

**OAK BROOK PARK DISTRICT
ORDINANCE NO. 11-1213**

**AN ORDINANCE OF THE OAK BROOK PARK DISTRICT ADOPTING
REVISED RULES AND REGULATIONS FOR THE GOVERNANCE,
PROTECTION, AND USE OF THE DISTRICT'S PARKS AND FACILITIES,
AND ENFORCEMENT OF PENALTIES FOR VIOLATION THEREOF
"THE GENERAL USE REGULATIONS"**

WHEREAS, the Oak Brook Park District, of DuPage and Cook Counties, Illinois (the "District"), has previously adopted and periodically updated rules and regulations for the governance, protection and use of the District's parks and facilities; and

WHEREAS, the District has previously adopted an integrated "*Ordinance 01-0910: An Ordinance Defining Offenses and Providing Penalties for Such Offenses*" with amendments adopted in Ordinance 08-0513 and Ordinance 08-0908, all addressing both public use and operational regulations for the District's parks and facilities; and

WHEREAS, in order to provide more user-friendly regulations, the District's Board of Park Commissioners has determined to separate the general use regulations from all other ordinances and regulations; and

WHEREAS, the District is authorized by the Park District Code to adopt a General Use Ordinance for the regulation of District property and facilities,

NOW, THEREFORE BE IT ORDAINED by the Board of Park Commissioners of the Oak Brook Park District, DuPage and Cook Counties, Illinois, as follows:

SECTION 1: The General Use Ordinance attached hereto and incorporated herein as Exhibit "A" is hereby adopted as the rules and regulations for the governance, protection and use of the District's parks and facilities and enforcement of penalties for violation thereof.

SECTION 2: The General Use Ordinance shall apply to and shall be enforced throughout all of the property and facilities of every kind owned by or under the jurisdiction of the District.

SECTION 3: This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

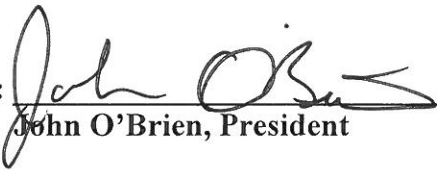
SECTION 4: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of the conflict.

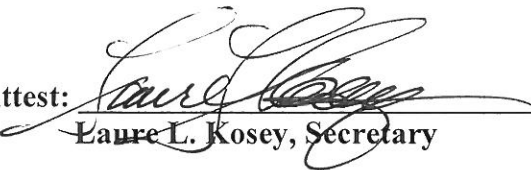
PASSED AND APPROVED This 12TH Day Of December, 2011.

AYES: Carson, Trombetta, Truedson, Knitter, O'Brien

NAYS: _____

ABSENT: _____

BY:  _____
John O'Brien, President

Attest:  _____
Laure L. Kosey, Secretary

GENERAL USE REGULATIONS

Oak Brook Park District
of DuPage and Cook Counties, Illinois

1450 Forest Gate Road
Oak Brook, IL 60523
630-990-4233

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Chapter 1. General Provisions

Sec. 1.1 Control Over District Property

Control over District property shall be vested in the Board of Park Commissioners, which has established these Regulations, and may establish other rules and regulations from time to time in its sole discretion, as well as penalties for violations thereof.

Sec. 1.2 Designation and Citation of Regulations

The regulations embraced in this and the following chapters and sections shall constitute and be designated as “The General Use Regulations of the Oak Brook Park District” and may be so cited.

Sec. 1.3 Definitions

When used in these General Use Regulations, the following terms shall have the meanings set forth below:

“Board”

Means the Board of Park Commissioners of the District.

“Court”

Means the Circuit Court of the 18th Judicial Circuit, DuPage County, which has jurisdiction over District legal disputes.

“District”

Is the Oak Brook Park District of DuPage and Cook Counties, Illinois.

“District property”

Is all of the property, real and personal, of every kind and description located within the jurisdiction of, or owned, administered, leased or licensed by, or otherwise in the possession or under the control of the District, including, without limitation, every building, shelter, street, sidewalk, trail, path, beach, park, playground, wilderness or open space, or other structure or public place or facility, and all District waters located on or adjacent to or flowing over property located within the jurisdiction of, or owned, administered, leased or licensed by, or otherwise in the possession or under the control of the District.

“District waters”

Includes all water located on or adjacent to or flowing over land located within the jurisdiction of, owned, leased or licensed by, in the possession of, under the control of, or generally administered or operated by the

District, including, without limitation, all natural or manmade lakes, rivers, creeks, streams, ponds, and drainage ways.

“Executive Director”

Is the Executive Director of the District.

“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 these Regulations and any applicable federal, state, local, and/or other District laws, ordinances, rules, and regulations.

“Person”

Means any individual, natural person, firm, partnership, association, corporation, company, trust, organization or any other group acting as a unit, or any manager, lessee, agent, servant, partner, member, director, officer or employee of any such group, or any of them, including any executive administrator, treasurer, receiver or other representative appointed according to law.

“Regulations”

Means the General Use Regulations of the District approved by the Board and all amendments and supplements thereto.

“State”

Means the State of Illinois.

Sec. 1.4 Rules of Construction

In interpreting these Regulations, the following rules of construction shall be observed.

And/Or

“And” may be read “or” and “or” may be read “and” if the sense requires it.

Gender

Words in any section importing the masculine gender shall include the feminine and neuter as well as the masculine.

May

The word “may” is permissive and discretionary.

Shall

The word “shall” is mandatory.

Sec. 1.5 Regulations to be Liberally Constructed

All general provisions, terms, phrases and expressions contained in these Regulations shall be liberally construed in order that the true intent of the District may be fully carried out.

Sec. 1.6 Designations and Headings; Construction

All designations and headings of chapters, articles, divisions and sections are intended only for convenience in arrangement and as mere catchwords to indicate the contents of such chapters, articles, divisions or sections, whether printed in boldface type or italics.

Sec. 1.7 Conflicting Provisions

- a) If the provisions of different chapters, articles, divisions or sections of these Regulations conflict with or contravene each other, the provisions of each chapter, article, division or section shall prevail as to all matters and questions most closely arising out of the subject matter of that chapter, article, division or section.
- b) If clearly conflicting provisions are found in different sections of the same chapter, the provisions of the section last enacted shall prevail unless the construction is inconsistent with the meaning of that chapter.
- c) Notwithstanding the foregoing, in the event of any conflict in the provisions of these Regulations, the more specific or more stringent provision shall govern.

Sec. 1.8 Amendments and References to Regulations

Any additions or amendments to these Regulations, when passed in such form as to indicate the intention of the Board to make the same part of

these Regulations, shall be deemed to be incorporated in these Regulations so that a reference to the General Use Regulations of the District shall be understood to include them.

Sec. 1.9 Severability

It is declared to be the intention of the Board that the sections, subsections, paragraphs, sentences, clauses and words of these Regulations are severable. If any sections, subsections, paragraphs, sentences, clauses or words are declared unconstitutional or otherwise invalid by the lawful judgment or decree of any court or competent jurisdiction, its unconstitutionality or invalidity shall not affect the validity of any of the remaining sections, subsections, paragraphs, sentences, clauses and words of these Regulations, since such remaining sections, subsections, paragraphs, sentences, clauses and words would have been enacted by the Board without and irrespective of any unconstitutional or otherwise invalid section, paragraph, sentence, clause or word being incorporated into these Regulations.

