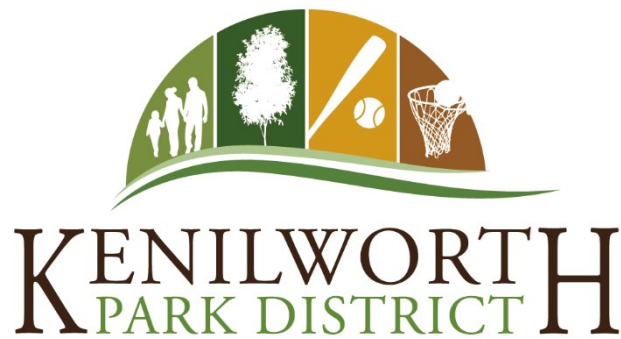


ORDINANCE 2024-02

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

(“CONDUCT ORDINANCE”)

Adopted January 18, 2024



By Authority of the Executive Director of the Kenilworth Park District

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CHAPTER I - DEFINITIONS, CONSTRUCTION, AND SCOPE

Section 1.01. Short Title. This Ordinance regulating the use of the parks and property owned, operated, maintained, or controlled by the Kenilworth Park District shall be known and may be cited as the “Conduct Ordinance of the Kenilworth Park District.”

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

1. “Aircraft” means any man-made device that is used or intended to be used for flight in the air or is capable of flight in the air, including without limitation powerless flight.
2. “Alcoholic Liquor” is defined as provided in the Illinois Liquor Control Act of 1934 (235 ILCS 5/1-3.05) as now or hereafter amended.
3. “Aquatic Life” means all fish, reptiles, amphibians, crayfish, mussels, mollusks, and crustaceans.
4. “Board” means the Board of Park Commissioners of the Kenilworth Park District.
5. “Camping” shall include, separately or in combination, the erecting of a tent or shelter of natural or synthetic material, preparing a sleeping bag, hammock, or other bedding material for use, setting up any temporary or permanent camping equipment including without limitation food preparation equipment, and parking of a motor vehicle, motor home or trailer, or mooring of a vessel, for the apparent purpose of overnight occupancy.
6. “Cannabis” is defined as provided in the Illinois Cannabis Control Act (720 ILCS 550/3(a)) as amended hereafter.
7. “Carry” means to wear, bear, or have on or about the person.
8. “Controlled Substance” is defined as provided in the Illinois Controlled Substance Act (720 ILCS 570/102 (f), 204, 206, 208, 210 and 212) as amended hereafter.
9. “District” is the Kenilworth Park District, Cook County, Illinois.
10. “District Enforcement Designee” shall include the Kenilworth Park District Staff, members of the Board, and Designees as Appointed by the Executive Director.
11. “District Property” is all of the property, real and personal, of every kind and description located within the jurisdiction of, or owned, managed, administered,

leased or licensed by, or otherwise in the possession or under the control of the District, including without limitation every building, shelter, street, sidewalk, trail, path, beach, park, playground, 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. "Department Head" is the person immediately in charge of a given District department and its activities and to whom all employees of such department are directly responsible (e.g., Director of Recreation & Facilities, and Personnel).

12. "Executive Director" is the Executive Director of the District.
13. "Facility" means any District Property other than a building, park, or playground and includes, without limitation, athletic courts, and basketball courts.
14. "ILCS" is the Illinois Compiled Statutes.
15. "Obscene" is defined as set forth in 70 ILCS 5/11-20.
16. "Operator" means a person who operates, drives, controls, otherwise has charge of or is in actual physical control of any mode of transportation or any other mechanical equipment.
17. "Ordinance" means the Conduct Ordinance of the District.
18. "Permit" is the written authorization issued by or under the authority of the District, by a District officer or employee empowered to grant said authorization, to a Person to 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.
19. "Person" is every natural person and every organization, firm, partnership, association, corporation, unit of government, or entity of any kind or any employee, agent, or officer thereof. This definition shall not include the District and any authorized officer, employee (full- or part-time, regular, or short-term), or agent of the District when acting within the scope of their authority.
20. "Possess" or "Possession" means exercising direct physical control or dominion, with or without ownership, over any kind of property, or archeological, cultural, or natural resource.
21. "Refuse" includes without limitation trash, garbage, rubbish, waste, papers, bottles or cans, debris, litter, oil, solvents, liquid waste, or other discarded material whether solid or liquid.
22. "Services" shall include but not be limited to labor, professional services, transportation, leasing or renting any article, object, privilege, or service, giving of instructions or lessons, admission to exhibits, use of telephone or other utilities, or any act for which payment is customarily received.
23. "Smoking" means the lighting of cigarettes, cigars, or pipes, the carrying of lighted cigarettes, cigars, or pipes, or the intentional and direct inhalation of smoke from these objects. The use of electronic cigarettes shall not be considered smoking for the purpose of this Ordinance.

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

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

26. "Village" refers to the Village of Kenilworth municipal body located at 419 Richmond Rd. Kenilworth, IL 60043.

27. "Wildlife" shall include any waterfowl, mammal, animal, amphibian, reptile, or bird, or the young or eggs thereof. Wildlife does not include any animal that is specifically permitted to be on District Property by a section of this Ordinance, but such presence shall be in strict accordance with any conditions or restrictions provided in such section.

Section 1.03. Construction and Scope.

(a) In the interpretation of this Ordinance, its provisions shall be construed as follows: (1) Where the context permits, words in the masculine gender shall include the feminine and neuter genders and words in the singular number shall include the plural number; (2) The word "shall" is always mandatory and not merely directory; (3) The word "may" is always permissive and upon the discretion of the District; (4) This Ordinance is in addition to and supplemental to all applicable state, federal, local, and District laws, ordinances, rules, and regulations including without limitation the Park District Code (70 ILCS 1205/1-1 *et seq.*); (5) The meaning of any term, phrase, or word not otherwise defined in this Ordinance shall be construed and interpreted to mean the same as said term, phrase, or word is otherwise defined, construed or interpreted in such applicable federal, state, local, or District laws, ordinances, rules, or regulations; (6) The meaning of any term, phrase, or word not otherwise defined in this Ordinance or in such applicable federal, state, local, or District laws, ordinances, rules, or regulations shall retain its ordinary and properly understood meaning; (7) The descriptive headings of the various sections or parts of this Ordinance are for convenience only and shall not affect the meaning or construction, nor be used in the interpretation of any provision of this Ordinance; and, (8) An attempt or conspiracy to commit an act or engage in an activity prohibited under this Ordinance shall likewise be deemed prohibited in the same manner as the commission of such act or the engaging in such activity and subject to the same penalties.

(b) This Ordinance shall apply to and be enforceable within and upon all District Property and shall regulate the use thereof by all Persons. However, no provision hereof shall make unlawful any act necessarily performed by any officer, employee, or agent of the District, member of the District Enforcement Designee when acting within the scope of his authority or in his line of duty, or any other Person summoned by such person to assist him.

CHAPTER II - SPECIFIC RESTRICTIONS ON CONDUCT AND BEHAVIOR

Section 2.01. Aircraft/Model Aircraft.

