

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, minerals, overhead air rights, easements, 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(s)”

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. This definition shall not include the District and any authorized officer, employee (full or part-time, regular or short-term), or agent of the District when acting within the scope of his authority.

“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 and Scope

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

- a). Words and Terms:

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.

Singular/Plural

Any term in the singular shall include in the plural.

b). These Regulations are in addition to and supplemental to all applicable state, federal, local, and District laws, ordinances, rules, and regulations including without limitation the Park District Code (70 ILCS 1205/1-1 *et seq.*).

c) The meaning of any term, phrase, or word not otherwise defined in these Regulations shall be construed and interpreted to mean the same as said term, phrase, or word is otherwise defined, construed or interpreted in such applicable federal, state, local, or District laws, ordinances, rules, or regulations. The meaning of any term, phrase, or word not otherwise defined in these Regulations or in such applicable federal, state, local, or District laws, ordinances, rules, or regulations, shall retain its ordinary and properly understood meaning.

d) An attempt to commit an act or engage in an activity prohibited under these Regulations shall likewise be deemed prohibited in the same manner as the commission of such act or the engaging in such activity and subject to the same penalties.

e) These Regulations shall apply to and be enforceable within and upon all District property, and shall regulate the use thereof by all Persons. However, no provision hereof shall make unlawful any act necessarily performed by any officer, employee or agent of the District, when acting within the scope of his authority or in his line of duty, or any other Person summoned by such person to assist him.

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 and shall not affect the meaning or construction, nor be used in the interpretation, of any provision of these Regulations.

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 policies, 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 required registration requirements that may be established by the District, and without displaying any required admission identification. All required 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 required 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

a) 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.

b) Persons holding a valid camping Permit may display signs in accordance with Section 4.2(b)(4) of these Regulations.

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 required admission and/or registration fees;

f) Enter or remain on District property if his or her admission privileges have been terminated, revoked, forfeited or suspended or if his or her permit, pass, ticket or membership card for admission to, or use of, the specific District property which he enters has been suspended or revoked.

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, paint or write on, post or otherwise affix, any printed or written words, symbols, materials, or other marks to, 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;
- k) Fail to maintain District property in a neat and sanitary condition; or
- l) Bring into, throw, cast, drop, deposit, or otherwise leave or lay down any smoke bomb, or other offensive smelling compound on District property.

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 sixty (60) 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) In accordance with the Public Health Code, 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 and Activities

- 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/tournaments, or conduct any play class, day camp, sports league activity, fitness class, personal training, or other organized group of any kind, whether organized or conducted for profit or non-profit.
- b) Persons desiring to engage in any of the above activities may apply to the District for a written Permit under the policies established by the Board and subject to fees set by the Board.
- c) Any Person issued a Permit by the District shall produce the Permit and exhibit it upon request of any District employee or officer.
- d) 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 three (3), 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 a service animal as defined in the District's "Service Animal Policy," which Policy is attached in Appendix A of these Regulations, and as regulated and restricted by such Policy, no Person shall bring a dog, horse, or other domestic animal into or onto any District property, except as follows:

1) A domesticated animal may generally be brought into an outdoor area; provided that such domesticated animal shall be kept on a leash of not more than six feet (6') in length, that the handler of any such domesticated animal shall have personal control of the domesticated animal at all times and shall not leave the domesticated animal unattended at any time, even if leashed, and that no domesticated animal 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 or in conjunction with a zoo, museum, nature center, or similar facility controlled, permitted or licensed 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.

d) Service animals for the visually impaired and other domesticated animals specially trained to assist Persons with disabilities are excluded from the prohibitions of this section when they are accompanying Persons

with disabilities for purposes of providing such assistance. See the District's Service Animal Policy for more detail, which policy is provided in Appendix A of these 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, or the young or eggs thereof.

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

- a) 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.
- b) Property left unattended for longer than twenty-four (24) hours or unattended property that interferes with any District visitors' safety, orderly management of District property, or presents a threat to District resources may be impounded or removed by the District at any time. The owner of such property shall be responsible and liable for all costs and expenses associated with the impounding, removal, storage, or other disposal of the property.
- c) Any Person finding lost or unattended property on District property shall report such finding to the District as soon as is practicable. Whenever a District employee finds lost or unattended property on District property he shall report such find to the Director. The District will attempt to make every reasonable effort to locate the property's owner(s).
- d) Unattended property that has been impounded or property that has been found shall be stored for a minimum period of thirty (30) days. All property not claimed shall be disposed of as the District deems appropriate.
- e) 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 contributions, 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 or otherwise upon the District's direction in the event the sign poses a safety hazard or includes content that is obscene, abusive or violent; 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) 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.
- e) No Person shall sell printed or written material on District property unless a Permit has first been obtained 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 Charitable, Religious, Political, or Non-Profit Activities

a) For purposes of this section, charitable, religious, political, or non-profit activities shall include, without limitation, soliciting contributions, the sale or distribution of merchandise, soliciting votes or circulating petitions for or against any candidate for election to public office or with respect to any referendum or other public question.

