

ORDINANCE NO. 26-01  
YORK CENTER PARK DISTRICT  
DUPAGE COUNTY, ILLINOIS

# CONDUCT ORDINANCE



AN ORDINANCE REGULATING THE USE OF  
THE PARKS & PROPERTY OWNED OR CONTROLLED  
BY THE YORK CENTER PARK DISTRICT

APPROVED BY THE PARK DISTRICT'S  
BOARD OF COMMISSIONERS  
February 10, 2026



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**AN ORDINANCE REGULATING THE USE OF THE PARKS  
AND PROPERTY OWNED OR CONTROLLED BY THE  
YORK CENTER PARK DISTRICT**

**CHAPTER 1 - DEFINITIONS, CONSTRUCTION, AND SCOPE**

Section 1.01. Short Title. This Ordinance regulating the use of the parks and property owned or controlled by the York Center Park District shall be known and may be cited as the "Conduct Ordinance of the York Center Park District."

Section 1.02. Definitions. Unless otherwise expressly stated elsewhere in this Ordinance, for purposes of this Ordinance, the following words, terms, and phrases shall have the meanings given herein:

1. "Aircraft" means any device that is used, designed or intended to navigate, or fly in the air.
2. "Alcoholic Liquor" is defined as provided in the Illinois Liquor Control Act of 1934 (235 ILCS 5/1-3.05).
3. "Aquatic Life" means all fish, reptiles, amphibians, crayfish, mussels, mollusks, and crustaceans.
4. "Authorized Personnel" shall include Park District staff and District Police Force.
5. "Board" means the Board of Park Commissioners of the York Center Park District.
6. "Camp" or "Camping" shall include the erecting of a tent or shelter of natural or synthetic material, preparing a sleeping bag, hammock, or other bedding material for use, setting up any temporary or permanent camping equipment including without limitation food preparation equipment, and parking of a motor vehicle, motor home or trailer, or mooring of a Vessel, for the apparent purpose of overnight occupancy.
7. "Cannabis" is defined as provided in the Illinois Cannabis Control Act (720 ILCS 550/3(a) and as provided in the Illinois Cannabis Regulation and Tax Act (420 ILCS 705/1-10).
8. "Controlled Substance" is defined as provided in the Illinois Controlled Substances Act (720 ILCS 570/102 (f), 204, 206, 208, 210 and 212).
9. "Director" is the Executive Director of the York Center Park District.
10. "District" is the York Center Park District, DuPage County, Illinois.
11. "District Police Force" shall include the deputies of the DuPage County Sheriff.

"District Property" is 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, wilderness or open space, or other 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.

13. "District Waters" shall include all water located on or adjacent to or flowing over land owned, leased, or generally administered or operated by the District, including without limitation all natural or man-made lakes, rivers, creeks, streams, ponds, lagoons, bays, and drainage ways.

14. "Drug Paraphernalia" shall have the same meaning as ascribed to it as Section (d) of the Illinois Drug Paraphernalia Control Act (720 ILCS 600/1 *et seq.*).

15. "E-Bike" shall mean a low-speed electric bicycle with fully operable pedals and an electric motor of less than 750 watts that meets the requirements of one of the following classes:

(a) "Class 1 low-speed electric bicycle" means a low-speed electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of 20 miles per hour.

(b) "Class 2 low-speed electric bicycle" means a low-speed electric bicycle equipped with a motor that may be used exclusively to propel the bicycle and that is not capable of providing assistance when the bicycle reaches a speed of 20 miles per hour.

(c) "Class 3 low-speed electric bicycle" means a low-speed electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of 28 miles per hour. Class 3 E-Bikes shall only be operated by individuals 16 years of age and older.

16. "Fish" or "Fishing" means taking or attempting to take Aquatic Life in or from any District Waters by any method, and all other acts such as placing, setting, drawing or using any device commonly used for the taking of Aquatic Life whether resulting in such taking or not.

17. "ILCS" is the Illinois Compiled Statutes.

18. "Lightweight Mobility Devices" means small, lightweight vehicles operating at speeds typically below 25 m/h and driven by users personally with no more than two passengers. The term shall apply to the use of unicycles, bicycles, tricycles, shared cycles, low-speed gas bicycles, skateboards, electric skateboards, and scooters. Lightweight Mobility Devices shall not apply to use of E-Bikes, as defined in Section 1.02.15, Low-Speed Electric Scooters, as defined in

Section 1.02.19, or Wheelchairs and Other Power-Driven Mobility Devices used by individuals with a mobility disability, as defined in Section 3.24 of this Ordinance.

19. "Low-Speed Electric Scooter" is defined as a device weighing less than 100 pounds, with two or three wheels, handlebars and a floorboard a person can stand upon while riding, that is solely powered by an electric motor and human power, and whose maximum speed, with or without human propulsion, is no more than 10 miles per hour.

20. "Non-Highway Vehicle" is defined as a Vehicle not specifically designated to be used on a public highway, including: (1) an all-terrain vehicle, as defined by 625 ILCS 1-101.8; (2) a golf cart as defined by 625 ILCS 1-123.9; (3) an off-highway motorcycle, as defined by 625 ILCS 1-153.1; and (4) a recreational off-highway vehicle, as defined by 625 ILCS 1-168.8.

21. "Ordinance" means the Conduct Ordinance of the York Center Park District.

22. "Permit" is the written authorization issued by or under the authority of the District, by a District officer or District employee empowered by the Board to grant said authorization, for a specified park privilege, activity or event, or permitting the performance of a specified act or acts in or on District Property. Said authorization is subject to the terms and conditions specified in the Permit as well as all applicable federal, state, local, and District laws, ordinances, rules, and regulations.

23. "Person" is every natural person and every organization, firm, company, partnership, association, corporation, or entity of any kind or any employee, agent or officer thereof. 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 or her authority.

24. "Services" shall include but not be limited to labor, professional services, transportation, leasing or renting any article, object, privilege, or service, giving of instructions or lessons, admission to exhibits, use of telephone or other utilities, or any act for which payment is customarily received.

25. "Smoke" or "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. 'Smoke' or 'smoking' does not include smoking that is associated with a native recognized religious ceremony, ritual, or activity by American Indians that is in accordance with the federal American Indian Religious Freedom Act, 42 U.S.C. 1996 and 1996a.

26. "Unmanned Aircraft" shall mean any Aircraft that is operated without the possibility of direct human intervention from within or on the Aircraft and shall include model aircrafts, drones, aerial hover craft and any other remotely piloted or unmanned aircraft.

27. "Vehicle" means every device, conveyance, or combination of conveyances, wheeled or without wheels, propelled, towed or unpropelled that in, around or on which, a Person

or thing is or may be transported, including, but not limited to, Lightweight Mobility Devices, as defined in Section 1.02.18, motorcycles, snowmobiles, sleds, trucks and automobiles. Vehicles shall not include: i) vehicles used by the District; ii) Wheelchairs or other mobility devices designed exclusively to assist a Person with a disability; and iii) baby carriages or strollers when properly used on walks or trails.

28. "Vessel" means every type or description of craft, other than a seaplane on water, used or capable of being used as a means of transportation on water, including without limitation boats, rafts, canoes, kayaks, jet skis, inflated devices, or any buoyant device permitting or capable of free flotation.

30. "Wildlife" shall include any waterfowl, mammal, animal, amphibian, reptile, fish or bird or the young or eggs thereof, but excluding any domesticated dog, cat or other domesticated animal.

### Section 1.03. Construction and Scope.

(a) In the interpretation of this Ordinance, its provisions shall be construed as follows: (1) Where the context permits, words in the masculine gender shall include the feminine and neuter genders and words in the singular number shall include the plural number; (2) The word "shall" is always mandatory and not merely directory; (3) The word "may" is always permissive and upon the discretion of the District; (4) This Ordinance is 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.*); (5) the reference to any law, ordinance, rule or regulation includes any amendment, modification or replacement to such law, ordinance, rule or regulation; (6) The meaning of any term, phrase, or word not otherwise defined in this Ordinance 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; (7) The meaning of any term, phrase, or word not otherwise defined in this Ordinance or in such applicable federal, state, local, or District laws, ordinances, rules, or regulations shall retain its ordinary and properly understood meaning; (8) The descriptive headings of the various sections or parts of this Ordinance are for convenience only and shall not affect the meaning or construction, nor be used in the interpretation of any provision of this Ordinance; and, (9) An attempt to commit an act or engage in an activity prohibited under this Ordinance 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.

(b) This Ordinance 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, member of the District Police Force 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.

## **CHAPTER II - SPECIFIC RESTRICTIONS ON CONDUCT AND BEHAVIOR**

### Section 2.01. Aircraft/Unmanned Aircraft.

(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 which does not comply with the minimum safety requirements established by the Federal Aviation Administration or other governmental authority, at an elevation which is unreasonably 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 therefore has first been obtained from the District, except when necessitated by unavoidable emergency.

(c) Unless otherwise authorized by law, no Person shall fly or cause to be flown or permit or authorize the flying of an Unmanned Aircraft on or over District Property unless such activity is conducted within area and at times the District has designated for such activities, whether by policy, Permit, contract or other approval. Any Person authorized to operate an Unmanned Aircraft on District Property shall comply with all regulations established by the Federal Aviation Administration or other governmental authority having jurisdiction over such use and operation of the unmanned aircraft.

(d) The Director or their designee is authorized to adopt and establish policies relating to the use of Unmanned Aircraft consistent with State and federal law, rules and regulations.

(e) 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 has first been obtained from the District, except when necessitated by unavoidable emergency.

#### Section 2.02. Alcoholic Liquor.

(a) No Person under the influence of Alcoholic Liquor intoxicating liquor, any other drug or drugs, or a combination thereof, as defined in Section 11-501 of the Illinois Vehicle Code (625 ILCS 5/11-501), shall enter into, be, or remain on District Property. For purposes of this Section 2.02 “under the influence” means affected by Alcoholic 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.

(b) No Person, other than the District or its agent, shall sell or deliver any Alcoholic Liquor on District Property, unless said Person has first obtained a Permit therefor from the District.

(c) No Person shall distribute, provide, or allow any person under 21 years old to possess or consume Alcoholic Liquor on District Property. No Person under 21 years old shall possess or consume Alcoholic Liquor on District Property.

