions of these Regulations or any other District ordinance, contract, permit or statute of the State of Illinois or the United States, or in order to gain or receive special consideration in applying for any use or privilege, or treatment in the use of District property. This section shall apply both on and off District property.

1.11 Camping

No person shall place, erect, or use any hammock, swing, tent, shelter or any other type of camping equipment, or otherwise camp in any manner on District property, unless a permit therefor has been obtained or the camping is directly related to a District sponsored event.

1.12 Commercial Photography

No person shall take or cause to be taken any still or motion pictures, or make sketches or paintings of District property, programs, or events for commercial purposes or for use in commercial advertising, unless a permit therefor has first been obtained from the District.

1.13 Criminal Trespass to Property

No person shall:

- a. Enter or remain in any building or any portion of District property where persons are prohibited by the District from entering by a sign or other notice, including where use is restricted to persons of the opposite sex, except as otherwise specifically provided in these Regulations;
- b. Enter or remain in or on any District property when it is closed to the public;
- c. Climb, walk or sit upon any sign, wall, fence, building, railing or fountain on District property that is not specifically designated or customarily used for such purposes;

- d. Go upon any lawn, grass plot, planted area, tree, shrub, monument, foundation, sculpture or structure where access is prohibited by a sign or other notice, or where access is restricted by a fence or other physical barrier;
- e. Enter any District property that is reserved or scheduled for a specific group or activity, unless such person is invited by the individual or group responsible for such activity, and unless such person has paid any applicable required admission and/or registration fees;
- f. Enter or remain on District property if his admission privileges have been terminated, revoked, forfeited or suspended or if his permit, pass, ticket or membership card for admission to, or use of, the specific District property which he enters has been suspended or revoked.

1.14 Damage to District Property

Unless authorized by a written agreement with the District or unless a permit therefor has first been obtained from the District, no person shall, while in or on District property:

- a. Deface, paint or write on, post or otherwise affix, any printed or written words, symbols, materials, or other marks to, disfigure, break, cut, injure, destroy, tamper with or displace, or remove in or from any District property or building or other part thereof, any table; bench; fireplace; coping; lamp; post; fence; wall; monument; sculpture; bridge; athletic court or field and its related apparatus, washroom, refuse container, exhibit or display, tool or equipment; vehicle; machine; playground structure; paving or paving material; water line or other public utility or parts or appurtenances thereof; sign, notice or placard, whether temporary or permanent; equipment, facilities or other structures; or other District property or appurtenances whatsoever, either real or personal;
- b. Destroy, cut, break, injure, disturb, sever from the ground or remove any sod, soil, earth, rock, stone, timber, wood, material, or growing thing, including, but not limited to, any plant, flower, flower bed, shrub, tree, growth, or any branch, stem, fruit or leaf thereof; or bring into or have in his possession in or on District property any tool or instrument intended to be used for the cutting thereof, or any garden or agricultural implements or tools that could be used for the removal thereof;
- c. Set fire to any trees, shrubs, plants, flowers, grass, plant growth or living timber, or allow any fire upon land to extend onto District property;
- d. Throw, carry, drag, push or deposit in any District waters any refuse container, picnic table, barricade or other movable or unmovable property; or move, stack or hide any such property in such a way as to render it

unavailable to the public for its intended use, cause a hazard to public safety, or damage or destroy such property;

- e. Operate or drive any motor car, automobile or vehicle of any kind in or on District property in places other than roadways or in such a manner as to cause the same to collide with, run against, strike or cause to strike, injure, deface or damage any District property or appurtenance of any kind; or use any wheeled vehicle, including any object or toy that has rotating or rolling wheels or that propels a rider, at any time on any hard surfaced tennis or basketball court, including, but not limited to, bicycles, skateboards, roller skates, roller blades, pedal or push toys, scooters, electric scooters, wagons and remote controlled toys;
- f. Fasten any rope, sign, handbill or other things to any tree or shrub or to any protective device around any tree or shrub growing in or on District property;
- g. Fasten any bicycle, motorcycle, moped, electric scooter, or other vehicle to or leave the same standing so as to injure any tree, shrub, lawn or grass plot;
- h. Deface, destroy, cover or otherwise make unreadable any traffic warning or prohibitory sign or symbol in or on District property;
- i. Mark, carve, bend, cut, paint, deface, break down, destroy, damage, alter, change, sever, uproot, excavate or otherwise remove, or attach or suspend any rope, wire or other material or contrivance to or from any District property;
- j. Fail to maintain District property in a neat and sanitary condition; or
- k. Bring into, throw, cast, drop, deposit, or otherwise leave or lay down any smoke bomb, or other offensive smelling compound on District property.

1.15 Disorderly Conduct

- a. No person shall hinder, interfere with, or cause or threaten to do bodily harm to any employee of the District while such employee is engaged in performing his duties in and on behalf of the District.
- b. No person shall commit any act in such an unreasonable manner as to alarm or disturb another and to provoke a breach of the peace.
- c. No person shall engage in violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance or a breach of peace.
- d. No person shall congregate with other persons on District property with the intent to restrict vehicular or pedestrian traffic or with the intent to restrict

the free ingress to or egress from District property and fails to comply with a lawful order of local law enforcement agencies to disperse.

- e. No person shall commit any other act which may be defined as disorderly conduct under the Illinois Criminal Code, 720 ILCS 5/26-1,2,3, or 4.

1.16 District Equipment and Vehicles

No person shall operate any District equipment or vehicle unless they are a District employee or member of the Board that has been properly trained, or if the person has obtained a permit therefor from the District.

1.17 Drugs/Cannabis/Controlled Substances

For purposes of this section, the following words will have the meanings set forth below:

- “Cannabis” means any substance so defined in the Cannabis Control Act, 720 ILCS 550/1 *et seq.*;
- “Controlled substance” means any substance so defined in the Illinois Controlled Substances Act, 720 ILCS 570/100 *et seq.*;
- “Intoxicating compounds” includes all substances listed in the Use of Intoxicating Compounds Act, 720 ILCS 690/0.01 *et seq.*;
- “Under the influence” means affected by cannabis, any controlled substance, or any intoxicating compound in any determinable manner. A determination of being “under the influence” can be established by a professional opinion, a scientifically valid test, a layperson’s opinion or the statement of a witness.
 - a. Except as provided in 1.17(c), no person shall bring, possess, sell, deliver to another person or use cannabis or any controlled substance upon District property. No person shall produce, plant, cultivate, tend or harvest the cannabis plant on or in connection with any District property.
 - b. Except as provided in 1.17(c), no person under the influence of cannabis, intoxicating compound, controlled substance, or any combination thereof, shall enter into, be, or remain on District property.
 - c. No person shall bring into or possess cannabis upon District property except as permitted for a registered qualifying patient pursuant to the Compassionate Use of Medical Cannabis Program Act (410 ILCS 130/1 *et seq.*). No person shall be under the influence of cannabis while on District property except as permitted for a registered qualifying patient pursuant to the Compassionate Use of Medical Cannabis Program Act.

1.18 Dumping, Polluting, and Littering

- a. No person shall litter, cast, throw, drop, leave, scatter, place, pile, or otherwise dump, or deposit in any manner, any kind of dirt, rubbish, placard, handbill, pamphlet, circular, book, notice, flyer, other promotional material, paper of any kinds, coals, ashes, garbage, waste material, including yard waste and/or tree branches and construction debris, manure, snow, ice, or other substance, whether liquid or solid, or any other refuse in or upon District property, unless a permit therefor has first been obtained from the District; provided, however, that paper, glass, cans, garbage and other refuse resulting from picnics or other lawful use of District property shall be deposited in receptacles provided by the District for that purpose. Where receptacles are not provided, are missing, or are full to capacity, all such garbage, refuse, or other material shall be carried away from the area of use by the person responsible for its creation and presence, and shall be properly disposed of elsewhere.
- b. No person shall use any District trash can, dumpster, or other receptacle for personal disposal.
- c. No person shall use any District waterway, drainage, and/or sewer connection for personal disposal.
- d. No person shall urinate or defecate on District property other than in toilets in restroom facilities expressly provided for such purposes.
- e. No person shall drain refuse from a trailer or other vehicle on District property.
- f. No person shall bathe or wash themselves or food, clothing, dishes, or other property at water outlets, fixtures, pools, or splash pads on District property, except at those areas designated by the District for such use.
- g. No person shall pollute or contaminate District property.
- h. No person shall deposit, dump, throw or place any garbage, refuse, rubbish, construction debris, landscape debris, bottles, cans or other similar containers of any description, or any other liquid or solid that will or may result in the pollution or hindrance of the use of any District waters.
- i. No person shall dispose of fish remains on District property, unless a permit therefor has first been obtained from the District.
- j. No person shall dispose of human or animal waste on District property except at designated locations or in fixtures provided for that purpose.
- k. Any person violating this section shall be assessed the cost of removing any such improperly deposited substance or material, and such charge shall be

in addition to, and not in lieu of, any other penalties provided for in these Regulations, or any applicable federal, state, local, and/or other District laws, ordinances, rules, and regulations.

