# ORDINANCE 15-01

# AN ORDINANCE OF THE BARTLETT PARK DISTRICT REGULATING THE USE OF PARKS AND FACILITIES, PROVIDING FOR PENALTIES AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH

## (REGULATORY ORDINANCE POLICY 7.00 – 7.90)

**Board Approved: January 27, 2015**

# 7.00 REGULATORY ORDINANCE POLICY

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**Ordinance 15-01**, A Policy for Regulating the Use of Parks, Providing for Penalties, and Repealing All Ordinances in Conflict Therewith (Regulatory Ordinance Policy) ***Approved by the Board of Commissioners 01/27/15***

# 7.00 POLICY FOR REGULATING THE USE OF PARKS AND FACILITIES AND PROVIDING FOR PENALTIES, AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH:

## 7.01 DEFINITIONS, CONSTRUCTION AND SCOPE

**7.01.10** **SECTION 1. DEFINITIONS**:
Unless otherwise expressly stated, whenever used in this Ordinance, the following terms respectively mean:

**7.01.10.10** A. **"Board"** shall mean the Board of Commissioners of Bartlett Park District, DuPage, Cook and Kane Counties, Illinois.

**7.01.10.12** B. **"District"** shall mean the Bartlett Park District, DuPage, Cook, and Kane Counties, Illinois.

**7.01.10.13** C. **"Executive Director"** shall mean the Executive Director of the Bartlett Park District or their designate.

**7.01.10.14** D. **"Park and Facilities"** shall mean all developments, improvements, facilities and any or all land, minerals, waters, overhead air rights, easements and other reservations owned, leased, controlled or used by the District.

**7.01.10.15** E. **"Permit and Reservation"** shall mean and include any authorization issued by the Executive Director pursuant to the authority of the Board for a specified park privilege, activity or event or permitting the performance of a specified act or acts in any Park.

**7.01.10.16** F. **"Rules and Regulations"** shall mean and include any regulations adopted by the Board.

**7.01.10.17** G. **"Person"** shall mean individual, company, partnership, corporation, incorporation or association, or any combination of individuals, or any employee, agent or officers thereof.

**7.01.10.18** H. **"Group"** shall mean an assemblage of two or more persons.

**7.01.10.19** I. **"Vehicle"** shall mean any device, conveyance or combination of conveyances, wheeled (excepting wheelchairs or like conveyances used by individuals with disabilities) or without wheels (but excepting motor boats) propelled, towed or unpropelled, that in, around or on which a person or thing is or may be carried and shall include without limitation bicycles, scooters, mini bikes, motorcycles, snowmobiles and golf carts.

**7.01.10.20** J. **"Alcoholic Liquor"** shall be defined as defined in the Illinois Liquor Control Act (235 ILCS 5/1-1 et. seq.) (1992), as same is amended from time to time.

**7.01.10.21** K. **"Controlled Substance"** shall be defined as defined in the Illinois Controlled Substance Act (515 ILCS 5/1-1 et. seq.) (1992) Illinois Revised Statutes) as same is amended from time to time.

**7.01.10.22** L. " Concealed Carry of Firearm" shall be as defined in Public Act 98-63 the Firearm Concealed Carry Act IL State Law #430 ILCS 66/65

**7.01.10.23** M. **"Ordinance"** shall mean the same as **"Policy for Regulating the Use of Parks..."** in this document.

**7.01.20** **SECTION 2. CONSTRUCTION AND SCOPE OF ORDINANCE**:

**7.01.20.10** A. **Construction:** In the interpretation of this Ordinance affecting parks, its provisions shall be construed as follows:

**7.01.20.10.11** 1. Any term in the singular shall include the plural;

**7.01.20.10.12** 2. Any requirement or provisions of this Ordinance relating to any act shall respectively extend to and include the causing, procuring, aiding or abetting, directly or indirectly, of such act; or the permitting or the allowing of any unemancipated minor the doing of any willful or malicious act prohibited by the provisions hereof by the parent or legal guardian of such minor;

**7.01.20.10.13** 3. No provision hereof shall make unlawful any act necessarily performed by any officers or employees of the District in the line of duty or work as such, or by any person, their agents or employees, in the proper and necessary execution of the terms of any agreement with the Board;

**7.01.20.10.14** 4. Any act not prohibited by this Ordinance, provided it is not otherwise prohibited by law or local Ordinance, shall be lawful if performed within custodial quarters within the park or if performed under, by virtue of, and strictly in compliance with the provisions of a permit and to the extent authorized thereby;

**7.01.20.10.15** 5. This Ordinance is in addition to and supplemental to all municipal, state and federal laws and ordinances. The meaning of any term not otherwise defined in this Ordinance shall be construed and interpreted to mean the same as said term is otherwise construed or interpreted in any applicable municipal, state and federal law and ordinance.

**7.01.20.20** B. **Territorial Scope:** This Ordinance shall be effective within and upon all areas under the jurisdiction of the Board, and shall regulate the use thereof by all persons.

# 7.10 PARK DISTRICT GENERAL USE REGULATIONS CHAPTER I—PUBLIC USE

**7.10.10** **SECTION 1. PURPOSE OF THE DISTRICT**:
Parks are for use by the general public. Functions of the District include: acquiring, protecting, restoring, restocking, developing and interpreting a well-balanced system of parks with scenic, ecological, recreational and historic values for the inspiration, education, use and enjoyment by the public. This Ordinance is intended to help carry out this function.

**7.10.20** **SECTION 2. HOURS OF USE:**

**7.10.21** A. **Parks With Buildings**: In parks with buildings when said buildings are being utilized, opening time for said parks shall be at sunrise and closing at 11:00 p.m., except with special permit for just cause issued by the Executive Director, at special events approved by the Executive Director, or at any facilities where other authorized and posted opening and closing times are designated by the Executive Director or the Board of Commissioners. The portion of the Community Park parking lot immediately adjacent to the Bartlett Community Center and the drives necessary to gain access to said lot shall be open in conjunction with the opening time for the LifeCenter Health and Fitness Club, or sunrise, whichever is earlier. Closing time for said lot and drives shall be 30 minutes after the completion of any activity scheduled for the Oak Room or other scheduled activity within the Community Center, or 11:00 p.m., and at Villa Olivia up to 1:00am., whichever is later.

**7.10.22** B. **Parks With Outdoor Lighted Sports Facilities**: In parks with outdoor lighted sports facilities when said lighted facilities are being utilized, opening time for said parks shall be at sunrise and closing at 11:00 p.m., except with special permit for just cause issued by the Executive Director, or at special events approved by the Executive Director.

**7.10.23** C. **Closing Certain Areas at Dusk:** All picnic shelters in the parks and at the Nature Center, parks without buildings or outdoor lighted facilities, or parks with buildings or outdoor lighted sports facilities, if said buildings and lighted facilities are not being utilized, shall open at sunrise and close at dusk, except with special permit for just cause issued by the Executive Director.

