

ORDINANCE #26-05

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

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**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:

1. "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.
2. "Alcoholic Liquor" is defined as provided in the Illinois Liquor Control Act of 1934 (235 ILCS 5/1-3.05) as amended hereafter.
3. "Aquatic Life" means all fish, reptiles, amphibians, crayfish, mussels, mollusks, and crustaceans.
4. "Bicycle" is defined as provided in the Illinois Vehicle Code (625 ILCS 5/1-106) as amended thereafter.
5. "Board" means the Board of Park Commissioners of the Palatine Park District.
6. "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.
7. "Cannabis" is defined as provided in the Illinois Cannabis Control Act (720 ILCS 550/3(a)) as amended hereafter.
8. "Controlled Substance" shall have the definition provided in the Illinois Controlled Substances Act (720 ILCS 570/102(f), 204, 206, 208, 210 and 212) as amended hereafter.
9. "Carry" means to wear, bear, or have on or about the person.
10. "Department Head" is the person immediately in charge of a given District department and its activities and to whom all employees of such department are directly responsible (e.g., Director of Recreation and Facilities, and Director of Parks and Planning).
11. "Director" or "Executive Director" is the Executive Director of the Palatine Park District.
12. "District" is the Palatine Park District, Cook County, Illinois.

13. "District Police Force" shall include the officers of the Village of Palatine Police Department, Harper College Police, Cook County Sheriff's Office, other law enforcement officers, and any other sworn police officer.
14. "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, 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.
15. "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.
16. "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.
17. "Electric Personal Assistive Mobility Devices (or "EPAMDs")" shall mean any self-balancing wheeled device with an electric propulsion system designed to transport only one person for personal mobility purposes, including but not limited to Segways, scooters, hoverboards, one wheels, and skateboards.
18. "Facility" or "Facilities" means any structures on District Property, including without limitation swimming pools, skate, dog, and disc parks, shelters, gazebos, boat docks, playgrounds, athletic fields, and amphitheater bowl.
19. "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.
20. "ILCS" is the Illinois Compiled Statutes.
21. "Low-speed Electric Bicycle" or "E-Bike" is defined as provided in the Illinois Vehicle Code (625 ILCS 5/1-140.10) as amended thereafter.
22. "Model Aircraft" means any unmanned aircraft that is capable of sustained flight in the atmosphere.
23. "Obscene" is defined as set forth in 70 ILCS 5/11-20.
24. "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.
25. "Ordinance" means this Conduct Ordinance.
26. "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.

27. "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.
28. "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.
29. "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.
30. "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.
31. "Smoking" means the lighting of cigarettes, electronic cigarettes, cigars or pipes, the carrying of lighted cigarettes, electronic cigarettes, cigars or pipes, or the intentional and direct inhalation of smoke from these objects. The term "electronic cigarettes" for 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.
32. "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.
33. "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.
34. "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.
35. "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.
- 3) This Ordinance is not intended to limit and does not limit the scope or applicability of federal, state or local laws or regulations to conduct on District Property. No Person shall commit a violation of such laws or regulations while on District Property.

CHAPTER II - SPECIFIC RESTRICTIONS ON CONDUCT AND BEHAVIOR

Section 2.01. Aircraft/Model Aircraft/Drones.

- A. No Person shall fly, cause to be flown or permit or authorize the flying of Aircraft of any kind at any time over District Property at an elevation lower than the minimum safety requirements established by the Federal Aviation Administration or other governmental authority, at an elevation which is lower than is reasonably safe under the circumstances, or in a manner which endangers the safety of any Person on District Property.
- B. No Person shall parachute or make an ascent or descent in an Aircraft into or onto District Property or cause, permit or authorize another Person to parachute or otherwise ascend/descend from an Aircraft into or onto District Property unless a Permit therefor has first been obtained from the District in accordance with Chapter V of this Ordinance, except when necessitated by unavoidable emergency.

- C. The Park District asserts jurisdiction over its properties, including the first 150 feet above ground level. Accordingly, no Person shall, upon or in connection with any property of the District: start, fly or use any fuel-powered, battery-powered or electric-powered model or toy or any radio controlled model car, aircraft, boat or rocket or any like controlled or powered toy or model or drone subject to FAA Part 101 unless such activity is conducted above 150 feet above ground level or is conducted within an area and at times that the Park District has designated for such activities either by policy or by permit. The Director may grant, upon due application no less than 30 days in advance, a permit for use of like toys or models or drones subject to FAA Part 101 for special events, instruction classes or other functions on a case-by-case basis. A permit shall only be denied to prevent conflicts with other users of Facilities or where such activity would be contrary to the guidelines or regulations of the FAA.
- D. No person shall operate, launch, take off, land, cause to launch, take off or land unmanned aircraft systems (e.g., "Drones") subject to FAA Part 107 of any kind from or on or over Park District Property without a permit. This restriction does not apply to any operation of a Drone at altitudes greater than 150 feet above ground level.
- E. (e) No person shall operate, launch, take off, land, cause to launch unmanned aircraft systems (e.g. "Drones") subject to FAA Part 101 unless such activity is conducted within an area and at times that the Park District has designated for such activities either by policy or permit and in no case:
 - 1. in violation of the Federal Aviation Administration rules, regulations and safety guidelines governing such flight;
 - 2. over or within fifty (50) horizontal feet of the property line of the following facilities: playground, athletic court or field, aquatic facility, golf course or skate park;
 - 3. directly over any person, group of people or occupied space;
 - 4. for the purpose of conducting surveillance (which is defined as the gathering of images, sounds, data or other information in a manner that intrudes upon the solitude, privacy or seclusion of a person or their private affairs or concerns), unless expressly permitted by law;
 - 5. that is equipped with a firearm or other Weapon or with the intent to use the Drone or anything attached to the Drone to cause harm to persons or property;
 - 6. whenever weather conditions would impair the operator's ability to do so safely; or
 - 7. in a reckless or careless manner. The restrictions set forth herein on the operation of drones shall not apply to operations at altitudes greater than 150 feet above ground level.
- F. To the limited extent that this policy conflicts with regulations promulgated by the Illinois Department of Transportation, said regulations shall supersede this policy.

Section 2.02. Alcoholic Liquor.

- A. 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" means affected by Alcoholic Liquor in any determinable manner. A determination of being "under the influence" can be established by a professional opinion, a scientifically valid test, a lay person's opinion, or the statement of a witness.