Chapter 2. Protection and Use of District Property

Sec. 2.1 Public Use; Hours

a) Regular Hours:

1) Except as otherwise provided in this section, and except for Central Park, District property, shall be open to the public from sunrise in the morning until sunset in the evening of the same day, and shall be closed to the public from sunset each day until sunrise the following day, unless in connection with a District-sponsored function or unless a permit therefor has first been obtained from the District. The Board may establish other hours during which District property or any parts thereof shall be opened or closed to the public. The District may periodically revise these hours.

2) The general hours of operations for District facilities located in Central Park shall be published in the District's Program Brochure and on its website. Central Park shall be open to the public from sunrise in the morning until sunset in the evening of the same day, except for portions utilized for facility parking or portions granted extended hours of use by permit. Only the lighted portion of such facilities, parking lots and fields shall remain open after sunset.

3) 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 a permit therefor has first been obtained from the District.

b) Special Closings. The District may close one or more parts of District property, including athletic fields, 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 only as to certain uses, as deemed advisable and in the best interest of the public and the District.

c) Schedules, Fees, Rules, and Regulations. Time schedules for the operation of, and the activities to be conducted on District property, and the amount of facility permit and program fees may be reviewed and approved periodically by the Board. As permitted by law, fees charged to non-residents of the District need not be the same as fees charged to 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, published in the District's Program Brochures, or otherwise made available to the users of District property, who shall be charged with

actual knowledge thereof and shall obey or comply with all such policies, rules, and regulations. All persons shall abide by all District polices, rules and regulations and with the direct orders or requests of employees or agents of the District when using District property.

d) Admissions/Identification. No person shall enter into, or be or remain in or upon District property without paying any required admission fees, without complying with any registration requirements that may be established by the District, and without displaying any 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.

Sec. 2.2 Bringing Plants, Shrubs or Trees Prohibited

No person shall bring 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.

Sec. 2.3 Camping

No person shall place, erect, or use any hammock, swing, tent, shelter or any other type of temporary or permanent camping equipment, or otherwise camp in any manner on District property, unless a permit therefor has first been obtained from the District.

Sec. 2.4 Criminal Trespass to Property

No person shall:

a) Enter or remain in any building or portion of District property where persons are prohibited by the District from entering by a sign or other notice, including where use is restricted to persons of the opposite sex, except as otherwise specifically provided in these Regulations:

b) Enter or remain in or on any District property when it is closed to the public;

c) Climb, walk or sit upon any sign, wall, fence, building, railing or fountain on District property that is not specifically designated or customarily used for such purposes;

d) Go upon any lawn, grass plot, planted area, tree, shrub, monument, fountain, sculpture or structure where access is prohibited by a sign or other notice, or where access is restricted by a fence or other physical barrier;

e) Enter any District property that is reserved or scheduled for a specific group or activity, unless such person is invited by the individual or group responsible for such activity, and unless such person has paid any applicable admission and/or registration fees.

Sec. 2.5 Damage to District Property

Unless authorized by a written agreement with the District or unless a permit therefor has first been obtained from the District, no person shall, while in or on District property:

a) Deface, disfigure, break, cut, injure, destroy, tamper with or displace, or remove in or from any District property or building or other part thereof, any table; bench; fireplace; coping; lamp; post; fence; wall; monument; sculpture; bridge; athletic court or field and its related apparatus, telephone, washroom, refuse container, exhibit or display, tool or equipment; vehicle; machine; playground structure; paving or paving material; water line or other public utility or parts or appurtenances thereof; sign, notice or placard, whether temporary or permanent; equipment, facilities or other structure; or other District property or appurtenances whatsoever, either real or personal;

b) Destroy, cut, break, injure, disturb, sever from the ground or remove any sod, soil, earth, rock, stone, timber, wood, material, or growing thing, including, but not limited to, any plant, flower, flower bed, shrub, tree, growth, or any branch, stem, fruit, or leaf thereof; or bring into or have in his/her possession in or on District property any tool or instrument intended to be used for the cutting thereof, or any garden or agricultural implements or tools that could be used for the removal thereof;

c) Set fire to any trees, shrubs, plants, flowers, grass, plant growth or living timber, or allow any fire upon land to extend onto District property;

d) Throw, carry, drag, push or deposit in any District waters any refuse container, picnic table, barricade or other movable or unmovable property; or move, stack or hide any such property in such a way as to render it unavailable to the public for its intended use, cause a hazard to public safety, or damage or destroy such property;

e) Operate or drive any motor car, automobile or vehicle of any kind in or on District property in places other than roadways or in such a manner as

to cause the same to collide with, run against, strike or cause to strike, injure, deface or damage any District property or appurtenance of any kind; or use any wheeled vehicle, including any object or toy that has rotating or rolling wheels or that propels a rider, at any time on any hard surfaced tennis or basketball court, including, but not limited to, bicycles, skateboards, roller skates, roller blades, pedal or push toys, scooters, wagons and remote controlled toys;

f) Fasten any animal or attach any rope, sign, handbill or other things to any tree or shrub or to any protective device around any tree or shrub growing in or on the District property;

g) Allow any animal under the person's ownership or temporary care to injure or deface any tree, plant, shrub, lawn or grassplot in any manner whatsoever. An animal is under a person's temporary care if the animal was brought upon District property by the person or by a minor under the person's temporary or permanent care;

h) Fasten any bicycle, motorcycle, moped or other vehicle to or leave the same standing so as to injure any tree, shrub, lawn or grass plot;

i) Deface, destroy, cover or otherwise make unreadable any traffic warning or prohibitory sign or symbol in or on District property;

j) Mark, carve, bend, cut, paint, deface, breakdown, destroy, damage, alter, change, sever, uproot, excavate or otherwise remove, or attach or suspend any rope, wire or other material or contrivance to or from any District property; or

k) Fail to maintain District property in a neat and sanitary condition.

Sec 2.6 Encroachment on District Property

a) No person shall construct, place, plant, or otherwise locate on District property any improvement, fixture, or plant material, or otherwise encroach upon District property, unless an easement, license, or permit therefor has first been obtained from the District.

b) Any person who violates Section 2.6 (a) of this section shall, at his or her sole cost and expense, remove any encroachment from District property within thirty (30) days after receiving a written demand from the District.

c) 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.