(a) No Person shall fly, cause to be flown, or permit or authorize the flying of any Aircraft of any kind at any time over District Property at an elevation lower than the minimum safety requirements established by the Federal Aviation Administration or other governmental authority, at an elevation which is lower than is reasonably safe under the circumstances, or in a manner that 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, except when necessitated by an unavoidable emergency.

(c) No Person shall fly or cause to be flown or permit or authorize the flying of model Aircraft or rocket on or over District Property unless a Permit therefor has first been obtained from the District in accordance with Chapter V of this Ordinance. No Person shall parachute or otherwise descend from an Aircraft into or onto District Property or cause, permit, or authorize another Person to parachute or otherwise descend from an Aircraft into or onto District Property, except when necessitated by an unavoidable emergency.

Section 2.02. Alcoholic Liquor.

(a) No Person, other than the District or its agent, shall sell or deliver any Alcoholic Liquor on District Property unless said Person has first obtained a Permit therefore from the District or Village as applicable by local statute.

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

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

Section 2.03. Animals and Pets.

(a) No Person shall bring or release onto District Property any Wildlife including without limitation any animal, except for domesticated dogs, cats, or other domesticated animals subject to the restrictions contained in this section. Capture or killing of Wildlife is prohibited in all District Property. The District may bring or release or permit another Person to bring or release such proscribed animals onto District Property in conjunction with an activity or event conducted or sponsored by the District or in conjunction with a zoo, museum, nature center, or similar facility controlled, maintained, permitted, or licensed by the District.

(b) No owner or agent of the owner having control of any domesticated dog, cat, or other domesticated animal shall cause or permit such animal to be on District Property unless the pet is on a leash which shall not exceed six (6) feet in length, and such Person has in his immediate possession a device for removal, and a depository for the transportation, of animal excrement from such Property.

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

(d) No Person shall bring a domesticated dog, cat, or any other animal onto or permit any animal to remain on any portion of District Property where the presence of animals is prohibited, except (i) in conjunction with an activity or event conducted or sponsored by the District; or (ii) as provided in subsection (g) below.

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

(f) Dogs for the visually impaired and other domesticated animals specially trained to assist Persons with disabilities are excluded from the prohibitions of this section when they are accompanying Persons with disabilities for purposes of providing such assistance.

Section 2.04. Assault or Bodily Injury.

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

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

Section 2.05. Begging and Panhandling.

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

(b) No Person begging or panhandling on District Property shall intentionally obstruct or impede District employees, pedestrians or Vehicles; harass employees or park visitors with physical contact or persistent demands; misrepresent his affiliations; misrepresent what the solicited funds will be used for; or interfere, interrupt, or engage in conduct incompatible with the purpose of any program, activity, function, and/or special event conducted, sponsored, licensed or otherwise permitted by the District; or coerce or intimidate another Person into giving money, goods or services.

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

Section 2.08. Charitable, Religious, Political, or Nonprofit Activities.

(a) For purposes of this section, charitable, religious, political, or nonprofit activities shall include, without limitation, exclusively in a First Amendment Location, the solicitation of contributions, the sale or distribution of merchandise, solicitation of votes,

or circulation of petitions for or against any candidate for election to public office or with respect to any referendum or other public question. For any solicitation or sale to be considered within the scope of this Section 2.08, not less than 90% of the proceeds of the solicitation or sale must be conveyed exclusively to the sponsoring organization.

(b) Soliciting contributions for charitable, religious, political, or nonprofit organizations is permitted in First Amendment Locations provided that a Permit therefore has first been obtained from the District in accordance with Chapter V of this Ordinance.

(c) The sale or distribution of merchandise by charitable, religious, political, or nonprofit organizations is permitted in First Amendment Locations provided that a Permit has therefore first been obtained from the District in accordance with Chapter V of this Ordinance.

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

(e) No Person shall engage in any activity described in subsections (a) through (d) of this Section 2.08 in any room of a District building, or on District athletic fields or other facilities in or on which any program, activity, class, function, or special event conducted, sponsored, licensed or otherwise permitted by the District is in progress, notwithstanding whether it is otherwise a First Amendment Location.

(f) No Person engaged in any activity described in subsections (a) through (d) of this Section.

(g) No person shall obstruct or impede District employees, pedestrians or Vehicles, harass District employees or park visitors with physical contact or persistent demands, misrepresent the affiliations of those engaged in such activities, misrepresent what solicited funds will be used for or whether merchandise offered for sale or distribution 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, sponsored, licensed or otherwise permitted by the District.

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

(a) No peddler, vendor or any other Person involved in an endeavor for profit shall engage in the commercial sale, rental, exhibition, or distribution of goods or services, including without limitation the giving of instruction or lessons for a fee, including without limitation tennis, golf, ice skating or other athletic lessons, upon District Property unless he has received a contract therefor from the District.

(b) No Person engaged in the sale or distribution of goods or services under this section shall obstruct or impede District employees, pedestrians, or Vehicles, harass employees or park visitors with physical contact or persistent demands, misrepresent the affiliations of those engaged in such activities, misrepresent whether the goods or services are available without cost or donation, or interfere, interrupt, or engage in conduct incompatible with the purpose of, any program, activity, function, and/or special event conducted, sponsored, licensed or otherwise permitted by the District.

Section 2.10. Controlled Substances and Cannabis. No Person shall bring into, possess,

take, use, sell, or transfer any Controlled Substance on District Property.

Section 2.11. Cooperation with Authorities.

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

(b) No Person shall falsely represent that he is, or otherwise pretend to be, a District officer or employee, a District Enforcement Designee, or an agent or other representative of the District. No Person shall knowingly give a false report or false information (including, without limitation, information requested in a Permit application) for the purpose of misleading the Board, a District employee or agent, or a District Enforcement Designee in the conduct of his official duties.

Section 2.12. Disorderly Conduct.

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

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

(b) Makes or causes to be made any excessively loud or unreasonable noise which disturbs the peace. For purposes of this subsection 2.12 (b), excessively loud or unreasonable noise is defined as noise inconsistent with or not reasonably attendant to appropriate and customary park and recreational activities, considering the nature and purpose of the actor's conduct, location, time of day or night, and other factors that would govern the conduct of a reasonably prudent person under the circumstances. This section shall include, without limitation, the loud or amplified playing of any type of audio equipment, noisemaker, musical instrument, or sound equipment. This section shall not apply to the playing of any musical instrument, public speaking, or the amplification thereof, in conjunction with activities conducted, sponsored, licensed, or otherwise permitted by the District; or

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

(d) Congregates with other Persons on District Property with the intent to restrict vehicular or pedestrian traffic or with the intent to restrict free ingress to and egress from District Property and fails to comply with a lawful order of the District Enforcement Designee to disperse; or

(e) Refuses or fails to cease and desist any peaceful conduct or activity likely to produce a breach of peace where there is an imminent threat of violence, and where the District Enforcement Designee has made all reasonable efforts to protect the otherwise peaceful conduct and activity, and has requested that said conduct and activity be stopped and explained the request if there be time; or

