

**SPRINGFIELD PARK DISTRICT  
ORDINANCE NO. 1415-17**

**GENERAL USE ORDINANCE**

**WHEREAS**, the Springfield Park District, Sangamon County, Illinois (the “District”), has previously adopted and periodically updated rules and regulations for the governance of the parks and facilities of the District; and

**WHEREAS**, the District has previously adopted an integrated General Use Ordinance addressing both public use and operational regulations; and

**WHEREAS**, in order to provide more user-friendly regulations, the general use regulations shall be separate and apart from all other ordinances and regulations; and

**WHEREAS**, the District is authorized by the Park District Code to adopt a General Use Ordinance for the regulation of District property.

**NOW, THEREFORE** be it ordained by the Board of Trustees of the Springfield Park District, Sangamon County, Illinois, as follows:

**Section One – Policies:** The General Use Ordinance attached hereto and incorporated herein is hereby adopted as the rules and regulations of the Springfield Park District

**Section Two – Scope:** The General Use Ordinance shall apply to and shall be enforced throughout all of the property of every kind owned by or under the jurisdiction of the District.

**Section Three – Effect:** This Ordinance shall become effective upon its passage and approval as provided by law.

**Section Four – Repealer:** All ordinances and parts of ordinances in conflict or inconsistent with any of the provisions of this ordinance are hereby repealed to the extent they are inconsistent with this ordinance.

**Section Five – Publication:** In lieu of other publications, the General Use Ordinance shall be published in book or pamphlet form, and when so published shall become effective with the same force and effect as if otherwise published. Such book or pamphlet shall be evidence of the passage and legal publication of this ordinance in all courts without further proof, as provided by law.

Roll Call Vote:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Abstain: \_\_\_\_\_

PASSED and APPROVED this \_\_\_ day of \_\_\_\_\_, 2017.

Springfield Park District

By: \_\_\_\_\_  
President

Attest: \_\_\_\_\_  
Secretary

SEAL

# GENERAL USE ORDINANCES

Springfield Park District  
Sangamon County, Illinois

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## *Chapter 1. General Provisions*

### **Sec. 1.1 Designation and Citation of Code**

The ordinances embraced in this and the following chapters and sections shall constitute and be designated as “the General Use Ordinance of the Springfield Park District” and may be so cited.

### **Sec. 1.2 Definitions**

When used in the General Ordinances, the following terms shall have the meaning set forth in these sections.

“**Board**” means the Board of Trustees of the Springfield Park District.

“**Court**” means the circuit court of the county which has jurisdiction of District legal disputes.

“**District**” means the Springfield Park District, Sangamon County, Illinois.

“**District property**” means all of the property, real and personal, of every kind and description located within the jurisdiction of, or owned, administered, leased or licensed by, or otherwise in the possession or under the control of the District, including without limitation every building, shelter, street, sidewalk, trail, path, park, playground, 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.

“**Executive Director**” means the Executive Director of the Springfield Park District.

“**Ordinances**” means the General Use Ordinances of the Springfield Park District approved by the Board of Trustees of the Springfield Park District and all amendments and supplements thereto.

“**Park District Agent or Park Agent**” means those individuals designated by the Park Board for enforcement of this ordinance and subsequent additions or revisions. It includes, but is not limited to, the Executive Director, Director of Parks, Director of Recreation, Director of Finance, Program Supervisors and members of the Park District Police Department.

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

“**Person**” means any individual, natural person, firm, partnership, association, corporation, company, trust, organization or any other group activity as a unit or the manager, lessee, agent, servant, partner, member, director, officer or employee, or any of them including executive administrator, treasurer, receiver or other representative appointed according to law.

“**State**” means the State of Illinois.

### **Sec. 1.3 Rules of Construction**

In construction of these Ordinances the following rules of construction shall be observed:

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

“May”: The word “may” is permissible and discretionary.

“Shall”: The word “shall” is mandatory.

### **Sec. 1.4 Code to be Liberally Constructed**

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

### **Sec. 1.5 Designations and Headings; Construction**

All designations and headings of chapters, articles, divisions and sections are intended only for convenience in arrangement and as mere catchwords to indicate the contents of such chapters, articles, divisions or sections, whether printed in boldface type or italics.

### **Sec. 1.6 Ordinance Provisions as Continuance of Existing Ordinances**

The provisions appearing in these Ordinances, insofar as they relate to the same subject matter and are substantially the same as those ordinance provisions previously adopted by the District and existing at the effective date of these Ordinances shall be considered as restatements and continuations thereof and not as new enactments.

### **Sec. 1.7 Effect of Repeal of Ordinances; Revival**

- A) Neither the adoption of these Ordinances nor the repeal hereby of any ordinance of the District shall in any manner affect the prosecution for violations of such ordinance, which violations were committed prior to the effective date hereof, nor be construed as affecting any of the provisions of such ordinance relating to the collection of any such license or penalty or the penal provisions applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof, required to be posted, filed or deposited pursuant to any ordinance, and



all rights and obligations thereof appertaining shall continue in full force and effect.

- B) Whenever any ordinance repealing a former ordinance, clause or provisions is repealed, such repeal shall not be construed as reviving such former ordinance, clause or provision, unless expressly provided therein.

**Sec. 1.8 Conflicting Provisions**

- A) If the provisions of different chapters, articles, divisions or sections of these Ordinances conflict with or contravene each other, the provisions of each chapter, article, division or section shall prevail as to all matters and questions growing out of the subject matter of that chapter, article, division or section.
- B) If clearly conflicting provisions are found in different sections of the same chapter, the provisions of the section last enacted shall prevail unless the construction is inconsistent with the meaning of that chapter.

**Sec. 1.9 References Include Amendments; Construction**

- A) Any reference in these Ordinances to an ordinance or provisions of these Ordinances shall mean such ordinance or provision as may now exist or is hereafter amended.
- B) Any references in these Ordinances to chapters, articles, divisions or sections shall be to the chapters, articles, divisions and sections of these Ordinances unless otherwise specified.

**Sec.1.10 Amendments and References to Ordinances**

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

**Sec. 1.11 Severability**

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

## ***Chapter 2. Protection and Use of District Property***

### **Sec. 2.1 Public Use; Hours**

#### A) Regular Hours:

- a. Except as otherwise provided in this section or otherwise posted, District property shall be open to the public from sunrise in the morning until 10:30 p.m. in the evening of that same day and District property shall be closed to the public from 10:30 p.m. each day until sunrise the following day. The Board may establish other hours during which District property or any parts thereof shall be closed to the public. The District may periodically revise these hours.
- b. Exceptions: Multi-use trails, Gurgens, Enos, Gehrmann, Riverside, and Carpenter Parks will all close at sunset.

#### B) Special Closings:

- a. The District 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 the District.
- b. 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 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 the 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.

### **Sec 2.2 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.

**Sec. 2.3 Bringing Plants, Shrubs or Trees Prohibited**

No person shall bring into or upon District property any tree, shrub, or plant, or portion thereof, except by written authorization of the District.

**Sec. 2.4 Building Use**

No person shall use any District building for an event or activity which is not conducted or sponsored by the District unless a permit therefor has first been obtained from the District 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.

**Sec. 2.5 Camping**

No person shall place, erect, or use any hammock, swing, tent, shelter or any other type of temporary or permanent camping equipment or otherwise camp in any manner, on District property unless a Permit has first been obtained from the District.

**Sec. 2.6 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 therefor has first been obtained from the District.
- C) The sale or distribution of merchandise by charitable, religious, political, or non-profit organizations is permitted on District Property provided that a Permit therefor has first been obtained from the District.
- 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. Except on elections days in polling places.
- E) No person shall engage in any activity described in subsections (a) through (d) of this section in District buildings in rooms, 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 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.

**Sec. 2.7 Criminal Trespass of Property**

No person shall:

- A) Enter or remain in any building or portion of District property where persons are prohibited by the District from entering by sign or other notice.
- B) Enter or remain in any District property when it is closed to the public;
- C) Climb, walk or sit upon any sign, wall, fence, or structure under the control of the District;
- D) Go upon any lawn, grass plot, planted area, tree, shrub, monument, fountain, sculpture or structure where access is prohibited by signs or other notice or where access is restricted by fence or other physical barrier;
- E) Enter any District property that is reserved or scheduled for a specific group or activity, unless such person is invited by the individual or group responsible for such activity unless such person has paid any applicable admission and/or registration fees.