1.19 Encroachment on District Property

- a. No person shall construct, erect, attach, place, plant, or otherwise locate on District property any improvement, fixture, temporary structure, permanent structure, or plant material, or otherwise encroach upon District property, unless an easement, license, or permit therefor has first been obtained from the District.
- b. Any person who violates Section 1.19(a) of this section shall, at his sole cost and expense, remove any encroachment from District property within thirty (30) days after receiving a written demand from the District.
- c. The District may remove any encroachment(s) from District property and assess the person who violated this section the cost of removing such encroachment(s), and such charge shall be in addition to and not in lieu of any penalties or remedies provided for in these Regulations or other applicable laws.

1.20 Fires

No person shall light, maintain, or make use of any fire on District property, except at such places and at such times as the District may designate for such purpose and under such rules as may be prescribed by the District. In the event the District permits a person to use such a fire, the person shall comply with the following requirements in addition to any other rules as prescribed by the District:

- a. No fire shall ever be left unattended, and every fire shall be under the continuous care and direction of a competent adult from the time it is kindled until the time it is completely extinguished.
- b. All fires must be properly and completely extinguished prior to any person leaving the site of the fire.
- c. Dumping of ashes from grills must be done in District receptacles that are designated for such purpose.
- d. No person shall throw or otherwise discard lighted or smoldering material in any manner that threatens, causes damage to, or results in the burning of District property or other District resources, or creates a safety hazard.

1.21 Fireworks

No person shall offer for sale, expose for sale, sell, possess, use, or explode any firecracker, torpedo, skyrocket, roman candle, bomb, sparkler, rocket, squib or other fireworks of like construction, or anything containing any explosive or

inflammable compound, or any tablets or other device commonly used and sold as fireworks on District property, unless a permit therefor has been first obtained from the District, or unless authorized to do so by contract with the District.

1.22 Fortune Telling/Gambling

No person shall play or engage in selling fortunes or futures, games of chance or in any other device or game of chance, hazard or skill on District property, either as a bookmaker, dealer, player or otherwise, for the purpose of gaming or gambling for money or other valuable things, except at a fair, carnival or other organized event conducted or unless a permit therefor has first been obtained from the District.

1.23 Golfing

No person shall drive, chip, hit, or putt any golf ball within District parks, excluding Flagg Creek Golf Course or during a District sponsored program or event. Swinging of golf clubs or any other golfing activity is strictly prohibited.

1.24 Hindering Employees

No person shall interfere with, unreasonably disrupt, delay, or in any manner hinder any District employee engaged in constructing, repairing or caring for any District property, or the performance of his job duties.

1.25 Hitchhiking

No person shall solicit a ride nor stand in or near a roadway on District property for the purpose of soliciting a ride from the operator of any vehicle.

1.26 Impersonating an Officer

It shall be unlawful for any person to unlawfully represent or impersonate any police officer or official of the District or pretend to be such officer or official.

1.27 Indecent Conduct and Speech

- a. No person shall commit any indecent, lewd or lascivious act on District property, or use abusive, insulting, threatening, indecent, profane, or obscene language, or language calculated to occasion a breach of peace on any District property.
- b. No person shall appear on District property in a state of nudity or make any indecent exposure of his person or be guilty of any other lewd or indecent act or behavior.
- c. No person shall enter or remain in or on any District property unless fully clothed in a manner generally considered to be appropriate for the game, sport, program or activity in which such person is engaged.

- d. No person shall exhibit, sell, or offer to sell or give away any obscene or indecent book, pamphlet, paper, drawing, movie film, video tape, picture, photograph, digital photograph, or any other obscene or indecent article of any kind while on District property. For purposes of this subsection, obscene shall have the meaning ascribed to it in 720 ILCS 5/11-20.

1.28 Loitering

No person shall loiter on District property either alone or in consort with other persons in such a manner that: (1) unreasonably obstructs the usual use of entrances, hallways, corridors, stairways, or rooms designated for specific purposes; (2) impedes or disrupts the performance of official duties by District employees; (3) prevents the general public from obtaining the administrative or recreational services provided on District property in a timely manner; (4) restricts vehicular or pedestrian traffic or restricts free ingress to and egress from District property after being requested to leave, move, or disperse by any employee of the District, or where the District has posted a sign or signs that prohibit loitering.

1.29 Minors

- a. No parent, guardian, or custodian of a minor shall knowingly assist or allow such minor to do any acts on District property in violation of any of these Regulations or any other law, ordinance or rule of the District. A minor is defined herein as any person who is under the age of eighteen (18) years.
- b. The parent or legal guardian or an unemancipated minor who resides with such parent or legal guardian shall be liable for damages caused by the willful or malicious acts of such minor as provided in the Illinois Parental Responsibility Act, 740 ILCS 115/1, *et seq.* This section shall not affect the recovery of damages in any other course of action where the liability of the parent or legal guardian is predicated on a common law basis.

1.30 Misappropriation of Property

- a. No person shall knowingly obtain or exercise unauthorized control over the property of another.
- b. No person shall knowingly obtain by deception control over property of another.
- c. No person shall knowingly obtain by threat control over property of another.
- d. No person shall knowingly obtain control over stolen property knowing the property to have been stolen or under such circumstances as would reasonably induce him to believe that the property was stolen, where he:
 - (1) Intends to deprive the owner permanently of the use or benefit of the property; or,

- (2) Knowingly uses, conceals, or abandons the property in such a manner as to deprive the owner permanently of such use or benefit; or,
- (3) Uses, conceals, or abandons the property knowing such use, concealment, or abandonment probably will deprive the owner permanently of such use or benefit.

1.31 Mob Action

No person shall engage in mob action. Mob action consists of any of the following:

- a. The use of force or violence disturbing the public peace by two (2) or more persons acting together without authority of law; or
- b. The assembly of two (2) or more persons to do an unlawful act; or
- c. The assembly of two (2) or more persons, without authority of law, for the purpose of doing violence to the person or property of anyone supposed to have been guilty of a violation of the law or for the purpose of exercising correctional powers or regulative powers over any person by violence.

1.32 Motorized Vehicles

- a. No person shall operate any motorized vehicle on District pathways and grounds except upon the established roadways, drives, or parking lots unless a permit therefor has first been obtained from the District.
- b. No person shall possess, ride, or operate any mini-bike, electric bike, snowmobile, motor-scooter, electric scooter, snowmobile, ATV, or any other unlicensed motorized vehicle anywhere on District property.

1.33 Obstructing Travel

No person shall set, or cause to be set or placed, any goods, wares, merchandise, or property of any kind so as to obstruct travel on District property.

1.34 Plants, Shrubs, or Trees

No person shall bring into or upon District property any tree, shrub, or plant, or portion thereof that was not purchased by the District for planting or use on District property; provided that any person who has obtained a permit to use District property, or any portion thereof, for an event, may bring plants or flowers onto District property for use only in conjunction with such event.

1.35 Resisting or Interfering with Officer

No person shall:

- a. Resist any police officer in the discharge of said officer's duties;

- b. Interfere in any way with or hinder or prevent a police officer from discharging his duties as such officer, or offer or endeavor to do so;
- c. Assist any person in the custody of any member of the police force, in any manner, to escape or attempt to escape from such custody, or attempt to rescue any person in custody;
- d. Resist any District employee or Board Commissioner in the discharge of his duty or fail or refuse to obey any lawful command of any such District employee or Board Commissioner;
- e. Falsely represent that he is, or otherwise pretend to be, a District officer or employee, a member of the police, or an agent or other representative of the District;
- f. Knowingly display a false, expired or revoked permit, pass or membership card, or give a false report or false information (including, without limitation, information requested in a permit application) for the purpose of misleading a District employee or agent, or a member of the police in the conduct of his official duties.

