

USE OF THE PARKS ORDINANCE

**Wildwood Park District
WILDWOOD, IL**

**DATE OF APPROVALS BY WPD BOARD OF
COMMISSIONERS**

DECEMBER 18, 2001

**COUNSEL REVIEW: DECEMBER 2004
DECEMBER 2009**

WILDWOOD PARK DISTRICT USE OF PARKS ORDINANCE

SECTION A. ORGANIZATION OF THE ORDINANCE

1. Title and Scope of Ordinance

This ordinance shall be known as the "Wildwood Park District Use of the Parks Ordinance" and shall be treated and considered as a comprehensive ordinance.

2. Amendments

All amendments to this ordinance shall be deemed to be incorporated in this ordinance so that a reference to the "Wildwood Park District Use of the Parks Ordinance" shall be understood as including them.

3. Official Copies

The Secretary of the Board shall keep not less than two current and updated copies of this code and make such copies publicly available for review, inspection and copying.

4. Legal Publication

No officer or employee of the Park District shall issue, mail or distribute any book, pamphlet, leaflet, or other printed matter purporting to contain excerpts from this code or purporting to give a digest, interpretation, resume, condensation or explanation of the same, without the prior express approval of the Board.

5. Distribution of the Ordinance

All printed copies of this code, except such as shall be reserved by the Board's attorney, shall be deposited with the Secretary, who shall deliver one copy to the President, one copy to each member of the Board, one copy to the Board and to such persons as the President may designate.

SECTION B. DEFINITIONS

For the purpose of this Ordinance the following words, terms, phrases and their derivatives shall have the meanings set forth in this section. When not inconsistent with the context, the present tense shall include the future tense; the plural number shall include the singular number; and the singular number shall include the plural number.

"Board" means Board of Commissioners of the Wildwood Park District.

"Commercial Solicitation" means any one or more of the following activities, not done for charitable purposes, by a person on District property;

1. The sale of, or seeking to obtain orders for the purchase of goods, wares, merchandise, foodstuff or services of any kind, character or description, for any kind of consideration whatever.
2. The sale of, or seeking to obtain prospective customers for any application or purchase of insurance of any type, kind or character.
3. The sale of, or seeking to obtain subscriptions to books, magazines, periodicals, newspapers or any type kind of publication.

"County" means County of Lake.

"District" means the Wildwood Park District.

"District property" means all the property, real and personal, of every kind and description located within the jurisdiction of, or owned, leased or licensed by, or otherwise in the possession or under the control of the District, including without limitation, all waters within the jurisdiction of the District.

"ILCS" means Illinois Compiled Statutes.

"Officer" means any person appointed to the Board or an office of the Park District created pursuant to statute or Park District ordinance.

"Parade" means any march or other organized movement of persons from place to place, or about a place

"Park District Manager" means the chief manager of the Wildwood Park District.

"Park system" means all parks, parkways, playgrounds, athletic fields, beaches, and other recreation areas and botanical gardens, places, squares, circles, spurs, open places, driveways and roadways within parks, waters and lands under water, and also entrances and approaches thereto, docks and piers, channels and bridges, in, leading to, or connecting such park or parks or parts thereof under the supervision and control of the Board and such other rights and appurtenances as the Board shall utilize whether the same be now or hereafter owned or acquired by the Board in fee or otherwise, including all land under and space above the surface of the ground.

"Permit" means the written authorization issued by or under the authority of the District to a person or persons to do or engage in a particular act or acts on District property, subject to the terms and conditions specified in the permit.

"Person" means any individual, entity, corporation, partnership, firm association, union, trust, or estate, as well as any parent or subsidiary of any of the foregoing, and whether or not operated for profit. Whenever the word "person" is used in any section of this code describing a penalty or fine as applied to partnerships or associations, the word shall include the partners or members thereof, and such word as applied to corporations shall include the officers, agents, or employees thereof who are responsible for any violation of said section.

"President" means the President of the Board of Commissioners of the Wildwood Park District.

