

GLEN ELLYN PARK DISTRICT GOVERNING ORDINANCES

WHEREAS, the Glen Ellyn Park District duly organized and existing under the laws of the State of Illinois including an act entitled “The Park District Code”, 70 ILCS 1205/Art. 1 *et. seq.*, and

WHEREAS, the Glen Ellyn Park District is given the authority to pass all necessary Ordinances, rules and regulations for the proper management and conduct of the business of the Board of Park Commissioners and Park District and to establish by ordinance all needful rules and regulations for the government and protection of parks, boulevards and driveways and other property under its jurisdiction pursuant to 70 ILCS 1205/8-1 (d); and

WHEREAS, it is deemed desirable to collect and modify the various Ordinances and regulations of the Glen Ellyn Park District heretofore adopted and to provide a single instrument for governing the business of the Park District, and for setting forth policies and restrictions of the Park System, including its employees, facilities, activities, and the policing thereof. and

WHEREAS, the Board of Park Commissioners of the Glen Ellyn Park District has determined that it is in the best interests of the residents of the Park District to establish, update and revise uniform standards governing the use of the Park District parks, facilities and property.

NOW, THEREFORE, BE IT ORDAINED by the Board of Park Commissioners of the Glen Ellyn Park District, Du Page County, Illinois:

CHAPTER I

Section 1.01 Designation

This Ordinance shall be known as “The Glen Ellyn Park District Governing Ordinances”, and the same may be so cited by reference to the appropriate section or sections hereof, as hereinafter set forth, for purposes of identification.

Section 1.02 Scope

This Ordinance shall apply to and be enforced in all of the territory, buildings, facilities and places owned, leased rented or being used by or under the auspices or direction of the Glen Ellyn Park District Park Board.

CHAPTER II DEFINITIONS

Section 2.00 Park Board of Commissioners

Whenever in this Ordinance the words “Board”, “Park Board”, “Commissioner” or “Board of Commissioners” shall appear, such words shall refer to the Board of Commissioners of the Glen Ellyn Park District.

Section 2.01 The District

Whenever in this Ordinance the word “District” is used with or without qualifying language, such word shall apply to and be deemed to mean the Glen Ellyn Park District, DuPage County, Illinois.

Section 2.02 Park System

Whenever in this Ordinance the words “Park System” are used, such words shall mean any and all personnel, property, land, water, buildings, and fixtures under the jurisdiction, control or supervision of the District.

Section 2.03 Executive Director

Whenever in this Ordinance the word Executive Director is used, it shall mean the Executive Director of the Glen Ellyn Park District and/or other designee.

Section 2.04 Employees

Whenever in this Ordinance the word employees or employee shall occur such word shall mean any and all salaried and hourly employees carried upon any regular payroll, and individual entered upon a daily time sheet of the District to be paid for the hours worked, and any individual hired for a specific job and paid under the payroll system of the District.

Section 2.05 Person or Persons

Whenever used in this Ordinance, the word person or persons shall mean an individual, a corporation, firm, organization, society, group, or gathering of people. The term “he” is used as a matter of convenience and shall refer to a person of either gender.

Section 2.06 Year – Fiscal

Whenever in this Ordinance the word “year” is used without qualification the word shall mean fiscal year, which shall be January 1 through December 31 of each calendar year.

**CHAPTER III
POLICE**

Section 3.00 District police officers are sworn peace officers pursuant to 720 ILCS 5/2-13 and shall have the responsibility to be conservators of the peace in the Park System and shall be responsible for the enforcement of all federal, state, local, and District Ordinance, rules, and regulations, preserve order, to advise patrons of the rules, regulations, Ordinances, and laws that govern the operation of the park system, to enforce the Ordinances and laws of the District, as well as state and federal law, and to attest upon view of the offense, or upon warrant for violation of any ordinance or law of the District or for any breach of peace, in the same manner as the police of any municipality.

Section 3.01 Glen Ellyn Park District, Village of Glen Ellyn, County of DuPage, and State of Illinois police officers are sworn peace officers pursuant to 720 ILCS 5/2-13 and shall have authority to enter into or upon the Park System shall to enforce all federal, state, local, and District Ordinance, rules, and regulations.

**CHAPTER IV
VIOLATIONS**

Section 4.00 Advertising, Vending and Offering Articles:

No person shall upon or in connection with any District property:

- A. Expose or offer for sale or hire any articles or things, or conduct or solicit any business, trade, occupation, or profession without a Concession Contract Agreement approved by the Executive Director and then, only in accordance with the terms and conditions thereof, it being the intention of the District to control commercial enterprises or sales on District lands.
- B. Display any placard or advertisement of any kind, distribute, cast, throw or place any hand bill, pamphlet, or circular, advertisement, notice of any kind, or post, stencil or otherwise affix any notice, bill, advertisement or other paper upon any park, structure, vehicle or thing in or about Park premises, unless the written permission of the Director is first obtained.
- C. Beg or solicit contributions and/or distribute material to any patrons in any manner without first obtaining the written permission of the Executive Director.
- D. No person shall offer or exchange for sale any article or thing, or do any hawking, peddling or soliciting, or buy or offer to buy any article or thing, or take up any collection or solicit or receive contribution or money or anything of value in the Park System, except when expressly authorized to do so by the Executive Director.

Section 4.01 Alcoholic Beverages and Controlled Substance

A. Alcoholic Beverages

No person shall bring into or consume, possess, make a gift of or offer sale within the District, any wine, beer or other alcoholic beverage or liquor in any building or area in the Park System without either written direct approval from the Executive Director, a Park District permit or inclusion within a written contract. No person under the age of 21 shall consume any beer, wine or other alcoholic beverage in or on Park District property at any time.

B. Controlled Substance

No person shall within the District use, administer, receive, offer for sale, possess, or make available to himself, or any person or animal, any controlled substance under the Illinois Criminal Code.

Section 4.02 Animals

A. General Rules and Regulations

Except in connection with District-sponsored activities, programs or events where it is specifically allowed or has been authorized by the Executive Director and/or designee, no Person shall:

- bring any domesticated or non-domesticated animal into or onto any District Property where the presence of animals is prohibited except for any Service Animal as referenced in Section 4.47.
- permit any domesticated or non-domesticated animals to run at large within any park operated by the Glen Ellyn Park District unless the animal is led upon a leash or chain and in a manner which will prevent the animal from biting any person or animal.
- allow any domesticated or non-domesticated animal onto any District tennis, basketball, roller hockey or a fenced athletic facility except for any Service Animal as referenced in Section 4.47. Further, the owner is responsible for maintaining control of their dog at all time, keeping it off of field of play and at a distance where the dog will not impede or affect the activity. Owner is also required to carry and utilize devices that will assist them in the clean-up of waste that may be expelled by the dog on any given park.
- allow any domesticated or non-domesticated animal on the synthetic field at Upper Newton Park.

Any such animal found loose within park premises may be apprehended, removed to any animal shelter, public pound or any other place provided for that purpose and impounded, all at the expense of the owner.

B. Spring Avenue Recreation Center Rules and Regulations

Dogs will be permitted to run off-leash at the Spring Avenue Recreation Center Dog Park, but only in accordance with all applicable policies, rules and regulations including but not limited to those attached at the end of this section. All dogs must obtain a permit prior to use of the Spring Avenue Recreation Center Dog Park. Any person found to be in violation of this Ordinance or any of the policies, rules or regulations governing the dog park shall be subject to a minimum fine of \$250 and/or warning, suspension, fine, or revocation of Dog Park Membership.