**Sec. 2.8 Damage to District Property**

Unless authorized by a written agreement with the District or otherwise expressly permitted by the District, no person shall while in or on District property:

- A) Deface, disfigure, break, cut, tamper with or displace or remove in or from any District property or building or other part thereof, any table, bench, fireplace, coping, lamp post, fence, wall, paving or paving material, water line or other public utility or parts or appurtenances thereof, or sign, notice or placard whether temporary or permanent, equipment, facilities or other District property or appurtenances whatsoever, either real or personal;
- B) Destroy, cut, break, injure, disturb, sever from the ground or remove any sod, soil, earth, rock, stone, timber, wood, material, or growing thing including but not limited to any plant, flower, flower bed, shrub, tree, growth, or any branch, stem, fruit, or leaf thereof; bring into or have in his/her possession in or on District property any tool or instrument intended to be used for the cutting thereof, or any garden or agricultural implements or tools which could be used for the removal thereof;

- C) Set fire to any trees, shrubs, plants, flowers, grass, plant growth or living timber, or allow any fire upon land to extend into District property;
- D) Cut, break or in any way injure, deface, destroy or alter any building, fence, monument, sculpture, bridge, or other structure or property contained therein;
- E) Operate or drive any motor car, automobile or vehicle of any kind in or on District property in places other than roadways or in such a manner as to cause the same to collide with, run against, strike or cause to strike, injure, deface or damage any District property or appurtenance of any kind;
- F) Fasten any animal or attach any rope, sign, handbill or other things to any tree, shrub, fence, or any protective device around any tree or shrub growing in or on the District property;
- G) Allow any animal under the person's ownership or temporary care to injure or deface any tree, plant, shrub, lawn or grassplot in any manner whatsoever. An animal is under a person's temporary care if the animal was brought upon District property by the person or by a minor under the person's temporary or permanent care;
- H) Fasten any bicycle, motorcycle, moped or other vehicle to or leave the same standing that may injure any tree, shrub, lawn or grass plot;
- I) Deface, destroy, cover or otherwise make unreadable any traffic warning or prohibitory sign or symbol in or on District property;
- J) Mark, carve, bend, cut, paint, deface, breakdown, destroy, damage, alter, change, sever, uproot, excavate or otherwise remove, or attach or suspend any rope, wire or other material or contrivance to or from any District property;
- K) Fail to maintain District property in a neat and sanitary condition.

**Sec. 2.9 Display of Permit or Pass**

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

**Sec. 2.10 Encroachment**

- A) Unlawful Construction, Maintenance, or Encroachments: No person shall upon or in connection with any property owned by the District:
  - a. Erect, construct, install, or place any structure, building, improvement, shed, fence, wall, dog run, dog house, tree house, playhouse, play equipment, TV or radio reception device, machinery, equipment, or

apparatus of any type, whether stationary or moveable and whether permanent or temporary in character, or stockpile, store or place any organic or inorganic material used for the construction of such items on, below, over or across a Park, without the written authorization from the District, and then only in accordance with the terms and conditions set forth in a license agreement, easement or other written agreement. Corporations and any other entities may be prosecuted for a violation of this Ordinance when an agent or employee performs the prohibited conduct.

- b. Perform, cause or authorize any mowing, trimming, cutting, or grooming of District property, or perform any similar grounds maintenance for any purpose, or in any like manner encroach onto District Property from privately or publicly owned lands.
- c. Place, stockpile or store any gravel, stone, dirt, sand, wood, lumber or any other organic material on District property.
- d. Place any electrical wire, conduit, or pipe, or any public service or private utility, into, upon, above, or across or beneath District Property, unless duly authorized written permission has first been obtained from the District.
- e. Plant vegetation of any kind on District Property without written authorization of the District.
- f. Allow, authorize, build, construct, or place the discharge point of any sump pump, pool, water feature, or foundation drainage, or any storm water management measures, including but not limited to swales, drains and contouring, that directs or is intended to direct sump pump or foundation drainage discharge, onto District Property. All discharge of sump pumps and foundation drainage adjacent to District Property, shall be setback from the property line, in such a manner that the water flow is discharged onto the originating property and flows in accordance with Illinois drainage law.
- g. Any person, who violates any provision of this Ordinance, 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.

- B) Waiver: The District retains the right to waive any or all provisions of this Ordinance on a case by case basis. Any waiver shall be subject to approval by the Board of Trustees by majority vote of a quorum present.

**Sec. 2.11 Erection of Structure/Wires**

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

**Sec. 2.12 Golf**

- A) No person shall use a golf club to drive, chip, putt or otherwise strike any object (except a whiffle ball) on Park District property, except in regular Park District programs or at designated golf courses.
- B) No person shall commence play on golf courses without checking in at pro shop before commencing play.
- C) No person shall play on golf courses without payment of admission charges.
- D) For safety purposes, no persons not engaged in play or spectating golf should avoid being on golf courses during operational hours.
- E) Golf carts may only be rented by individuals over 16 years of age with a valid driver's license. No one under 16 years of age is allowed to operate a golf cart.
- F) Golf carts must remain on golf course property at all times.
- G) All golfers have their own set of clubs that consist of a golf bag and at least 3 clubs.
- H) No person under the age of 6 is allowed on golf courses.
- I) No outside alcohol allowed. All alcohol beverage purchases must be from pro shop.
- J) Shirts must be worn at all times.
- K) All play must start on the first tee unless given permission by the pro shop to start elsewhere.

**Sec. 2.13 Interference with Other Users**

- A) No person shall walk, act, or conduct himself upon any portion of District Property designated for a particular game, sport, event, amusement or other use in such a way as to interfere with the use of such portion by other persons who are properly using the same for the particular 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 or District Property under the authority of a permit.

**Sec. 2.14 Pools**

- A) The District reserves the right to establish facility specific rules and regulations. Visitors are required to understand and comply with all facility specific rules and regulations at all times.
  
- B) Any person who refuses to obey pool rules or otherwise violates any other provision of these Ordinances may be barred by the District from further use of the pool for the remainder of the pool season, in addition to the penalties set forth in these Ordinances.

**Sec. 2.15 Parades, Public Assemblies, or Meetings**

- A) Public parades, processions, theatrical or dramatic presentations, meetings, assemblies, exhibitions, entertainment of any description, musical concert, playing of amplified instrument, gatherings, celebration, parade, rally, religious worship, or any sponsored entertainment, social, recreational or athletic event, and/or demonstrations are permitted on District Property. However, where the number of participants is reasonably expected to exceed fifteen (15) or more persons and/or vehicles, a permit therefore must first be obtained from the District.
  
- B) Any person issued a Permit by the District shall produce the Permit and exhibit it upon request of any District employee or officer.
  
- C) No person other than a District employee or officer shall disturb or interfere with any person occupying District property under the authority of a Permit.
  
- D) This section shall not apply to students participating in educational activities under the immediate supervision of school authorities or their agents, a governmental agency acting within the scope of its functions, or normal scheduled District programs or activities.

**Sec. 2.16 Posting Printed or Written Material on Public Places and Objects**

- A) No person shall paint, write on, or in any way mark or deface, or post otherwise affix, any printed or written words, symbols, materials, or other marks to or upon



District Property, or anything or object located on District Property, unless a permit has first been obtained from the District.

- B) The District may remove any printed or written word, symbol, material, or other mark found posted or otherwise affixed upon any District Property or anything 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.

#### **Sec. 2.17 Reporting Accidents**

A person involved in an incident on District Property resulting in personal injury or property damage shall report the incident to the Park Police within twenty-four (24) hours after the incident.

#### **Sec. 2.18 Unauthorized Use of District Property**

Except when and where permitted by special Park District programs, it shall be unlawful and considered Unauthorized Use of Park District property for any person to:

- A) Enter any area posted as restricted or closed.
- B) Enter any Park District area or property after hours.
- C) Operate any motorized vehicle except on regularly designated roads, drives or parking lots.
- D) Climb, or by any means circumvent, any fence or barrier to gain access to a park area.
- E) Use boats or flotation devices in any Park District water area.
- F) Ice skate, ice fish, walk or remain upon any frozen water area of the Park District (unless authorized by the Park District).
- G) Fail to follow posted rules and regulations.
- H) Use Park District Utilities.
- I) Use Park District Equipment.
- J) Use Bounce Houses, Dunk Tanks, and Water Slides.

#### **Sec. 2.19 Use of Restrooms, Washrooms, and Locker Rooms**

- A) Every person shall cooperate in maintaining restrooms, washrooms and locker rooms in a neat and sanitary condition.
- B) No person shall deposit objects of any kind other than toilet paper in the toilets or plumbing fixtures of a restroom, washroom facility or locker room.
- C) Children 5 years of age and under may use restrooms, washrooms and locker rooms designated for the opposite sex.
- D) No person shall use any camera, video recorder or other device to record or transmit visual image(s) in or from any rest room, washroom or locker room of the District.