"Religious solicitation" or charitable solicitation" means the request by a person on District property directly or indirectly, of money, property, financial assistance or other thing of value on the plea or representation that such money, credit, property, financial assistance or other thing of value will be used for a religious or charitable purpose. These words shall also mean and include the following methods of securing money, credit, property, financial assistance or other thing of value on the plea or representation that it will be used for a religious or charitable purpose as herein defined.

1. Any oral or written request.
2. The distribution, circulation, mailing, posting or publishing of any handbill, written advertisement or publication.

3. The public making of any announcement concerning an appeal, assemblage, athletic or sports event, bazaar, benefit, campaign, contest, dance, drive, entertainment, exhibition, exposition, party, performance, picnic, sale or social gathering to be held within the District, which the public is requested to patronize or to which the public requested to make a contribution for any religious or charitable purpose connected therewith.
4. The sale of, offer or attempt to sell, any advertisement, advertising space, book, card, chance, coupon, device, magazine, membership, merchandise, subscription, ticket or other thing in connection with which any appeal is made for any religious or charitable purpose, or where the name of any religious or charitable person is used or referred to in any such appeal an inducement or reason for making any such sale, or when or where in connection with any such sale, any statement is made that the whole or any part of the proceeds from any such sale will go or be donated to any religious or charitable purpose.

"Secretary" means Secretary of the Wildwood Park District.

"Sex" means that status of being male or female.

"State" means State of Illinois.

"Treasurer" means Treasurer of the Wildwood Park District.

"Vehicle" means any land conveyance, whether motor powered or self-propelled including, without limitation, any tractor in tow of any size, kind or description, except baby, carriages, bicycles when properly used on walks, and vehicles in the service of the District.

"Vice-President" means Vice-President of the Wildwood Park District.

SECTION C. CONSTRUCTION, SCOPE & SEVERABILITY

1. Construction

In the interpretation of this Ordinance, its provisions shall be construed as follows:

- a. The word "shall" is always mandatory and not merely directory;
- b. No provision hereof shall make unlawful any act necessarily performed by any officer, employee or agent (including any police officer) of the District when acting within the scope of his/her authority or in his/her line of duty or work as such or any other person summoned by any such person to assist him/her in such endeavor;
- c. This Ordinance is in addition to and supplemental to all applicable state, federal and local laws and ordinances. The meaning of any terms, phrase or word not otherwise defined in this Ordinance shall be construed and interpreted to mean the same as said term, phrase or word is otherwise defined, construed or interpreted in such applicable local, state and/or federal law or ordinance;
- d. The descriptive headings of the various sections or parts of this Ordinance are for convenience only and shall not affect the meaning or construction, nor be used in the interpretation, of any of the provisions of this Ordinance;
- e. An attempt to commit an act or engage in an activity prohibited shall be treated in the same manner as the commission of such act or the engaging in such activity and subject to the same penalties.

2. Scope

This Ordinance shall apply to and be enforceable within and upon all District property, and shall regulate the use thereof by all persons.

3. Severability

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

4. Repeal

All ordinances, resolutions and rules of the District in conflict or inconsistent with any of the provisions of this Ordinance are hereby repealed.

SECTION D. GENERAL RULES

1. Violation of State or Federal Laws

No person shall commit a violation of local, state or federal laws or regulations while on District property.

2. Park Hours

District property shall be open to the public except at such time or times as provided by or determined in accordance with this Code. The Board shall establish the hours during which District property or any part(s) thereof shall be closed to the public. These hours may be revised from time to time by the Board. Unless otherwise provided by the Board, District buildings shall be closed from 10:00 PM until sunrise the following morning. Neighborhood parks without buildings or outdoor lighted facilities shall be closed at dusk and shall be open at sunrise. Rule Park gate hours shall vary with the season and staff available but shall be posted at both entrances.

3. Restricted Areas

a. Entering Prohibited Areas.

No person shall enter upon any portion of the District property where persons are prohibited from going by direction of the Park District Manager, as indicated by sign or notice.

b. Entering Unfinished Areas.

No person except as authorized by the District shall enter upon any part of the District property which is in an unfinished state or under construction.

c. Entering Building or Areas Closed to Public or Scheduled for Specific Group or Activity.