(f) Fails to obey a lawful order of dispersal by a person known to him to be a District Enforcement Designee under circumstances where Persons are committing acts of disorderly conduct in the immediate vicinity, which acts are likely to cause substantial harm or serious inconvenience, annoyance, or alarm; or

(g) Appears on District Property manifestly under the influence of Alcoholic Liquor, Cannabis or a Controlled Substance, or other drug not therapeutically

administered, to the degree that he may endanger himself or other Persons or property, or unreasonably annoy Persons in his vicinity; or

(h) Transmits in any manner to the District or to the District Enforcement Designee, or to any officer, employee or member thereof, a false alarm or report of fire, explosion, bomb, chemical or biological hazard, or act of terrorism, or a threat of a fire, explosion, bomb, chemical or biological hazard or act of terrorism, or a report of the commission or threat of a commission of any offense, knowing at the time of such transmission that there is no reasonable grounds for believing that such fire, explosion, bomb, chemical or biological hazard or act of terrorism exists or has been threatened, or that such offense has been committed or threatened; or

(i) Engages in fighting, loud shouting, making threats of physical harm, or other tumultuous or disruptive behavior, or refuses or fails after repeated requests to sit down or to be quiet when asked to do so by the Board President or other presiding officer of the District, during any regularly or specially convened meeting of the Board or any committee, subcommittee, or advisory body thereof.

Section 2.13. Display of Permit or Pass.

(a) Every Person shall produce or display a Permit, contract, or pass 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, contract or pass is required to engage in an activity on District Property.

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

(a) No Person shall litter, cast, throw, drop, leave, scatter, place, pile or otherwise dump, leave, or deposit in any manner any kind of dirt, rubbish, placard, handbill, pamphlet, circular, book, notice, paper of any kind, ashes, garbage, waste material, snow, ice, or other substance, whether liquid or solid or any other Refuse in or upon District Property except as specifically permitted by the District. Provided, however, that paper, glass, cans, garbage, and other Refuse resulting from picnics or other lawful use of District Property may and shall be deposited in receptacles provided by the District for that purpose. Where receptacles are not provided, are missing, or are full, 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.

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

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

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

(g) Any Person violating this section may be assessed the cost of removing any such improperly deposited substance or material and such charge shall be in addition to and not in lieu of any other penalties provided for in this Ordinance or applicable federal,

state, local, and/or District laws, ordinances, rules, and regulations.

Section 2.15. 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, across or beneath District Property, unless a Permit, license, or contract therefor has first been obtained from the District.

Section 2.16. Fairs and Special Events: Sale and Distribution of Merchandise; Soliciting Contributions. No Person shall exercise any authority under Sections 2.08, 2.09, and 2.25 during fairs or special events conducted or sponsored by the District except at a fixed location designated by the District and unless a Permit or contract therefor has first been obtained from the District. The District shall allocate space at the fixed location to applicants on a first-come, first-served basis until no more space remains available.

Section 2.17. Fires. No Person shall permit, 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.

(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. All fires must be properly and completely extinguished prior to any Person leaving the site of the fire. Any charcoals used while lighting or maintaining the fire shall be properly disposed of in a safe waste container.

(b) No Person shall throw or otherwise discard lighted or smoldering material in any manner that threatens, causes damage to, or results in the burning of District Property or park resources, or creates a safety hazard.

Section 2.19. Gambling and Games of Chance. No Person shall play or engage in selling fortunes or futures, games of chance or in any other device or game of chance, hazard or skill, either as bookmaker, dealer, player or otherwise, for the purpose of gaming or gambling for money or other valuable things on District Property, except at a fair, or other organized event conducted, sponsored or authorized by the District.

Section 2.20. Hunting or Trapping. No Person shall hunt or trap, on or in or bring any device for hunting or trapping into or onto, District Property or District Waters, except under the authorization and approval of the District, or its agents, in designated areas.

Section 2.21. Interference with Other Users.

(a) No Person shall walk, act, or conduct himself upon any portion of District Property designated for a particular game, sport, event, amusement, or other use in such a way as to interfere with the use of such portion by other Persons who are properly using the same for the particular 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 on District Property under the authority of a Permit. No Person shall engage in any activity on District Property in a manner calculated or which is reasonably likely to endanger, injure, or damage Persons or property in any way.

(c) No Person shall remain in any District building or facility in such a manner that: (1) unreasonably obstructs the usual use of entrances, hallways, corridors, stairways,

or rooms designated for specific purposes; (2) impedes or disrupts the performance of official duties by District employees; or, (3) prevents the general public from obtaining the administrative, recreational or other services provided in the building or facility in a timely manner, after being requested to relocate or leave by any member of the District Enforcement Designee.

Section 2.22. Loitering in District Buildings. No Person shall loiter or remain in any District building or facility in such a manner that: (1) unreasonably obstructs the usual use of entrances, hallways, corridors, stairways, or rooms designated for specific purposes; (2) impedes or disrupts the performance of official duties by District employees; or, (3) prevents the general public from obtaining the administrative, recreational or other services provided in the building or facility in a timely manner, after being requested to leave by any member of the District Enforcement Designee, or where the District has posted a sign or signs that prohibit loitering.

Section 2.23. Misappropriation of Property. No Person on Park District Property shall knowingly:

- (a) Obtain or exercise unauthorized control over the property of another.
- (b) Obtain by deception control over property of another.
- (c) Obtain by threat control over property of another.
- (d) Obtain control over stolen property knowing the property to have been stolen or under such circumstances as would reasonably induce him to believe that the property was stolen, where he:
 - (1) Intends to deprive the owner permanently of the use or benefit of the property; or,
 - (2) Knowingly uses, conceals, or abandons the property in such a manner as to deprive the owner permanently of such use or benefit; or,
 - (3) Uses, conceals, or abandons the property knowing such use, concealment, or abandonment probably will deprive the owner permanently of such use or benefit.

Section 2.24. Mob Action.

- (a) No Person shall act together with any other Person(s) to use force or violence disturbing the public peace without authority of law, or to commit any unlawful act.
- (b) No Person shall knowingly commit an act or engage in conduct that urges or incites other Persons to riot, engage in immediate violence or lawlessness, or commit any unlawful act.
- (c) No Person shall organize, promote, encourage, or otherwise participate in a riot or other breach of the peace involving crowds of two (2) or more Persons gathered, without the authority of law, for unlawful purposes or any purposes of disturbance or obstruction of the lawful activities of other Persons.

Section 2.25. Parades, Public Assemblies or Meetings.

- (a) Public parades, processions, theatrical or dramatic presentations, meetings, assemblies, gatherings, and demonstrations are permitted in First Amendment Locations provided that where the number of participants and/or spectators is reasonably expected

to exceed twelve (12) or more Persons and/or Vehicles a Permit therefor must first be obtained from the District in accordance with Chapter V of this Ordinance. This section shall not apply to students going to and from school classes or participating in educational activities under the immediate direction and supervision of school authorities or their agents, a governmental agency acting within the scope of its functions, or normal or scheduled District programs or activities.