- 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, license, or contract therefor from the District and, where necessary, the Village or County.
- C. No person shall distribute, provide or allow any person under 21 years old to possess or consume Alcoholic Liquor on District Property. No person under the age of 21 years old shall possess or consume Alcoholic Liquor on District Property.
- D. 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, or unless the Alcoholic Liquor is legally possessed in an unopened container stored in the trunk of a motor vehicle.
- E. Every Person possessing, using, consuming, or transferring Alcoholic Liquor pursuant to this section shall be subject to and shall comply with all applicable federal, state, local, and District laws, ordinances, rules, and regulations regarding the possession, use, consumption, or transfer of Alcoholic Liquor.

Section 2.03. Animals and Pets.

- A. No Person shall bring or release onto District Property any Wildlife including without limitation any animal the capture or killing of which is authorized by the fish and game laws of the State of Illinois, or any other animal, except for service animals (as defined by the Americans with Disabilities Act) and domesticated dogs or cats, subject to the restrictions contained in this section. Provided, however, that the District may bring or release, or permit another Person to bring or release such proscribed animals onto District Property in conjunction with an activity (e.g., falconry) or event conducted or sponsored or permitted by the District or in conjunction with a zoo, museum, nature center, or similar facility controlled, permitted or licensed maintained by the District.
- B. No Person shall feed any Wildlife on District Property.
- C. Except as authorized by the Americans with Disabilities Act, no owner or agent of the owner having control of any domesticated dog, cat, or any other domesticated animal shall cause or permit such animal to be on District Property unless the pet is on a leash which shall not exceed ten (10) feet in length and such Person has in their immediate possession a device for removal, and a depository for the transportation of, animal excrement from such Property.
- D. All owners or agents of the owner having control of any domesticated dog, cat, or other domesticated animal, shall remove any excrement from District Property left by such animal.
- E. No Person shall bring a domesticated dog, cat, or any other animal onto or permit any animal to remain on any portion of District Property where the presence of animals is prohibited, except (i) in conjunction with an activity or event conducted or sponsored by the District, and (ii) Service Animals as authorized by the Americans with Disabilities Act that are specially trained to assist Persons with disabilities when they are accompanying the Persons with disabilities for purposes of providing such assistance.
- F. Any animal found on District Property in violation of subsections (a) or (e) may be apprehended, removed to an animal shelter, public pound, or other place provided for that purpose, and disposed of pursuant to the applicable laws or ordinances of Cook County. The owner or Person responsible for such animal shall be responsible for all costs and expenses incurred or encumbered in the removal and housing of such animal and such charge shall be in addition to and not in lieu of any

other penalties provided for in this Ordinance and any other applicable federal, state, local or District laws, ordinances, rules or regulations.

- G. No Person shall allow an animal, under their control, to chase, harass, wound or kill any domesticated or wild animal.

Section 2.04. Assault, Battery, or Fighting.

- A. No Person shall, without lawful authority, engage in conduct on District Property that places another Person in reasonable apprehension of receiving bodily harm or physical contact of an insulting or provoking nature.
- B. No Person shall intentionally or knowingly by any means cause bodily harm or make physical contact of an insulting or provoking nature with another Person on District Property.
- C. No Person shall provoke or engage in any fight, brawl or riotous conduct so as to endanger the life, limb, health or property of another while on District Property.
- D. No Person shall assemble or congregate with another or others for the purpose of causing, provoking or engaging in any fight or brawl on District Property.
- E. No Person shall knowingly and intentionally jostle or roughly crowd or otherwise push or shove any person on District Property.

Section 2.05. Begging, Panhandling, Soliciting.

- A. No person shall beg or panhandle on District property or in District buildings, facilities or playgrounds or the entrances or stairways of such buildings or facilities.
- B. No Person on District Property shall obstruct or impede pedestrians or vehicles; harass park visitors with physical contact or persistent demands; misrepresent their 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 2.06. Boating.

- A. No Person shall launch any Vessel in District Waters, except from such places as may be designated therefor.
- B. No Person may launch or remove a Vessel from District property or traverse any waterway under the jurisdiction or control of the District, unless said Vessel is subject to the Illinois Boat Registration and Safety Act, 625 ILCS 45/1-1 et seq. and displays the appropriate registration decal, numbering, water usage stamp or permit as required.
- C. No person shall traverse any waterway closed for safety reasons by the District, where the District owns both corresponding sides of the waterway. The closure of waterways within the boundaries of the District by authority of the Illinois Department of Natural Resources shall likewise be enforceable.

This section does not apply to the use of vessels to be used in approved park district programs or events (e.g., paddleboat, paddleboard, kayak rentals, watercraft lessons, etc.).

Section 2.07. Camping.

- A. No Person shall place, erect, or use any hammock, swing, tent, shelter, or any other type of temporary or permanent, housing or camping equipment on District property, nor otherwise camp in any manner on District Property, other than as a participant in a program, activity or special event conducted, sponsored or permitted by the District.
- B. Any person who violates any provision of this Section shall be subject to a fine of fifty dollars (\$50.00) for a first or second offense within a 12-month period, and a fine of one hundred dollars (\$100.00) for a third or subsequent offense within a 12-month period. Each day that a violation of this Section continues shall be considered a separate and distinct offense.
- C. Any person who violates any provision of this Section, and who continues to violate any provision of this Section, may be subject to an injunction to enforce this Section.
- D. Any person who accumulates, masses together and maintains personal property such as supplies, goods, clothing, or personal effects upon District Property shall be required to remove such personal property from the District Property within twenty-four hours of the notice to remove. If the personal property is interfering with any Park District program or activity, then the personal property may be immediately removed to another portion of District Property in order to avoid the interference with the program or activity despite any previously issued notices from the Park District allowing for 24 hours' notice to remove. Notice to abate the storage of personal property upon District Property shall be given to the owner or person in control of the personal property by personal service. Upon the failure of the owner of the personal property to remove the personal property within twenty-four hours of the service of the notice, the District may lawfully remove the personal property. The personal property removed from District Property by the District pursuant to this Section shall be disposed of if not claimed by the owner within thirty (30) days of its removal. Any costs associated with such abatement and storage may be charged to and assessed to the property's owner.

Section 2.08. Charitable, Religious, Political, or Non-Profit Activities.

- A. For purposes of this section, charitable, religious, political, or non-profit activities shall include, without limitation, soliciting contributions, the sale or distribution of merchandise, soliciting votes or circulating petitions for or against any candidate for election to public office or with respect to any referendum or other public question.
- B. Soliciting contributions for charitable, religious, political, or non-profit organizations is permitted on District Property in areas open to the general public provided that a Permit has first been obtained from the District in accordance with Chapter V of this Ordinance.
- C. The sale or distribution of merchandise by charitable, religious, political, or non-profit organizations is permitted on District Property open to the general public provided that a Permit has first been obtained from the District in accordance with Chapter V of this Ordinance.
- D. Soliciting votes and circulating petitions, flyers, or banners for or against candidates for election to public office or with respect to any referendum or other public question is permitted on District Property in areas open to the general public without a Permit, subject to the limitations set forth in paragraphs (e) and (f) of this Section.
- E. No Person shall engage in any activity described in subsections (a) through (d) of this Section in District buildings or Facilities in rooms or other locations in which any program, activity, class, function or special event conducted or sponsored by the District is in progress.