Sec. 2.7 Pools

The following rules and regulations shall apply to all District swimming pools:

a) All swimming pools shall be open for public swimming during published and posted hours, weather and safety conditions permitting.

b) No person shall enter the locker room or pool area without payment of the admission charge that is established by the District, or without displaying the proper membership identification cards that are issued therefor.

c) No person under ten (10) years of age shall be admitted to the pool area unless he or she is accompanied by a person who legally possesses an adult pass (ages sixteen (16) years old and over) or an adult daily admission, and who demonstrates competency to assume full responsibility for the care and safety of the person under ten (10) years of age.

d) If any person shall refuse to obey any orders of lifeguards, managers, aquatic center staff, or any agent of the District, the District may immediately terminate or suspend such person's rights to use the pool and other District property. Lifeguards are responsible for enforcing safety rules and responding to emergencies. Parents, guardians, or other persons who are sixteen (16) years of age or older, and who are accompanying a child who is under ten (10) years of age, shall supervise the child.

e) No person shall attempt admission to the pool, and such admission shall be refused, if the person has a contagious disease; an infectious condition such as a cold, fever, ringworm, foot infection, skin lesions, diarrhea, vomiting, inflamed eyes, ear discharges, or any other condition which has the appearance of being infectious; any excessive sunburn; abrasions which have not healed; corn plasters, bunion pads, adhesive tape, rubber bandages, or other bandages of any kind; or if the persons appears to be under the influence of alcohol or is exhibiting erratic behavior.

f) Persons with qualifying disabilities under state and/or federal law that require reasonable accommodations to enjoy the Family Aquatic Center should contact the staff of the aquatic center.

g) Food and beverages are allowed in the concession area only. No glass containers are permitted anywhere in the Aquatic Center. Plastic bottles

will be allowed in approved areas. Alcoholic beverages are prohibited at or inside the Family Aquatic Center.

h) Public Health Code states “All persons are encouraged to take a shower before entering the pool area.”

i) Personal conduct within the pool facility must be such that the safety of self and others is not jeopardized. Running and boisterous or rough play are prohibited, except during supervised water sports.

j) Only clean aquatic footwear, baby strollers, or wheelchairs are allowed in the pool area or locker room. Street shoes are prohibited on the pool deck.

k) Spitting, spouting of water, blowing the nose or otherwise introducing contaminants into the pool is prohibited.

l) Glass, soap, or other material that might create hazardous conditions or interfere with efficient operation of the swimming pool are prohibited in the swimming pool or on the pool deck.

m) All apparel worn in the pool shall be clean.

n) All children who are not toilet-trained shall wear tightly fitting rubber or plastic pants, or approved swim diapers.

o) Diving is allowed only in designated areas under the direction of aquatic staff. Diving in water less than four (4) feet deep is prohibited except when allowed for competitive swimming and training.

p) Metal objects, eyeglasses, and jewelry are not permitted on the slide.

q) A Person must be forty-two (42) inches or taller to ride the slide.

r) Individuals using the slide are asked to slide feet first only. Chain riding is prohibited.

s) Elderly persons, those suffering with heart disease or high blood pressure, and persons using prescription medications should consult with their physicians before using the whirlpool and water slide.

t) Any person who refuses to obey pool rules or otherwise violates any other provision of these Regulations may be barred by the District from further use of the pool for the remainder of the pool season, in addition to any other penalties set forth in these Regulations.

Sec. 2.8 Public Assemblies

a) No person shall do any of the following on District property, unless a permit therefor has first been obtained from the District:

- 1) Call or hold a public assembly, exhibition or entertainment of any description;
- 2) Conduct any musical concert, play any amplified instrument, or set up or use any communication system; or
- 3) Hold or attempt to hold any meeting, assembly, demonstration, celebration, parade, rally, religious worship, or any sponsored entertainment, social, recreational or athletic event.

b) Any person issued a permit by the District shall produce the permit and exhibit it upon request of any District employee or officer.

c) No person other than a District employee or officer shall disturb or interfere with any person occupying District property under the authority of a permit.

Sec. 2.9 Use of Restrooms, Washrooms, and Locker Rooms

a) Every person shall cooperate in maintaining restrooms, washrooms and locker rooms in a neat and sanitary condition.

b) No person shall deposit objects of any kind other than toilet paper in the toilets or plumbing fixtures of a restroom, washroom facility or locker room.

c) Except as otherwise permitted in this section for children under the age of six (6), no person shall enter into or remain in any restroom, restroom washroom, or locker room designated for the opposite sex. Children five (5) years of age and under may use restrooms, washrooms and locker rooms designated for the opposite sex when a family facility is unavailable.

d) No person shall use any camera, video recorder or other device to record or transmit visual image(s) in or from any rest room, washroom or locker room of the District.

Chapter 3. Animals

Sec. 3.1 Domesticated Animals and Pets

a) Except for an ADA service animal, no person shall bring a dog, horse, or other domestic animal into or onto any District property, except as follows:

1) A dog may generally be brought into an outdoor area; provided that such dog shall be kept on a leash of not more than six feet (6') in length, that the handler of any such dog shall have personal control of the dog at all times and shall not leave the dog unattended at any time, even if leashed, and that no dog may be brought into any playground, ball field, athletic field, or splash pad;

2.) With the permission of the Executive Director or his/her designee; or

3) In conjunction with an activity or event conducted or sponsored by the District.

b) All owners or persons having control of any domesticated animal shall be equipped to remove and properly dispose of any animal waste and shall be responsible to remove any excrement from District property left by such animal.

c) Any domesticated animal found on District property in violation of subsections (a) or (b) may be apprehended, removed to an animal shelter, public pound, or other place provided for that purpose and, unless the owner claims the animal and is financially responsible for violations of these Regulations, such animal may be disposed of pursuant to the applicable laws or ordinances of the State of Illinois and DuPage and Cook Counties. The owner or person responsible for such animal shall be responsible for all costs and expenses incurred or encumbered in the removal and boarding of such animal, and such charge shall be in addition to and not in lieu of any other penalties provided for in these Regulations, or any applicable federal, state, local and/ or other District laws, ordinances, rules or regulations.

Sec. 3.2 Protection of Non-Domesticated Animals, Birds, Fish, and Other Wildlife

For purposes of this section “wildlife” means any bird, mammal, reptile, amphibian, fish, or other non-domesticated animal.

a) No person shall bring or release any wildlife onto District property; 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 or event conducted or sponsored by the District, or unless a permit therefor has first been obtained from the District for the ecological re-establishment at the District’s nature center, in District waters, or at any similar facility maintained by the District.

b) No person shall feed any wildlife on District property except with the permission of the Executive Director or his/her designee.

c) No person shall hunt, pursue, hurt, molest, wound, kill, harm, trap, catch, poison, abuse, chase, shoot, touch, throw or propel objects at, endanger in any way, remove or cause to be removed, treat cruelly, or have in possession, any wildlife on, upon, over, or under District property, unless a permit therefor has first been obtained from the District, provided, however, that fishing is permitted in accordance with Section 3.2(g) below.

d) No person shall give or offer any harmful, poisonous, or noxious substance to any wildlife on District property.

e) No person shall touch, tease, frighten, disturb, or otherwise intentionally interfere with any wildlife while feeding, nesting, breeding, sleeping, resting, flying or engaging in any other activity on, upon, over or under District property, unless a permit therefor has first been obtained from the District.

f) No person shall molest, touch, throw or propel an object at, destroy, dig up, crush, shake, rob or disturb, 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.

g) Fishing

1) No person shall fish in District waters in areas at which the District has posted signage prohibiting such activities.

2) Every person fishing in District waters shall comply with these Regulations, or any applicable federal, state, local, and/or other

District laws, ordinances, rules, and regulations including, without limitation, conservation laws and licensing requirements.

3) Fishing in District waters shall be conducted by means of a hook and line, with the rod or line being closely attended. No person shall use drugs, poisons, explosives, electricity, or missiles of any kind to fish in District waters.