**7.10.30** **SECTION 3. PERMITS:**

**7.10.31** **Designation of Park Facilities**

**7.10.31.10** **Proposed Designation**

A. The Executive Director shall classify all park property under a uniform system of classification and designate for each such classification the use or uses, which in their judgment, should be permitted therein. Categories of classifications that the Executive Director shall designate may include, but are not limited to, parks, playgrounds, play lots, buildings, athletic fields, and leased facilities.

B. The Executive Director shall classify all park property under the following classification system:

1. Public forums;
2. Limited use areas;
3. Areas or facilities not designated for public assembly; or
4. Facilities

C. The Executive Director shall record the designations for each park and shall transmit the same promptly to the Board, which shall approve, amend or reject the designations. Thereafter, the Executive Director may, from time to time, as they shall deem necessary and proper, amend or revise the designations and shall promptly transmit in writing the amendments or revisions to the Board, which shall approve, amend or reject the same. All such designations and the Executive Director's amendments and revisions thereof, shall be in full force and effect from the time that the same are expressly approved or amended by the Board.

**7.10.31.20 Park and Facility Designations**

**7.10.31.21 A. Areas or facilities not designated for public assembly—Permits shall *not* be issued for use**

- Playgrounds
- Sledding Hills/Ski Hills
- Passive sitting areas
- Creeks
- Wetlands/woods/natural areas
- Pathways
- Landscape beds
- Non-Revenue producing Buildings
  - Administration Building
  - Maintenance Facility
  - All areas within the Bartlett Community Center not designated as a special facility
- Tennis courts
- Skate Parks
- Interpretive Trail
- Outdoor Basketball courts
- Spray Playgrounds
- Dog Park
- Golf Courses

**7.10.31.22 B. Public Forums—Permits may be issued as described within the Ordinance**

- Athletic game fields & practice fields
- Open field play areas
- Park Shelters & Nature Center Shelter
- Gazebos
- Parking Lots
- O’Brien Woods Teaching Circle

**7.10.31.23 C. Limited Use Areas—None Listed**

**7.10.31.24 D. Facilities—Permits may be issued as described within the Ordinance**

- Community Center Program Rooms and Gymnasium
- Nature Center
- Log Cabin
- Splash Central
- The Oak Room
- Party Place
- Bartlett Aquatic Center
- Apple Orchard Golf Course
- Schrade Gym
- Villa Olivia

**7.10.32 <u>Rules and Regulations</u>**

The Executive Director may, from time to time, establish reasonable rules and regulations for the use of each facility in the Park System and for obtaining permits pursuant to this chapter. Such rules and regulations shall be based on a due regard for the purpose for which the facility is established, the safety of those using the facility, of park employees and of the public, the safety and maintenance of Park District property, the need for and the availability of supervisory personnel, and the maximum number of people who can safely use the facility at one time. Subject to the foregoing, and except as hereinafter provided, all Park District facilities may be used by members of the general public, without permit, for recreational and athletic purposes not inconsistent with the nature of the facility and the safety of the public and of Park District property.

**7.10.33 <u>Permit Requirement</u>**

**7.10.33.10 General**

No person shall, without a permit:

A. Conduct a public assembly, parade, picnic, or other event involving more than fifty individuals;

B. Reserve any facility of the Bartlett Park District for exclusive use;

C. Circulate or distribute any leaflets, handbills, notices, pamphlets, books, documents or papers of any kind in any indoor facility.

D. Conduct any exhibit, music or dramatic performance, fair, circus, concert, play, radio or television broadcast, other than a news transmission;

E. Exhibit or display any motion picture, television program, light or laser light display, or similar event;

F. Operate a vehicle except upon a publicly dedicated street, alley, watercourse or other thoroughfare that may be abut or traverse a park;

G. Create or emit any Amplified Sound, except from a radio, recorder or other device possessed and used by an individual for their own enjoyment and operated in such a manner so as not to interfere with the use and enjoyment by another person;

H. Station or erect any building, tent or canopy larger than 10x10 feet, stand, bandstand, stage, tower, scaffold, sound stage, platform, or other structure;

I. Station or use any electrical or electronic device or equipment that would require outdoor auxiliary power;

J. Sell or offer for sale any goods or services;

K. Display, post or distribute any placard, handbill, pamphlet, circular, book or other writing containing commercial advertising matter within the Park System except as required by State statute for elections;

L. Bring, land or cause to ascend or descend or alight within the Park District, any airplane, helicopter, flying machine, balloon, parachute or other apparatus for aviation;

M. Conduct any organized sporting event;

N. Ride any horse on any driveway, roadway, path or trail;

O. Bring onto property any tame, non-domestic supervised and controlled or restrained animal for limited non-commercial or promotional purposes.

**7.10.33.20 Permits for Activities Involving More Than 500 Individuals**

No activity involving more than five hundred individuals shall be held within two thousand five hundred feet (2,500 feet) nor within two hours of any other activity involving more than five hundred individuals.

**7.10.34 <u>Application for Permits</u>**

**7.10.34.10. Filing Written Application**

**7.10.34.11** A. **General**

Any person seeking the issuance of a permit to reserve Park District facilities for any event other than those listed in B, C, and E below, shall apply by filing a written application on the proper facility form with the District's Scheduling Manager. All applications must be received at least seven (7) business days prior to the event or within such time as shall be prescribed for each facility by the Executive Director.

**7.10.34.12** B. **Special Event Permit**

Applications involving any of the following non-Park District sponsored activities shall be submitted to the Executive Director:

1. An event involving more than one hundred individuals; except for those events within Facilities (see D and E below);

2. The sale or offering for sale of any goods or service;

3. The overnight use of any Park District facility where the use is more than two consecutive nights;

4. The sale or service of alcohol on Park District property by other than Park District personnel;

5. Advertising or commercial activities;

6. Activities involving more than one park;

7. A religious or partisan political event except for those within Facilities (see D and E below);

8. Creation or emission of any Amplified Sound except for that occurring within Facilities and, except from a radio, recorder or other device possessed and used by an individual for their own enjoyment and operated in such a manner so as not to interfere with the use and enjoyment by another person;

9. Stationing or erecting any building, stand, bandstand, stage, tower, tent or canopy larger than 10x10 feet, scaffold, sound stage, platform, or other structure;

10. Use of any electrical or electronic device or equipment requiring outdoor auxiliary power, except for the use of the electrical outlets at the shelters other than to create amplified sound (see 8. above);

11. Bring, land or cause to ascend or descend or alight within the Park District, any airplane, helicopter, flying machine, balloon, parachute or other apparatus for aviation;

12. Riding of a horse or horses; or

13. Use of mechanical rides, inflatables, etc.

**7.10.34.13** C. **Media/Motion Picture/Commercial Photography**

Any person seeking the issuance of a permit for filming of a media broadcast (other than a news transmission), motion picture, or still commercial photography shall file a written application for permit with the Executive Director on a form and within such time as shall be prescribed by the Executive Director.

**7.10.34.14** D. **Facilities—Less than 160 people**

Any person seeking the issuance of a permit for use of Park District property designated as a Facility by less than 160 people shall file a written application for permit with the Executive Director on a form and within such time as shall be prescribed by the Executive Director.