1.36 Restrictions Applicable to Specific Recreational Activities

- a. **Classes and Camps:** No person shall bring or cause to be brought onto District property any class, play class, day camp, group lesson or similar organized group activity of any kind unless a permit allowing such use or activity has first been obtained from the District.
- b. **Tournaments, Leagues, or other Organized Activities:** No person shall utilize any District property, including without limitation playing fields and other District facilities, for tournaments, leagues, or other organized recreational activities and outings unless a permit allowing such use or activity has first been obtained from the District.
- c. This section does not apply to normal or scheduled District programs or activities. Where a conflict between normal or scheduled District programs or activities and a requested activity occurs, District programs and activities shall take precedence.

1.37 Restrooms, Washrooms, and Locker Rooms

- a. Every person shall cooperate in maintaining restrooms, washrooms and locker rooms in a neat and sanitary condition.
- b. No person shall deposit objects of any kind other than toilet paper in the toilets or plumbing fixtures of a restroom, washroom facility or locker room.
- c. Except as otherwise permitted in this section for children under the age of three (3), no person shall enter into or remain in any restroom, washroom,

or locker room designated for the opposite sex. Children five (5) years of age and under may use restrooms, washrooms and locker rooms designated for the opposite sex when a family facility is unavailable.

- d. No person shall use any camera, cellular phone, video recorder or other device to record or transmit visual image(s) in or from any rest room, washroom or locker room of the District.

1.38 Skateboarding

No person using roller-skates, in-line skates, skateboards, roller-skis, costing vehicles, or similar devices on District property shall interfere with pedestrian use of sidewalks or use of the streets by vehicles, or otherwise act negligently, recklessly or without due caution or in any manner so as to endanger any person or property. No person shall use such devices on any District property not designated or customarily used for such purpose or where such use has been posted as prohibited.

1.39 Sledding/Snowboarding/Ice Skating/Ice Fishing

- a. No person shall ice skate, ice fish, sled, toboggan, inner tube, ski, snowboard, slide, or engage in similar activities on District property except at such times and places as the District may designate for such purposes, and no person shall drive or walk upon any ice over District waters.
- b. No person shall engage in any such activity in a reckless manner that endangers that person or others, or at a speed greater than is safe and proper under the circumstances.
- c. No person shall use any vehicle to tow, push, pull, or otherwise propel another person on skis, sled, or other sliding device on District property.

1.40 Sleeping In or On District Property

- a. No person shall sleep on District property at any time, unless a permit therefor has first been obtained from the District.
- b. No person shall use District property in a manner designed or calculated to act as a substitute for a residence or means of support, including, but not limited to, such uses as sitting or lying down in locations or facilities or on District equipment or fixtures intended for use by the public for picnicking, playing, or similar activities; storage, whether temporary or permanent, of personal belongings not directly related to the intended or designated use of District property, facilities, equipment or fixtures; and use of park space for extended periods of time for purposes other than those intended or designated for the particular District property, facility, equipment or fixtures.

1.41 Smoking, E-Cigarettes, and Chewing Tobacco

No person shall smoke, use, or digest any tobacco products, any product containing cannabis, electronic cigarettes, alternative nicotine product, tobacco accessory, smoking herb, and no person shall chew tobacco in or upon District property or on any property owned leased, managed, used or controlled by the District, including, but not limited to, all buildings, parks, gyms, offices, pools, common areas, open spaces, and parking lots. For purposes of this section, the following shall apply:

- “Alternative nicotine product” means a product or device not consisting of or containing tobacco that provides for the ingestion into the body of nicotine, whether by chewing, smoking, absorbing, dissolving, inhaling, snorting, sniffing, or by any other means.
- “Cannabis” shall be defined as set forth in Section 1-10 of the Cannabis Regulation and Tax Act (410 ILCS 708/1-1, *et seq.*).
- “Electronic cigarette” means: (1) any device that employs a battery or other mechanism to heat a solution or substance to produce a vapor or aerosol intended for inhalation; (2) any cartridge or container of a solution or substance intended to be used with or in the device or to refill the device; or (3) any solution or substance, whether or not it contains nicotine intended for use in the device. Electronic cigarette includes, but is not limited to, any electronic nicotine delivery system, electronic cigar, electronic cigarillo, electronic pipe, electronic hookah, vape pen, or similar product or device, and any components or parts that can be used to build the product or device.
- “Nicotine” means any form of the chemical nicotine, including any salt or complex, regardless of whether the chemical is naturally or synthetically derived.
- “Smokeless tobacco” means any tobacco products that are suitable for dipping or chewing.
- “Smoking” means the carrying, smoking, burning, inhaling, or exhaling of any kind of lighted pipe, cigar, cigarette, hookah, weed, herbs, vapors, or any other lighted smoking equipment, lighting of cigarettes, electronic cigarettes, cigars or pipes, the carrying of lighted cigarettes, electronic cigarettes, cigars or pipes, or the intentional and direct inhalation of smoke from these objects.
- “Smoking herbs” means all substances of plant origin and their derivatives, including but not limited to broom, calea, California poppy, damiana, hops, ginseng, lobelia, jimson weed and other members of the *Datura* genus, passion flower and wild lettuce, which are processed or sold primarily for use as smoking materials.

- “Tobacco accessories” means cigarette papers, pipes, holders of smoking materials of all types, cigarette rolling machines, and other items, designed primarily for the smoking or ingestion of tobacco products or of other substances.
- “Tobacco product” means any product containing or made from tobacco that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff, snus, and any other smokeless tobacco product which contains tobacco that is finely cut, ground, powdered, or lead and intended to be place in the oral cavity. Tobacco product includes any component, part, or accessory of a tobacco product, whether or not sold separately.

1.42 Sound and Energy Amplification

- a. No person shall play or operate any sound amplification devices including public address systems, sound equipment, musical instruments, radios or stereos, noisemakers and the like, or operate any other energy amplification device or musical instrument, unless a permit therefor has first been obtained from the District, and no such Permit shall be issued or maintained where sound produced by such devices is judged by the District to be a public annoyance. This section shall not apply to the playing of any musical instrument, public speaking, or the amplification thereof, in conjunction with activities conducted, sponsored or licensed by the District.
- b. No person shall make or cause to be made any excessively loud or unreasonable noise, which disturbs the peace. For purposes of this subsection, excessively loud or unreasonable noise is defined as noise inconsistent with or not reasonably attendant to appropriate and customary activities on District property, considering the nature and purpose of the actor’s conduct, location, time of day or night, and other factors that would govern the conduct of a reasonably prudent person under the circumstances.

1.43 Swimming

No person shall bathe, swim, wade, float, splash, or otherwise enter District waters other than at District splash pad.

1.44 Theft of Property/Services

No person shall remove, without the permission of the Executive Director or his designee, any furniture, equipment, materials, landscaping, tree, rock, soil, or other property from any District property. Nonpayment of any fee or charge required to be paid to the District for use of any property, facility, program, or class of the District for services rendered is prohibited. No person shall transfer, misuse, or tamper with any District authorized identification, pass, gift certificate or document issued by the District.

1.45 Throwing Missiles

No person shall throw or cast any stones or other missiles on District property, except where such throwing or casting is involved in a recognized game or recreational activity, and then only upon such portions of District property as may be designated for such purpose.

1.46 Unauthorized Meetings and Entertainment

Other than the Board of Commissioners, and groups or committees authorized by the District, no person shall call or hold any meeting or give any concert of public entertainment of any kind on District property unless a permit therefor has first been obtained from the District.

1.47 Unlawful Assemblies

It shall be unlawful to collect, gather or be a member of any disorderly crowd, or any crowd gathered together for any unlawful purpose, or for any person to join in or stay with or near any such gathering.

1.48 Weapons

- a. Except for persons licensed to carry a concealed firearm under the Illinois Firearm Concealed Carry Law ("Licensee"), and who are using a trail or bikeway only a portion of which includes a public park, no person other than police officers shall bring, attempt to bring, carry, or use in any way, any gun, pistol or other firearm, or any portion thereof, upon District property. Except for a Licensee, no person shall have in any vehicle on District property a concealed firearm. A Licensee may carry a concealed firearm on or about his person within a vehicle into a parking area on District property and may store a concealed firearm or ammunition concealed in a case within a locked vehicle or locked container out of plain view within the vehicle in the parking area. A Licensee may carry a concealed firearm in the immediate area surrounding his vehicle within a parking lot area on District property only for the limited purpose of storing or retrieving a concealed firearm within the vehicle's trunk. The term "case" as used above includes a glove compartment or console that completely encloses the concealed firearm or ammunition, the trunk of the vehicle, or a firearm carrying box, shipping box, or other container.
- b. No person shall bring, attempt to bring, carry, or have in his vehicle, or use in any way, any knife having a blade longer than three (3) inches, any air gun, pellet gun, paint-ball gun, or sling shot on District property.
- c. No person shall bring, attempt to bring, carry, have in his vehicle, or use in any way, any explosives, ammunition, or bottles of gasoline with a rag attached.