Spring Avenue Recreation Center Dog Park Rules and Regulations

- Spring Avenue Recreation Center Dog Park is open sunrise to sunset.
- All persons are entering and using the park at their own risk.
- No more than two dogs per person allowed at one time.
- Dogs must be on a leash until entering the dog park and when returning to the parking lot, no exceptions.
- Please remove pinch and spike collars from your dog prior to entering the dog park.
- Dogs must wear current license tag and be up to date on shots (parvo/distemper/rabies).
- Park District issued dog permit must be carried at all times when in Dog Park.
- A valid rabies vaccination tax number is required for each dog registered.

- Carry a leash at all times and leash dog at the first sign of aggression.
- Owners must keep their dog(s) in view and under control at all times.
- Children under the age of 16 must be supervised by an adult.
- For safety reasons children must be closely supervised by an adult at all times. Children will be expected to behave in an appropriate manner; no running, no chasing dogs, no petting of other dogs unless permission is requested from the owner first.
- No rawhide or food in the dog park as dog fights may result.
- Members must pick up dog feces and dispose the dog feces in the waste receptacles, which are available throughout the park. Failure to pick up after your dog could result in a \$250 fine.
- Fill in any holes your dog(s) digs throughout the dog park.
- No dogs known to be aggressive toward other dogs or people may enter the dog park.
- Report of aggressive dog must be substantiated and will be investigated.
- Call the Police (911) if inappropriate/dangerous behavior exists.
- You are solely responsible for the actions of your dog(s).
- Do not allow unregistered members into the Dog Park.
- Only enter through the entrance of the Dog Park.
- All members of the Dog Park must follow traffic and parking regulations of the Spring Avenue parking lot.
- Failure to abide by the rules and/or regulations set forth at the Spring Avenue Dog Park can result in a warning, suspension, fine, or revocation of Dog Park Membership.

The Park District reserves the right to modify the above rules and regulations if deemed necessary.

Section 4.03 Bicycles/Skateboards/In-Line Skates/Other similar equipment as referenced in Section 4.35 E

No person in relation to District property or premises shall:

- A. Operate a bicycle, skateboard or in-line skates in a reckless manner so as to interfere with pedestrians or the rider or riders thereon.
- B. Ride a bicycle, skateboard or in-line skates across or upon any athletic field, playground, play lot, open turf area or any wet or newly seeded area.
- C. Ride a bicycle, skateboard or in-line skates on any path or trail more than two abreast or any roadway or road used by the public for regular motor vehicle access in any manner other than single file.
- D. No person shall ride bicycles, skateboards or in-line skates on any tennis or basketball court.
- E. Leave unattended any bicycle, except in those areas designated for such purpose, and then only in such manner as not to create a nuisance or hazard to the public.
- F. Ride or operate a bicycle on the Newton Park skate park and Stacy skate park.
- G. Ride a bicycle, skateboard, in line skate or other similar equipment within the perimeter of the Boathouse and flood control walls.

Section 4.04 Boats

- A. Boats: No person shall bring into, use, float, launch, or navigate any raft, boat, canoe, or other watercraft upon any lake, pond or lagoon in the Park System except as permitted by the Executive Director. Nor shall any person allow any raft, boat, canoe or other watercraft to remain in park waters after park closing hours except as permitted by the Executive Director. Passenger occupied boats shall be allowed only on Lake Ellyn and operated in accordance with Boating Regulations issued by the Executive Director and in compliance with the Illinois Department of Natural Resources Boat Regulations. Upon payment of the required fee and upon reading said Regulations at the District office and in complying with the foregoing; a Boating Permit decal shall be issued and shall be affixed to the boat.
- B. Model Boating:
 - 1. "Model Boats" refers to electric or radio-controlled boats or sailboats that have maximum speeds of 15 mph or slower. For model sailboats, there are generally three classes of boats, the Santa Barbara class (70"), the Soling 1M class (39") and the East Coast 12 Meter class (59"), all of which are permitted on either in Lake Ellyn or Lake Foxcroft.

2. "Model Power Boating" refers to miniature boats powered by an engine that requires a battery or gas, utilize air propulsion, or other inertia reaction devices such as a rocket or jet designed to maximize speed.
3. The use of Model Power Boats on Park District waterways is strictly prohibited.
4. In order to maintain the highest levels of safety for patrons and staff, Model Boating is permitted on both Lake Ellyn and Lake Foxcroft with the following restrictions:
 - a. Model Boats may not exceed 70 inches in length;
 - b. Model Boats that become disabled in Lake Ellyn or Lake Foxcroft shall be retrieved by Park District staff;
 - c. Model Boat racing is prohibited unless expressly authorized by the Park District;
 - d. Organizations may request permission to have model boat events with participants and/or spectators by applying for a permit with the Park District.
 - e. Model Boats may be operated from 8:00 A.M. to sundown unless otherwise determined by the Park District;
 - f. Model Boat operators are prohibited from interfering with patrons and wildlife and violations shall be subject to a fine or removal from the Park District;
 - g. The Park District reserves the right to modify hours of use, or prohibit use during special events or times of operational need; and
 - h. Non-compliance may result in a fine or removal from the Park District.

Section 4.05 Fishing

Fishing on Park District waters requires any angler who is 16 years of age and older to carry a valid Illinois sport fishing license. All fishing is catch and release only.

Persons on active duty in the Armed Forces are considered residents. A person on active duty in the Armed Forces, who entered the service from Illinois and is an Illinois resident, may fish without a license while on leave.

1. Fishing hours coincide with regular park hours. Boats must leave the water at sunset.
2. Each angler is permitted no more than two poles with no more than two hooks or lures attached to each.
3. Anglers may use minnows, worms, insects, lures, wet flies, dough balls or stink or blood bait. Anglers may not use amphibians, reptiles or crayfish as bait. No person shall dig, scratch or otherwise disturb District property in order to locate or take bait.
4. Ice fishing is prohibited.
5. Special regulations may be imposed to improve the structure and abundance of the fish population. Anglers must adhere to the Illinois Department of Natural Resources "Sport Fishing Regulations." These may be found on their website at: www.dnr.state.il.us/fish. All fishing in designated areas on Park District property is catch and release only.
6. Releasing of fish brought onto Park District Property into Park District water-ways is prohibited.

Section 4.06 Breach of Peace – Disorderly Conduct

No person shall commit any act or use language which may be considered threatening, indecent or a breach of peace or any act which may be defined as disorderly conduct under the Illinois Criminal Code, 720 ILCS 5/26-1,2,3, or 4.

Section 4.07 Breaking-Defacing of Property and Structures

Unless there is prior written authorization by the Park District, no person shall:

- A. Cut, break, mark upon or otherwise damage, destroy, move or remove any equipment, object or thing belonging to or a part of District property.
- B. Deface, destroy, cover, damage, affix any sticker or sign to, remove or change appearance to, on, or from any District property or equipment.
- C. Deface, destroy, cover, damage or remove any notice or sign posted or exhibited by the Park District to announce rules, regulations, warnings, or any other information to the public necessary or desirable for the proper use of the park or park property.

- D. Throw, carry or deposit any refuse container, picnic table or any other movable or non-movable park property into or upon any lake, pond, or lagoon in the park system.
- E. Occupy or inhabit any barn, shed or other structure or use for storage of any goods, without the written permission of the Executive Director.
- F. Cause the separation of natural plant growth from the underlying soil, including but not limited to sporting activities as described in subparagraph 4.10 H below.