No person shall enter any building or area of District property when it is closed to the public. No person shall enter any building or area in the District which is reserved or scheduled for a specific group or activity, unless such person is invited by the individual, group, or agency responsible for such activity and, if applicable, such person has paid all appropriate admission fees.

4. Interference with Other Users

No person shall walk, act or conduct himself/herself upon any portion of District property designated for a particular game, sport, event, or amusement in such a way as to interfere with the use of such portion by other persons who are properly using the same for the particular sport, event, game or amusement for which it has been designated nor shall any person unreasonably disturb or interfere with any person occupying any area or participating in any activity under the authority of a permit. No person shall limit or block access to District property. No person shall engage in any activity on District property in a manner calculated or likely to endanger, injure, or damage persons or property in any way.

5. Injury to or Destruction of Park Property

Unless authorized by a District contract or other District authorization, no person shall in or on District property:

- a. destroy, cut, break, deface, mutilate, injure, disturb, sever from the ground or remove any sod, earth 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 which could be used for the removal thereof;
- b. set fire to any trees, shrubs, plants, flowers, grass, plant growth or living timber, or suffer any fire to extend into District property;
- c. go upon any lawn, grass plot, planted area, tree, shrub, monument, fountain, sculpture or structure where access is prohibited by signs or symbols which are posted or otherwise displayed or where access is restricted by fence or other physical barrier;

- d. cut, break or in any way injure, deface or alter any building, fence, monument, sculpture, bridge, or other structure or property contained therein;
- 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 park property or appurtenance of any kind;
- 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 the District;
- g. allow any animal to injure or deface any tree, plant, shrub, lawn or grassplot in any manner whatsoever;
- 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 over or otherwise make unreadable any 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. climb upon, hang from or stand or sit on, any plant, fence, structure or other District property of any kind except such benches or other property designed or customarily used for such purposes, or recreational equipment as may be installed by the District for such purposes;
- l. bring any plant or portion of a plant onto District property; or
- m. fail to maintain District property in a neat and sanitary condition.

6. Work on Park Property

Unless authorized by the District, no person shall in or on District property:

- a. **make an opening on District property, pavement, side or cross walk or dig a hole, ditch or drain in or remove any sod, stone, earth, or gravel from any public way or other public place;**
- b. **use any portion of District property including the sidewalks and parkways during the construction, reconstruction, alteration, wrecking or tearing down of any building or structure or for the storage or delivery of building materials and equipment;**
- c. **place any shaft, cable pipe, main, conduit, wire or other transmitting or conducting device over, on or under the surface of District property or public place;**
- d. **construct, build, establish or maintain any driveway over, across or upon District property;**
- e. **remove any manhole cover, handhold cover or catch basin cover on any public way or other District property for any purpose including inspecting or maintaining any underground work or utility; on any public way or District property for the purpose of inspecting and maintaining any underground work or utility;**
- f. **use the space under any sidewalk or parkway in such a manner as to affect or to interfere with any sewer or pipe or any other work lawfully in District property;**
- g. **construct, maintain or use any canopy upon District property;**
- h. **builid, rebuild remove or repair any sidewalk, bike path, walk from sidewalk to curb, carriage walk or lay concrete across any lawn space;**
- i. **use any ladder, scaffolding or other similar devices upon or over District property for the purpose of maintaining or repairing any private building or structure, or for hanging signs or changing the lettering on private signs; or**
- j. **move on, along or across any public way or other District property, any building or structure or any machinery, equipment or personal property in excess often tons.**

7. Hindering or Soliciting Officers, Agents, Employees or Contractors

No person shall interfere with, or in any manner hinder any officer, agent, employee or contractor of the District while engaged in constructing, repairing or caring for any District property; nor shall any person solicit any officer, agent, employee or contractor of the District while such person is on duty.

8. Alcoholic Beverages

No alcoholic beverages shall be sold, brought within, given away, delivered or consumed on District property.

