

ORDINANCE #04-05

**AN ORDINANCE REGULATING THE USE
OF THE PARKS AND PROPERTY OWNED OR CONTROLLED
BY THE PALATINE PARK DISTRICT
("CONDUCT ORDINANCE")**

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Adopted April 27, 2004

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**AN ORDINANCE REGULATING THE USE OF THE PARKS
AND PROPERTY OWNED OR CONTROLLED BY THE
PALATINE PARK DISTRICT
("CONDUCT ORDINANCE")**

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 Palatine Park District shall be known and may be cited as the "Conduct Ordinance of the Palatine 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:

- A) "Aircraft" means any device that is used or intended to be used for human flight in the air or is capable of flight in the air, including without limitation powerless flight.
- B) "Alcoholic Liquor" is defined as provided in the Illinois Liquor Control Act of 1934 (235 ILCS 5/1-3.05) as amended hereafter.
- C) "Aquatic Life" means all fish, reptiles, amphibians, crayfish, mussels, mollusks, and crustaceans.
- D) "Board" means the Board of Park Commissioners of the Palatine Park District.
- E) "Camping" shall include the erecting of a tent or shelter of natural or synthetic material, preparing a sleeping bag, hammock, or other bedding material for use, setting up any temporary or permanent camping equipment including without limitation food preparation equipment, and parking of a motor vehicle, motor home or trailer, or mooring of a vessel, for the apparent purpose of overnight occupancy, or remaining overnight on District Property.
- F) "Carry" means to wear, bear, or have on or about the person.
- G) "Executive Director" is the Executive Director of the Palatine Park District.
- H) "District" is the Palatine Park District, Cook County, Illinois.
- I) "District Health Department" shall include the Health Department of the respective towns within the District.
- J) "District Police Force" shall include the officers of the Palatine, Schaumburg, Arlington Heights, Hoffman Estates, Rolling Meadows, Barrington/Inverness, and Harper College Police Departments, Park Commissioners of the Palatine Park District, and Palatine Park District employees commissioned by the Board.
- K) "District Property" is all of the property, real and personal, of every kind and description located within the jurisdiction of, or owned, administered, leased or licensed by, or otherwise in the possession or under the control of the District including without limitation every building, shelter, street, sidewalk, trail, path, beach, park, playground, wilderness or open space, or other public or proprietary 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.
 - 1) "Facilities" shall include all structures on District Property, including but not limited to, swimming pools, skate, dog, and disc parks, riding arenas, shelters, gazebos, boat dock, playgrounds, athletic fields, and amphitheater/bowl.
- L) "District Waters" shall include all water located on or adjacent to or flowing over land owned, leased, or generally administered or operated by the District, including without limitation all natural or man-made lakes, rivers, creeks, streams, ponds, lagoons, bays, and drainage ways.

- M) "Department Head" is the person immediately in charge of a given District department and its activities and to whom all employees of such department are directly responsible (e.g., Superintendent of Recreation and Superintendent of Parks).
- N) "Fish" or "Fishing" means taking or attempting to take aquatic life in or from any District Waters by any method, and all other acts such as placing, setting, drawing or using any device commonly used for the taking of aquatic life whether resulting in such taking or not.
- O) "ILCS" is the Illinois Compiled Statutes.
- P) "Obscene" is defined as set forth in 70 ILCS 5/11-20.
- Q) "Operator" means a person who operates, drives, controls, otherwise has charge of, or is in actual physical control of a mechanical mode of transportation or any other mechanical equipment.
- R) "Ordinance" means this Conduct Ordinance.
- S) "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.
- T) "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 his authority.
- U) "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.
- V) "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.
- W) "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.
- X) "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.
- Y) "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.
- Z) "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.
- AA) "Vessel" means every type or description of craft, other than a seaplane on water, used or capable of being used as a means of transportation on water, including without limitation boats, rafts, canoes, kayaks, jet skis, inflated devices, or any buoyant device permitting or capable of free flotation.
- BB) "Wildlife" shall include any waterfowl, mammal, animal, amphibian, reptile, or bird or the young or eggs thereof. Wildlife does not include any animal which 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 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.
 - 2) 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 or by any contractor acting pursuant to express authority granted to him under his contract with the District, or by any member of the District Police Force when acting within the scope of his authority or in his line of duty, or any other Person summoned by such person to assist him.

CHAPTER II - SPECIFIC RESTRICTIONS ON CONDUCT AND BEHAVIOR

Section 2.01. Aircraft/Model Aircraft/Drones. amended and board approved on August 25, 2015
[NEW DEFINITION]. "Model Aircraft" means any unmanned aircraft that is capable of sustained flight in the atmosphere.

[NEW DEFINITION]. "Drone" means any unmanned aerial vehicles, unmanned aircraft systems, or any other remotely piloted or unmanned aircraft of any kind, including any and all aircraft or vehicles commonly referred to as drones.

(a) No Person shall fly, cause to be flown or permit or authorize the flying of Aircraft, Model Aircraft, or Drones 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 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 unavoidable emergency.

(c) No Person shall fly or cause to be flown or permit or authorize the flying of Model Aircraft or Drones on or over District Property unless a Permit therefor has first been obtained from the District in accordance with Chapter V of this Ordinance. Any Person authorized to operate a Model Aircraft or Drone on District Property after obtaining a Permit for the same shall comply with all regulations established by the Federal Aviation Administration or other governmental authority having jurisdiction over such use and operation of the Model Aircraft or Drone.

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

Section 2.02. Alcoholic Liquor.

No Person under the influence of Alcoholic Liquor shall enter into, be, or remain on District Property. For purposes of this Section 2.02(A), "under the influence of Alcoholic Liquor" shall mean (i) that, as a result of the consumption of Alcoholic Liquor, the Person is less able, either mentally or physically, or both, to exercise clear judgment or to control his or her movements or (ii) having a blood alcohol concentration of .08 or greater.

- B) No Person, other than the District or its agent, shall sell or deliver any Alcoholic Liquor on District Property, unless said Person has first obtained a Permit therefor from the District.
- C) No Person shall bring, possess, drink, consume, take, use, or transfer any Alcoholic Liquor on District Property without having first obtained a Permit therefor from the District unless he is in or on District Property where the possession, consumption, use, or transfer of Alcoholic Liquor is permitted.
- D) Every Person possessing, using, consuming, or transferring Alcoholic Liquor pursuant to this section shall be subject to and shall comply with all applicable federal, state, local, and District laws, ordinances, rules, and regulations regarding the possession, use, consumption, or transfer of Alcoholic Liquor.

Section 2.03. Animals and Pets.

- A) For the purposes of this Section, the following words shall have the meanings indicated unless their context clearly requires otherwise:
 - 1) "Animal" shall mean a four footed animal as distinguished from a bird, fish, or insect.
 - 2) "Biting" shall mean seizing with the teeth or jaws or scratching by the teeth or nails or wounding or piercing the skin and includes contact with saliva with any break or abrasion of the skin.
 - 3) "Cat" shall mean all members of the feline family.
 - 4) "Dog" shall mean all members of the canine family.
 - 5) "Other animals" shall mean any male or female domesticated or wild animal other than dogs or cats.
 - 6) "Owner" shall mean any Person having a right of property in a dog, cat, or other animal or who keeps or harbors a dog, cat, or other animal or has it in his care or acts as its custodian or who knowingly permits a dog, cat, or other animal to remain on or about any premises occupied by him.
 - 7) "Vaccination" shall mean the injection subcutaneously or otherwise as approved by the Illinois Department of Agriculture of anti-rabies vaccine approved by the Illinois Department of Agriculture for the prevention of rabies.
 - 8) "Vicious" shall mean the propensity to do any act that might endanger the safety of any Person or property of another, including, but not limited to a disposition to mischief or fierceness as might lead to attack on human beings, other animals on public or private property without provocation, whether in play, anger or outbreak of untrained nature.
- B) It shall be unlawful for any Person willfully and cruelly to injure or kill any Animal by any mode or means causing it unnecessary fright or pain, and it shall further be unlawful for any person, by neglect or otherwise, to cause or allow any animal to endure pain, suffering, or injury, or to fail or neglect to aid or attempt alleviation of any pain, suffering or injury so caused to any animal.
- C) C) It shall be unlawful for any Person to lay out or expose any kind of poison or to leave exposed any poison, poisoned food or poisoned drink for Animal or fowl on District Property, or to aid or abet any Person in so doing.
- D) The members of the District Police Force, the Village of Palatine Health Department or other authorized Person may kill any dangerous Animal of any kind when it is necessary for the immediate protection of any Person or property. All such animals shall have their entire brain submitted to a recognized laboratory for rabies examination.

