

ORDINANCE NO. 14-08-05

LINDENHURST PARK DISTRICT

AN ORDINANCE REGULATING THE USE OF PARKS, FACILITIES AND PROPERTY OWNED OR CONTROLLED BY THE LINDENHURST PARK DISTRICT

WHEREAS, it is desirable to set forth the various rules and regulations of the LINDENHURST PARK DISTRICT pertaining to use of the parks and other facilities of the District and affecting personal conduct of patrons and employees of the District;

WHEREAS, the Park Districts are given the authority pass all necessary ordinances, rules and regulations for the proper management and conduct of the business of the board and district and to establish by ordinance all needful rules and regulations for the government and protection of parks, boulevards and driveways and other property under its jurisdiction pursuant to 70 ILCS 1205/8-1 (d); and

WHEREAS, the Board of Park Commissioners of the Lindenhurst Park District has determined that it is in the best interests of the residents of the Lindenhurst Park District to establish uniform standards governing the use of the Park District parks, facilities and property.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF PARK COMMISSIONERS OF THE LINDENHURST PARK DISTRICT, IN LAKE COUNTY, STATE OF ILLINOIS AS FOLLOWS:

This Ordinance shall be known as the "Conduct Code of the Lindenhurst Park District" and the same may be so cited by reference to the appropriate section or sections hereof, as hereinafter set forth, for purposes of identification.

This Ordinance shall apply to, and be enforced in, all of the parks and roadways, parking lots, waters, structures and other real or riparian property of every kind owned or leased by Lindenhurst Park District, now or hereafter, whether within or outside the boundaries of the said District.

The following is hereby declared to be the Code of the Lindenhurst Park District:

SECTION 1: DEFINITIONS

For the purpose of this ordinance, the following terms shall have the definitions given herein:

- A. "District" is the Lindenhurst Park District, Lake County, Illinois.
- B. "Board" is the Board of Park Commissioners of the Lindenhurst Park District.
- C. "Director" is the Executive Director, the chief administrative officer of the District.
- D. "District Property" is any indoor or outdoor, open or enclosed, playfield, playground, gymnasium, beaches, ice skating rink, skateboard/BMX complex, open area, building or parts thereof or other facility and the materials and equipment therein owned, leased or in use by the District.
- E. "Person" is any individual, firm, partnership, group, association, corporation, governmental unit, company or organization of any kind, except the District, its employees and Board members while said employees and Board members are engaged in the performance of District duties.
- F. "Vehicle" is any conveyance, whether motor powered or self-propelled, whether for land or water, except baby carriages, and conveyances in use by the District.
- G. "Village" is the Village of Lindenhurst, Lake County, Illinois.
- H. "Code" is the Code of Conduct adopted by this ordinance.
- I. "First Amendment Activities" shall mean, and include:
 - 1. Charitable, religious or political speech or expressive conduct;
 - 2. Commercial sale and distribution of merchandise for charitable, religious, or political purposes;
 - 3. Parades, public assemblies or meetings; or
 - 4. Distributing non-commercial printed or written material;All of which are performed by or on behalf of a resident or Resident Organization.
- J. "First Amendment Location" shall mean, for activities described in item 1.(1), the meeting room where the Board of Park Commissioners meets, provided that such activity does not cause the Board or committee to be unable to effectively conduct any meeting. For activities described in item 1.(1)-(3), First Amendment Location shall mean that portion of Engle Memorial Park outside of any driveway or parking area, south of the Community Center and east of the driveway. For activities described in item I.(4), First Amendment Location shall mean any area no larger than 10' x 10' adjacent to and outside the parking lot at any District Property which has a parking area, provided that such activity, in consideration of all other contemporaneous Park District activity occurring there, does not obstruct any public sidewalk or ingress or egress to any place or building on District property by hindering or impeding or tending to hinder or impede the free and uninterrupted passage pedestrians thereon or therein. All District Property or parts thereof not expressly described above shall be considered a non- public forum where First Amendment Activities are not permitted.
- K. "Resident organization" shall mean a firm, partnership, group, association, corporation, governmental unit, company or organization of any kind, except the District, that has a

significant relationship to the Park District community. A significant relationship can be demonstrated by meeting the following criteria:

- 55% or more members or participants reside within the corporate limits of the Village; or
- Have a charter or other official recognition by a parent, state or national organization designating it as a Village chapter; or
- Have a principal place of business located within the corporate limits of the Village; and
- Be in good standing for all registrations, licenses, permits and regulations.