(d) No Person shall bring into, possess, drink, consume, take, use, or transfer any Alcoholic Liquor on District Property without having first obtained a Permit therefore from the District. This section is not intended to prohibit Alcoholic Liquor legally possessed in an unopened container stored in the trunk of a motor Vehicle.

(e) Every Person possessing, using, consuming, or transferring Alcoholic Liquor pursuant to this section, shall be subject to and shall comply with all applicable federal, state, local, and District laws, ordinances, rules, and regulations regarding the possession, use, consumption, or transfer of Alcoholic Liquor.

Section 2.03. Animals and Pets.

(a) No Person shall bring or release onto District Property any Wildlife including without limitation any animal the capture or killing of which is authorized by the fish and game laws of the State of Illinois, or any other animal, except for service animals (as defined by the American with Disabilities Act) and domestic dogs, cats or other domesticated animal subject to the restrictions contained in this section. 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, program or event conducted or sponsored by the District or in conjunction with a zoo, museum, nature center, or similar facility owned, controlled, permitted or licensed by the District.

(b) No Person shall hunt, pursue, hurt, molest, wound, kill, trap, catch, poison, abuse, chase, shoot, touch, throw or propel objects at, endanger in any way, remove or cause to be removed, have in his possession, or release or cause to be released, any Wildlife on or upon District Property, except as authorized by the District.

(c) No Person shall give or offer to any Wildlife any harmful, poisonous, or noxious substance on or upon District Property.

(d) No Person shall touch, tease, frighten, disturb, or otherwise intentionally interfere with any Wildlife while feeding, nesting, breeding, sleeping, resting, flying or otherwise moving, conducting or participating in any activity on or upon District Property.

(e) No Person shall molest, touch, throw or propel object at, destroy, dig up, crush, shake, or in any way tamper with or damage the nest, lair, den, burrow, or home of any Wildlife found on or upon District Property.

(f) No Person shall feed any Wildlife on District Property without written consent of the Director.

(g) Except as authorized by the Americans with Disabilities Act and the District's Service Animal Policy, no owner or agent of the owner having control of any domestic dog, cat, or any other domesticated animal shall cause or permit such animal to be on District Property unless the pet is on a leash which shall not exceed six (6) feet in length and such Person has in his immediate possession a device for removal, and a depository for the transportation of, animal excrement from such Property.

(h) No owner or agent of the owner having control over any domestic dog, cat, or any other domesticated animal shall secure that pet by a leash to any tree, fence or other fixed object on District Property.

(i) All owners or agents of the owner having control of any domestic dog, cat, or other domesticated animal, shall remove any excrement from District Property left by such animal and shall dispose of the excrement in a designated location or fixture provided for that purpose.

(j) No Person shall bring a domestic dog, cat, or any other animal onto or permit any animal to remain on any portion of District Property where the presence of animals is prohibited. This prohibition shall not apply to: (i) in conjunction with an activity or event conducted or sponsored by the District, and (ii) service animals as authorized by the Americans with Disabilities Act and the District's Service Animal Policy that are specially trained to assist Persons with disabilities when they are accompanying the Persons with disabilities for purposes of providing such assistance.

(k) Any animal found on District Property in violation of subsections (a) or (h) may be apprehended, removed to an animal shelter, public pound, or other place provided for that purpose, and disposed of pursuant to the laws or ordinances of DuPage County. The owner or Person responsible for such animal shall be responsible for all costs and expenses incurred or encumbered in the removal and housing of such animal and such charge shall be in addition to and not in lieu of any other penalties provided for in this Ordinance and any other applicable federal, state, local or District laws, ordinances, rules or regulations.

#### Section 2.04. Assault or Bodily Injury.

(a) No Person shall, without lawful authority, engage in conduct on District Property that places another Person in reasonable apprehension of receiving bodily harm or physical contact of an insulting or provoking nature.

(b) No Person shall intentionally or knowingly by any means cause bodily harm or make physical contact of an insulting or provoking nature with another Person on District Property.

(c) No Person shall provoke or engage in any fight, brawl or riotous conduct so as to endanger the life, limb, health or property of another while on District Property.

(d) No Person shall assemble or congregate with another or others for the purpose of causing, provoking or engaging in any fight or brawl on District Property.

(e) No Person shall knowingly and intentionally jostle or roughly crowd or otherwise push or shove any person on District Property.

#### Section 2.05. Begging and Panhandling.

(a) No Person shall beg or panhandle in District playgrounds, buildings or facilities or the entrances or stairways of such buildings or facilities.

(b) No Person begging or panhandling on District Property shall obstruct or impede pedestrians or Vehicles; harass park visitors with physical contact or persistent demands; misrepresent his affiliations; misrepresent what the solicited funds will be used for; or 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 coerce or intimidate another person into giving money, goods or services.

Section 2.06. Boating. No Person shall launch any Vessel in District Waters, except from such places as may be designated therefor, and then only in compliance with applicable federal, state, local, and District laws, ordinances, rules, and regulations.

Section 2.07. Camping. No Person shall place, erect, or use any hammock, swing, tent, shelter, or any other type of temporary or permanent housing or camping equipment on District Property, nor otherwise Camp in any manner on District Property unless a Permit therefor has first been obtained from the District.

Section 2.08. Charitable, Religious, Political, or Non-Profit Activities.

(a) For purposes of this section, charitable, religious, political, or non-profit activities shall include, without limitation soliciting contributions, the sale or distribution of merchandise, soliciting votes or circulating petitions for or against any candidate for election to public office with respect to any referendum or other public question.

(b) Soliciting contributions for charitable, religious, political, or non-profit organizations is permitted on District Property provided that a Permit for such activity has first been obtained from the District in accordance with Chapter V of this Ordinance.

(c) The sale or distribution of merchandise by charitable, religious, political, or non-profit organizations is permitted on District Property provided that a Permit for such activity has first been obtained from the District in accordance with Chapter V of this Ordinance.

(d) Soliciting votes and circulating petitions for or against candidate for election to public office or with respect to any referendum or other public question is permitted on District Property in areas open to the general public without a Permit, subject to the limitations set forth in paragraphs (e) and (f) of this Section 2.08.

(e) No Person shall engage in any activity described in subsections (a) through (d) of this Section 2.08 in District buildings or facilities (including lobbies, entrances, hallways, or rooms), or on District athletic fields, or in any other District facility in or on which any program, activity, class, function or special event conducted, sponsored, licensed or otherwise permitted by the District is in progress.

(f) No Person engaged in the activities described in subsections (a) - (d) of this section shall obstruct or impede District employees, pedestrians or Vehicles, harass park visitors 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, interrupt, or engage in conduct incompatible with the purpose of any program, activity, function, and/or special event conducted, licensed, sponsored or otherwise permitted by the District.

Section 2.09. Commercial Sale, Exhibition, or Distribution of Goods or Services.

(a) No peddler, vendor or any other Person involved in an endeavor for profit shall engage in any activity for gain or for which any charge is made or any commercial sale, rental, exhibition, or distribution of goods or Services, including without limitation the giving of instruction or lessons for a fee, upon District Property unless he has received a Permit, license or contract therefor from the District or is otherwise authorized by the District. The District shall not issue any Permit for a Person to engage in any such activity that is deemed to be in conflict or in competition with District programs. Persons interested in conducting commercial sale, exhibition, or distribution of goods or Services must apply for and receive a Permit from the Park District, and pay associated Permit fees, prior to using or advertising the use of District Property.

(b) No Person engaged in any activity for gain or for which any charge is made or any sale or distribution of goods or Services under this section shall obstruct or impede pedestrians or Vehicles, harass park visitors with physical contact or persistent demands, misrepresent the affiliations of those engaged in such activities, misrepresent whether the goods or Services are available without cost or donation, or 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.

Section 2.10. Controlled Substances and Cannabis.

(a) Except as provided in Section 2.10(b), no Person under the influence of any Controlled Substance or Cannabis shall enter into, be, or remain on District Property.

(b) No Person shall be under the influence of Cannabis or any Controlled Substance while on District Property except as permitted for a registered qualifying patient pursuant to the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 *et seq.*), as amended, or in connection with a valid prescription.

(c) No Person shall bring into, possess, consume, or use any Cannabis or Controlled Substances upon District Property except as permitted for a registered qualifying patient pursuant to the Compassionate Use of Medical Cannabis Pilot Program Act or in connection with a valid prescription.

(d) No Person shall sell, purchase, transport, deliver, or transfer Cannabis or any Controlled Substance upon District Property.

(e) No Person shall possess, produce, plant, cultivate, tend or harvest the Cannabis plant on or in connection with any District Property.

(f) No Person shall unlawfully possess Drug Paraphernalia on District Property. For purposes of this section a Person unlawfully possesses Drug Paraphernalia by knowingly possessing Drug Paraphernalia unless permitted or authorized to do so pursuant to the Drug Paraphernalia Control Act (720 ILCS 600/1 *et seq.*), the Cannabis Regulation and Tax Act (410 ILCS 705/1 *et seq.*), or the Compassionate Use of Medical Cannabis Program, as amended,

respectively. No Person shall sell or deliver for any commercial consideration Drug Paraphernalia on District Property.

(g) If any portion of this section conflicts with the District's Personnel Policies, then the Personnel Policies shall govern as applicable to District employees.

(h) Every Person possessing Cannabis pursuant to this section shall be subject to and shall comply with the Illinois state law legalizing recreational Cannabis and its limits under the Illinois Cannabis Control Act and the Illinois Cannabis Regulation Tax Act, and all other state local, and District laws, ordinances, rules, and regulations regarding the possession, use, consumption, or transfer of Cannabis.

Section 2.11. Cooperation with Authorities.

(a) No Person shall physically hinder, threaten, resist, intimidate, disobey, or otherwise intentionally interfere with any member of the District Police Force or any District employee, Board member or agent in the performance of his duties.

(b) No Person shall falsely represent that he is, or otherwise pretend to be, a District officer or employee, a member of the District Police Force, or an agent or other representative of the District.

(c) No Person shall 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, Board member or agent, or a member of the District Police Force in the conduct of his official duties.

Section 2.12. Disorderly Conduct.

No Person shall engage in disorderly conduct on or in District Property.

(a) A Person commits the offense of disorderly conduct when he knowingly:

(1) Does any act in such unreasonable manner as to alarm or disturb another and to provoke a breach of the peace; or

(2) Makes or causes to be made any excessively loud or unreasonable noise. 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 authorized by the District; or

(3) Uses obscene or abusive language or gestures, or threatens violence or injury to the person or property of others, in a manner intended and likely to incite or produce an immediate breach of the peace or violent or disorderly response; or,

(4) Congregates 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 egress from District Property and fails to comply with a lawful order of the District Police Force to disperse.