Section 4.08 Charitable, Religious, Political, or Non-Profit Activities

- A. For purposes of this section, charitable, religious, political, or non-profit activities shall include, without limitation 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.
- B. Soliciting contributions for charitable, religious, political, or non-profit organizations is permitted on District Property provided that a Permit therefore has first been obtained from the District in accordance with their Permit policy.
- C. The sale or distribution of merchandise by charitable, religious, political, or non-profit organizations is permitted on District Property provided that a Permit therefore has first been obtained from the District in accordance with their Permit policy.
- 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 on District Property in areas open to the general public without a permit, subject to the limitations set forth in paragraphs (e) and (f) of this Section 4.08.
- E. No person shall engage in any activity described in subsections (a) through (d) of this Section 4.08 in any room of a District building or facility in which any program, activity, class, function or special event conducted, sponsored, licensed, or otherwise permitted by the District is in progress.
- F. No person engaged in the activities described in subsections (a) through (d) of this Section 4.08 shall obstruct or impede pedestrians or vehicles, harass park visitors with physical contact or persistent demands, misrepresent the affiliations of those engaged in such activities, misrepresent what 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 4.09 Climbing

No person shall climb in or upon any tree, shrub, building or apparatus in the Park System except such equipment specifically designed for such climbing.

Section 4.10 Destruction or Misuse of Natural Resources

Unless there is prior written authorization by the Park District, no person shall upon or in connection with any property of the District:

- A. Cut, remove, injure or destroy any tree, bush, flower or plant within the park system unless necessitated by the performance of restorative maintenance or construction, performed pursuant to the direction of the Executive Director.
- B. Climb in or upon any tree, shrub, building, sign or apparatus except for such equipment specifically designed for such climbing.
- C. Remove or cause to be removed any sod, earth, sign or apparatus.
- D. Hunt, trap, molest, wound, poison or kill or attempt to hunt, trap, molest, poison or kill any animal, bird, or reptile or disturb any nest, lair, den or burrow of any animal, bird or reptile, except as permitted by the Executive Director. Includes the removal of tadpoles and frogs from the Maryknoll Ponds which is also prohibited
- E. Feeding of wildlife is prohibited.
- F. Release or cause to be released any wild or domestic animal, bird, fish or reptile, or distribute the seeds or spores of any flowering or non-flowering plant into or upon park lands or waters, without written permission of the Director.

- G. Bring into or upon the park system any tree, shrub or plant or any branch or portion of a tree, shrub or plant, nor plant any tree, shrub or plant, except as permitted by the Executive Director.
- H. Persistently chop, scrape, or otherwise dislodge grass, lawn, turf or other natural vegetation in conjunction with the use of golfing equipment, metal detection equipment, or such other instruments that cause the separation of such growth from underlying soil.
- I. Use or attach any form of tight rope and/or slack line to Park District trees.

Section 4.11 Dumping, Polluting and Littering

- A. Dumping, Pollution of Park Waterways and Property
 Unless a Permit, contract or another type of prior written authorization has been issued by the Executive Director or his/her designee, no person shall deposit, throw, abandon, or dump any foreign substance, including but not limited to, glass, shredded metal or other waste, onto any Park District tennis court, athletic field or other Park District facility. No person shall discharge any substance directly or indirectly into any lake, pond, lagoon, creek or upon any Park District property. No person may urinate or defecate on District Property other than in toilets in restroom facilities expressly provided for such purposes; bathe or wash oneself or another person or food, clothing, dishes, or other property at water outlets, fixtures or pools on District Property, except at those areas designated by the District for such use; use or cause to be used any chemical or biological pesticide or any other substance, measure or process designated to alter the anatomy or physiology of any organism for the purpose of directly manipulating their populations; drain refuse from a trailer or other vehicle on District Property; bury the remains of any human or animal on District Property in accordance with Illinois State statutes; or release any type of fish brought onto Park District property and into Park District water-ways.
- B. Littering, Misuse of Trash Receptacles
 Unless a Permit, contract or another type of prior written authorization has been issued by the Executive Director or his/her designee, no person shall deposit, dump, throw or abandon any refuse, leaves, lawn clippings or landscape material, bottles, cans, garbage, televisions, electronics or other such objects in or upon any part of the Park System except such items that may reasonably be deposited in provided receptacles and are produced as a direct result of approved Park activity. No person shall misuse any refuse container or receptacle by depositing into it any hot coals or other burning substances. Fines shall be assessed in proportion to the overall damage to District property. Only recyclable products should be deposited into containers dedicated for recycling.
- C. Fines
 Any person found to be in violation of this subsection and whose action constituted a threat to public safety, shall be subject to a minimum fine of \$250.00 as well as any other remedies provided for under this or any other Park District Ordinance. 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 4.12 Firearms

No person in relation to District premises or property shall:

- A. At any time have in their possession or on or about their person, any firearm, pistol, revolver, rifle, shotgun, ammunition, bow and arrow, crossbow, slingshot, blackjack, Billy club, explosive substance, tear gas or any disabling chemical agent or any other dangerous weapon. Nothing contained herein shall be construed to prevent any duly sworn Police Officer from carrying such weapons as may be authorized and necessary in the discharge of their duties nor shall it apply to any person summoned by any such officer to assist in making arrests or preserving the peace while such person is engaged in assisting.
- B. Discharge any of the weapons or instruments described in Section A above into or over any park from outside a park.
- C. The Executive Director may designate areas within a Park where bows and arrows and/or firearms may be used. In such cases, the Executive Director shall promulgate rules and regulations for the safe use of such devices, and no person shall fail to abide by such rules and regulations.

Section 4.13 Fires

No person shall light, maintain, or make use of any fire, including but not limited to charcoal or propane grills, in the Park System, except such portions thereof as may be designated by the Executive Director for such purpose and then only under such regulations as are prescribed by the Executive Director. Nor shall any person drop, throw away or scatter any burning or hot coals, or ashes on District property.

Section 4.14 Fortune Telling – Gambling

No person in relation to District property shall:

- A. Manage, operate or engage in gambling of any form without a permit from the Executive Director, and then only in compliance with all local, State and Federal laws.
- B. Have in their possession any instrument or device, requiring the reception of money pursuant to engaging in a game of chance or skill or any other action in which money or thing of value is staked, bet, hazard, won or lost, without written permit from the Executive Director. Any such instrument or device in violation of this subsection shall be subject to seizure and confiscation by any police officer.
- C. Engage in fortune telling.

Section 4.15 Games and Sports

No person in relation to park property or facilities shall:

- A. Play or engage in any team sport or game such as, but not limited to, baseball, football, field hockey, volleyball, lacrosse, soccer or horseshoes, except in those areas designated by the Executive Director as athletic fields, or in such a manner as to interfere with other persons lawfully using such areas.
- B. Swing or make use of a golf club, play golf, or hit or putt golf balls within or into the parks except upon established golf courses or driving ranges as are now used or may in the future be established and designated by the Board.
- C. Bring in, set up, construct, manage or operate any amusement or entertainment device or gadget, without a permit from the Executive Director.
- D. Make an ascent in a balloon, airplane, glider, hang glider, or any descent in or from any balloon, aircraft, airplane, glider, hang glider or parachute without a permit thereof, nor shall any person fly or cause to be flown or permit any balloon, airplane, glider or hang glider to be flown over any park premises at any time at an elevation less than is reasonable and proper, so as to endanger the safety of any person or property.
- E. Enter on or upon any frozen water to skate, ice fish, slide or walk on for any purpose whatsoever except in those areas designated by the Executive Director for such use and then only in compliance with the rules and regulations, promulgated by the Director and posted for such use.

