Homewood-Flossmoor Park District

ORDINANCE NO. 763

AN ORDINANCE REGULATING THE USE OF THE PARKS AND PROPERTY OWNED OR CONTROLLED BY THE HOMEWOOD-FLOSSMOOR PARK DISTRICT ("PARK ORDINANCE")

Adopted January 9, 1990
Amended August 2001
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AN ORDINANCE REGULATING THE USE OF THE PARKS AND PROPERTY OWNED OR CONTROLLED BY THE HOMEWOOD-FLOSSMOOR PARK DISTRICT

CHAPTER I - DEFINITIONS, CONSTRUCTION AND SCOPE

Section 1.01 Short Title

This Ordinance regulating the use of the parks and property owned or controlled by the Homewood-Flossmoor Park District shall be known and may be cited as the "Conduct Ordinance of the Homewood-Flossmoor 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:

"Aircraft" means any equipment or device that is used or intended to be used for human flight or is capable of flight, including but not limited to powerless flight.

"Alcoholic Liquor" is defined as provided in the Illinois Liquor Control Act of 1934 (235 ILCS 5/1-3.05) as amended hereafter.

"Aquatic Life" means all fish, reptiles, amphibians, crayfish, mussels, mollusks and crustaceans.

"Board" means the Board of Park Commissioners of the Homewood-Flossmoor Park District.

"Camping" or "Camp" 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 or using any of the above items on, or sleeping on, any District property during hours when such District property is closed to the public.

"Cannabis" is defined as provided in the Illinois Cannabis Control Act (720 ILCS 550/3(a)) as amended hereafter.

"Carry" means to wear, bear or have on or about the person.

"Controlled Substance" is defined as provided in the Illinois Controlled Substances Act (720 ILCS 570/102 (f), 204, 206, 208, 210 and 212) as amended hereafter.

"Department Head" is the person immediately in charge of a given District department and its activities and to whom all employees of such department are directly responsible (e.g., Superintendent of Recreation and Superintendent of Parks & Planning).

"Director" is the Executive Director of the Homewood-Flossmoor Park District.

"District" is the Homewood-Flossmoor Park District, DuPage County, Illinois.

"District Police Force" shall include the Board, Officers, Director, all appointed and acting Department Heads, members of the Cook County Sheriff's Police, Village of Flossmoor Police Department, Village of Homewood Police Department, other law enforcement officers, and any other sworn security officer.

"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.

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

"Drones" means any unmanned aircraft system that is capable of sustained flight or suspension in the atmosphere including unmanned aircraft commonly referred to as model airplanes, small unmanned aircraft or aerial systems, aerial hover craft, and any other remotely piloted or unmanned aircraft of any kind.

"Electric Personal Assistive Mobility Devices (or "EPAMDS")" shall mean any self-balancing wheeled device with an electronic propulsion system designed to transport only one person for personal mobility purposes, including but not limited to Segways, scooters, hoverboards, onewheels and skateboards.

"Facility" means any District property other than a building, park or playground, and includes, without limitation, swimming pools, golf courses, tennis courts and basketball courts.

"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.

"ILCS" is the Illinois Compiled Statutes as not and hereafter amended.

"Operator" means a person who operates, drives, controls, otherwise has charge of, or is in actual physical control of a mechanical mode of transportation or any other mechanical equipment.

"Ordinance" means the Ordinance Regulating the Use of the Parks and Property Owned or Controlled by the Homewood-Flossmoor Park District.

"Permit" is the written authorization issued by or under the authority of the District, by a District officer or employee empowered to grant said authorization, to a Person to engage in a particular act or acts on District Property. Said authorization is subject to the terms and conditions specified in the Permit as well as all applicable federal, state, local and District laws, ordinances, rules and regulations.

"Person" is every natural person and every organization, firm, 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 authority.

"Possess" or "Possession" means exercising direct physical control or dominion, with or without ownership, over any kind of property, or archeological, cultural or natural resource.

"Refuse" includes without limitation trash, garbage, rubbish, waste, papers, bottles or cans, debris, litter, oil, solvents, liquid waste or other discarded material whether solid or liquid.

"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.

"Smoking" means the lighting of cigarettes, electronic cigarettes, cigars or pipes, or the carrying of lighted cigarettes, electronic cigarettes, cigars or pipes, or the intentional and direct inhalation of smoke from these objects. The term "electronic cigarettes" for the purposes of this Ordinance shall mean an electronic or battery operated device that delivers vapors for inhalation and includes every variation and type of such devices whether they are manufactured, distributed, marketed or sold as an electronic cigarette, cigar, cigarillo, pipe, hookah or any other product name or descriptor.

"Take" or "Taking" means to pursue, hunt, harass, lure, harm, shoot, trap or ensnare, gig or spear, net, capture, collect, kill, destroy, wound or attempt to do any of the above.

"Unmanned Aircraft Systems" means any unmanned aircraft that is capable of sustained flight or suspension in the atmosphere including unmanned aircraft commonly referred to as "drones", model airplanes, small unmanned aircraft or aerial systems, aerial hover craft, and any other remotely piloted or unmanned aircraft of any kind.

"Vehicle" means every device in, upon, or by which a person or property is transported or drawn on land, whether motor powered or self-propelled, except wheelchairs, baby carriages, or strollers, personal transportation devices when properly used on walks or trails, and vehicles in the service of the District.

"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.

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

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 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;

(6) 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;

(7) 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,

(8) 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 authorized 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 Advertising

(a) No person shall post, throw, place, display, distribute or call attention to in any way advertisements, handbills, pamphlets, circulars, notices or other writings of any kind on District Property, on vehicles on District property, or attempt to call public attention in any way to any article or service for sale or hire without having first obtained a permit from the District.