- d. No person shall bring, attempt to bring, carry or use in any way, any bow or arrow upon District property, except with the permission of the Executive Director or his designee as part of a directly supervised District program.
- e. No person shall use or explode any toy pistol, toy cannon, toy cane, or toy gun in which explosives are used, or use or explode any blank cartridge on District property, except that starter pistols may be used for sporting or athletic events authorized by the District.
- f. No person, while on District property, shall use; bring onto; carry; have in his possession or on or about his person, concealed or otherwise; fire, set off or otherwise cause to explode, discharge or burn; or throw any bludgeon, black-jack, billy-club, sand-club, sand-bag, metal knuckles, throwing star, switchblade knife, ballistic knife, any other dangerous knife (including without limitation, a dirk, dagger, or stiletto), razor, broken bottle or other dangerous piece of glass, liquid or gaseous substance, or any other object not specifically named herein whose intended use is as a weapon.

E. Public Assemblies

1.1 Definitions

The following words, terms, and phrases, and their derivations, when used in this subsection, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

- “Attendee” means a person attending an activity that is not affiliated with an organizing party, and is simply present to view, listen or interact with participants.
- “Board of Commissioners” means the Board of Park Commissioners of the Pleasant Dale Park District.
- “Executive Director” means the Executive Director of the Pleasant Dale Park District.
- “President” means the President of the Board of Park Commissioners of the Pleasant Dale Park District or his/her designee.
- “Organizer” means any person organizing, promoting or conducting an activity, either individually or on behalf of, or with the sponsorship of, another person.
- “Organizing party” means any organizer, the person on whose behalf the organizer is acting, and/or any sponsoring organization.
- “Participant” means an organizing party, its officers, employees and agents, and any other person participating in an activity and subject to or under the influence, direction or control of an organizing party.

- “Person” means any individual, corporation, company partnership, group, association, organization, unit of government, or other entity, whether for-profit or not-for-profit.
- “Planned public assembly” means a public assembly organized and conducted in response to some news, event, and/or activity coming into public knowledge more than seventy-two (72) hours prior to such public assembly.
- “Public assembly” means an organized gathering of two (2) or more persons on public property attempting to draw the attention of the public for the purpose of influencing, educating, or enlisting support for or against, a religion, philosophy, ideology, person, political party, issue, candidate, use, practice, idea, event, activity or other thing, having no specific or direct relationship or significance to the location of the activity.
- “Sponsoring organization” means any person supplying persons, equipment, materials, goods, funding, services, or other things to an organizer, the person on whose behalf the organizer acts, or participates, in assistance or in furtherance of an activity.
- “Spontaneous public assembly” means a public assembly organized and conducted in response to some news, event, and/or activity coming into public knowledge less than seventy-two (72) hours prior to such public assembly.

1.2 **Generally**

- a. Public assemblies in or upon property owned by the District constituting a traditional public forum or a designated public forum shall be authorized as provided in this subsection. Public assemblies in or upon property owned by the District constituting a nonpublic forum shall be prohibited.
- b. The following District-owned property, or specific areas thereof shall constitute designated public forums:
 1. A meeting room in which an open meeting is being conducted by the District; and,
 2. An accessory walkway used for public access to a building in which an open meeting is being conducted by the District.

1.3 **Scheduling**

Public assemblies in or upon a traditional public forum shall be authorized at such times as the location is open for use to the general public, but only to the extent there is no conflict with another public assembly or other prescheduled activity, event, or use at the selected location. Public assemblies in or upon a designated public forum shall be authorized at times as designated by the District.

1.4 Permit Required

No person shall organize, conduct or participate in a public assembly in or upon property owned by the District, which is reasonably anticipated by the organizer to include fifty (50) or more participants without a permit.

1.5 Permit Expiration

A permit for a public assembly shall be valid for no longer than the date and time period specified on the permit. No permit shall be issued for a period in excess of two (2) consecutive days.

1.6 Exemptions

No permit shall be required for any person to organize, conduct or participate in a:

- a. Spontaneous public assembly in or upon a traditional public forum;
- b. In a planned public assembly in or upon a traditional public forum, which the organizer reasonably anticipates will include less than fifty (50) participants; or,
- c. In a public assembly in a designated public forum.

Public assemblies otherwise exempt from the permit requirements of this subsection shall be governed by all other time, place and manner regulations set forth herein.

1.7 General Standards for Public Assemblies

- a. The use of any bullhorn, radio, or other sound amplification shall be limited to outdoor fora. Any such device shall be capable of being carried to and from the public assembly location by a single person on foot. Such devices shall not be dependent on District-supplied auxiliary power for operation and shall comply with all other Regulations within this manual.
- b. Except in areas designated for vehicular use by the general public, the operation of a vehicle or other motorized device (excluding motorized devices permitted for use under the law due to special circumstances) on or through District property shall be prohibited.
- c. To the greatest extent possible, participants traveling to and from a public assembly location shall do so uniformly, grouped within a single mass, using improved walkways and sidewalks, and shall otherwise proceed in a reasonably safe and expeditious manner. To the extent streets must be crossed, participants shall yield to cross-traffic of motor vehicles until such time as motor vehicle traffic will allow for the safe passage of participants through the intersection. No participant shall approach a motor vehicle that is moving, nor shall he make physical contact with a motor vehicle without the driver's permission.

- d. During the public assembly, all participants shall remain on the route and/or at the location selected by or given to the organizer. Public assemblies having movement shall proceed uniformly, and shall remain grouped within a single mass, using improved walkways and sidewalks to the greatest extent possible.
- e. Participants of a public assembly shall not physically or unreasonably interfere with another activity, event, or use taking place or ongoing at the general location at which the public assembly is to occur.
- f. All participants of a public assembly shall be governed by and comply with federal, state, and local laws, as well as the rules, regulations and policies of the District.
- g. No participant of a public assembly shall build, erect, affix, or otherwise attach any item or structure to District property so as to cause damage thereto, or in such a location as would impede pedestrian or vehicle travel.
- h. All participants shall, and the organizer shall be responsible for ensuring, the locations affected by a public assembly remain clean, free of litter and damage, and otherwise in their pre-assembly state.
- i. The organizer of the public assembly, or his designee, shall at all times maintain a physical presence at the public assembly, and shall be visible and available to be contacted by District officials at all times. Any such person shall be deemed to have authority to act on behalf of the organizer.

1.8 Standards for Designated Public Forums

- a. Activities in meeting rooms in which an open meeting is being conducted by the District are limited to such dates on which the meeting is scheduled, and at such times as the chairperson shall open the meeting to public participation or otherwise recognize the speaker. All persons engaged in such activities shall be subject to such ordinances, policies and rules governing participation as adopted by the public body conducting business therein, including limits on time, relevancy, and standards of decorum.
- b. Activities on or upon any accessory walkway used for public access to a building in which an open meeting is being conducted by a public body are limited to such dates on which the meeting is scheduled, and no sooner than one (1) hour before nor later than one (1) hour after said meeting. No person shall engage in such activities on an accessory walkway within ten (10) feet of any public entrance/exit to/from said building, or so as to unreasonably impede or block pedestrian access to or from said building. Nothing herein shall prevent any person from approaching another person on said accessory walkway within said zone with permission.