Section 2.26. Posting Printed or Written Material in Designated Area.

(a) The District may designate an area for the posting of printed or written public information material (“Community Bulletin Board”). Except on the Community Bulletin Board, no Person shall post any printed or written material on District Property except to the extent it is incidental to the exercise of authority under Sections 2.08, 2.09 and 2.25 and it is removed upon the cessation of such event.

(b) No Person shall post, place, display, or cause to be posted, placed, or displayed any printed or written material on the Community Bulletin Board without presenting the material to the District. The District shall stamp and date the material as received and confirm it meets the size requirements described in paragraph (c). The District shall post the material, space permitting, on the Community Bulletin Board unless the said material is Obscene. The material may remain posted for a period not to exceed one (1) week after which a Person may resubmit his public information notice for posting, space permitting.

(c) Space on the Community Bulletin Board shall be allocated on a first-come, first-served basis (as conclusively determined by reference to the date stamp), except that the District’s own printed or written public information may be given priority. The printed or written material shall be no larger than 8 ½ inches x 11 inches and only one copy of each public information notice shall be posted. Material rejected for lack of space shall not be held in a queue for later display and must be resubmitted at a later time.

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

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

(a) Except as provided in Section 2.26 of this Ordinance, no Person shall paint, write on, or in any way mark or deface, or post or otherwise affix, any printed or written words, symbols, materials, or other marks to or upon District Property or anything or object located on District Property.

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

Section 2.28. Protection of Wildlife.

(a) No Person shall hunt, pursue, hurt, molest, wound, kill, trap, catch, poison,

abuse, chase, shoot, touch, throw or propel objects at, endanger in any way, remove or cause to be removed, have in his possession, or release or cause to be released, any Wildlife on or upon District Property, except under the authorization and approval of the District, or its agents, in designated areas.

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

(c) No Person shall touch, tease, frighten, disturb, or otherwise intentionally interfere with any Wildlife while feeding, nesting, breeding, sleeping, resting, flying or engaging in any other activity on, upon, over or under District Property, except under the authorization and approval of the District, or its agents, in designated areas.

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

Section 2.29. Protection of Property.

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

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

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

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

(e) The District may give rewards to the Person(s) (other than District employees or agents) who furnish information to the District, directly resulting in the arrest and conviction of any Person who unlawfully takes, damages, or destroys District Property. All claims for said reward must be made to the District within thirty (30) days after conviction and the District shall be the sole judge of any dispute arising over a reward, if any, and the Person(s) entitled to share therein. The District's decision on any matter connected with the reward shall be final, conclusive, and binding and shall not be subject to judicial review.

Section 2.30. Nudity. No person shall appear or be on any portion of District Property (other than in shower, locker or dressing rooms) in a state of nudity or undress.

Section 2.31. Reporting Incident. A Person involved in an incident on District Property resulting in personal injury or property damage, other than an accident reportable under Section 3.06 of this Ordinance, shall report the incident to the District within twenty-four (24) hours after the incident.

Section 2.32. Restricted Areas.

(a) No Person shall enter or remain in any facility, building or other portion of District Property where Persons are prohibited by the District from entering, or, except as provided in Section 2.34 (c) of this Ordinance, where use is restricted to Persons of the opposite sex as indicated by a sign or notice posted by the District.

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

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

(d) No Person whose admission privileges to all or any part of District Property have been terminated, revoked, forfeited, or suspended by the District pursuant to Section 7.01 of this Ordinance shall enter or remain in any District Property that is the subject of the termination, revocation, forfeiture, or suspension.

Section 2.33. Restrictions Applicable to Specific Recreational Activities.

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

(b) Athletic Field Play, Baseball, Softball, Football, Soccer, Lacrosse or Volleyball Playing.

(1) No Person shall engage in organized Athletic Field Play, Baseball, Softball, Football, Soccer, Lacrosse, or Volleyball games except in those parks on which goals, diamonds and backstops or other appropriate fields of play have been constructed for that purpose, or such other areas as may be specifically designated by the District.

(2) In those parks having established athletic play areas, participation in Athletic Field Play, Baseball, Softball, Football, Soccer, Lacrosse, or Volleyball in areas other than on such goals, diamonds and backstops, or other designated athletic fields is limited in accordance with signs or notices posted by the District.

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

(4) No group of Persons exceeding six (6) in number shall participate in organized Athletic Field Play, Baseball, Softball, Football, Soccer, Lacrosse, or Volleyball on District Property unless a Permit therefor has first been obtained from the District in accordance with Chapter V of this Ordinance. Residents of the Village of Kenilworth organizing Athletic Field Play for recreational and community purposes must adhere to posted signs or notices posted by the District and are subject to the approval of the Executive Director.

(c) Picnics.

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

(2) No group of Persons exceeding twelve (12) in number shall picnic on District Property unless a Permit therefore has first been obtained from the District in accordance with Chapter V of this Ordinance. The District may designate areas for preparing, consuming, and dispensing food, beverages, and other products. Persons holding a Permit and dispensing any such products may do so only in the area designated in the Permit. In the event that dispensing of the permitted products is by sale, the Person also must comply with Section 2.09 of this Ordinance. No Person may dispense, prepare, consume, sell, or otherwise use products, items or things otherwise prohibited in this Ordinance or any other federal, state, local, or District law, ordinance, rule, or regulation. Please refer to Section 4.05 of the Board Policy Manual for additional rules related to picnic permits.

(d) Classes, Camps, and Lessons. No Person shall bring or cause to be brought onto District Property any class, play class, day camp, or similar organized group activity of any kind or conduct lessons for monetary or other consideration unless a contract allowing such use or activity has first been obtained from the District.

(e) Tournaments, Leagues, or Other Organized Recreational Activities. No Person shall utilize any District Property, including without limitation playing fields and other District facilities, for tournaments, leagues, or other organized recreational activities and outings unless a contract allowing such use or activity has first been obtained from the District. This subsection does not apply to programs or activities conducted, sponsored, licensed, or permitted by the District. Where a conflict between District programs or activities conducted, sponsored, licensed, or permitted by the District and a requested activity occurs, District programs and activities shall take precedence.

Section 2.34. Restrooms, Washrooms

(a) Every Person shall cooperate in maintaining restrooms, washrooms, shower rooms, changing rooms, and locker rooms on District Property in a neat and sanitary condition.

(b) No Person shall deposit inappropriate objects of any kind in the toilets or plumbing fixtures of a restroom or washroom, shower room, changing room, or locker room facility on District Property.

(c) No Person shall bring or use (i) any still camera, television or movie camera, camcorder, video recorder or transmitter or any other device capable of recording, filming or transmitting visual images, into any restroom, locker room or washroom facility anywhere on District Property. No person shall operate any cellular phone or mobile electronic device as a video recorder or transmitter in any restroom, locker room or washroom facility anywhere on District Property.

Section 2.35. Roller Skates, Skateboards, and Other Similar Devices; Helmets.