- F. No Person engaged in the activities described in subsections (a) through (d) of this section shall obstruct or impede pedestrians or Vehicles, harass park visitors with physical contact or persistent demands, misrepresent the affiliations of those engaged in such activities, misrepresent what the solicited funds will be used for or whether the merchandise is available without cost or donation, or interfere, interrupt, or engage in conduct incompatible with the purpose of, any program, activity, function, and/or special event conducted or sponsored by the District.
- G. No Person shall distribute, display, post, or fix any sign, handbill, pamphlet, circular or any other writing or printed material or objects within any District building, except in areas expressly designated of such use and except with permission of the Executive Director or their designee.
- H. No Person shall fix any placard, sign, handbill, pamphlet, circular, or any other writing or printed material or objects containing advertising matter or announcements of any kind whatsoever on any District tree, shrub, post, building, gate, sign, or other District property except as otherwise authorized.

Section 2.09. Child Sex Offenders and Sexual Predators.

- A. No Child Sex Offender shall (i) knowingly be present in any District public park building, a playground or recreation area within any publicly accessible private building, or on any District public park property when any person under the age of 18 (hereinafter "minor") is present in the building or on the park grounds; or (ii) knowingly loiter on a public way within five-hundred (500) feet of a public District building or public District park while any minor is present in the building or on the park grounds; or (iii) approach, contact or communicate with any minor present in the building or on the park grounds, unless the Child Sex Offender is the parent or guardian of a person under 18 years of age present in the building or on the grounds. As used in this Section, "Child Sex Offender" is defined in the manner provided in Section 11-9.3 (d)(1) the Illinois Criminal Code of 2012 (720 ILCS 5/11-9.3 (d)(1)). "Loiter" is defined in the manner provided in Section 11-9.3(d)(11) of the Illinois Criminal Code of 2012 (720 ILCS 5/11-9.3 (d)(11)).
- B. No Child Sex Offender or Sexual Predator shall (i) knowingly be present in any public District park building or on District public park property; or (ii) knowingly loiter on a public way within 500 feet of a public District park building or public park. The 500 feet distance shall be measured from the edge of the property comprising the public park. As used in this Section, "Child Sex Offender," "public park" and "loiter" are each defined in the manner provided in Section 11-9.4-1(a) of the Illinois Criminal Code of 2012 (720 ILCS 11-9.4-1(a)). "Sexual Predator" has the meaning ascribed to it in subsection (E) of the Sex Offender Registration Act (730 ILCS 150/2(E)).
- C. No Child Sex Offender or Sexual Predator shall knowingly photograph, videotape, or take a digital image of a child who is on District Property, or instruct or direct another person to photograph, videotape or take a digital image of a child who is on District Property, without the consent of the parent or guardian of that child.

Section 2.10. 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.

- C. No Person may use any District Property for the purpose of filming an advertisement, television program, or movie without first obtaining a Permit therefor from the District in accordance with Chapter V of this Ordinance and subject to terms and conditions established by the Board and agreed to by the requesting entity. The Board will make its determination based in part on the impact the proposed use would have on residents and on District programs and other services and the amount of revenue to be derived from an approved use.

Section 2.11. Controlled Substances and Cannabis.

For purposes of this section, the following words will have the following meanings: "cannabis: means any substance so defined in the Cannabis Regulation and Tax Act (P.A. 101-0027) (specifically, "Cannabis" means marijuana, hashish, and other substances that are identified as including any parts of the plant Cannabis sativa and including derivatives or subspecies, such as indica, of all strains of cannabis, whether growing or not; the seeds thereof, the resin extracted from any part of the plant; and any compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin, including tetrahydrocannabinol (THC) and all other naturally produced cannabinol derivatives, whether produced directly or indirectly by extraction; however, "cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant that is incapable of germination. "Cannabis" does not include industrial hemp as defined and authorized under the Industrial Hemp Act. "Cannabis" also means concentrate and cannabis infused products; "controlled substance" means any substance so defined in the Illinois Controlled Substances Act, 720 ILCS 570/100 et seq. "Intoxicating compounds" shall include all substances listed in the use of Intoxicating Compounds Act, 720 ILCS 690/0.01 et seq. "Under the influence" means affected by the cannabis, any controlled substance, or any intoxicating compound in any determinable manner. A determination of being "under the influence" can be established by a professional opinion, a scientifically valid test, a layperson's opinion or the statement of a witness or suspect.

- A. Except in connection with a valid prescription, no Person under the influence of any Controlled Substance or Cannabis shall enter into, be or remain on District Property unless they are following the Illinois State Statutes regarding marijuana and/or cannabis. Possession of cannabis is prohibited in a vehicle unless the cannabis is in a sealed, odor proof, child resistant cannabis container and reasonably inaccessible while the vehicle is moving.
- B. Underage possession: No person under the age of twenty-one (21) shall purchase, possess, consume or transport cannabis on Park District property.
- C. Except in connection with a valid prescription or except when legally permitted under the Illinois Cannabis Control Act, no person shall bring into, possess, consume, take, use, sell, or transfer any Controlled Substance or Cannabis on District Property.
- D. Except in connection with a valid prescription, no Person shall possess, bring into or use drug paraphernalia, except when legally permitted under the Illinois Cannabis Control Act, on or in connection with any District Property, with the intent to use it in ingesting, inhaling, or otherwise introducing cannabis or a controlled substance into the human body, or in preparing Cannabis or a controlled substance for that use.
- E. Every person possessing Cannabis pursuant to this section, shall be subject to and shall comply with the Illinois state law legalizing recreational cannabis and its limits under the Illinois Cannabis Control Act, and all other state, local, and District laws, ordinances, rules, and regulations regarding the possession, use consumption, or transfer of cannabis.

Section 2.12. Cooperation with Authorities/Impersonating an Officer/Providing False Information.

- A. No Person shall physically hinder, threaten, harass, 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, official, or employee, a member of the District Police Force, or an agent or other representative of the District.
- C. No Person shall knowingly display a false, expired or revoked Permit or give a false report or false information (including, without limitation, information requested in a Permit application) which results in misleading a District employee or agent, or a member of the District Police Force in the conduct of his official duties.

Section 2.13. 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 2.13.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.
- E. Commits any other act which may be defined as disorderly conduct under the Illinois Criminal Code [720 ILCS5/26-1, 2, 3 or 4].