Section 2.02 Aircraft/Unmanned Aircraft Systems

(a) No Person shall operate or fly, cause to be operated or flown, or permit or authorize the operation or flying of Aircraft or Unmanned Aircraft System of any kind over District Property except in strict accordance with applicable laws governing such flight, including rules promulgated by the Federal Aviation Administration or other governmental authority.

(b) No Person shall operate, launch, take off, land, cause to launch, take off or land, or authorize the operation, take off, launching or landing of any Aircraft of any kind from or on District Property, except when necessitated by unavoidable emergency.

(c) No person shall operate, launch, take off, land, cause to launch, take off or land, or authorize the operation, take off, launching or landing of any Unmanned Aircraft Systems of any kind from or on District Property unless a permit has first been obtained from the District in accordance with Chapter V of this Ordinance, with the exception of for District business. Any person given such permission shall comply with all applicable regulations established by the Federal Aviation Administration and the terms of the District issued permit. Model rockets and drones are permitted with a District approved permit only.

(d) No Person shall parachute or otherwise descend from an Aircraft into or onto District Property or cause, permit or authorize another Person to parachute or otherwise descend from an Aircraft into or onto District Property except when necessitated by unavoidable emergency.

Section 2.03 Alcoholic Liquor

(a) No Person under the influence of Alcoholic Liquor, any other drug or drugs, intoxicating compound, 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.

(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 from the District.

(c) No Person shall bring into, possess, drink, consume, take, use or transfer any Alcoholic Liquor on District Property without having first obtained a Permit from the District unless he is in or on District Property where the possession, consumption, use or transfer of Alcoholic Liquor is permitted.

(d) 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 2.04 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 domesticated 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 or event conducted or sponsored by the District or in conjunction with a zoo, museum, nature center, or similar Facility controlled, permitted or licensed maintained by the District.

(b) No owner or agent of the owner having control of any domesticated 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.

(c) All owners or agents of the owner having control of any domesticated dog, cat, or other domesticated animal, shall remove any excrement from District Property left by such animal.

(d) No Person shall bring a domesticated 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, except (i) in conjunction with an activity or event conducted or sponsored by the District; and (ii) dogs or other domesticated animals specially trained to assist the visually impaired or other Persons with disabilities, when they are accompanying the Persons with disabilities for purposes of providing such assistance .

(e) Any animal found on District Property in violation of subsections (a) or (d) 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.

(f) Dogs for the visually impaired and other domesticated animals specially trained to assist Persons

with disabilities are excluded from the prohibitions of this Section when they are accompanying Persons with disabilities for purposes of providing such assistance. Service animals must be controlled by such Persons.

(g) No Person shall trap, catch, wound, kill, treat cruelly ,or attempt to trap, catch, wound or kill any animal or rob any nest of any animal or animal egg on District Property.

Section 2.05 Assault, Battery, Bodily Injury and Fighting

(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 intentionally roughly crowd, push or shove another Person on District Property.

Section 2.06 Begging, Soliciting Contributions and Panhandling

(a) No person shall beg, solicit contributions or panhandle in District buildings or facilities or the entrances or stairways of such buildings or facilities.

(b) No Person begging, soliciting contributions 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 2.07 Boating

(a) 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 2.08 Camping

(a) 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 has first been obtained from the District. Provided, however, that the District may permit another Person to camp on District Property in conjunction with an activity or event conducted or sponsored by the District.

(b) Any Person who accumulates masses together and maintains personal property such as supplies, tarps, tents, shelters, cardboard, cardboard boxes, portable grills, goods, clothing or personal effects upon District Property shall be required to remove such personal property from District Property within twenty-four hours of the notice to remove. If the personal property is interfering with any District program or activity, then the personal property may immediately be removed by the District to another portion of District Property in order to avoid the interference with the program or activity. The fact that an

administrative court action or proceedings have been instituted and are pending shall not preclude the District's ability to move or to require removal of said personal property if not removed as required herein. Upon failure of the owner of the personal property to remove the personal property to remove the personal property within twenty-four hours of service of the notice, the District may lawfully remove the personal property. The personal property removed from District Property by the District pursuant to this, shall be disposed of if not claimed by the owner within thirty (30) days of its removal. Any costs associated with such removal and storage may be charged to and assessed to the property's owner.

Section 2.09 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 or 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 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 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.

(e) No Person shall engage in any activity described in subsections (a) through (d) of this Section in any room of a District building or on District athletic fields or other facilities in or on which any program, activity, class, function or special event conducted or sponsored by the District is in progress.

(f) No person shall engage in any activity described in subsections (a) through (d) of this Section during fairs, festivals, or other special events conducted by the District except at a fixed location designated by the District and unless a Permit has first been obtained from the District in accordance with Chapter V of this Ordinance. The District shall allocate space at the fixe location to applicants on a first come, first served basis until no more space remains available.

(g) No Person engaged in the activities described in subsections (a) through (d) of 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 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 or sponsored by the District.

Section 2.10 Child Sex Offenders and Sexual Predators

(a) No child Sex Offender shall (i) knowingly be present in any District public park building, a playground or recreation area within any publicly accessible private building, or on any District public park property when any person under the age of 18 (hereinafter "minor") is present in the building or on the park grounds;

or (ii) knowingly loiter ono a public way within five-hundred (500) feet of a public District building or Public District park while any minor is present in the building or on the park grounds; or (iii) approach, contact or communicate with any minor present in the building or on the park grounds, unless the Child Sex Offender is the parent or guardian of a person under 18 years of age present in the building or on the grounds. As used in this Section, "Child Sex Offender" is defined in the manner provided in Section 11-9.3 (d)(1) of the Illinois Criminal Code of 2012 (720 ILCS 5/11-9.3 (d)(1)). "Loiter" is defined in the manner provided in Section 11-9.3 (d)(1) of the Illinois Criminal Code of 2012 (720 ILCS 5/11-9.3 (d)(11)).