b) Soliciting contributions for charitable, religious, political, or non-profit organizations is permitted on District property provided that a Permit therefor has first been obtained from the.

c) The sale or distribution of merchandise by charitable, religious, political, or non-profit organizations is permitted on District property provided that a Permit therefor has first been obtained from the District.

d) Soliciting votes and circulating petitions for or against candidate for election to public office or with respect to any referendum or other public question is permitted on District property in areas open to the general public without a Permit, subject to the limitations set forth in paragraphs (e) and (h) of this Section 4.3, Section 4.4 and Illinois law.

e) No Person shall engage in any activity described in subsections (a) through (d) of this Section 4.3 in District buildings or facilities in rooms or other locations in which any program, activity, class, function or special event conducted, sponsored by the District is in progress.

f) 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.

g) No Person shall fix any placard, sign, handbill, pamphlet, circular, or any other writing or printed material or objects containing advertising matter or announcements of any kind whatsoever on any District tree, shrub, post, building, gate, sign, or other District property except as provided in 4.2(b)(1-4).

h) No Person engaged in the activities described in this section shall obstruct or impede pedestrians or vehicles, harass park visitors with physical contact or persistent demands, misrepresent the affiliations of those engaged in such activities, misrepresent what the solicited funds will be used for or whether the merchandise is available without cost or donation,

or interfere, interrupt, or engage in conduct incompatible with the purpose of, any program, activity, function, and/or special event conducted or sponsored by the District.

Sec. 4.4 Fairs and Special Events: Sale and Distribution of Merchandise; Soliciting Contributions

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

Sec. 4.5 Aircraft/Model Aircraft/Drones

a) No Person shall fly, cause to be flown or permit or authorize the flying of aircraft of any kind at any time over District property at an elevation lower than the minimum safety requirements established by the Federal Aviation Administration or other governmental authority, at an elevation which is lower than is reasonably safe under the circumstances, or in a manner which endangers the safety of any Person on District property.

b) No Person shall 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 or unmanned aircraft systems including model aircrafts and drones, or rockets on or over District property, unless a Permit therefor has first been obtained from the District. For purposes of this section: a) an “unmanned aircraft system” means an unmanned aircraft and its associated elements, including communication links and the components that control the unmanned aircraft, that are required for the safe and efficient operation of the unmanned aircraft in the national airspace system; and b) an “unmanned aircraft” shall mean any aircraft that is operated without the possibility of direct human intervention from within or on the aircraft. Any Person authorized to operate an unmanned aircraft system on District property shall comply with all regulations established by the Federal Aviation Administration, the State of Illinois, the District, Village of Oak Brook and any other governmental

authority having jurisdiction over such use and operation of the unmanned aircraft.

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. 4.6 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. 4.7 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. 4.8 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.

No Person begging or panhandling on the District property shall obstruct or impede pedestrians or vehicles; harass park visitors with physical contact or persistent demands; misrepresent his or her affiliations; misrepresent what the solicited funds will be used for; or interfere, interrupt, or engage in conduct incompatible with the purpose of any program, activity, function, and/or special event conducted, sponsored licensed or otherwise permitted by the District; or coerce or intimidate another person into giving money, goods or services.

Sec. 4.9 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. 4.10 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. 4.11 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. 4.12 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. 4.13 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 or a breach of peace.
- d) No Person shall congregate with other Persons on District property with the intent to restrict vehicular or pedestrian traffic or with the intent to restrict the free ingress to or egress from District property and fails to comply with a lawful order of the Village of Oak Brook Police to disperse.
- e) 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. 4.14 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) Except as provided in 4.14(d), no Person shall bring, possess, sell, deliver to another Person or use cannabis or any controlled substance upon District property. No Person shall produce, plant, cultivate, tend or harvest the cannabis plant on or in connection with any District property.

c) Except as provided in 4.14(d), no Person under the influence of cannabis, intoxicating compound, controlled substance, or any combination thereof, shall enter into, be, or remain on District property.

d) No Person shall bring into or possess cannabis upon District property except as permitted for a registered qualifying patient pursuant to the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.). No Person shall be under the influence of cannabis while on District property except as permitted for a registered qualifying patient pursuant to the Compassionate Use of Medical Cannabis Pilot Program Act.