Section 2.14. Display of Permit or Pass. Every Person shall produce or display a Permit, License, Pass or Contract when requested to do so by any authorized Person for the purpose of enforcing compliance with any federal, state, local, or District law, ordinance, rule, or regulation, when such authorizing document is required to engage in an activity on District Property.

Section 2.15. Dumping, Pollution, Sanitation, and Litter.

- A. No Person shall litter, cast, throw, drop, leave, scatter, place, pile, or otherwise dump, leave, or deposit in any manner any kind of dirt, rubbish, placard, handbill, pamphlet, circular, book, notice, paper of any kind, flowers, memorials, plaques, ashes, garbage, waste material, manure, 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 other lawful use of District Property shall be deposited in receptacles provided by the District for that purpose. Where receptacles are not provided, are missing, or are full to capacity, all such garbage, refuse, or other material shall be carried away from the area of use by the Person responsible for its creation and presence, and properly disposed of elsewhere.
- B. No Person shall urinate or defecate on District Property other than in toilets in rest room Facilities expressly provided for such purposes.
- C. No Person shall spit upon District Property.
- D. No Person shall drain refuse from a trailer or other Vehicle on District Property.
- E. No person shall wash any dish or other article or item at water outlets or fixtures on District Property, except at designated locations or fixtures provided for that purpose.
- 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, or within any park area of the District except as permitted by the District.
- 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 2.16. 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 or Cook County, 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 2.17. 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 2.18. Fires.

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

Section 2.19. Fireworks/Pyrotechnics. No Person shall offer for sale, expose for sale, sell, Possess, use, or explode any firecracker, torpedoes, skyrocket, roman candles, bombs, sparklers, rocket, squib or other fireworks of like construction, or anything containing any explosive or inflammable compound or any tablets or other combustible or explosive device for producing a striking display of light or loud noise commonly used and sold as "fireworks", on District Property without first obtaining a Permit from the District in accordance with Chapter V of this Ordinance, or unless authorized to do so by Contract with the District.

Section 2.20. 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 spears, gigs, 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. Ice fishing is prohibited on any District Waters.

Section 2.21. 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 book-maker, 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 2.22. Harassment of Employees.

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 2.23. 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 2.24. Interference with Other Users.

- A. No Person shall walk, act, or conduct himself upon any portion of District Property designated for a particular game, sport, event, amusement or other use in such a way as to interfere with the use of such portion by other Persons who are properly using the same for the particular game, sport, event, amusement or other use for which it has been designated.
- B. No Person shall unreasonably disturb or interfere with any 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 2.25. 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 2.26. Misappropriation of Property.

- A. No Person shall knowingly obtain or exercise unauthorized control over the property of another.
- B. No Person shall knowingly obtain by deception control over property of another.
- C. No Person shall knowingly obtain by threat control over property of another.
- D. No Person shall knowingly obtain control over stolen property knowing the property to have been stolen or under such circumstances as would reasonably induce him to believe that the property was stolen, where he:
 - (1) Intends to deprive the owner permanently of the use or benefit of the property; or,
 - (2) Knowingly uses, conceals, or abandons the property in such a manner as to deprive the owner permanently of such use or benefit; or,
 - (3) Uses, conceals, or abandons the property knowing such use, concealment, or abandonment probably will deprive the owner permanently of such use or benefit.

Section 2.27. 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 2.28. Parades, Public Assemblies or Meetings.

- A. Public parades, processions, presentations, meetings, assemblies, gatherings, and demonstrations (individually and collectively hereinafter called "Gatherings") are permitted on District Property in areas open to the general public. Where the number of participants in any such Gathering is

reasonably expected to exceed fifteen (15) 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, provided that the school authorities or other governmental agency shall notify the District in writing at least five (5) days prior to the intended use.

Section 2.29. 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 thereof. The provisions of the Illinois Parental Responsibility Law (740 ILCS 115/1 et seq.) are specifically incorporated in this Ordinance by reference for purposes of this section.

Section 2.30. Posting Printed or Written Material On Public Places and Objects.

- A. Except as provided in Section 2.29 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 2.31. 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 2.32. Protection of Property.

- A. No Person shall mark, carve, bend, cut, paint, deface, apply graffiti to, affix any sticker or sign to, break down, set fire to, 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. (b) No Person shall climb upon, walk on, hang from or stand or sit on, any plant, structure, or other District Property of any kind except such benches or other property designated or customarily used for such purposes.
- C. (c) No Person shall bring into, throw, cast, drop, deposit, or otherwise leave or lay down any smoke bomb, stink bomb, tear gas or other offensive smelling or disabling agent or compound on District Property.
- D. (d) No Person shall construct, place, plant, or otherwise locate into or upon District property any tree, shrub, or plant, or portion thereof that was not purchased by the District for planting or use on District property; provided that any Person who has obtained a Permit to use District property, or any portion thereof, for an event, may bring plants or flowers onto District property for use only in conjunction with such event. Any Person who violates Section 2.30 (d) of this section shall, at their sole cost and expense, remove any encroachment from District property within sixty (60) days after receiving a written demand from the District. The District may remove any encroachment(s) from District property and assess the Person who violated this section the cost of removing such encroachment(s) and such charge shall be in addition to and not in lieu of any penalties or remedies provided for in these Regulations or other applicable law.

Section 2.33. Public Indecency/ Sexual Conduct/ Obscenity. No Person shall commit a sex offense described in Article 11 of the Illinois Criminal Code of 2012 (720 ILCS 5/11) on or from District Property, including but not limited to the following offenses:

- A. Public indecency, as defined in Section 5/11-30 (720 ILCS 5/11-30);
- B. Obscenity as defined in Section 5/11-20 (720 ILCS 5/11-20);
- C. Sexual conduct as defined in Section 5/11-0.1 (720 ILCS 5/11-0.1)
- D. Indecent solicitation of a child as defined in Section 5/11-6 (720 ILCS 5/11-6);
- E. Sexual exploitation of a child as defined in Section 5/11-9.1 (720 ILCS 5/11-9.1);
- F. Child pornography as defined in Section 5/11-20.1 (720 ILCS 11-20.1);
- G. Distribution of harmful material to a minor as defined in Section 5/11-21 (720 ILCS 5/11-21).

Section 2.34. 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 2.35. 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 enter upon any construction site on District Property except as may be authorized by the District.
- B. No Person shall enter or remain on District Property when it is closed to the public.
- C. No Person shall enter any District Property or portion thereof which is reserved or scheduled for a specific group or activity or event, unless such Person is an invitee to the activity or event and, if and as applicable, such person has paid all appropriate admission or registration fees, or unless the activity or event is open to the general public without admission or registration fee.
- D. No Person shall enter or remain in any portion of District Property if his admission privileges have been terminated, revoked, forfeited or suspended pursuant to Section 7.01 of this Ordinance, or if a required Permit, pass, ticket or membership card for admission to, or use of, the specific District Property which he enters has been suspended or revoked.