SECTION 2: GENERAL PROCEDURES, TERMS AND CONDITIONS GOVERNING USE OF PARK DISTRICT FACILITIES

1. Rules and Regulations

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

2. Restriction of Solicitation

Residents and Resident Organizations only shall be issued for activities described in Section 1.1.2 only for First Amendment Locations. Any person engaging in solicitation activity pursuant to a permit in close proximity to a parking lot, highway or street must wear a high visibility vest.

3. Permit Requirement

No person shall, without a permit:

- a. conduct a program, special event, public assembly, parade, picnic, or other event involving more than fifteen (15) individuals or vehicles;
- b. place signs, decorations and temporary structures on District property;
- c. circulate or distribute any leaflets, handbills, notices, pamphlets, books, documents, or papers of any kind in any indoor District property or attached to vehicles and equipment parked on District property.
- d. conduct any exhibit, music or dramatic performance, fair, circus, concert, play;
- e. exhibit or display any motion picture, television program or similar event;
- f. operate a vehicle, except upon a publicly dedicated street, alley,

watercourse or other thoroughfare which may abut or traverse District property, except in compliance with the Mobility Device Use Policy adopted on January 10, 2012, or as amended from time to time;

- g. create or emit any amplified sound, except from a radio, recorder or other device possessed and used by an individual for his/her own enjoyment and operated in such a manner so as not to interfere with the use and enjoyment by any other person;
- h. place, station or erect any building, stand, bandstand, stage, tower, scaffold, sound stage, platform, rostrum, hammock, swing, tent, shelter, or other structure or camping equipment;
- i. station or use any electrical or electronic device or equipment that would require outdoor auxiliary power;
- J. sell, lease, advertise or offer for sale or lease any goods or services;
- k. display, post or distribute any placard, handbill, pamphlet, circular, book or other writing containing commercial advertising matter;
- l. bring, land or cause to ascend or descend or alight on District property, any airplane, helicopter, flying machine, balloon, parachute, model aircraft or other apparatus for aviation;
- m. conduct any sporting event with 15 or more than participants;
- n. bring or ride onto any Park, any animal, except in compliance with the Service Animal Policy adopted on January 10, 2012, or as amended from time to time;
- o. use District property for day camps, instructional classes or organized groups not sponsored by the District;
- p. create, light or make use of a fire, including fires in fireplaces, stoves and pits;
- q. sell, bring within, possess, give away, deliver or consume alcoholic beverages on District property;
- r. operate a snowmobile or all terrain vehicle; or
- s. engage in solicitation from persons on District property, except for First Amendment Activities in areas specifically described as First Amendment Locations.

By issuing a permit the Park District does not relinquish the right to control the management of the District property and enforce all necessary and proper rules for the safe operation of District property.

4. Application for Permits

a. Filing Written Application

Users desiring to occupy District property for any activity described in Section 2.3 will be required to complete and submit a facility use application, all

applicable fees, and any and all documentation at least seven (7) days prior to the event. Any person seeking the issuance of a permit shall apply for a permit by filing a written application for permit on a form which shall be prescribed by the District staff. Except as otherwise provided by any other more specific ordinance, rule or regulation of the District with respect to the activity in question, applications for permits shall be filed with the Registration Coordinator/Superintendent of Recreation, at the District's Administrative Offices located at 2200 E. Grass Lake Road, Lindenhurst, Illinois 60046.

b. Application Fee

For any activity described in Section 2.3, no permit shall be granted unless the applicant shall have paid at the time for filing an application for permit the required application fee in an amount in accordance with schedule of fees annually set by the staff and approved by the Board. There shall not be an application fee for First Amendment activities conducted in First Amendment Locations. As permitted by law, fees charged non-residents of the District need not be the same as fees charged residents of the District.

c. Indemnification and Reimbursement Agreement

No permit for any activity described in Section 2.2 or 2.3 shall be granted unless the applicant shall have executed an agreement with the District, on a form to be prescribed by the District staff, in which the applicant shall promise and covenant to bear all costs of policing, cleaning up and restoring the District property upon which the permitted event or activity occurs 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 proximately caused by the action or omission of the permittee, the sponsoring organization, its officers, employees or agents or any person under their control insofar as permitted by law. Such an agreement may be executed contemporaneously with the issuance of the permit.

d. Security Deposit

For any activity described in Section 2.3, no application for permit shall be granted unless the same shall be accompanied by the deposit of a sum of money equal to the estimated cost of policing, cleaning up and restoring the park upon conclusion of the use or activity, as set by the schedule of fees set by the District staff and approved by the Board. Promptly after the conclusion of a permitted activity, the District shall inspect the premises and equipment

used by the permittee. If it is determined by such inspection, that the participants in the permitted event proximately caused damage to District property in excess of normal wear and tear and which requires repairs in excess of routine maintenance, the District shall retain the security deposit or any portion thereof necessary to pay for the cost of repair. The District staff shall give written notice of the assessment of damages and retention of the security deposit to the permittee by personal delivery or by deposit in the United States mail, with proper postage prepaid to the name and address set forth in the application for permit.