(5) Engages in any gang related activity in violation of applicable local, state or federal law.

Section 2.13. Display of Permit or Pass. Every Person shall produce or display a Permit, license or pass when requested to do so by any Authorized Personnel for the purpose of enforcing compliance with any federal, state, local, or District law, ordinance, rule, or regulation, when such Permit or pass is required to engage in an activity on District Property.

Section 2.14. Dumping, Pollution, Sanitation, and Litter.

(a) No Person shall litter, cast, throw, drop, leave, scatter, place, pile, or otherwise dump, leave, or deposit in any manner any kind of dirt, rubbish, placard, handbill, pamphlet, circular, book, notice, paper of any kind, ashes, garbage, waste material, snow, ice, or other substance, whether liquid or solid, or any other refuse in or upon District Property except as specifically permitted by the District. Provided, however, that paper, glass, cans, garbage and other refuse resulting from picnics or other lawful use of District Property may and 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 properly disposed of elsewhere. No Person shall place household garbage, yard or construction waste, trash, rubbish or other matter generated outside of District Property into garbage receptacles provided by the District. No Person shall discard, store, leave, or pile any form of yard waste, grass clippings, tree or shrub trimmings or any other form of landscape waste on District Property.

(b) No Person shall urinate or defecate on District Property other than in toilets in rest room facilities expressly provided for such purposes.

(c) No Person shall drain oil, grease, anti-freeze, gasoline, refuse or other substance from a trailer or other Vehicle on District Property.

(d) No Person shall bathe or wash himself or food, clothing, dishes, or other property at water outlets, fixtures or pools on District Property, except at those areas designated by the District for such use.

(e) No Person shall pollute or contaminate District Property or District Waters.

(f) No Person shall dispose of fish remains on District Property except as permitted by the District.

(g) No Person shall dispose of human or animal waste on District Property except at designated locations or in fixtures provided for that purpose.

(h) Any Person violating this section may 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 this Ordinance or applicable federal, state, local, and/or District laws, ordinances, rules, and regulations.

Section 2.15. Unlawful Construction, Maintenance or Encroachment.

(a) No Person shall construct, build, erect, install, or otherwise place any building, tent, stand, scaffold, platform or other structure of whatever kind, whether stationary or moveable and whether permanent or temporary in character, or construct, run, string, or otherwise place any electrical wire, conduit or pipe, or any public service or private utility, into, upon, above, or across or beneath District Property, unless a Permit, license, or contract therefor has first been obtained from the District.

(b) No Person shall perform, cause or authorize any mowing, trimming, cutting or grooming of District Property or perform similar grounds maintenance for any purpose, or in any like manner encroach on District Property.

(c) No Person shall place, stockpile or store any gravel, stone, dirt, sand, wood, lumber or other organic or inorganic material on District Property.

(d) No Person shall plant vegetation of any kind on District Property without written authorization from the District.

(e) Any Person who violates this Section 2.15 shall, after receiving written notification of violation from the District and in accordance with the timeframe and directions outlined in such notification, shall comply with the District's directives, whether in writing or delivered orally by a person authorized to enforce this Ordinance. The District shall have the discretion to address the encroachment with a negotiated agreement, civil remedy at law, or any other lawful remedy available to the District, including physical removal of the encroachment.

(f) The District may remove any encroachment(s) from District Property and assess the Person(s) who violated this Section 2.15 the cost of removing such encroachment(s), and such charge shall be in addition to and not in lieu of any other penalties or remedies provided for in this Ordinance or any applicable Village ordinance and or state law.

Section 2.16. Fairs and Special Events: Sale and Distribution of Merchandise; Soliciting Contributions. No Person shall sell and/or distribute merchandise or printed or written materials or solicit contributions, votes or signatures during fairs or special events conducted or sponsored by the District except at a fixed location designated by the District and unless a Permit therefor has first been obtained from the District in accordance with Chapter V of this Ordinance. The District shall allocate space at the fixed location to applicants on a first-come, first-served basis until no more space remains available.

Section 2.17. Fires.

(a) 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.

(b) No fire shall ever be left unattended. Every fire shall be under the continuous care and direction of a competent Person 18 years of age or older from the time it is kindled until the time it is completely extinguished. All fires must be properly and completely extinguished prior to any Person leaving the site of the fire.

(c) 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 park resources, or creates a safety hazard.

(d) No Person, without a Permit, shall use a gas or charcoal grill, stove or pit on District Property except in District owned and furnished grill appliances or where authorized by Permit.

Section 2.18. Fishing. No Person shall Fish or otherwise take Aquatic Life from District Waters except in areas designated by the District for such purpose. Fishing is allowed between dawn and dusk, unless otherwise posted. Any Person Fishing from District Waters shall immediately release any fish caught. Any Person Fishing from District Waters shall comply with all Fishing Regulations established by the Illinois Department of Natural Resources and all District Fishing rules and regulations.

Section 2.19. Gambling and Games of Chance. 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, either as bookmaker, dealer, player or otherwise, for the purpose of gaming or gambling for money or other valuable things on District Property, except at a fair, carnival, or other organized event conducted, sponsored or authorized by the District.

Section 2.20. Hunting or Trapping. No Person shall hunt or trap, nor bring any device for hunting or trapping into or onto District Property or District Waters. This section does not apply to Person(s) acting under the authority of the Director who remove, replace, eradicate or cull domestic animals or Wildlife on District Property.

Section 2.21. Interference with Other Users.

(a) No Person shall walk, act, or conduct himself upon any portion of District Property designated for a particular game, sport, event, amusement or other use in such a way as to interfere with the use of such portion by other Persons who are properly using the same for the particular sport, event, game, amusement or other use for which it has been designated, nor shall any Person unreasonably obstruct or impede the use of District Property or create a public nuisance.

(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 engage in any activity on District Property in a manner calculated or which is reasonably likely to endanger, injure, or damage Persons or property in any way.

Section 2.22. Loitering in District Buildings. No Person shall loiter or remain in any District

building or facility 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 in the building or facility in a timely manner, after being requested to leave by any Authorized Personnel or where the District has posted a sign or signs that prohibit loitering.

Section 2.23. 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.

Section 2.24. Mob Action.

(a) No Person shall collect with other Persons, in bodies or in crowds of two (2) or more Persons without authority of law, for unlawful purposes or any purpose of disturbance or obstruction of the lawful activities of other Persons or otherwise disturb, obstruct, or interfere unreasonably with the lawful activities of other Persons using District Property in a manner which creates immediate violence or breach of the peace or threat thereof or endangers the person or property of others.

(b) No Person shall knowingly commit an act or engage in conduct that urges or incites other Persons to riot, engage in immediate violence or lawlessness, or commit any unlawful act.

(c) No Person shall organize, promote, encourage, or otherwise participate in a riot or other breach of the peace involving crowds of two (2) or more Persons gathered, without authority of law, for unlawful purposes or any purpose of disturbance or obstruction of the lawful activities of other Persons.

Section 2.25. Parades, Public Assemblies or Meetings.

(a) Public parades, processions, theatrical or dramatic presentations, musical presentations or entertainment of any description, athletic events, meetings, assemblies, gatherings, exhibits, and demonstrations, are permitted on District Property provided that where the number of participants is reasonably expected to exceed twelve (12) or more Persons and/or Vehicles, a Permit therefor must first be obtained from the District in accordance with Chapter V of this Ordinance.

(b) This section shall not apply to students going to and from school classes or participating in educational activities under the immediate direction and supervision of school authorities or their agents, a governmental agency acting within the scope of its functions, or normal or scheduled District programs or activities.

Section 2.26. Posting Printed or Written Material In Designated Area(s).

(a) The District shall designate an area(s) for the posting of printed or written public information material.

(b) No Person shall post, place, display, or cause to be posted, placed, or displayed any printed or written material on District Property without presenting the material to the District. The District shall stamp and date the material as received, and post the material, space permitting, unless the said material is obscene as defined in 720 ILCS 5/11-20. The material may remain posted for a period not to exceed one (1) week after which a Person may resubmit his public information notice for posting, space permitting.

(c) Space for posting material as provided herein shall be allocated on a first-come, first-served basis, except that the District's own printed or written public information may be given priority. The printed or written material shall be no larger than 8 1/2 inches x 11 inches and only one copy of each public information notice shall be posted.

(d) The District may remove printed or written material that has not been posted in accordance with this Section. The Person responsible for said posting shall be liable for the cost incurred in the removal thereof. The provisions of the Illinois Parental Responsibility Law (740 ILCS 115/1 *et seq.*) are specifically incorporated in this Ordinance by reference for purposes of this section.

Section 2.27. Posting Printed or Written Material on Public Places or Objects.

(a) Except as provided in Section 2.26 of this Ordinance, no Person shall paint, write on, or in any way mark or deface, or post or otherwise affix, any printed or written words, symbols, materials, or other marks to or upon District Property or any thing or object located on District Property unless a Permit has been obtained from the District or is otherwise agree to by the District by contract or authorized by the District.

(b) The District may remove any printed or written word, symbol, material, or other mark found posted or otherwise affixed upon any District Property or any thing or object located

on District Property contrary to the provisions of this Section. The Person responsible for any such defacing, writing, or posting shall be liable for the cost incurred in the removal thereof. The provisions of the Illinois Parental Responsibility Law (740 ILCS 115/1 *et seq.*) are specifically incorporated in this Ordinance by reference for purposes of this section.

Section 2.28. Protection of Property.

(a) No Person shall mark, carve, bend, cut, paint, deface, affix any sticker or sign to, break down, destroy, damage, set fire to, remove, alter, change, sever, uproot, dig, excavate or otherwise remove, or attach or suspend any rope, wire, or other material or contrivance to, on, or from, District Property or any thing or object on or upon District Property, or otherwise take, damage or destroy such Property, thing or object unless a Permit, license or contract therefor has first been obtained from the District.

(b) No Person shall climb upon, walk on, hang from or stand or sit on, any plant, tree, fence, structure, or other District Property of any kind except such benches or other property designated or customarily used for such purposes, or recreational equipment installed for such purposes.