(b) No Child Sex Offender or Sexual Predator shall (i) knowingly be present in any public District park building or on District public park property; or (ii) knowingly loiter on any public way within 500 feet of a public District park building or public park. The 500 feet distance shall be measured from the edge of the property comprising the public park. As used in this Section, "Child Sex Offender", "public park" and "loiter" are each defined in the manner provided in Section 11-9.4(a) of the Illinois Criminal Code of 2012 (720 ILCS 5/11-9.4-1(a)). "Sexual Predator" has the meaning ascribed to it in subsection (E) of the Sex Offender Registration Act (720 ILCS 150-2(E)).

(c) No Child Sex Offender or Sexual Predator or any person shall knowingly photograph, videotape or take a digital image of a child who is on District Property, or instruct or direct another person to photograph, videotape or take a digital image of a child who is on District Property, without the consent of the parent or guardian of that child.

Section 2.11 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 the commercial sale, rental, exhibition, or distribution of goods or services or in the rendering of services, including but not limited to the giving of instruction or lessons for a fee, upon District Property or use District Property in the performance of any commercial service or the creation of any product for sale including but not limited to commercial photography, film or video production, unless they have received Permit, license or contract from the District.

(b) No Person engaged in any activity for commercial gain or for which a charge is made or engaged in any sale or distribution of goods or services under this Section shall misrepresent the affiliations of those engaged in such activities, obstruct or impede pedestrians or Vehicles, disregard requests by park visitors to be left alone, harass park visitors with physical contact or persistent demands, 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.

(c) No person shall sell and/or distribute merchandise or printed or written materials at fairs, and other special events conducted, authorized or sponsored by the District except at a fixed location designated by the District and unless a Permit has first been obtained from the District in accordance with Chapter V of this Ordinance.

Section 2.12 Construction, Maintenance or Encroachment

(a) No person shall, without prior authorization from the District, conduct any of the following activities upon, beneath, above, across or in connection with any District Property:

(1) Erect, construct, install, or otherwise place any structure, building, improvement, shed, fence,

wall, dog run, dog house, playhouse, play equipment, TV, cellular or radio reception device, machinery, equipment, stand, scaffold, platform, lights or other structure of whatever kind, whether stationary or moveable and whether permanent or temporary in character.

(2) Stockpile, store or place any gravel, stone, dirt, sand, wood, lumber or other organic or inorganic material or landscape material.

(3) Construct, install, 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 has first been obtained from the District and if and as applicable the Villages of Flossmoor or Homewood or other governmental authority having jurisdiction over such activity.

(4) Perform, cause or authorize any mowing, trimming, cutting or grooming of District Property, or perform any grounds maintenance for any purpose, or in like manner encroach onto District Property from privately or publicly owned lands.

(5) Plant vegetation of any kind on District Property.

(6) Allow, authorize, build, construct, or place the discharge point of any sump pump, pool, water feature, down spout, or foundation or other drainage, or any storm water management measures, including but not limited to swales, drains and contouring, that directs or is intended to direct or causes to be directed any drainage discharge onto District Property. All discharge from properties adjoining District property shall be set back from the District Property line in such a manner that the water flow is discharged onto the originating property and flows in accordance with Illinois drainage laws.

(b) Any person who violates any part of this Section shall, after receiving written notification of violation from the District and in accordance with the timeframe and directions outlined in such notification, comply with the District's directives, whether in writing or delivered orally by a person with authority 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 the physical removal of the encroachment.

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

(d) Any person who commits a violation of any part of this Section, in addition to any other civil or criminal penalty imposed, may be subject to a District ordinance violation in fine in accordance with this Ordinance.

Section 2.13 Controlled Substances and Cannabis

(a) No Person under the influence of any Controlled Substance or Cannabis shall enter into, be, or remain on District Property, except where the use by such Person of the Controlled Substance is prescribed by a duly licensed medical professional and the use of the Cannabis by such Person is permitted under the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.), as now and hereafter amended, or under any successor law pertaining to the same subject matter.

(b) No Person shall bring onto, possess, use, take from or transfer to another Person on District Property any Cannabis, except as permitted for a registered qualifying patient and their designated caregiver pursuant to the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.), as now and hereafter amended, or under any successor law pertaining to the same subject matter.

(c) No person shall bring onto, possess, use, take from or transfer to another Person on District Property any controlled substance except as necessary to enable the Controlled Substance to be used by the Person for whom it was prescribed by a duly licensed medical professional.

(d) 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.) no Person shall possess drug paraphernalia on District Property. No Person shall sell or distribute any item of drug paraphernalia on District Property. For purposes of this Section, "drug paraphernalia" shall mean all equipment, products and materials of any kind which are peculiar to and marketed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body Cannabis or a Controlled Substance in violation of the Cannabis Control Act or the Illinois Controlled Substances Act.

Section 2.14 Cooperation with Authorities/Impersonating an Officer/Providing False Information

(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 or agent in the performance of their duties.

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

(c) No Person shall knowingly give a false, expired or revoked Permit or give a false report or false information (including, without limitation, information requested in a Permit application) which results in misleading a District employee or agent, or a member of the District Police Force in the conduct of his official duties.