## *Chapter 3. Animals*

### **Sec. 3.1 Domesticated Animals and Pets**

- A) No owner or person having control of any domesticated dog or cat, shall cause or permit such animal to be on District property unless the animal 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 District property, except in specifically designated off-leash areas.
- B) All other animals, including horses, are prohibited on Parks District property without a permit.
- C) All owners or persons having control of any domesticated dog or cat shall remove any excrement from District property left by such animal.
- D) No person shall bring a domesticated dog or cat, onto or permit any animal to remain on any portion of District property, except:
  - a. in conjunction with an activity or event conducted or sponsored by the District, or
  - b. dogs or other domesticated animals, including miniature horses, 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) through (c) may be apprehended, removed to an animal shelter, public pound, or other place provided for that purpose, and, unless the owner claims the animal and is financially responsible for violations of this Ordinance, disposed of pursuant to the applicable laws or ordinances of the State of Illinois and Sangamon County. The owner or person responsible for such animal shall be responsible for all costs and expenses incurred or encumbered in the removal and boarding of such animal and such charge shall be in addition to and not in lieu of any other penalties provided for in this section and any other applicable federal, state, local or district laws, ordinances, rules or regulations.

### **Sec. 3.2 Fishing**

- A) Except when and where permitted by special park district programs, it shall be unlawful for any person to fish from the shore, bridges, watercraft or wade into the water or through the ice of any park district body of water to fish.
- B) Fishing from the shore, bridges, and docks are allowed at the following areas:
  - Ponds at Washington Park, Southwind Park, Lake Victoria Park, Bunn Park (designated areas only), Lincoln Park, and Dreamland Park
  - The Sangamon River at Riverside Park, Carpenter Park and Gurgens Park

- C) All state of Illinois fishing regulations and license requirements apply.

**Sec. 3.3 Protections of Non-Domesticated Animals, Birds, Fish, and Other Non-Domesticated Animals**

For purposes of this section “wildlife” means any bird, fish, or other non-domesticated animal including without limitation any animal, the capture or killing of which is authorized by the fish and game laws of the State of Illinois.

- A) No person shall bring or release any wildlife onto District property; provided however, that the District may bring or release, or permit another person to bring or release such prescribed animals onto District property in conjunction with an activity or event conducted or sponsored by the District or in conjunction with a zoo, nature center, or similar facility maintained by the District.
- B) No person shall hunt, pursue, hurt, molest, wound, kill, trap, catch, poison, abuse, chase, shoot, touch, throw or propel objects at, endanger in any way, remove or cause to be removed, treat cruelly, or have in possession, any wildlife upon, over, or under District property, except as expressly authorized and approved by the District.
- C) No person shall give or offer any harmful, poisonous, or noxious substance to any wildlife on District property.
- D) No person shall touch, tease, frighten, disturb, or otherwise intentionally interfere with any wildlife while feeding, nesting, breeding, sleeping, resting, flying or engaging in any other activity on, upon, over or under District property, except as expressly authorized and approved by the District.
- E) No person shall molest, touch, throw or propel an object at, destroy, dig up, crush, shake, rob or disturb, in any way tamper with or damage the nest, lair, den, burrow, or home of any wildlife found on, upon, over or under District property.
- F) Law enforcement officers and park agents are exempt from this section if, during the course of their duties, it becomes necessary to protect or defend human life from animals, or destroy any badly damaged animal as a mercy to that animal.

## *Chapter 4. Personal Conduct*

### **Sec. 4.1 Advertisement, Peddling, and Solicitation**

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

- A) No person shall offer for sale any articles or things, or conduct or solicit any business, trade, occupation, or profession on District property without a Permit from the District.
- B) No person shall fix any placard, sign, handbill, pamphlet, circular, or any other writing or printed material or objects containing advertising matter or announcements of any kind whatsoever on any District tree, shrub, post, building, gate, sign, or other District property unless:
  - a. The person or organization has obtained a Permit from the District;
  - b. The District has expressly designated the area for such use or;
  - c. The person holds a valid picnic, camping, or special event Permit in which case the person may display signs to identify their location or direct others to such location, provided that such signs are temporary and are removed by the permittee at the termination of the activity and provided that such signs are no larger than 24" x 30" and are not attached to any tree shrub, post, building, gate, District sign, or other structure located on District property.
- C) No person shall dig, use a shovel, post-hole digger, or any other similar device to erect a sign.
- D) No person shall distribute, display, post, or fix any sign, handbill, pamphlet, circular or any other writing or printed material or objects within any District building except in areas expressly designated for such use.
- E) No peddler, vendor or any other person shall engage in any activity for gain or for which any charge is made or any commercial sale, rental exhibition, or distribution of goods or services, including without limitation the giving of instruction or lessons for a fee, upon District Property unless he has received a permit, license or contract from the District.
- F) No person engaged in any activity for gain for which any charge is made or any sale or distribution of goods or services under this section shall obstruct or impede pedestrians or vehicles, harass park visitors with physical contact or persistent demands, misrepresent the affiliations of those engaged in such activities, misrepresent whether the goods or services are available without cost or donation,

or interfere, interrupt, or engage in conduct incompatible with the purpose of any program, activity, function, and/or special event conducted, sponsored, licensed, or otherwise permitted by the District.

**Sec. 4.2 Aircraft/Model Aircraft/UAS (Drones)**

- A) No person shall fly, cause to be flown, permit, or authorize the flying of aircraft of any kind (including but not limited to drones) at any time over District property or inside district facilities at an elevation lower than the minimum safety requirements established by the Federal Aviation Administration or other governmental authority, at an elevation which is lower than is reasonably safe under the circumstances, or in a manner which endangers the safety of any person on District property.
- B) No person shall land, cause to be landed, or permit or authorize the landing of any aircraft on District property unless a Permit has first been obtained from the District, except when necessitated by unavoidable emergency.
- C) No person shall fly or cause to be flown or permit or authorize the flying of model aircraft on or over District property unless a Permit has first been obtained from the District.
- D) No person shall parachute or otherwise descend from an aircraft into or onto District property or cause, permit or authorize another person to parachute or otherwise descend from any aircraft into or onto District property unless a Permit has first been obtained from the District, except when necessitated by unavoidable emergency.

**Sec. 4.3 Alcoholic Liquors/Intoxication**

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

“alcoholic liquor” shall have the meaning set forth in the Illinois Liquor Code, 235 ILCS 5/1-1 *et seq.*

- A) No person under the influence of alcohol shall enter, be, or remain on District property
- B) Except at designated golf courses and rental facilities, no person shall drink or possess any alcoholic beverage on Park District Property unless they are in compliance with the Illinois State Statutes regarding transportation of alcohol.
- C) Alcoholic Liquor may be allowed at supervised events when approved by the Executive Director.
- D) No person, other than the District or its authorized agents, shall sell or deliver any alcoholic liquor on District property, unless said person has first obtained all applicable state and local liquor licenses, provides proof of dram shop liability

insurance in sufficient insurance coverage limits as determined by the District, and obtains a Permit therefore from the District.

E) **Sec. 4.4 Alcohol - Underage Possession**

No person under the age of twenty-one (21) shall purchase, possess, consume or transport any alcoholic liquor on Park District Property.

**Sec. 4.4 Assault, Battery, Fighting, and Reckless Conduct**

A) No person shall knowingly start a fight or commit any assault, battery, or reckless conduct on District property. For purposes of this section:

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

**Sec. 4.5 Begging and Panhandling**

A) No person shall beg or panhandle on District property or in District buildings, facilities or playgrounds or the entrances or stairways of such buildings or facilities.

B) No person 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.

**Sec. 4.6 Bicycling**

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

D) No person shall cling or attach himself or his bicycle to any other moving vehicle.

E) The operator of a bicycle emerging from an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians and vehicles approaching on said roadway.

- F) No person operating a bicycle shall carry another person on the same bicycle. This restriction does not apply to bicycles specifically designed for multiple riders such as tandem bicycles or bicycles equipped with a baby seat.
- G) No person shall operate a bicycle 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 bicycle, or without a red reflector firmly attached to the bicycle, which is clearly visible in the headlight beam of an automobile for a distance of 500 feet to the rear of the bicycle.
- H) No person may operate a bicycle on golf courses, pickleball courts, playgrounds, ball fields, tennis courts, sidewalks, or other pathways specifically designed for pedestrian use except small children riding three- or more-wheeled cycles may operate such cycles on sidewalks while under the supervision and control of an adult.
- I) No person shall ride a bicycle on any street or path where signs are posted prohibiting riding bicycles on those streets or paths.
- J) Bicycles shall not, at any time, in any place, be indiscriminately parked by anyone in such manner as to actually or possibly interfere with pedestrians or automobiles. No person shall leave a bicycle lying on the ground or pavement or set against trees or otherwise in a place other than a bicycle rack when such is provided and there is space available. No person shall move or in any manner interfere with any bicycle which is properly parked, nor shall any person interfere with, or in any manner hinder any person from properly parking a bicycle.
- K) All bicycles, when operated on roadways, shall be kept to the right and shall be operated as nearly practicable at the right-hand edge of the roadway.
- L) No person shall operate a bicycle faster than the posted speed limit for vehicles. If a speed limit is not posted no person shall operate a bicycle faster than 20 miles per hour. Operators must maintain control of bicycle at all times and with reasonable regard for the safety of the rider and of other persons and property.
- M) Every person operating a bicycle on District property shall observe all traffic and Illinois Vehicle Code rules and regulations applicable to motor vehicles under this chapter, except those provisions of this chapter which by their nature can have no application and except as otherwise provided by this section.