(c) No Person shall bring into, throw, cast, drop, deposit, or otherwise leave or lay down any smoke bomb, stink bomb, or other offensive smelling compound on District Property.

(d) No Person shall bring any plant or portion of a plant or plant product onto District Property.

(e) No Person shall operate, or cause to be operated, any Vehicle 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.

Section 2.29. Public Indecency.

(a) No Person shall perform or commit any of the following acts on District Property:

(1) An act of sexual penetration or sexual conduct as defined in 720 ILCS 5/12-12; or,

(2) A lewd exposure of the body done with intent to arouse or to satisfy the sexual desire of the Person.

(b) No Person shall exhibit, sell, give away, offer to sell or give away, display or hold or place in such a manner as to be open to public view any obscene book, pamphlet, drawing, picture, photograph, model, cast, instrument, or any other obscene article while on or upon District Property. For purposes of this subsection, obscene shall have the meaning ascribed to it in 720 ILCS 5/11-20.

Section 2.30. Reporting Accidents. A Person involved in an incident on District Property resulting in personal injury or property damage, other than an accident reportable under section 3.06 of this

Ordinance, shall report the incident to any Authorized Personnel within twenty-four (24) hours after the incident.

Section 2.31. Restricted Areas.

(a) No Person shall enter or remain in any building or portion of District Property where Persons are prohibited by the District from entering as indicated by a sign or notice posted by the District.

(b) No Person shall enter or remain in any District Property when it is closed to the public.

(c) No Person shall enter any District Property which is reserved or scheduled for a specific group or activity, unless such Person is invited by the individual, group, or agency responsible for such activity and, if applicable, such Person has paid all appropriate admission and/or registration fees.

(d) No Person whose admission privileges to District Property have been terminated, revoked, forfeited or suspended by the District pursuant to Section 7.02 shall enter or remain in or on any District Property that is the subject of the termination, revocation, forfeiture or suspension.

Section 2.32. Restrictions Applicable to Specific Recreational Activities.

(a) Golf. No Person shall play or practice golf on District Property, except when involved in an established golf class under the supervision and direction of the District, or in an area designated for golf and the Person has satisfied all requisites before playing or practicing, including without limitation the paying of appropriate fees.

(b) Baseball and Softball Playing.

(1) No Person shall engage in softball or baseball games except in those parks which have established diamonds and backstops constructed for that purpose, or such other areas as may be specifically designated by the District;

(2) In those parks having established softball or baseball diamonds, participation in softball or baseball in areas other than established diamonds is limited in accordance with signs or notices posted by the District;

(3) In those parks having established softball or baseball diamonds, the type of recreation on said diamonds shall be in accordance with posted signs or notices posted by the District.

(c) Soccer Goals.

(1) No Person may install, place, or use any soccer goal on District Property that does not conform to the Moveable Soccer Goal Safety Act 430 ILCS 145/1 *et seq.*,

and the District's Soccer Goal Safety and Education Policy, a copy of which is provided to all organizations affiliated with or authorized, by Permit, license or contract, to use District Property for soccer related activities and is otherwise available on the District's website or by contacting the Superintendent of Recreational Facilities.

(2) No Person, other than Authorized District Personnel, may move any soccer goal that the District has installed or otherwise placed on District Property.

(d) Picnics.

(1) Picnics requiring fires shall be held only in those areas where fireplaces, stoves, grills, or pits have been provided for that purpose and upon issuance of a Permit by the District in accordance with Chapter V of this Ordinance;

(2) No group of Persons exceeding twelve (12) in number shall picnic on District Property unless a Permit has first been obtained from the District in accordance with Chapter V of this Ordinance. The District may designate areas for preparing, consuming, and dispensing food, beverages and other products. Persons holding a Permit and dispensing any of such products may do so only in the area designated in the Permit. In the event the dispensing of the permitted products is by sale, the Person must also comply with Section 2.09 of this Ordinance. No Person may dispense, prepare, consume, sell or otherwise use products, items or things otherwise prohibited in this Ordinance or any other federal state, local, or District law, rule, regulation or ordinance.

(e) 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 in accordance with Chapter V of this Ordinance.

(f) Tournaments, Leagues, or Other Organized Recreational 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 in accordance with Chapter V of this Ordinance.

(g) Team Sports. In those parks having athletic fields established for specific uses, the type of recreation on said fields shall be in accordance with the District's field and facility use policies, signs or notices posted by the District.

(h) 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.

Section 2.33. Rest Rooms, 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 human waste and toilet tissue, in the toilets or plumbing fixtures of a restroom, washroom facility or locker room.

(c) Except as provided in this Section 2.33, no Person 6 years of age and older shall use any restroom, washroom or locker room designated for the opposite sex unless to assist a child or other Person requiring assistance.

(d) No Person 5 years of age and younger shall use any restroom, washroom or locker room unless accompanied by a Person over the age of eighteen, except that a Person 5 years of age and younger who is a registered participant in a Park District program may use a designated children's bathroom without being accompanied by a Person over the age of eighteen while participating in the District program. Children 5 years of age and under may use restrooms, washrooms and locker rooms designated for the opposite sex when a family facility is unavailable.

(e) All single-occupancy restrooms are designated as gender-neutral, and available for use by all.

(f) Transgender individuals may use the restroom, washroom or locker room consistent with their gender identity.

(g) No Person shall use any camera, video recorder or other device capable of recording or transmitting visual image(s) to make a video record or transmit live video of another person in or from any restroom, washroom facility, changing room, dressing room or locker room in compliance with 720 ILCS 5/26-4.

#### Section 2.34. Rollerskates, In-line Skating, Skateboards, and Other Similar Objects.

(a) No Person shall use any type of skateboard, roller skates, rollerblades, roller skis or engage in similar activities (collectively, "Skating Activity(ies)") on District Property, including but not limited to on any path, trail, roadway, park, playground, athletic field, tennis court, basketball court, associated ramps to buildings, park amenities and similar structures or other areas designated as prohibiting Skating Activities. Skating Activities may only be performed at such places and at such times as the District may designate for that purpose.

(b) No Person engaged in a Skating Activity shall interfere with pedestrian use of sidewalks or Vehicle use of the streets, or otherwise act negligently, recklessly or without due caution, or in any manner so as to endanger any Person or property.

(c) Use of any type of a motorized skateboard or scooter (gas or electric powered) on District Property shall be subject to Section 3.02 of this Ordinance.

#### Section 2.35. Selling or Distributing Printed or Written Material.

(a) Advertising for commercial purposes is prohibited on District Property without permission. The distribution of printed or written material available without cost or donation is

permitted on District Property.

(b) The sale or distribution for donation of printed or written material is permitted on District Property provided that a Permit therefor has first been obtained from the District in accordance with Chapter V of this Ordinance.

(c) Any Person engaged in the sale or distribution of printed or written materials under this Section 2.35 shall not obstruct or impede pedestrians or Vehicles, harass park visitors with physical contact or persistent demands, misrepresent the affiliations of those engaged in such activities, misrepresent whether the materials are available without cost or donation, or interfere, interrupt, or engage in conduct incompatible with the purpose of any program, activity, function, and/or special event conducted or sponsored by the District.

Section 2.36. Sledding, Ice Skating, Snowmobiling and Other Winter Sports.

(a) No Person shall skate, sled, toboggan, innertube, ski, snowboard, slide, or engage in similar activities on District Property except at such places and at such times as the District may designate for such purposes, and then only in compliance with the rules and regulations published and posted by the District for such activities.

(b) No Person shall engage in any such activity in a reckless manner that endangers themselves or others or at a speed greater than is safe and proper under the circumstances.

(c) No Person shall tow, push, pull, or otherwise propel another Person on skis, sled, or other sliding device by use of any Vehicle on District Property.

(d) No Person shall operate, drive, ride, or otherwise operate a snowmobile on District Property. 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 ski or skis in contact with the snow.

Section 2.37. Sleeping on District Property. Except as permitted in Section 2.07 of this Ordinance, no Person shall sleep on benches, sidewalks, parking lots, picnic grounds or tables, playgrounds or playground equipment, stairways or doorways of District buildings or other District Property so as to unreasonably obstruct or hinder the movement of other Persons or the use of facilities.

Section 2.38. Smoking. Smoking or any use of a tobacco product is prohibited in all District buildings, facilities, Vehicles, and on all District Property, and within fifteen (15) feet of any entrance, exit, window that opens, or ventilation intake that serves any enclosed area where Smoking is prohibited, as set forth in Section 10 of the Smoke Free Illinois Act (410 ILCS 82/10).

Section 2.39. Swimming. No Person shall bathe, swim, wade, float, splash, or otherwise enter District Waters except at such times and places and in compliance with all policies, rules and regulations as the District may designate for such activities.

Section 2.40. Firearms and Weapons.

(a) Except as permitted by Illinois law concerning the storage and transport of a firearm, or in connection with a District program, or otherwise provided herein, no Person while on District Property shall bring onto, carry, or possess on or about their person, Vehicle or any other conveyance, concealed or otherwise, any firearm or handgun, as those terms are defined pursuant to the Firearm Owners Identification Card Act (430 ILCS 65/et seq.) and the Firearm Concealed Carry Act (430 ILCS 66/1 et seq.), or any other dangerous or deadly weapon, including but not limited to, any weapon capable of discharging a projectile or projectiles by air, gas or by the action of an explosion, expansion of gas or escape of gas, any rocket, firecracker or other firework, missile, bomb, bomb-shell, grenade, or other explosive object containing noxious liquid or gaseous substance, other than an object containing a non-lethal noxious liquid gas or substance designed solely for personal defense carried by a person 18 years of age or older, any stun gun, taser, bow and arrow, slingshot, cross bow, spear and spear gun, any knife, commonly referred to as a switch blade knife, or a ballistic knife, stiletto, sword, blackjack, slung-shot, sand-club, sand-bag, martial arts weapon, bludgeon, metal knuckles or other knuckle weapon regardless of its composition, throwing star, dagger, dirk, billy club, razor, or any other weapon or firearm described in Section 5/24-1 of the Illinois Criminal Code (720 ILCS 5/24-1 et seq.).

(b) No Person shall use, fire, set-off or otherwise cause to explode, discharge or burn, or throw onto or while on District Property any firearm or handgun, as those terms are defined pursuant to the Firearm Owners Identification Card Act (430 ILCS 65/et seq.) and the Firearm Concealed Carry Act (430 ILCS 66/1 et seq.), or any other dangerous or deadly weapon, including but not limited to those weapons listed in Section 2.40(a).