Sec. 4.15 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. 4.16 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. 4.17 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. 4.18 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. 4.19 Games and Sports/Interference with Other Users

a) No Person shall engage in any sport, game, or amusement on District property where prohibited by the District. No Person shall walk, remain, conduct himself or herself, 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 unreasonably disturb or interfere with any Person occupying an area or participating in any activity on District property under the authority of a Permit.

c) 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. 4.20 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. 4.21 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. 4.22 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. 4.23 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.

d.) No Person shall exhibit, sell, or offer to sell or give away any obscene or indecent book, pamphlet, paper, drawing, movie film, video tape, picture, photograph, or any other obscene or indecent article of any kind while on District property. For purposes of this subsection, obscene shall have the meaning ascribed to it in 720 ILCS 5/11-20.

Sec. 4.24 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. 4.25 Metal Detectors

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

Sec. 4.26 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. 4.27 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. 4.28 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. 4.29 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.
- c) Persons holding a valid picnic Permit may display signs in accordance with Section 4.2(b)(4) of these Regulations.

Sec. 4.30 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.
- d) No Person shall falsely represent that he is, or otherwise pretend to be, a District officer or employee, a member of the police, or an agent or other representative of the District.
- e) No Person shall knowingly display a false, expired or revoked Permit, pass or membership card, or give a false report or false information (including, without limitation, information requested in a Permit application) for the purpose of misleading a District employee or agent, or a member of the police in the conduct of his official duties.

Sec. 4.31 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. 4.32 Sleeping in or on District Property/Vagrancy

- a) No Person shall sleep on District property at any time, 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, including, but not limited to, such uses as sitting or laying down in locations or facilities or on District equipment or fixtures intended for use by the public for picnicking, playing, or similar activities; storage, whether temporary or permanent, of personal belongings not directly related to the intended or designated use of District property, facilities, equipment or fixtures; and use of park space for extended periods of time for purposes other than those intended or designated for the particular District property, facility, equipment or fixtures.

Sec. 4.33 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. 4.34 Smoking, E-Cigarettes, and Chewing Tobacco

No Person shall smoke any tobacco products or any e-cigarettes, and no Person shall chew tobacco in or upon any District property which is posted as a non-smoking area and/or non-chewing area. For purposes of this section, “smoking” shall mean the carrying, smoking, burning, inhaling, or exhaling of any kind of lighted pipe, cigar, cigarette, hookah, weed, herbs, vapors, or any other lighted smoking equipment, lighting of cigarettes, electronic cigarettes, cigars or pipes, the carrying of lighted cigarettes, electronic cigarettes, cigars or pipes, or the intentional and direct inhalation of smoke from these objects.

Sec. 4.35 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 District 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. 4.36 Swimming

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

Sec. 4.37 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. 4.38 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. 4.39 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. 4.40 Unlawful Construction or Maintenance

No Person shall erect, construct, install, perform any maintenance on, below, over, or across any District facility, property, or park, or otherwise place any building, stand, scaffold, platform or other structure of whatever kind, whether stationary or moveable and whether permanent or temporary, except by proper authorization of the District authorizing such activity and then only in accordance with written permission of the District or by written contract with District, specifying in detail the work to be done and the conditions to be fulfilled pursuant to the terms of such authorization.

Sec. 4.41 Weapons and Firearms

a) Except for Persons licensed to carry a concealed firearm under the Illinois Firearm Concealed Carry Law (“Licensee”), and who are using a trail or bikeway only a portion of which includes a public park, no Person other than police officers shall bring, attempt to bring, carry, or use in any way, any gun, pistol or other firearm, or any portion thereof, upon District property. Except for a Licensee, no Person shall have in any vehicle on District property a concealed firearm. A Licensee may carry a concealed firearm on or about his or her person within a vehicle into a parking area on District property and may store a concealed firearm or ammunition concealed in a case within a locked vehicle or locked container out of plain view within the vehicle in the parking area. A Licensee may carry a concealed firearm in the immediate area surrounding his or her vehicle within a prohibited parking lot area on District property only for the limited purpose of storing or retrieving a concealed firearm within the vehicle's trunk. The term "case" as used above includes a glove compartment or console that completely encloses the concealed firearm or ammunition, the trunk of the vehicle, or a firearm carrying box, shipping box or other container.

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.

Sec. 4.42 Display of Permit or Pass

Every Person shall produce or display a Permit or pass when requested to do so by any authorized Person for the purpose of enforcing compliance with any federal, state, local, or District law, ordinance, rule, or regulation, when such Permit or pass is required to engage in an activity on District property.