Section 2.36. 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 fifteen (15) 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 2.10 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 2.37. 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 2.38. Roller Skates, Skateboards, and Other Similar Objects. No Person using roller skates, in-line skates, skateboards, roller skis, coasting vehicles, or similar devices on District Property shall interfere with pedestrian use of sidewalks or use of the streets by Vehicles, or otherwise act negligently, recklessly or without due caution, or in any manner so as to endanger any Person or property. No person shall use such devices on any District Property where such use has been posted as prohibited.

Section 2.39. 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 2.39 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 2.40. 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 2.41. Sleeping on District Property.

- A. 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.
- B. No Person shall use District property in a manner designed or calculated to act as a substitute for a residence or means of support, including, but not limited to, such uses as sitting or lying down in locations or facilities or on District equipment or fixtures intended for use by the public for picnicking, playing, or similar activities; storage, whether temporary or permanent, of personal belongings not directly related to the intended or designated use of District property, facilities, equipment or fixtures; and use of park space for extended periods of time for purposes other than those intended or designated for the particular District property, facility, equipment or fixtures.

Section 2.42. Smoking and Smoking Products.

Except as otherwise provided herein, Smoking or any use of a tobacco product is prohibited on all District Property, and in District owned Vehicles. Smoking is also prohibited fifteen (15) feet from any District building entrance, exit, window that opens, or ventilation intake that serves an enclosed

area where smoking is prohibited. 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 forgoing, Smoking will be allowed at the Palatine Hills Golf Course and in the northern section of the Clubhouse deck.

Section 2.43. 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 2.44. 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 2.45. Unlawful Construction, Maintenance, or Encroachment. No Person shall, without prior authorization from the District, conduct any of the following activities upon, beneath, above, across, or in connection with any District Property:

- A. Erect, construct, install, or otherwise place any structure, building, improvement, shed, fence, wall, dog run, dog house, playhouse, play equipment, TV or radio reception device, machinery, equipment, stand, scaffold, platform or other structure of whatever kind, whether stationary or moveable and whether permanent or temporary in character.
- B. Stockpile, store or place any gravel, stone, dirt, sand, wood, lumber or other organic or inorganic material or landscape material.
- C. Construct, install, run, string, or otherwise place any electrical wire, conduit or pipe, or any public service or private utility, into, upon, above, or across or beneath District Property, unless a Permit has first been obtained from the District and if and as applicable the Village of Palatine or other governmental authority having jurisdiction over such activity.
- D. Perform, cause or authorize any mowing, trimming, cutting or grooming of District Property, or perform any grounds maintenance for any purpose, or in like manner encroach onto District Property from privately or publicly owned lands.
- E. Plant vegetation of any kind on District Property.

- F. Allow, authorize, build, construct, or place the discharge point of any sump pump, pool, water feature, down spout, or foundation or other drainage, or any storm water management measures, including but not limited to swales, drains and contouring, that directs or is intended to direct or causes to be directed any drainage discharge onto District Property. All discharge from properties adjoining District Property shall be set back from the District Property line in such a manner that the water flow is discharged onto the originating property and flows in accordance with Illinois drainage laws.
- G. Any person who violates any part of this Section shall, after receiving written notification of violation from the District and in accordance with the timeframe and directions outlined in such notification, comply with the District's directives, whether in writing or delivered orally by a person with authority to enforce this Ordinance. The District shall have the discretion to address the encroachment with a negotiated agreement, civil remedy at law, or any other lawful remedy available to the District, including the physical removal of the encroachment.
- H. The District may remove any encroachment(s) from District Property and assess the person(s) who violated this Section the cost of removing such encroachment(s), and such charge shall be in addition to and not in lieu of any other penalties or remedies provided for in this Ordinance or any applicable Village of Palatine ordinance and/or State law.
- I. Any person who commits a violation of any part of this Section, in addition to any other civil or criminal penalty imposed, may be subject to a District ordinance violation fine in accordance with Chapter VII.

Section 2.46. Weapons and Firearms

- A. No Person shall use, fire, set-off or otherwise cause to explode, discharge or burn, or sell, throw or propel onto or while on District Property any weapon or "Firearm" (as that term is defined under Illinois law), including but not limited to those weapons and Firearms described in 720 ILCS 5/24-1 *et seq.*
- B. Except as provided by applicable law, including but not limited to the Firearm Owners Identification Card Act (430 ILCS 65/13.1) and the Firearm Concealed Carry Act (430 ILCS 66/1 *et seq.*), as now and hereafter amended, no Person shall bring onto, carry or have in his Possession any weapon or Firearm, any gas or explosive, any explosive substance, rocket, firecracker or other firework, missile, bomb, grenade, or other explosive device, liquid or gaseous substance, any object whose intended use is as a weapon, or any other weapon or Firearm described in 720 ILCS 5/24-1 *et seq.* on District Property.

CHAPTER III – 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, E-Bikes, and EPAMDs.

- A. No Person shall operate a Bicycle, Low-speed Electric Bicycle (hereinafter, "E-Bike") or EPAMD on District Property at a speed faster than twelve (12) miles per hour, or such lower speed as is reasonable and proper under the circumstances, which shall include, but is not limited to, the time of day, weather conditions, surface conditions, and proximity and number of other users.
- B. No Person using a Bicycle, E-Bike, or EPAMD shall interfere with pedestrian use of sidewalks or vehicle use of the streets, or otherwise act negligently, recklessly or without due caution, or in any manner so as to endanger any Person or property nor use same where such use has been posted as prohibited.
- C. When two or more Persons in a group are operating a Bicycle, E-Bike, or EPAMD, they shall not ride abreast, but shall ride in single file.
- D. No Person operating a Bicycle, E-Bike, or EPAMD shall cling or attach any part of themselves or their Bicycle, E-Bike, or EPAMD to any other moving vehicle.
- E. The operator of a Bicycle, E-Bike, or EPAMD emerging from an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians 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.
- F. No Person operating a Bicycle, E-Bike, or EPAMD shall carry another Person on the same device. This restriction does not apply to tandem bicycles, tandem E-Bikes, or child safety seats. In those cases, there shall be only the number of Persons on the bicycle or E-Bike as there are seats or saddles.
- G. No Person shall operate a Bicycle, E-Bike, or EPAMD on District Property between thirty minutes after sunset and thirty minutes before sunrise, without a clear, white, properly lighted headlight, visible under normal atmospheric conditions from the front therefore not nor less than 500 feet and firmly attached to the device, and without a red reflector firmly attached to the device, which is clearly visible in the headlight beam of an automobile for a distance of 500 feet to the rear of the bicycle.
- H. No Person may operate a Bicycle, E-Bike, or EPAMD on District playground surfaces, athletic fields, athletic courts, or sidewalks except small children riding three or more-wheeled bicycles while under the supervision and control of an adult. This restriction does not apply to operating a bicycle on a designated bicycle pathway.
- I. No Person shall ride a Bicycle, E-Bike, or EPAMD on any Park District owned or managed street or path where signs are posted prohibiting riding a Bicycle, E-Bike, or EPAMD on those streets or paths.
- J. A Bicycle, E-Bike, or EPAMD shall not, at any time, in any place, be indiscriminately parked by anyone in such a manner as to actually or possibly interfere with pedestrians or traffic, or with Persons getting into or out of automobiles. No Person shall leave a Bicycle, E-Bike, or EPAMD lying on the ground or pavement or set against trees or otherwise in a place that may create a safety hazard or interfere with the use of the area for recreational purposes. No Person shall move or in any manner interfere with, any Bicycle, E-Bike, or EPAMD which is properly parked, nor shall any Person interfere with, or in any manner, hinder any Person from properly parking a a Bicycle, E-Bike, or EPAMD.