Section 4.16 Ground Cloths, Blankets, and Tarpaulins

No person attending a fireworks display, concert or other outdoor event where crowds gather, shall affix any cover, blanket or tarpaulin to the ground by use of stakes, branches, rocks or other device. Such acts are hereby determined to present a danger of causing a person to trip and fall upon contact herewith. Any such covering found will be confiscated and destroyed.

No such coverings shall be placed anywhere on park grounds except after 6:00 a.m. on the day of the event to be attended. Coverings found in any park on any other day will be confiscated and destroyed.

Section 4.17 Hindering or Bribing Employees

No person shall:

- A. Interfere, unreasonably disrupt or delay, or in any manner hinder any Park District employee or distract him from the performance of his/her duties.
- B. Give or offer to give a District employee any money, gift, privilege, or article of value, on or off district property, in order to violate the provisions of this Ordinance or any other district Ordinance, contract, permit or a statute of either the State of Illinois or the United States in order to gain or receive special consideration in applying for any use or privilege or to gain special consideration and treatment in the use of any district property or facility.

Section 4.18 Hours

The parks will be open to the general public daily from 6:00 a.m. until the following specified times: (Park District Facilities may establish hours of operation specific to the programs, activities and rentals that take place at each respective facility)

Close at Dusk

Spalding Park
Churchill Park
Stacy Park
Babcock Grove Park
Sam Perry Nature Preserve
Benjamin Gault Bird Sanctuary
Walnut Glen Park
Ellynwood Nature Preserve
Newton Park Skatepark

Glen Ellyn Manor Park
Surrey Park
Lake Foxcroft Park
Pfuetze Park
Glen Oak Park
Danby Park
Co-Op Park
Dr. Frank Johnson Center Park
President’s Park

Close at 10:30 p.m.

George Ball Park
Prairie Path Park
Main Street Recreation Center Park
Maryknoll Park & Miniature Golf Course
Newton Park
Sunset Park

Close at Sunset

Spring Avenue Dog Park

Close at 11:00 p.m.

Ackerman Park
Lake Ellyn Park
Village Green Park

Any use of the parks at all other times is prohibited, except by permission of the Executive Director. The Board and/or Executive Director may establish other hours during which District Property or any parts thereof shall be closed to the public and has the authority and may periodically revise these hours.

The Board or 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 4.19 Impersonation of Officer

No person shall falsely represent or impersonate any Officer or Commissioner or pretend to be an Officer or Commissioner of the Park District.

Section 4.20 Improper Speech and Conduct

No person shall use any abusive, threatening, insulting, indecent, profane or obscene language or language calculated to occasion a breach of the peace; nor shall any person commit any indecent act or behavior in the Park System. Any individual in violation of this section, including but not limited to coaches, player (including open gym and open turf participants), parents of players, and spectators may be suspended from further participation or attendance at park district activities or facilities as well as being subject to fines, penalties, or other remedies provided for under other sections of this or any other Park District Ordinance.

Section 4.21 Public Indecency

No person shall, in relation to District property or facilities, engage in conduct that is publicly indecent and the person shall be deemed to have committed an act of public indecency when any person performs any of the following acts:

- A. An act of sexual intercourse.
- B. An act of deviate sexual conduct.
- C. A lewd exposure of the body done with intent to arouse or satisfy the sexual desire of the person.
- D. A lewd fondling or caress of the body of another person of either sex.
- E. Appears in any building or place in the park system in the nude or in an indecent or lewd manner.

This does not apply to nudity in conjunction with changing clothes or showering while in a locker room.

Section 4.22 Facilities Use as to Gender

Persons may use the restroom, bathhouse, changing room, or locker room that most closely corresponds with their gender identity, rather than the sex they were assigned at birth. No person may loiter in or around any restroom, bathhouse or dressing room for the purpose of soliciting another to engage in sexual behavior.

Section 4.23 Missiles and Pyrotechnics

No person in relation to Park District property or facilities shall:

- A. No person shall offer for sale, expose for sale, sell, possess, or use, or explode any fireworks, as defined in the Fireworks Regulation Act of Illinois, 425 ILCS 30/1, et seq., or other device commonly labeled, marketed, used and sold as fireworks, except as allowed in Section 4.23 or as permitted by the Board, and then only under such rules and regulations as may be promulgated by the Director and subject to all local, State and Federal laws.
- B. Throw, cast, launch, project or shoot any stone, arrow, “BB”, rocket-powered model or any other missile into or over any park system except by permission of the Executive Director, or as provided in Section 4.23.

Section 4.24 Model Aircraft (Unmanned Aircraft), Rockets, Drones, and Parachuting

- A. No person shall fly, cause to be flown or permit or authorize the flying of Aircraft of any kind at any time over District property at an elevation lower than the minimum safety requirements established by the Federal Aviation Administration or other governmental authority, at an elevation which is lower than is reasonably safe under the circumstances, or in a manner which endangers the safety of a 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 unavoidable emergency.
- C. No person shall parachute or otherwise descend from an Aircraft into or onto District property or cause, permit or authorize another person to parachute or otherwise descend from an Aircraft into or onto District property except when necessitated by unavoidable emergency.
- D. No person shall operate model aircrafts or rockets in any Park unless written authorization of the Executive Director has first been obtained. For purposes of this section the term “model aircraft” shall mean any unmanned aircraft and/or drone that is capable of sustained flight in atmosphere, flown within visual line of sight of the person operating the aircraft, and flown for hobby or recreational purposes.

Section 4.25 Sound or Energy Amplification

No person in relation to District property or facility shall play or operate any sound amplification devices including radios, television sets, public address systems, musical instruments, vehicle stereos and the like, or operate any other energy amplification device in such a way as to be audible beyond the vicinity of such device or musical instrument without prior consent of the Executive Director.

Section 4.26 Obscene or Indecent Books, Pamphlets, Etc.

No person in relation to District property or facilities shall knowingly exhibit, sell, give away, or offer to sell or give away, any obscene book, pamphlet, paper, drawing, movie film, video, picture, photograph, or any article of any kind of an obscene nature.

Section 4.27 Obstructing Travel

No person shall set or place or cause to be set or placed any goods, wares, or merchandise or any stand, cart or vehicle for the transportation or vending of any such goods, wares, or merchandise or any other article upon any property, of the District to the obstruction of use of any park property or facility. Nor shall any person by force, threats, intimidations or by any unlawful fencing or enclosing or any other unlawful means prevent or obstruct or combine with others to prevent or obstruct any person from peacefully entering upon any property of the district or preventing or obstruction free passage or transit over or through any lands or waters of the District or obstruct the entrance of any enclosure within the District.

Section 4.28 Permits

- A. Permit Required

No person shall, without a permit:

1. hold a contest, show, exhibit, dramatic performance, play, act, motion picture, acrobatic feat, bazaar, organized sporting event, radio or television broadcast, ceremony, children's day camp, fair, circus, musical event or any public meeting, assembly or parade including, but not limited to drills and maneuvers, rallies, picketing, marches, or political meetings.
2. use any park or facility by a certain group of persons to the exclusion of others.
3. use any athletic field by an organized group.
4. organize a large group, gathering, picnic, to the exclusion of others in the Park system that requires the need for special attention, amenities or circumstances. Special event permits are required for groups of 100 or more and/or groups that are requesting services and/or additional amenities. This may require additional fees and/or proof of insurance.
5. camp on lands of the District or inhabiting any structure or facility overnight as permitted per Section 4.31, Sleeping in Parks.
6. use any District approved boat for recreational boating allowed at Lake Ellyn as referred to in Section 4.04.
7. use District property for Commercial Use as stated in Section 4.45.
8. use District property for any Charitable, Religious, Political or Non-profit except for those uses stated in Section 4.08.
9. use any vehicle parking at a District facility or Park parking lot as stated in Section 4.36.