Sec. 4.43 Misappropriation of Property

a) No Person shall knowingly obtain or exercise unauthorized control over the property of another.

b) No Person shall knowingly obtain by deception control over property of another.

c) No Person shall knowingly obtain by threat control over property of another.

d) No Person shall knowingly obtain control over stolen property knowing the property to have been stolen or under such circumstances as would reasonably induce him to believe that the property was stolen, where he or she:

(1) Intends to deprive the owner permanently of the use or benefit of the property; or,

(2) Knowingly uses, conceals, or abandons the property in such a manner as to deprive the owner permanently of such use or benefit; or,

(3) Uses, conceals, or abandons the property knowing such use, concealment, or abandonment probably will deprive the owner permanently of such use or benefit.

Sec. 4.44 Reporting of Accidents

Persons involved in an incident on District property resulting in personal injury or property damage, shall report the incident to the Park District as soon as possible, and to the police within twenty-four (24) hours after the incident.

Sec. 4.45 Restrictions Applicable to Specific Recreational Activities

a) Classes and Camps. No Person shall bring or cause to be brought onto District property any class, play class, day camp, group lesson or similar organized group activity of any kind unless a Permit allowing such use or activity has first been obtained from the District.

b) Tournaments, Leagues, or Other Organized Recreational Activities. No Person shall utilize any District property, including without limitation playing fields and other District facilities, for tournaments, leagues, or other organized recreational activities and outings unless a Permit allowing such use or activity has first been obtained from the District.

c) This section does not apply to normal or scheduled District programs or activities. Where a conflict between normal or scheduled District programs or activities and a requested activity occurs, District programs and activities shall take precedence.

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.

No Person may operate a vehicle upon or in or on any District property, road, or drive which has been closed and posted with appropriate signs or barricades. The District shall have authority to order areas, roads or drives closed during the process of construction, reconstruction, or repair, or for other purposes as determined by the District in its reasonable discretion.

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 Traffic Signs and Signals and Enforcement of Traffic Regulations

No Person shall fail to observe and obey all traffic signs indicating speed, direction, caution, stopping, parking, crosswalk lanes, traffic lane markers, and any other sign posted by the District for safeguarding life and property.

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.

No Person shall deface, injure, move, or otherwise interfere with any traffic sign or signal 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, or other law or laws of the State of Illinois, or ordinances of the Village of Oak Brook, 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; or

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, and is subject to additional fines, penalties and fees as imposed by the Village of Oak Brook.

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.

Sec. 5.16 Mobility Device Use

Notwithstanding any other provision of this chapter to the contrary, Electronic Personal Assistance Mobility Devices (EPAMDs) and Other Power Driven Mobility Devices, as defined in the Illinois Vehicle Code, may be used by permitted users on District property in accordance with the Vehicle Code and the District's Mobility Device Use Policy, which policy is provided in Appendix A of these Regulations.

Sec. 5.17 Licensed Vehicles

No Person shall operate or cause to be operated in or on District property, any vehicle that is not properly licensed or permitted to be operated on the roads, streets and highways of the State of Illinois except in such cases as authorized by the District, and then only in those areas specified and in accordance with restrictions duly set forth by the District.

Sec. 5.18 Duty of Operator in Accidents

No Person shall leave the scene of a vehicle collision with another vehicle, Person or property occurring on District property, without giving his true name and residence address to the injured Person or any other Person or member of the police requesting same, and in the event no public officer is present, he must immediately report the occurrence to the nearest police station or police headquarters.

Sec. 5.19 Unauthorized Use of Parking Places Reserved for Handicapped Persons

No Person shall park any motor vehicle that is not properly displaying registration plates, a decal or other device issued to a person with disabilities or a disabled veteran by the secretary of state, in a parking place or adjacent aisle, on District property, that is specifically reserved, by the posting of an

official sign, for persons with disabilities and motor vehicles displaying such registration plates, a decal or other device.

No Person with a vehicle shall display or use registration plates, a decal or other device issued to a person with disabilities or a disabled veteran by the secretary of state, if: 1) the Person using such registration plates, a decal or other device is not the authorized holder thereof or is not transporting the authorized holder to or from the parking location; and 2) the Person is using the registration plates, a decal or other device to exercise any privileges granted through such registration plates, a decal or other device under this section.

Sec. 5.20 Emergency Vehicles

For purposes of this section, emergency vehicles shall include all ambulances, fire trucks, police, fire, and ranger cars, and other vehicles used to protect the public health, safety, and welfare.