4) No person shall dig, scratch or otherwise disturb District property in order to locate or take bait.

5) 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 laws, ordinances, rules, or regulations, or that the person chooses not to keep.

6) Ice fishing is prohibited on any District waters.

Chapter 4. Personal Conduct

Sec. 4.1 Abandonment of Property

It is unlawful for any person to abandon any personal property on District property, including, but not limited to, cars, boats, appliances, garbage, furniture, or refuse. In addition to all fines and other penalties for violation of this section, the District may remove and destroy such property and assess the costs for such removal to the person abandoning the property.

Sec. 4.2 Advertisement, Signs, Peddling, and Solicitation

The purpose of this section is to control commercial enterprises or sales on District property and to ensure the public unimpeded use and enjoyment of District property without being subjected to purely commercial exploitation.

a) No person shall offer for sale any articles or things, or conduct or solicit any business, trade, occupation, or profession on District property, unless a permit therefor has first been obtained from the District.

b) 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 unless:

1) The Executive Director or his/her designee has granted permission therefor;

2) The advertising matter provides information about events, activities, programs and facilities sponsored by the District sponsored by other governmental entities or special recreation associations of which the District is a member or with which the District has an agreement;

3) The advertising matter is information displayed or distributed by groups whose purpose is to provide financial or volunteer support for the District and its events, activities, programs, property and facilities; or

4) The person holds a valid picnic, camping, or special event permit, in which case the person shall request the assistance of District staff to display signs to identify the permittee's location or direct others to such location; provided that such signs shall be temporary and shall be removed by the permittee at the termination of the activity; and further provided that such signs are no larger

than 24" x 30" and are not attached to any tree shrub, post, building, gate, District sign, or other structure located on District property.

c) 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 for such use and except with the permission of the Executive Director or his/her designee.

d) Soliciting votes and circulating petitions for or against a candidate for election to public office, or with respect to any referendum or other public question, is permitted on District property in areas open to the general public without permit, subject to the limitations set forth by the Illinois Board of Elections and State Statutes.

e) No peddler, vendor, or any other person shall engage in any activity upon District property for gain, or for which any charge is made, or in any commercial sale, rental, exhibition, or distribution of goods or services, including, without limitation, the giving of instruction or lessons for a fee, unless such person has first obtained a permit, license, or contract therefor from the District.

f) No person engaged in the activities described in this section shall obstruct or impede pedestrians or vehicles; harass visitors on District property 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 with, interrupt, or engage in conduct incompatible with the purpose of any program, activity, function, and/or special event conducted or sponsored by the District.

Sec. 4.3 Aircraft/Model Aircraft

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 land, cause to be landed, or permit or authorize the landing of any aircraft on District property unless a permit therefor has first been obtained from the District, except when necessitated by unavoidable emergency.

c) No person shall bring, use, fly, control, operate; cause to be brought, used, flown, controlled or operated; permit or authorize the bringing, use, flying, controlling or operating, or otherwise participate in the operation of miniature or motorized or wire-controlled model aircraft or rockets on or over District property, unless a permit therefor has first been obtained from the District.

d) No person shall parachute or otherwise descend from an aircraft into or onto District property or cause, permit or authorize another person to parachute or otherwise descend from any aircraft into or onto District property, unless a permit therefor has first been obtained from the District, except when necessitated by unavoidable emergency.

Sec. 4.4 Alcoholic Liquors/Intoxication

a) The following terms shall have the meanings set forth below for purposes of this section:

“Alcoholic liquor”

Is as defined in the Illinois Liquor Code, 235 ILCS 5/1-1 *et seq.*

“Under the influence”

Means affected by any intoxicating liquor 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.

b) No person under the influence of alcoholic liquor shall enter into, be, or remain on District property.

c) No person, other than the District or its authorized agents or permittees, shall bring into; possess; consume; use; sell, serve or otherwise transfer; any alcoholic beverages at any time on District property, unless a permit has first been obtained from the District for the event for which alcoholic beverages are to be brought in, sold or served, or unless the event will be sponsored by the District. The bringing in, sales and service of alcoholic beverages shall, in all cases, be in accordance with the requirements of the District’s Alcohol Serving Policy and Procedure. Any permit granted and any District-sponsored event held shall only be for private gatherings that are not open to the public, unless the permittee or the District has obtained a special use permit from the Village of Oak Brook.

d) Every person possessing; consuming; using; selling, serving or otherwise transferring alcoholic liquor pursuant to this section shall be subject to and shall comply with these Regulations, and any applicable federal, state, local, and/or other District laws, ordinances, rules, and

regulations regarding the possession, use, consumption, or transfer of alcoholic liquor.

Sec. 4.5 Assault, Battery, Fighting, and Reckless Conduct

No person shall knowingly start a fight, engage in a fight, or commit any assault, battery, or reckless conduct on District property.

For purposes of this section:

a) A person commits an assault when, without lawful authority, he or she engages in conduct which places another in reasonable apprehension of receiving a battery.

b) A person commits a battery if he or she intentionally or knowingly, without legal justification, and by any means: (1) causes bodily harm to an individual; or (2) makes physical contact of an insulting or provoking nature with an individual.

c) A person commits reckless conduct when he or she: (1) causes bodily harm to or endangers the bodily state of an individual by any means; or (2) performs recklessly any acts which cause harm or endanger safety, regardless of whether the acts are otherwise lawful or unlawful.

Sec. 4.6 Begging and Panhandling

No person shall beg or panhandle in District buildings, facilities, playgrounds or parks, or at the entrances or stairways of such buildings, facilities, playgrounds, or parks.

Sec. 4.7 Bicycling

a) When two or more persons in a group are operating bicycles, they shall not ride abreast, but shall ride in single file.

b) No person shall cling or attach himself/herself or his bicycle to any other moving vehicle.

c) The operator of a bicycle shall yield the right-of-way to all pedestrians and vehicles approaching on said roadway.

d) No person operating a bicycle shall carry another person on the same bicycle. This restriction does not apply to tandem bicycles.

e) No person shall operate a bicycle on District property between thirty (30) minutes after sunset and thirty (30) minutes before sunrise, without a

clear, white, properly lighted headlight, visible under normal atmospheric conditions from the front thereof for not less than five hundred (500) feet and firmly attached to the bicycle, or without a red reflector firmly attached to the bicycle, which is clearly visible in the headlight beam of an automobile for a distance of five hundred (500) feet to the rear of the bicycle.

f) No person may operate a bicycle on playgrounds, ball fields, tennis courts, or sidewalks, except that small children riding three- or more-wheeled cycles may operate such cycles on sidewalks while under the supervision and control of an adult.

g) No person shall ride a bicycle on any street or path where signs are posted prohibiting riding bicycles on those streets or paths.

h) Bicycles shall not, at any time or in any place, be indiscriminately parked by anyone in such manner as to actually or possibly interfere with pedestrians or automobiles. No person shall leave a bicycle lying on the ground or pavement or set against trees, or otherwise in a place other than a bicycle rack when such a rack is provided and there is space available. No person shall move or in any manner interfere with any bicycle that is properly parked, or interfere with or in any manner hinder any person from properly parking a bicycle.

i) All bicycles, 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 sidewalk.

j) No person shall operate a bicycle faster than is reasonable and proper, and every bicycle shall be operated with reasonable regard for the safety of the rider and of other persons and property.

k) Every person operating a bicycle on District property shall observe all traffic and Illinois Vehicle Code rules and regulations applicable to motor vehicles under these Regulations, except those provisions of these Regulations which, by their nature, can have no application, and except as otherwise provided by this section.