- E) Except as otherwise provided in this Section 2.03, it shall be unlawful:
- 1) To permit any Dog or other animal, whether licensed or not, to run at large on District Property, except in an area designated and posted by the District for Dogs off leashes. A dog or other animal shall be deemed to be running at large when off the premises of its Owner, and not on a leash, tether, chain, rope or the like, the overall length of which, including the hand grip, shall not exceed six (6) feet, held by its Owner or other person able to control such Dog or other animal.
 - 2) To permit any Animal, whether licensed or not, to enter any Athletic Field, Playground, or District Waters.
 - 3) To permit any Animal to enter any place where food is stored, prepared, served or sold to the public, or any other public building or hall, provided, however, that this section shall not apply to any physically impaired Person using a trained service-dog, or to animal shows or exhibitions where at least twenty-four (24) hours advance notice has been given to the District Health Department.
 - 4) To permit any Dog to chase, run after or jump at vehicles using the public thoroughfares.
 - 5) To permit any Dog to habitually snap, growl, snarl, jump upon or otherwise threaten persons lawfully using any common thoroughfare, sidewalk, passageway, bypath, play area, park, or any place where people congregate or walk.
 - 6) To permit any Dog, Cat, or other animal to howl, yelp, whine, or meow or bark or make noise in such a manner as to unreasonably disturb any Person or neighborhood.
 - 7) To cruelly treat any Animal on District Property in any way.
 - 8) To harbor or be in charge of any Dog, Cat, or other animal, or cause, suffer, or allow such Dog, Cat, or other animal to soil, defile, defecate on or commit any nuisance on any common thoroughfare, sidewalk, passageway, bypath, play area, or any place where people congregate or walk, or upon any District Property whatsoever, unless:
 - a) The Person who so curbs such Dog, Cat, or other animal, shall immediately remove all feces deposited by such Dog, Cat, or other animal by any sanitary method approved by the Health Department of the Village of Palatine.
 - b) The feces removed shall be disposed of by the Person owning, harboring, keeping, or in charge of any Dog, Cat, or other animal curbed in accordance with the provisions of this ordinance in a sanitary manner approved by the Health Department of the Village of Palatine.
 - 9) To fail to report Animal bite.
- F) Whenever any Dog, Cat, or other animal bites a Person, the owner of said Dog, Cat, or other animal shall immediately notify the District Police Force and the Health Department of the Village of Palatine which shall order the Dog, Cat, or other animal to be held on the Owner's premises, if vaccinated, or shall have it confined and observed in a veterinary hospital, if not vaccinated, for a period of ten (10) days. The Dog, Cat or other animal shall be examined immediately after it has bitten anyone and again on the fifth (5) day and at the end of the ten (10) day period. If at the end of the ten (10) day period of observation a veterinarian is convinced that the Dog, Cat, or other animal is free from rabies, he shall order the Dog, Cat, or other animal released from quarantine. The Owner of said Dog, Cat, or other animal shall be responsible for all fees and charges incurred to meet the requirements of this section.
- G) Any Dog, Cat or other animal doing any of the acts prohibited in Section 2.03(E) is hereby declared to be a public nuisance and such animal may be seized and impounded as provided herein.
- 1) Any vicious Dog, Cat or other animal constituting a public nuisance as provided in this section shall be abated, destroyed or removed from the District by the Owner or by the Health Department of the Village of Palatine or other authorized animal control agency. upon receipt of certified copies of the judgment and sentence showing three (3) citations and convictions of an Owner for violations of Section 2.03(E) and no finding was entered by the court showing that the Owner will be able to provide restraints to protect the public. The Health Department or other authorized animal control agency shall notify and direct the Owner of said Dog, Cat or other animal to abate, destroy or remove the same from the District within ninety-six (96) hours from the date of notice. If such Dog, Cat or other animal is found to be within the confines of the District after ninety-six (96) hours have elapsed from the date of notice, said Dog, Cat or other animal shall be destroyed or removed, by the Health Department or other authorized animal control agency.

- 2) The District Police Force and Health Department of the Village of Palatine are authorized to enforce the provisions of Section 2.03.G) by impounding any Animals found in violation thereof. After such Animal is impounded, the District Police Force or Health Department or other authorized animal control agency shall ascertain whether they are licensed, and if so, shall within a reasonable time notify by letter or telephone the Person to whom the license was issued that said animal has been impounded and may be redeemed. Any Animal impounded pursuant to this section shall be held for the owner up to seven (7) days. In case any Animal is not redeemed, it shall be humanely destroyed or otherwise disposed of, provided that none of said animals shall be used for experimental purposes.
- 3) In the event that any Dog or Cat seized for running at large wears a collar or harness having inscribed thereon and attached thereto the name and address of any Person, or a license tag identifying the Owner or Person keeping or harboring said Cat or Dog or any other animal, the District Police Force or Health Department of the Village of Palatine or other authorized animal control agency shall forthwith serve on the Person whose name or address is given on the collar or is determined from the Dog or Cat license records of the Village of Palatine, a citation in writing stating that the Dog, Cat or other animal has been seized and will be liable to be disposed of or destroyed if not claimed within seven (7) days after service of the citation.
- 4) A citation under subsection (h)(2) above may be served either by delivering it to the Person on whom it is to be served or by leaving it at the Person's usual or last known place of abode or at the address given on the collar of the animal impounded or by forwarding it by certified letter addressed to that Person at this usual or last known place of abode or to the address given on the collar.
- 5) Wild Animals shall be impounded for a ten (10) day period of observation whether or not they have been vaccinated against rabies. In the event that it is necessary to destroy a wild animal before it can be impounded for the required ten (10) days, the brain shall be preserved and sent to a recognized laboratory for rabies examination.
- 6) Any Dog, Cat or other animal impounded pursuant to the provisions of this section may be redeemed upon payment of the redemption fee as provided herein. The redemption fee for dogs, cats and other animals shall be as set out in the Fee Schedule Supplement to the Palatine Code of Ordinances for each dog, cat or other animal is retained by the Village of Palatine.
- 7) No person shall hinder, molest or interfere with anyone authorized or empowered to perform any duty required by this section.
- 8) In carrying out the enforcement provisions of this section, no member of the Police Department or Health Department of the Village of Palatine or other authorized Person shall be held responsible for any accident or disease that may happen to any Dog, Cat or other animal.
- 9) Any Person, firm, or corporation violating any provision of this section shall be fined not less than twenty-five (\$25.00) nor more than five hundred dollars (\$500.00) for the first such offense; and shall be fined not less than fifty dollars (\$50.00) for the second such offense; and shall be fined not less than seventy-five dollars (\$75.00) for the third such offense and all subsequent offenses within a one-year period. Any Person accused of a first offense of a violation of any provision of this section may settle and compromise the claim against him or her for such violation by paying to the municipality the sum of twenty-five dollars (\$25.00) within forty-eight (48) hours of the time such alleged offense was committed.

H) Dog Park.

- 1) For purposes of this Section 2.03(H), the following words, terms, and phrases shall have the meanings given herein:
 - (a) "Dog Park" is an area enclosed by a fence and designated as a "Dog Park" by a sign posted by the District;
 - (b) "Handler" is the Person who brings a Dog to the Dog Park and who must be at least 16 years of age.
- 2) Only a Dog that has been registered by its owner with the District may utilize the Dog Park. Registration shall be valid only for a calendar year, from January 1 through December 31, and is not transferable. As a condition of registering his or her Dog with the District, the Dog's Owner shall assume the full risk of any injury, damage or loss caused by, or arising from the Dog's or its Handler's use of the Dog Park.
- 3) The Board may set such fees for registration as it deems appropriate. Registration fees shall be non-refundable.