**7.10.34.15** E. **Facilities—160 or More people**

Any person seeking the issuance of a permit for use of Park District property designated as a Special Facility by 160 people or more shall file a written application for permit with the Executive Director on a form and within such time as shall be prescribed by the Executive Director.

**7.10.34.20 Board Approval**

For any activity described in 7.10.34.10 C and approval must be granted by the Board of Park Commissioners.

**7.10.34.30 Application Fee**

For any activity described in this section, no application for permit shall be considered unless the applicant shall have paid at the time for filing an application for permit, the required application fee in an amount in accordance with the schedule of fees set by the Executive Director.

**7.10.34.40 Indemnification and Reimbursement Agreement**

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

**7.10.34.50 Security Deposit**

For any activity described in section 7.10.34.10 B, C, D, and/or E, no application for permit shall be granted unless the applicant has paid within the time prescribed by the Executive Director, the security deposit in an amount in accordance with the schedule of fees set by the Executive Director. Security Deposits are not required for Shelters, Athletic Fields, the Bartlett Park Gazebo. The amount of the security deposit set in the schedule of fees shall be equal to the estimated cost of policing, cleaning up, and restoring the park upon the conclusion of the use or activity. Promptly after the conclusion of a permitted activity, the Park District shall inspect the premises and equipment used by the permittee.

A. If it is determined that there has been no damage to Park District Property or equipment beyond reasonable wear and tear, the security deposit shall be refunded in full within thirty (30) days of the conclusion of the permitted event.

B. If it is determined by such inspection, that the permitted event proximately caused damage to Park District property in excess of normal wear and tear and which requires repairs in excess of routine maintenance, the Park District shall retain the security deposit or any portion thereof, necessary to pay for the repair cost, or any fines assessed against the permittee, The Executive Director shall give written notice of the assessment of damages or fine and retention of the security deposit to the permittees by personal delivery or by mail or e-mail, with proper postage prepaid to the name and address set forth in the application for permit. Any assessment of damages or fine in excess of the security deposit shall be paid to the Park District within ten (10) days after notice of such assessment of damages is sent.

Retention of all or a portion of a security deposit shall be subject to the appeal procedures contained in Section 7.10.36. An assessment of damages or fine in excess of the security deposit shall also be subject to the appeal procedures contained in Section 7.10.36. Security deposit may be withheld for failure to leave facility at designated time per agreed upon on permit.

**7.10.34.60 Fees for Use of Park Facilities**

No application for permit shall be granted unless the applicant has paid within the time prescribed by the Executive Director, a user fee and any other required fee in an amount in accordance with the schedule of fees set by the Executive Director and approved by the Board. No application for permit shall be granted unless all required fees are paid as specified in section 7.10.35.20, below. The Bartlett Park District may waive fees for sponsorship or other compensation.

**7.10.34.70 Insurance**

If so required on the Application Form, applicant shall procure and maintain at all times during its use of Park District property, insurance in such amounts and with such coverages as shall reasonably be required by the Park District and shall name Park District as an additional insured thereunder. The amounts and type of insurance required shall be determined by the Administration Department, based upon the nature of the activity and the risk involved. The Administration Department shall prepare a uniform schedule of insurance guidelines for particular types of activities. Applicant shall provide Park District with a certificate from an insurer evidencing such coverage prior to applicant's use of Park District property, and within the time prescribed by the Executive Director. The certificate shall also provide that the insurer shall give the Park District reasonable advance notice of insurer's intent to cancel the insurance coverage provided.

**7.10.34.80 Permits Not Transferable**

No permit or preliminarily approved permit application may be transferred.

**7.10.35 <u>Processing of Application for Permits</u>**

**7.10.35.10 Order**

Applications for permits shall be processed in order of receipt; and the use of a particular park or part thereof shall be allocated in order of receipt of fully executed applications accompanied by the application fee.

**7.10.35.20 Conditional Approval**

Applications for permits for activities or events which require insurance, approval or permits from other governmental entities, or compliance with other terms or conditions, will be reviewed, and if the application otherwise conforms to all other requirements, a conditional approval will be issued. If, within the time prescribed by the Executive Director any required fee or security deposit is not paid, or any required insurance certificate evidencing the requisite insurance is not filed with the Administration Department, or the approval or permit of other governmental entities has not been received, or the other terms and conditions have not been met, the conditional approval will automatically expire, the application for permit will be deemed denied and no written notice of denial will be required. For events or activities which involve activities described in Section 7.10.34.10 C above, all terms and conditions for issuance of the permit, including securing insurance and payment of all fees and security deposit, must be completed at least fifteen (15) days prior to the event unless a longer time period is prescribed by the Executive Director.

No permit shall be issued unless all applicable fees and security deposit are paid within the times prescribed by the Executive Director. Failure to pay fees or security deposit within that time shall cause the application to be deemed denied, without further notice to the applicant.

**7.10.35.30 Written Denials**

If no written denial or conditional approval is issued within fourteen (14) days of the date on which a permit application is fully completed, executed and filed with the Executive Director or designate, the application shall be deemed to have been granted a conditional approval pursuant to Section 7.10.35.20 above. Provided, however, the Park District may extend the period of review for an additional fourteen (14) days by issuance of a written notice of extension. If, prior to the expiration of the extended review period no written denial is issued, the application for permit shall be deemed to have been granted a conditional approval pursuant to Section 7.10.35.20 above.

**7.10.35.40 Notice of Extended Review or Denial or Issuance of Permit**

Written notice of denial or notice of extension shall be served on the applicant by personal delivery mail or e-mail to the name and address set forth on the application for permit.

**7.10.35.50 Contents of Notice; Grounds for Denial**

A. Notice of denial of an application for permit shall clearly set forth the grounds upon which the permit was denied and where feasible, shall contain a proposal by the Park District for measures by which the applicant may cure any defects in the application for permit, or otherwise procure a permit. Where an application or permit has been denied because a fully executed prior application for the same time and place has been received, and a permit has been or will be granted to the prior applicant authorizing uses or activities which do not reasonably permit multiple occupancy of the particular area, the Park District shall propose an alternative place, if available, for the same time or an alternative time, if available, for the same place.

B. To the extent permitted by law, the Park District may deny an application for permit if the applicant or the person on whose behalf the application for permit was made has on prior occasions made material misrepresentations regarding the nature or scope of an event or activity previously permitted or has violated the terms of prior permits issued to or on behalf of the applicant. The Park District may also deny an application for permit on any of the following grounds:

1. The application for permit (including any required attachments and submissions) is not fully completed and executed;

2. The applicant has not tendered the required application fee with the application or has not tendered the required user fee, indemnification agreement, insurance certificate, or security deposit within the times prescribed by the Executive Director;

3. The application for permit contains a material falsehood or misrepresentation;

4. The applicant is legally incompetent to contract or to sue and be sued;

5. The applicant or the person on whose behalf the application for permit was made has on prior occasions damaged Park District property and has not paid in full for such damage, or has other outstanding and unpaid debts to the Park District;

6. A fully executed prior application for permit for the same time and place has been received and a permit has been or will be granted to a prior applicant authorizing uses or activities which do not reasonably permit multiple occupancy of the particular park or part thereof;

7. The use or activity intended by the applicant would conflict with previously planned programs organized and conducted by the Park District and previously scheduled for the same time and place;

8. The proposed use or activity is prohibited by or inconsistent with the classifications and uses of the park or part thereof designated pursuant to section 7.10.31.10 above;

9. The use or activity intended by the applicant would present an unreasonable danger to the health or safety of the applicant, or other users of the park, or Park District employees, or of the public;

10. The applicant has not complied or cannot comply with applicable licensure requirements, or ordinances or regulations of the Park District concerning the sale or offering for sale of any goods or services;

11. The use or activity intended by the applicant is prohibited by law, by this Code and ordinances of the Park District, or by the regulations of the Executive Director.