The provisions of this chapter regulating the movement or parking of vehicles on District property shall not apply to the operator of any emergency vehicle when responding to an emergency call or pursuing an actual or suspected violator of the law. However, such operator shall exercise extreme caution when on or approaching District property including without limitation slowing down as necessary for safety, cautiously proceeding through traffic lights or stop signs, and having the vehicle's warning system signals operating (e.g. siren, lights).

When not responding to an emergency call or in the pursuit of an actual or suspected violator of the law, the operator of an emergency vehicle shall obey the provisions of this section.

Every Person operating a vehicle on District property shall, upon the approach of an emergency vehicle making use of its warning system signals, immediately yield the right-of-way and shall stop, if possible, and pull to the side of the road and remain in such position until the emergency vehicle has passed, unless otherwise directed by a member of the police or a District employee.

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 Parties to Violation of these Regulations

a) Every Person who commits, attempts to commit, conspires to commit, or aids or abets in the commission of any act in violation of these Regulations or other ordinance, rule or regulation of the District, as a principal, agent, or accessory, shall be guilty of such offense, and every Person who falsely, fraudulently, forcibly or willfully induces, causes, coerces, requires, permits, or directs another to violate any provision of these Regulations is likewise guilty of such offense.

b) Any Person who is the owner, registered owner, or Person in control of any animal, vehicle or other property of any kind brought, placed, parked or allowed to remain on District property in violation of these Regulations or other District ordinance, rule, or regulation, shall be deemed prima facie responsible for such violation and shall be subject to the penalties provided herein.

Sec. 7.4 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. 7.5 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. 7.6 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.

Sec. 7.7 Civil Suits

Nothing in this ordinance shall be construed to prevent or preclude the lawful use by the District of 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.

Sec. 7.8 Non-exclusivity of Penalties

The penalties provided for herein are in addition to and not exclusive of any other remedies available to the District as provided by applicable law.

Chapter 8. Repeal

All District ordinances, resolutions, policies, rules and regulations or parts thereof in conflict or inconsistent with any of the provisions of these Regulations are hereby repealed.

Chapter 9. Publication and Effective Date

Sec. 9.1. Publication in Book Form

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

Sec. 9.2. Effective Date

These Regulations shall take effect and be in force ten (10) days after the date of its passage, approval, and publication in book or pamphlet form as provided for herein.

APPENDIX

OAK BROOK PARK DISTRICT SERVICE ANIMAL POLICY

Purpose:

A. The Oak Brook Park District (the "District") is a public entity which is subject to the terms and conditions of Title 2 of the Americans with Disabilities Act of 1990, as amended (the "ADA") and Section 504 of the Rehabilitation Act ("Section 504").

B. The District is required by the ADA and Section 504 to establish and/or modify policies and procedures to avoid unreasonable discrimination in the provision of public services and benefits against persons with disabilities.

C. The District desires to establish this policy with regard to the use of service animals by persons with disabilities who are registered participants in District programs or authorized users of the District's parks or facilities, by District employees with disabilities, and by visitors with disabilities in the District's parks and facilities.

D. The corporate authorities desire for this policy to be read liberally to ensure that participants and authorized users, employees, and visitors with disabilities who have service animals can participate in and benefit from the District's services, programs, and activities, and to ensure that the District does not discriminate on the basis of disability as defined in Titles 1 and 2 of the ADA.

Primary District Contacts:

A. Participants and authorized users may request to have a service animal accompany them in parks and facilities where they are authorized users as a reasonable accommodation. Persons with disabilities are invited to contact the District's ADA Coordinator, Karen Spandikow at 630-645-9589 or e-mail kspandikow@obparks.org.

B. Employees may request to have a service animal as a workplace accommodation. Please contact the Director of Finance and Human Resources for information regarding this process.

C. Visitors may be accompanied by a service animal when observing programs and activities, or enjoying the District's parks and facilities, without making a request for a reasonable modification. Persons with disabilities are invited to contact the ADA Coordinator, Karen Spandikow at 630-645-9589 or e-mail kspandikow@obparks.org with any questions about this policy.

Definitions:

A. **Service Animal:** A *dog* or a *miniature horse* that has been individually trained to perform tasks for the benefit of a person with a disability. Exceptions may be made by the District on a case-by-case basis in accordance with the law. Tasks may include, but are not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to sounds, pulling a wheelchair, or retrieving dropped items. Dogs or miniature horses that are not trained to perform tasks that mitigate the effects of a disability, including dogs or miniature horses that are used purely for emotional support, are not considered service animals and are not allowed at the District’s facilities and premises, unless otherwise specifically permitted..