- 4) In order to be eligible for registration with the District, a Dog must be vaccinated for distemper, hepatitis, kennel cough and rabies and must also have a current, valid dog license issued by the municipality in which the Dog's owner resides. Dogs must always wear or otherwise display appropriate registration and license tags while at the Dog Park.
- 5) Each Dog must be accompanied by a Handler in order to enter and remain in the Dog Park. No Handler may bring more than two Dogs to the Dog Park at any one time. The Handler shall be solely responsible for controlling the Dog(s) in his or her custody, and shall cooperate with the Handlers of other Dogs. The Handler shall remove any excrement deposited by the Dog(s) in his or her custody while at the Dog Park, and shall dispose of it in a sanitary manner in the refuse containers provided by the District. The Handler shall immediately remove from the Dog Park any Dog that is behaving in an aggressive manner.
- 6) Each Dog must be restrained by a leash, tether, chain, rope, or the like while entering and exiting the Dog Park. The Handler shall securely hold the leash at all such times.
- 7) No Dog in estrus ("in heat"), and no Dog under the age of four months, is permitted to enter or remain in the Dog Park.
- 8) No child shall enter or remain in the Dog Park unless he or she is six (6) years of age or older and is accompanied by his or her parent or guardian who is with a registered dog.
- 9) No Person shall bring any food intended for human consumption, or any meal for a Dog, into the Dog Park. Handlers may, however, provide dog treats to their own dog.
- 10) The Board may from time to time promulgate appropriate rules and regulations for the use of the Dog Park that shall not be inconsistent with any provision of this Section 2.03(H).
- 11) Violation of any provision of this Section 2.03(H), or of any rule or regulation promulgated pursuant to Section 2.03(H)(10) may result in temporary or permanent revocation by the District of a Dog's registration and privilege to use the Dog Park.

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. Boating.

- A) No Person shall launch any Vessel in District Waters, except from such places as may be designated by the District therefore, and then only in compliance with applicable federal, state, local, and District laws, ordinances, rules, and regulations.
- B) No person shall allow any Vessel or watercraft equipment or accessories to remain on District Property after the close of the boating season designated by the District.
- C) No person may launch or remove a Vessel on or from District Property unless said Vessel has successfully passed a United States Coast Guard safety inspection.
- D) Any vessel requiring a current registration with the Illinois Department of Natural Resources shall so be registered.

Section 2.06. Camping. No Person shall place, erect, or use any hammock, tent, shelter, or any other type of temporary or permanent housing or camping equipment on District Property, remain overnight on District Property or otherwise engage in Camping on District Property unless a Permit therefor has first been obtained from the District.

Section 2.07. 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 therefor has first been obtained from the District in accordance with Chapter V of this Ordinance.
- C) The sale or distribution of merchandise by charitable, religious, political, or non-profit organizations is permitted on District Property provided that a Permit therefor has 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 on District Property in areas open to the general public without a permit, subject to the limitations set forth in paragraphs (e) and (f) of this Section 2.08.
- E) No Person shall engage in any activity described in subsections (a) through (d) of this Section 2.08 in 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 2.08 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 2.08. 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, upon District Property unless he has received a Permit, license or 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 pedestrians or Vehicles, harass park visitors with physical contact or persistent demands, misrepresent the affiliations of those engaged in such activities, misrepresent whether the goods or services are available without cost or donation, or interfere, interrupt, or engage in conduct incompatible with the purpose of, any program, activity, function, and/or special event conducted, sponsored, licensed or otherwise permitted by the District.

Section 2.09. Cooperation with Authorities.

- A) No Person shall physically hinder, threaten, resist, intimidate, disobey, or otherwise intentionally interfere with any member of the District Police Force or any District employee or agent in the performance of his duties.
- B) No Person shall falsely represent that he is, or otherwise pretend to be, a District officer or employee, a member of the District Police Force, or an agent or other representative of the District.
- C) No Person shall knowingly 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 member of the District Police Force in the conduct of his official duties.

Section 2.10. 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 2.11(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 Police Force to disperse.

Section 2.11. Display of Permit or Pass. Every Person shall produce or display a Permit 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 or pass is required to engage in an activity on District Property.

Section 2.12. Dumping, Pollution, Sanitation, and Litter.

- A) No Person shall litter, cast, throw, drop, burn, scatter, place, pile, or otherwise dump, release, leave, or deposit in any manner any kind of dirt, rubbish, placard, handbill, pamphlet, circular, book, notice, paper of any kind, ashes, garbage, waste material, snow, ice, or other substance, whether liquid or solid, or any other refuse in or upon District Property except as specifically permitted by the District. Provided, however, that paper, glass, cans, garbage and other Refuse resulting from picnics or other lawful use of District Property may and shall be deposited in receptacles provided by the District for that purpose. Where receptacles are not provided, are missing, or are full to capacity, all such garbage, Refuse, or other material shall be carried away from the area of use by the Person responsible for its creation and presence, and properly disposed of elsewhere.
- B) No Person shall spit upon District Property.
- C) No Person shall urinate or defecate on District Property other than in toilets in rest room facilities expressly provided for such purposes.
- D) No Person shall drain oil, grease, anti-freeze, gasoline or other substance from a trailer or other Vehicle on District Property.
- E) No Person shall bathe or wash himself or food, clothing, dishes, or other property at water outlets, fixtures or pools on District Property, except at those areas designated by the District for such use.
- F) No Person shall pollute or contaminate District Property or District Waters.
- G) No Person shall dispose of fish remains on District Property, or in District Waters.
- H) No Person shall dispose of human or animal waste on District Property except at designated locations or in fixtures provided for that purpose.

- I) 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 2.13. Erection of Structures/Wires and Other Appurtenances and Devices.

Board Approval on February 10, 2015; Amendment to Ordinance #04-05; Erection of Structures/Wires and Other Appurtenances and Devices
Encroachments Prohibited including but not limited to the following:

A) Erect, construct, install, or place any structure, building, improvement, shed, fence, wall, dog run, dog house, tree house, playhouse, play equipment, TV or radio reception device, machinery, equipment, or apparatus of any type, whether stationary or moveable and whether permanent or temporary in character, or stockpile, store or place any organic or inorganic material used for the construction of such items on, below, over or across a Park, without prior written authorization from the Park District and the Village of Palatine, and then only in accordance with the terms and conditions set forth in a license agreement, easement or other written agreement with the Park District containing terms acceptable to the Park District.

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

C) Place, stockpile or store any gravel, stone, dirt, sand, wood, lumber or any other organic or inorganic material on Park District Property without prior written authorization from the Park District, and then only in accordance with the terms and conditions contained in a license agreement, easement or other written agreement with the Park District containing terms acceptable to the Park District.

D) Place any electrical wire, conduit, or pipe, or any public service or private utility, into, upon, above, across or beneath Park District Property, without prior written authorization or permit from the Park District, and then only in accordance with the terms and conditions contained in a license agreement, easement or other written agreement with the Park District containing terms acceptable to the Park District.

E) Plant vegetation of any kind on Park District Property without written authorization of the Park District.

F) Allow, authorize, build, construct, or place the discharge point of any sump pump, pool, water feature, or foundation drainage, or any storm water management measures, including but not limited to swales, drains and contouring, that directs or is intended to direct sump pump, surface or ground water, or foundation drainage discharge, onto Park District Property. All discharge of sump pumps and foundation drainage adjacent to Park property shall be set back from the park property line, in such a manner that the water flow is discharged onto the originating property and flows in accordance with Illinois drainage law.

G) Any person, who violates any part of this Ordinance shall, after receiving written notification of violation from the Park District and in accordance with the time frame and directions outlined in such notification, comply with the Park District's directives, whether in writing or delivered orally by a person with authority to enforce this Ordinance. The Park District shall have the discretion to address the encroachment with a negotiated agreement, civil remedy at law, or any other lawful remedy available to the Park District, including the physical removal of the encroachment. Corporations may be prosecuted for any violation of this Ordinance when an officer or agent of the corporation undertakes the prohibited conduct.