1.9 Permit Application

Any person required to obtain a permit before organizing, conducting, or participating in a public assembly shall file the following with the Executive Director:

- a. An application in writing, on a form to be furnished by the District, which shall consist of the following information:
 1. Name, address, age and telephone number of the applicant (and, at the option of applicant, an email address and/or fax number), which shall be confirmed through the applicant's driver's license, state identification card or other legally recognized form of identification;
 2. If applicant is acting on behalf of another person, the name, address and telephone number of the said person (and, at the option of applicant an email address and/or fax number);
 3. Name, address, and telephone number of any sponsoring organizations;
 4. A notarized statement from the principal of each organizing party authorizing applicant to act on the organizing party's behalf and to execute such documents on their behalf as may be required under this subsection;
 5. The applicant's primary and secondary choices for the date and location of the public assembly;
 6. If any paths or walkways are to be used for the public assembly, the applicant's first and second choices for the route of travel;
 7. An approximate number of participants;
 8. The approximate time of commencement and conclusion of the public assembly;
 9. A statement as to whether or not the applicant, or the person on whose behalf the applicant is acting, or any sponsoring organization, has been convicted of or pleaded guilty to a felony or misdemeanor, the nature of the offense, and the date of the conviction or plea;
 10. A statement as to whether the applicant, the person on whose behalf the applicant is acting, or any sponsoring organization has had a permit denied, suspended or revoked for noncompliance with this subsection in the past;
 11. The number of persons, along with their names, addresses, and telephone numbers, to be charged with clean-up, and any equipment

furnished for said activity, which shall be no less than 4 persons per 50 participants; and,

12. A statement from the applicant acknowledging the organizing parties' responsibility for expenses that may be assessed pursuant to Sections 1.15 and 1.16.
- b. A non-refundable application processing fee in the amount of \$25.00 for each public assembly;
 - c. Proof of security, at applicant's own expense, through the following means:
 1. An executed letter from applicant, under oath, agreeing that organizing parties (to be named specifically) will defend, indemnify and hold harmless the District, its officers, employees and agents ("Park District Parties"), against, and to protect, save and keep harmless from, and to pay on behalf of or reimburse as and when incurred, any and all liabilities, obligations, losses, damages, penalties, demands, claims, actions, suits, judgments, settlements, costs, expenses and disbursements (including reasonable attorney's fees) ("Claim") of whatever kind and nature, including personal injury, death and property damage, including damage or destruction of real and personal property owned by the District, incurred by any person, related to the negligence or intentional acts or omissions of the organizing parties, their officers, employees, agents, and any participants during the public assembly. The letter must contain a clause that the obligation to indemnify and hold harmless Park District Parties will survive the termination or expiration of the permit; and,
 2. A certificate of insurance in the amount of \$1,000,000.00 worth of General Liability coverage, for liabilities, obligations, losses, damages, penalties, demands, claims, actions, suits, judgments, settlements, costs, expenses and disbursements (including reasonable attorney's fees) ("Claim") of whatever kind and nature, including damage or destruction of real and personal property owned by the District, incurred by any person, related to the negligence or intentional acts or omissions of the organizing parties, their officers, employees, agents and any other participants during the public assembly. The policy shall name the District as an additional insured on a primary, non-contributory basis and must be valid for dates being no later than five (5) days prior to the public assembly and one day after the public assembly. Each such certificate shall contain an affirmative statement issued by the issuer that said policy will not be cancelled or amended without the

District's express written consent. The certificate shall provide that the coverage afforded shall apply as primary insurance and that any policy maintained by the District shall be non-contributory. The policy shall include a contractual endorsement for coverage of the organizing parties' obligation to defend, indemnify and hold harmless the District as provided herein.

- d. The insurance requirement may be waived by the Executive Director, upon the written request of the applicant, if (1) the requirement would be so financially burdensome that it would preclude the public assembly; or (2) the applicant provides written proof to the District that at least two (2) insurance companies have refused to underwrite the policy for reasons related to risks associated with attendee response to the public assembly.

1.10 Application Review

- a. The Executive Director shall issue an oral decision to approve or deny a permit, provided there exists no basis to conditionally deny a permit pursuant to Section 1.11, within sixty (60) hours of receipt of the application. In the event the Executive Director fails to make an oral determination within said time-period, the permit shall be issued, and only subject to suspension or revocation as provided herein.
- b. The Executive Director shall issue a permit provided there exists no reason to deny the same for the reasons identified in Section 1.11 within twelve (12) hours after the expiration of the oral determination period. In the case of a denial, the written decision shall be issued no later than twenty-four (24) hours after oral notification is provided.
- c. If, within the sixty (60) hour review period, the Executive Director determines that the applicant is at risk of having the permit denied for those reasons identified in Section 1.11 (a), or Section 1.11 (d-g) a conditional denial shall be issued subject to applicant's ability to cure the identified conditions within twenty-four (24) hours. The applicant's failure to satisfy the conditions of a conditional denial with said twenty-four (24) hour cure-period, shall result in denial of the permit.
- d. The Executive Director shall grant or deny a permit subject to a conditional denial no later than twelve (12) hours after the submission of the information intended to cure the conditional denial or expiration of the conditional denial cure-period, whichever is earlier. If, at the expiration of said period the Executive Director has not provided notice to the applicant that the permit is approved or denied, the Executive Director shall issue a permit to the applicant. Once issued, the permit shall only be subject to suspension or revocation.

- e. Permit applications shall be reviewed and permits issued or denied on a first-come, first-served basis with respect to other public assemblies and other scheduled activities, events, or uses of District property.

1.11 Permit Denied

The Executive Director may deny a permit for any of the following reasons, which shall be noted in writing on the application:

- a. The application for a permit (including any required attachments and submissions) is not fully completed and executed;
- b. The application contains falsified information or misrepresentations;
- c. The applicant is legally incompetent to contract or to sue or be sued;
- d. An applicant or any organizing party is affiliated with a previous public assembly for which payment or reimbursement to the District remains due or owing under this subsection;
- e. An organizing party has had a permit denied, suspended or revoked under this subsection within the immediate past two (2) years, unless it can be shown that the basis for the previous action no longer exists;
- f. The public assembly is scheduled for a location, day or time prohibited by this subsection;
- g. The public assembly will conflict with or unreasonably interfere with another activity, event, or use scheduled at the general location on the date and time proposed; or,
- h. An organizing party has been convicted or pleaded guilty to a felony or misdemeanor involving mob action, rioting or other similar offense, or any aggravated violent acts against persons or property, with the ten (10) years preceding the date of application.

1.12 Notice and Review of Permit-Exempt Public Assemblies

- a. An organizer of a public assembly otherwise exempt from the permitting requirements of this subsection by Section 1.6 (a-b), shall provide advanced written notice to the District of a public assembly, along with the indemnification letter referenced in Section 1.9 (c)(1), not less than two (2) hours prior to a spontaneous public assembly and twenty-four (24) hours prior to any other type of public assembly. Notice shall be provided to the Executive Director in person, facsimile transmission, or email.
- b. The notification shall disclose the following information:
 - 1. The name of the organizer;

2. The name of any person on whose behalf the organizer is acting;
 3. The name of any sponsoring organizations;
 4. The location of all aspects of the public assembly;
 5. The anticipated timing for all aspects of the public assembly;
 6. The approximate number of participants; and,
 7. Information by which a District official can immediately contact the organizer to have a contemporaneous discussion by telephone, email or in person, as may be selected by the organizer, as to any safeguards or changes necessitated to mitigate unreasonable risks to public safety or any logistical concerns.
- c. If a public assembly would not be allowed, if the organizer was required to obtain a permit, for the reasons identified in Section 1.11 (a-e) or Section 1.11 (h), the Executive Director shall make immediate contact with the organizer to advise that the public assembly is prohibited unless the disqualifying event is cured prior to the public assembly. If a public assembly would not be allowed, if the organizer was required to obtain a permit, for the reasons identified in Section 1.11 (f-g), the Executive Director shall make immediate contact with the organizer and attempt to come to an agreement as to an alternative location, date, time or route of travel, for the public assembly. In the event the organizer and Executive Director cannot come to an agreement as to an alternative, the Executive Director shall instruct the organizer that the public assembly shall be allowed and conducted in the manner proposed in an alternative that is least restrictive to the organizer's plans of all alternatives proposed.
 - d. In the event the Executive Director does not contact the organizer at least one (1) hour prior to the public assembly, the public assembly shall be permitted to proceed as proposed in the organizer's notification.
 - e. Public assemblies not requiring a permit shall be subject to cancellation/termination by the District for those grounds a permit for a public assembly may be suspended or revoked, provided any reference to application of Section 1.13 shall mean notification. Organizers of permit-exempt public assemblies shall be afforded the same procedural protections in such circumstances as organizers subject to the permit requirements.

1.13 Permit Suspension and Revocation

Any permit may be suspended or revoked for the following reasons:

- a. Fraud, misrepresentation or false statement contained in an application;

- b. Participant violations of the law, including the provisions of this policy, while engaged in public assembly activities;
- c. Conducting a public assembly so as to unreasonably endanger the health, safety and welfare of the public; or,
- d. Expiration, cancellation or revocation of security posted by the applicant.