**Sec. 4.7 Bribing Employees**

No person shall give or offer any money, gift, privilege or article of value to any District employee, officer, or agent in order to violate the provisions of the Ordinance or any other District ordinance, contract, permit or statute of the State of Illinois and the United States or in order to gain or receive special

consideration in applying for any use or privilege, or treatment in the use of District property. This section shall apply both on and off District property.

**Sec. 4.9 Disorderly Conduct**

- A) No person shall commit any act in such unreasonable manner as to alarm or disturb another and to provoke a breach of the peace.
- B) No person shall engage in violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance.
- C) No person shall commit any other act which may be defined as disorderly conduct under the Illinois Criminal Code, 720 ILCS 5/26-1,2,3, or 4.

**Sec. 4.8 Drugs/Cannabis/Controlled Substances/Drug Paraphernalia**

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

“cannabis” means any substance so defined in the Cannabis Control Act, 720 ILCS 550/1 *et seq.*;

“controlled substance” means any substance so defined in the Illinois Controlled Substances Act, 720 ILCS 570/100 *et seq.*;

“intoxicating compounds” shall include all substances listed in the Use of Intoxicating Compounds Act, 720 ILCS 690/0.01 *et seq.*;

“under the influence” means affected by cannabis, any controlled substance, or any intoxicating compound in any determinable manner. A determination of being “under the influence” can be established by a professional opinion, a scientifically valid test, a layperson’s opinion or the statement of a witness or suspect.

- A) No person shall bring, possess, sell, or deliver to another person or use cannabis or any controlled substance upon District property unless they are following the Illinois State Statutes regarding medical marijuana.
- B) No person under the influence of cannabis, intoxicating compound, controlled substance, or any combination thereof, shall enter into, be, or remain on District property.
- C) It is unlawful for a person to knowingly possess an item of drug paraphernalia (as defined in (720 ILCS 600/2) with the intent to use it in the ingesting, inhaling, or otherwise introducing cannabis or a controlled substance into the human body, or in preparing cannabis or a controlled substance for that use.



- D) In determining intent under this section, the trier of fact may consider the proximity of the cannabis or controlled substances to drug paraphernalia or the presence of the same upon the drug paraphernalia.

**Sec. 4.10 Dumping, Polluting, and Littering**

- A) No person shall litter, cast, throw, drop, leave, scatter, place, pile, or otherwise dump, or deposit in any manner any kind of dirt, rubbish, placard, handbill, pamphlet, circular, book, notice, flyer, other promotional material, paper of any 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 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 on District property other than in toilets in restroom facilities expressly provided for such purposes.
- C) No person shall drain refuse from a trailer or other vehicle on District property, except in designated areas at Riverside Campground.
- D) No person shall bathe or wash themselves or food, clothing, dishes, or other property at water outlets, fixtures, pools, or other bodies of water on District property, except at those areas designated by the District for such use.
- E) No person shall pollute or contaminate District property.
- F) No person shall dispose of fish remains on District property, except as expressly permitted by the District.
- G) No person shall dispose of human or animal waste on District property except at designated locations or in fixtures provided for that purpose.
- H) Any person violating this section shall be assessed the cost of removing any such improperly deposited substance or material and such charge shall be in addition to and not in lieu of any other penalties provided for in these Ordinances or applicable federal, state, local, and/or district laws, ordinances, rules, and regulations.

**Sec. 4.11 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. In the event the District permits a person to use such a fire the person shall comply

with the following requirements in addition to any other rules as may be prescribed by the District:

- a. 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.
- b. All fires must be properly and completely extinguished prior to any person leaving the site of the fire.
- c. Dumping of ashes from grills is strictly prohibited.
- d. No person shall throw or otherwise discard lighted or smoldering material in any manner that threatens, causes damage to, or results in the burning of District property or other District resources, or creates a safety hazard.

#### **Sec. 4.12 Gambling/Fortune Telling**

No person shall play or engage in selling fortunes or futures, games of chance or in any other device or game of chance, hazard or skill, either as bookmaker, dealer, player or otherwise, to gaming or gambling for money or other valuable things on district property, except at a fair, carnival or other organized event conducted permitted by the District.

#### **Sec. 4.13 Games and Sports**

- A) No person shall engage in any sport, game, or amusement on District property where prohibited by the District. Nor shall any person walk, remain, or go upon any portion of District property designated for any particular game, sport, or amusement in such a way as to interfere with the use of that portion of District property by persons who are using the same for the particular sport, game or amusement for which it has been designated. No person shall engage in any permitted activity in a rough or reckless manner so as to endanger, injure or damage any person or property in any way.
- B) No person shall use a golf club, baseball bat, tennis racket, or other device to strike, hit, propel or otherwise throw any object, such as balls or rocks, on District property, except in designated areas, and only as such device is intended to be used.

#### **Sec. 4.14 Hindering Employees**

No person shall interfere with, unreasonably disrupt, delay, or in any manner hinder any employee of the District engaged in the performance of his or her duties.

#### **Sec. 4.15 Hitchhiking**

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

**Sec. 4.16 Impersonating an Officer**

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

**Sec. 4.17 Indecent Conduct**

- A) No person shall commit any indecent, lewd or lascivious act on District property, or utter any lewd or offensive words within the hearing of another person.
  
- B) No person shall appear on District property in a state of nudity or make any indecent exposure of his person or be guilty of any other lewd or indecent act or behavior.

**Sec. 4.18 Loitering**

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

**Sec. 4.19 Lost, Found, and Abandoned Property**

- A) It is unlawful for any person to abandon any property on District property, including, but not limited to, cars, boats, appliances, garbage, furniture, or refuse. In addition to all fines and other penalties for violation of this section, the District may remove and destroy such property and assess the costs for such removal to the person abandoning the property.
  
- B) Property left unattended for longer than 24 hours or unattended property that interferes with any park visitors' safety, or 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 findings(s) to the District as soon as is practical. 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 found shall be stored for a minimum of thirty (30) days. Unless claimed by the owner or an authorized agent thereof, the property may be claimed by the finder of such

property unless the finder is an employee, office, or agent of the District or Board. All property not claimed shall be disposed of as the District deems appropriate.

**Sec. 4.20 Metal Detectors**

No person shall operate any device which is designed for the detection of metal objects on or below District property unless authorized by executive director.

**Sec. 4.21 Minors**

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

**Sec. 4.22 Obstructing Travel**

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

**Sec. 4.23 Picnics**

- A) Picnics may be held in any unrestricted area on District property not specifically set aside for other recreational activity. A Permit is required for group picnics involving fifteen (15) or more persons. Groups of less than fifteen persons do not require a Permit unless the group desires to reserve a designated area or shelter to the exclusion of others.
  
- B) Tents larger than 10'X 10", Bounce Houses and other amusement style amenities may not be used at picnics unless specifically permitted.
  
- C) No person shall use, infringe upon or disturb a group in possession of a valid Permit, except under permission by the group possessing such Permit.

**Sec. 4.24 Pyrotechnics**

No person shall offer for sale, expose for sale, sell, possess, use, or explode any firecracker, torpedoes, skyrockets, roman candles, bombs, sparklers, rocket, squib or other fireworks of like construction, or anything containing any explosive or flammable compound or any tablets or other device commonly used and sold as fireworks, on District property without first obtaining a Permit from the District, or unless authorized to do so by contract with the District.

**Sec. 4.25 Resisting or Interfering with Officer**

No person shall:

- A) Resist any police officer in the discharge of his/her duties;
- B) In any way interfere with or hinder or prevent him/her from discharging his/her duty as such officer, or offer or endeavor to do so;
- C) In any manner assist any person in the custody of any member of the police force to escape or attempt to escape from such custody, or attempt to rescue any person in custody.

**Sec. 4.26 Skateboarding/Roller Skates and Similar Objects**

No person using roller skates, in-line skates, skateboards, roller skis, coasting vehicles, or similar devices on District property shall interfere with pedestrian use of sidewalks or use of the streets by vehicles, or otherwise act negligently, recklessly or without due caution or in any manner so as to endanger any person or property. No person shall use such devices on any District property where such use has been posted as prohibited.