Section 2.14. Fairs and Special Events: Sale and Distribution of Merchandise; Soliciting Contributions.

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

Section 2.15. Fires.

- A) No Person shall light, maintain, or make use of any fire on District Property, except at such places and at such times as the District may designate for such purpose and under such rules as may be prescribed by the District.
- B) No fire shall ever be left unattended. Every fire shall be under the continuous care and direction of a competent adult from the time it is kindled until the time it is completely extinguished. All fires must be properly and completely extinguished prior to any Person leaving the site of the fire.
- C) No Person shall throw or otherwise discard lighted or smoldering material in any manner that threatens, causes damage to, or results in the burning of District Property or park resources, or creates a safety hazard.

Section 2.16. Fishing.

- A) No Person shall Fish or otherwise take aquatic life from District Waters except in areas designated by the District for such purposes.
- B) Every Person Fishing in District Waters shall comply with all applicable federal, state, local, and District laws, ordinances, rules, and regulations including, without limitation, conservation laws and licensing requirements.
- C) Fishing in District Waters shall be conducted by means of a hook and line, with the rod or line being closely attended. No Person shall use drugs, poisons, explosives, electricity, or missiles of any kind to District Waters.
- D) No Person shall dig, scratch, or otherwise disturb District Property in order to locate or take bait.
- E) Every Person shall carefully and immediately return to the water from which it was taken any fish that does not conform to size or species restrictions imposed by any applicable federal, state, local or District law, ordinance, rule or regulation, or that the Person chooses not to keep.
- F) The provisions of this section apply to ice Fishing.
- G) No Person fishing at the District's Plum Grove Reservoir shall catch and retain fish in a greater number, or in a size smaller, than provided below:

Fish Type	Creel Limit	Minimum Size
Carp	No Limit	-
Bullhead	No Limit	-
Channel Catfish	2	12"
Crappie	4	-
Sunfish, Bluegill, Pumpkinseed	10	-
Yellow Perch	Catch & Release	Catch & Release
Walleye	Catch & Release	Catch & Release
Northern Pike	Catch & Release	Catch & Release
Large & Small Mouth Bass	Catch & Release	Catch & Release

Section 2.17. Gambling and Games of Chance. No Person shall play or engage in selling fortunes or futures, games of chance, or in any other device or game of chance, hazard or skill, either as bookmaker, dealer, player or otherwise, for the purpose of gaming or gambling for money or other valuable things on District Property, except at a fair, carnival, or other organized event conducted, sponsored or authorized by the District.

Section 2.18. Hunting or Trapping. No Person other than District or its designee shall hunt or trap in or on, or bring any device for hunting or trapping into or onto, District Property or District Waters.

Section 2.19. Interference with Other Users.

March 14, 2017 amended and board approved:

- 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 other Person occupying an area or participating in any activity on District Property under the authority of a Permit.
- C) No Person shall engage in any activity on District Property in a manner calculated or which is reasonably likely to endanger, injure, or damage Persons or property in any way.
- D) No Person shall interfere with, unreasonably disrupt, delay, or in any manner hinder any employee of the District engaged in the performance of his or her duties.

Section 2.19.1. Harassment of Employees.

March 14, 2017 amended and board approved:

No person shall harass or intimidate any employee of the Park District or engage in any conduct that has the purpose or effect of substantially interfering with an employee's work performance or of creating an environment that is intimidating, hostile, or offensive to the employee.

Section 2.20. Loitering in or on District Property. No Person shall loiter or remain in or on District Property either alone or in consort with other Persons in such a manner that: (1) unreasonably obstructs the usual use of entrances, hallways, corridors, stairways, or rooms designated for specific purposes; (2) impedes or disrupts the performance of official duties by District employees; (3) prevents the general public from obtaining the administrative or recreational services provided on District Property in a timely manner; or (4) restricts vehicular or pedestrian traffic or restricts free ingress to and egress from District Property, after being requested to leave, move or disperse by any District employee or any member of the District Police Force, or where the District has posted a sign or signs that prohibit loitering.

Section 2.21. 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 authority of law, for unlawful purposes or any purpose of disturbance or obstruction of the lawful activities of other Persons.

Section 2.22. Parades, Public Assemblies or Meetings.

- A) Public parades, processions, theatrical or dramatic presentations, meetings, assemblies, gatherings and demonstrations are permitted on District Property, provided that where the number of participants is reasonably expected to exceed twelve (12) or more persons and/or vehicles, a Permit therefor must first be obtained from the District in accordance with Chapter V of this Ordinance.
- B) This section shall not apply to students going to and from school classes or participating in educational activities under the immediate direction and supervision of school authorities or their agents, a governmental agency acting within the scope of its functions, or normal or scheduled District programs or activities.

Section 2.23. Posting Printed or Written Material In Designated Area.

- A) The District may designate one or more areas for the posting of printed or written public information material ("Community Bulletin Board").
- 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 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, except that the District's own printed or written public information may be given priority. The printed or written material shall be no larger than 8 1/2 inches x 11 inches and only one copy of each public information notice shall be posted.
- D) The District may remove printed or written material that has not been posted in accordance with this Section. The Person responsible for said posting shall be liable for the cost incurred in the removal there of. 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 2.24. Posting Printed or Written Material On Public Places and Objects.

- A) Except as provided in Section 2.24 of this Ordinance, no Person shall paint, write on, or in any way mark or deface, or post or otherwise affix, any printed or written words, symbols, materials, or other marks to or upon District Property or any thing or object located on District Property.
- B) The District may remove any printed or written word, symbol, material, or other mark found posted or otherwise affixed upon any District Property or any thing or object located on District Property 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 2.25. Protection of Animals.

- A) No Person other than District or its designee shall hunt, pursue, hurt, touch, injure, kill, trap, catch, poison, abuse, chase, shoot, throw or propel objects at, endanger in any way, or remove or cause to be removed, have in his possession, or release or cause to be released, any Wildlife on or upon District Property.
- B) No Person shall give or offer to any Wildlife any harmful, poisonous, or noxious substance on or upon District Property.
- C) No Person other than District or its designee 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.
- D) No Person other than District or its designee shall disturb, 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 2.26. Protection of Property.

- A) No Person shall mark, carve, bend, cut, paint, deface, affix any sticker or sign to, break down, destroy, damage, alter, change, sever, uproot, dig, excavate or otherwise remove, or attach or suspend

any rope, wire, or other material or contrivance to, on, or from, District Property or any thing or object on or upon District Property, or otherwise take, damage or destroy such Property, thing or object unless a Permit, license or contract 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) The District may give rewards to the Person(s) (other than District employees or agents, or members of the District Police Force) who furnish information to the District, directly resulting in the arrest and conviction of any Person who unlawfully takes, damages, or destroys District Property. All claims for said reward must be made to the District within thirty (30) days after conviction and the District shall be the sole judge of any dispute arising over a reward, if any, and the Person(s) entitled to share therein. The District's decision on any matter connected with the reward shall be final, conclusive, and binding and shall not be subject to judicial review.

Section 2.27. Public Indecency.

- A) No Person shall perform or commit any of the following acts on District Property:
 - 1) An act of sexual penetration or sexual conduct as defined in 720 ILCS 5/12-12; or,
 - 2) A lewd exposure of the body done with intent to arouse or to satisfy the sexual desire of the Person.
 - 3) Total nudity on any District Property other than a shower room, locker room or changing room.
- B) No Person shall exhibit, sell, give away, offer to sell or give away, display or hold or place in such a manner as to be open to public view any Obscene book, pamphlet, drawing, picture, photograph, model, cast, instrument, or any other Obscene article while on or upon District Property.

Section 2.28. Reporting Accidents. A Person involved in an incident on District Property resulting in personal injury or property damage, other than an accident reportable under section 3.06 of this Ordinance, shall report the incident to the District Police Force within twenty-four (24) hours after the incident.

Section 2.29. Restricted Areas.