9. Weapons, Fireworks, Explosives, Rockets

No person shall at any time bring on to, carry, have in his possession or on or about his person, concealed or otherwise, or use, fire, set off or otherwise cause to explode, discharge or burn, or throw onto District property any knife, firearm, pistol, revolver, rifle, air gun, pellet gun, bow and arrow, slingshot, blackjack, billy club, any weapon capable of discharging a projectile by air, spirit gas or explosive, any explosive substance, rocket, firecracker or other fireworks, missile, liquid or gaseous substance or any other dangerous weapon.

10. Games and Sports

No person shall engage in any athletic game or sports in or on District property except such portions thereof as may be designed for that purpose by the District and then only under such rules and regulations as may be prescribed by the District.

a. Golf.

No person shall play golf or practice golf on District property, except on an established and designated golf course or driving range, or in an established golf class under the supervision and direction of the District.

b. Baseball and Softball Playing.

No person shall engage in games of softball or baseball except on District property having established diamonds and backstops for that purpose which shall be used only in accordance with posted signs or notices. Games of softball or baseball other than on

established diamonds is limited in accordance with posted signs or notices.

c. Snowmobiling and Skiing.

No person shall snowmobile or engage in similar activities on District property except at such places and at such times as the District may designate for that purpose, and no person shall engage in such activity in a reckless manner or at a speed greater than is safe and proper under the circumstances.

d. Bicycling.

Persons using bicycles on District property must obey bicycle safety rules as designated by the State of Illinois and must make certain the bicycle is never a hazard to pedestrians.

11. Entering or Remaining in Waters

No person shall enter or remain in any of the waters the District, except as herein provided.

a. Fishing.

Fishing, including without limitation, ice and spear fishing, is permitted in District waters except where specifically posted to the contrary and then in strict conformity with posted or published requirements.

b. Watercraft.

1. No watercraft of any kind shall be launched from District property, except for recreation programs under the supervision of the District or only in strict conformity with posted or published requirements.
2. No motorized boats are permitted on Valley Lake except as authorized by the District.
3. Residents may bring in nonmotorized watercraft (such as a canoe, kayak, inflatable raft) and launch from shore except in designated swim areas.
4. No watercraft may be parked overnight on District property.

c. Launch Facilities.

It is the District's intent to protect both the safety of the occupants of watercraft launched from District property and to protect the adjoining

waters as a natural resource with a limited capacity for watercraft. Too many watercrafts increase shoreline erosion and add pollution to the lake. By limiting its launches to District residents and a limited number of their guests, the District hopes to protect people on the lake and the lake itself.

- 1) Only residents who are in conformance with posted or published District procedures may have access to District launch facilities. Residents may not loan their launch key to anyone not a permanent resident at their District address.
- 2) No nonresident may launch watercraft on District property except as guests of resident key holders who are present and have paid the District fee and received the required permit or decal for their guest(s).
- 3) No personal watercraft (i.e. jet skis, etc.) may be launched by a nonresident on District property.
- 4) All watercraft launched from District launches must display a valid District registration decal.

d. Beaches

1) Authorized Times.

All beach areas shall be open and in operation for swimming during published or posted hours as determined by the Board. However, the Park District Manager or his/her authorized representative may close a beach area at any time.

2) Swim at Your Own Risk and Beach Rules.

Individuals swim at their own risk as no lifeguards are present on the beaches. Individuals must follow all beach rules posted by the District.

3) Infectious Diseases.

No person with an infectious disease which may pose a threat to the health and safety of other patrons may have access to a pool or beach areas.

4) Prohibited Beach Activity

- a) No person shall dive into the water adjacent to any lands of the District, if said water is five feet deep or

less or where no swimming or no diving signs or symbols are posted or otherwise displayed.

- b) No person shall ride, drive or transport any bicycle or motor vehicle upon a bathing beach or on a pier,
- c) Except in locations designated for such purpose, no person shall engage in any athletic game or sport or in any activity upon a bathing beach or in the water, when injury or inconvenience to himself/herself or others might result therefrom.

12. Animals and Pets

a. Bringing Animals on District Property.