**Sec. 4.27 Sleeping on District Property/Vagrancy**

- A) No person shall sleep on District property between 10:00 p.m., and 6:00 a.m., except when authorized to do so by a Permit from the District.
- B) No person shall use District property in a manner designed or calculated to act as a substitute for a residence or means of support.

**Sec. 4.28 Sledding/Snowboarding**

- A) Sledding is prohibited in any park areas other than those designated by the Park District for such use.
- B) No person shall ski or snowboard in any park areas other than those designated by the Park District for such use.
- C) No person shall use any device for sledding that is not manufactured and sold to sledding.
- D) No person shall use any area designated for cross country skiing for sledding.
- E) No person shall sled with any device when hills are posted "Closed".
- F) No person shall erect or build man-made jumps on any sledding hill at any time.
- G) No person shall engage in any such activity in a reckless manner that endangers that person or others, or at a speed greater than is safe and proper under the circumstances.

- H) 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.

**Sec. 4.29 Sound and Energy Amplification**

It shall be unlawful on Park District property for any patron to use a sound-amplifying device to produce sounds loud enough to disrupt a normal conversation at a distance of 50 (fifty) feet or more.

This section shall include, without limitation, the loud or amplified playing of any type of audio equipment, radio or stereo, noise maker, 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, licensed or otherwise permitted by the District.

**Sec. 4.30 Swimming**

No person shall bathe, swim, wade, float, splash, or otherwise enter District waters other than at a designated swimming area. Users of designated swimming areas shall comply with all policies, rules and regulations as the District may designate for such activities, including those pertaining to swimming pools.

**Sec. 4.31 Throwing Objects**

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

**Sec. 4.32 Underage Possession of Tobacco**

- A) No person under the age of eighteen (18) years shall possess or use any tobacco product upon any Park District property.
- B) No person eighteen (18) years of age or older shall provide or sell any tobacco product to any person under the age of eighteen (18) upon Park District property.

**Sec. 4.33 Unlawful Assemblies**

- A) It shall be unlawful to collect, gather or be a member of any disorderly crowd, or any crowd gathered together for any unlawful purpose, or for any person to join in or stay with or near any such gathering.
- B) No person shall engage in mob action. Mob action consists of any of the following:
- a. The use of force or violence disturbing the public peace by two (2) or more persons acting together without authority of law; or (ii) the assembly of two (2) or more persons to do an unlawful act; or (iii) The assembly of

two (2) or more persons, without authority of law, for the purpose of doing violence to the person or property of any one supposed to have been guilty of a violation of the law or for the purpose of exercising correctional powers or regulative powers over any person by violence.

**Sec. 4.34 Weapons and Harmful Substances**

- A) No person other than police officers shall bring, attempt to bring, carry, or use in any way, any gun or firearm or portion thereof upon District property unless that person has a valid Illinois Concealed Carry license, and only if that firearm owned by said person with the Illinois Concealed Carry license is securely located in a locked compartment of the vehicle, and that said firearm is unloaded.
- B) No person shall bring, attempt to bring, carry, or have in his vehicle, or use in any way, any knife having a blade longer than 3 inches, any air gun, pellet gun, blow gun, paintball gun, powered by human lungs or compressed air, sling shot or other dangerous weapon on District property.
- C) No person shall bring, attempt to bring, carry, have in his vehicle, or use in any way, any explosives, ammunition, harmful liquid, gas, or solid substance, or bottles of gasoline with a rag attached.
- D) No person shall bring, attempt to bring, carry or use in any way, any bow or arrow upon District property except as approved by the District as part of a directly supervised park program.
- E) Except when and where permitted by special Park District programs, no person shall use or explode any toy pistol, toy cannon, or toy gun in which explosives are used, or use or explode any blank cartridge, on District property except that starter pistols may be used for sporting or athletic events permitted by the District.

**Sec. 4.35 Illinois Natural Areas Preservation Act**

- A) The Springfield Park District hereby adopts the Illinois Natural Areas Preservation Act, in its entirety, as enacted and amended by the State of Illinois and incorporates that Act herein by reference.
- B) The following exceptions apply to the Nature Preserve at Carpenter Park:
  - a. Dogs will be allowed but only on leashes and only on the trails.
  - b. Horses are not allowed.
  - c. Bicycles are not allowed.

**Sec 4.36 Illinois Conservation Code**

The Springfield Park District hereby adopts the Illinois Conservation Code, chapters 425, 515, 520, 525, 615 and 625 in its entirety, as enacted and amended by the State of Illinois and incorporates that Act herein by reference.

**Sec. 4.37 Illinois Criminal Code**

The Springfield Park District hereby adopts the Illinois Criminal Code, in its entirety, as enacted and amended by the State of Illinois and incorporates that Act herein by reference.



## ***Chapter 5. Motorized Vehicles, Parking and Traffic Control***

### **Sec. 5.1 Illinois Vehicle Code**

The Springfield Park District hereby adopts the Illinois Vehicle Code, in its entirety, as enacted and amended by the State of Illinois and incorporates that Act herein by reference.

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

### **Sec. 5.2 ATV's and Off-Highway Motorcycles**

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

- A) In such areas and at such times as are specifically designated by the District;
- B) When such vehicles are used by law enforcement officers or District employees or agents for law enforcement or District purposes;
- C) An Electronic Personal Assistive Mobility Device may be used by persons with a mobility related disability to gain access to areas that are open to pedestrian use or;
- D) In the case of an emergency.

### **Sec. 5.3 Cell Phones**

- A) As used in this Section: "Electronic communication device" means an electronic device, including but not limited to a hand-held wireless telephone, hand-held personal digital assistant, or a portable or mobile computer, but does not include a global positioning system or navigation system or a device that is physically or electronically integrated into the motor vehicle.
- B) A person may not operate a motor vehicle on a roadway while using an electronic communication device unless the device is hands free.

### **Sec. 5.4 Drag Racing**

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

### **Sec. 5.5 Driving Under the Influence**

No person shall drive or otherwise operate nor attempt to drive or otherwise operate a vehicle on District property while under the influence of alcoholic

liquor, cannabis, controlled substance, or any other intoxicating compound, drugs, or any combination thereof.

**Sec. 5.6 Driving in Restricted Areas**

Vehicles shall remain on roads and in designated parking areas at all times. No person shall drive any motor vehicle in any restricted area including but not limited to upon a sidewalk, athletic field, turf areas, hiking and biking trails, and service roads located on District property except for routine maintenance, utility or emergency service or for a pre-authorized special delivery or pickup involving goods or customer services.

**Sec. 5.7 Mufflers**

No person shall drive a vehicle on Park Property that is not equipped with an adequate muffler or exhaust system in constant operation and properly maintained to prevent any excessive or unusual noise.

**Sec. 5.8 Overweight Vehicles Prohibited**

No person except those having contracted businesses with the Park District shall drive a vehicle of gross weight of more than 10,000 lbs. on any pavement within Park District property.

**Sec. 5.9 Parking, Standing, or Stopping**

- A) No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition and removing the keys and when standing upon any perceptible grade, without effectively setting the brake thereon and turning the front wheels to the curb or side of the roadway.
- B) No person shall park a vehicle on District property except in established or designated parking areas, in accordance with the posted directions and markings or with the directions of any attendant who may be present.
- C) No person shall park or drive any vehicle on Park District property on any area covered by sod, dirt or other areas not designated for such traffic or usage unless instructed to do so by a park official.
- D) No person shall park any vehicle or allow any vehicle to remain parked on District property beyond the normal closing hour of the District, except when a different closing hour has been designated by the District for that area or unless express written permission therefore has first been obtained from the District.
- E) No person shall stop, stand, or park any vehicle on District property so as to obstruct or interfere with traffic or travel or endanger the public safety, and no person shall stop, stand, or park any vehicle in any of the following places except when otherwise designated, or when necessary to avoid conflict with other traffic or when in compliance with the directions of a District employee:
  - a. On the left side of any roadway;

- b. On parkways, lawn areas, athletic fields, ponds, bogs and grounds;
  - c. In front of a public or private driveway;
  - d. Within any intersection;
  - e. Within any crosswalk;
  - f. Within 20 feet of any intersection or crosswalk;
  - g. Within 15 feet of fire hydrant, 20 feet of crosswalk or within 30 feet upon approach to any flashing signal, stop sign, yield sign, or traffic control signal
  - h. On the roadway side of any vehicle stopped or parked at the edge or curb of the roadway (“double parking”);
  - i. In a position that blocks another vehicle lawfully parked;
  - j. On any sidewalk;
  - k. At any place where official signs or other markings prohibit parking, or where curbs have been painted yellow;
  - l. Within 15 feet of a fire hydrant;
  - m. In a fire lane or within 8 feet of the entrance to a fire lane;
  - n. Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;
  - o. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
  - p. Upon any bridge or other elevated structure upon a roadway, or within a roadway tunnel;
  - q. On any railroad tracks or within 50 feet of the nearest rail of a railroad crossing;
  - r. On a controlled access roadway;
  - s. 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;
  - t. In any manner that encroaches upon more than one parking space;
  - u. From 10:30 p.m. to dawn unless prior approval is granted, or attending an approved Park District Program.
- F) 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:
- a. To display such vehicle for sale; or
  - b. To perform maintenance or repair of such vehicle, except for repairs necessitated by an emergency; or
  - c. To sell goods or services from such vehicle.
- G) Notwithstanding any contrary provision contained in this section the operator of an authorized emergency vehicle may park or stand irrespective of the provisions of this Ordinance.
- H) No person shall move a vehicle not lawfully under their control into any such prohibited area or away from a curb such distance as is unlawful.