- A) No Person shall enter or remain in any building or portion of District Property where Persons are prohibited by the District from entering, or, except as provided in Section 2.32(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)
- C) No Person shall enter any District Property that is reserved or scheduled for a specific group or activity, unless such Person is invited by the individual, group, or agency responsible for such activity, and unless such Person has paid any applicable admission and/or registration fees.

Section 2.30. 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) Baseball and Softball Playing.

- 1) No Person shall engage in softball or baseball games except in those parks on which diamonds and backstops have been constructed for that purpose, or such other areas as may be specifically designated by the District;
- 2) In those parks having established softball or baseball diamonds, participation in softball or baseball in areas other than on such diamonds is limited in accordance with signs or notices posted by the District;
- 3) In those parks having established softball or baseball diamonds, the type of recreation on said diamonds shall be in accordance with posted signs or notices posted by the District.

C) Soccer and Football Playing

- 1) No Person shall engage in soccer or football games except in those parks on which fields have been marked or designated for those purposes, or such other areas as may be specifically designated by the District;
- 2) In those parks having marked soccer or football fields, participation in soccer or football in areas other than on such fields is limited in accordance with signs or notices posted by the District;
- 3) In those parks having marked soccer or football fields, the type of recreation on said fields shall be in accordance with signs or notices posted by the District.

D) Picnics.

- 1) Picnics requiring fires shall be held only in those areas where fireplaces, stoves, grills, or pits have been provided for that purpose and upon issuance of a Permit by the District in accordance with Chapter V of this Ordinance;
- 2) No group of Persons exceeding twelve (12) in number shall picnic on District Property unless a Permit therefor 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.

E) Classes and Camps. 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 unless a Permit allowing such use or activity has first been obtained from the District in accordance with Chapter V of this Ordinance.

F) Tournaments, Leagues, or Other Organized Recreational Activities. No Person shall utilize any District Property, including without limitation playing fields and other District facilities, for tournaments, leagues, or other organized recreational activities and outings unless a Permit allowing such use or activity has first been obtained from the District in accordance with Chapter V of this Ordinance.

G) This section 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 2.31. Rest Rooms, Washrooms, Shower Rooms, Changing Rooms, Locker Rooms.

- A) Every Person shall cooperate in maintaining rest rooms, 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, sinks, or plumbing fixtures of a rest room or washroom, shower room, changing room, or locker room facility on District Property.
- C) Only Persons under the age of four (4) years may use rest rooms, washrooms, changing rooms and locker rooms designated for the opposite sex on District Property.

- D) No Person shall bring or use any camera, camcorder, video recorder or transmitter or other device capable of recording, filming or transmitting visual images in any rest room, washroom facility, locker room or changing room of the District.

Section 2.32. Rollerskates, Skateboards, and Other Similar Objects. No Person using rollerskates, in-line skates, skateboards, rollerskis, 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.

Section 2.33. Selling or Distributing Printed or Written Material.

- A) The distribution of printed or written material available without cost or donation is permitted on District Property.
- B) The sale or distribution for donation of printed or written material is permitted on District Property provided that a Permit therefor has first been obtained from the District in accordance with Chapter V of this Ordinance.
- C) Any Person engaged in the sale or distribution of printed or written materials under this Section 2.34 shall not obstruct or impede pedestrians or Vehicles, harass park visitors with physical contact or persistent demands, misrepresent the affiliations of those engaged in such activities, misrepresent whether the materials are available without cost or donation, or interfere, interrupt, or engage in conduct incompatible with the conduct or purpose of any class, program, activity, function, and/or special event conducted, sponsored, licensed or otherwise permitted by the District.

Section 2.34. Sledding, Ice Skating, and Snowmobiling.

- A) No Person shall skate, sled, toboggan, innertube, ski, slide, or engage in similar activities on District Property except at such places and at such times as the District may designate for such purposes.
- B) No Person shall engage in any such activity in a reckless manner that endangers himself or others or at a speed greater than is safe and proper under the circumstances.
- C) No Person shall tow, push, pull, or otherwise propel another Person on skis, sled, or other sliding device by use of any Vehicle on District Property.
- D) No Person shall drive, ride, or otherwise operate a snowmobile on District Property. For purposes of this subsection, a snowmobile shall be defined as any self-propelled vehicle intended for travel primarily on snow, driven by a track or tracks in contact with the snow, and steered by ski or skis in contact with the snow.

Section 2.35. Sleeping on District Property. No Person shall sleep on any bench, chair, table, sidewalk, playground or playground equipment on District Property in a manner which unreasonably obstructs, hinders, or impedes the movement of other Persons or their access to, or use of, any such location, equipment or facility. No Person shall sleep in any portion of a District building, including, without limitations, on or under stairways, in doorways or in hallways.

Section 2.36. Smoking and Smoking Products. amended and board approved 8/25/2015

Smoking and Smoking Products DEFINITIONS:

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

Except as otherwise provided herein, Smoking or any use of a tobacco product is prohibited in all District parks, buildings, and Facilities, and in District owned Vehicles. Smoking is also prohibited: (a) fifteen (15) feet from any District building entrance, exit, window that opens, or ventilation intake that serves an enclosed area where smoking is prohibited; and (b) in all wooded areas on District Property. Smoking or any use of a tobacco product shall only be allowed in those places on District Property designated as a Smoking Area as determined by the Director. Notwithstanding the foregoing, smoking will be allowed at Palatine Hills Golf Course and in the northern section of the Clubhouse deck.

Section 2.37. Solicitation of Funds.

- A) No Person shall orally solicit an immediate donation of money or other thing of value from another Person at any of the following locations on District Property without first obtaining a Permit, license or contract therefore from the District:
- 1) Inside any building or facility, or at any entrance to such a building or facility.
 - 2) Any portion of a park or playground at which a program, event or activity conducted or permitted by the District is underway, including that portion of the park or playground designated for use by spectators of the program, event or activity.
 - 3) Wherever a queue of two or more persons is waiting to gain admission to a place or vehicle, or waiting to purchase an item or admission ticket.
- B) No Person soliciting a donation of money or other thing of value on District Property shall intentionally obstruct or impede the passage of pedestrians or Vehicles; come closer than three feet to the Person solicited unless and until the Person solicited indicates that he or she wishes to make a donation; harass any Person 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 2.38. 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 2.39. Weapons and Firearms

January 28, 2014; Amendment to Ordinance #04-05; Concealed Carry Act and Board Approved:

- A. No Person shall use, fire, set-off or otherwise cause to explode, discharge or burn, or throw onto or while on District Property any weapon or Firearm, as defined in Section 2.39(c), including but not limited to those weapons and Firearms described in 720 ILCS 5/24-1 *et seq.*
- B. No Person shall carry or have in his possession any weapon or Firearm on District Property, except as otherwise preempted by the Firearm Owners Identification Card Act (430 ILCS 65/13.1) and the Firearm Concealed Carry Act (P.A. 98-0063) as set forth in Section 2.39(c) of this Ordinance.
- C. For the purposes of this Section 2.39(c), the following terms shall apply in accordance with the Firearm Owners Identification Card Act (430 ILCS 65/13.1) and the Firearm Concealed Carry Act (P.A. 98-0063):

"Concealed Firearms" shall mean loaded or unloaded Handgun[s] carried on or about a Person completely or mostly concealed from view of the public or on or about a Person within a vehicle.

"Firearm" means any device, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas or escape of gas; excluding however:

- (1) Any pneumatic gun, spring gun, paint ball gun, or B-B gun which expels as single globular projectile not exceeding .18 inch in diameter or which has a maximum muzzle velocity of less than 700 feet per second;
- (2) Any pneumatic gun, spring gun, paint ball gun, or B-B gun which expels breakable paint balls containing washable marking colors;
- (3) Any device used exclusively for signaling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission;
- (4) Any devised used exclusively for the firing of stud cartridges, explosive rivets or similar industrial ammunition; and
- (5) An antique firearm (other than a machine-gun) which, although designed as a weapon, the Department of State Police finds by reason of the date of its manufacture, value, design, and other characteristics is primarily a collector's item and is not likely to be used as a weapon.