No person shall bring a dog or cat or other animals on any District playground or athletic field except a domestic animal may be brought onto park District property other than a District playground or athletic field so long as such animal is continuously restrained by a leash not exceeding six feet in length, or as provided in this ordinance or as otherwise authorized by the District. No person shall bring any animal in a swim beach areas. Any person bringing an animal on District property must remove and properly dispose of any waste caused by said animal while on District property.

b. Removal of Animals from District Property.

Any animal found on District property in violation of this section may be apprehended, removed to an animal shelter, public pound or other place provided for that purpose, and disposed of pursuant to the laws or ordinances of Lake County; all at the expense of the owner or person responsible for such animal.

c. Hunting.

Except as provided in this ordinance, no person shall hunt, pursue, hurt, molest, wound, kill, trap, catch, poison, abuse, chase, shoot, throw or propel objects at, or remove or have in his/her possession or release or caused to be released, any water fowl, mammal, animal, amphibian, reptile or bird, on or upon District property, or molest or remove the young or eggs from the nest, lair, den or burrow of any such wildlife, or give or offer to any animal, bird or reptile any harmful or noxious substance.

d. Feeding of wildlife.

For the protection of the wildlife and for the improved sanitary conditions of the District property, feeding of wildlife is prohibited.

13. Loitering so as to Obstruct Public Ways and Places

It shall be unlawful for any person to loiter, loaf, wander, stand or remain idle either alone and/or in consort with others or on District property in such a manner as to:

- a. obstruct any driveway, public sidewalk or any other public place or building by hindering or impeding or tending to hinder or impede the free and uninterrupted passage of vehicles, traffic or pedestrians; or
- b. commit in or upon any driveway, public sidewalk or any other public place or building any act or thing which is an obstruction or interference to the free and uninterrupted use of property or with any business lawfully conducted by anyone in or upon or facing or fronting on any place street, public highway, public sidewalk or any other public place, or building, all of which prevents the free and uninterrupted ingress and egress.

14. Dumping and Littering

No person shall litter, cast, throw, drop, place, lay or otherwise deposit, leave or scatter any placard, handbill, pamphlet, circular book, notice or paper of any kind, or place, pile or otherwise dump, leave or deposit in any manner any kind of dirt, rubbish, refuse, ashes, garbage, waste material, snow, ice, or other substance or material of any kind, whether liquid or solid, on, over, or in District property except as specifically permitted by the District. Nor shall any person spit upon or otherwise defile District property, except that paper, glass, cans, garbage and other refuse resulting from picnics or other lawful use of District property may and shall be deposited in receptacles provided by the District for that purpose. Where receptacles are not so 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 or persons responsible for the presence of such material and properly disposed of elsewhere.

15. Vehicles

a. **Unattended Vehicles.**

No person shall leave a motor vehicle unattended in any parking area while the motor of such vehicle is running, or when standing upon a perceptible grade without effectively setting the brakes and turning the wheels of such motor vehicle toward the curb or the side of the parking area. No vehicle shall be left overnight on District property without District permission.

b. **Exception for Emergency Vehicles and Park District Vehicles.**

The provisions of this section shall not be construed to relate to emergency, police or fire department vehicles or any vehicle owned by the District or a District employee displaying proper identification where the employee is duly authorized to operate such vehicle at such location.

c. **Noise Created by Vehicles.**

It shall be unlawful for any person to operate a vehicle which makes an unusually loud or unnecessary noise.

d. **Repairs and Cleaning of Vehicles.**

No person shall change any parts, change oil, repair, wash, grease, wax, polish or clean a vehicle in any parking area in or on District property except such repairing, cleaning or polishing as is necessary to insure good vision, or such emergency repairs as are necessary to remove such vehicle from the parking area or as otherwise permitted by the District.

e. **Negligent Driving.**

No person shall drive or operate any vehicle on District property negligently, recklessly or without due caution, or in any other manner so as to endanger any person or property. All vehicles shall be driven or operated on the right side of any roadway open to travel, except when passing other vehicles.

f. Speeding.

No person shall drive or operate any vehicle on District property at a speed greater than twenty miles per hour, or greater than is reasonable and safe under the circumstances, whichever is less, or at whatever speed is specifically posted, having due regard for traffic conditions and the intended use of the roadway, or at a speed which endangers the safety of any person or property.

g. Traffic Signs.