Sec. 4.8 Boating, Kayaking and Canoeing/Model Watercraft

a) No person shall bring into, launch or attempt to launch, use or navigate any boat, kayak, canoe raft, floatation device, or other vessel in District waters, except from such places as may be designated therefor, and then only in compliance with these Regulations, and any applicable federal, state, local, and/or other District laws, ordinances, rules and regulations.

b) No person shall use, employ, or be in or upon any District launching ramp, except on the dates and during the hours as established by the District for such use.

c) All vessels shall be registered with the Illinois Department of Natural Resources according to the Boat Registration and Safety Act, 625 ILCS 45/1-1 *et seq.*

d) No person shall bring into, use, control or otherwise participate in the operation of miniature or motorized model watercraft on any District waters, except for a District-sponsored event or unless a permit therefor has first been obtained from the District.

Sec. 4.9 Bribing Employees

No person shall give or offer any money, gift, privilege or article of value to any District employee, officer, or agent in order to violate the provisions of these Regulations or any other District ordinance, contract, permit or statute of the State of Illinois or the United States, or in order to gain or receive special consideration in applying for any use or privilege, or treatment in the use of District property. This section shall apply both on and off District property.

Sec. 4.10 Commercial Photography

No person shall take or cause to be taken any still or motion pictures (including video tapes), or make sketches or paintings of District property, programs, or events for commercial purposes or for use in commercial advertising, unless a permit therefor has first been obtained from the District.

Sec. 4.11 Disorderly Conduct

a) No person shall hinder, interfere with, or cause or threaten to do bodily harm to any employee or the District while such employee is engaged in performing his or her duties in and on behalf of the District.

b) No person shall commit any act in such an unreasonable manner as to alarm or disturb another and to provoke a breach of the peace.

c) No person shall engage in violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance.

d) No person shall commit any other act which may be defined as disorderly conduct under the Illinois Criminal Code, 720 ILCS 5/26-1, 2, 3, or 4.

Sec. 4.12 Drugs/Cannabis/Controlled Substances

a) For purposes of this section, the following words will have the meanings set forth below:

“Cannabis”

Means any substance so defined in the Cannabis Control Act, 720 ILCS 550/1 *et seq.*;

“Controlled substance”

Means any substance so defined in the Illinois Controlled Substances Act, 720 ILCS 570/100 *et seq.*;

“Intoxicating compounds”

Includes all substances listed in the Use of Intoxicating Compounds Act, 720 ILCS 690/0.01 *et seq.*;

“Under the influence”

Means affected by 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.

b) No person shall bring, possess, sell, deliver to another person or use cannabis or any controlled substance upon District property.

c) No person under the influence of cannabis, intoxicating compound, controlled substance, or any combination thereof, shall enter into, be, or remain on District property.

Sec. 4.13 Dumping, Polluting, and Littering

a) No person shall litter, cast, throw, drop, leave, scatter, place, pile, or otherwise dump, or deposit in any manner, any kind of dirt, rubbish, placard, handbill, pamphlet, circular, book, notice, flyer, other promotional material, paper of any kind, ashes, garbage, waste material, including yard waste and/or tree branches and construction debris, manure, snow, ice, or other substance, whether liquid or solid, or any other refuse in or upon District property, unless a permit therefor has first been obtained from the District; provided, however, that paper, glass, cans, garbage and other refuse resulting from picnics or 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 shall be properly disposed of elsewhere.

b) No person shall urinate or defecate on District property other than in toilets in restroom facilities expressly provided for such purposes.

c) No person shall drain refuse from a trailer or other vehicle on District property.

d) No person shall bathe or wash themselves or food, clothing, dishes, or other property at water outlets, fixtures or pools on District property, except at those areas designated by the District for such use.

e) No person shall pollute or contaminate District property.

f) No person shall deposit, dump, throw or place any garbage, refuse, rubbish, construction debris, landscape debris, bottles, cans or other similar containers of any description, or any other liquid or solid that will or may result in the pollution or hindrance of the use of any District waters.

g) No person shall dispose of fish remains on District property, unless a permit therefor has first been obtained from 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 shall 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 these Regulations, or any applicable federal, state, local, and/or other District laws, ordinances, rules, and regulations.

Sec. 4.14 Fires

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. In the event the District permits a person to use such a fire, the person shall comply with the following requirements in addition to any other rules as may be prescribed by the District:

- a) No fire shall ever be left unattended, and 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.
- b) All fires must be properly and completely extinguished prior to any person leaving the site of the fire.
- c) Dumping of ashes from grills is strictly prohibited.
- d) 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 other District resources, or creates a safety hazard.

Sec. 4.15 Fireworks

No person shall offer for sale, expose for sale, sell, possess, use, or explode any firecracker, torpedo, skyrocket, roman candle, bomb, sparkler, rocket, squib or other fireworks of like construction, or anything containing any explosive or inflammable compound, or any tablets or other device commonly used and sold as fireworks, on District property, unless a permit therefor has first been obtained from the District, or unless authorized to do so by contract with the District.

Sec. 4.16 Gambling/Fortune Telling

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 on District property, either as a bookmaker, dealer, player or otherwise, for the purpose of gaming or gambling for money or other valuable things, except at a fair, carnival or other organized event conducted or unless a permit therefor has first been obtained from the District.

Sec. 4.17 Games and Sports

a) No person shall engage in any sport, game, or amusement on District property where prohibited by the District. No person shall walk, remain, or go upon any portion of District property designated for any particular game, sport, or amusement in such a way as to interfere with the use of that portion of District property by persons who are using the same for the particular sport, game or amusement for which it has been designated. No person shall engage in any permitted activity in a rough or reckless manner so as to endanger, injure or damage any person or property in any way.

b) No person shall use a golf club, baseball bat, tennis racket, or other device, to strike, hit, propel or otherwise throw any object, such as balls or rocks, on District property, except in designated areas, and only as such device is intended to be used.

Sec. 4.18 Hindering Employees

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.

Sec. 4.19 Hitchhiking

No person shall solicit a ride nor stand in or near a roadway on District property for the purpose of soliciting a ride from the operator of any vehicle.

Sec. 4.20 Impersonating an Officer

It shall be unlawful for any person to unlawfully represent or impersonate any police officer or official of the District or pretend to be such officer or official.

Sec. 4.21 Indecent Conduct

a) No person shall commit any indecent, lewd or lascivious act on District property, or use abusive, insulting, or obscene language, or language calculated to occasion a breach of peace on any District property.

b) No person shall appear on District property in a state of nudity or make any indecent exposure of his person or be guilty of any other lewd or indecent act or behavior.

c) No person shall enter or remain in or on any District property unless fully clothed in a manner generally considered to be appropriate for the game, sport, program or event in which such person is engaged.