D. "Handgun" shall mean any device which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas, or escape of gas that is designed to be held and fired by the use of a single hand. A "Handgun" does not include a stun gun or taser, a machine gun, a short barreled rifle, or shotgun as these weapons are defined in the Illinois Criminal Code. A Handgun also does not include any pneumatic gun, spring gun, paint ball gun or B-B gun which expels a single projectile not exceeding .18 inch in diameter, or which has a maximum muzzle velocity of less than 700 feet per second, or which expels breakable paint balls containing washable marking colors. A Handgun is one type of Firearm.

E. "Licensee" shall mean a Person who has a license from the Illinois Department of State Police to carry a Concealed Firearm.

Except as provided herein, no Person may knowingly carry any Firearm in the following locations:

- A. **Park District Building:** Firearms are prohibited in any building or portion of a building under the control of the District.
- B. **Pre-School/Child Care Facility:** Firearms are prohibited in or on any District Property under the control of a pre-school or child care facility, including any room or portion of a building under the control of a pre-school or child care facility.
- C. **Gathering Requiring Permit:** Except as provided herein, Firearms are prohibited at any public gathering or special event conducted on District Property that is open to the public but requires the issuance of a Permit from the District or other body. A Licensee is exempted from this section 2.39(c) if the Licensee is carrying a Firearm through a public gathering in order to access his or her residence place of business or vehicle.
- D. **Playgrounds:** Firearms are prohibited on all District playgrounds.
- E. **Public Parks, Athletic Fields/Facilities:** All Firearms are prohibited in any public park, athletic field, real property or athletic facility owned or under the control of the District.
 - i. **Trail/Bikeway:** A Licensee is exempted from this Section 2.39(e) if the Person is carrying a Concealed Firearm while on a District trail or bikeway if only a portion of the trail or bikeway includes a public park.
- F. **School property:** Firearms are prohibited in District-sponsored programs or activities occurring at a building, real property, and parking areas owned or under the control of a public or private elementary or secondary school, community college or university.
- G. **Transportation:** Firearms are prohibited on any bus, train, or other form of transportation paid for in whole or in part with District funds, and any building, real property, and parking area under the control of a public transportation facility paid for in whole or in part with public funds.

- H. **Event that Involves Sale of Liquor:** Firearms are prohibited in any District Property that has been issued a "Special Event Retailer's license" as defined in Section 1-3.19.1 of the Liquor Control Act, during the time designated for the sale of alcohol by the Special Event Retailer's license, or a "Special use permit license" as defined in subsection (q) of Section 5-1 of the Liquor Control Act during the time designated for the sale of alcohol by the Special use permit license.
- I. **Parking Lots:** Except as provided herein, a Person is prohibited from carrying a Firearm in any District parking lot. A Licensee may carry a Concealed Firearm on or about his or her person within a vehicle into a parking area on District Property and may store a Concealed Firearm or ammunition concealed in a case within a locked vehicle or locked container out of plain view within the vehicle in the parking area. A Licensee may carry a Concealed Firearm in the immediate area surrounding his or her vehicle within a prohibited parking lot area on District Property only for the limited purpose of storing or retrieving a Concealed Firearm within the vehicle's trunk, if the Licensee ensures that the Concealed Firearm is unloaded prior to exiting the vehicle. The term "case" as used above includes a glove compartment or console that completely encloses the Concealed Firearm or ammunition, the trunk of the vehicle, or a Firearm carrying box, shipping box or other container.

A Licensee is also permitted to carry a Concealed Firearm upon his or her person while he or she is traveling along a public right of way that touches or crosses any District owned or controlled premises, if the Concealed Firearm is carried on his or her person in accordance with the provisions of the Firearm Concealed Carry Act.

CHAPTER III – BICYCLES, MOTORIZED VEHICLES, PARKING, AND TRAFFIC CONTROL

Section 3.01. All-Terrain Vehicles. 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 50 inches or less in width, having a manufacturer's dry weight of 600 pounds or less, travelling on three (3) or more low-pressure tires, designed with a seat or saddle for operator use, and handlebars or steering wheel for steering control.

Section 3.02. Bicycles.

- A) A Person may ride a bicycle on District Property only:
 - 1) On streets and paths, except where signs are posted prohibiting bicycle riding; and
 - 2) On other District Property where signs are posted expressly permitting the riding of bicycles.
- B) 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.
- C) No Person operating a bicycle on District Property shall cling or attach himself or his bicycle to any other moving Vehicle.
- D) 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.
- E) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.
- F) 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.

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

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

Section 3.04. Commercial Vehicles.

- A) The term "commercial vehicles" as used in this section shall include, but not be limited to, trucks, station wagons, vans, pickups, passenger cars, or other Vehicles when used in transporting Persons or movable property for a fee or profit, either as a direct charge to another Person, or otherwise, or used as incident to providing services to another Person, or used in connection with any business.
- B) All roadways on District Property shall be used for pleasure driving only. No Person other than District employees shall drive any truck, tractor or other commercial vehicle of any kind on District Property without first obtaining a 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 bicycle or Vehicle collision with another bicycle, Vehicle, Person or property occurring on District Property, without giving his true name and residence address to the injured Person or any other Person or member of the District Police Force requesting same, and in the event no public officer is present, he must immediately report the occurrence to the nearest police station or police headquarters.

Section 3.07. Emergency Vehicles.

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

- B) The provisions of this Chapter regulating the movement or parking of Vehicles on District Property shall not apply to the operator of any emergency Vehicle when responding to an emergency call or pursuing an actual or suspected violator of the law. However, such operator shall exercise extreme caution when on or approaching District Property including, without limitation, slowing down as necessary for safety, cautiously proceeding through 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 Police Force.

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

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

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. 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 3.12. 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 3.13. Minibikes Trailbikes and Motorized Skateboards . No Person shall drive, ride, or otherwise operate any minibike, trailbike, or motorized skateboard on District Property. For purposes of this section, every motor Vehicle which is self-propelled by power obtained by the combustion of gasoline which is designed to carry a rider shall be deemed to be a minibike or trailbike or motorized skateboard.

Section 3.14. 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 3.15. Parking.

- A) Sections 18-81 through 18 – 91 of the Village Ordinances of the Village of Palatine are hereby adopted and incorporated in this Ordinance by reference.
- B) It shall be unlawful for any person to park a vehicle on District property for a period of time longer than (15) minutes between the hours of 11:00p.m. and 6:00a.m. except when approved by permit of the District.
- C) 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 therefore.
 - 2) Whenever any Vehicle is parked in violation of any parking provision of this Ordinance, any law enforcement officer observing such violation may issue a parking violation notice, and serve the notice on the owner of the Vehicle by handing it to the operator of the Vehicle, if he is present, or by affixing it to the Vehicle in a conspicuous place. The issuer of the notice shall specify on the notice his identification number, the particular parking regulation allegedly violated, the make and state registration number of the cited Vehicle, and the place, date, time, and nature of the alleged violation and shall certify the correctness of the specified information by signing his name to the notice.
 - 3) A parking violation notice issued, signed, and served in accordance with this section, or a copy of such notice, shall be deemed prima facie correct and shall be prima facie evidence of the correctness of the facts shown therein. The notice or copy thereof shall be admissible in any subsequent administrative or legal proceeding.
 - 4) Any violation of the parking provisions of this Ordinance or any provision of the Illinois Motor Vehicle Code prohibiting or restricting vehicular standing or parking shall be a civil offense punishable by fine, and no criminal penalty or civil sanction other than that prescribed in this Ordinance shall be imposed.
 - 5) Any Person who violates or fails to comply with any provision of this section shall be fined \$25.00 for each offense.
 - 6) Any Person on whom a parking violation notice has been served shall within fourteen (14) days from the date of the notice either pay the indicated fine or, in the manner indicated on the notice, request a court hearing to contest the charge, violation, or violations.
 - 7) If no response is made in accordance with subsection (b)(6) of this section, the Clerk of the Circuit Court shall serve a second notice of violation, by first-class mail, postage prepaid, to the address of the registered owner of the cited Vehicle as recorded with the Secretary of State of Illinois. The notice shall specify the date of a violation, and make and state registration of the cited Vehicle, the Ordinance or Code provision violated, the applicable fine and penalty in an amount equal to the relevant fine to be paid by the final notice date or request for hearing. The final notice date for payment shall be 21 days from the initial due date.
 - 8) If the respondent requests a court hearing in person to contest the cited violation or violations, the Clerk of the Circuit Court shall notify the District and the respondent in writing of the time and place of the hearing.
 - 9) A notice sent pursuant to subsections (b)(6), (7), and/or (8) shall state that failure to pay the indicated fine or failure to request a court hearing will cause the amount of the fine to become a debt due and owing the District, which, as such, may be collected in accordance with applicable law. Payment in full of any fine and/or penalty resulting from a standing or parking violation shall constitute a final disposition of that violation.
 - 10) The Clerk of the Circuit Court shall notify the County State's Attorney of each respondent who fails to make payment or who fails to request a court hearing pursuant to subsections (b)(6), (7), (8), and/or (9). Upon being notified by the Clerk of the Circuit Court, the County State's Attorney shall institute a civil action against the respondent in an amount of the fine plus a penalty double the relevant fine and costs. Any action instituted and proceeding therein shall be conducted in accordance with the Rules of the Circuit Court of Cook County, the Code of Civil Procedure and the laws, rules and regulations of the State of Illinois.