Section 2.15 Disorderly Conduct

No Person shall engage in disorderly conduct on or from District Property. A Person commits the offense of disorderly conduct when he knowingly:

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

(b) Makes or causes to be made any excessively loud or unreasonable noise which disturbs the peace. For purposes of this subsection, excessively loud or unreasonable noise is defined as noise inconsistent with, or not attendant to, appropriate and customary park and recreational activities, considering the nature and purpose of the actor's conduct, location, time of day or night, and other factors that would govern the conduct of a reasonably prudent person under the circumstances. This Section shall include, without limitation, the loud or amplified playing of any type of audio equipment, noisemaker, musical instrument or sound equipment. 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

(c) Uses obscene or abusive language or gestures, harasses, stalks, or threatens violence or injury to the person or property of others, in a manner likely to incite or produce an immediate breach of the peace,

disturbance or disorderly response; or,

(d) Congregates with other Persons on District Property with the intent to disrupt District operations or a District event or program or with the intent to restrict vehicular or pedestrian traffic or the free ingress to or egress from District Property and fails to comply with a lawful order of the District Police Force to disperse issued in response to acts likely to cause substantial harm, or under circumstances where it is reasonable to believe that the order is necessary to allow the District Police Force to address a situation that threatens the public health, safety or welfare; or

(e) Commits any other act which may be defined as disorderly conduct under the Illinois Criminal Code (720 ILCS/26-1,2,3 or 4).

Section 2.16 Display of Permit or Pass

Every Person shall produce or display a Permit, License,, Pass or Contract when requested to do so by any authorized Person for the purpose of enforcing compliance with any federal, state, local or District law, ordinance, rule or regulation, when such authorizing document is required to engage in an activity on District Property.

Section 2.17 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, grass clippings, leaves, 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.

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

(c) No Person shall drain refuse 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 that purpose.

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

(f) No Person shall dispose of fish remains on District Property, or in District Waters.

(g) No Person shall dispose of human or animal waste on District Property except at designated locations or in receptacles 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 2.18 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 adult 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 or causes damage to, or results in the burning of, District property or park resources, or creates a safety hazard.

Section 2.19 Fishing

(a) No Person shall fish or otherwise take aquatic life from District Waters except in areas designated by the District for such purposes.

(b) Every Person fishing in District Waters shall comply with all applicable federal, state, local and District laws, ordinances, rules, and regulations including, without limitation, conservation laws and licensing requirements.

(c) Fishing in District Waters shall be conducted by means of a hook and line, with the rod or line being closely attended. No Person shall use drugs, poisons, explosives, electricity or missiles of any kind to fish in District Waters.

(d) No Person shall dig, scratch or otherwise disturb District Property in order to locate or take bait.

(e) Every Person shall carefully and immediately return to the water from which it was taken any fish that does not confirm to size or species restrictions imposed by any applicable federal, state, local or District law, ordinance, rule or regulation, or that the Person chooses not to keep.

(f) No person shall engage in fishing in District Waters for profit, or buy or sell fish caught in District Waters.

(g) No Person shall enter or remain on frozen or partially frozen District Waters for the purpose of ice fishing or for any other purpose.

Section 2.20 Fireworks/Pyrotechnics

No person shall offer for sale, expose for shall, sell, possess, use or explode any firecracker, torpedo, skyrocket, roman candle, bomb, sparkler, rocket, squib or other fireworks of like construction, or anything containing any explosive or inflammable compound or any tablets or other combustible or explosive device for producing a striking display of light or loud noise commonly used and sold as "fireworks", on District Property without first obtaining a Permit from the District in accordance with Chapter V of this Ordinance, or

unless authorized to do so by Contract with the District.

Section 2.21 Gambling and Games of Chance

No Person shall play or engage in games of chance, or in any other device or game of chance, hazard or skill, for the purpose of gaming or gambling for money or other valuable things on District Property, except at an organized event conducted, sponsored or authorized by the District.

Section 2.22 Grilling/Use of Grills

Barbeque grills are provided at specific park locations. No person shall bring a grill onto park property or use any grill other than those provided in certain park sites without first obtaining a Permit from the District in accordance with Chapter V of this Ordinance.

Section 2.23 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.

Section 2.24 Interference with Other Users

(a) No Person shall walk, act, or conduct themselves 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 game, sport, event, amusement or other use for which it has been designated.

(b) No Person shall unreasonably disturb or interfere with any Person occupying an area or participating in any activity permitted 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 2.25 Loitering

(a) No Person, either alone or in consort with others, shall on District Property loiter, loaf, wander, stand or remain idle or commit any act or thing in such a manner as to: (1) unreasonably obstruct or interfere with the use of any driveway, public sidewalk or parking lot, or any building, including but not limited to the usual use of entrances, exits, hallways, aisles or areas designated for specific purposes; (2) impede or disrupt the performance of official duties by District employees; or (3) prevent the general public from obtaining or using administrative or recreational services or facilities provided by the District in a timely manner, or in the manner intended, after being requested to leave by any member of the District Police Force or where the District has posted a sign or signs that prohibit loitering.

(b) No person shall loiter or remain on District property for an unlawful purpose.

Section 2.26 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 them to believe that the property was stolen, where they:

(1) Intend 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 2.27 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 2.28 Parades, Public Assemblies or Meetings

(a) Public parades, processions, theatrical or dramatic presentations, meetings, assemblies, gatherings, and demonstrations (individually and collectively hereinafter called "Gatherings") are permitted on District Property in areas open to the general public, provided that where the number of participants is reasonably expected to exceed fifty (50) or more persons and/or vehicles, a Permit 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 2.29 Posting On Public Places and Objects

(a) Except as provided in 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, signs, banners, posters, symbols, materials, or other marks to or upon District Property or any thing or object located on District Property except as authorized by the Executive Director.