- K. A Bicycle, E-Bike, or EPAMD, when operated on roadways, shall be kept to the right and shall be operated as nearly as practicable at the right-hand edge of the roadway or path.
- L. Every Person operating a Bicycle, E-Bike, or EPAMD on District Property shall observe all federal, state, local and District traffic rules and regulations applicable to motor vehicles, except those provisions of this chapter which by their nature can have no application to the operation of a Bicycle, E-Bike, or EPAMD and except as otherwise provided by this section.
- M. Motorized cycles or other similar devices propelled by gasoline, propane, or any other combustible fuel, are prohibited from District Property, including all District trails and Park District owned roadways.

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. Motor Vehicle Equipment and Operation.

- A. No Person shall operate or cause or allow the operation of a motor Vehicle on District Property unless it is (i) equipped with an adequate muffler or other dissipative device which is in constant operation and properly maintained to prevent any excessive or unusual noise, (ii) free from defects in equipment which affect sound reduction, and (iii) not modified in a manner which will amplify or increase the noise of the muffler or other sound dissipative device above that emitted by the muffler originally installed on the Vehicle, or which will increase the sound of the engine or the

volume of the Vehicle's sound system above that which was intended to be audible on the exterior of the Vehicle at the time of Vehicle manufacture.

- B. No Person shall operate or cause or allow the operation of a motor Vehicle in such a manner as to cause or allow to be emitted squealing, screeching, or other such noise from the tires in contact with the ground because of rapid acceleration or excessive speed around corners or other such reason; however, such noise resulting from emergency operation to avoid imminent danger shall be exempted.
- C. No Person shall use any motor Vehicle so out of repair, so loaded or in such a manner as to create loud and unnecessary grating, grinding, rattling, or other noise.

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

Section 3.16. Parking.

- A. 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. No Person shall park a Vehicle on District Property in other than established or designated parking areas, and such shall be in accordance with the posted directions and markings or with the directions of any attendant who may be present.
- C. No Person shall park any Vehicle or allow any Vehicle to remain parked in any area of District Property later than the closing time for that area, except during events approved by the District or with the approval of the District, which approval shall automatically be deemed given in connection with activities conducted by the District.
- D. No Person shall stop, park, or place any Vehicle on District Property so as to obstruct or interfere with pedestrian or vehicular traffic or travel or endanger the public safety.
- E. The operator of an authorized Emergency Vehicle, as defined in section 3.07 of this Ordinance, may park or stand irrespective of the provisions of this Ordinance.
- F. Every Person in whose name a Vehicle is registered pursuant to law and who leases such Vehicle to others, after receiving written notice of a violation of this Ordinance involving such Vehicle, shall upon request provide the District with a written statement of the name and address of the lessee at the time of such offense and the identifying number upon the registration plates and registration sticker or stickers of such Vehicle.
- G. No Person who is the lessor of a Vehicle pursuant to a written lease agreement shall be liable for the violation of any parking or standing regulation of this Ordinance involving such Vehicle during the period of the lease provided that upon the District's request received within 120 days after the violation occurred, the lessor provides within 60 days after such receipt the name and address of the lessee. The driver's license number may also be requested by the District if needed for enforcement of this Ordinance.
- H. Penalty Provisions for Parking Violations.

(1) Whenever any Vehicle shall have been parked in violation of any section of this Ordinance prohibiting or restricting vehicular standing or parking, the Person in whose name the Vehicle is

registered with the Secretary of State of Illinois shall be prima facie responsible for the violation and subject to the penalty therefor.

(2) Whenever any Vehicle is parked in violation of any parking provision of this Ordinance, any member of the District Police Force 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 Person who violates or fails to comply with any provision of this section shall be fined \$125.00 for each offense.

(5) 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.

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

Section 3.17. Riding Outside Vehicles.

- A. No Person shall ride upon the fenders, running boards, bumpers, hood, or any other exterior part of any Vehicle on District Property.
- B. No Person shall cling or attach himself, his Vehicle, or any other object, to any other Vehicle on District Property.

Section 3.18. Right of Way.

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

different roadways at approximately the same time, the operator of the Vehicle on the left shall yield the right-of-way to the Vehicle on the right.

Section 3.19. Siren Devices. No 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 3.20. Speeding.

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

- A. No Person shall drive or otherwise operate a Vehicle on District Property at a speed greater than is reasonable and safe under the circumstances, having due regard for traffic, pedestrians, weather conditions and the intended use of the roadway and at no time at a speed greater than 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 3.21. Traffic Signs and Signals.

- A. No Person shall fail to observe any traffic sign indicating speed limit, direction of travel, caution, stopping, parking, crosswalk lanes, traffic lane markers, and any other sign posted by the District for safeguarding life or property.
- B. No Person shall deface, damage, move, or otherwise interfere with any traffic sign or signal on District Property.

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

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

- A. 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 \$300 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. Except as otherwise provided in this Section, District Property shall be open to the public from sunrise each day until 11:00 p.m. 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. 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. Outdoor Facilities that are designated for active recreation and are artificially lighted shall remain open to the public until such time as the artificial lighting is turned off. Notwithstanding the foregoing, designated passive park zones shall close at sunset or 9:00 p.m. each day, whichever is earlier. Park hour signage will inform visitors of the park hours for each park owned by the District.