B. **Partner/Handler:** A person with a disability who uses a service animal as a reasonable accommodation, or a trainer.

C. **Team:** A partner/handler and a service animal. The two work as a cohesive team in accomplishing the tasks of daily living.

D. **Trainee:** A dog or a miniature horse being trained to become a service animal has the same rights as a fully trained service animal when accompanied by a partner/handler and identified as such.

General Rules Regarding Service Animals:

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

Restrictions/Areas of Safety:

The District may impose such restrictions on service animals as it deems necessary for safety reasons. Restrictions will be considered on a case-by-case basis to determine if the animal poses a danger to others at the District’s sites or could be in danger itself, and to determine if other reasonable accommodations can be provided to assure that the individual enjoys access to the District’s premises, facilities, services or programs. Questions about restrictions on service animals should be directed to the contacts identified in this Policy.

Responsibilities of Partner/Handler:

A Partner/Handler is responsible for the following:

A. Responding truthfully to the limited and appropriate inquiries that may be made by employees regarding the service animal.

B. Ensuring that the animal meets any local licensing requirements, including maintenance of required immunizations for that type of animal.

C. Ensuring that the animal is wearing a license and/or tag at all times.

D. Ensuring that the animal is in a harness or on a leash or tether at all times. Exceptions may be considered individually.

E. Ensuring that the animal is under control and behaves properly at all times. The supervision of the animal is solely the responsibility of its partner/handler. If the animal's behavior becomes a hygiene problem, or the animal acts in a threatening manner, the District may require the partner/handler to remove the service animal from the site.

F. Ensuring that all local ordinances or other laws regarding cleaning up after the animal urinates and/or defecates are strictly adhered to. Individuals with disabilities who physically cannot clean up after their own animals are not required to clean or pick up and dispose of urine and/or feces; however, these individuals should use marked service animal toileting areas where provided.

G. Ensuring that the animal is kept in good health. If the service animal becomes ill, the partner/handler must remove it from the area. If such action does not occur, the District's staff may require it to leave.

District's Remedies if Partner/Handler Does Not Meet Responsibilities:

A. The District may exclude a service animal from all parts of its property if a partner/handler fails to comply with these restrictions, and in failing to do so, fundamentally alters the nature of programs, services, or activity offered by the District.

B. The District may exclude a service animal from all parts of its property if a partner/handler fails to control the behavior of a service animal and it poses a threat to the health or safety of others.

Requirements for the District's Employees, Participants and Authorized Users, and Visitors

Members of the District's staff, participants and authorized users, and visitors at the District's sites, are responsible for the following, and the District may take disciplinary action against any individual who fails to abide by these guidelines::

A. To allow service animals to accompany the partner/handler at all times and anywhere at a site.

B. To refrain from distracting a service animal in any way, including, but not limited to, petting, feeding, or interacting with the animal without the partner/handler's invitation to do so.

C. To refrain from separating a partner/handler from a service animal.

Temporary Exclusion of Service Animals:

A participant or authorized user, employee, or visitor may report a concern regarding a service animal to the District's ADA Coordinator or other supervisory staff, and the District may take appropriate action as follows:

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

1. In response to an immediate concern, authorized District staff may determine that a service animal must be temporarily removed from parks, sites, or facilities. The employee authorized to make such decisions at that site, park, or facility shall notify the participant or visitor of this decision and that the incident will be reported immediately to the District's ADA Coordinator. The employee shall then report the incident to the ADA Coordinator.
2. The ADA Coordinator (or designee) will investigate all reported concerns and incidents where service animals have been temporarily removed from sites, parks, and facilities. The ADA Coordinator (or designee) will consult with appropriate Department personnel and determine whether or not the animal should be excluded from sites, parks, and facilities for an extended period of time, permanently or for particular services, programs or activities due to the increased risk of harm or injury to the partner/handler, the service animal or other participants. The ADA Coordinator (or designee) will notify the participant, authorized user, or visitor of his or her decision. All decisions will be made on a case-by-case basis given the particular prevailing circumstances.
3. If it is appropriate for the service animal to be excluded from sites, parks, or facilities permanently, the ADA Coordinator (or designee) will work with other Department staff to attempt to provide an alternative reasonable accommodations in place of the service animal, to allow the participant, authorized user, or visitor to use the site, park or facility.
4. A participant, authorized user, or visitor who does not agree with the decision regarding removal from the premises may file an accessibility complaint. The District's ADA Complaint process is at www.obparks.org.