B. Application for Permits

Permits may be granted upon proper application and approval where the applicable section of this Ordinance or any other District Ordinance, policy, rule, or regulation provides for the issuing of a permit in order to engage in a particular activity. Any person seeking the issuance of a permit shall apply for a permit by filing a written application for permit on a form which shall be prescribed by the District staff.

C. Indemnification and Reimbursement Agreement

No permit for any activity shall be granted unless the applicant shall have executed an agreement with the District, on a form to be prescribed by the District staff, in which the applicant shall promise and covenant to bear all costs of policing, cleaning up and restoring the District property upon which the permitted event or activity occurs upon conclusion of the event or activity; to reimburse the District for any such costs incurred by the District; and to indemnify the District and hold the District harmless from any liability to any person resulting from any damage or injury proximately caused by the action or omission of the permittee, the sponsoring organization, its officers, employees or agents or any person under their control insofar as permitted by law. Such an agreement may be executed contemporaneously with the issuance of the permit.

D. Deposit

The District may require payment of a restoration deposit as a prerequisite to the issuance of certain types of permits. The District shall refund the deposit if the person responsible for the permitted use cleans any refuse caused or left by the activity or the activity's participants and restores District property to the condition it was in prior to the activity to the District's satisfaction. The deposit will be returned to the person responsible within thirty (30) days after the permitted use.

If the District is required to clean up or restore District property after the activity, the person responsible for the activity shall pay 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 any funds are remaining after the cleanup and restoration costs have been paid, said excess funds shall be returned to the permittee within thirty days after repairs are completed. 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 legal options for the collection of any and all damages. 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,

discontinue the permittee's future use of District property, and pursue any and all legal options to remedy the situation.

E. Insurance

Applicant, if so required by the District, shall procure and maintain at all times during its use of District property, insurance in such amounts and with such coverages as shall reasonably be required by the District and shall name District as an additional insured thereunder. The amounts and type of insurance required shall be reasonably determined by the Director, based upon the nature of the activity and the risk involved. Applicant shall provide District with a certificate from its insurer evidencing such coverage prior to applicant's use of District property. The certificate shall also provide that the insurer shall give the District reasonable advance notice of insurer's intent to cancel the insurance coverage provided.

F. Approval / Denial of Application

Written or electronic notice of approval or denial shall be served on the applicant by e-mail, personal delivery, or by deposit in United States mail, with proper postage prepaid, to the name and address on the application for permit. Notice of denial of an application for permit shall clearly set forth the grounds upon which the permit was denied. The District may deny an application for permit on any of the following grounds:

- the application for permit is not fully completed and executed;
- the applicant has not timely tendered the applicable indemnification agreement, or security deposit;
- the application for permit contains a material falsehood or misrepresentation;
- the applicant is legally incompetent to contract or to sue and be sued;
- the applicant or the person on whose behalf the application for permit was made has on prior occasions damaged District property and has not paid in full for such damage, or has other outstanding and unpaid debts to the District;
- the use or activity intended by the applicant would conflict with previously planned programs organized and conducted by the District and previously scheduled for the same time and place;
- the proposed use or activity is prohibited by or inconsistent with the recognized and accepted uses of the park or part thereof;
- the use or activity intended by the applicant would present an unreasonable danger to the health or safety of the applicant, or other users of the park, of District employees or of the public;
- the use or activity intended by the applicant is prohibited by law, by this Ordinance;
- the applicant has not secured the requisite insurance; or
- the applicant or the person on whose behalf the application for permit was made has on prior occasions made material misrepresentations regarding the nature or scope of the event or activity previously permitted or has violated the terms of prior permits issued to the applicant.

Section 4.29 Resisting or Interfering with Staff, Commissioner or Police Officer

No person shall resist any Staff, Commissioner or police officer of the District in the discharge of his or her duty, or fail or refuse to obey any lawful command of any such Commissioner, officer, or police officer or in any way interfere with or hinder or prevent any such Staff, Commissioner, or police officer from discharging his duty, or in any manner assist or give aid to any person in custody to escape or to attempt to escape from custody.

Section 4.30 Restricted Parts of Park

No person shall enter into or upon any park area or structure where entry is prohibited by the District by sign or other suitable notice or otherwise closed or posted against trespass, without written permission of the Executive Director. These structures or areas may be, but are not limited to, construction areas, work safety zones, equipment or material storage structures or areas, workshops or stations, tree nurseries or areas undergoing intensive reforestation or other soil or vegetative treatment or areas hazardous to public safety or health. Such affected areas shall be determined by the Executive Director and shall be indicated by either sign or notice.

Section 4.31 Sleeping in Parks

No person shall sleep on benches, sidewalks, parking lots, picnic grounds or tables, playgrounds or playground equipment, stairways or doorways in the Park System or place, swing, occupy or use any cot, bench, blanket,

bedroll, or hammock (except as permitted in Section 4.31 A below) for this use therein with the exception of a Park District sponsored activity.

- A. A hammock used for passive recreational purposes is acceptable; however, park patrons using hammocks must follow these guidelines and do so at their own risk:
- Follow the manufacturer’s instructions when installing your hammock.
 - Make sure the trees and branches that hammocks are hung from are sturdy and are no less than 6 inches in diameter.
 - Hammock straps must be at least 1” wide or greater.
 - Hammocks should be hung no more than 4 feet off the ground.
 - Hammocks are not allowed in playgrounds, over hard surfaces, across pathways, or in any area that could have a negative impact on other park patrons and/or park property.
 - Please tread lightly and clean up after yourself when you are done.
 - The Glen Ellyn Park District reserves the right to suspend the use of hammocks if they are being misused, park property is being damaged, or if the use has a negative impact other park patrons.

Section 4.32 Smoking and Matches

- A. Smoking, Use of E-Cigarettes, Use of Tobacco, and Use of Matches in Any Form in Buildings Prohibited.
No person shall smoke any cigar, cigarette, or pipe on or within any building located on Park District Property in violation of the “Smoke Free Illinois Act” 410 ILCS 82/1 *et. seq.*, as may be amended from time to time. No person shall smoke or otherwise use any e-cigarette on or within any building located on Park District Property. For purposes of this Ordinance, “e-cigarette” is defined as any battery-operated device that contains cartridges filled with a combination of nicotine, flavor and chemicals that are turned into vapor which is inhaled by the user.

No person shall use tobacco in any of its forms, including but not limited to any smokeless, spit or spitless, dissolvable or inhaled tobacco products, dip, chew, or snuff on or within any building located on Park District Property.

No person shall light matches, lighters, or other devices capable of starting a fire within any building located on Park District Property unless otherwise allowed by permission of the District.

- B. Penalty.
Any person found guilty of violating section A of this Ordinance shall be fined not less than \$100 or more than \$250 for each offense.