(a) 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.

(b) Every Person under the age of sixteen (16) years shall wear a protective helmet that meets the standards promulgated by the American National Standards Institute or the American Society for Testing and Materials or the Snell Memorials Foundation, Inc., whenever that Person is upon any street, sidewalk, bicycle path, other public right-of-way or recreational facility owned or leased by the District, or under the control of the District, or used by the District for its parks or recreational programs pursuant to an intergovernmental agreement or otherwise, and is riding or being carried on any bicycle or any carrier attached to or pulled by a bicycle, or is skateboarding or using in-line skates or any other non-motorized user-propelled wheeled device.

Section 2.36. Selling or Distributing Printed or Written Material.

(a) The distribution by political, religious, or charitable organizations of printed or written material available without cost or donation is permitted in relevant First Amendment Locations, provided it is performed in compliance with Section 2.14.

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

(c) Any Person engaged in the sale or distribution of printed or written materials under this Section 2.36 shall not obstruct or impede District employees, pedestrians or Vehicles, harass employees or park visitors with physical contact or persistent demands, misrepresent the affiliations of those engaged in such activities, misrepresent whether the materials are available without cost or donation, or interfere, interrupt, or engage in conduct incompatible with the purpose of any program, activity, function, and/or special event conducted, sponsored, licensed or otherwise permitted by the District.

Section 2.37. Sledding, Ice Skating, and Snowmobiling.

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

(b) No Person shall erect or build man-made jumps on District Property.

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

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

Section 2.38. Sleeping on District Property. Except to the extent permitted under Section 2.07, no Person shall sleep on benches, sidewalks, parking lots, picnic grounds or tables, playgrounds or playground equipment, stairways or in doorways of District buildings or other District Property. No Person may do so as to unreasonably obstruct or hinder the movement of other Persons or the use of any such facility.

Section 2.39. Smoking. Smoking or any use of a tobacco product, including smokeless tobacco, is prohibited in all District buildings, facilities and vehicles. Smoking is also prohibited in all wooded areas on District Property.

Section 2.40. Swimming. No Person shall bathe, swim, wade, float, splash, or otherwise enter District Waters except at such times and places and in compliance with all policies, rules, and regulations as the District may designate for such activities.

Section 2.41. Firearms. The Park District shall comply with the Firearm Concealed Carry Act, P.A. 98-63. In addition, no person shall carry any firearm, loaded or unloaded, on or into: any District building or portion of a building; any public gathering or special event conducted on District Property open to the public that requires the issuance of a permit from the District or Village of Kenilworth; any public playground; and any District park, athletic area, or athletic facility, provided nothing in this Section shall prohibit the carrying a concealed firearm while on a trail or bikeway if only a portion of the trail or bikeway includes a public park.

Section 2.42. Service Animals. The Park District shall comply with the Service Animal Policy, as amended from time to time. A copy of the Service Animal Policy is available for copying, review and inspection at the Administrative Offices of the District.

CHAPTER III - MOTORIZED VEHICLES, PARKING, AND TRAFFIC CONTROL

Section 3.01. All-Terrain Vehicles; Golf Carts; Mopeds.

(a) No Person shall drive, ride, or otherwise operate an all-terrain Vehicle on District Property. For purposes of this section, an all-terrain Vehicle shall be defined as any motorized off-highway device designed to travel primarily off-highway, 50 inches or less in width, having a manufacturer's dry weight of 1,500 pounds or less, traveling on 3 or more non-highway tires, designed with a seat or saddle for operator use, and handlebars or steering wheel for steering control, except equipment such as lawnmowers.

(b) No Person shall drive, ride, or otherwise operate a golf cart on District Property. For purposes of this section, a golf cart shall be defined as a vehicle specifically designed and intended for the purposes of transporting one or more persons and their golf clubs or maintenance equipment while engaged in the playing of golf, supervising the play of golf, or maintaining the condition of the grounds on a golf course.

(c) No Person shall drive, ride, or otherwise operate any moped on District Property. For purposes of this section, a moped shall be defined as a motor-driven cycle, with or without optional power derived from manually operated pedals, whose speed attainable in one mile is at least 20 mph but not greater than 30 mph and is equipped with a motor that produces 2 brake horsepower or less. If an internal combustion engine is used, the displacement shall not exceed 50 cubic centimeter displacement and the power drive system shall not require the operator to shift gears.

Section 3.02. Bicycles.

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

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

(c) The operator of a bicycle emerging from an alley, driveway, or building on

District Property shall, upon approaching a sidewalk or the sidewalk area extending across any alley or driveway, yield the right-of-way to all pedestrians approaching on said sidewalk or sidewalk area, and, upon entering the roadway, shall yield the right-of-way to all Vehicles approaching on said roadway.

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

(e) 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, and 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.

(f) No Person shall operate a bicycle on District playgrounds, ball fields, tennis courts, skate parks, or sidewalks except that children under the age of 4 years old riding three- or more-wheeled cycles may operate such cycles on sidewalks while under the supervision and control of an adult.

(g) No Person shall ride a bicycle on any District street or path where signs are posted prohibiting riding bicycles.

(h) Bicycles shall not, at any time, in any place, be indiscriminately parked on District Property in such manner as to interfere with pedestrian or vehicular traffic, or with Persons getting into or out of Vehicles. No Person shall leave a bicycle on District Property lying on the ground or paving or set against trees or otherwise in a place other than a bicycle rack when such is provided and there is space available.

No Person other than the owner or user shall move or in any manner interfere with any bicycle that is properly parked on District Property, nor shall any Person interfere with or in any manner hinder any Person from properly parking a bicycle.

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

(j) No Person shall operate a bicycle on District Property unless the bicycle is equipped with a signaling device (*e.g.*, bell or horn) in good working order and audible at a distance of 100 feet when sounded.

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

(l) Every Person under the age of sixteen (16) years shall wear a protective helmet that meets the standards promulgated by the American National Standards Institute or the American Society for Testing and Materials or the Snell Memorials Foundation, Inc., whenever that Person is upon any street, sidewalk, bicycle path, other public right-of-way or recreational facility owned or leased by the District, or under the control of the District, or used by the District for its parks or recreational programs pursuant to an intergovernmental agreement or otherwise, and is riding or being carried on any bicycle or any carrier attached to or pulled by a bicycle.

(m) Every Person operating a bicycle on District Property shall obey all federal, state, local, and District traffic laws, ordinances, rules, and regulations applicable to motor Vehicles, except those provisions which by their nature can have no application to the operation of a bicycle and except as otherwise provided by this section. In the event of a conflict between this Ordinance and any other applicable law, the more restrictive rule shall apply.

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

Section 3.04. Commercial Vehicles.

(a) The term “commercial vehicles” as used in this section shall include, but not be limited to, any Vehicles when used in transporting Persons or movable property for a fee or profit, either as a direct charge to another Person, or otherwise, or used as incident to be providing services to another Person, or used in connection with any business.

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

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

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

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

Section 3.07. Emergency Vehicles.