Sec. 4.22 Loitering

No person shall loiter or remain 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; (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 employee of the District, or where the District has posted a sign or signs that prohibit loitering.

Sec. 4.23 Metal Detectors

No person shall operate any device which is designed for the detection of metal objects on or below District property.

Sec. 4.24 Minors

a) No parent, guardian, or custodian of a minor shall knowingly assist or allow such minor to do any acts on District property in violation of any of these Regulations or any other law, ordinance or rule of the District. A minor is defined herein as any person who is under the age of eighteen (18) years.

b) The parent or legal guardian of an unemancipated minor who resides with such parent or legal guardian shall be liable for damages caused by the willful or malicious acts of such minor as provided in the Illinois Parental Responsibility Act, 740 ILCS 115/1, *et seq.* This section shall not affect the recovery of damages in any other course of action where the liability of the parent or legal guardian is predicated on a common law basis.

Sec. 4.25 Mob Action

No person shall engage in mob action. Mob action consists of any of the following: (1) the use of force or violence disturbing the public peace by two (2) or more persons acting together without authority of law; or (2) the assembly of two (2) or more persons to do an unlawful act; or (3) the assembly of two (2) or more persons, without authority of law, for the purpose of doing violence to the person or property of anyone supposed to have been guilty of a violation of the law or for the purpose of exercising correctional powers or regulative powers over any person by violence.

Sec. 4.26 Obstructing Travel

No person shall set, or cause to be set or placed, any goods, wares, merchandise, or property of any kind so as to obstruct travel on District property.

Sec. 4.27 Picnics

a) Picnics may be held in any unrestricted area on District property not specifically set aside for other recreational activity. A permit is required for group picnics involving ten (10) or more persons. Groups of less than ten (10) persons do not require a permit unless the group desires to reserve a designated area or shelter to the exclusion of others.

b) No person shall use, infringe upon or disturb a group in possession of a valid permit for use of District property, except with the permission of the group possessing such permit.

Sec. 4.28 Resisting or Interfering With Officer

No person shall:

a) Resist any police officer in the discharge of said officer's duties;

b) Interfere in any way with or hinder or prevent a police officer from discharging his/her duties as such officer, or offer or endeavor to do so;

c) Assist any person in the custody of any member of the police force, in any manner, to escape or attempt to escape from such custody, or attempt to rescue any person in custody.

Sec. 4.29 Skateboarding

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 not designated or customarily used for such purpose or where such use has been posted as prohibited.

Sec. 4.30 Sleeping in or on District Property/Vagrancy

a) No person shall sleep on District property between 10:00 p.m., and 6:00 a.m., unless a permit therefor has first been obtained from the District.

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.

Sec. 4.31 Sledding/Snowboarding/Ice Skating

- a) No person shall ice skate, sled, toboggan, inner tube, ski, snowboard, slide, or engage in similar activities on District property except at such times and places as the District may designate for such purposes, and no person shall drive or walk upon any ice over District waters.
- b) No person shall engage in any such activity in a reckless manner that endangers that person or others, or at a speed greater than is safe and proper under the circumstances.
- c) No person shall use any vehicle to tow, push, pull, or otherwise propel another person on skis, sled, or other sliding device on District property.

Sec. 4.32 Smoking

No person shall smoke in or upon any District property which is posted as a non-smoking area.

Sec. 4.33 Sound and Energy Amplification

- a) No person shall play or operate any sound amplification devices including public address systems, sound equipment, musical instruments, radios or stereos, noisemakers and the like, or operate any other energy amplification device or musical instrument, unless a permit therefor has first been obtained from the District, and no such permit shall be issued or maintained where sound produced by such devices is judged by the Executive Director or his or her designee to be a public annoyance. This section shall not apply to the playing of any musical instrument, public speaking, or the amplification thereof, in conjunction with activities conducted, sponsored or licensed by the District.
- b) No person shall make or causes to be made any excessively loud or unreasonable noise, which disturbs the peace. For purposes of this subsection, excessively loud or unreasonable noise is defined as noise inconsistent with or not reasonably attendant to appropriate and customary activities on District property, 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.

Sec. 4.34 Swimming

No person shall bath, swim, wade, float, splash, or otherwise enter District waters other than in District swimming pools.

Sec. 4.35 Theft of Property/Services

No person shall remove, without the permission of the Executive Director or his/her designee, any furniture, equipment, materials, landscaping, tree, rock, soil or other property from any District property. Nonpayment of any fee or charge required to be paid to the District for use of any property, facility, program, or class of the District or for services rendered is prohibited. No person shall transfer, misuse, or tamper with any District membership identification card or any other authorized identification, pass, gift certificate or document issued by the District.

Sec. 4.36 Throwing Missiles

No person shall throw or cast any stones or other missiles on District property, except where such throwing or casting is involved in a recognized game or recreational activity, and then only upon such portions of District property as may be designated for such purpose.

Sec. 4.37 Unlawful Assemblies

It shall be unlawful to collect, gather or be a member of any disorderly crowd, or any crowd gathered together for any unlawful purpose, or for any person to join in or stay with or near any such gathering.

Sec. 4.38 Weapons and Firearms

a) No person other than police officers shall bring, attempt to bring, carry, have in a vehicle, or use in any way, any gun, pistol or other firearm, or any portion thereof, upon District property.

b) No person shall bring, attempt to bring, carry, or have in his vehicle, or use in any way, any knife having a blade longer than three (3) inches, any air gun, pellet gun, paint-ball gun, or sling shot on District property.

c) No person shall bring, attempt to bring, carry, have in his vehicle, or use in any way, any explosives, ammunition, or bottles of gasoline with a rag attached.

d) No person shall bring, attempt to bring, carry or use in any way, any bow or arrow upon District property, except with the permission of the Executive Director or his/her designee as part of a directly supervised District program.

e) No person shall use or explode any toy pistol, toy cannon, toy cane, or toy gun in which explosives are used, or use or explode any blank

cartridge on District property, except that starter pistols may be used for sporting or athletic events authorized by the District.

f) No person, while on District property, shall use; bring onto; carry; have in his possession or on or about his person, concealed or otherwise; fire, set off or otherwise cause to explode, discharge or burn; or throw any bludgeon, black-jack, billy-club, sand-club, sand-bag, metal knuckles, throwing star, switchblade knife, ballistic knife, any other dangerous knife (including without limitation, a dirk, dagger, or stiletto), razor, broken bottle or other dangerous piece of glass, liquid or gaseous substance, or any other object not specifically named herein whose intended use is as a weapon.

Chapter 5. Vehicles

Sec. 5.1 Definitions

For purposes of this article, the terms used herein shall have the meanings assigned under the Illinois Vehicle Code (625 ILCS 5/1-1 *et seq.*).

Sec. 5.2 Driving Only on Designated Roadways and in Accordance with Posted Regulations

No person shall drive any vehicle on any District property except upon paved roads or parking areas designated for such purposes, and only then in accordance with posted signs as to speed, direction, parking, stopping, lane markings and traffic controls.

Sec. 5.3 ATV's and Off-Highway Motorcycles

No person shall drive or operate any ATV or off-highway motorcycle on District property, except under the following circumstances:

- a) When such vehicles are used by law enforcement officers or District employees or agents for law enforcement or District purposes; or
- b) In the case of an emergency.