(b) The District may remove any printed or written word, sign, banner, poster, 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 2.30 Protection of Animals

(a) 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.

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

(c) 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.

(d) 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.

Section 2.31 Protection of Property

(a) No Person shall mark, carve, bend, cut, paint, deface, affix any sticker or sign to, break down, destroy, damage, 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 has first been obtained from the District.

(b) No Person shall climb upon, walk on, hang from or stand or sit on, any plant, 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) The District may give rewards to the Person(s) (other than District employees or agents, or members of the District Police Force) who furnish information to the District, directly resulting in the arrest and conviction of any Person who unlawfully takes, damages, or destroys District Property. All claims for said reward must be made to the District within thirty (30) days after conviction and the District shall be the sole judge of any dispute arising over a reward, if any, and the Person(s) entitled to share therein. The District's decision on any matter connected with the reward shall be final, conclusive, and binding and shall not be subject to judicial review.

Section 2.32 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, video, model, cast, instrument, or any other obscene item 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 2.33 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 the District Police Force within twenty-four (24) hours after the incident.

Section 2.34 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, or, except as provided in (c) of this Section of this Ordinance, where use is restricted to Persons of the opposite sex 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 or event, unless such Person is an invitee to the individual, group, or event, and, if applicable, such Person has paid all appropriate admission and/or registration fees.

(d) No Person whose admission privileges to all or any part of District Property have been terminated, revoked, forfeited or suspended by the District pursuant to Section 7 of this Ordinance shall enter or remain in any District Property that is the subject of the termination, revocation, forfeiture or suspension.

Section 2.35 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. No person shall cross country ski on District golf course property without expressed permission of the golf course manager.

(b) Baseball and Softball Playing. 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) Picnics.

(1) No group of Persons exceeding fifteen (15) in number shall picnic on District Property unless a Permit has first been obtained from the District in accordance 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 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.

(2) 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;

(d) Classes, Lessons and Camps. No Person shall bring or cause to be brought onto District Property any class, clinic, 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 this Ordinance. No person shall conduct any private lesson or instruction for a fee on District Property unless a Permit allowing such use has first been obtained from the District.

(e) 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.

(f) Park District Programs. This Section does not apply to normal, regular or scheduled District programs or activities or District special events. Where a conflict exists between a District activity, program or event and a third-party requested activity, the District activity, program or event shall take precedence.

Section 2.36 Rest Rooms, Washrooms, and Locker Rooms

(a) Every Person shall cooperate in maintaining rest rooms, washrooms and locker rooms on District Property 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 rest room, washroom, portable rest room or locker room Facility on District Property.

(c) No Person of the age of five (5) years or more may enter or use rest rooms, washrooms or locker rooms on District Property designated exclusively for the opposite sex.

(d) Access to and use of public restrooms will be consistent with state and federal law.

(e) No Person shall bring or use any still camera, television or movie camera, camcorder, video recorder, transmitter, cellular or mobile telephone, or any other device capable of recording, filming, photographing or transmitting visual images into any rest room, locker room, changing area or bath house Facility anywhere on District Property.

Section 2.37 Roller skates, Skateboards and Other Similar Activities

(a) No person shall roller skate, roller blade, skateboard or engage in similar activities on District Property except at such places and at such times as the District may designate for that purpose, and no person shall engage in such activity in a reckless manner or at a speed greater that is safe and

proper under the circumstances.

(b) Skateboarding, roller skating and inline skating are allowed at Extreme Scene Skate Park and at the skating rink at Millennium Park in Homewood.

(c) No Person using roller skates, rollerblades, skateboards or similar devices shall interfere with pedestrian use of sidewalks or Vehicle use of the streets or parking lots, or otherwise act negligently, recklessly or without due caution, or in any manner so as to endanger any Person or property nor use same where such use has been posted as prohibited.

Section 2.38 Selling or Distributing Printed or Written Material

(a) The distribution of printed or written material available without cost or donation is permitted on District Property provided that a Permit has first been obtained from the District in accordance with Chapter V of this Ordinance.

(b) The sale or distribution for donation of printed or written material is permitted on District Property provided that a Permit 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 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 2.39 Sledding, Ice Skating and Snowmobiling

(a) No Person shall skate, sled, toboggan, innertube, ski, 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.

(b) No Person shall engage in any such activity in this Section 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 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 2.40 Sleeping on District Property

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 2.41 Smoking

Smoking or any use of a tobacco product is prohibited in all District buildings, facilities and Vehicles and is prohibited 15 feet from any entrances, exits, windows that open, and ventilation intakes of any District buildings and facilities. The term "smoke" or "smoking" means the carrying, smoking, burning, inhaling or exhaling of any kind of lighted pipe, cigar, cigarette, e-cigarette, hookah, week, herb or any other smoking equipment including electronic cigarettes (e-cigarettes). Facilities include all buildings and shelters of the Park District and all areas within a fence at an outdoor pool, tennis court, splash pad, skating area or other fenced area. Smoking is prohibited in all wooded areas on District Property.

Section 2.42 Swimming and Wading

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. Standing, sitting, wading, entering or swimming in Dolphin Lake the Goldberg Koi Pond, the Irwin Park Fountain, Coyote Run Ponds, Butterfield Creek, Irons Oaks, or any other body of water or decorative water feature is strictly prohibited at all times.