(a) For purposes of this section, emergency Vehicles shall include all ambulances, fire trucks and other firefighting equipment, police, fire, and ranger cars, and other Vehicles used to protect public health, safety, and welfare.

(b) The provisions of this Chapter regulating the movement or parking of Vehicles on District Property shall not apply to the operator of any emergency vehicle when responding to an emergency call or pursuing an actual or suspected violator of the law. However, such operator shall exercise extreme caution when on or approaching District Property including, without limitation, slowing down as necessary for safety, cautiously proceeding through intersections protected by traffic lights or stop signs, and utilizing the Vehicle’s warning signals (e.g., siren, lights).

(c) The operator of an emergency Vehicle shall obey all provisions of this Chapter when not responding to an emergency call or in pursuit of an actual or suspected violator of the law.

(d) Every Person operating a Vehicle on District Property shall, at the immediate approach of an emergency Vehicle making use of its warning signals, yield the right-of-way and shall stop, if possible, and pull to the side of the road and remain in such position until the emergency Vehicle has passed, unless otherwise directed by a member of the District Enforcement Designee.

Section 3.08. Enforcement of Traffic Regulations. No Person shall fail to obey a member of the Village of Kenilworth or Enforcement Designee or other District employee who is directing traffic or enforcing sections of this Chapter on District Property.

Section 3.09. Fleeing or Attempting to Elude the District Enforcement Designee. No Person driving or otherwise operating a motor Vehicle on District Property shall willfully fail or refuse to obey a visual or audible signal by a member of the District Enforcement Designee to bring his Vehicle to a stop. The signal given by a member of the District Enforcement Designee may be by hand, voice, siren, or red or blue light.

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

Section 3.11. Hitchhiking. No Person shall solicit a ride nor stand in or near a roadway on District Property for the purpose of soliciting a ride from the operator of any Vehicle.

Section 3.12. Incorporation of State Statutes. In addition to the provisions of this Chapter, and to the extent not inconsistent therewith, no Person shall drive or otherwise operate a Vehicle or perform any act in any manner on District Property in violation of Chapters 11 and 12 of the Illinois Vehicle Code (625 ILCS 5/11-100 *et seq.* and 625 ILCS 5/12-100 *et seq.*) which provisions are specifically incorporated in this Ordinance by reference.

Section 3.13. Intoxicated Operators.

(a) No Person shall drive or otherwise operate nor attempt to drive or otherwise operate a Vehicle on District Property while under the influence of intoxicating liquor, drugs, or a combination of liquor and drugs, as defined in Section 11-501 of the Illinois Vehicle Code (625 ILCS 5/11-501).

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

Section 3.14. Minibikes, Trail Bikes, and Scooters. No Person shall drive, ride, or otherwise operate any minibike, trail bike, or scooter on District Property. For purposes of this section, every motor Vehicle which is self-propelled by power obtained by the combustion of gasoline is designed with a seat or a saddle for the use of the rider and is designed to travel on not more than three (3) wheels shall be deemed to be a minibike or trail bike or scooter.

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

Section 3.16. Parking.

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

(b) No Person shall park any motor Vehicle or allow any motor vehicle to remain parked in any area of District Property beyond the normal closing hour of the park system, except when a different closing hour has been designated by the District for that area or unless permission therefor has first been obtained from the District. In no event shall any motor Vehicle except District Vehicles be parked on District Property later than 11:00 p.m., except with the approval of the District which approval shall automatically be deemed given in connection with activities conducted, sponsored, licensed, or otherwise permitted by the District.

(c) No Person shall park a Vehicle on District Property for any of the following purposes:

(1) To display such Vehicle for sale; or,

(2) To perform maintenance or repair of such Vehicle, except for repairs necessitated by an emergency; or,

(3) To sell goods or services from such Vehicle.

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

(e) Penalty Provisions for Parking Violations.

(1) Whenever any Vehicle shall have been parked in violation of any section of this Ordinance prohibiting or restricting vehicular standing or parking, the Person in whose name the Vehicle is registered with the Secretary of State of Illinois shall be prima facie responsible for the violation and subject to the penalty therefor, except as provided in Section 3.16 (f) of this Ordinance.

(2) Any person who violates or fails to comply with any provision of this section at shall be fined \$75.00 for each offense. Any Person who violates or fails to comply with any provision of this section at any and all other Park District property shall be fined \$25.00 for each offense.

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

Section 3.17. Riding Outside Vehicles.

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

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

Section 3.18. Right-of-Way.

(a) Every operator of a Vehicle shall yield the right-of-way to a pedestrian at any marked crosswalk or within any unmarked crosswalk at any intersection on District Property.

(b) Every operator of a Vehicle shall exercise due care to avoid colliding with pedestrians upon any roadway on District Property, shall give warning to any pedestrian in the roadway by sounding the horn when necessary, and shall exercise proper precaution upon observing any child, confused Person, or disabled person upon a roadway.

(c) Every pedestrian crossing at a roadway on District Property at any point other than within a marked crosswalk or within an unmarked crosswalk at any intersection shall yield the right-of-way to Vehicles upon the roadway.

(d) Except as otherwise provided herein, the operator of a Vehicle approaching an intersection on District Property shall yield the right-of-way to a Vehicle 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.

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

Section 3.20. Speeding.

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

(a) No Person shall drive or otherwise operate a Vehicle on District Property at a speed greater than is reasonable and safe under the circumstances, having due regard for traffic, pedestrians, weather conditions and the intended use of the roadway and at no time at a speed greater than 20 miles per hour.

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

Section 3.21. Traffic Signs and Signals.

(a) No Person shall fail to observe any traffic sign indicating speed limit, direction of travel, caution, stopping, parking, crosswalk lanes, traffic lane markers, and any other sign posted by the District for safeguarding life or property.

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

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

Section 3.23. Unauthorized Use of Parking Places Reserved for Handicapped Persons.

(a) For purposes of this section, handicapped Person means every natural Person who qualifies as a “person with disabilities” as defined in Section 1-159.1 of the Illinois Vehicle Code.

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

(c) The District may remove or cause to be removed to the nearest garage or other place of safety any Vehicle parked within a stall or space reserved for use by the handicapped which does not display handicapped registration plates, or a special decal or device as required by this section.

(d) Any Person found guilty of violating the provisions of this section shall be fined \$250.00 in addition to any costs or charges connected with the removal or storage of any motor vehicle authorized under this section.

Section 3.24. Mobility Assistance Devices. Notwithstanding anything in this Ordinance to the contrary, the District shall enforce the Mobility Device Use Policy, as amended from time to time. A copy of the Mobility Device Use Policy is available for copying, review, and inspection at the Administrative Offices of the District.

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

Section 4.01. Hours.

(a) Except as otherwise provided in this Section 4.01, District parks shall be open to the public from sunrise in the morning until sunset in the evening of that same day, and District parks shall be closed to the public from sunset each day until sunrise the following day.

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

Section 4.02. Special Closings. The Board or the Executive Director may close one or more District parks, buildings, and facilities or any part thereof to the public at any time and for any interval of time, either temporarily or at regular intervals, and either entirely or merely to certain uses, as deemed advisable and in the best interest of the public and District.