**7.10.35.60 Amendment or Revision of Applications**

Any amendment or revision of an application or permit shall, for purposes of determining the priority of the application for permit, relate back to the original filing thereof; but the time in which the Park District shall grant or deny the application for permit and serve notice of such granting or denial shall be computed from the date of the amendment or revision.

**7.10.36 <u>Procedures for Review, Waivers</u>**

**7.10.36.10. Review by Executive Director**

A. Any applicant who is denied a permit or denied a request for a waiver of user fee, security deposit, or certificate of insurance, or a permittee who has had all or a portion of its security deposit retained because it was assessed damages or a fine pursuant to this Ordinance may, within seven (7) days of the service of notice of such determination, file a written appeal from such determination with the Executive Director;

B. The Executive Director shall have seven (7) days from the date on which the appeal was received in which to serve upon the applicant a notice that he/she has affirmed, modified or reversed the denial or retention of security deposit;

C. Such notice shall be deemed served upon the applicant or permittee when it is personally delivered or when it is sent by mail or e-mail, to the name and address set forth on the application for permit;

D. If such notice is not served upon the applicant or permittee within seven (7) days of the date upon which the appeal was filed, then the denial or retention of security deposit shall be deemed reversed.

**7.10.36.20 Form of Appeals**

Any appeals filed pursuant to this Ordinance shall state succinctly the grounds upon which it is asserted that the determination should be modified or reversed, and shall be accompanied by copies of the application for permit, the written notice of the determination of the Park District, and any other papers material to the determination.

**7.10.36.30 Waiver of Requirements**

Any requirements for a user fee, security deposits, or certificate of insurance shall be waived by the Executive Director, upon the advice and consent of the Park District attorney, if the activity is protected by the First Amendment of the United States Constitution and the requirement would be so financially burdensome that it would preclude the applicant from using Park District property for the proposed activity. Fees for equipment and services shall not be waived pursuant to this subsection. Application for a waiver of a user fee, security deposit, or certificate of insurance shall be made on a form prescribed by the Park District attorney and must include an affidavit by the applicant and sufficient financial information about the applicant to enable the Park District attorney to determine whether the requirement(s) would be so financially burdensome that it would preclude the applicant from using Park District property for the proposed activity. If it appears that the applicant does not have sufficient funds to satisfy the user fee requirement prior to the proposed event, but that the applicant intends to raise sufficient funds at the event, the Park District attorney shall require the applicant to pay such user fee out of the proceeds of the proposed event. If no written denial is issued within fourteen (14) days of the date on which the application for such waiver is fully completed, executed and filed with the Park District attorney, the waiver request shall be deemed approved, contingent upon the applicant complying with all other permit requirements. Denials of requests for such waivers shall be subject to the appeal procedures contained in Section 7.10.36 above.

**7.10.37 <u>Fines</u>**

The violation by a permittee of the terms of their permit or the laws and regulations of the Park District shall subject the permittee to a civil fine of not less than $50, but not to exceed $500. Each day that a violation continues shall be deemed a separate violation. Such fines may be assessed against any security deposit held by the Park District on behalf of the permittee, pursuant to Section 7.10.34.40, above. Any assessment of fines in excess of any security deposit shall be subject to the procedures contained in Section 7.10.36, above.

**7.10.38 <u>Severability</u>**

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of this Ordinance and the application of such provision to other persons or circumstances shall not be affected thereby. The Park District reserves the power to amend or repeal this Ordinance at any time, and all rights, privileges and immunities conferred in this chapter or by acts done pursuant hereto shall exist subject to such power.

# 7.20 CHAPTER II
# PROTECTION OF PROPERTY, STRUCTURES, AND NATURAL RESOURCES

**7.20.10** **SECTION 1. DESTRUCTION OR MISUSE OF PROPERTY AND STRUCTURES**: No person shall, upon or in connection with any property of the District:

**7.20.10.10** A. Destroy, deface, paint, alter, change, or remove any monument, stone marker, bench mark, stake, post, or blaze marking, or designating any boundary line, survey line or reference point.

**7.20.10.11** B. Cut, break, mark upon or otherwise damage, destroy or remove any post, building, shelter, picnic table, bridge, pier, pump, lamp post, fence, gate, refuse container, exhibit, display, tool or equipment, storage box, utility outlet, flagpole, spray playground, skate park or any other structure or parts thereof.

**7.20.10.12** C. Deface, destroy, cover, damage or remove any placard, notice, or sign, or parts thereof, whether permanent or temporary, posted or exhibited by the District to announce the rules, regulations and warnings, or any other information to the public necessary or desirable to the proper use of the park.

**7.20.10.13** D. Take, appropriate, excavate, injure, destroy, or remove any historical or prehistorical ruin or parts thereof, or any object of antiquity.

**7.20.10.14** E. Throw, carry, cast, drag, push or deposit any refuse container, picnic table, barricade or any other movable or non-movable property into the lake, pond, slough, stream, creek, or lagoon or upon the frozen waters thereof, or to otherwise move, stack, or hide such property in such a way as to render it unavailable to the general public for its intended use, to cause a hazard to public safety or to damage or destroy such property.

**7.20.10.15** F. Occupy or inhabit, or cause to be occupied or inhabited, any barn, shed, or other structure, or use for storage or cause to be used for the storage of any goods, any barn, shed, or other structure without written permission of the Executive Director.

**7.20.10.16** G. Enter into or upon any park or waters or area thereof or structure closed or posted against trespass, without written permission of the Executive Director. These structures or areas may be, but are not limited to, construction areas, work safety zones, equipment or material storage structures or areas, work shops or stations, tree nurseries or areas undergoing intensive reforestation or other soil or vegetative treatment of areas hazardous to public safety or health.

**7.20.10.17** H. Tamper with in any way, enter or climb upon, weaken, destroy, damage, or remove anything from any park vehicle, watercraft, machine, implement, or playground.

**7.20.10.18** I. Misuse any refuse container or receptacle by depositing into it any hot coals or other hot or burning substances, or by depositing into it any garbage, trash, refuse or other unwanted material that was not gathered on the site in the course of normal, lawful use of park facilities.