1.14 Permit Suspension and Revocation Procedure

- a. Any permit issued under this subsection may be suspended or revoked by the Executive Director after notice and a hearing. Pre-deprivation notice and a hearing need not be given if the Executive Director determines that: (1) there is an insufficient amount of time available to afford those rights before the public assembly is to occur; and, (2) an immediate suspension is necessary due to an unreasonable risk posed to the public health, safety or welfare. In such cases, a permit shall be immediately suspended pending a post-deprivation hearing on the suspension or revocation, as the case may be.
- b. In the case of a pre-deprivation hearing, the Executive Director shall issue a notice to the permittee setting forth the time and place of the hearing. The notice shall consist of the charges for which the permit's suspension or revocation is being considered. A hearing pursuant to this section shall occur no earlier than forty-eight (48) hours nor later than fourteen (14) days from the date of issuance of the notice. The permittee shall be responsible for obtaining a court reporter in order to preserve the record. After the hearing, the Executive Director shall orally issue a decision to suspend or revoke a permit. If the decision is to suspend or revoke, said suspension/revocation shall take effect immediately. The Executive Director shall issue a written decision setting forth his decision and the basis for the ruling no later than forty-eight (48) hours after conclusion of the hearing.
- c. In the case of a post-deprivation hearing, the Executive Director shall issue a notice to the permittee setting forth the time and place of the hearing. The notice shall consist of the charges for which the permit's suspension or revocation is being considered. A hearing pursuant to this section shall occur no later than forty-eight (48) hours after the Executive Director has orally advised the permittee that the permit is suspended. The District shall be responsible for obtaining a court reporter in order to preserve the record. After the hearing, the Executive Director shall orally issue a decision to reinstate the permit, or to suspend or revoke the permit. If the decision is to suspend or revoke, said suspension/revocation shall continue in full force and effect as stated in the decision. The Executive Director shall issue a written decision setting forth his decision and the basis for the ruling no later than forty-eight (48) hours after the conclusion of the hearing.

1.15 Public Safety; Expenses

- a. Organizing parties shall be jointly responsible, at their own expense, for reimbursing the District for the costs associated with providing personnel and equipment to the public assembly. The amount shall be based upon a specific number of persons and equipment required, multiplied by the applicable rate established by their respective collective-bargaining agreements, contracts, ordinance, or, if contracted out to a third-party, by their contract rates. Copies of the applicable rates may be obtained from the Executive Director.
- b. The District's expenses shall be calculated using the following ratios and methodology, which shall apply to all public assemblies:
 - 1. There shall be one (1) peace officer on foot per fifty (50) participants in a traditional public forum, but in no event less than one (1) peace officer;
 - 2. There shall be one (1) peace officer in a police vehicle per one hundred (100) participants;
 - 3. There shall be two (2) EMT personnel and one (1) ambulance per two hundred (200) participants;
 - 4. There shall be one (1) District employee per fifty (50) participants, but in no event less than one (1) District employee; and,
 - 5. Police, EMT, and District personnel shall be posted at their respective position one (1) hour prior to the public assembly and one (1) hour after termination of the public assembly.
- c. The District shall have the discretion to assign additional peace officers, EMTs, District employees or equipment in and around the public assembly as public safety may require, but at no expense to the organizing parties. The District's inability to supply additional personnel or equipment shall not constitute grounds for denying, suspension, or revocation of a permit.

1.16 Clean-Up; Repair of Property

- a. Organizing parties shall be jointly responsible, at their own expense, to clean and remove litter from the property on which the public assembly occurred so as to restore it to its pre-public assembly condition no later than three (3) hours after the conclusion of the public assembly.
- b. In the event the organizing parties fail to provide personnel and equipment for post-event clean-up, or fail to complete the same in a satisfactory manner, personnel from the District (of a total number, including such District employees as may have been already assigned, of no greater than

was to be provided by the organizer) shall be charged with that responsibility, and the organizing parties shall be responsible for reimbursing the District for those expenses according to their hourly rate established by contract or ordinance.

- c. Organizing parties shall reimburse the District for the costs to repair or replace any District-owned property damaged, defaced, or destroyed by participants of the public assembly.

1.17 Post-Public Assembly Expense Recovery

- a. Within thirty (30) days after the conclusion of a public assembly, the Executive Director shall issue an itemized invoice to the organizing parties detailing any expenses owed in accordance with the provisions of Sections 1.15 and 1.16, provided that no public safety expenses shall be charged for public assemblies that are concluded in less than two (2) hours.
- b. The organizer shall pay the invoice in full no later than thirty (30) days after its date of issuance.
- c. The balance of any outstanding expenses that are in arrears shall accrue interest in the amount of 9% per annum.

1.18 Appeals, Generally

Any person aggrieved by the action or decision of the Executive Director to deny, suspend, or revoke a permit under this subsection shall have the right to appeal such decision as follows: (1) to the President of the Board of Commissioners; (2) to the Board of Commissioners; or, (3) to a court of competent jurisdiction. This paragraph is designed to provide three (3) separate and distinct means of effectuating review. Exhaustion of remedies before one shall not preclude review by another. Provided, however, once a method of review has been selected, the election shall be exclusive and final, and the remedy shall be exhausted before any further appeal may be initiated, unless otherwise provided by law.

1.19 Appeals to President

- a. Any person aggrieved by the action or decision of the Executive Director to deny, suspend, or revoke a permit under this subsection shall have the right to appeal such decision to the President of the Board of Commissioners. An appeal to the President shall be filed within fourteen (14) days of filing of the Executive Director's decision. The date of filing shall be measured from the date on which the written decision was postmarked.
- b. An appeal shall be perfected by filing a written statement with the Executive Director setting forth the grounds for the appeal. If a written decision was provided to the appellant from the Executive Director, a copy of that decision shall be attached to the appellant's written statement. In the event

that no written decision was provided, an appellant must set forth the basis for the Executive Director's action as was transmitted orally. After the receipt of said appeal, the Executive Director shall schedule the appeal with, and forward all relevant documents to, the President.

- c. A hearing shall be set by the President no later than forty-eight (48) hours from the time on which an appeal is received, and shall be scheduled for a date that is no later than seven (7) days after the appeal was received. Notice of the time and place of the hearing shall be given to the appellant. An appellant shall be given notice of the hearing at least twenty-four (24) hours before the hearing.
- d. The Executive Director's decision to deny, suspend, or revoke a permit shall be presumed valid.
- e. A hearing before the President shall be *de novo*. An applicant may be represented by an attorney, issue subpoenas, and present documentary evidence and witness testimony. An applicant shall have the right to cross-examine a witness testifying in opposition to his case. The formal rules of evidence will not apply at the hearing.
- f. A court reporter will be provided by the District in order to preserve the record for appeal.
- g. The President's decision to affirm or reverse the decision of the Executive Director shall be limited to the facts presented to it at the hearing. The decision to affirm or reverse the Executive Director's decision must be based upon the reasons contained in this subsection but may not be limited to the reason stated by the Executive Director.
- h. A decision to affirm or reverse a decision of the Executive Director shall be made by the President orally at the conclusion of the hearing. A written decision setting forth the President's findings of fact and determination shall be issued within forty-eight (48) hours of the conclusion of the hearing. Any person aggrieved by a decision of the President may appeal that decision to a court of competent jurisdiction as provided by law. The time period by which an applicant has the right to appeal the decision of the President shall begin to run upon receipt of the written decision but not later than three (3) days after the written decision is post-marked.

1.20 Appeals to Board of Commissioners

- a. Any person aggrieved by the action or decision of the Executive Director to deny, suspend, or revoke a permit under this subsection shall have the right to appeal such decision to the Board of Commissioners. An appeal to the Board of Commissioners shall be filed within fourteen (14) days of filing

of the Executive Director's decision. The date of filing shall be measured from the date on which the written decision was postmarked.