(c) Nothing in this Section 2.40 shall be construed to prevent any District Police or agent of the District to use and possess a firearm or other weapon as may be authorized and necessary in the discharge of their official duties on behalf of the District.

Section 2.41. Fireworks. No Person shall offer for sale, expose for sale, sell, possess, use, or explode any firecracker, torpedoes, skyrockets, roman candles, bombs, sparklers, 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 without first obtaining a Permit from the District, or unless authorized to do so by contract with the District.

### **CHAPTER III - VEHICLES, PARKING, TRAFFIC CONTROL, AND USE OF OTHER MOBILITY DEVICES**

Section 3.01. All-Terrain Vehicles and Go-Karts. No Person, other than Authorized Personnel, shall drive, ride, or otherwise operate an all-terrain Vehicle, utility Vehicle or go-kart on District Property. For purposes of this section, an all-terrain Vehicle shall be defined as any motorized off-highway device 50 inches or less in width, having a manufacturer's dry weight of 1,500 pounds or less, travelling on three (3) or more low-pressure or non-pneumatic tires, designed with a seat or saddle for operator use, and handlebars or steering wheel for steering control and that may or may not include seats for passengers.

Section 3.02. Lightweight Mobility Devices, E-Bikes, and Low-Speed Electric Scooters

(a) No Person shall operate a Lightweight Mobility Device or a Class 1, 2 or 3 E-Bike on District playgrounds, ball fields, tennis courts, any other athletic fields or courts or sidewalks except that children under the age of 4 years old riding three- or more-wheeled cycles may operate such cycles on sidewalks while under the supervision and control of an adult.

(b) No Person shall operate a Class 2 or 3 E-Bike on any District path or trail.

(c) No Person shall operate a Class 2 or 3 E-Bike on any other District Property other than on District roadways and in compliance with Illinois Bicycle Rules of the Road, 625 ILCS 5/11 *et seq.*

(d) No Person shall operate a Low-Speed Electric Scooter on any District Property, including but not limited to District playgrounds, ball fields, tennis courts, any other athletic fields or courts, sidewalks, paths, trails, parking lots, roads, and other rights of way. The use of Low-Speed Electric Scooters is strictly prohibited on all District Property and is not an intended or permitted use of any District Property. However, nothing herein shall prevent a Person from requesting to use a Low-Speed Electric Scooter as a reasonable modification for a disability in accordance with Section 3.24 of this Ordinance and applicable law.

(d) When two (2) or more Persons in a group are operating a Lightweight Mobility Device on District Property, they shall not ride abreast, but shall ride in single file.

(e) No Person operating a Lightweight Mobility Device on District Property shall cling or attach himself or the Lightweight Mobility Device to any other moving Vehicle.

(f) The operator of a Lightweight Mobility Device emerging from an alley, driveway or building on District Property shall, upon approaching a sidewalk or the sidewalk area extending across any alley or driveway, yield the right-of-way to all pedestrians approaching on said sidewalk or sidewalk area, and upon entering the roadway shall yield the right-of-way to all Vehicles approaching on said roadway.

(g) No Person operating a Lightweight Mobility Device on District Property shall carry another Person on the same Lightweight Mobility Device. This restriction does not apply to tandem bicycles equipped with two or more seats or saddles or an ordinary bicycle equipped with a seat or saddle for an infant or small child if used properly. In that event, there shall be only the number of Persons on the bicycle as there are seats or saddles.

(h) Lightweight Mobility Devices shall not, at any time, in any place, be indiscriminately parked on District Property in such manner as to interfere with pedestrian or vehicular traffic, or with Persons getting into or out of Vehicles. No Person shall leave a Lightweight Mobility Device on District Property lying on the ground or paving or set against trees or otherwise in a place other than a bicycle rack when such is provided and there is space available. No Person shall move or in any manner interfere with, any Lightweight Mobility Device which is properly parked on District Property, nor shall any Person interfere with, or, in any manner, hinder any Person from properly parking a Lightweight Mobility Device.

(i) All Lightweight Mobility Devices, when operated on District roadways, shall be kept to the right and shall be operated as nearly as practicable to the right-hand edge of the roadway.

(j) No Person shall operate a Lightweight Mobility Device on District Property at a speed faster than is reasonable and proper under the circumstances, and every Lightweight Mobility Devices shall be operated with reasonable regard for the safety of the rider and of other Persons and property.

(k) Every Person operating a Lightweight Mobility Device on District Property shall obey all federal, state, local, and District traffic laws, rules, and regulations applicable to the operation of the specific Lightweight Mobility Device.

(l) The regulations set forth herein for Lightweight Mobility Devices shall not apply where necessary to make a reasonable accommodation for use of District Property under the Americans with Disabilities Act.

Section 3.03. Change of Oil/Cleaning. No Person shall change the oil or grease of, or wash, clean or polish Vehicles on District Property, unless a Permit therefor has first been obtained from the District in accordance with Chapter V of this Ordinance.

Section 3.04. Commercial Vehicles.

(a) The term "commercial Vehicles" as used in this section shall include, but not be limited to trucks, station wagons, vans, pickups, passenger cars, or other Vehicles when used in transporting Persons or movable property for a fee or profit, either as a direct charge to another Person, or otherwise, or used as incident to providing services to another Person, or used in connection with any business.

(b) All roadways on District Property shall be used for pleasure driving only. No Person, other than District employees, shall drive any truck, tractor or other commercial Vehicle of any kind on District Property without first obtaining a contract therefor from the District.

(c) This section shall not apply to commercial Vehicles making authorized deliveries to or performing authorized services for the District.

Section 3.05. Driving Areas. No motor Vehicle shall be driven or otherwise operated upon District Property except over and upon such roadways, parking lots, or other areas designated or marked by the District for use by motor Vehicles. A path or sidewalk shall not be deemed a roadway for the use of motor Vehicles under this section.

Section 3.06. Duty of Operator in Accidents. No Person shall leave the scene of a collision with another Vehicle, Person or property occurring on District Property, without giving his true name and residence address to the injured Person or any other Person or member of the District Police Force requesting same, and in the event no public officer is present, he must immediately report the occurrence to the nearest police station or police headquarters.

Section 3.07. Emergency Vehicles.

(a) 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.

(b) The provisions of this chapter 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).

(c) During non-emergency times, 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 Chapter.

(d) Every Person operating a Vehicle on District Property shall, at the immediate approach of an emergency Vehicle making use of its warning system signals, 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 District Police Force.

Section 3.08. Enforcement of Traffic Regulations. No Person shall fail to obey any Authorized Personnel who is directing traffic or enforcing sections of this Chapter on District Property.

Section 3.09. Fleeing or Attempting to Elude the District Police Force. No Person driving or otherwise operating a motor Vehicle on District Property shall willfully fail or refuse to obey a visual or audible signal by a member of the District Police Force to bring his Vehicle to a stop. The signal given by a member of the District Police Force may be by hand, voice, siren, or red or blue light. The member of the District Police Force giving such signal shall be in uniform or driving a Vehicle appropriately marked showing it to be an official District Police Force Vehicle.

Section 3.10. Gas and Smoke. No Person shall drive or otherwise operate a Vehicle on District Property which emits excessive noxious fumes or dense smoke.

Section 3.11. 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.

Section 3.12. 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, including but not limited to, Chapters 6, 11 and 12 of the Illinois Vehicle Code (625 ILCS 5/6-100 *et seq.*, 625 ILCS 5/11-100 *et seq.* and 625 ILCS 5/12-100 *et seq.*) which provisions are specifically incorporated in this Ordinance by reference, and all other applicable local, state and federal laws having to do with the equipment, control, licensing, registering and use and operation of Vehicles and/or the licensing of operators of such Vehicles.

Section 3.13. Intoxicated Operators.

(a) No Person shall drive or otherwise operate nor attempt to drive or otherwise operate a Vehicle on District Property while under the influence of intoxicating liquor, drugs, or a combination of liquor and drugs.

(b) Upon trial for such offense, in addition to other evidence, evidence of the amount of alcohol in the Person at the time of the act alleged, as shown by a chemical analysis of his breath, blood, urine, saliva, or other bodily substances, is admissible, and the result of such analysis shall give rise to the presumptions set forth in Section 11-501.2(b) of the Illinois Vehicle Code (625 ILCS 5/11-501.2(b)) which provision is specifically incorporated in this Ordinance by reference.

Section 3.14. Non-Highway Vehicles. No Person shall drive, ride, or otherwise operate any Non-Highway Vehicle on District Property.

Section 3.15. Negligent and Reckless Driving. No Person shall drive or otherwise operate a Vehicle on District Property negligently, recklessly or without due caution, or in any manner so as to endanger any Person or property. All Vehicles shall be driven or otherwise operated on the right side of any roadway open to travel, except when passing other Vehicles.

Section 3.16. Parking.

(a) No Person shall park a Vehicle on District Property in other than established or designated parking areas, and such shall be in accordance with the posted directions and markings or with the directions of any attendant who may be present.

(b) No Person shall park any Vehicle or allow any Vehicle to remain parked in any area of District Property beyond the normal closing hour of the park system, except when a different closing hour has been designated by the District for that area or unless permission has first been obtained from the District. Any Vehicle located on District Property which cannot operate due to mechanical failure shall be towed within a reasonable time of such failure. In no event shall any Vehicle except District vehicles be parked on District Property later than 11:30 p.m., except with the approval of the District which approval shall automatically be deemed given in connection with activities conducted by the District or in the event of an emergency.

(c) No Person shall stop, park, or place 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, park, or place any Vehicle in any of the following places except when otherwise designated, or when necessary to avoid conflict with other traffic or when in compliance with the instructions of a member of the District Police Force: (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 20 feet of any intersection or crosswalk; (7) within 30 feet of any stop sign or traffic control signal; (8) on the roadway side of any Vehicle stopped or parked at the edge or curb of the roadway; (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 15 feet of a fire hydrant; (13) in a fire lane or within

8 feet of the entrance to a fire lane; (14) within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of such entrance (when properly sign-posted); (15) between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings; (16) alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic; (17) upon any bridge or other elevated structure upon a roadway, or within a roadway tunnel; (18) on any railroad tracks or within 50 feet of the nearest rail of a railroad crossing; (19) on a controlled-access roadway; (20) in the area between roadways of a divided highway, including without limitation crossovers; and, (21) at any place or time where a permit or sticker is required by the District for parking unless the required permit or sticker has been obtained and is displayed on the Vehicle.