Section 2.43 Weapons and Firearms

(a) No person shall use, fire, set-off, or otherwise cause to explode, discharge or burn, or sell, throw or propel onto or while on District Property any weapon or "Firearm" (as that term is defined under Illinois law), including but not limited to those weapons and Firearms described in 720 ILCS 5/24-1 et seq.

(b) No Person shall bring onto, carry, have in his possession or on or about his person, concealed or otherwise, or use, fire, set off or otherwise cause to explode, discharge or burn, or throw onto or while on District Property any bludgeon, black-jack, billy club, sand-club, sand-bag, metal knuckles, throwing star, switchblade knife, ballistic knife, any other dangerous knife (including without limitation a dirk, dagger, or stiletto), razor, broken bottle or other dangerous piece of glass, firearm, pistol, revolver, rifle, shotgun, automatic weapon, firearm silencer, air gun, pellet gun, stun gun or taser, bow and arrow, slingshot, any weapon capable of discharging a projectile by air, spirit, gas or explosive, any explosive substance, rocket, firecracker or other firework, missile, bomb, grenade, or other explosive device, liquid or gaseous substance, any other dangerous weapon, or any object whose intended use is as a weapon, not specifically named herein. All weapons named herein shall have the definitions, if any, set forth in 720 ILCS 5/24-1.

(c) Except as provided by applicable law, including but not limited to the Firearm Owners Identification Card Act (430 ILCS 65/13.1) and the Firearm Concealed Carry Act (430 ILCS 66/1 et seq.), as now and hereafter amended, no Person shall bring onto, carry or have in their possession any weapon or Firearm, any gas or explosive, any explosive substance, rocket, firecracker or other firework, missile, bomb, grenade, or other explosive device, liquid or gaseous substance, any object whose intended use is as a weapon, or any other weapon or Firearm described in 720 ILCS 5/24-1 et seq. on District Property.

CHAPTER III - MOTORIZED VEHICLES, PARKING, AND TRAFFIC CONTROL

Section 3.01 All-Terrain Vehicles or Go-Karts

No Person shall drive, ride, or otherwise operate an all-terrain Vehicle or a go-kart on District Property unless otherwise authorized by the District or for use by the District. 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 600 pounds or less, traveling on three (3) or more low-pressure tires, designed with a seat or saddle for operator use, and handlebars or steering wheel for steering control.

Section 3.02 Bicycles and Personal Transportation Devices

For purposes of this Section, Personal Transportation Devices shall be defined as bicycles, unicycles, scooters, skateboards, and other similar devices that are propelled by human power, electric, or electric assist. Personal Transportation Devices that are propelled by power obtained by the combustion of gasoline are prohibited on District Property.

(a) When two (2) or more Persons in a group are operating Personal Transportation Devices on District Property, they shall not ride abreast, but shall ride in single file.

(b) No Person operating a Personal Transportation Device on District Property shall cling or attach himself or his Personal Transportation Device to any other moving Vehicle.

(c) The operator of a Personal Transportation Device emerging from an alley, driveway or building on District Property shall yield the right-of-way to all pedestrians and upon entering the roadway shall yield the right-of-way to all Vehicles approaching on said roadway.

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

(e) No Person shall operate a Personal Transportation Device on District Property between 30 minutes after sunset and 30 minutes before sunrise, without a clear, white, properly lighted headlight, visible under normal atmospheric conditions from the front thereof for not less than 500 feet and firmly attached to the Personal Transportation Device, and without a red reflector firmly attached to the Personal Transportation Device, which is clearly visible in the headlight beam of an automobile for a distance of 500 feet to the rear of the Personal Transportation Device.

(f) No Person shall operate a Personal Transportation Device on District playgrounds, ball fields or sport courts. Electric and electric-assist Personal Transportation Devices are prohibited on District skate parks.

(g) No Person shall ride a Personal Transportation Device on any District street or path where signs are posted prohibiting riding Personal Transportation Devices.

(h) Personal Transportation 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 Personal Transportation Device on District Property lying on the ground or paving or set against trees or otherwise in a place other than a Personal Transportation Device rack when such is provided and there is space available. No Person shall move or in any manner interfere with, any Personal Transportation 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 Personal Transportation Device.

(i) All Personal Transportation Devices, when operated on District roadways and paths, shall be kept to

the right and shall be operated as near as practicable to the right-hand edge of the roadway or path.

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

(k) Every Person operating a Personal Transportation Device on District Property shall obey all federal, state, local, and District traffic laws, rules, and regulations applicable to motor Vehicles, except those provisions which by their nature can have no application to the operation of a Personal Transportation Device and except as otherwise provided by this Section.

Section 3.03 Change Vehicle Oil/Cleaning Vehicles

No Person shall change the oil or grease of, or wash, clean or polish Vehicles or other equipment on District Property, unless a Permit has first been obtained from the District in accordance with this Ordinance. Nothing herein shall be construed to prohibit a District employee from performing these activities for District Vehicles or equipment on District Property.

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 or permit 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. For purposes of this Section, a motor Vehicle is a vehicle which is self-propelled by power obtained by the combustion of gasoline, electric or hybrid motor. A walking or bicycle path shall not be deemed a roadway for the use of motor Vehicles under this Section.

Section 3.06 Duty of Vehicle Operator in Accidents

No Person shall leave the scene of a Vehicle collision with another Vehicle, Person or property occurring on District Property, without giving his true name and residence address to the injured Person or any other Person or member of the District Police Force requesting same, and in the event no public officer is present, they 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 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, and having the Vehicle's warning system signals operating (e.g. siren, lights).