**7.20.10.19** J. Bring into, leave behind, or dump any material of any kind, whether waste or otherwise, in the park, except refuse, ashes, garbage and other material arising from the normal use of an enjoyment of a picnic or other permitted activity, provided such material is deposited in receptacles or pits provided for such purposes. Nor shall any material of any kind be left or deposited within or near the parks so as to pollute the land, waters, or air coursing through or over the parks or otherwise to interfere with proper use and enjoyment of the park. No bottles, cans, refuse or foreign material of any description shall be deposited or thrown into any of the streams, waterways, ponds or lakes located in the parks.

**7.20.10.20** K. Utilize the grounds of any park area for the placement of a garden, shed, fencing, landscaping, private play equipment, or like items, or the storage of any personal items without approval of the Executive Director.

**7.20.20** **SECTION 2. DESTRUCTION OR MISUSE OF NATURAL RESOURCES:**
No person shall, upon or in connection with any property of the District:

**7.20.21** A. Cut, remove, uproot or wantonly destroy any tree, sapling, seedling, bush, shrub, flower or plant whether alive or dead; or chip, blaze, box, girdle, trim or otherwise deface or injure any tree, shrub or bush, or break or remove any branch or foliage thereof, or pick or gather any seed of any tree or other plant, unless necessitated by the performance of restorative, maintenance, or construction work, pursuant to contract with the District.

**7.20.22** B. Destroy, remove or cause to be removed any sod, earth, humus, downed timber, wood chips, peat, rock, sand, or gravel; or remove or cause to be removed any other natural material of the forest floor or earth unless necessitated by the performance of restorative, maintenance, or construction work, pursuant to contract with the District.

**7.20.23** C. Hunt or attempt to pursue, trap, catch, capture, molest, poison, wound, or kill any invertebrate animal, mammal, bird, reptile, or amphibian; disturb, molest, or rob the nest of any mammal, bird, insect, reptile, or amphibian, or the lair, den or burrow of any mammal, bird, reptile or amphibian, without written permission of the Executive Director.

**7.20.24** D. Fish in any waters of the District posted against fishing, or by using a bow and spear or slingshot, or with any device using more than two hooks per line, or any net, or trap, or with attended or unattended lines during the hours that parks are closed as defined by provisions of this Ordinance or in violation of any applicable laws of the State of Illinois as administered by the Department of Natural Resources thereof, or in violation of any regulations or restrictions posted by the Executive Director controlling the size, species, and number of fish that can be taken from a designated body of water.

**7.20.25** E. Release or cause to be released any wild, domestic, or pet animal, bird, fish, amphibian, or reptile into or upon park lands or waters from any outside source whatsoever, without written permission of the Executive Director.

**7.20.26** F. Bring in, or plant, or distribute, the seeds or spores of any flowering or non-flowering plant into or upon parklands or waters from any outside source whatsoever, without written permission of the Executive Director.

**7.20.27** G. Use or cause to be used any chemical or biological pesticide or any other substance, measure, or process designed to alter the anatomy or physiology of any organism for the purpose of directly manipulating their populations, without written permission of the Executive Director, and then only in compliance with all applicable laws of the State of Illinois and the United States.

**7.20.30** **SECTION 3. CONTRABAND**:
All animals, plants, birds, fish, amphibians, or reptiles, or parts thereof, killed, captured, trapped, or taken; or bought, sold or bartered or had in possession contrary to any provisions of this Ordinance or applicable laws of the State of Illinois shall be and are hereby declared contraband, and as such, shall be subject to seizure by any Police Officer, caretaker or employee of the District.

**7.20.40** **SECTION 4. DESTRUCTION BY MISUSE OF FIRE:**
No person shall, upon or in connection with any property of the District:

**7.20.41** A. Set fire, or cause to be set on fire, any tree, forest, brush land, grassland, meadow, prairie, marsh, refuse container, vehicle, equipment, implement or structure.

**7.20.42** B. Build a fire anywhere, for any purpose, except in appropriately provided receptacles or designated fire pits with approved permit.

**7.20.43** C. Drop, throw away, or scatter any burning, lighted, or hot coals, ashes, cigarette, cigar, firecracker, sky lanterns or match.

**7.20.44** D. Build any fire whatsoever, for any purpose, in or out of a receptacle or fireplace, and leave it unattended, unless such fire is properly extinguished. For the purpose of this Ordinance, a fire shall be deemed properly extinguished when its ashes, residue, coals, and unburned substance is cold to the human touch.

**7.20.45** E. Cause, suffer, or allow the burning of garbage, refuse, waste material, trash, motor vehicle (or any part thereof), or other combustibles within or adjacent to the park so as to cause smoke, haze, odor, sparks, dust, dirt, or other type matter or gaseous substance to come upon, pass through, or over the park, which would cause an air pollution nuisance or damage to persons or property.

# 7.30 CHAPTER III -- REGULATION OF SPORTS AND GAMES

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

**7.30.10** **SECTION 1. SWIMMING:**
Swim, wade, or bathe at any time in any of the ponds, lakes, pools, streams, creeks, wetland, or watercourses except at such place or places as may be so designated by the Executive Director, and then only in accordance with the rules, regulations, and restrictions posted.

**7.30.20** **SECTION 2. WATERCRAFT:**
Bring into, attempt to launch or use, or navigate any boat, canoe, raft or other watercraft upon the waters of any ponds, lakes, pools, streams, creeks, wetlands or watercourses, except at such place or places as may be designated by the Executive Director. Where allowed, watercraft shall be used in accordance with District rules, regulations and restrictions duly set forth as part of such permit and posted as well as all applicable statutes of the State of Illinois.

**7.30.30** **SECTION 3. ENGINE POWERED MODELS OR TOYS:**
Start, fly, or use any fuel-powered engine or jet-type or electric-powered model aircraft, drones, boat or rocket, or like powered toy or model, except in those areas or water designated by the Executive Director for such use, and then only in accordance with such rules, regulations and restrictions posted by the Executive Director.

**7.30.40** **SECTION 4. HORSEBACK RIDING**:
Bring into, unload, use, or ride any horse, except where designated and approved by the Executive Director.

**7.30.50** **SECTION 5. BICYCLING**:

**7.30.51** A. Ride a bicycle on any path, trail, golf course, roadway or other area designated and posted prohibiting bicycles.

**7.30.52** B. Ride a bicycle on any path or trail more than two abreast, or on any roadway or road used by the public for regular motor vehicle access in any other manner than single-file or operate a bicycle in a reckless manner so as to endanger pedestrians.

**7.30.60** **SECTION 6. SKATEBOARDING:**

**7.30.61** A. Skateboards and In-Line Skates are prohibited within any of the Park District buildings. Under Village of Bartlett Ordinance 2002-103 dated 10/1/02, violations will result in fines of between $50 and $750.

**7.30.62** B. Bicycles, unicycles, motorcycles, or any other vehicles are not permitted within the fenced area of the Skate Park.

**7.30.70** **SECTION 7. WINTER SPORTS:**

**7.30.71** A. Sled, toboggan, ski, or slide on any area posted by the Executive Director, as being "unsafe" or "hazardous," or being "closed" due to inadequate snow cover or other environmental conditions, or upon being duly notified of such by the Executive Director.