- b. An appeal shall be perfected by filing a written statement with the Executive Director setting forth the grounds for the appeal. A copy of the Executive Director's written decision shall be attached to the appellant's written statement. After the receipt of said appeal, the Executive Director shall schedule the appeal for the next regularly scheduled meeting of the Board of Commissioners. Provided, however, if said appeal is received within forty-eight (48) hours or a regularly scheduled meeting, said appeal shall be heard at the following regularly scheduled meeting.
- c. A hearing shall be scheduled no later than thirty-three (33) days from the date on which an appeal is received. Notice of the time and place of the hearing shall be given to the appellant. An appellant shall be given notice of the hearing at least two (2) days before the hearing.
- d. The Executive Director's decision to deny, suspend, or revoke a permit shall be presumed valid.
- e. A hearing before the Board of Commissioners shall be *de novo*. An applicant may be represented by an attorney, issue subpoenas, and present documentary evidence and witness testimony. An applicant shall have the right to cross-examine a witness testifying in opposition to his case. The formal rules of evidence will not apply at the hearing.
- f. A court reporter will be provided by the District in order to preserve the record for appeal.
- g. The Board of Commissioners' decision to affirm or reverse the decision of the Executive Director shall be limited to the facts presented to it at the hearing. The decision to affirm or reverse the Executive Director's decision must be based upon the reasons contained in this subsection but may not be limited to the reason stated by the Executive Director.
- h. A decision to affirm or reverse a decision of the Executive Director shall be made by a majority vote of the Board of Commissioners present at the meeting. A written decision setting forth the Board of Commissioners' findings of fact and determination shall be issued within five (5) days of the conclusion of the hearing. Any person aggrieved by a decision of the Board of Commissioners may appeal that decision to a court of competent jurisdiction as provided by law. The time period by which an applicant has the right to appeal the decision of the Board of Commissioners shall begin to run upon receipt of the written decision but not later than three (3) days after the written decision is post-marked.

1.21 Appeals to Jurisdiction

Any person aggrieved by the action or decision of the Executive Director to deny, suspend, or revoke a permit under this subsection, or a ruling sustaining a decision by the Executive Director, by the President, or Board of Commissioners, shall have the right to appeal such decision to a court of competent jurisdiction by way of common-law *certiorari*.

1.22 Penalties

Any person violating the provisions of this subsection shall be fined not less than one hundred dollars (\$100.00) and not more than one thousand dollars (\$1000.00) for each offense. Each day that a violation continues shall be deemed and constitute a separate offense.

F. Vehicles

1.1 Definitions

For purposes of this section, the terms used herein shall have the meanings assigned under the Illinois Vehicle Code (625 ILCS 5/1-1 *et seq.*).

1.2 ATV's and Off-Highway Motorcycles

No person shall drive or operate any ATV or off-highway motorcycle on District property, except under the following circumstances:

- a. When such vehicles are used by law enforcement officers or District employees or agents for law enforcement or District purposes; or
- b. In the case of emergency.

1.3 Drag Racing

- a. For purposes of this section, "drag racing" means the act of two or more individuals competing or racing on District property in a situation in which one of the motor vehicles is beside or to the rear of a motor vehicle operated by a competing driver and the driver attempts to prevent the competing driver from passing him or overtaking him, either by acceleration or maneuver; or one or more individuals competing in a race against time on any street or roadway on District property.
- b. No person who is an operator of a motor vehicle on District property may be a participant in the act of drag racing.

1.4 Driving Only on Designated Roadways and in Accordance with Posted Regulations

No person shall drive any vehicle on any District property except upon paved roads or parking areas designated for such purposes, and only then in accordance with

posted signs as to speed, direction, parking, stopping, lane markings and traffic controls.

No person may operate a vehicle upon or in or on any District property, road, or drive which has been closed and posted with appropriate signs or barricades. The District shall have authority to order areas, roads or drives closed during the process of construction, reconstruction, or repair, special events, or for other purposes as determined by the District in its reasonable discretion.

1.5 Driving Under the Influence

No person shall drive or otherwise operate, attempt to drive or otherwise operate a vehicle on District property while under the influence of alcoholic liquor, cannabis, a controlled substance, or any other intoxicating compound, drugs, or any combination thereof.

1.6 Driving Upon the Sidewalk

No person shall drive any motor vehicle upon a sidewalk or sidewalk area located on District property except upon a permanent or duly authorized temporary driveway, except for routine maintenance, utility or emergency service, or for a special delivery or pickup involving goods or customer services.

1.7 Duty of Operator in Accidents

No person shall leave the scene of a vehicle collision with another vehicle, person or property occurring on District property, without giving his true name and residence address to the other party to the collision or any other person or member of the police requesting the same, and in the event no public officer is present, he must immediately report the occurrence to the nearest police station or police headquarters.

1.8 Emergency Vehicles

For purposes of this section, emergency vehicles shall include all ambulances, fire trucks, police, fire, and ranger cars, and other vehicles used to protect the public health, safety, and welfare.

The provisions of this section regulating the movement or parking of vehicles on District property shall not apply to the operator of any emergency vehicle when responding to an emergency call or pursuing an actual or suspected violator of the law. However, such operator shall exercise extreme caution when on or approaching District property including without limitation slowing down as necessary for safety, cautiously proceeding through traffic lights or stop signs, and having the vehicle's warning system signals operating (e.g. siren, lights).

When not responding to an emergency call or in the pursuit of an actual or suspected violator of the law, the operator of an emergency vehicle shall obey the provisions of this section.

Every person operating a vehicle on District property shall, upon the approach of an emergency vehicle making use of its warning system signals, immediately yield the right-of-way and shall stop, if possible, and pull to the side of the road and remain in such position until the emergency vehicle has passed, unless otherwise directed by a member of the police or District employee.

1.9 Incorporation of State Statutes

In addition to the provisions of this chapter, and to the extent not inconsistent therewith, no person shall drive or otherwise operate a vehicle or perform any act in any manner on District property in violation of the Illinois Vehicle Code, or other law or laws of the State of Illinois, or ordinances of the Village of Burr Ridge, the City of Countryside, the Village of Indian Head Park, or the Village of Willow Springs, which provisions are specifically incorporated in these Regulations by reference.

1.10 Licensed Vehicles

No person shall operate or cause to be operated in or on District property, any vehicle that is not properly licensed or permitted to be operated on the road, streets and highways of the State of Illinois except in such cases as authorized by the District, and then only in those areas specified and in accordance with restrictions duly set forth by the District.

1.11 Mobility Device Use

Notwithstanding any other provision of this section to the contrary, Electronic Personal Assistance Mobility Devices (EPAMDs) and Other Power Driven Mobility Devices, as defined in the Illinois Vehicle Code, may be used by permitted users on District property in accordance with the Vehicle Code and the District's Mobility Device Use Policy, which is provided in Section 3.5 of this manual.

1.12 Mufflers

No person shall operate a motor vehicle on District property that is not equipped with a muffler adequate to deaden the sound of the engine.

1.13 Parking, Standing, or Stopping

- a. No person driving or in charge of a motor vehicle shall permit it to stand unattended on District property without first stopping the engine, locking ignition and removing the key and, when standing upon any perceptible grade, without effectively setting the brake and turning the front wheels to the curb or side of the roadway.

- b. No person shall park a vehicle on District property, except in established or designated parking areas in accordance with the posted directions and marking or with the directions of any attendant who may be present.
- c. No person shall park, keep, or leave standing any motor vehicle which is not properly displaying registration plates, a parking decal or other device issued to a person with disabilities or a disabled veteran with a disability by the Secretary of State, in any parking space specifically reserved for motor vehicles displaying such registration plates or in a designated access aisle adjacent thereto, in violation of Section 11-1301.3(a) of the Illinois Vehicle Code (625 ILCS 5/11-1301.3).

No person with a vehicle shall display or use registration plates, a decal or other device issued to a person with disabilities or a disabled veteran by the Secretary of State, if: (1) the person using such registration plates, a decal or other device is not the authorized holder thereof or is not transporting the authorized holder to or from the parking location; and (2) the person is using the registration plates, a decal or other device to exercise any privileges granted through such registration plates, a decal or other device under this section.