- I) 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, where permitted, 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.
- J) Handicapped Parking Zones
- a. It shall be unlawful for any vehicle except those displaying a valid handicapped permit, decal, or license plate to be parked in a designated handicapped parking zone.
  - b. Handicapped parking zone restrictions shall not apply to authorized emergency vehicles during an emergency, or to maintenance vehicles while working on the handicapped zone.
- K) Penalty Provisions for Parking Violations.
- a. 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 section 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.
  - b. 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 section 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 section.
  - c. Whenever any vehicle has been parked in violation of these sections 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 therefore.
  - d. Whenever any vehicle is parked in violation of any parking provision of this section, 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 they are present or by affixing it to the vehicle in a conspicuous place. The issuer of the notice shall specify on the notice their 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 their name to the notice.

- e. 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.
- f. Any violation of the parking provisions of this section or any provision of the Illinois 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 section, shall be imposed.
- g. 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.
- h. If the respondent requests a court hearing to contest the cited violation or violations, the designated agency shall arrange such a hearing and shall notify the respondent in writing of the time and place of the hearing.
- i. A notice sent pursuant to this section shall state that 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 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.

#### **Sec. 5.10 Repair to Vehicles Prohibited**

No person on Park District property shall change any parts or make repairs of any kind to any vehicle, except such emergency repairs necessary to remove a disabled vehicle.

#### **Sec. 5.11 Riding Outside Vehicles**

- A) No person shall ride upon the fenders, running boards, bumpers, hood, or any other exterior part of any vehicle on District property.
- B) No person shall cling or attach themselves, their vehicle, or any other object, to any other vehicle on District property.

### **Sec. 5.12 Right-of-Way**

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

### **Sec. 5.13 Seat Belts**

Each driver and passenger of a motor vehicle operated on a street in the Park District shall wear a properly adjusted and fastened seat safety belt. Some child less than 8 years of age shall be protected as required pursuant to the Child Passenger Protection Act. Each driver of a motor vehicle transporting a child 8 years of age or more, but less than 16 years of age, shall secure the child in a properly adjusted and fastened seat safety belt as required under the Child Passenger Protection Act. Each driver of a motor vehicle transporting a passenger who is unable, due to infirmity, illness, or age, to properly adjust and fasten a seat safety belt and is not exempted from wearing a seat safety belt shall secure the passenger in a properly adjusted and fastened seat safety belt as required under this Section.

### **Sec. 5.14 Snowmobiles**

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.

No person shall drive, ride, or otherwise operate a snowmobile on District property.

### **Sec. 5.15 Speed Limit**

No person shall operate, propel or cause to be propelled a vehicle (motorized or non-motorized) on any road, drive, or parking area at a speed greater than the speed limit posted along the right-of-way or, in the absence of such posted limit, at a speed in excess of 20 miles per hour.

### **Sec. 5.16 Towing**

Any unattended vehicle in violation of any provision permitting the towing of a vehicle of this ordinance may be towed at the request of the Park District and at the owner's expense.

### **Sec. 5.17 Vehicle Operation**

- A) It shall be unlawful for any person to operate any vehicle on Park District area with a willful and wanton disregard for the safety of persons or property.
  
- B) No person shall operate any motorized vehicle on any Park District roadway or parking lot unless that person holds a valid operator's license of the appropriate classification and endorsements as required by the State of Illinois.

### **Sec. 5.18 Vehicle Seizure and Impoundment**

- A) Any motor vehicle used in connection with the following shall be declared a public nuisance and subject to seizure and impoundment under this article:
  - a. A violation of 720 ILCS 5/24-1, concealed weapons, discharge of firearms or air guns, or section 720 ILCS 5/24-3.1 and or section 4.35 of the Springfield Park District Ordinances prohibited possession of loaded weapon, of this Code:
  
  - b. A violation of 625 ILCS 5/6-303, driving while driver's license, permit or privilege to operate a motor vehicle is suspended or revoked, of the Vehicle Code, except a person whose driver's license, permit or privilege to operate a motor vehicle is suspended only for a violation of 625 ILCS 5/13 et seq., the Emissions Inspection Law;
  
  - c. A violation of 625 ILCS 5/11-204, fleeing or attempting to elude a peace officer. 625 ILCS 5/11-502(a) Transportation of Open Alcohol by driver, driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof; 625 ILCS 5/11-503, reckless driving or aggravated reckless driving; 625 ILCS 5/11-504, drag racing; or 625 ILCS 5/11-601.5, driving 40 miles an hour or more in excess of applicable limit, of the Vehicle Code, or against whom a warrant has been issued by a Circuit Court for failing to appear to answer charges that the person was a) operating a motor vehicle while that person's license was suspended or revoked, or b) operating a motor vehicle while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof;

- d. Attempt & Commission of a felony.
- e. A violation of 720 ILCS 570/401, manufacture or delivery unauthorized, 720 ILCS 570/401.1, controlled substance trafficking; or 720 ILCS 570/402, possession unauthorized, of the Controlled Substance Act;
- f. A violation of 720 ILCS 550/4; possession of more than 10 grams of any substance containing cannabis; 720 ILCS 550/5, manufacture or delivery of cannabis; 720 ILCS 550/5.1, cannabis trafficking; 720 ILCS 550/5.2, delivery of cannabis on school grounds; or 720 ILCS 550/8, unauthorized production or possession of cannabis sativa plant, of the Cannabis Control Act; or
- g. A violation of 625 ILCS 5-6-101 Driving without a Driver's License or Permit.
- h. A violation of 625 ILCS 5-3-702 Driving while the registration of vehicle is canceled, suspended, or revoked.
- i. Abandoned Vehicle
- j. A violation of 720 ILCS 5/24-1, unlawful use of weapons; 720 ILCS 5/24-3.1, unlawful possession of firearms and firearm ammunition; or 720 ILCS 5/24-3.3, unlawful sale or delivery of firearms on the premises of any school. Sec. 90-340(B) shall not apply when the exemptions are satisfied as set forth in 720 ILCS 5/24-2.

B) Seizure and Impoundment Process

- a. Whenever a Park Police Officer has probable cause to believe that a motor vehicle is subject to seizure and impoundment pursuant to this Article, the Park Police Officer shall provide for the towing of the motor vehicle according to Park Police Department procedures. When the motor vehicle is towed, the Park Police Officer shall notify the person who is found to be in control of the motor vehicle at the time of the alleged violation, if there is such a person, of the fact of the seizure and of the motor vehicle owner's right to request a preliminary hearing. Said motor vehicle shall be impounded pending the completion of the hearings provided for in this article.

C) Administrative Fee

- a. The owner of record of such motor vehicle subject to seizure and impoundment shall be liable to the Park District for an Administrative Fee pursuant to the following:

<u>REASONS FOR IMPOUND</u>	<u>FEE</u>
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Unlawful Use of Weapons	\$500
Driving with suspended or revoked Driver's License	\$500
Fleeing or Eluding Police	\$500
Unlawful Possession, Consumption or Transportation of Alcoholic Liquor in a Motor Vehicle	\$250
Driving under the Influence	\$500
Drag Racing	\$500
Reckless Driving & Aggravated Reckless Driving	\$500
Commission/Attempt of any Felony	
720 ILCS 24-1.5, 24-1.6	\$500
Controlled Substance Act	\$500
Possession of Cannabis	\$250
Unlicensed Driving	\$250
Operation of a Motor Vehicle with suspended Registration	\$500
Abandoned Vehicle	\$250

REASONS FOR CONTINUED POLICE HOLD

- Altered title, Registration or VIN
- D.U.I. Hold
- Evidence Processing
- Major Crash Investigation
- Seizure of Vehicle pursuant to State Statute
- Other (as policy dictates)

In addition to any towing and storage charges, this article is in addition to and shall not replace or otherwise abrogate any existing state or federal laws or any ordinance that relates to the seizure and/or impoundment of motor vehicles, and any fee in this article shall be in addition to any and all penalties that may be assessed or imposed by a court for any criminal charges.