**7.30.72** B. Enter onto or upon any frozen waters to skate, fish, slide or walk on for any purpose whatsoever other than areas designed for such, and then only in compliance with the rules and regulations posted for such use.

**7.30.73** C. Fish through the ice on any frozen waters or parts thereof designated as ice skating areas by the Executive Director.

**7.30.74** D. Bring onto or upon the frozen waters of any lake, pond, rink or watercourse any iceboat, or wind-driven-like device, or other vehicles.

**7.30.80** **SECTION 8. FIELD AND TEAM SPORTS**:
Play or engage in any team sport or game such as, but not limited to, baseball, football, field hockey, volleyball, lacrosse, or horseshoes, except in those areas designated by the Executive Director as athletic fields, in such a manner as to interfere with other persons lawfully using said areas.

**7.30.90** **SECTION 9. GOLFING IN PARKS:**
Swing or make use of any golf club, play golf, hit or putt golf balls within or into the parks, except upon established golf courses or in such areas as designated by the Executive Director.

**7.31.10** **SECTION 10. GAMBLING**:

A. Manage, operate, or engage in gambling of any form, unless said activity is specifically approved by the Executive Director, all of which must be in accordance with 720 ILCS 5/28-1 (c).

B. Have in their possession any clock, wheel, tape machine, slot machine, pin machine, or other machine or device for the reception of money or other thing of value on chance or skill, or upon the action of which money is staked, bet, hazarded, won or lost, as defined by 720 ILCS 5/28–5. Possession of such a machine or device shall be subject to seizure, confiscation, and destruction by any Police Officer, as provided by 720 ILCS 5/28-5.

# 7.40 CHAPTER IV REGULATION OF VEHICLES, TRAFFIC AND PARKING

No person shall, in connection with any property of the District:

**7.40.10** **SECTION 1. VEHICLE OPERATION AND EQUIPMENT**:
Operate, or cause to be operated, any motorized vehicle that does not comply with, or in a manner that does not comply with the Vehicle Code of the State of Illinois or other law(s) of the State of Illinois, or ordinance of the Village of Bartlett, where applicable, together with such regulations as are contained in this Ordinance and as from time to time amended, having to do with the equipment, control, licensing, registering and use of motorized vehicles and/or the licensing of operators of such vehicles.

**7.40.20** **SECTION 2. VEHICLE TYPES AND ACCESS ALLOWED:**

**7.40.21** A. Operate, or cause to be operated, any vehicle anywhere, except on the roads, drives, and parking areas provided, without permit from the Executive Director, and then only in compliance with the directions and restrictions of the police.

**7.40.22** B. Operate, or cause to be operated, any motor vehicle anywhere that is not licensed, or permitted to be operated, on the roads, streets, and highways of the State of Illinois.

**7.40.23** C. Operate, or move, or cause to be operated or moved, any vehicle closed in as a result of the closing of the park at the proper posted time, without written permission of the Executive Director, or until such time that the park is officially opened.

**7.40.24** D. Operate a vehicle on any road, drive, or parking area posted, gated, or barricaded as closed to public traffic.

**7.40.30** **SECTION 3. RIGHT-OF-WAY:**
Operate a motor vehicle in such a manner as to fail to yield the right-of-way to pedestrians, or to deprive or unreasonably interfere with the equal rights of any other person to use the property of the District.

**7.40.40** **SECTION 4. PARKING**:

**7.40.41** A. Park a vehicle overnight without permission from the Executive Director.

**7.40.42** B. Park a vehicle in such a way as to block in another parked vehicle.

**7.40.43** C. Park a vehicle in such a way as to block, restrict, or impede the normal flow of traffic.

**7.40.44** D. Park a vehicle in a zone or area posted, prohibiting parking.

**7.40.45** E. Park a vehicle on turf, meadow, prairie, marsh, field, or in a woodland, except in an emergency or when directed to do so by the Executive Director, the police, or is a matter of public safety.

**7.40.50** **SECTION 5. SPEED LIMITS**:
Operate, or propel a vehicle, or cause to be propelled on any road, drive, or parking area at a speed greater than the speed limit posted along the right-of-way, or in the absence of such posted limit, at a speed in excess of 15 mph.

**7.40.60** **SECTION 6. SIGNS**:
Fail to observe all traffic signs, signals, and control devices erected and maintained by the District indicating speed, direction, restriction as to vehicular use, yield, caution, stopping, or parking.

**7.40.70** **SECTION 7. NEGLIGENT OR CARELESS DRIVING**:
Operate any motor vehicle in the park in a reckless, careless, or wanton manner, so as to endanger life or property.

**7.40.80** **SECTION 8. OVERWEIGHT**:
Operate any motor vehicle having a gross weight capacity including vehicle and maximum load in excess of 8,000 pounds, or any vehicle bearing a Class D or heavier license plate, pursuant to 625 ILCS 5/3-815, except emergency vehicles or vehicles used in District construction projects, without a permit from the Executive Director.

**7.40.90** **SECTION 9. IMPROPER VEHICLE OPERATION:**

**7.40.91** A. Operate a motor vehicle at a rate of speed or in any manner that is unreasonable or imprudent, not having regard to the traffic and use of the way, condition of the weather, visibility, condition of the roadway and other surrounding conditions, so as to endanger the life or limb, or injure the property of any persons.

**7.40.92** B. Operate a vehicle in such a manner as to deprive or unreasonably interfere with the equal rights of any other person to the use of such public street or highway.

**7.40.93** C. Operate a vehicle in such a manner as to cause or produce unnecessary loud, excessive or unusual noise by the racing of the motor, by lack of a muffler, or use of a muffler cutout, by tire friction upon rapid turning or weaving, by spinning of the wheels from standing or slow moving position produced by sudden unnecessary motor acceleration, or by continuous unnecessary sounding of a horn or other signal device.

**7.40.94** D. Operate a vehicle in disregard of any sign, signal, marking, or device erected, constructed or created by the village, or any public body, or official having jurisdiction for the purposes of regulating, warning, or guiding traffic, or contrary to the order of direction of any Police Officer or other person duly authorized to direct or regulate traffic.

**7.41.10** **SECTION 10. DRIVING WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS:**
No person who is under the influence of intoxicating liquor or drugs or a controlled substance shall drive, operate, or be in possession, or actual physical control of, or attempt to drive or operate, any vehicle on any Park District property.

# 7.50 CHAPTER V
# REGULATION OF PERSONAL CONDUCT AND BEHAVIOR

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

**7.50.10** **SECTION 1. VENDING AND ADVERTISING**:

**7.50.11** A. Expose or offer for sale any articles or things, or conduct or solicit any business, trade, or occupation, or profession without a Concession Contract Agreement approved by the Executive Director, and then only in accordance with the terms and conditions thereof; it being the intention to control commercial enterprises or sales on District lands.

**7.50.12** B. Display, distribute, post, or affix any placard, sign, handbill, pamphlet, circular, or any other writing, or printed material, or objects containing advertising matter or announcements of any kind whatsoever, except that groups holding a valid picnic, camping, or special event permit may display signs to identify their location or direct others to it, providing such signs are temporary and are removed at the termination of the activity and providing that such signs are no larger than 24" x 30" and are not attached to any tree, or shrub, or any post, building, district sign, gate, or other structure. The No-Solicitation/No-Distribution Policy applies here also.