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

h. Right of Way.

Every driver of a vehicle shall yield the right of way to a pedestrian at any marked crosswalk or within any unmarked crosswalk at any intersection, and any pedestrian crossing at a roadway 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. However, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrians upon any roadway, shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway.

i. Driving Areas.

No vehicles shall be managed, controlled or operated upon District property except over and upon such roadways, paths, parking lots or other areas designated or marked for use by motor driven vehicles.

j. Owner Responsibility.

It is unlawful for the owner or any other person employing or otherwise directing the driver of any vehicle, to request or knowingly permit operation of such vehicle upon a roadway on District property in any manner contrary to this Ordinance.

k. Parking.

- 1) No person shall park any vehicle or allow any vehicle to remain parked in any area of District property beyond the normal closing hour of District property, except when a different closing hour has been designated by the District for that area or unless permission therefor has first been obtained from the District.
- 2) No person shall park or place 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, park, or place any vehicle in any of the following places except when otherwise designated, or when in compliance with the instructions of a police officer, or unless permission therefor has first been obtained from the District;
 - a) on the left side of any roadway;
 - b) on the lawn areas and grounds;
 - c) in front of a public or private driveway;
 - d) within any intersection;
 - e) within 30 feet of any stop sign or traffic control signal located at the side of a roadway;
 - f) on the roadway side of any vehicle parked at the edge or curb of the roadway;
 - g) on any sidewalk;
 - h) at any place where official signs or other markings prohibit parking, or where curbs have been painted yellow; or
 - i) at any place or time where a permit or sticker is required for parking by the District unless the required permit or sticker has been obtained and is displayed on the vehicle.
- 3) The Board may establish from time to time rates and fees for parking in any and all of the parking facilities of the District.

I. Incorporation of State Statutes.

In addition to the provisions of this ordinance and to the extent not inconsistent therewith no person shall operate vehicle or perform any act in any manner on District property in violation of Chapter 11 of the *Illinois Vehicle Code* (625ILCS 5/11-100, *et seq.*) which provisions are specifically incorporated in this Code by reference.

16. Admission/Identification

No person shall enter into, be or remain in any area or facility of the District without payment of any required admission charges and fees, and without compliance with the registration requirements, if any, which may be established from time to time by the District, and without displaying the proper admission identification cards/papers and tickets which may be required therefor. All admission identification cards/papers and tickets are non-transferable and must be individually registered, unless otherwise specifically noted thereon. A charge may be made by the District for replacing lost identification cards/papers and tickets.

17. Display of Permit of Pass

No person shall fail to produce or display any permit or pass required in order to engage in any activity on District property, upon request of any authorized person who shall desire to inspect the same for the purpose of enforcing compliance with any ordinance or rule of the District.

18. Schedule, Fees, Rules and Regulations

The amount of permit fees shall be approved and reviewed periodically by the Board. The time schedules for the operation of and the activities to be conducted on District property and fees for District programs and facilities shall be approved and reviewed periodically by the Park District Manager. As permitted by law, fees charged non-residents of the District need not be the same as fees charged residents of the District. The Board shall otherwise establish rules and regulations for proper conduct by persons using District property. Specific rules pertaining to various District facilities and programs shall be posted at the applicable facility and/or published in District program brochures or otherwise disseminated to the users of District property which shall be charged with actual knowledge thereof. All persons shall abide by the rules and regulations of the District and with the direct orders or requests of employees and agents of the District when such persons are using District property.

SECTION E. PERMITS

No person shall, without a permit, conduct a public assembly, parade, picnic or other event.

1. Application.

A person seeking issuance of a permit shall file an application with the Park District Manager. The application shall state:

- a. the name and address of the applicant;
- b. the name and address of the person, corporation or association sponsoring the activity;
- c. the day and hours for which the permit is desired;
- d. the park or portion thereof for which such permit is desired;
- e. an estimate of the anticipated attendance;
- f. any other information which the Board shall find reasonably necessary to a fair determination as to whether a permit should be issued hereunder;
- g. the application fee, user fee, indemnification agreement, insurance or security deposit, as applicable.