This article shall not apply: (1) if the motor vehicle used in the Violation was stolen at that time and the theft was reported to the appropriate police authorities within twenty-four (24) hours after the theft was discovered; (2) if the motor vehicle is operating as a common carrier and the violation occurs without the knowledge of the person in control of the motor vehicle; or (3) if the motor vehicle is subject to successful forfeiture proceedings under 725 ILCS 150/1 et. seq., the Drug Asset Forfeiture Procedure Act, 720 ILCS 5/26-1 et. seq., the Seizure and Forfeiture of Vessels, Vehicles and Aircraft Act, or state or federal forfeiture laws. For purposes of this article, the "owner of record" or "owner" of a motor vehicle is the record title holder as registered with the Secretary of State, State of Illinois.

D) Vehicle Possession

- a. Except as provided otherwise in this article, a motor vehicle shall continue to be impounded until (1) the administrative fee, plus any applicable towing and storage charges, are paid, in which case possession of the motor vehicles shall be given to the person who is legally entitled to possess the motor vehicles, or (2) the motor vehicle is sold or otherwise disposed of to satisfy a judgment to enforce a lien as provided by law.
- b. Except as otherwise specifically provided by law, no owner, lien holder or other person shall be legally entitled to take possession of a motor vehicle impounded under this Article until the civil fees applicable under this Section have been paid.

E) Preliminary Hearing

- a. Whenever the Owner of a motor vehicle seized pursuant to this Article requests a preliminary hearing, said Owner must make a request for said preliminary hearing within 72 hours of the seizure impoundment. Said request shall be made in person and in writing at the Springfield Park District Police Department, Monday-Friday, excluding holidays, 8:00 a.m.- 4:30 p.m. using the Tow Hearing Request Form. If the request for a preliminary hearing is timely filed, the Springfield Park District or its designee shall conduct such preliminary hearing within 24 hours after the request, or by a date mutually agreeable to the parties, Monday-Friday, excluding holidays, 8:00 a.m.-4:30 p.m. All interested persons shall be given a reasonable opportunity to be heard at the preliminary hearing. The formal rules of evidence will not apply and hearsay evidence shall be admissible. If, after the preliminary hearing, the Springfield Park District, or its designee determines there is probable cause to believe that the motor vehicle is subject to seizure and impoundment pursuant to this Article, the Springfield Park District or its designee shall order the continued impoundment of the motor vehicle. The Springfield Park District or its designee will then set the matter for a hearing as set forth in Section 7, unless the owner affirmatively waives the right to a hearing. However, if the Springfield Park District or its designee finds that no such violation occurred, the Springfield Park District or its designee shall order the return of the motor vehicle or cash bond, but the owner shall be responsible for any towing and storage charges.

F) Notice of Hearing

- a. Unless a preliminary hearing is held pursuant to Section 5, or the owner affirmatively waives the right to a Hearing, within ten (10) days after a motor vehicle is seized and impounded pursuant to this Article or within ten (10) days after the conclusion of preliminary hearing, the Park District shall notify by certified mail, return receipt requested, the owner of record of the date, time and location of a hearing that will be conducted pursuant to this Article. The notice shall state the fees that may be imposed, and

that a motor vehicle not released by cash bond and remaining in the Park District may be sold or disposed of by the Park District in accordance with applicable law.

G) Hearing

- a. The Hearing shall be conducted and held, unless affirmatively waived by the Owner, or continued by the Owner or by order of the Hearing Officer, no later than forty-five (45) days after the motor vehicle was seized, unless the motor vehicle was subject to unsuccessful forfeiture proceedings, in which case the Hearing shall be conducted and held, unless affirmatively waived by the Owner, or continued by the Owner or by order of the Hearing Officer, no later than forty-five (45) days after the conclusion of the forfeiture proceedings. All interested persons shall be given a reasonable opportunity to be heard at the Hearing. At any time prior to the Hearing date, the Hearing Officer may, at the request of either party, direct witnesses to appear and give testimony at the Hearing. The formal rules of evidence will not apply at the Hearing and hearsay evidence shall be admissible. If, after the Hearing, the Hearing Officer determines by a preponderance of evidence that the motor vehicle, operated with the permission, express or implied, of the Owner, was used in the commission of any of the violations set forth in this Article, and that none of the exceptions applies, the Hearing Office shall enter an order finding the Owner of record of the motor vehicle civilly liable to the Park District for an Administrative Fee in the amount as set forth in Section 3 which shall constitute a debt due and owing to the Park District. If the Owner of record fails to appear at the Hearing, the Hearing Office shall enter a default order finding the Owner of record of the motor vehicle civilly liable to the Park District for an Administrative Fee in the amount as set forth in Section 3 which shall constitute a debt due and owing to the Park District and a copy of which default order shall be sent to the registered Owner via Certified Mail, return receipt requested. If a motor vehicle has been impounded when such Administrative Fee is imposed, the Park District may seek to obtain a judgment on the debt and enforce such judgment against the motor vehicle as provided by law. However, if the Hearing Officer finds that no such violation occurred, the Hearing Officer shall order the return of the motor vehicle, but the Owner shall be responsible for any towing and storage charges.

H) Failure to Pay

- a. If the Administrative Fee and towing and storage charges are not paid within thirty-five (35) days after entry of an Administrative Fee against an Owner of Record who fails to appear at the Hearing, the motor vehicle shall be deemed unclaimed and shall be disposed of in the manner provided by law for the disposition of unclaimed motor vehicles. In all other cases, if the Administrative Fee and towing and storage charges are not paid within thirty-five (35) days after the expiration of time at which

Administrative review of the Hearing Officer's determination may be sought, or within thirty-five (35) days after an action seeking Administrative review has been resolved in favor of the Park District, whichever is applicable, the motor vehicle shall be deemed unclaimed and shall be disposed of in the manner provided by law for the disposition of unclaimed motor vehicles.

**Sec. 5.19 Watercraft**

- A) No person shall operate a boat, canoe, motorized boat, sail board, remote controlled boat, or jet ski on waters controlled by the Park District.
  
- B) No person shall use, employ, or be in or upon any District launching ramp or Vessel except on dates and during hours established by the District.

## *Chapter 6. Permits*

### **Sec. 6.1 Permit Process**

For purposes of this section, the term “exercise of First Amendment rights” shall include, without limitation, parades, marches, demonstrations, rallies, religious services, speeches, solicitation of votes, petition signatures or contributions, picketing and leafleting.

- A) Permits may be granted upon proper application and approval where the applicable section of these Ordinances or any other District ordinance, policy, rule, or regulation requires a Permit in order to engage in a particular use or activity.
- B) Unless otherwise posted, permits are required for all groups over 15 persons.
- C) Every person requesting a Permit shall complete and file a written application with the Executive Director or his or her designee on forms provided by the District and pay applicable application fees. The application shall be dated and stamped when received and a receipt shall be issued to the applicant.
- D) Except for applications for Permits involving a commercial activity or for the sale or delivery of alcoholic beverages, the District shall issue the requested Permit without unreasonable delay unless:
  - a. The proposed activity violates any federal, state, local, or District law, rule, or regulation;
  - b. A prior application for a Permit for the same date, time, and location has been or will be granted and the use authorized by that Permit does not reasonably allow multiple occupancy of that particular location by more than one permittee;
  - c. The proposed use 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 District resources or facilities, damage to an environmentally sensitive or protected area’s ecosystem, impairment of a protected area’s atmosphere of peace and tranquility, unreasonable interference with District functions, buildings, facilities, operations, programs or activities, or unreasonable interference with the use or purpose of the District property applied for;
  - d. The proposed use would substantially impair the operation or use of facilities or services of District concessionaires or contractors; or
  - e. The proposed use would so dominate the use of District property as to preclude other persons from using and enjoying them.
  - f. The applicant has been issued a permit in the past and failed to comply with Park District ordinances, policies, practice, or direction from Park District staff.