(c) 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 a member of the District Police Force or other District employee or authorized volunteer who is directing traffic or enforcing sections of this Ordinance 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 visible or audible signal by a member of the District Police Force to bring their 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 Chapters 6, 11 and 12 of the Illinois Vehicle Code (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.

Section 3.13 Intoxicated Operators

(a) No Person shall drive or otherwise operate, 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 their 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 Minibikes and Trailbikes

No Person shall drive, ride, or otherwise operate any minibike or trailbike on District Property. For purposes of this Section, every motor Vehicle which is self-propelled by power obtained by the combustion of gasoline which is designed with a seat or a saddle for the use of the rider, and is designed to travel mostly off-road on not more than three (3) wheels shall be a minibike or trailbike.

Section 3.15 Negligent 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. 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.

(c) No Person shall stop, park, or place any Vehicle on District Property so as to obstruct or interfere with pedestrian or vehicular traffic or travel or endanger the public safety. 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) alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic
(15) on a controlled-access roadway
(16) 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 emergency repairs, or
(3) To sell goods or services from such Vehicle.

(e) The operator of an authorized emergency Vehicle, as defined in 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 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.

(i) 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 .
(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 deemed prima facie correct and shall be prima facie evidence of the correctness of the facts shown therein. The notice or copy thereof shall be admissible in any subsequent administrative or legal proceeding.

(4) Any violation of the parking provisions of this Ordinance or any provision of the Illinois Motor Vehicle Code prohibiting or restricting vehicular standing or parking shall be a civil offense punishable by fine, and no criminal penalty, or civil sanction other than that prescribed in this Ordinance, shall be imposed.

(5) Any Person who violates or fails to comply with any provision of this Section shall be fined $25.00 for each offense.

(6) Any Person on whom a parking violation notice has been served shall within fourteen (14) days from the date of the notice either pay the indicated fine or, in the manner indicated on the notice, request a court hearing to contest the charge, violation, or violations.

(7) A failure to pay the indicated fine or failure to request a court hearing will constitute a debt due and owing the District, and as such may be collected, together with any applicable penalties and interest, in accordance with applicable law. Payment in full of any fine and/or penalty resulting from a standing or parking violation shall constitute a final disposition of that violation.

Section 3.17 Riding Outside Vehicles

(a) No Person shall ride upon the fenders, running boards, bumpers, hood, trunk, or any other exterior part of any Vehicle on District Property.

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

Section 3.18 Right of Way

(a) Every operator of a Vehicle shall yield the right of way to a pedestrian at all times 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.

Section 3.19 Siren Devices

No Person shall sound any siren 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 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 and the intended use of the roadway and at no time at a speed greater than ten (10) miles per hour.

(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 and obey all traffic signs indicating speed, direction, caution, stopping, parking, crosswalk lanes, traffic lane markers, and any other sign posted by the District for safeguarding life and property.

(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. This Section shall not apply to golf carts used by patrons of Coyote Run Golf Course while on the course.

Section 3.23 Unauthorized Use of Parking Places Reserved for Handicapped Persons

(a) For purposes of this Section, handicapped person means every natural person who is unable to walk 200 feet or more unassisted by another person or without the aid of a walker, crutches, braces, prosthetic device, or a wheelchair or without great difficulty or discomfort due to the following impairments: neurological, orthopedic, respiratory, cardiac, arthritic disorder, blindness, or the loss of function or absence of a limb or limbs, or such other person as may be included in the definition of a "person with disabilities" provided in Section 1-159.1 of the Illinois Vehicle Code as now or hereafter amended.

(b) No Person shall park on District Property any motor Vehicle which is not bearing registration plates or decals issued to a handicapped person, 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 handicapped person 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 plates. Any motor Vehicle bearing a handicapped license plate or a handicapped parking decal or device containing the international symbol of access issued to handicapped persons by any local authority, state, district, territory or foreign country shall be recognized by the District as a valid license plate or devise and receive the same parking privileges as handicapped residents of this State.

(c) The District may remove or cause to be removed to a place of safety any Vehicle parked within a stall or space reserved for use by the handicapped which does not display handicapped registration plates or a

special decal or devise as required by this Section.

(d) Any Person found guilty of violating the provisions of this Section shall be fined $250.00 (or such greater amount as may be established in the ordinances of the Village of Flossmoor or Village of Homewood for violation of a comparable provision) in addition to any costs or charges connected with the removal or storage of any motor Vehicle authorized under this Section.

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

Section 4.01 Hours

(a) Except as otherwise provided in this Section, 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.

(b) Irwin Park closes at 11:00 pm.

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

Section 4.02 Special Closings

The Board or the Executive 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 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 and shall obey or comply with all such policies, rules and regulations. All Persons shall abide by all District policies, rules and regulations and with the direct orders or requests of employees 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 any 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 Department 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 foundmay, in the District's sole discretion, be stored or otherwise retained for a reasonable period of time to facilitate recovery by the property's owner, taking into consideration the type, size, condition, and other relevant characteristics of the property. 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 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. The District's primary objective in requiring Permits for certain activities to be conducted on District Property is to coordinate multiple uses of limited space; to assure preservation of District Property for the use to which it is lawfully dedicated; to prevent dangerous, unlawful or impermissible uses; to protect the public impermissible uses; to protect the public health and safety; and to assure financial accountability for damages caused by an 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 3301 Flossmoor Road, Flossmoor, Illinois. When received, the application shall be dated and a receipt issued to the applicant.