Sec. 5.4 Drag Racing

a) For purposes of this section, “drag racing” means the act of two or more individuals competing or racing on District property in a situation in which one of the motor vehicles is beside or to the rear of a motor vehicle operated by a competing driver and the driver attempts to prevent the competing driver from passing or overtaking him, either by acceleration or maneuver; or one or more individuals competing in a race against time on any street or roadway on District property.

b) No person who is an operator of a motor vehicle on District property may be a participant in the act of drag racing.

Sec. 5.5 Driving Under the Influence

No person shall drive or otherwise operate, attempt to drive or otherwise operate a vehicle on District property while under the influence of alcoholic liquor, cannabis, a controlled substance, or any other intoxicating compound, drugs, or any combination thereof.

Sec. 5.6 Driving Upon Sidewalk

No person shall drive any motor vehicle District property upon a sidewalk or sidewalk area located on District property except upon a permanent or duly authorized temporary driveway, except for routine maintenance, utility or emergency service, or for a special delivery or pickup involving goods or customer services.

Sec. 5.7 Enforcement of Traffic Regulations

No person shall fail to obey a police officer or District employee who is directing traffic or enforcing sections of this chapter on District property.

Sec 5.8 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 the Illinois Vehicle Code, which provisions are specifically incorporated in these Regulations by reference.

Sec. 5.9 Mufflers

No person shall operate a motor vehicle on District property that is not equipped with a muffler adequate to deaden the sound of the engine.

Sec. 5.10 Parking, Standing, or Stopping

a) No person driving or in charge of a motor vehicle shall permit it to stand unattended on District property without first stopping the engine, locking the ignition and removing the keys and, when standing upon any perceptible grade, without effectively setting the brake and turning the front wheels to the curb or side of the roadway.

b) No person shall park a vehicle on District property, except in established or designated parking areas 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 on District property beyond the normal closing hour for such District property, except when a different closing hour has been designated by the District for an area or event, or except with the permission of the Executive Director or his/her designee.

d) No person shall stop, stand, or park any vehicle on District property so as to obstruct or interfere with traffic or travel or endanger the public safety, and no person shall stop, stand, or park any vehicle in any of the following places, except when otherwise designated, when necessary to avoid conflict with other traffic, or when in compliance with the directions of a District employee:

- 1) On the left side of any roadway;
- 2) On parkways, lawn areas, and grounds;
- 3) In front of a public or private driveway;
- 4) Within any intersection;
- 5) Within any crosswalk;
- 6) Within twenty (20) feet of any intersection or crosswalk, other than in a marked parking space;
- 7) Within thirty (30) feet of any stop sign or traffic control signal, other than in a marked parking space;
- 8) On the roadway side of any vehicle stopped or parked at the edge or curb of the roadway (“double parking”);
- 9) In a position to block another vehicle lawfully parked;
- 10) On any sidewalk;
- 11) At any place where official signs or other markings prohibit parking, or where curbs have been painted yellow;
- 12) Within fifteen (15) feet of a fire hydrant;
- 13) In a fire lane or within eight (8) feet of the entrance to a fire lane;
- 14) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic; and
- 15) Upon any bridge or other elevated structure upon a roadway;

e) No person shall park a vehicle upon any roadway or in any public off-street parking facility on District property for any of the following purposes:

- 1) To display such vehicle for sale; or
- 2) To perform maintenance or repair of such vehicle, except for repairs necessitated by an emergency; or
- 3) To sell goods or services from such vehicle.

f) Notwithstanding any contrary provision contained in this section, the operator of an authorized emergency vehicle may park or stand in locations not otherwise permitted under the provisions of these Regulations.

g) No person shall move a vehicle not lawfully under his control into any prohibited area or away from a curb at such a distance as is unlawful.

h) Penalty Provisions for Parking Violations

1) Every person in whose name a vehicle is registered pursuant to law or who leases a vehicle to others, after receiving written notice of a violation of this section involving such vehicle shall, upon request, provide the District with a written statement of the name and address of the user or lessee at the time of such offense and the identifying number on the registration plates and registration sticker or stickers of such vehicle.

2) 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 section involving such vehicle during the period of the lease; provided that, upon the District's request received within one hundred twenty (120) days after the violation occurred, the lessor provides, within sixty (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 section.

3) Whenever any vehicle has been parked in violation of these sections 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.

4) Whenever any vehicle is parked in violation of any parking provision of this section, any law enforcement officer observing such violation may issue a parking violation notice and serve the notice on the owner of the vehicle by handing it to the operator of the vehicle if he or she is present, or by affixing such notice to the vehicle in a

conspicuous place. The issuer of the notice shall specify on the notice his or her 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 also certify the correctness of the specified information by signing his or her name to the notice. 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 a copy thereof shall be admissible in any subsequent administrative or legal proceeding.

5) Any violation of the parking provisions of this section or any provision of the Illinois Vehicle Code prohibiting or restricting vehicular standing or parking shall be a civil offense punishable by fine, and no criminal penalty, or civil sanction other than that prescribed in this section, shall be imposed.

6) Any person who violates or fails to comply with any provision of this section shall be fined not less than \$30.00 and not more than \$500.00 for each offense.

7) 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.

8) If the respondent requests a court hearing to contest the cited violation or violations, the office of the Village of Oak Brook Chief of Police shall arrange such a hearing and shall notify the respondent in writing of the time and place of the hearing.

9) A notice sent pursuant to this section shall state that 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 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.

Sec. 5.11 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.

Sec. 5.12 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.

Sec. 5.13 Snowmobiles

- a) 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 a ski or skis in contact with the snow.
- b) No person shall drive, ride, or otherwise operate a snowmobile on District property.

Sec. 5.14 Speed Limit

No person shall operate, propel or cause to be propelled a vehicle on any road or drive, or in any 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 ten (10) miles per hour.

Sec. 5.15 Towing

Any unattended vehicle in violation of any provision of these Regulations may be towed at the owner's expense in accordance with the procedures required for towing of vehicles under State law.

Chapter 6. Permits

Sec. 6.1 Permit Process

a) For purposes of this section, the term “exercise of First Amendment rights” shall include, without limitation, parades, marches, demonstrations, rallies, religious services, speeches, solicitation of votes, petitions for signatures or contributions, picketing and leafleting.

b) Permits may be granted upon proper application and approval where the applicable section of these Regulations or any other District ordinance, policy, rule, or regulation requires a permit in order to engage in a particular use or activity. No person shall be discriminated against in the granting of permits because of race, sex, sexual orientation, religion or creed, color, ancestry or national origin.

c) Every person requesting a permit shall complete and file a written application with the Executive Director or his or her designee on forms provided by the District, and shall pay applicable application fees at the District’s administrative offices located at 1450 Forest Gate Road, Oak Brook, IL 60523. The application shall be dated when received and a receipt shall be issued to the applicant.

d) Unless otherwise provided in another section of these Regulations or other District ordinances, rules, or regulations, all applications for permits not involving the exercise of First Amendment rights must be received by the District at least twenty-one (21) calendar days prior to the use for which a permit is sought. Applications for permits involving the exercise of First Amendment rights must be received by the District at least three (3) working days prior to the event requested.