- E) If the application is approved, the District shall issue a written Permit to the applicant. If the application is denied, the District shall issue the applicant written 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 location, duration, or time that is acceptable to the applicant. If the District denies an application pursuant to specific sections, or the applicant is dissatisfied with such Permit as issued, he may appeal the decision to the Board. 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 shall contain lawful prerequisites to the issuing of the Permit and restrictions on the conduct of the permitted use including without limitation: payment of a reasonable fee; general liability insurance coverage; an agreement to fully indemnify and hold the District harmless from any liability or costs resulting from the use; a requirement that the persons involved in the use observe all federal, state, local, and District laws, ordinances, 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 use; and, any reasonable restriction necessary for the efficient and orderly contemporaneous administration of the use, other activities with a Permit and regular District uses, functions, programs, and activities.
- H) Any person holding a valid Permit or other written agreement issued by the District for use of District property may use that District property to the exclusion of any other person except the District and its employees and authorized agents.
- 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, restrictions and conditions contained in the Permit may result in the suspension or revocation of the Permit.
- K) Unless as specifically provided elsewhere in the Ordinances, no Permit shall be issued for a period in excess of seven (7) consecutive calendar days. A Permit may be extended for like periods of time pursuant to a new application, unless another person has requested use of the same location and use of that location by more than one permittee is not reasonably possible.
- L) For uses involving the exercise of First Amendment rights, the District may discount any application or Permit fees if the applicant demonstrates that the cost of such fees is prohibitive. An applicant must request such a waiver in writing and requires approval from the Executive Director.

## ***Chapter 7. Offenses Affecting Park Functions***

### **Sec. 7.1 Police/Security Force**

The District police force shall be the conservators of the peace on District property, and shall be responsible for the enforcement of all federal, state, local, and District laws, ordinances, rules, and regulations on District property.

All city, county, state and other law enforcement authorities shall be authorized to enforce all laws and regulations, including District ordinances, on District property.

### **Sec. 7.2 Two Penalties-One Judgement**

In all cases where the same offense is made punishable or is created by different clauses or sections of these Ordinances, the prosecuting officer may elect under which to proceed, but not more than one recovery shall be had against the same person for the same offense; provided that the revocation of a license or Permit or fine imposed in an administrative hearing shall not be considered a recovery or penalty so as to bar any other penalty being enforced.

### **Sec. 7.3 General Penalties**

- A) Where an act or omission is prohibited or declared unlawful and no penalty or fine or imprisonment is otherwise provided, the offending person shall be fined not less than \$100 nor more than \$1,000 for each offense. Each day that a violation continues shall be deemed a separate offense. In addition to any fine, the District may revoke the privilege to use all or some of the facilities of the District for such length of time as is determined appropriate by the District.
- B) In case of amendment of any section of these Ordinances containing the provisions for which a penalty is provided in another section, the penalty so provided in such other section shall relate to the section so amended or the amending section, whether re-enacted in the amendatory ordinance or not unless such penalty is specifically repealed therein.
- C) Whenever a finding of guilty is entered by the Court or a plea of guilty is entered by a defendant, the Court may, in addition to fine imposed, enter an order to pay restitution with restitution to be in an amount not to exceed actual out-of-pocket expenses or loss proximately caused by the conduct of the defendant. The Court shall determine the amount and conditions of payments.
- D) No provisions of these Ordinances designating the duties of any officer or employee shall be construed as to make such officer or employee liable for any fine or penalty provided in these Ordinances for a failure to perform such duty, unless the intention of the Board to impose such a fine or penalty on such officer or employee is specifically and clearly expressed in the section creating the duty.

**PARK DISTRICT ORDINANCE VIOLATION FINE SHEET**

**Chapter 2: Protection and Use of Dist. Property**

TITLE	PAGE #	ORDINANCE #	FINE	FINE AFTER DUE
Public Use; Hours	4	2.1	\$75	\$100
Admissions/Identification	4	2.2	\$100	\$125
Bringing Plants, Shrubs or Trees Prohibited	5	2.3	\$50	\$75
Building Use	5	2.4	\$100	\$125
Camping	5	2.5	\$100	\$125
Charitable, Religious, Political, or Non-Profit Activities	5	2.6	\$75	\$100
Criminal Trespass of Property	6	2.7	\$250	\$275
Damage to District Property	6	2.8	\$250	\$275
Display of Permit of Pass	7	2.9	N/A	
Encroachment	7	2.10	\$100 - \$1,000	Add \$25
Erection of Structures of Wires	9	2.11	\$100 - \$1,000	Add \$25
Golf	9	2.12	\$50	\$75
Interference with Other Users	10	2.13	\$75	\$100
Pools	10	2.14	\$100	\$125
Parades, Public Assemblies, Meetings	10	2.15	\$100	\$125
Posting Printed or Written Materials	10	2.16	\$75	\$100
Reporting Accidents	11	2.17	\$120	\$145
Unauthorized Use of District Property	11	2.18	\$125	\$150
Use of Restrooms, Washrooms, and Locker Rooms	11	2.19	\$100	\$125

**Chapter 3: Animals**

TITLE	PAGE #	ORDINANCE #	FINE	FINE AFTER DUE
Domesticated Animals and Pets	13	3.1	\$75	\$100
Fishing	13	3.2	\$100	\$125
Protections of Non-Domesticated Animals, Birds, Fish, and Other Non-Domesticated Animals	14	3.3	\$200	\$225

**Chapter 4: Personal Conduct**

TITLE	PAGE #	ORDINANCE #	FINE	FINE AFTER DUE
Advertising, Peddling, and Solicitation	15	4.1	\$100	\$125
Aircraft/Model Aircraft/UAS (Drones)	16	4.2	\$150	\$175
Alcoholic Liquors/Intoxication	16	4.3 (A-D)	\$100	\$125
Alcohol - Underage Possession	17	4.3 (E)	\$250	\$275
Assault, Battery, Fighting, and Reckless Conduct	17	4.4	\$250	\$275
Begging and Panhandling	17	4.5	\$50	\$75
Bicycling	17	4.6	\$100	\$125
Bribing Employees	18	4.7	\$50	\$525
Disorderly Conduct	19	4.8	\$250	\$275
Drugs/Cannabis/Controlled Substances/Drug Paraphernalia	19	4.9	\$275	\$300
Dumping, Polluting, and Littering	20	4.10	\$100	\$125
Fire	20	4.11	\$100	\$125
Gambling/Fortune Telling	21	4.12	\$100	\$125



Games and Sports	21	4.13	\$100	\$125
Hindering Employee	21	4.14	\$200	\$225
Hitchhiking	21	4.15	\$100	\$125
Impersonating and Office	22	4.16	\$500	\$525
Indecent Conduct	22	4.17	\$250	\$275
Loitering	22	4.18	\$100	\$125
Lost, Found, Abandoned Property	22	4.19	\$100	\$125
Metal Detectors	23	4.20	\$100	\$125
Minors	23	4.21	\$100	\$125
Obstructing Travel	23	4.22	\$100	\$125
Picnics	23	4.23	\$100	\$125
Pyrotechnics	23	4.24	4.13	\$100
Resisting or Interfering with Officer	24	4.25	\$500	\$525
Skateboarding/Roller Skating/Similar	24	4.26	\$100	\$125
Sleeping in Parks/Vagrancy	24	4.27	\$100	\$125
Sledding/Snowboarding/Ice Skating	24	4.28	\$100	\$125
Sound and Energy Amplification	25	4.29	\$100	\$125
Swimming	25	4.30	\$100	\$125
Throwing Missiles	25	4.31	\$100	\$125
Underage Possession of Tobacco Products	25	4.32	\$100	\$125
Unlawful Assemblies	25	4.33	\$250	\$275
Weapons and Firearms	26	4.34	\$500	\$525
Illinois Natural Areas Preservation Act	26	4.35	\$100	\$125
Illinois Conservation Code	27	4.36	\$150	\$175
Illinois Criminal Code	27	4.37	Based on Criminal Code	

### CHAPTER 5: Motorized Vehicles, Parking, Traffic

TITLE	PAGE #	ORDINANCE #	FINE	FINE AFTER DUE
Illinois Vehicle Code	28	5.1 (write down offense on citation)	\$100	\$125
ATV's and Off-Highway Motorcycles	28	5.2	\$125	\$150
Cell Phones	28	5.3	\$100	\$125
Drag Racing	28	5.4	\$250	\$275
Driving Under the Influence	28	5.5	\$50	\$525
Driving in Restricted Areas	29	5.6	\$50.00 to \$500	Add \$25
Mufflers	29	5.7	\$100	\$125
Overweight Vehicles Prohibited	29	5.8	Based on Illinois vehicle Code	
Parking, Standing, or Stopping	29	5.9	\$25	\$50
Handicapped Parking Zones	31	5.9 (J)	\$250	\$275
Repairs to Vehicles Prohibited	32	5.10	\$100	\$125
Riding Outside Vehicles	32	5.11	\$100	\$125
Right-of-Way	32	5.12	\$100	\$125
Seat Belts	33	5.13	\$60	\$75
Snowmobiles	33	5.14	\$100	\$125
Speed Limit	33	5.15	1-5 over: \$75 6-9 over: \$100 10+ over: \$175	\$100 \$125 \$200
Towing	34	5.16	\$100	\$125
Vehicle Operation	34	5.17	\$100	\$125
Vehicle Seizure and Impoundment	34	5.18	Refer to section	

Watercraft	39	5.19	\$100	125
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