- d. No person shall park, keep, or leave standing a motor vehicle in any space designated for Authorized Vehicles only, in any lane designated for moving traffic, a driveway, fire lane, crosswalk, or in any other space or area public parking is not designated as intended and permitted.
- e. Unless otherwise authorized by the District, it shall be unlawful for any person to park, keep, or leave standing between the hours of 10:00pm through 6:00am any recreational vehicle, commercial vehicle, bus, commuter van, road/truck tractor, box truck, tow truck, tanker, livestock carrier, semi-trailer, truck having an Illinois (or extra-jurisdictional equivalent) Class C or higher classification, or any other vehicle or combination vehicles having greater than two (2) axels, on any District property or any property controlled by the District.
- f. No person shall stop, stand, or park any vehicle on District property so as to obstruct or interfere with traffic or travel or endanger the public safety, and no person shall stop, stand, or park any vehicle in any of the following places, except when otherwise designated, when necessary to avoid conflict with other traffic, or when in compliance with the directions of a District employee:
 - 1. On the left side of any roadway;
 - 2. On parkways, lawn areas, and grounds;
 - 3. In front of a public or private driveway;

4. Within any intersection;
 5. Within any crosswalk;
 6. Within twenty (20) feet of any intersection or crosswalk, other than in a marked parking space;
 7. Within thirty (30) feet of any stop sign or traffic control signal, other than in a marked parking space;
 8. On the roadway side of any vehicle stopped or parked at the edge or curb of the roadway ("double parking");
 9. In a position to block another vehicle lawfully parked;
 10. On any sidewalk;
 11. At any place where official signs or other markings prohibit parking, or where curbs have been painted yellow;
 12. Within fifteen (15) feet of a fire hydrant;
 13. In a fire lane or within eight (8) feet of the entrance to a fire lane;
 14. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic; or
 15. Upon any bridge or other elevated structure upon a roadway.
- g. No person shall park a vehicle upon any roadway or in any public off-street parking facility on District property for any of the following purposes:
1. To display such vehicle for sale; or
 2. To perform maintenance or repair of such vehicle, except for repairs necessitated by an emergency; or
 3. To sell goods or services from such vehicle.
- h. Notwithstanding any contrary provision contained in this section, the operator of an authorized emergency vehicle may park or stand in locations not otherwise permitted under the provisions of these Regulations.
- i. No person shall move a vehicle not lawfully under his control into any prohibited area or away from a curb.
- j. The District has the right, and as needed, will charge for parking during District special events.
- k. Any person found to be in violation of any provision of this section shall be subject to a fine of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1000.00). Each violation, or day said violation

is permitted to continue, shall constitute a separate offense. In addition to any fine that may be imposed hereunder, any vehicle parked in violation of this section is subject to being towed at the direction of the District or municipal police department having jurisdiction at the owner's expense.

1.14 Riding Outside Vehicles

- a. No person shall ride upon the fenders, running board, bumpers, hood, or any other exterior part of any vehicle on District property.
- b. No person shall cling or attach himself, his vehicle, or any other object, to any other vehicle on District property.

1.15 Right-of-Way

- a. Every operator of a vehicle shall yield the right-of-way to a pedestrian at any marked crosswalk, or within any unmarked crosswalk at any intersection on District property.
- b. Every operator of a vehicle shall exercise due care to avoid colliding with pedestrians upon any roadway on District property, shall give warning to any pedestrian in the roadway by sounding the horn when necessary, and shall exercise proper precaution upon observing any child, confused person, or disabled person upon a roadway.
- c. Every pedestrian crossing on a roadway on District property at any point other than within a marked crosswalk, or within an unmarked crosswalk at any intersection, shall yield the right of way to vehicles upon the roadway.
- d. Except as otherwise provided herein, the operator of a vehicle approaching an intersection on District property shall yield the right-of-way to a vehicle that has already entered the intersection from a different roadway. When two (2) vehicles approach an unmarked intersection from different roadways at approximately the same time, the operator of the vehicle on the left shall yield the right-of-way to the vehicle on the right.

1.16 Snowmobiles

- a. For purposes of this subsection, a "snowmobile" shall be defined as any self-propelled vehicle intended for travel primarily on snow, driven by a track or tracks in contact with the snow, and steered by a ski or skis in contact with the snow.
- b. No person shall drive, ride, or otherwise operate a snowmobile on District property.

1.17 Speed Limit

No person shall operate, propel or cause to be propelled a vehicle on any road or drive, or in any parking area, at a speed greater than the speed limit posted along the right-of-way or, in the absence of such posted limit, at a speed in excess of ten (10) miles per hour.

1.18 Towing

Any unattended vehicle in violation of any provision of these Regulations may be towed at the owner's expense in accordance with the procedures required for towing of vehicles under State law.

1.19 Traffic Signs and Signals and Enforcement of Traffic Regulations

No person shall fail to observe and obey all traffic signs indicating speed, direction, caution, stopping, parking, crosswalk lanes, traffic lane markers, and any other sign posted by the District for safeguarding life and property.

No person shall fail to obey a police officer or District employee who is directing traffic or enforcing sections of this section on District property.

No person shall deface, injure, move, or otherwise interfere with any traffic sign or signal on District property.

G. Penalties

1.1 Temporary Dismissal

- a. A person who violates any of these Regulations or any other law, ordinance or rule that threatens the safety of the District's patrons, staff and/or property, may be issued a "Notice of Temporary Dismissal", meaning that the person must leave District property immediately and may not enter into any District property for the length of time designated on the "Notice of Temporary Dismissal", which, depending on the seriousness of the violation may be from one (1) to six (6) days. Any such person issued a "Notice of Temporary Dismissal" who returns to any District property during the dismissal period may be arrested for trespassing.
- b. The police officers of any District municipality, the District's Executive Director, and other officers of the District are authorized to issue a "Notice of Temporary Dismissal" and to determine the length of the dismissal period.

1.2 Exclusion

- a. A person who receives three (3) or more citations during any sixty (60) day-period for violation of these Regulations, or any other law, ordinance, or rule while on District property is subject to "exclusion", meaning that

person must leave the District property immediately and shall not enter into any District property for a time-period ranging from one (1) week to one (1) year. A person who enters any District property during the period of “exclusion” may be arrested for trespassing.

- b. The length of the “exclusion” depends on the number of violations committed previously and on the severity of the violations. Any official of the District or any police officer from a local municipality has discretion to decide how long the exclusion should be, using the following guidelines:

Exclusion for up to sixty (60) days:

- Three (3) citations or one (1) temporary dismissal during a sixty (60) day period before issuance of the current citations; or
- Four (4) citations during the twelve (12) month period before issuance of the current citation.

Exclusion for up to one hundred eighty (180) days:

- Two (2) or more temporary dismissals during the sixty (60) day period before issuance of the current citation; or
- Five (5) citations during the twelve (12) month period before issuance of the current citation.

Exclusion for up to three hundred sixty-five (365) days:

- Three (3) or more temporary dismissals during the sixty (60) day period before the issuance to the current citation; or
- Six (6) citations during the twelve (12) month period before issuance of the current citation.

- c. These guidelines shall not prevent, limit, or delay the District in taking any exclusionary action where the District deems such action to be appropriate. The guidelines for exclusion need not be followed under circumstances where the Executive Director believes that a person’s unsatisfactory behavior warrants accelerated or compound exclusionary action, up to and including exclusion from any District property for a period up to one (1) year.

- d. Appeal of Notice of Exclusion: Exclusion for longer than seven (7) days may be appealed to the District’s Executive Director. Promptly after receipt of a written request for an appeal, the Executive Director will conduct an informal hearing where the person subject to exclusion and a District representative may present facts, circumstances, evidence and witnesses to support their respective positions and may cross-examine witnesses

presented by the other side. After the conclusion of the hearing, the Executive Director shall issue a written determination on the appeal.

1.3 General Penalty

- a. In all cases where the same offense is made punishable or is created by different clauses or sections of these Regulations, the prosecuting officer may elect under which to proceed, but not more than one recovery shall be had against the same person for the same offense; provided that the revocation of a license or permit or a fine imposed by an administrative hearing shall not be considered a recovery or penalty so as to bar any other penalty being enforced.
- b. Where an act or omission is prohibited or declared unlawful and no penalty or fine or imprisonment is otherwise provided, the offending person shall be fined not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1000.00) for each offense. Each day that a violation continues shall be deemed a separate offense. In addition to any fine, the District may revoke the privilege to use all or some of the facilities of the District for such length of time as is deemed appropriate by the District in accordance with subsections G 1.1 and G 1.2 hereof.
- c. Whenever a finding of guilt is entered by a court or a plea of guilty is entered by a defendant, the court may, in addition to any fine imposed, enter an order to pay restitution, with restitution to be in an amount not to exceed actual out-of-pocket expenses or loss proximately caused by the conduct of the defendant. The court shall determine the amount and conditions of payments.
- d. All fines, when collected, shall be paid into the treasury of the District.

1.4 Civil Suits

Nothing in this ordinance shall be construed to prevent or preclude the lawful use by the District of civil remedy at law, to correct an abuse or loss suffered by the District as a result of violation of this ordinance or any law of the State.

1.5 Non-Exclusivity of Penalties

The penalties provided for herein are in addition to and not exclusive of any other remedies available to the District as provided by applicable law.