- C. Smoking, Use of E-Cigarettes, Use of Any Tobacco Products, and Use of Matches in All Outdoor Areas Prohibited.
No person shall smoke any cigar, cigarette, or pipe in or on any Park District park, facility, parking lot, or trail. No person shall smoke or otherwise use any e-cigarette on or within any Park District park, facility, parking lot, or trail. No person shall use tobacco in any of its forms, including but not limited to smokeless, spit or spitless, dissolvable or inhaled tobacco products, dip, chew, or snuff in or on any Park District park, facility, parking lot or trail.

No person shall light matches, lighters, or other devices capable of starting a fire in or on any Park District park, facility, parking lot, or trail except for the purpose of lighting a grill at locations designated for that purpose, or as otherwise allowed by express written permission of the District.

- D. Penalty.
Any person found guilty of violating Section C of this Ordinance may be fined not less than \$100 or more than \$250 for each offense.

- E. No person shall smoke any marijuana, hashish, or opium or any other illegal substance in any place in the park system, nor shall any person discard any lighted or unlighted match, cigar or cigarette in any place in the park system.

- F. Repeal.
Any Ordinance in conflict with this Ordinance is hereby repealed to the extent of such conflict.
- G. Severability.
If any portion of the Ordinance is found to be invalid by a court of competent jurisdiction, that portion shall be severed from the Ordinance and the rest of the Ordinance shall be considered to be in full force and effect.
- H. Effective Date. This Ordinance shall be effective from and after its approval and publication as provided by law.

Section 4.33 Swimming

No person shall swim, wade, or bathe at any time in any of the ponds, lakes, pools, streams or water courses except at such times and place or places as may be designated by the Executive Director and only in accordance with the rules, regulations, and restrictions promulgated and posted.

Section 4.34 Swimming Pool

No person shall enter into a pool or equipment enclosure, pool water or bathhouse, except as permitted during such hours as the pool may be open and/or supervised; nor shall any person change into or from bathing attire except in those places designated for such use. Proper bathing attire shall be worn at all times while engaged in any permitted swimming activity.

Section 4.35 Vehicles

No person shall in relation to Park District property:

- A. Operate or cause to be operated any vehicle anywhere except on the roads, drives, and parking areas provided without a permit therefore from the Executive Director and then only in compliance with the directions and restrictions of the police, or any authorized park employee.
- B. Operate or cause to be operated any vehicle at a speed greater than the speed limit posted or in the absence of such posted limit, at a speed in excess of 15 m.p.h.; but in no event shall a vehicle be operated at a speed that is greater than that which is reasonable and proper with regard to pedestrians present or traffic conditions.
- C. Operate a vehicle in disregard of any sign, signal, marking or device posted by the District or any other public body for the regulation of traffic or parking.
- D. Operate a vehicle in such a way that traffic is obstructed.
- E. Operate or cause to be operated, any motor vehicle anywhere, that is not licensed or permitted to be operated on the roads, streets and highways of the State of Illinois without a permit from the Executive Director, and then, only in those areas specified and in accordance with the rules and restrictions duly set forth. Vehicles not so licensed and, therefore subject to the provisions of this subsection include, but are not limited to, snowmobiles, go-carts, trail bikes, mini-bikes, electric scooters, segways, motorized skateboards and such other all terrain, wheeled and/or off-the-road self-propelled recreational vehicles.
- F. Operate or move or cause to be operated or move any vehicle closed in as a result of the closing of a park at the proper posted time, without a permit or until such times as the park is officially opened.
- G. Operate a vehicle on any road, drive or parking area, posted, gated or barricaded and closed to public traffic.
- H. Shall change the oil or grease of, or wash, clean or polish vehicles, or perform a maintenance or repair of such vehicle (except for repairs necessitated by an emergency) on District Property unless authorization is provided from the Executive Director.
- I. All persons operating a vehicle shall yield the right-of-way to pedestrians in a Park or on any Park drive, roadway, walkway, parking lot, crosswalk, intersection or any other designated area.
- J. Shall cause or allow a motor vehicle, when it is not in motion, to idle for more than a total of ten (10) minutes within any sixty (60) minute period.

Nothing in this section shall restrain, impair or interfere with police or other emergency vehicles engaged in the discharge of their duties, nor shall it apply to any person summoned by any such officer or emergency personnel to

assist in the discharge of the aforesaid duties, nor shall these restrictions apply to Park District personnel or vehicles engaged in the conduct of Park District business.

Section 4.36 Vehicle Parking

Use of Park System parking lots is designated for patrons of Park District programs and facilities except as permitted by the Executive Director. No person in relation to District property shall:

- A. Park a vehicle on any park property other than in areas designated for parking that type of vehicle, unless directed to do otherwise by a law enforcement officer or an authorized park employee.
- B. Leave a vehicle parked on park property after park closing hours without obtaining permission from the Executive Director, or after the closing of a function for which the Executive Director has authorized a later closing hour. Any vehicle parked or standing on park premises in derogation of this subsection or in violation of any law, Ordinance, or rule, is hereby declared to be a public nuisance. Such vehicle may be removed and impounded and the owner or person entitled to possession of the vehicle shall pay all charges and expenses arising out of any action taken hereunder as well as any other fines or penalties provided for in other sections of this or any other Ordinance of the Park District.
- C. Park a vehicle in such a way as to block another parked vehicle.
- D. Park a vehicle in such a way as to block, restrict, or impede the normal flow of traffic.
- E. Park a vehicle on any turf, meadow, prairie, marsh, or field, in a woodland or on the exposed roots of any tree or shrub, unless directed to do so by the police or an authorized Park District employee, as a matter of public safety.
- F. Park or stop a vehicle along a park road or driveway due to an emergency situation for more than sixty (60) minutes without notifying a law enforcement officer of the location of the vehicle and its description.
- G. Permit a motor vehicle which he is driving, or in charge of, to stand unattended without first stopping the engine, locking the ignition, and removing the keys, and when standing upon any perceptible grade without setting the brake thereon and turning the front wheels so as to inhibit the accidental movement of said motor vehicle.
- H. Cause, allow, or permit any vehicle registered in the name of or operated by such person which is not bearing registration plates, decal or permits issued to a handicapped person or disabled veteran, to park in any parking place in the park system, specifically reserved by the posting of an official sign as designated under Section 11-301 of the Illinois Motor Vehicle Code for motor vehicles bearing such registration plates, decals or permits. Any person who violates this subsection shall be fined two hundred fifty dollars (\$250.00) for each offense. Any vehicle in violation of this subsection is subject to removal at owner's or operator's expense.
- I. Park a vehicle on District property to display such vehicle for sale.
- J. Park a vehicle on District property to sell goods or services from such vehicle without written authorization from the Executive Director.
- K. Park a vehicle on District property unrelated to a Park District activity, program or function without written authorization from the Executive Director

Section 4.37 Other Applicable Statutes or Ordinances

All of the applicable statutes or Ordinances of the State of Illinois, Village of Glen Ellyn, and County of DuPage heretofore and hereinafter enacted and in force shall be a part of this, the Glen Ellyn Park District Code, and may be cited together with or in lieu of any Ordinances of the District and prosecuted in accordance with the provisions of the law of the State of Illinois.

Section 4.38 Eviction

Any person violating or who has violated any of the provisions of this Ordinance may be forthwith evicted from the parks and other public places under the control of the Board of Park Commissioners as well as be subject to all fines, penalties or other remedies provided for under this or any other Park District Ordinance.

Section 4.39 Penalties

- A. Fines
Any person violating or who has violated the provisions of this Ordinance shall, upon conviction, pay a fine of not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00), for any one offense, to

be recovered in any manner and form as provided by law, and in particular which may be recovered in accordance with the provisions set forth in the Park District Code, 70 ILCS 1205/8-1(e).