2. Grounds for Denial.

The District may deny an application for permit on any of the following grounds:

- a. the application for permit is not fully completed and executed;
- b. the applicant has not timely tendered the application fee, user fee, indemnification agreement, or security deposit;
- c. the application for permit contains a material falsehood or misrepresentation;
- d. the applicant is legally incompetent to contract or to sue and be sued;
- e. the applicant or the person on whose behalf the application for permit was made has on prior occasions damaged district property and has not paid in full for such damage, or has other outstanding and unpaid debts to the District;

- f. a fully executed prior application for permit for the same time and place has been received, and a permit has been or will be granted to a prior applicant authorizing uses or activities which do not reasonably permit multiple occupancy of the particular park or part thereof;**
- g. the application was for a time and location which a group of higher priority has already applied for or has a scheduled activity. The order of priority for park activities shall be:**

 - 1) District programs,**
 - 2) community associations in the District,**
 - 3) organizations with more than 50% of its members residents of the District,**
 - 4) organizations with 50% or less of its members residents of the District;**
- h. the proposed use or activity is prohibited by or inconsistent with the recognized and accepted uses of the park or part thereof;**
- i. the use or activity intended by the applicant would present an unreasonable danger to the health or safety of the applicant, or other users of the park, of District employees or of the public;**
- j. the applicant has not complied or cannot comply with applicable licensure requirements, ordinance or regulation of the District concerning the sale or offering for sale of any goods or services;**
- k. the use or activity intended by the applicant is prohibited by law, by this code and Ordinance of the District, or by the regulations of the Park District Manager;**
- l. the applicant has not secured the requisite insurance; or**
- m. the applicant or the person on whose behalf the application for permit was made has on prior occasions made material misrepresentations regarding the nature or scope of the event or activity previously permitted or has violated the terms of prior permits issued to the applicant.**

3. Reconsideration

Within seven (7) days after receipt of an application, the Park District Manager shall apprise an applicant in writing of the reasons for refusing a permit. Within ten (10) days after receipt of the decision, the applicant shall have the right to request reconsideration by the Board. The Board shall reconsider the Park District Manager's decision at the next regular Board meeting. After reconsideration, the decision of the Board is final.

4. Indemnification and Reimbursement Agreement.

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

5. Revocation.

The Board may revoke a permit upon determining that the persons conducting an activity pursuant to a permit have violated the terms of the permit or a District ordinance.

6. Fees for Use of Park Facilities.

No application for permit shall be granted unless the same shall be accompanied by a fee as provided in the uniform schedule of fees approved by the Board. As permitted by law, fees charged non-residents of the District need not be the same as fees charged residents of the District.

7. Display of Permits.

Permits issued pursuant to this section must be available for review by the District. Parking permits must be displayed on the windshield of the vehicle, passenger side in the front of the vehicle.

SECTION F. DISTRICT RECREATIONAL PROGRAMMING

The District may conduct recreational programs and may require applications from persons desiring to participate in the programs. The Board shall adopt policies and procedures for conducting the programs and consideration of applicants. The District may require that persons interested in participating in recreation programs hold the District harmless from any liability to any person resulting from any damage or injury occurring in connection with the recreational program. The District may require that persons interested in participating in recreational programs procure and maintain at all times during its participation in District programs insurance in such amounts and with such coverages as shall reasonably be required by the District. The District may:

1. give preference to applications of residents;
2. charge reasonable fees for participation in a program;
3. charge nonresidents a higher fee than residents;
4. charge parents an extra fee for failure to pick up their child at the closing time of a program;
5. provide for refunds or partial refunds for persons canceling their participation in a program with the approval of the Superintendent of Recreation.
6. provide for financial assistance or fee or other waivers for District residents who find the fees so financially burdensome that it would preclude such person from participating in the proposed activity;
7. bar for the remainder of the season any person who refuses to obey the rules for the recreational program or who otherwise violates any other provision of this Code, in addition to the penalties set forth in this chapter; and
8. cancel programs when the District determines that the number of registered participants or the quality of offering warrants it.