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

obtained from the District.

Section 4.04. Schedules, Fees, Rules, and Regulations. Time schedules for the operation of, and the activities to be conducted on, District Property and the amount of facility, Permit, and program fees, may be reviewed and approved periodically by the Board. As permitted by law, fees charged to nonresidents of the District need not be the same as fees charged to residents of the District. Specific policies, rules, and regulations pertaining to District Property and programs may be posted at or on the applicable District Property and/or published in District program brochures or otherwise made available to the users of District Property, who shall be charged with actual knowledge thereof. All Persons shall abide by all District policies, rules, and regulations and with the direct orders or requests of employees and agents of the District when using District Property.

Section 4.05. Admission/Identification. No Person shall enter into, be, or remain in or upon District Property without paying any applicable admission fees, without complying with registration requirements that may be established by the District, or without displaying the required admission identification. All admission identification cards, papers, and tickets are nontransferable and must be individually registered, unless otherwise specifically noted thereon. The District may make a charge for replacing lost admission identification cards, papers, and tickets.

Section 4.06. Lost, Found, and Abandoned Property.

(a) For the purpose of this Ordinance, property is “lost” when it is unintentionally separated from the possession or control of its owner, and property is “abandoned” when the owner, intending to relinquish all rights to the property, leaves it free to be appropriated by any other person.

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

(b) Property left unattended for longer than twenty-four (24) hours or unattended property that interferes with any park employee’s or visitor’s safety, orderly management of the park area, or presents a threat to park resources shall be considered lost. Lost property 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 the discovery to the District as soon as is practicable. Whenever a District employee or agent finds lost property on District Property, he shall report the discovery to his Department or Division Head. The District will attempt to make every reasonable effort to locate the property’s owner(s).

(d) Lost property that has been impounded shall be disposed of in accordance with the Estrays and Lost Property Act, 765 ILCS 1020/1, et seq.

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

CHAPTER V - PERMITS AND OTHER AUTHORITY

Section 5.01. Permits.

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

(b) Every Person requesting a Permit shall complete and file a written application with the Executive Director, on forms provided by the District, and pay applicable application fees at the District's administrative offices located at 410 Kenilworth Ave, Kenilworth, Illinois. The application shall be dated and stamped only when a complete application is received, and a receipt issued to the applicant.

(c) Application Deadlines.

(1) Applications for Permits under Sections 2.08, 2.16, 2.25 and 2.36 must be received by the District at least forty-eight (48) hours prior to the use for which a Permit is sought but not more than ninety (90) days before the date on which the applicant seeks to conduct the activity.

(2) Applications for Permits under any other section of this Ordinance or any other District ordinance, rule, or regulation not involving the exercise of First Amendment rights must be received by the District at least twenty-one (21) calendar days prior to the requested use, but not more than ninety (90) days before the date on which the applicant seeks to conduct the activity.

(d) For applications for Permits under Sections 2.08, 2.16, 2.25 and 2.36, which comply with the terms and conditions of this Ordinance, the District shall issue the requested Permit without unreasonable delay unless:

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

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

(3) The proposed location is not a First Amendment Location for such use; or

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

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

(6) Subsection 5.01 (d) is not applicable to applications under any other section of this Ordinance or any other District ordinance, rule, or regulation not involving the exercise of First Amendment rights.

(e) The District shall approve or deny any complete application received pursuant to Sections 2.08, 2.16, 2.25, or 2.36 of this Ordinance within twenty-four (24) hours from its receipt. For complete applications of any other section of this Ordinance or any other District ordinance, rule, or regulation not involving the exercise of First Amendment rights, the District shall approve or deny the application within fourteen (14)

calendar days from its receipt. However, the District may extend the time for such action provided that it notifies the applicant within twenty-four (24) hours after the District's receipt of the application. Such notice shall specify the time within which the District will approve or deny the application.

(f) If the application is approved and the applicant has paid all applicable fees, the District shall issue a written Permit to the applicant. If the application is denied, the District shall issue to the applicant written reasons for denying the application.

(g) If an application is denied based on a scheduling conflict or inappropriateness of the location, duration, or time of the activity, the District will make a reasonable effort to arrange for a reasonable alternative location, duration or time. If the District denies an application pursuant to Sections 2.08, 2.16, 2.25 or 2.36, or the applicant is dissatisfied with such Permit as issued, he may appeal the decision to the Board within ten (10) calendar days after the decision is rendered. If the Board rejects the appeal after full review, or if time for full review is not available, the applicant may appeal the decision to the appropriate state or federal court. All other decisions on the issuance of Permits by the District are final.

(h) Any Permit granted by the District may contain lawful prerequisites to the issuing of the Permit and restrictions on the conduct of the permitted 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.

(i) Any Person holding a valid Permit issued by the District for use of District Property may use the District Property identified on the Permit to the exclusion of any other Person except the District.

(j) Subject to the terms of subsection (g) above, the District may make necessary changes or place necessary additional restrictions on any Permit after it has been issued.

(k) Violation of the terms, restrictions, and conditions contained in the Permit may result in the suspension or revocation of the Permit.

(l) No Permit shall be issued for a period more than 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.

(m) For uses involving the exercise of First Amendment rights, the District may waive 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.

(n) For purposes of this Section 5.01, the term "exercise of First Amendment rights" shall include, without limitation, uses described in sections 2.08, 2.16, 2.25 and 2.36 and which comply with the terms and conditions of this Ordinance.

(o) "First Amendment Location" shall mean each of the following locations with respect to the type of First Amendment Activity described:

- (1) For Section 2.08, Charitable, Religious, Political, or Nonprofit Activities:
 - Outdoors - Park Pavilions at Townley Field subject to each pavilion's capacity limitations
 - Indoors - Multi-Purpose Rooms at Kenilworth Assembly Hall or Village House subject to each room's capacity limitations
- (2) For Section 2.16, Sale and Distribution of Merchandise or Soliciting Contributions during Festivals/Special Events:
 - 8'x8' area located in a designated area specific to each event
- (3) For Section 2.25, Parades, Public Assemblies or Meetings:
 - Outdoors – Townley Field, Ware Garden, Maggi Park, North Park, Pee-Wee Park, Centennial Field, or Assembly Hall West Lawn
 - Indoors – Assembly Hall or Village House subject to each room's capacity limitations
- (4) For Section 2.36, Selling or Distributing Non-Commercial Printed or Written Material:
 - Outdoors -Designated community bulletin boards at Townley Field, Pee-Wee Park, or Centennial Field
 - Indoors – Assembly Hall

Section 5.02. Insurance and Hold Harmless Agreement.