B. Restitution

The Park District may also seek, in addition to or instead of fines and penalties, an order that the offender be required to make restitution for damage resulting from violations of this or any other Ordinance.

C. Revocation of Privileges

The District or its designee may also seek restitution for damages resulting from the violations. Any person found to have willfully violated this Ordinance more than three (3) times within any consecutive six (6) month period may be barred from District property by the Board of Park Commissioners.

D. Out-of-Court Payment of Fines

Any person charged with violating any of the provisions of this Ordinance may, by admission of the charge brought against said person, pay the fine at the Glen Ellyn Police Department, provided that payment is made before the "Due Date" as stated on the Citation.

Section 4.40 Loitering

No person shall loiter or remain in any District building or facility in such a manner that;

1. Unreasonably obstructs the usual uses of entrances, hallways, corridors, stairways, or rooms designated for specific purposes.
2. Impedes or disrupts the performances 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 Police, authorized District staff person, or where the District has posted a sign or signs that prohibit loitering.

Section 4.41 Lost, Found or Abandoned Property

- A. No person shall abandon property on District property.
- B. Property left unattended or property suspicious in nature, that interferes with any park visitor's safety, orderly management of the park area, constitutes a nuisance, or presents a threat to park resources may be impounded or removed by the District at any time and disposed of in any manner deemed appropriate by the District staff. The owner of such property shall be responsible and liable for all costs and expenses associated with the impounding, removal, storage, or other disposal of the property.
- C. Any person finding lost or unattended property on District property shall report such finding to the District as soon as practicable. Whenever a District employee or agent finds lost or unattended property on District property, and subject to the authority given in subparagraph B, shall report such find to his Department Head. The District will attempt to make every reasonable effort to locate the property's owner(s).
- D. Unattended property that has been impounded or property that has been found shall be stored for a minimum period of thirty (30) days. All property not claimed shall be disposed of as District deems appropriate.

Section 4.42 Restrooms, Washrooms, Shower Rooms, Changing Rooms and Locker Rooms

- A. Every person shall cooperate in maintaining restrooms, washrooms, shower rooms, changing rooms and locker rooms on District property to keep them 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 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 4.43 Insurance and Hold Harmless Agreement

- A. Except as provided in subsection 4.43(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.
 - 1. For uses involving the exercise of First Amendment rights, including without limitation parades, rallies, religious services, solicitation of votes, petition of signatures or contributions, picketing and leafleting, and picnics or gatherings of 25 people or less, 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 is prohibitive. An applicant must request such a waiver in writing.
- B. Every applicant must execute and deliver to the Park District an agreement to indemnify and hold the District harmless from legal liability, property damage or injury to persons caused by the negligent or unlawful acts of the applicant or any member, volunteer, employee, agent, participant, or other person associated with the applicant or his group or organization.

Section 4.44 Use of District Property

No person shall use any District property for an event, tournament, league or recreational activity that is not conducted or sponsored by the District unless a permit has first been obtained from the District and/or a license agreement has been executed with the District. All persons using District property 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 or any other agency that has regulatory authority over the District regarding the use of District property.

Section 4.45 Commercial Use of Park Properties/Facilities

No person shall use District Property with a crew of three or more to generate income or profit in the production of a film, video, still photograph or other product or item which is intended to be marketed, sold, conveyed or distributed for consideration or which is intended to be used in connection with the sale of a product or for training employees of a commercial business, unless authorization and a permit has first been obtained from the Executive Director or designated personnel. Fees may be assessed at the discretion of the Executive Director or designated personnel.

No person shall bring or cause to be brought onto any District building, facility or property any class, play class, day camp, private instruction, personal training or organized group activity of any kind or conduct for monetary or other consideration which is not conducted or sponsored by the District unless a permit therefore has first been obtained from the District and/or a license agreement has been executed with the District. All persons using District buildings facilities, or parks 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 use of District Property.

Section 4.46 Disability and Reasonable Accommodation Policy

The Park District is committed to making its facilities accessible to and usable by all patrons and visitors. This commitment is ongoing, proactive and intended to meet the needs of a diversity of individuals with disabilities in compliance with the Americans With Disabilities Act (“ADA”). To this end, the Park District is committed to promoting positive participation and a quality experience by providing reasonable accommodations for individuals with disabilities upon request.

- A. Requests for reasonable accommodations should be directed to the Park District ADA Coordinator. Requests should be made at least one week prior to the date these services/items are needed (minimum 72 hours advance notice for sign language interpreter requests).
- B. The Park District also provides a complaint process for resolution of any complaint alleging noncompliance with the ADA or discrimination on the basis of a disability. Complaints should be addressed to the ADA Coordinator, who has been designated to coordinate ADA compliance efforts and investigate allegations of noncompliance and/or disability discrimination. The complaint form should be fully completed containing

the name and address of the person filing it, and briefly describe the nature of the allegation. Any documents pertinent to the allegations may be attached.

- C. A complaint should be filed within sixty (60) calendar days after the complainant becomes aware of the alleged violation.
- D. An investigation by the ADA Coordinator, or designee, as may be appropriate, shall follow the filing of a complaint. The investigation shall be informal but thorough and afford all interested persons and their representatives, if any, an opportunity to submit relevant documents and information.
- E. A written determination as to the merits of the complaint and a description of the resolution, if any, shall be issued and forwarded to the complainant no later than thirty (30) calendar days after its filing. Additional time may be required to issue a determination depending on the complexity of the issue(s) raised in the complaint.
- F. The ADA Coordinator shall maintain the files and records relating to the complaints.
- G. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by nor shall the use of this process be a prerequisite to the pursuit of other remedies.

Section 4.47 Service Animal Policy

Participants and authorized users may request to have a service animal accompany them in the Park System where they are authorized users as a reasonable accommodation. Persons with disabilities are invited to contact the ADA Coordinator.

A. Definitions

- 1. **Service Animal:** A dog or a miniature horse that has been individually trained to perform tasks for the benefit of a person with a disability. Exceptions may be made by the District on a case-by-case basis in accordance with the law. Tasks may include, but are not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to sounds, pulling a wheelchair, or retrieving dropped items. Dogs or miniature horses that are not trained to perform tasks that mitigate the effects of a disability, including dogs or miniature horses that are used purely for emotional support, are not considered service animals and are not allowed at District facilities and premises, unless otherwise specifically permitted, such as at a dog park or equestrian facility.
- 2. **Partner/Handler:** A person with a disability who uses a service animal as a reasonable modification, or a trainer.
- 3. **Team:** A partner/handler and a service animal. The two work as a cohesive team in accomplishing the tasks of daily living.
- 4. **Trainee:** A dog or a miniature horse being trained to become a service animal has the same rights as a fully trained service animal when accompanied by a partner/handler and identified as such.

B. General Rule Regarding Service Animals

As a general rule, the District will modify policies, practices, and procedures to permit the use of a service animal by an individual with a disability.

C. Restrictions/Areas of Safety

District may impose some restrictions on service animals for safety reasons. Restrictions are considered individually to determine if the animal poses a danger to others at District sites, or could be in danger itself, and to determine if other reasonable modifications can be provided to assure that the individual enjoys access to the premises, facility, or program. Questions about restrictions on service animals should be directed to the contacts listed in Section I.