(d) 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.
- (4) To use for commuter train parking.
- (5) To park more than 10 minutes in the Preschool Loading Zone.

(e) The operator of an authorized emergency Vehicle, as defined in Section 3.07 of this Ordinance, may park or stand irrespective of the provisions of this Ordinance.

(f) Every Person in whose name a Vehicle is registered pursuant to law and who leases such Vehicle to others, after receiving written notice of a violation of this Ordinance involving such Vehicle, shall upon request provide the District with a written statement of the name and address of the lessee at the time of such offense and the identifying number upon the registration plates and registration sticker or stickers of such Vehicle.

(g) No Person who is the lessor of a Vehicle pursuant to a written lease agreement shall be liable for the violation of any parking or standing regulation of this Ordinance involving such Vehicle during the period of the lease provided that upon the District's request received within 120 days after the violation occurred, the lessor provides within 60 days after such receipt the name and address of the lessee. The driver's license number may also be requested by the District if needed for enforcement of this Ordinance.

(h) Except as otherwise provided, every Vehicle stopped or parked upon a two-way roadway on District Property shall be stopped or parked with the right-hand wheels parallel to and within twelve (12) inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder.

(i) No Person shall move a Vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful.

(j) Except as otherwise provided, every Vehicle stopped or parked upon a one-way roadway on District Property shall be so stopped or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement, with its right-hand wheels within twelve (12) inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder, or with its left-hand wheels within twelve (12) inches of the left-hand curb or as close as practicable to the left edge of the left-hand shoulder.

(k) No Person shall park a Vehicle in any other manner as prohibited by law.

(l) Penalty Provisions for Parking Violations.

(1) Whenever any Vehicle shall have been parked in violation of any section of this Ordinance prohibiting or restricting vehicular standing or parking, the Person in whose name the Vehicle is registered with the Secretary of State of Illinois shall be prima facie responsible for the violation and subject to the penalty therefor.

(2) Whenever any Vehicle is parked in violation of any parking provision of this Ordinance, any law enforcement officer observing such violation may issue a parking violation notice, and serve the notice on the owner of the Vehicle by handing it to the operator of the Vehicle, if he is present, or by affixing it to the Vehicle in a conspicuous place. The issuer of the notice shall specify on the notice his identification number, the particular parking regulation allegedly violated, the make and state registration number of the cited Vehicle, and the place, date, time, and nature of the alleged violation and shall certify the correctness of the specified information by signing his name to the notice.

(3) A parking violation notice issued, signed, and served in accordance with this section, or a copy of such notice, shall be prima facie correct and shall be prima facie evidence of the correctness of the fact, shown therein. The notice or copy thereof shall be admissible in any subsequent administrative or legal proceeding.

### Section 3.17. Riding Outside Vehicles.

(a) No Person shall ride upon the fenders, running boards, bumpers, hood, or any other exterior part of any Vehicle on District Property. Nothing contained in this Section 3.17 shall be construed as prohibiting any Person from riding upon a District hay wagon, parade float, or similar conveyance.

(b) No Person shall cling or attach himself, his Vehicle, or any other object, to any other Vehicle on District Property.

### Section 3.18. 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 at 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 which 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.

Section 3.19. Siren Devices. No Person shall sound any siren-sounding device or other type of signaling device which makes unusually loud or unnecessary noise on District Property unless that Person is driving or operating an authorized emergency Vehicle, as defined under Section 3.07, responding to an emergency call, or pursuing an actual or suspected violator of the law.

Section 3.20. Speeding.

Except as provided in Section 3.07(b) of this Ordinance:

(a) No Person shall drive or otherwise operate a Vehicle on District Property at a speed greater than is reasonable and safe under the circumstances, having due regard for traffic, pedestrians, weather conditions, visibility and the intended use of the roadway.

(b) No Person shall drive or otherwise operate a Vehicle on District Property at a speed which endangers the safety of any Person or property.

Section 3.21. Traffic Signs and Signals.

(a) No Person shall fail to observe 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.

(b) No Person shall deface, injure, move, or otherwise interfere with any traffic sign or signal on District Property.

Section 3.22. Unattended Motor Vehicles. No Person driving, operating, or otherwise in charge of a motor Vehicle on District Property shall permit it to stand unattended without first stopping the engine, locking the ignition and removing the keys. When the motor Vehicle is standing upon any perceptible grade, the Person shall set the parking brake thereon and turn the front wheels to the curb or side of the roadway.

Section 3.23. Unauthorized Use of Parking Places Reserved for Persons with Disabilities.

(a) For purposes of this section, a Person with a disability means every natural Person who meets the criteria set forth in 625 ILCS 5/1-159.1, which is specifically incorporated in this Ordinance by reference.

(b) No Person shall park on District Property any motor Vehicle which is not bearing registration license plates or placards issued to a Person with a disability, pursuant to 625 ILCS 5/3-616, 11-1301.1, 11-1301.2, or to a disabled veteran pursuant to 625 5/3-609 of the Illinois Vehicle Code which provisions are specifically incorporated in this Ordinance by reference, as evidence that the Vehicle is operated by or for a Person with a disability or disabled veteran, in any parking place, including without limitation any private or public off-street parking facility, specifically reserved by the District, by the posting of an official sign as designated under 625 ILCS 5/11-301, for motor Vehicles bearing such registration license plates or placards issued to Persons with disabilities. Any motor Vehicle bearing a license plate or placard or device containing the international symbol of access issued to Persons with disabilities by any local authority, state, district, territory or foreign country shall be recognized by the District as a valid license plate, placard or device and receive the same parking privileges as Persons with disabilities who are residents of this State.

(c) The District may remove or cause to be removed to the nearest garage or other place of safety any motor Vehicle parked within a stall or space reserved for use by the Persons with disabilities which does not display a license plate or placard or devise issued to a Person with a disability as required by this section.

(d) Any Person found guilty of violating the provisions of this section shall be fined the current State of Illinois fine in addition to any costs or charges connected with the removal or storage of any motor Vehicle authorized under this section.

Section 3.24 Use of Wheelchairs and Use of Other Power-Driven Mobility Devices (OPDMD)

For purposes of this section, “Wheelchairs” shall mean manually operated or power-driven device, including but not limited to electric scooters, designed primarily for use by an individual with a mobility disability for the main purpose of indoor, or both indoor and outdoor locomotion.

For purposes of this section, “Other Power-Driven Mobility Device” (OPDMD) shall mean any mobility device powered by batteries, fuel or other engines that is used by Persons with mobility disability for purpose of locomotion, including electronic personal assistance mobility devices, or any mobility device designed to operate in areas without defined pedestrian routes, but that is not a wheelchair.

(a) Use of Wheelchairs

Use of Wheelchairs may be used in and on any District Property open to pedestrian use.

(b) Persons with mobility disabilities are authorized to use an OPDMD in and on District Property subject to the following restrictions:

(1) The operator of the device must provide credible assurance that the OPDMD is required because of a mobility disability by either: a. showing a valid, state-issued, disability parking placard or card or other state-issued proof of disability; or b. verbally stating that the OPDMD is being used by a Person with a mobility disability (such verbal statement must not contradict observable fact);

(2) Except as provided in 3.24(b)(3) below, the OPDMD, if used in a facility or in a park, is allowed in any area of the facility or park in which the general public is allowed, with the exception of employee-only spaces, stairways, and identified hazardous areas.

(3) No Person shall use an OPDMD powered by fuel or combustion engine in an enclosed District facility;

- (4) The OPDMD, if used in a facility, must be controlled by the operator and:
- a. may not exceed 4 mph;
  - b. shall be driven on the right side of the circulation route;
  - c. is prohibited from carrying another Person on the frame, or any object on the frame that may make the OPDMD less stable;
  - d. must not be operated in a dangerous or reckless manner that jeopardizes the safety of the operator, District employees, or District participants.

(5) The OPDMD, if used in a park or out-of-doors, must be controlled by the operator and:

- a. may not exceed 6 mph;
- b. may not be driven into wet or ecologically sensitive areas which are posted as prohibited areas by the Park District;
- c. shall be driven on the right side of the circulation route;
- d. is prohibited from carrying another Person on the frame, or any object on the frame that may make the OPDMD less stable;
- e. must not be operated in a dangerous or reckless manner that jeopardizes the safety of the operator, District employees, or District participants.

(6) Notwithstanding the regulations set forth in subsection 3.24(b)(4) above, the Director shall have authority and reserves the right to direct a Person's use of an OPDMD in light of the existing conditions of the District Property where such Person seeks to operate the device so that the Person operates the OPDMD in a safe manner, based on actual perceived risks related thereto, and not based on mere speculation,

stereotypes, or generalizations about a particular device or how it might be operated by individuals with disabilities using them. In giving direction on the safe operation of a permitted OPDMD, the Director may consider the type, size, weight, dimensions, and speed of the OPDMD, the existing uses at or on the District Property, the volume of pedestrian traffic, the prevailing operational and environmental conditions of the District Property, the density and placement of stationary devices at or on the District Property, whether legitimate safety requirements can be established to permit the safe operation of the OPDMD at or on the specific District Property, and whether use of the OPDMD creates a substantial risk of serious harm to the immediate environment or natural resources, or poses a conflict with land management laws and regulations.

(7) The District accepts no responsibility for storage of any OPDMD.

(8) The District accepts no liability for damage to any OPDMD, or injury to the operator, whether caused by the operator, another visitor to District Property, or any other circumstance.

(9) The District accepts no liability for damage caused by the operator of the OPDMD, or injury to others caused by the operator of the OPDMD.

(10) The District reserves the right to restrict, modify or suspend the use of OPDMDs at or on District Property if a legitimate safety concern(s) exist. In the event use of OPDMD are not permitted at or on District Property due to legitimate safety concerns, the District will offer the Person an alternative to access the service or program, if possible.

**Section 3.25. Impounding of Vehicles.** Any Vehicle parked or standing within or on District Property in violation of any law, ordinance or rule is hereby declared to be a public nuisance. Such Vehicle may be removed and impounded and the owner or Person entitled to possession of the Vehicle shall pay charges and expenses arising out of any action taken hereunder.