SECTION G. PATRON PROPERTY

Whenever a District employee or agent finds lost articles on District property, he/she shall report such findings to the Park District Manager. The Park District Manager shall make every reasonable effort to locate the owner of said property or any other property turned in to the District offices as found in one of the District parks.

SECTION H.—ENFORCEMENT

1. Fines

The violation by any person of the laws and regulations of the district or by any permittee of the terms of his/her permit issued pursuant to this chapter shall subject the person or permittee to a civil fine of up to \$500.00. Each day that a violation continues shall be deemed a separate violation. Such fines may be assessed against any security deposit held by the District on behalf of the permittee, pursuant to this ordinance, or may be assessed a fine for moneys in excess of any security deposit held by the District. The Board shall give the person or permittee prompt written notice of any fines to be assessed in excess of the security deposit. Such notice shall be served on the person or permittee by personal delivery, or by deposit in the United States mail, with proper postage prepaid to the name and address set forth on the application for permit.

2. Revocation of Privileges

Any person violating or disobeying this chapter or any rule or regulation of the District, may be forthwith evicted from District property, and may have his/her admission rights to District property terminated, revoked, forfeited or suspended as determined by the Board or the Board's designated representative.

3. Non-Exclusivity of Penalties

The penalties provided for in this chapter are in addition to and not exclusive of any other remedies available to the District as provided by applicable law. The penalties provided for in any section of this chapter may be imposed or assessed in addition to and not necessarily in lieu of the penalties provided for in other sections of this ordinance.

4. Parties

Every person who commits, attempts to commit, conspires to commit, or aides or abets in the commission of any act declared herein to be unlawful, as a principal, agent, or accessory, shall be guilty of such offense, and every person who falsely, fraudulently, forcibly or willfully induces, causes, coerces, requires, permits or directs another to violate any provision of this code is likewise guilty of such offense.

5. Parental Responsibility

a. Generally.

The parent or legal guardian of an unemancipated minor shall be presumed, in the absence of evidence to the contrary, to have failed to exercise proper parental responsibility, and such minor shall be deemed to have committed the acts described below with the knowledge and permission of the parent or guardian upon the occurrence of the following three events:

- 1) an unemancipated minor is adjudicated to be in violation of this section or has incurred nonjudicial sanctions from another official agency resulting from an admission of guilt in violation of this ordinance; and
- 2) the parent or legal guardian has received a written notice thereof, either by certified or registered mail, return receipt requested, or by personal service with a certificate of personal service returned from Sheriffs Department of Lake County, following said adjudication or nonjudicial sanction; and
- 3) If at any time within one year following receipt of the notice described in this ordinance above, the minor is adjudicated to be in violation of this ordinance, or has incurred nonjudicial sanctions from another official agency resulting from an admission of guilt of violation of this ordinance.

It shall be unlawful for a parent or legal guardian to allow an unemancipated minor to engage in acts in violation of this ordinance. Each parent and legal guardian shall be jointly and severally liable.

b. Willful and Malicious Acts.

The District hereby holds parents and legal guardians of an unemancipated minor who resides with such parent or legal guardian liable for actual damages for the willful and malicious acts of such minor which cause injury to a person on District property or injury to District property, as provided in the "Illinois Parental Responsibility Act" (740ILCS 115/1, *etseq.*).

6. Police Force

The police force of the District shall consist of the Lake County Sheriff's department or any police or private security service hired by the District. The police force shall be conservators of the peace within the park system and shall be responsible for the enforcement of state, local and District laws. The attorneys for the Sheriff of Lake County and the District are hereby appointed prosecutors for the District, whose duties shall be to prosecute all violations and arrests made by the Lake County Sheriff's police force in connection with violations of this Code.

5. Rewards

The District may offer rewards to the person or persons (other than police officers or employees of the District) who furnish information to the District, directly resulting in the arrest and conviction of anyone who unlawfully takes, damages, or destroys District property. All claims for said reward must be made to the District within thirty days after conviction and the District shall be the sole judge of any dispute arising over the reward and the person or persons, if any, entitled to share therein, and its decision on any matter connected with the reward shall be final and conclusive.