e) Except for applications for permits involving a commercial activity or for the sale or delivery of alcoholic beverages, the District shall issue the requested permit without unreasonable delay unless:

- 1) The proposed activity violates these Regulations, or any applicable federal, state, local, and/or other District law, rule, or regulation;

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

- 3) The proposed use is of such a nature that it cannot reasonably be accommodated in the particular location applied for considering,

without limitation, the likelihood of damage to District resources or facilities, damage to an environmentally sensitive or protected area's ecosystem, impairment of a protected area's atmosphere of peace and tranquility, unreasonable interference with District functions, buildings, facilities, operations, programs or activities, unreasonable interference with the use or purpose of the District property applied for, or similar factors;

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

5) The proposed use would so dominate the use of District property as to preclude other persons from using and enjoying it.

f) If the application is approved, the District shall issue a written permit to the applicant. If the application is denied, the District shall issue the applicant written reasons for denying the application.

g) If an application is denied on the basis of a scheduling conflict or inappropriateness of the location, duration, or time of the activity, the District will make a reasonable effort to arrange an alternative location, duration, or time that is acceptable to the applicant. If the District denies an application and the applicant is dissatisfied with the reason for such denial, the applicant may appeal the decision to the Board. If the Board rejects the appeal after full review, or if time for full review is not available, the applicant may appeal the decision to the appropriate state or federal court. All other decisions on the issuance of permits by the District are final.

h) Any permit granted by the District shall contain lawful prerequisites to the issuance of the permit and restrictions on the conduct of the permitted use, including, without limitation: payment of a reasonable fee; general liability insurance coverage; an agreement to fully indemnify and hold the District harmless from any liability or costs resulting from the use; a requirement that the persons involved in the use observe these Regulations, all federal, state, local, and District laws, ordinances, rules, and regulations; time, duration, and location restrictions; a restoration deposit; a written agreement by the applicant to fully restore any District property soiled or damaged by the use; and, any other reasonable restriction necessary for the efficient and orderly contemporaneous administration of the use and other activities authorized by the permit, as well as regularly scheduled District uses, functions, programs, and activities.

i) Any person holding a valid permit issued by the District for use of District property may use that District property to the exclusion of any

other person except for the District and its employees and authorized agents.

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

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

l) Unless specifically provided for elsewhere in these Regulations, no permit shall be issued for a period in excess of seven (7) consecutive calendar days. A permit may be extended for like periods of time pursuant to a new application, unless another person has requested use of the same location and use of that location by more than one permittee is not reasonably possible.

m) For uses involving the exercise of First Amendment rights, the District may waive any application or permit fees if the applicant demonstrates that the cost of such fees is prohibitive. An applicant must request such a waiver in writing when submitting the permit application.

Chapter 7. Offenses Affecting District Functions

Sec. 7.1 Police/Security Force

a) The Village of Oak Brook Police Department, through an intergovernmental agreement, has the authority to enforce all federal, state, local and District laws, rules, regulations, and ordinances, including these Regulations on District property. Village of Oak Brook police officers shall have the authority to eject from District property, arrest, or issue citations to any person who violates these Regulations or any applicable federal, state, local, and/or other District laws, rules, regulations or ordinances on District property.

b) All municipal, county, state and other law enforcement authorities shall also be authorized to enforce these Regulations and all other laws and regulations, including District ordinances, on District property.

Sec. 7.2 Rules to be Obeyed

No person shall violate or disobey any provision of these Regulations or any other District ordinance, policy, rule or regulation regulating conduct or activities on District property even through the same may not have been posted. No person shall violate or disobey the direction 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 Village of Oak Brook Police Department or any employee of the District seeking to enforce compliance with these Regulations, or any applicable federal, state, local and/or other District laws, rules, or regulations.

Sec. 7.3 Temporary Dismissal

a) A person who violates any of these Regulations or any other law, ordinance or rule that threatens the safety of the District's patrons, staff and/or property, may be issued a "Notice of Temporary Dismissal," meaning that the person must leave District property immediately and may not enter into any District property for the length of time designated on the "Notice of Temporary Dismissal" which, depending on the seriousness of the violation may be from one (1) to six (6) days. Any such person issued a "Notice of Temporary Dismissal" who returns to any District property during the dismissal period may be arrested for trespassing.

b) The officers of the Oak Brook Police Department, the District's Executive Director, and other officers of the District are authorized to issue a "Notice of Temporary Dismissal" and to determine the length of the dismissal period.

Sec. 7.4 Exclusion

a) A person who receives three (3) or more citations during any sixty (60)-day period for violation of these Regulations, or any other law, ordinance, or rule while on any District property is subject to “exclusion,” meaning that person must leave the District property immediately and shall not enter into any District property for a time-period ranging from one (1) week to one (1) year. A person who enters any District property during the period of exclusion may be arrested for trespassing.

b) The length of the exclusion depends on the number of violations committed previously and on the severity of the violations. Any official of the District or any Oak Brook Police Officer has discretion to decide how long the exclusion should be, within the following guidelines:

Exclusion for up to sixty (60) days:

- Three (3) citations or one (1) temporary dismissal during a sixty (60)-day period before issuance of the current citations; or
- Four (4) citations during the twelve (12)-month period before issuance of the current citation.

Exclusion for up to one hundred eighty (180) days:

- Two (2) or more temporary dismissals during the sixty (60)-day period before issuance of the current citation; or
- Five (5) citations during the twelve (12)-month period before issuance of the current citation.

Exclusion for up to three hundred sixty-five (365) days:

- Three (3) or more temporary dismissals during the sixty (60)-day period before issuance of the current citation; or
- Six (6) citations during the twelve (12)-month period before issuance of the current citation.

c) Appeal of Notice of Exclusion. Exclusion for longer than seven (7) days may be appealed to the District’s Executive Director. Promptly after receipt of a written request for an appeal, the Executive Director will conduct an informal hearing where the person subject to exclusion and a District representative may present facts, circumstances, evidence and witnesses to support their respective positions and may cross-examine witnesses presented by the other side. After the conclusion of the hearing, the Executive Director shall issue a written determination on the appeal.

Sec. 7.5 General Penalty

a) In all cases where the same offense is made punishable or is created by different clauses or sections of these Regulations, the prosecuting officer may elect under which to proceed, but not more than one recovery shall be had against the same person for the same offense; provided that the revocation of a license or permit or a fine imposed in an administrative hearing shall not be considered a recovery or penalty so as to bar any other penalty being enforced.

b) Where an act or omission is prohibited or declared unlawful and no penalty or fine or imprisonment is otherwise provided, the offending person shall be fined not less than \$100 or more than \$1,000 for each offense. Each day that a violation continues shall be deemed a separate offense. In addition to any fine, the District may revoke the privilege to use all or some of the facilities of the District for such length of time as is determined appropriate by the District in accordance with section 7.4 hereof.

c) Whenever a finding of guilty is entered by a court or a plea of guilty is entered by a defendant, the court may, in addition to any fine imposed, enter an order to pay restitution, with restitution to be in an amount not to exceed actual out-of-pocket expenses or loss proximately caused by the conduct of the defendant. The court shall determine the amount and conditions of payments.

d) All fines, when collected, shall be paid into the treasury of the District.