**7.50.13** C. Solicit in any manner in any park without approval of the Executive Director.

**7.50.20** **SECTION 2. UNLAWFUL OBSTRUCTIONS:**

**7.50.21** A. Set, or place, or cause to be set or placed any goods, wares, or merchandise, or any stand, cart, or vehicle for the transportation or vending of any such goods, wares, or merchandise, or any other article upon any property of the District, to the obstruction of use of any park, or to the detriment of the appearance of any park.

**7.50.22** B. By force, threats, intimidations, or by any unlawful fencing or enclosing or any other unlawful means, prevent, or obstruct, or combine, and aid with others to prevent or obstruct any person from peacefully entering upon any property of the District, or preventing or obstructing free passage or transit over or through any lands or waters of the District, or obstruct the entrance into any enclosure within the District, except that nothing in this section shall be constructed to deny lawful enforcement of a valid permit granting a certain person or persons use to the exclusion of others, as defined and provided for in this Ordinance.

**7.50.23** C. Enter without invitation or having paid appropriate admission fee, any area, building, or place, which has been rented or otherwise reserved for any purpose; nor shall anyone enter any concession in any of the parks of the District without the consent of the concessionaire or duly authorized agent or employee; nor shall any person disturb any patron of such concession, any participant in any dance, game, picnic, or a public assemblage authorized by the Executive Director or the Board; nor shall any person loiter in the immediate area of any such concession as to impede free access to such concession by other park patrons, or the flow of pedestrian traffic in and about the area of such concession.

**7.50.30** **SECTION 3. UNLAWFUL CONSTRUCTION OR MAINTENANCE:**
Erect, construct, install or perform any maintenance on, below, over, or across a park, except by proper authorization of the District authorizing such activity, and then only in accordance with written permission of the Executive Director specifying in detail the work to be done and the conditions to be fulfilled, pursuant to the terms of such authorization.

**7.50.40** **SECTION 4. DRUG OR ALCOHOL ABUSE**:
Be present under the influence of any liquor, beer, drug, narcotic or controlled substance, or possess, give away, sell, serve, dispense, or drink any alcoholic beverage, or possess, sell, deliver, smoke, inhale, inject, eat, chew, or swallow any beer, wine, other alcoholic beverage, narcotic drug, or controlled substance.

**7.50.50** **SECTION 5. WEAPONS AND HARMFUL SUBSTANCES:**
At any time have in their possession or on or about their person, concealed or otherwise, any firearm, pistol, revolver, rifle, shotgun, bow and arrow, slingshot, blackjack, billy-club, any weapon capable of discharging a projectile by air, spirit, gas or explosive, any explosive substance or harmful solid, liquid, or gaseous substance, or any other dangerous weapon.

**7.50.60** **SECTION 6. HINDERING OR BRIBING EMPLOYEES**:

**7.50.61** A. Interfere with, unreasonably disrupt, delay, or in any manner hinder performance of their duties.

**7.50.62** B. Give or offer to give an employee any money, gift, privilege, or article of value on or off District property in order to violate the provisions of this Ordinance or any other District ordinance, contract, permit, or statutes of the State of Illinois and the United States, or in order to gain or receive special consideration in applying for any use or privilege, or to gain special consideration and treatment in the use of any District property or facility.

**7.50.70** **SECTION 7. USE OF FACILITIES RESTRICTED AS TO SEX:**
Shall, except for children five years of age and under, enter into or remain in any toilet, restroom, bathhouse, pavilion, or structure or section thereof, which has been reserved and designated for use of the opposite sex.

**7.50.80** **SECTION 8. DISORDERLY CONDUCT**:
Engage in conduct that is disorderly; and a person shall be deemed to have engaged in disorderly conduct when they knowingly:

**7.50.81** A. Does any act in such unreasonable manner as to provoke, make, or aid in making a breach of peace.

**7.50.82** B. Does or makes an unreasonable offensive act, utterance, gesture, or display which, under the circumstances, creates a clear and present danger of a breach of peace or imminent threat of violence.

**7.50.83** C. Refuses or fails to cease and desist any conduct or activity likely to produce a breach of peace where there is imminent threat of violence, and where the police have made all reasonable efforts to protect the otherwise peaceful conduct and activity, and have requested that said conduct and activity be stopped and have explained the request, if there be time.

**7.50.84** D. Fails to obey a lawful order of dispersal by a person known by them to be a Peace Officer under circumstances where three or more persons are committing acts of disorderly conduct in the immediate vicinity, which acts are likely to cause substantial harm or serious inconvenience, annoyance, or alarm.

**7.50.85** E. Assembles for the purpose of using force or violence to disturb the public peace.

**7.50.86** F. Contributes to the delinquency of a minor while within the park system.

**7.50.90** **SECTION 9. PUBLIC INDECENCY**:
Engage in conduct that is publicly indecent, and a person shall be deemed to have committed an act of public indecency when any person performs any of the following acts:

**7.50.91** A. An act of sexual intercourse.

**7.50.92** B. An act of deviate sexual conduct.

**7.50.93** C. A lewd exposure of their body.

**7.50.94** D. A lewd fondling or caressing of the body of another person of either sex.

**7.51.10** **SECTION 10. OBSCENE OR INDECENT BOOKS AND PAMPHLETS**:
Not exhibit, sell, or offer to sell, give away, or offer to give away, in the Park District any obscene or indecent book, pamphlet, paper, drawing, movie, film, picture, photograph, or any other article of any kind for indecent or immoral use.

**7.51.11** **SECTION 11. CLOTHING**:
Appear in clothing that does not conform to commonly accepted standards within the community.

**7.51.12** **SECTION 12. CONTROL AND TREATMENT OF ANIMALS:**

**7.51.12.10** A. Bring in, lead, or carry any dog that is unleashed, or on a leash longer than six (6) feet, except in areas designated by the Executive Director.

**7.51.12.20** B. Permit a dog, cat or other animal owned by or under control of, to be on or remain on any area posted, designed, or being used as a picnic area, athletic field, children's play area, or spectator area.

**7.51.12.30** C. Willfully or neglectfully cause or allow or release any animal or fowl, wild, domestic or pet, to run or remain at large, except within those areas designated by the Executive Director, and then only in accordance with the rules and restrictions duly promulgated for the control of such area or areas.

**7.51.12.40** D. Torture, whip, beat, or cruelly treat or neglect any animal.

**7.51.12.50** E. Bring in, drive, ride, or lead in any animal, that may be ridden, or led, or driven ahead of vehicles attached thereto, on such portions of the park only with approval of the Executive Director.

**7.51.12.60** F. Bring in, drive, ride, or carry any wild, domestic, or pet predator animal or bird, leashed or unleashed, into the District property, or part thereof designated as a nature preserve or nature area or historic site, unless such animal is kept confined within a closed vehicle or trailer.