D. Responsibilities of Partner/Handler

A Partner/Handler is responsible for the following:

- 1. Responding truthfully to the limited and appropriate inquiries that may be made by employees regarding the service animal.
- 2. Ensuring that the animal meets any local licensing requirements, including maintenance of required immunizations for that type of animal.

3. Service animal dogs are required to wear a dog license tag at all times.
4. Partners/handlers must ensure that the animal is in a harness or on a leash or tether at all times. Exceptions may be considered individually.
5. Partners/handlers must ensure that the animal is under control and behaves properly at all times. The supervision of the animal is solely the responsibility of its partner/handler. If the animal's behavior becomes a hygiene problem, or the animal acts in a threatening manner, the District may require the partner/handler to remove the service animal from the site.
6. Partners/handlers must ensure that all local Ordinances or other laws regarding cleaning up after the animal defecates are strictly adhered to. Individuals with disabilities who physically cannot clean up after their own animals are not required to pick up and dispose of feces; however, these individuals should use marked service animal toileting areas where provided.
7. Partners/handlers must keep the service animal in good health. If the service animal becomes ill, the partner/handler must remove it from the area. If such action does not occur, District staff may require it to leave.
8. The District may exclude a service animal from all parts of its property if a partner/handler fails to comply with these restrictions, and in failing to do so, fundamentally alters the nature of programs, services, or activity offered by the District.
9. The District may exclude a service animal from all parts of its property if a partner/handler fails to control the behavior of a service animal and it poses a threat to the health or safety of others.

E. Requirements for District Employees, Participants and Authorized Users, and Visitors

Members of the District staff, participants and authorized users, and visitors in District sites, are responsible for the following:

1. Allow service animals to accompany the partner/handler at all times and anywhere at a site except where animals are specifically prohibited, such as at a zoo.
2. Refrain from distracting a service animal in any way. Do not pet, feed, or interact with the animal without the partner/handler's invitation to do so.
3. Shall not separate a partner/handler from a service animal.
4. The District may take disciplinary action against any individual who fails to abide by these guidelines.

F. Temporary Exclusion of Service Animals

A participant or authorized user, employee, or visitor may report a concern regarding a service animal to District staff.

G. Temporary Exclusion of a Service Animal Used by a Participant or Visitor

1. In response to an immediate concern, District staff may determine that a service animal must be temporarily removed from parks, sites, or facilities. The employee authorized to make such decisions at that site, park, or facility shall notify the participant or visitor of this decision and that the incident will be reported immediately to the Department ADA Coordinator. The employee shall then report the incident to the ADA Coordinator.
2. The ADA Coordinator (or designee) will investigate all reported concerns and incidents where service animals have been temporarily removed from sites, parks, and facilities. The ADA Coordinator (or designee) will consult with appropriate Department personnel and determine whether or not the animal should be excluded from sites, parks, and facilities for an extended period of time, or permanently. The ADA Coordinator (or designee) will notify the participant, authorized user, or visitor of his or her decision.
3. If it is appropriate for the service animal to be excluded from sites, parks, or facilities permanently, the ADA Coordinator (or designee) will work with other Department staff to ensure the participant, authorized user, or visitor receives appropriate reasonable modifications in place of the use of a service animal.
4. A participant, authorized user, or visitor who does not agree with the decision regarding removal from the premises may file an accessibility complaint. The District's ADA Complaint process is at www.gepark.org

H. Temporary Exclusion of an Employee's Service Animal:

In response to an immediate concern, the District may determine that a service animal must be temporarily removed from sites, parks, or facilities. The Director (or designee) shall notify the employee of this decision and that the incident will be reported immediately to the District's ADA Coordinator. The Director (or designee) shall then report the incident to the District's ADA Coordinator.

The ADA Coordinator will investigate all reported concerns and cases where service animals have been temporarily removed from sites, parks, and facilities. The ADA Coordinator will consult with appropriate staff and determine whether or not the animal should be excluded for an extended period of time or permanently. The ADA Coordinator shall notify the employee of his or her decision.

If it is appropriate for the animal to be excluded from sites, parks, and facilities permanently, the ADA Coordinator will ensure the employee receives appropriate accommodations in place of the use of a service animal.

An employee who does not agree with the resolution may file an appeal or formal complaint following the District's ADA Process.

I. Conflicting Disabilities

Individuals with medical issues (such as respiratory diseases) who are affected by animals should contact the ADA Coordinator if they have a concern about exposure to a service animal. The individual will be asked to provide medical documentation that identifies a disability and the need for an accommodation. The appropriate District staff will facilitate a process to resolve the conflict that considers the needs and conditions of all persons involved.

J. Clarifying an Animal's Status

It may not be easy to discern whether or not an animal is a service animal by observing the animal's harness, cape, or backpack, or the partner/handler's disability. However, in other cases, an animal may only have a leash, and in still other situations, the partner/handler's disability is not apparent. Therefore, it may be appropriate for designated District staff such as managers, supervisors, or administrative staff to ask (1) whether the animal is required because of a disability, and (2) what work or task the animal has been trained to perform.

K. Emergency Situations

Emergency Responders (ERs) are trained to recognize service animals and to be aware that animals may try to communicate the need for help. Also, an animal may become disoriented from the smell of smoke in a fire or facility emergency, or from sirens, wind noise, or shaking and moving ground. A partner/handler, service animal, and team may be confused in any stressful situation. ERs will remember that animals may be trying to be protective and, in its confusion, should not be considered harmful. ERs should make every effort to keep a service animal with its partner/handler; however, the ER's first effort should be toward the partner/handler, which may result in the animal being left behind in some emergency evacuation situations.

L. Miscellaneous

1. The District accepts no responsibility for care of service animals.
2. The District accepts no liability for injury to any service animal, or injury to the handler/partner, whether caused by the animal, its handler/partner, another visitor to a District facility or site, the physical conditions of the District facility or site, or any other circumstance.
3. The District accepts no liability for damage or injury to others caused by a service animal.
4. The District accepts no liability for any injuries or property damage, to the service animal, its handler/partner, or others, resulting from the District's failure to enforce this policy or to supervise a service animal.
5. The District reserves the right to change, modify, or amend this policy at any time.

Section 4.48 Minors

The parent or legal guardian of an unemancipated minor who resides with such parent or legal guardian shall be liable for damages caused by the willful or malicious acts of such minor as provided in the "Illinois Parental Responsibility Act" 740 ILCS 11511, et seq.

**CHAPTER V
VALIDITY**

Section 5.00 Severability

If any provision of this Ordinance or the application thereof to any person or circumstance be held invalid, the remainder of this Ordinance and the application of such provision to other persons or circumstances shall be affected thereby. The District reserves the power to amend or repeal this Ordinance at any time; and all rights, privileges and immunities conferred by this chapter or by acts done pursuant hereto shall exist subject to such power.

Section 5.01 Repealer

All prior Ordinances of the Park District which are in conflict or inconsistent with any of the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance.

**CHAPTER VI
PUBLICATION**

Section 6.00 In addition to any other publication as required by law, this Ordinance may be published in pamphlet form, also as provided by law, and when so printed shall become effective and shall have the same force and effect as otherwise published, and such pamphlet shall be received as evidence of passage of this Ordinance in all courts or places without further publication, all as is provided by law.

**CHAPTER VII
REPEAL OF PRIOR ORDINANCES – EFFECTIVE DATE OF ORDINANCE**

Section 7.00 All Ordinances and parts of Ordinances in conflict or inconsistent with any of the provisions of this Ordinance are hereby repealed, and this Ordinance shall be in force from and after its passage, and publication according to law.

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