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

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

2. The ADA Coordinator will investigate all reported concerns and cases where service animals have been temporarily removed from sites, parks, and facilities. The ADA Coordinator will consult with appropriate staff and determine whether or not the animal should be excluded for an extended period of time, permanently or for particular services, programs or activities due to the increased risk of harm or injury to the partner/handler, the service animal or other participants. The ADA Coordinator shall notify the employee of his or her decision. All decisions will be made on a case-by-case basis given the particular prevailing circumstances.
3. If it is appropriate for the animal to be excluded from sites, parks, and facilities permanently, the ADA Coordinator will attempt to ensure that the employee receives an appropriate accommodation in place of the use of a service animal.
4. An employee who does not agree with the resolution may file an appeal or formal complaint following the District's ADA Process.

Conflicting Disabilities:

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

Clarifying an Animal's Status:

It may not be easy to discern whether or not an animal is a service animal by observing the animal's harness, cape, or backpack, or to discern the nature of the partner/handler's disability. Therefore, it may be appropriate for designated District staff to ask (1) whether the animal is required because of a disability, and (2) what work or task the animal has been trained to perform.

No Liability to District:

- A. The District accepts no responsibility for care of service animals.
- B. The District accepts no liability for injury to any service animal, or injury to the partner/handler, whether caused by the animal, its partner/handler, another visitor to a District facility or site, the physical conditions of the District facility or site, or any other circumstance.
- C. The District accepts no liability for damage or injury to others caused by a service animal.

D. The District accepts no liability for any injuries or property damage, to the service animal, its partner/handler, or others, resulting from the District's failure to enforce this policy or to supervise a service animal.

Amendments to this Policy:

The District reserves the right to change, modify, or amend this policy at any time, but only by approval of such a change, modification or amendment by the Board of Park Commissioners.

So Adopted this 17th day of March, 2014.

OAK BROOK PARK DISTRICT MOBILITY DEVICE USE POLICY

Purpose:

A. The Oak Brook Park District (the "District") is a public entity which is subject to the terms and conditions of Title 2 of the Americans with Disabilities Act of 1990, as amended (the "Act").

B. The District is required by the Act to establish and/or modify policies and procedures to avoid unreasonable discrimination in the provision of public services and benefits against persons with mobility disabilities.

C. One class of mobility assistance devices is defined as "Other Power-Driven Mobility Devices".

D. In considering this Mobility Device Use Policy, the Board of Park Commissioners has considered the following factors: (a) the type, size, weight, dimensions, and speed of devices authorized by this Policy; (b) the volume of pedestrian traffic in the District's various indoor and outdoor facilities (which may vary at different times of the day, week, month, or year); (c) the design and operational characteristics of the District's various indoor and outdoor facilities (e.g., whether its service, program, or activity is conducted indoors, its square footage, the density and placement of stationary devices, and the availability of storage for the device, if requested by the user); (d) whether legitimate safety requirements can be established to permit the safe operation of "Other Power-Driven Mobility Devices" in the District's facilities; and (e) whether the use of "Other Power-Driven Mobility Devices" creates a substantial risk of serious harm to the District's patrons' health and welfare, the immediate environment or natural or cultural resources, or poses a conflict with Federal land management laws and regulations.

E. The corporate authorities desire for this Policy to be read and applied liberally to encourage the use of District facilities by authorized patrons who have mobility disabilities.

Definitions:

- A. **Direct Threat:** means a significant risk to the health or safety of others that cannot be eliminated by a modification of policies, practices or procedures, or by the provision of auxiliary aids or services.
- B. **Electronic Personal Assistance Mobility Devices (EPAMDs):** A Segway® PT, or a battery-powered mobility device with substantially similar characteristics and functionality;
- C. **Other Power-Driven Mobility Device:** means any mobility device powered by batteries, fuel, or other engines – whether or not designed primarily for use by individuals with mobility disabilities that is used by individuals with mobility disabilities for the purpose of locomotion, but that is not a wheelchair within the meaning of this Policy.
- D. **Qualified Individual with a Disability:** means an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity.
- E. **Wheelchair:** means a manually operated or power driven device designed primarily for use by an individual with a mobility disability for the main purpose of indoor, or of both indoor and outdoor locomotion.

Mobility Assistance Devices:

- A. Use of wheelchairs and manually-powered mobility aids.

The District shall permit individuals with mobility disabilities to use wheelchairs and manually-powered mobility aids, such as walkers, crutches, canes, braces, or other similar devices designed for use by individuals with mobility disabilities in any areas open to pedestrian use.

- B. Use of Other Power-Driven Mobility Devices.
 - 1. Permitted Users.

Only individuals with mobility disabilities may use Other Power-Driven Mobility Devices in areas designated by the Executive Director within District facilities or on District property.