Section 3.16. 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.

Section 3.17. 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 3.18. Siren Devices. No operator of a vehicle shall utilize any siren-sounding device or other type 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 3.19. 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 15 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 3.20. 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, damage, move, or otherwise interfere with any traffic sign or signal on District Property.

Section 3.21. 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 3.22. Unauthorized Use of Parking Places Reserved for Handicapped Persons.

- A) 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.
- B) 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.
- C) Any Person found guilty of violating the provisions of this section shall be fined not less than \$100 and not more than \$200 in addition to any costs or charges connected with the removal or storage of any motor Vehicle authorized under this section.

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

Section 4.01. Hours.

- A) Except as otherwise provided in this Section 4.01, District Property shall be open to the public from sunrise in the morning until 11:00 p.m. in the evening of that same day and District Property shall be closed to the public from 11:00 p.m. each day until sunrise the following day. Notwithstanding any provision to the contrary in this Ordinance, Dove Park 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 Director may close one or more District parks, buildings, and facilities or any part thereof to the public at any time and for any interval of time, either temporarily or at regular intervals, and either entirely or merely to certain uses, as deemed advisable and in the best interest of the public and District.

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

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

Section 4.05. Admission/Identification. No Person shall enter into, be, or remain in or upon District Property without paying 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 non-transferable and must be individually registered,

unless otherwise specifically noted thereon. A charge may be made by the District for replacing lost admission identification cards, papers and tickets.

Section 4.06. Lost, Found, and Abandoned Property.

- A) No Person shall abandon property on District Property.
- B) Property left unattended for longer than twenty-four (24) hours or unattended property that interferes with any park visitor's safety, orderly management of the park area, or presents a threat to park resources may be impounded or removed by the District at any time. The owner of such property shall be responsible and liable for all costs and expenses associated with the impounding, removal, storage, or other disposal of the property.
- C) Any Person finding lost or unattended property on District Property shall report the discovery to the District as soon as is practicable. Whenever a District employee or agent finds lost or unattended property on District Property he shall report 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) Unattended property that has been impounded or property that has been found shall be stored for a minimum period of thirty (30) days. Unless claimed by the owner or an authorized agent thereof, the property may be claimed by the finder of such property unless the finder is an employee, officer, or agent of the District or member of the Board. All property not claimed shall be disposed of as the District deems appropriate.

Section 4.07. Building Use. No Person shall use any District building or facility for an event or activity 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 a license agreement has been executed with the District. All Persons using District buildings or facilities shall comply with the provisions of this Ordinance and with the provisions and conditions of the Permit and/or license agreement and with all other applicable policies, rules, and regulations of the District regarding the use of District Property.

CHAPTER V - PERMITS AND OTHER AUTHORITY

Section 5.01. Permits.

- A) Permits may be granted upon proper application and approval where the applicable section of this Ordinance or any other District ordinance, policy, rule, or regulation 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 or his designee, on forms provided by the District, and pay applicable application fees at the District's administrative offices located at 250 E. Wood Street, Palatine, Illinois. The application shall be dated and stamped when and as received and a receipt issued to the applicant.
- C) Except as provided in subsection 5.01(c)(1), applications for Permits must be received by the District at least three working days prior to the use for which a Permit is sought.
 - 1) Applications for Permits under sections 2.02, 2.05, 2.07, 2.08, 2.09, 2.31 and 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.
- D) Except as provided in subsection 5.01(d)(6), 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 particular location by more than one permittee; or,

- 3) The proposed use is of such a nature that it cannot reasonably be accommodated in the particular location applied for, considering, without limitation, the likelihood of such things as damage to park resources or facilities, damage to an environmentally sensitive or protected area's ecosystem, impairment of a protected area's atmosphere of peace and tranquility, unreasonable interference with District functions, buildings, facilities, operations, programs or activities, or unreasonable interference with the use or purpose of the District Property applied for; or,
 - 4) The proposed 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) This subsection 5.01(d) is not applicable to applications for commercial activity Permits under sections 2.08 and 2.14 of this Ordinance or to Permits for sale or delivery of Alcoholic Liquor under section 2.02. The District reserves the right to exercise its discretion in issuing Permits under sections 2.02 and 2.08.
- E) The District shall approve or deny any application received pursuant to Sections 2.15, 2.23 or 2.34 of this Ordinance within four (4) working days from its receipt. The District shall approve or deny any application received pursuant to Section 2.15 of this Ordinance within fourteen (14) working days from its receipt. For applications under sections 2.02, 2.08, 2.09, and any other section of this Ordinance or any other District ordinance, rule, or regulation not involving the exercise of First Amendment rights, the District shall approve or deny the application within fourteen (14) working days from its receipt. For applications under section 2.30, the District shall approve or deny the application within sixty (60) working 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, the District shall issue a written Permit to the applicant. If the application is denied, the District shall issue to the applicant written reasons for denying the application.
- G) If an application is denied on the basis of a scheduling conflict or inappropriateness of the location, duration, or time of the activity, the District will make a reasonable effort to arrange an alternative location, duration or time that is acceptable to the applicant. If the District denies an application pursuant to sections 2.07, 2.14, 2.22 or 2.33, 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 that District Property 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) Except as provided in subsections 5.01(L)(1) and (2), no Permit shall be issued for a period in excess of seven (7) consecutive calendar days. A Permit may be extended for like periods of time pursuant to a new application, unless another Person has requested use of the same location and use of that location by more than one permittee is not reasonably possible.
 - 1) This subsection shall not apply to Permits granted under section 2.09 of this Ordinance. For Permits granted under section 2.08, the District shall determine the length of time that a Permit will be valid.
 - 2) This subsection shall not apply to Permits granted under section 2.33 of this Ordinance for news-racks or newsstands. Such Permits shall be issued for a period of six (6) months.
- 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, parades, marches, demonstrations, rallies, religious services, speeches, solicitation of votes, petition signatures or contributions, picketing and leafleting.

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.
 - 1) For uses involving the exercise of First Amendment rights, including without limitation parades, rallies, religious services, solicitation of votes, petition signatures or contributions, picketing and leafleting, 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 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 5.03. Restoration Deposit.

- A) The District may require payment of a restoration deposit as a prerequisite to the issuance of a Permit. 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 clean-up 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 clean-up 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) For uses involving the exercise of First Amendment rights, the District may accept a written agreement to clean up and restore District Property after the permitted use in lieu of the restoration deposit if the applicant can demonstrate that payment of a restoration deposit would create an undue financial hardship. An applicant must request this arrangement in writing. If the permittee does not satis-

factorily 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. Police/Security Force.