#### **CHAPTER IV - PARK HOURS, CLOSING, AND GENERAL OPERATION POLICIES**

##### **Section 4.01. Hours.**

(a) Except as otherwise provided in this Section 4.01, District Property shall be open to the public from sunrise in the morning until sunset in the evening of that same day and District Property shall be closed to the public from sunset each day until sunrise the following day. Lighted fields and other outdoor facilities shall remain open to the public so long as the lights are illuminated.

(b) The hours set forth in Section 4.01(a) shall not apply to Persons attending an authorized meeting, program, or activity held at any District facility, which hours shall be in accordance with the hours posted at the respective meeting or facility.

(c) The District may establish other hours during which District Property or any parts thereof shall be open or closed to the public. The Board may periodically revise these hours.

**Section 4.02. Special Closings.** The Board or the Director may close one or more District parks, buildings, and 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 merely to certain uses, as deemed advisable and in the best interest of the public and District.

Section 4.03. Use of Closed Property Prohibited. No Person shall use, occupy, be in, or remain upon District Property or leave any personal property in or upon District Property which is closed to the public, or after closing hours, unless permission therefor has first been obtained from the District.

Section 4.04. 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 non-residents of the District need not be the same as fees charged 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 and/or published in District program brochures or otherwise made available to the users of District Property, who shall be charged with actual knowledge thereof. All Persons shall abide by all District policies, rules and regulations and with the direct orders or requests of employees and agents of the District when using District Property.

Section 4.05. Admission/Identification. No Person shall enter into, be, or remain in or upon District Property without paying proper admission fees, without complying with registration requirements, if any, which may be established by the District, and without displaying the required admission identification. All 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 lost admission identification cards, papers and tickets.

Section 4.06. Lost, Found, and Abandoned Property.

(a) No Person shall abandon property on District Property.

(b) Property left unattended for longer than twenty-four (24) hours or unattended property that interferes with any park visitors' safety, orderly management of the park area, or presents a threat to park 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 or agent finds lost or unattended property on District Property he shall report such find to his Division Head. 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. Unless claimed by the owner or an authorized agent thereof, the property may be claimed by the finder of such property unless the finder is an employee, officer, or agent of the District or Board. All property not claimed shall be disposed of

as the District deems appropriate.

Section 4.07. Building Use. No Person shall use any District building or facility for an event or activity which is not conducted or sponsored by the District unless a Permit therefor has first been obtained from the District in accordance with Chapter V of this Ordinance and/or a license agreement has been executed with the District. All Persons using District buildings or facilities shall comply with the provisions of this Ordinance and with the provisions and conditions of the Permit and/or license agreement and with all other applicable policies, rules, and regulations of the District regarding the use of District Property.

## **CHAPTER V - PERMITS AND OTHER AUTHORITY**

### Section 5.01. Permits.

(a) Permits may be granted upon proper application and approval where the applicable section of this Ordinance or any other District ordinance, policy, rule, or regulation provides for the issuing of a Permit in order to engage in a particular activity.

(b) Every Person requesting a Permit shall complete and file a written application with the Director, on forms provided by the District, and pay applicable application fees at the District's administrative offices located at 1609 S. Luther Avenue, Lombard, Illinois. When received, the application shall be dated and stamped as received and a receipt issued to the applicant.

(c) Except as provided in Section 5.01(c)(1), applications for Permits must be received by the District at least five (5) business days prior to the activity for which a Permit is sought.

(1) This application deadline shall not apply to applications for Permits under Sections 2.02, 2.09, 2.16, and 2.32 and any other section of this Ordinance or any other District ordinance, rule, or regulation not involving the exercise of First Amendment rights. For such Permits, applications must be received by the District at least three (3) weeks prior to the requested activity.

(d) Except as provided in Section 5.01(d)(7), the District shall issue the Permit without unreasonable delay unless:

(1) The proposed activity violates any federal, state, local, or District law, rule, or regulation; or,

(2) A prior application for a Permit for the same date, time, and location has been or will be granted and the activities authorized by that Permit do not reasonably allow multiple occupancy of that particular area; or,

(3) The proposed activity is of such a nature that it cannot reasonably be accommodated in the particular location applied for, considering, without limitation, the likelihood of such things as damage to park resources or facilities, damage to an environmentally sensitive or protected area's ecosystem, impairment of a protected area's atmosphere of peace and tranquility, unreasonable interference with District functions,

buildings, facilities, operations, programs or activities, or unreasonable interference with the use or purpose of the District Property applied for; or,

(4) The proposed activity would substantially impair the operation or use of facilities or services of District concessionaires or contractors; or,

(5) The proposed activity would so dominate the use of District Property as to preclude other Persons from using and enjoying the park; or,

(6) The proposed activity is deemed to be in conflict or in competition with District activities.

(7) This Section 5.01(d) is not applicable to applications for commercial activity Permits under Sections 2.09, 2.16 and 2.32 of this Ordinance and Permits for alcohol under Section 2.02. The District reserves the right to exercise its discretion in issuing Permits under Sections 2.02, 2.09, 2.16 and 2.32.

(e) The District shall have at least five (5) business days from the time of the application's receipt to review the application. For applications under Sections 2.02, 2.09, 2.16, 2.32 and any other section of this Ordinance or any other District ordinance, rule, or regulation not involving the exercise of First Amendment rights, the District shall have at least two (2) weeks from the time of the application's receipt to review the application. However, the District reserves the right to take additional time to review any application. If the District determines that it will exercise this right, it shall notify the applicant within twenty-four hours after the District's receipt of the application.

(f) If the application is approved, the District shall issue a written Permit to the applicant. If the application is denied, the District shall issue to the applicant written reasons for denying the application.

(g) If an application is denied on the basis of a scheduling conflict or inappropriateness of the location, duration, or time of the activity, the District will make a reasonable effort to arrange an alternative that is acceptable to all parties. If an application is denied, or the applicant is dissatisfied with such Permit as issued, he may appeal the decision to the Board within ten (10) days after the decision is rendered. If the Board rejects the appeal after full review, or if time for full review is not available, the applicant may appeal the decision to the appropriate state or federal court. All other decisions on the issuance of Permits by the District are final.

(h) Any Permit granted by the District may contain lawful prerequisites to the issuing of the Permit and restrictions on the conduct of the permitted activity including without limitation: general liability insurance coverage; an agreement to fully indemnify and hold the District harmless from any liability or costs resulting from the activity; a requirement that the Persons involved in the activity observe all federal, state, local, and District laws, rules, and regulations; time, duration, and location restrictions; restoration deposit; a written agreement by the applicant to fully restore any District Property soiled or damaged by the activity; and, any reasonable restriction necessary for the efficient and orderly contemporaneous administration of the activity, other activities with a Permit, and regular District uses, functions, programs, and activities.

(i) Any Person holding a valid Permit issued by the District for use of District Property shall take precedence for use of that District Property over any Person other than the District.

(j) The District may make necessary changes or place necessary additional restrictions on any Permit after it has been issued.

(k) Violation of the terms and conditions associated with the Permit may result in the suspension or revocation of the Permit.

(l) Except as provided in Sections 5.01(1)(1) or (2), no Permit shall be issued for a period in excess of seven (7) consecutive days. A Permit may be extended for like periods of time upon a new application, unless another Person has requested use of the same location and multiple use of that location is not reasonably possible.

(1) This subsection shall not apply to Permits granted under Section 2.09 of this Ordinance. For Permits granted under Section 2.09, the District shall determine the length of time that a Permit will be valid.

(2) This subsection shall not apply to Permits granted under Section 2.35 of this Ordinance for news racks or newsstands. Such Permits granted under Section 2.35 shall be issued for a period of six (6) months.

#### Section 5.02. Insurance and Hold Harmless Agreement.

(a) Except as provided in Section 5.02(a)(1), every applicant for a Permit shall acquire general liability insurance to protect himself and the District from liability resulting from his use of District Property and provide proof of such insurance to the District before the District will issue a Permit to an otherwise valid applicant. The District must be named on such policy as additional insured. Where possible, an applicant may acquire a rider to the District's insurance policy at the applicant's cost and expense. Applicants should contact the District's administrative office for more information.

(1) For activities involving the exercise of First Amendment rights, including without limitation parades, public gatherings, speeches and rallies, this requirement may be waived by the District if the applicant can demonstrate that he or his organization cannot procure general liability insurance or that the cost of procuring such insurance or acquiring a rider to the District's insurance policy is prohibitive.

(b) Every applicant must execute and deliver to the Park District an agreement to indemnify and hold the District harmless from legal liability, property damage or injury to persons caused by the negligent or unlawful acts of the applicant or any member, volunteer, employee, agent, participant, or other Person associated with the applicant or his group or organization.

#### Section 5.03. Restoration Deposit.

(a) A restoration deposit may be required for any Permit. The District shall refund the deposit if the Person responsible for the activity cleans any refuse caused or left by the activity or

the activity's participants and restores District Property to the condition it was in prior to the activity to the District's satisfaction. If the District is required to cleanup or restore District Property after the activity, the Person responsible for the activity shall reimburse the District for all costs and expenses associated with the cleanup and restoration. The cost of the cleanup and restoration shall be taken from the restoration deposit. If there are any funds remaining after the cleanup and restoration costs have been subtracted, they shall be returned to the appropriate Person. If the costs and expenses for the cleanup and restoration exceed the amount of the restoration deposit, the District reserves the right to pursue any and all legal options.

(b) If the restoration deposit would create a financial hardship for the applicant which the applicant can so demonstrate, the District may accept a written agreement to cleanup and restore District Property after the activity. If the applicant does not satisfactorily perform according to the agreement, the District reserves the right to pursue any and all legal options.

Section 5.04. Other Authority. Activities otherwise prohibited under this Ordinance, or any other District ordinance, policy, rule, or regulation may be conducted or engaged in by a Person, his agents and/or employees, if done in strict conformance with the provisions of an agreement with the District which has been duly authorized by the Board.

## **CHAPTER VI - ENFORCEMENT**

Section 6.01. Police/Security Force. The District Police Force shall be the conservators of the peace on District Property, and shall be responsible for the enforcement of all federal, state, local, and District laws, rules, and regulations on District Property. Nothing herein shall be construed to prevent other law enforcement officers from carrying out their duties in accordance with applicable law within the District and on District Property. The members of the District Police Force shall have the authority to eject from District Property, arrest, or issue citations to any Person who violates any applicable federal, state, local, or District law, rule, or regulation on District Property.