**7.51.12.70** G. Permit to leave any excrement deposited by any animal owned by them or within their control.

**7.51.12.80** H. Nothing in this Ordinance shall be construed to prohibit the controlled use of certain animals approved by the Executive Director for purposes of public safety.

**7.51.13** **SECTION 13. COMMERCIAL:**

Take or cause to be taken any still or motion pictures, make sketches, or paintings for commercial purposes or for use in commercial advertising, without written permission of the Executive Director, and then only in accordance with the rules and restrictions duly set forth as part of such permit.

**7.51.14** **SECTION 14. HONORING PERMITS**:

By act or speech, willfully or unreasonably hinder, interrupt, or interfere with any duly permitted activity, or unreasonably or willfully intrude on any areas or into any structures designated for the use of a certain person or persons, to the exclusion of others by written permission of the Executive Director.

**7.51.15** **SECTION 15. UNLAWFUL USE OF PHOTOGRAPHIC OR VIDEO EQUIPMENT**

Taking of photos or video is not permitted within locker rooms, shower rooms, restrooms, or changing rooms within Park District facilities.

# 7.60 CHAPTER VI
# ENFORCEMENT

**7.60.10** **SECTION 1. POLICE:**

All members of the Village of Bartlett Police Department have the power and are authorized to arrest any persons found in the act of violating any ordinance of the District, or rule or regulation thereof, or law of the State of Illinois, or ordinance of the Village where applicable, and to eject said person from any park or portion thereof for violation of any such ordinance, rule, regulation, or statute.

**7.60.20** **SECTION 2. TWO PENALTIES, ONE JUDGMENT:**

In all cases where the same offense shall be made punishable or shall be created by different clauses or sections of this or any other ordinance or statute, the police or person prosecuting may elect under which to proceed, but not more than one judgment shall be had against the same person for the same offense.

**7.60.30** **SECTION 3. FINES AND PENALTIES**:

**7.60.31** A. Any persons found guilty of violating any provision of this Ordinance, other than those in Section 4 of Chapter IV thereof, shall be fined in an amount not less than Fifty Dollars ($50.00) but not more than One Thousand Dollars ($1,000.00) for each offense, and any person found guilty of violating any provisions of Section 4 of Chapter IV of the ordinance aforesaid shall be fined in an amount not less than Twenty-Five Dollars ($25.00) nor more than Two Hundred Dollars ($200.00) for each offense.

**7.60.32** B. Persons found guilty of violating the provisions of Chapter II of this Ordinance may, in lieu of a fine, be assigned to manual labor on District property under District supervision, such labor time not to exceed the fine considered appropriate, divided by the prevailing minimum hourly wage.

**7.60.33** C. The Park District shall seek restitution in the case of any damage to Park District property.

**7.60.40** **SECTION 4. PAYMENT OF VIOLATIONS WITHOUT COURT ACTION**

**7.60.41** A. In case of any violations of the provisions of Chapter I, Section 2; Chapter II, Section 1; or Chapter V, Section 4, if such violation in the opinion of the Police Officer detecting such violation is of such a nature or kind that it does not tend to immediately endanger the public safety, such Police Officer may indicate on the Complaint and Notice to Appear that payment of the minimum penalty may be compromised as herein provided. The violator may compromise the payment of the minimum penalty for such violation without appearance in court by payment of the sum of Fifty Dollars ($50.00) within five (5) days from the date of the issuance of the said Notice of Violation. After written notice by mail of such violation sent to the violator, or in case of unattended vehicle offenses, to the person to whom the state license for such vehicle has been issued, the payment shall be Sixty-Five Dollars ($65.00).

**7.60.42** B. In case of any violation of the provision of Section 4 of Chapter IV of this Ordinance, the violator may compromise the payment of the minimum penalty for such violation without appearance in court by payment of the sum of Twenty-Five Dollars ($25.00) within five (5) days from the date of the issuance of the said complaint or notice of violation. After written notice by mail of such violation is sent to the violator or in case of unattended vehicle offenses, to the person to whom the state license for such vehicle has been issued, the payment shall be Thirty-Five Dollars ($35.00).

**7.60.50** **SECTION 5. RULES AND REGULATIONS:**

The Board shall, from time to time, promulgate and make reasonable rules and regulations governing the use of the various areas, facilities, devices and vehicles within the parks, and such rules and regulations shall become binding and effective upon their being posted at the entrance to the facility or areas governed by them and shall be enforced with the same force and effect as the other provisions of this Ordinance.

**7.60.60** **SECTION 6. AUTHORITY OF OTHER AGENCIES:**

Nothing in this Ordinance shall be construed to prevent other officers from carrying out their own duties within the territories of the District, as defined by applicable laws of the State of Illinois and United States, or ordinance of the Village of Bartlett, Illinois, or in accord with any other Policing Agreement approved by the Board.

**7.60.70** **SECTION 7. CIVIL SUITS:**

Nothing in this Ordinance shall be construed to prevent or preclude the lawful use by the District of a civil remedy at law to correct an abuse or loss suffered by the District as a result of violation of this Ordinance, or any law of the State of Illinois.

**7.60.80** **SECTION 8. STATE, UNITED STATES AND LOCAL LAWS:**

All persons within the parks of the Park District are subject to all ordinances, rules and regulations of the District, as well as all applicable laws of the United States, State of Illinois and local ordinances of the Village of Bartlett as amended and changed from time to time.

# 7.70 CHAPTER VII
# MISCELLANEOUS

**7.70.10** **SECTION 1. CONFLICT:**
All District ordinances and parts of ordinances, and all resolutions and orders or any parts thereof in conflict with this Ordinance or any parts thereof, are hereby repealed.

**7.70.20** **SECTION 2. ENACTMENT**:
This Ordinance shall be in full force and effect from and after its passage, approval, and publication, as by Statute in such cases made and provided.

**7.70.30** **SECTION 3. CAPTIONS AND HEADINGS:**
The captions and headings used herein are for convenience of reference only and do not define or limit the contents of each paragraph.

**7.70.40** **SECTION 4. SEVERABILITY**:
The provisions of this Ordinance shall be deemed to be severable, and the invalidity or unenforceability of any provisions shall not affect the validity and enforceability of the other provisions hereof.

**7.70.50** **SECTION 5. AIDING OR ABETTING VIOLATIONS:**
Every person who commits, attempts to commit, conspires to commit or aids and abets any acts or omission prohibited in this Ordinance or any rules or regulations of the District, whether individually or in consort with one or more other persons as principal, agent or accessory shall be deemed accountable for the act, or omission prohibited by this Ordinance, or rule, or regulation of the District.

# 7.80 CHAPTER VIII
# AMENDMENTS

**7.80.10** **SECTION 1. AMENDMENTS:**

This Ordinance may be amended from time to time by the District, and such amendment may be shown by either marking the section amended or attaching the amendment to this policy manual.

Ordinances: 80-1, 88-1, 95-1, 04-09, 08-09, 15-01
Approved by Board of Commissioners 02/19/80, 06/22/04, 07/22/08, 01/27/15
Revised/Reviewed by Board of Commissioners 02/23/88; 06/27/95; 07/28/98; 01/27/04; 06/22/04, 07/08/08, 01/13/15

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