- A) The District Police Force shall be the conservators of the peace on District Property, and shall be responsible for the enforcement of all federal, state, local, and District laws, ordinances, rules, and regulations on District Property.
- B) The members of the District Police Force shall have the authority to eject from District Property, arrest, or issue citations 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 regulating conduct or activities on District Property even though the same may not have been posted. No Person shall violate or disobey the directions or instructions contained in any notice or sign posted by the District relating to the use of District Property, or the directions or instructions of any member of the District Police Force, or any employee of the District seeking to enforce compliance with federal, state, local or District laws, 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 a principal, agent, or accessory, shall be guilty of such offense, and every Person who falsely, fraudulently, forcibly or willfully induces, causes, coerces, requires, permits, or directs another to violate any provision of this Ordinance is likewise guilty of such offense.
- B) Any Person who is the owner, registered owner, or Person in control of any animal, Vehicle or other property of any kind brought, placed, parked or allowed to remain on District Property in violation of this Ordinance or other District ordinance, rule, or regulation, shall be deemed prima facie responsible for such violation and shall be subject to the penalties provided herein.
- C) It is unlawful for the owner or any other Person employing or otherwise directing the operator of any Vehicle, to request or knowingly permit operation of any such Vehicle on District Property in any manner contrary to this Ordinance.

CHAPTER VII - PENALTIES

Section 7.01. Revocation of Privileges; Suspensions; Fine. 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 \$500.00 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 of 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 provided by law for like actions for violation of ordinances in cities organized under the general laws of the State of Illinois.

Section 7.01.1 Suspension.

March 14, 2017 amended and board approved:

Any Person violating or disobeying any section or part of this Ordinance, as may be amended from time to time, or any other District ordinance, policy, rule, or regulation (collectively, "District Rule(s)"), may have his admission rights to District Property suspended in accordance with this Section 7.01, and may be subject to any other penalties specified in this Ordinance.

A. Procedure for Suspension of Rights.

In the event that: (i) a Person violates any District Rule, and (ii) the Executive Director or his/her designee (collectively referred to as the "Director" for purposes of this Section 7.01) determines the Person's continued presence on District Property creates a threat to the public's health, safety or welfare while on District Property, including but not limited to crimes of violence against persons or property, or when the behavior is enough to alarm or disturb a reasonable person, the Director may verbally order the Person to leave District Property and to refrain from usage of all District Property until further order of the Director in accordance with the following suspension policy.

1) Notice

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

- a. The nature of the offense;
- b. The threat to the public's health, safety or welfare while on District Property caused by the Person's offense, including but not limited to crimes of violence against persons or property, or when the behavior is enough to alarm or disturb a reasonable person, and related conduct;
- c. The intended suspension period for the offense;
- d. An explanation of the facts that form the basis of the proposed suspension;
- e. Instructions for setting a date and time for a meeting with the Director and an appropriate Superintendent selected by Director to discuss the offense and to provide the Person an opportunity to present his or her version of the incident; and
- f. Copy of the procedure to appeal to Board to conduct a Suspension Hearing in accordance with Section 7.01(a)(4)-(7); and
- g. That the Person is not to return to any District Property until such a meeting as aforesaid occurs, and if found doing so, he may be arrested and/or prosecuted for "trespass" as set forth in Section 7.01(b), below.

(2) Meeting

At the meeting with the Director and Superintendent, items (a)-(f) above will be discussed on an informal basis. The specific offense(s), evidence, and suspension, if any, will also be discussed. The Person will also have an opportunity to present his or her version of the incident at this meeting. In the event the Person does not comply with Section 7.01(a)(1)(e) and fails to set a date and time for a meeting within ten (10) days after receipt of the 1st Notice, the intended suspension period set forth in the 1st Notice shall immediately become effective.

(3) Second Notice

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

(4) Appeal to Board

If the Person objects to the suspension imposed or wishes to notify the District of extenuating circumstances not taken into consideration by the Director and the Superintendent, or if the Person believes he or she is not guilty of the offense as charged, the Person may request a hearing before the Board. The Person's request must be in writing and must be filed with the Board Secretary or his/her designee or the Board President within 10 days after the date of the 2nd Notice and should include the following information: a) the Person's contact information, including address, telephone number and email address; b) date of issuance of the 1st Notice and location; c) reason for being on District Property at the time of the incident; d) any other information Person wishes to be considered; and e) whether a hearing is requested. In the event the Person appeals

the suspension under this Section to the Board: a) the suspension shall continue until the Board makes a final decision; and b) the Director shall promptly transmit to the Board a full report in writing of the facts related to the suspension, the suspension imposed, and the reasons for the suspension imposed.

(5) Board Hearing

In the event the Person requests a hearing, the Board shall meet with the Person, Director and Superintendent within 10 days of the date on which such appeal notice is given to the Secretary of the Board ("Suspension Hearing"). The Person will be notified in writing as to the date and time set for the Suspension Hearing. The Suspension Hearing shall be conducted in an open meeting in accordance with the Open Meetings Act (5 ILCS 120/1 et seq.) ("OMA") unless an exemption to hold the Suspension Hearing in closed session pursuant to OMA applies based on the nature of the offense. At the Suspension Hearing, the Board shall receive testimony in accordance with the standard Illinois rules of evidence, presented by all interested parties and shall render a fair and impartial determination in accordance with its independent findings regarding the facts and the applicable standards for review set forth in this Section.

(6) Standard for Determining Suspension and Suspension Duration

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

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

(7) Notice of Finding

If, in the opinion of the Director, the Person remains a threat to the public's health, safety or welfare while on District Property at the end of any suspension period authorized hereunder, the Director may request a new hearing before the Board to extend said suspension the "Suspension Extension Hearing"). The Notice, hearing, standard for review and decision process shall be governed by the same rules as set forth above for the Board hearing (Sections 7.01(a)(3)-(6)), provided that the Director shall give written notice to the Person and to the Board ("Suspension Extension Hearing Notice") not less than 30 days prior to the Suspension Extension Hearing. Upon a finding by the Board that the Person remains a material threat to the public's health safety or welfare while on District Property, the Board may extend the suspension for an additional period of not more than five (5) years.

(8) Trespass

If a Person who has been notified in accordance with Section 7.01(a) is observed on District Property, the Person may be subject to arrest for criminal trespass in accordance with Illinois law.

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 damage resulting from such violation(s). The provisions of the Illinois Parental Responsibility Law (740 ILCS 115/1 et seq.) are specifically incorporated in this Ordinance by reference for purposes of this section.

Section 7.03. 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, , and 2.39, 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 or 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 (60) 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.

CHAPTER X - PUBLICATION AND EFFECTIVE DATE

Section 10.01. Publication in Book Form. In lieu of other publications, this Ordinance shall be published in book or pamphlet form, and when so published, shall become effective with the same force and effect as if otherwise published. Such book or pamphlet shall be received as conclusive evidence of the passage and legal publication of this Ordinance in all courts and other places without further proof of the passage and publication of this Ordinance.

Section 10.02. Effective Date. This Ordinance shall take effect and be in force ten (10) days after the date of its passage, approval, and publication in book or pamphlet form as provided for herein.

PASSED by roll call vote this 27th day of April 2004.

ROLL CALL VOTE:

AYE: John Cozza, Susan Gould, Waldon Degner, Andrew McPherson, Robert Schultz
NAY: None
ABSENT: None

APPROVED this 27th day of April 2004.

President, Board of Park Commissioners of the
Palatine Park District

ATTESTED and RECORDED this
27th day of April 2004 and
published in pamphlet form
this ____ day of _____, 2004.

Secretary, Board of Park Commissioners
of the Palatine Park District

Amended matters and approval dates:

Weapons and Firearms: Board Approval on January 28, 2014; Amendment to Ordinance #04-05; Concealed Carry Act

Erection of Structures/Wires and Other Appurtenances and Devices:
Board Approval on February 10, 2015; Amendment to Ordinance #04-05; Erection of Structures/Wires and Other Appurtenances and Devices

Aircraft/Model Aircraft/Drones: amended and board approved on August 25, 2015

Smoking and Smoking Products. amended and board approved August 25, 2015

Harassment; Loitering; and Suspension amended and board approved March 14, 2017