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 may, in the District's sole discretion, be stored or otherwise retained by the District for a reasonable period of time to facilitate recovery by the property's owner, taking in to consideration the type, size, condition, and other relevant characteristics of the property. All property not claimed shall be disposed of as the District deems appropriate.

Section 4.07. Building Use. No Person shall use any District building or facility for an event or activity 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 provides for the issuing of a Permit in order to engage in a particular activity. The District's primary object in requiring Permits for certain activities to be conducted on District Property is to coordinate multiple uses of limited space; to assure preservation of District Property for the use to which it is lawfully dedicated; to prevent dangerous, unlawful or impermissible uses; to protect the public health and safety; and to assure financial accountability for damages caused by an activity.
- B. Every Person requesting a Permit shall complete and file a written application with the Director, on forms provided by the District, and pay applicable application fees at the District's administrative offices.
- C. Unless otherwise provided in another section of this Ordinance or other District ordinance, rule or regulation, applications for Permits not involving the exercise of First Amendment Rights must be received by the District at least seven (7) but not more than ninety (90) calendar days prior to the conduct of the activity for which the Permit is sought. Applications for Permits involving the exercise of First Amendment Rights must be received by the District at least forty-five (45) calendar days prior to the conduct of the activity for which the Permit is sought.

For purposes of this Section, the term "exercise of First Amendment rights" shall include, but is not be limited to, parades, marches, demonstrations, rallies, religious services, speeches, solicitation of votes, petition signatures or contributions, picketing or leafleting.

- D. Except for Permits involving a commercial activity or for the sale or delivery of alcoholic beverages, the District shall issue the Permit without unreasonable delay unless:
 - 1. The proposed activity violates any federal, state, local, or District law, rule, ordinance, or regulation; or,
 - 2. A prior application for a Permit for the same date, time, and location has been or will be granted, or a District activity was previously scheduled for the same date, time and location, and the District activity or the activity which is the subject of the prior application does not reasonably allow multiple occupancy of that particular location;

3. The proposed activity is of such a nature that it cannot reasonably be accommodated in the particular location applied for, considering, without limitation, the likelihood of such things as damage to park resources or Facilities, damage to an environmentally sensitive or protected area's ecosystem, impairment of a protected area's atmosphere of peace and tranquility, potential for adverse impact on the health or safety of Persons, unreasonable interference with District functions, buildings, Facilities, operations, programs or activities, unavailability of District staff to oversee, or unreasonable interference with the use or purpose of the District Property applied for; or,
 4. The proposed activity would substantially impair the operation or use of Facilities or services of District concessionaires or contractors; or,
 5. The proposed activity would so dominate the use of District Property as to preclude other Persons from using and enjoying the park.
 6. The proposed activity is prohibited by, or inconsistent with, the classifications or permitted uses of the park or Facility, or part thereof, as provided in this Ordinance or other District ordinance, rule or regulation.
 7. The same applicant violated the terms of a previously issued Permit.
 8. The proposed activity would clearly present a public health or safety concern that cannot be eliminated by the application of Permit terms agreed to by the applicant.
- E. If the application is approved, the District shall issue a written Permit to the applicant. If the application is denied, the District shall issue to the applicant written reasons for denying the application.
 - F. If an application is denied on the basis of a scheduling conflict or inappropriateness of the location, duration, or time of the activity, the District will make a reasonable effort to arrange an alternative that is acceptable to all parties if requested by the applicant. If an application under a section providing for the exercise of First Amendment rights is denied, or the applicant is dissatisfied with such Permit as issued, he may appeal the decision to the Board within (30) days or at the next Board meeting after the decision is rendered. If the Board rejects the appeal after full review, or if time for full review is not available, the applicant may appeal the decision to the appropriate state or federal court. All other decisions on the issuance of Permits by the District are final.
 - G. Any Permit granted by the District may contain lawful prerequisites to the issuing of the Permit and restrictions on the conduct of the permitted activity including without limitation: general liability insurance coverage; an agreement to fully indemnify and hold the District harmless from any liability or costs resulting from the activity; a requirement that the Persons involved in the activity obey or comply with all federal, state, local, and District laws, rules, and regulations; time, duration, and location restrictions; restoration deposit; a written agreement by the applicant to fully restore any District Property soiled or damaged by the activity; and, any reasonable restriction necessary for the efficient and orderly contemporaneous administration of the activity, other activities with a Permit, and regular District uses, functions, programs, and activities.
 - H. Any Person holding a valid Permit issued by the District for use of District Property shall take precedence for use of that District Property over any Person other than the District.
 - I. The District may make necessary changes or place necessary additional restrictions on any Permit after it has been issued.
 - J. Violation of the terms and conditions associated with the Permit may result in the suspension or revocation of the Permit.

- K. Unless specifically provided elsewhere in this Ordinance or any agreement, resolution or ordinance approved by the Board, no Permit shall be issued for a period in excess of seven (7) consecutive days. A Permit may be extended for like periods of time upon a new application, unless another Person has requested or the District has a prior scheduled use of the same location during such time(s) and multiple use of that location is not reasonably possible.

Section 5.02. Insurance and Hold Harmless Agreement.

- A. Except as otherwise provided in this subsection, every applicant for a Permit of every kind shall acquire general liability insurance to protect himself and the District from liability resulting from his use of District Property and provide proof of such insurance to the District before the District will issue a Permit to an otherwise valid applicant. The District must be named on such policy as additional insured. Where possible, an applicant may acquire a rider to the District's insurance policy at the applicant's cost and expense. Applicants should contact the District's administrative office for more information.

For activities involving the exercise of First Amendment rights, including without limitation parades, public gatherings, speeches and rallies, this requirement may be waived by the District if the applicant can demonstrate that 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.

- 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 act(s) 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 satisfactorily perform according to the agreement, the District reserves the right to bill the permittee and pursue any and all legal remedies.

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

CHAPTER VI - ENFORCEMENT

Section 6.01. 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 District Police Force shall have the authority to eject from District Property, arrest, or issue citations or warnings to any Person who violates any provision of this Ordinance or any other District ordinance, rule or regulation.
- C. The District Police Force shall have the authority, to seize, confiscate and impound any substance, plant, animal, vehicle, or other article which, upon a preponderance of the evidence or probable cause, they find to be used or possessed in violation of this Ordinance provided under applicable law. District employees may act as peace officers when aiding the District Police Force, at their request.
- D. The District Police Force will report to the Director. Communication relating to detail and issues shall be with those assigned by the Director to communicate with the District Police Force.