Section 6.02. Rules to be Obeyed.

(a) No Person shall violate or disobey any provision of this Ordinance 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 directions 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 member of the District Police Force, or any employee of the District seeking to enforce compliance with federal, state, local or District laws, rules, or regulations.

(b) The District may from time to time, promulgate reasonable rules and regulations governing the use of District Property. Such rules and regulations shall become binding and effective upon their being approved by the Board and posted at the entrance to the facility or areas governed by them and shall be enforced with the same force and effect as the other provisions of this Ordinance.

Section 6.03. Parties to Ordinance Violation.

(a) Every Person who commits, attempts to commit, conspires to commit, or aids or abets in the commission of any act in violation of this Ordinance 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 this Ordinance 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 this Ordinance 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) It is unlawful for the owner or any other Person employing or otherwise directing the operator of any Vehicle, to request or knowingly permit operation of any such Vehicle on District Property in any manner contrary to this Ordinance, or applicable federal, state, local or District law, rule of regulation on District Property.

**CHAPTER VII - PENALTIES**

Section 7.01. Revocation of Privileges; Fine. Any Person violating or disobeying any applicable section or part of this Ordinance, or any other applicable federal, state, local or District ordinance, policy, rule, or regulation on District Property, may have his admission privileges relating to District Property revoked, or suspended for such period of time as the Director or the Director's designee shall determine, in accordance with in Section 7.02, and/or may, upon conviction, be fined in an amount not more than \$1,000.00 per day for each offense and/or required to perform community service on District Property under District supervision.

Section 7.02. Suspension of Park Admissions and Privileges

(a) Any Person who violates any applicable provision of this Ordinance or any applicable federal, state, local, or District law, rule or regulation on District Property, may be immediately ejected from District Property, and may, after receipt of notice, be suspended from the privilege of admission to and use of specified District Property, in the discretion of the District's Director in accordance with this Section 7.02.

(b) If the Person received a citation and was convicted of any violation of this Ordinance, or any applicable federal, state, local, or District law, rule or regulation on District Property, the District may determine to suspend the Person from the privilege of admission to and use of specified District Property or facilities, for no less than two (2) weeks nor more than one (1) year, as the District may deem reasonable given the severity of the violation in the context in which it occurred, including but not limited to, consideration of whether there was personal injury or property damage incurred as a result of the violation, and if the Director or his/her designee determines the Person's continued presence on District Property creates an imminent threat to the public's health, safety or welfare while on District Property, the Director may verbally order the Person to leave District Property and

to refrain from usage of all District Property until further order of the Director in accordance with the following procedure:

(1) Notice

Within 72 hours after the order to leave District Property, the District will provide the Person written notice by registered or certified mail (1st Notice), informing the Person of:

- a. The nature of the offense.
- b. The threat to the public's health, safety or welfare while on District Property caused by the Person's offense and related conduct.
- c. The intended suspension period for the offense.
- d. An explanation of the facts that form the basis of the proposed suspension.
- e. Instructions for setting a date and time for a meeting with the Director and another District administrative staff member to discuss the offense and to provide the Person an opportunity to present his or her version of the incident.
- f. That the Person is not to return to any District Property until such a meeting as aforesaid occurs, OR if found doing so, he/she may be arrested and/or prosecuted for "trespass."

If a Person who has been notified in accordance with Section 7.02(b) is observed on District Property, the Person may be subject to arrest for trespass.

(2) Meeting

At the meeting with the Director and the other District administrative staff member, items in Section 7.02(b)(1)a-f above will be discussed on an informal basis. The specific offense(s), evidence, and suspension, if any, will also be discussed. The Person will also have an opportunity to present his or her version of the incident at this meeting.

(3) Second Notice

Within 48 hours after the meeting with the Director and the other District administrative staff member, the District shall send written notice ("2nd Notice") to the Person stating a) the suspension, if any, and any conditions that the Person must meet to prevent further risk to the Park District's patrons or public property and to regain use of District Property and, b) the Person's right to appeal the suspension, as set forth below.

(4) Appeal to Board

If the Person objects to the suspension imposed or wishes to notify the District of extenuating circumstances not taken into consideration by the Director and the other District administrative staff member, or if the Person believes he or she is not guilty of the offense as charged, the Person may request a hearing before the Board. The Person's request must be in writing and must be filed with the Board Secretary or his/her designee or the Board President within 10 days after the date of the 2nd Notice and should include

the following information: a) the Person's contact information, including address, telephone number and email address; b) date of issuance of the 1st Notice and location; c) reason for being on District Property at the time of the incident; d) any other information Person wishes to be considered; and e) whether a hearing is requested. In the event the Person appeals the suspension under this section to the Board: f) the suspension shall continue until the Board makes a final decision; and g) the Director shall promptly transmit to the Board a full report in writing of the facts related to the suspension, the suspension imposed, and the reasons for the suspension imposed.

(5) Board Hearing

In the event the Person requests a hearing, the Board shall meet with the Person, Director and the other District administrative staff member within 30 days of the date on which such appeal notice is given to the Secretary of the Board ("Suspension Hearing"). The Person will be notified in writing as to the date and time set for the Suspension Hearing. At the Suspension Hearing, the Board shall receive testimony in accordance with the standard Illinois rules of evidence, presented by all interested parties and shall render a fair and impartial determination in accordance with its independent findings regarding the facts and the applicable standards for review set forth in this section.

(6) Standard for Determining Suspension and Suspension Duration

If the Board finds and determines from its independent review of the facts and circumstances presented at the Suspension Hearing that the Person or the Person's conduct represents a continuing material threat to the health, safety or welfare of the District's patrons, employees or the property of either, it shall uphold the suspension imposed by the Director.

The duration of any suspension from District Property, and the nature and scope of the suspension, shall be determined based on the Person's conduct causing the violation, the nature of the offense, whether it is the Person's first, second, third or greater offense, and any other facts or circumstances that demonstrate whether or not the Person remains a threat to the health, safety or welfare of the District's patrons, employees or the property of either of them.

A Person's suspension may be limited to use of, or access to, specific District facilities, programs or portions of District Property.

(7) Notice of Finding

If, in the opinion of the Director, the Person remains a threat to the health, safety or welfare of the District's patrons, staff, or property at the end of any suspension period authorized hereunder, the Director may request a new hearing before the Board to extend said suspension the "Suspension Extension Hearing"). The Notice, hearing, standard for review and decision process shall be governed by the same rules as set forth above for the Board hearing (Section 7.02(b)(3)-(6)), provided that the Director shall give written notice to the Person and to the Board ("Suspension Extension Hearing Notice") not less than 30 days prior to the Suspension Extension Hearing. Upon a finding by the Board that the Person

remains a material threat to the health safety or welfare of the District's patrons or employees or the property of either, the Board may extend the suspension for an additional period of not more than (5) years.

Section 7.03. Restitution. In addition to, or instead of, the fines and penalties provided for in Section 7.01, any Person violating or disobeying any section or part of this Ordinance, or any other federal, state, local, or District law, rule, or regulation, may be required to make restitution for damage resulting from such violation(s). The provisions of the Illinois Parental Responsibility Law (740 ILCS 115/1 *et seq.*) are specifically incorporated in this Ordinance by reference for purposes of this section.

Section 7.04. Seizure/Removal/Impoundment of Property. Any property, substance, or thing brought into, utilized, placed, or left on District Property in violation of this Ordinance, or any other applicable federal, state, local or District ordinance, rule, or regulation may be removed, seized, and destroyed in the case of property and substances referred to in Sections 2.02, 2.03, 2.10 and 2.40, or seized and impounded in the case of any other property, substance or thing (including without limitation Vehicles). Property so impounded shall not be returned to the owner(s) thereof until such Person(s) provides the District with acceptable proof or evidence of ownership and until such Person(s) has reimbursed the District in full for all costs and expenses to the District of such impoundment including without limitation any removal and storage charges. Property not claimed by the rightful owner(s) thereof within sixty (60) days after such impoundment may be sold by the District which shall be entitled to the entire proceeds thereof, or otherwise disposed of in accordance with applicable law. Any motor Vehicles towed and/or impounded shall be disposed of according to the applicable laws of the State of Illinois.

Section 7.05. Non-Exclusivity of Penalties. The penalties provided for in this Chapter VII are in addition to and not exclusive of any other remedies available to the District as provided by applicable law. The penalties provided for in Section 7.01 may be imposed or assessed in addition to and not necessarily in lieu of the penalties provided for in Section 7.03, and vice versa.

## **CHAPTER VIII - REPEAL**

All District ordinances, resolutions, policies, rules and regulations in conflict or inconsistent with any of the provisions of this Ordinance are hereby repealed, including but not limited to Ordinance 17-03 An Ordinance Defining Misdemeanors And Providing Penalties For Such Misdemeanors Occurring At Or In York Center Park District, DuPage County, Illinois, are hereby repealed.

## **CHAPTER IX - SEVERABILITY**

Provisions of this Ordinance shall be deemed to be severable. Should any section or part of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining part or parts of such section and/or the other sections, as the case may be, of this Ordinance shall nevertheless be valid, binding and subsisting.

## **CHAPTER X – AMENDMENTS**

This Ordinance may be amended from time to time by the Board.

**CHAPTER XI- PUBLICATION AND EFFECTIVE DATE**

Section 11.01. Publication in Book Form In lieu of other publications, this Ordinance shall be published in book or pamphlet form, and when so published shall become effective with the same force and effect as if otherwise published. Such book or pamphlet shall be received as conclusive evidence of the passage and legal publication of this Ordinance in all courts and other places without further proof of the passage and publication of this Ordinance.

Section 11.02. Effective Date. This Ordinance shall take effect and be in force ten (10) days after the date of its passage, approval, and publication in book or pamphlet form as provided for herein.

PASSED by the York Center Park District Board of Commissioners by roll call vote this 10<sup>th</sup> day of February 2026.

**ROLL CALL VOTE:**

AYES: 5  
NAYS: 0  
ABSENT: 0

APPROVED this 10<sup>th</sup> day of February 2026.



Robert Fritz, President  
Board of Park Commissioners  
York Center Park District  
DuPage County, Illinois

ATTESTED and RECORDED this day of February 10, 2026, and published in pamphlet form this 10<sup>th</sup> day of February 2026.



Linda Z. Polacek, Secretary  
Board of Park Commissioners  
York Center Park District  
DuPage County, Illinois