- a. The District shall not ask an individual using a wheelchair or other Power-Driven Mobility Device questions about the nature and extent of the individual's disability.

- b. The District may ask a person using an Other Power-Driven Mobility Device to provide a credible assurance that the mobility device is required because of the person's disability. Credible assurance shall include: a valid, State-issued, disability parking placard or card, or other state-issued proof of disability; or a verbal representation, not contradicted by observable fact, that the Other Power-Driven Mobility Device is being used for a mobility disability. A "valid" disability placard or card is one that is presented by the individual to whom it was issued and is otherwise in compliance with the requirements of the State of issuance for disability placards or cards.

2. Permitted Other Power-Driven Mobility Device.

Only EPAMDs are permitted to be operated in District facilities or on District property. No combustion engine-powered Other Power-Driven Mobility Devices are allowed to be operated in District facilities or on District property.

3. Variances.

The Executive Director may grant a qualified individual with a disability a variance to allow a combustion engine-powered Other Power-Driven Mobility Device, only at an outdoor facility owned and operated by the District, upon a showing that: (a) application of this restriction would cause an undue hardship on the applicant; and (b) emissions from the combustion engine-powered Other Power-Driven Mobility Device will not have a deleterious impact on the health and safety of other District patrons participating in or observing the relevant activity, service or program. Applications for a variance must be received by the Executive Director at least 48 hours in advance of the relevant program, activity or service to which it shall apply, or the first in a series thereof.

General Safety Regulations:

A. Other Power-Driven Mobility Device:

1. Will be allowed in any area of a facility or park in which the general public is allowed, with the exception of stairways and identified hazardous areas;
2. Must be controlled by the person riding the device;
3. Must be operated in compliance with the following guidelines:
 - a. May not exceed 4 mph in an indoor facility or 6 mph at an outdoor park or facility;
 - b. Shall be driven on the right side of the circulation route;

- c. The total combined height of the EPAMD and the operator may not exceed the height of the lowest immovable building element or park feature located in the area such device is to be operated;
- d. May not carry another person on the frame, or any object on the frame that may make the EPAMD less stable;
- e. May not be driven into wet or ecologically sensitive areas which are posted as prohibited areas by the District; and may not be operated in a dangerous or reckless manner that jeopardizes the safety of the operator, District employees, or District participants.

B. Notwithstanding the general safety regulations described above, the Executive Director shall have authority to direct a qualified individual with a disability on the safe operation of a permitted Other Power-Driven Mobility Device in light of the existing conditions at the facility where such individual seeks to operate the device and actual perceived risks related thereto; provided, however, that such directions shall not be based merely on speculation, stereotypes, or generalizations about individuals with disabilities. In giving direction on the safe operation of a permitted Other Power-Driven Mobility Device, the Executive Director may consider the then existing uses at the facility, the volume of pedestrian traffic, the prevailing environmental conditions, the density and placement of stationary devices and the individual's experience with the operation of such device.

C. This Policy does not require the District to permit an individual to participate in or benefit from the services, programs, or activities of the District when that individual poses a direct threat to the health or safety of others. The Executive Director has authority to prohibit an individual from participating in or benefiting from the services, programs, or activities of the District when that individual poses a direct threat to the health or safety of others. In determining whether an individual poses a direct threat to the health or safety of others, the Executive Director must make an individualized assessment, based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence, to ascertain the nature, duration, and severity of the risk; the probability that the potential injury will actually occur; and whether reasonable modifications of policies, practices, or procedures or the provision of auxiliary aids or services will mitigate the risk.

District Not Obligated To Provide Personal Devices And Services:

This Policy does not require the District to provide to individuals with disabilities personal devices, such as wheelchairs or permitted Other Power-Driven Mobility Devices.

Notice:

The District shall make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of this Policy and its applicability to the services, programs, or activities of the District in a manner designed to apprise such persons of the protections against discrimination assured them by the Act and this Policy.

No Liability To District:

- A. The District accepts no responsibility for storage of any mobility device.
- B. The District accepts no liability for damage to any mobility device, or injury to the operator, whether caused by the operator, another visitor to a District facility or site, the physical conditions of the District facility or site, or any other circumstance.
- C. The District accepts no liability for damage caused by the operator of the device, or injury to others caused by the operator of the device.
- D. The District accepts no liability for any injuries or property damage, to either the operator or others, resulting from the District's failure to enforce this Policy or to supervise the operator of an Other Power-Driven Mobility Device.

Amendments to this Policy:

The District reserves the right to change, modify, or amend this Policy at any time.

So adopted this 17th day of March, 2014. Oak Brook Park District