(a) Except as provided in subsection 5.02 (a) (1), every applicant for a Permit shall acquire general liability insurance to protect himself and the District from liability resulting from his use of District Property and provide proof of such insurance to the District before the District will issue a Permit to an otherwise acceptable applicant. The District must be named on such policy as an additional insured. Where possible, an applicant may acquire a rider to the District's insurance policy at the applicant's cost and expense. Applicants should contact the District's administrative office for more information. The General Liability Insurance required hereby shall provide coverage for personal injury, property damage, and automobile liability (for owned and non-owned vehicles) with limits of not less than \$1,000,000 per occurrence, \$2,000,000 aggregate, and deductibles not to exceed \$5,000.

(1) For activities involving the exercise of First Amendment rights, including uses described in sections 2.08, 2.16, 2.25 and 2.36 and which comply with the terms and conditions of this Ordinance, the District may waive the requirement of insurance if the applicant demonstrates that he or his organization cannot procure general liability insurance or that the cost of procuring such insurance or acquiring a rider to the District's insurance policy is cost prohibitive. An applicant must request such a waiver in writing which describes how the applicant qualifies for a waiver.

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

Section 5.03. Restoration Deposit.

(a) The District may require payment of a restoration deposit as a prerequisite

to the issuance of a Permit involving any use with greater than 100 participants, invitees and/or guests. The District shall refund the deposit if the Person responsible for the permitted use cleans any refuse caused or left by the use or the use's participants and restores District Property to the condition it was in prior to the use to the District's satisfaction. If the District is required to clean up or restore District Property after the permitted use, the Person responsible for the permitted use shall reimburse the District for all costs and expenses associated with the clean-up and restoration. The cost of the cleanup and restoration shall be deducted from the restoration deposit. If there are any funds remaining after the cleanup and restoration costs have been paid, they shall be returned to the permittee. If the costs and expenses for the cleanup and restoration exceed the amount of the restoration deposit, the District reserves the right to bill the permittee and to pursue any and all legal options.

(b) The District may accept a written agreement to clean up and restore District Property after the permitted use if the applicant can demonstrate that payment of a restoration deposit would create an undue financial hardship. If the permittee does not satisfactorily perform according to the agreement, the District reserves the right to bill the permittee and pursue any and all legal remedies.

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

CHAPTER VI - ENFORCEMENT

Section 6.01. District Enforcement Designee/Security Force.

(a) The District Enforcement Designee 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.

(b) The members of the District Enforcement Designee shall have the authority to eject from District Property, arrest, or issue citations to any Person who violates any applicable federal, state, local, or District law, ordinance, rule, or regulation on District Property.

Section 6.02. Rules to be Obeyed. No Person shall violate or disobey any provision of this Ordinance or any other District ordinance, policy, rule or regulation of general applicability regulating conduct or activities on District Property even though the same may not have been posted. No Person shall violate or disobey the directions or instructions contained in any notice or sign posted by the District relating to the use of District Property, or the directions or instructions of any District Enforcement Designee, or any employee of the District seeking to enforce compliance with federal, state, local or District laws, ordinances, rules, or regulations.

Section 6.03. Parties to Ordinance Violation.

(a) Every Person who commits, attempts to commit, conspires to commit, or aids or abets in the commission of any act in violation of this Ordinance or other ordinance, rule or regulation of the District, as principal, agent, or accessory, shall be guilty of such offense, and every person who falsely, fraudulently, forcibly or willfully induces, causes, coerces, requires, permits, or directs another to violate any provision of this Ordinance is likewise guilty of such offense.

(b) Any Person who is the owner, registered owner, or Person in control of any animal, Vehicle, or other property of any kind brought, placed, parked, or allowed to remain on District Property in violation of this Ordinance or other District ordinance, rule, or regulation, shall be deemed prima facie responsible for such violation and shall be subject to the penalties provided herein.

(c) It is unlawful for the owner or any other Person employing or otherwise directing the operator of any Vehicle, to request or knowingly permit the operation of any such Vehicle on District Property in any manner contrary to this Ordinance.

CHAPTER VII - PENALTIES

Section 7.01. Revocation of Privileges, Fines. Any Person violating or disobeying any section or part thereof of this Ordinance, or any other ordinance, rule, or regulation of the District may be fined not less than \$25 nor more than \$1,000 for each offense, may be forthwith evicted from District Property, or may have his admission rights to District Property suspended, terminated or revoked. Fines may be recovered by an action in the name of the District in the Circuit Court for the Second Municipal District, Cook County, Illinois, if not voluntarily paid by the Person committing the offense within ten (10) days of the issuance by the District or its agent of a notice of violation, specifying the amount of the fine(s). The procedure in such actions shall be the same as that provided by law for like actions for the violation of ordinances in cities organized under the general laws of the State of Illinois.

Section 7.02. Restitution. In addition to, or instead of, the fines and penalties provided for in Section 7.01, any Person violating or disobeying any section or part of this Ordinance, or any other federal, state, local, or District law, rule, or regulation, may be required to make restitution for damages resulting from such violation(s). The provisions of the Illinois Parental Responsibility Law (740 ILCS 115/1 *et seq.*) are specifically incorporated in this Ordinance by reference for purposes of this section.

Section 7.03. Seizure/Removal/impoundment of Property. Any property, substance, or thing brought into, utilized, placed, or left on District Property in violation of this Ordinance, or any other District ordinance, rule, or regulation may be removed, seized, and destroyed in the case of property and substances referred to in Section 2.02, Alcoholic Liquors, 2.03, Animals and Pets, 2.10, Controlled Substances and Cannabis, and 2.41, Weapons, Firearms, Explosives, Rockets, or seized and impounded in the case of any other property, substance or thing (including without limitation Vehicles and bicycles). Property so impounded shall not be returned to the owner(s) thereof until such Person(s) shall have provided the District with acceptable proof of evidence of ownership and until such Person(s) shall have reimbursed the District in full for all costs and expenses to the District of such impoundment including without limitation any removal and storage charges. Property not claimed by the rightful owner(s) thereof within sixty (6) days after such impoundment may be sold by the District which shall be entitled to the entire proceeds thereof, or otherwise disposed of, provided that any motor Vehicle towed and/or impounded shall be disposed of according to the applicable laws of the State of Illinois.

Section 7.04. Non-Exclusivity of Penalties. The penalties provided for in this Chapter VII are in addition to and not exclusive of any other remedies available to the District as provided by applicable law. Each of the penalties provided for in this Chapter is not exclusive of any of the other penalties provided in this Chapter and such penalties may be imposed singly or in any combination permitted by law.

CHAPTER VIII - REPEAL

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

CHAPTER IX - SEVERABILITY

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

SECTION 8. This ordinance shall be in full force and effect from and after its adoption as required by law.

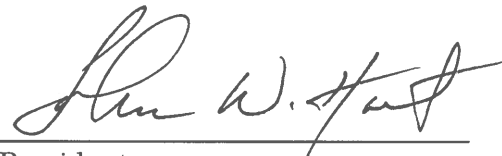
ADOPTED this 18th day of January 2024 pursuant to a roll call vote as follows:

AYES: Hart, Byrd, Sunderland, D'Souza

NAYS: None

ABSTENTIONS: None

ABSENT AND NOT VOTING: Whipple



President
Board of Park Commissioners

ATTEST:



Secretary
Board of Park Commissioners