(c) Unless otherwise provided in another section of this Ordinance or other District ordinance, rule or regulation, applications for Permits not involving the exercise of First Amendment Rights must be received by the District at least fourteen (14) but not more than ninety (90) calendar days prior to the conduct of the activity for which the Permit is sought. Applications for Permits involving the exercise of First Amendment Rights must be received by the District at least three (3) working days but not more than ninety (90) calendar days prior to the conduct of the activity for which the Permit is sought. The three-day advance application requirement may be waived by the District where the efficacy of the First Amendment expression may be adversely affected by delay due to the nature and currency of the event or events giving rise to the desire for such expression. For purposes of this Section, the term "exercise of First Amendment rights" shall include, but not be limited to parades, marches, demonstrations, rallies, religious services, speeches, solicitation of votes, petition signatures or contributions, picketing or leafleting.

(d) Except for Permits involving a commercial activity or for the sale or delivery of alcoholic beverages, the District shall issue the Permit without reasonable 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, or a District activity or the activity which is the subject of the prior application does 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, potential for adverse impact on the health or safety of Persons, unreasonable interference with District functions, buildings, facilities, operations, programs or activities, unavailability of District staff to oversee, 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 prohibited by, or inconsistent with, the classifications or permitted uses of the park or Facility, or part thereof, as provided in this Ordinance or other District ordinance, rule or regulation; or
(7) The same applicant violated the terms of a previously issued Permit; or
(8) The proposed activity would clearly present a public health or safety concern that cannot be eliminated by the application of Permit terms agreed to by the applicant.

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

(f) 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 requested by the applicant. If an application under a section providing for the exercise of First Amendment rights is denied, or the applicant is dissatisfied with such Permit as issued, they may appeal the decision to the Board within thirty (30) 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.

(g) 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 obey or comply with 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.

(h) 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.

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

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

(k) Unless specifically provided elsewhere in this Ordinance or any agreement, resolution or ordinance approved by the Board, 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 or the District has a prior scheduled use of the same location during such time(s) and multiple use of that location is not reasonably possible.

Section 5.02 Insurance and Hold Harmless Agreement

(a) Except as provided in this subsection, 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 their 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.
(2) For small, low-risk, activities or events requiring permits, but not including any equipment or other hazardous materials, this requirement may be waived by the District if the applicant can demonstrate that they 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 clean up 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 clean-up and restoration. The cost of the clean-up and restoration shall be taken from the restoration deposit. If there are any funds remaining after the clean-up and restoration costs have been subtracted, they shall be returned to the appropriate Person. If the costs and expenses for the clean-up 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 clean up 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 District Police Force

(a) 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.

(b) The members of the District Police Force shall have the authority to eject from District Property, arrest, or issue citations or warnings to any Person who violates any provision of this Ordinance or any other District ordinance, rule or regulation.

(c) The District Police Force shall have the authority to seize, confiscate and impound any substance, plant, animal, vehicle, or other article which, upon a preponderance of the evidence or probably cause, they find to be used or possessed in violation of this Ordinance provided under applicable law. District employees may act as peace officers when aiding the District Police Force, at their request.

Section 6.02 Obeying Rules

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.

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.

(d) Where applicable, the District may pursue all of its rights and remedies available under the Illinois Parental Responsibility Law, 740 ILCS 115-1 et seq.

CHAPTER VII - PENALTIES

Section 7.01 Revocation and/or Suspension of Privileges

Any Person violating or disobeying any Section or part of this Ordinance, or any other District ordinance, policy, rule, or regulation, may be forthwith evicted from District Property, may have their admission rights and use privileges to District Property terminated, revoked, forfeited or suspended, and may be subject to any other penalties specified in this Ordinance, any other District ordinance or other applicable laws

Section 7.02 Evictions and Fines

In addition to and not in limitation of any other remedy available to the District under applicable law, any Person violating or disobeying any Section of part of this Ordinance, or any other District ordinance, policy, rule, or regulation, may be evicted forthwith from District Property, have their rights to access and use of District Property suspended or revoked and/or may, upon conviction, be fined not more than $1,000 for each offense.

Section 7.03 Restitution

In addition to, or instead of, the fines and penalties provided for in this Ordinance, 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 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, 2.13, 2.20, 2.22, 2.43 and 4.06, or seized and impounded in the case of any other property, substance or thing (including without limitation Vehicles, Personal Transportation Devices and Animals). 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. 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 Ordinance 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 any Section of this chapter may be imposed or assessed in addition to and not necessarily in lieu of the penalties provided for in other Sections of this ordinance.

CHAPTER VIII - REPEAL

Section 8.01 Repeal

All District ordinances, resolutions, policies, rules and regulations or parts thereof in conflict or inconsistent with any of the provisions of this Ordinance are hereby repealed.

CHAPTER IX - SEVERABILITY

Section 9.01 Severability

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

CHAPTER X - PUBLICATION AND EFFECTIVE DATE

Section 10.01 Publication

In lieu of other publications, this Ordinance shall be published in electronic and pamphlet form, and when so published, shall become effective with the same force and effect as if otherwise published. Such publication 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 10.02 Effective Date

This Ordinance shall be in full force and effect from and after the date of its passage, approval and publication in book or pamphlet form as provided herein.

ORDINANCE NO. 763
AN ORDINANCE REGULATING THE USE OF THE PARKS AND PROPERTY OWNED OR CONTROLLED BY THE HOMEWOOD-FLOSSMOOR PARK DISTRICT

Approved this 18th day of April 2023 by roll call vote as follows:

Ayes: 5

Nays: 0

Absent: 0

President, Board of Park Commissioners

Attest:

Secretary, Board of Park Commissioners