Section 6.02. Fines. The violation by any person of the laws and regulations of the District or by any permittee of the terms of his/her permit issues pursuant to this chapter shall subject the person or permittee to a civil fine of up to \$1,000.00. Each day that a violation continues shall be deemed a separate violation. Such fines may be assessed against any security deposit held by the District on behalf of the permittee, pursuant to this ordinance, or may be assessed a fine for moneys in excess of any security deposit held by the District. The Board shall give the person or permittee prompt written notice of any fines to be assessed in excess of the security deposit. Such notice shall be served on the person or permittee by personal delivery, or by deposit in the United States mail, with proper postage prepaid to the name and address set forth on the application for permit.

Section 6.03. 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, rules, or regulations.

Section 6.04. Parties to Ordinance Violation.

- A. Every Person who commits, attempts to commit, conspires to commit, or aids or abets in the commission of any act in violation of this Ordinance or other ordinance, rule or regulation of the District, as a principal, agent, or accessory, shall be guilty of such offense, and every Person who falsely, fraudulently, forcibly or willfully induces, causes, coerces, requires, permits, or directs another to violate any provision of this Ordinance is likewise guilty of such offense.
- B. Any Person who is the owner, registered owner, or Person in control of any animal, Vehicle or other property of any kind brought, placed, parked or allowed to remain on District Property in violation of this Ordinance or other District ordinance, rule, or regulation, shall be deemed prima facie responsible for such violation and shall be subject to the penalties provided herein.

- C. It is unlawful for the owner or any other Person employing or otherwise directing the operator of any Vehicle, to request or knowingly permit operation of any such Vehicle on District Property in any manner contrary to this Ordinance.
- D. Where applicable, the District may pursue all of its rights and remedies available under the Illinois Parental Responsibility Law, 740 ILCS 115/1 *et seq.*

CHAPTER VII – PENALTIES

Section 7.01. Suspension and/or Revocation of Privileges; Fine.

A. 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 (individually and collectively referred to in this Section as, "District Rule(s)"), may have his admission rights and use privileges to District Property suspended or revoked in accordance with this Section, and may be subject to any other penalties specified in this Ordinance, any other District ordinance or other applicable laws.

B. Procedure for Suspension and/or Revocation of Rights

In the event that: (i) a Person violates any District Rules, and (ii) the Director in consultation with District legal counsel 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, or materially interferes with the use and enjoyment by other Persons of District Property for its intended use; the Director, or his or her designee, may verbally order the Person (hereinafter in this Section referred to as "Suspended Person") to leave District Property and to refrain from usage of all District Property pending further District review of the facts and until further order of the Director in accordance with the following policy and procedures.

(1) As soon as is reasonably practical after the order to leave District Property is issued by the Director, or his or her designee, the District will provide the Suspended Person with written notice confirming the verbal order to leave. The written notice will inform the Suspended Person of:

- a. The nature of the offense;
- b. The intended suspension period for the offense commencing on the date of the order to leave District Property;
- c. An explanation of the facts that form the basis of the proposed suspension;
- d. Instructions for appealing the proposed suspension to the Director, and/or such other individual(s) who may be designated by the Director, to provide the Suspended Person an opportunity to present his or her version of the incident; and
- e. That the Suspended Person is not to return to any District Property until the suspension is lifted/the Suspended Person's rights to use District Property have been reinstated, and if the Suspended Person is found on District Property, he/she may be arrested and/or prosecuted for "trespass."

If a Suspended Person who has been notified in accordance with this Section is observed on District Property prior to any reinstatement, the Suspended Person may be subject to arrest for trespass.

(2) In the event the Suspended Person appeals his or her suspension in accordance with the procedures outlined in the Director's written notice, as soon thereafter as is reasonably practical, the Director, or his or her designee, shall send written notice to the Suspended Person: (i) confirming the suspension and suspension period and advising the Suspended Person of any conditions that he or she must meet to prevent further risk to the public and to regain use of District Property; or (ii)

advising the Suspended Person of the immediate reinstatement of his/her use privileges and any conditions on such reinstatement; or (iii) advising the Suspended Person that additional time is needed to obtain and review additional information before a decision can be made on the suspension, and the new date by which the decision will be made. The decision made by the Director, or his or her designee, following the Suspended Person's appeal shall be final.

Section 7.02. Eviction, Fine. In addition to and not in limitation of any other remedy available to the District under applicable law, any Person violating or disobeying any section or part of this Ordinance, or any other District ordinance, policy, rule, or regulation, may be evicted forthwith from District Property, have his rights to access and use of District Property suspended or revoked and/or may, upon conviction, be fined not more than \$1,000.00 for each offense.

Section 7.03. Restitution. In addition to, or instead of, the fines and penalties provided for in Section 7.01 and 7.02, 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). Additionally, the District may request that the Person be required to provide community service.

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

Section 7.04. Seizure/Removal/Impoundment of Property. Any property, substance, or thing brought into, utilized, placed, or left on District Property in violation of this Ordinance, or any other District ordinance, rule, or regulation may be removed, seized, and destroyed or seized and impounded in certain cases (including without limitation Vehicles, bicycles and animals). Property so impounded shall not be returned to the owner(s) thereof until such Person(s) provides the District with acceptable proof or evidence of ownership and until such Person(s) has reimbursed the District in full for all costs and expenses to the District of such impoundment including without limitation any removal and storage charges. Property not claimed by the rightful owner(s) thereof within sixty (60) days after such impoundment may be sold by the District which shall be entitled to the entire proceeds thereof, or otherwise disposed of. Any motor Vehicles towed and/or impounded shall be disposed of according to the applicable laws of the State of Illinois. Abandoned Property may be seized and disposed of in accordance with Section 4.06.

Section 7.05. Non-Exclusivity of Penalties. The penalties provided for in this Ordinance are in addition to and not exclusive of any other remedies available to the District as provided by applicable law. The penalties provided for in any section of this chapter may be imposed or assessed in addition to and not necessary in lieu of the penalties provided for in other sections of this ordinance.

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 23rd day of March 2026.

ROLL CALL VOTE:

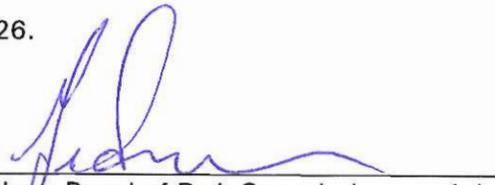
AYE: Jennifer Rogers, Sue Gould, Joe Petricca, Michelle Rushing, Greg Sammons

NAY:

ABSENT:

ABSTAIN:

APPROVED this 23rd day of March 2026.



President, Board of Park Commissioners of the
Palatine Park District

ATTESTED and RECORDED this
23 day of March 2026 and
published in pamphlet form
this 25 day of March, 2026.



Secretary, Board of Park Commissioners
of the Palatine Park District