e. Insurance

- (1)** Applicant, if so required by the District, shall procure and maintain at all times during its use of District property, insurance in such amounts and with such coverages as shall reasonably be required by the District and shall name District as an additional insured thereunder. The amounts and type of insurance required shall be reasonably determined by the Director, based upon the nature of the activity and the risk involved. The Director shall prepare a uniform schedule of insurance guidelines for particular types of activities. Applicant shall provide District with a certificate from its insurer evidencing such coverage prior to applicant's use of District property. The certificate shall also provide that the insurer shall give the District reasonable advance notice of insurer's intent to cancel the insurance coverage provided.
- (2)** No application for permit for any public assembly involving more than fifty individuals shall be granted unless it shall be accompanied by proof that the applicant shall insure the District against liability for personal injury or property damage arising from or in connection with the use or activity, or, in the alternative, unless the application for permit shall be accompanied by payment of a premium, pursuant to a schedule which shall be determined by regulation of the Director taking into consideration the expected attendance at the use or activity, the nature of the use or activity, and the place of the use or activity, for participation in an insurance reserve program which shall be established and maintained by the District to the insurance of the District against liability for personal injury or property damage as aforesaid.

5. Processing of Application for Permits

a. Order

Except for the Community Recreation Center, applications for permits shall be processed in order of receipt; and the use of a particular park or part thereof shall be allocated preference in order of receipt of fully executed applications. The use of Community Recreation Center shall be scheduled giving preference in the following order to the following activities and groups regardless of the order of receipt of fully executed applications:

- (1) District sponsored and supervised programs and activities;
- (2) District sponsored organization programs and activities;
- (3) Approved affiliate organizations and programs;
- (4) District approved activities sponsored by residents of the Lindenhurst Park District or Resident Organizations;
- (5) District approved activities sponsored by non-residents of Lake Villa Township.

b. Preliminary Approval

Users must agree that participants of events will abide by and comply with the laws of the United States of America, the State of Illinois, local laws and ordinances as well as the rules and regulations of the Park District. Applications for permits for activities or events which require insurance, approval or permits from other governmental entities, or compliance with other terms or conditions, will be reviewed and, if the application otherwise conforms to all other requirements, a preliminary approval will be issued. If, within fourteen days of the issuance of the preliminary approval, but in no event later than the day prior to the date of the event or activity, an insurance certificate evidencing the requisite insurance is not filed with the Director, or the approval or permit of other governmental entities has not been received, or the other terms and conditions have not been met, the preliminary approval will expire, the application for permit will be deemed denied and no written notice of denial will be required; provided, however, for events or activities which involve the use of special facilities, or activities described in this chapter, Section 2.3 (h)(i)(j)(l) and (m), above, all terms and conditions for issuance of the permit including securing insurance, must be completed at least thirty days prior to the event. Please note that the Park District may terminate the permit at any time it determines the applicant and/or the participants have violated the rules set forth in this Code.

c. Written Denials

Except for applications for permits for which preliminary approvals have been issued, applications for permits shall be deemed approved, subject to insurance requirements as provided in this chapter, Section 2.4. f, above, if no written denial is issued before the date of the event, but in no case later than fourteen days of the date on which the application is fully completed, executed and filed with the appropriate officer or employee, as designated by the Director; provided, however, the District may extend the period of review for an additional fourteen days by issuance of a written notice of extension describing such additional relevant information required by the District to identify if the application and proposed activity complies with this Code. If, prior to the expiration of the extended review period, no written denial is issued, the application for permit shall be deemed approved.

d. Notice of Extended Review or Denial or Issuance of Permit

Written or electronic notice of denial or notice of extension shall be served on the applicant by e-mail, personal delivery, or by deposit in United States mail, with proper postage prepaid, to the name and address on the application for permit;

e. Contents of Notice; Grounds for Denial

Notice of denial of an application for permit shall clearly set forth the grounds upon which the permit was denied together with a citation to the sections of this Code with which the application fails to comply and, where feasible, shall contain a proposal by the District for measures by which the applicant may cure any defects in the application for permit or otherwise procure a permit. Where an application or permit has been denied because a fully executed prior application for the same time and place has been received, and a permit has been or will be granted to the prior applicant authorizing uses or activities which do not reasonably permit multiple occupancy of the particular area, the District shall propose an alternate place, if available for the same time, or an alternate time, if available for the same place. The District may deny an application for permit on any of the following grounds:

- (1) the application for permit is not fully completed and executed;

- (2) the applicant has not timely tendered the applicable application *fee*, user *fee*, indemnification agreement, or security deposit;
- (3) the application for permit contains a material falsehood or misrepresentation;
- (4) the applicant is legally incompetent to contract or to sue and be sued;
- (5) the applicant or the person on whose behalf the application for permit was made has on prior occasions damaged district property and has not paid in full for such damage, or has other outstanding and unpaid debts to the District;
- (6) a fully executed prior application for permit for the same time and place has been received, and a permit has been or will be granted to a prior applicant authorizing uses or activities which do not reasonably permit multiple occupancy of the particular park or part thereof;
- (7) the use or activity intended by the applicant would conflict with previously planned programs organized and conducted by the District and previously scheduled for the same time and place;
- (8) the proposed use or activity is prohibited by or inconsistent with the recognized and accepted uses of the park or part thereof;
- (9) the use or activity intended by the applicant would present an unreasonable danger to the health or safety of the applicant, or other users of the park, of District employees or of the public;
- (10) 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 food, goods or services;
- (11) 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 District staff;
- (12) the applicant has not secured the requisite insurance; or
- (13) 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.

f. **Amendment or Revision of Applications**

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

computed from the date of the amendment or revision.

6. Procedures for Review; Waivers

a. Review by Director

- (1) Any applicant who is denied a permit or a permittee who is assessed damages pursuant to this Ordinance may, within seven days of the service of notice of such determination, file a written appeal from such determination with the Director;
- (2) The Director shall have two (2) business days from the date on which the appeal was filed in which to serve upon the applicant a notice that he/she has affirmed, modified or reversed the denial;
- (3) Such notice shall be deemed served upon the applicant or permittee when it is personally delivered or when it is sent by United States mail, with proper postage prepaid, to the name and address set forth on the application for permit;
- (4) If such notice is not served upon the applicant or permittee within two (2) business days of the date upon which the appeal was filed, then the denial shall be deemed reversed.

b. Form of Appeals

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

c. Waiver of Requirements

Any requirements for or limitation upon a permit or the requirement of a permit may be waived by the Director if the activity is protected by the First Amendment of the United States Constitution and/or the condition would be so financially burdensome that it would preclude the applicant from using District property for the proposed activity. Fees for equipment and services may not be waived pursuant to this subsection. Application for a waiver shall be made on a form prescribed by the Director.

7. 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 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.

8. Interpretation

In the interpretation of this Code, its provisions shall be construed as follows: (1) Where the context permits, words in the masculine gender shall include the feminine and neuter genders and words in the singular number shall include the plural number; (2) The word "shall" is always mandatory and not merely directory; (3) The word "may" is always permissive and upon the discretion of the District; (4) This Code is in addition to and supplemental to all applicable state, federal, local, and District laws, ordinances, rules, and regulations including without limitation the Park District Code (70 ILCS 1205/1-1 *et seq.*); (5) The meaning of any term, phrase, or word not otherwise defined in this Ordinance shall be construed and interpreted to mean the same as said term, phrase, or word is otherwise defined, construed or interpreted in such applicable federal, state, local, or District laws, ordinances, rules, or regulations; (6) The meaning of any term, phrase, or word not otherwise defined in this Ordinance or in such applicable federal, state, local, or District laws, ordinances, rules, or regulations shall retain its ordinary and properly understood meaning; (7) The descriptive headings of the various sections or parts of this Ordinance are for convenience only and shall not affect the meaning or construction, nor be used in the interpretation of any provision of this Ordinance; and, (8) An attempt or conspiracy to commit an act or engage in an activity prohibited under this Ordinance shall likewise be deemed prohibited in the same manner as the commission of such act or the engaging in such activity and subject to the same penalties.

SECTION 3: CLOSING HOURS

The park facilities for the District shall be closed at sunset, prevailing time, until sunrise the following morning except at park facilities having lighted athletic fields, in which case the closing hour shall be 11:00 o'clock p.m., prevailing time. Closing hours of neighborhood or community recreation centers and beaches shall be specified from time to time by the Director and posted at the facility. No person or property of any kind, save for authorized District employees, shall remain on District property after closing time without permission from the Director or an authorized designee.

Notwithstanding the foregoing, registered participants in District-approved programs and/or special events which provide for an overnight stay on District property shall be permitted to remain on District property solely for the purpose of participating in the approved scope of such program.

SECTION 4: GAMES AND SPORTS

No group of 15 or more persons shall engage in any sport, game, amusement or exercise in any part of the Park except at such places and times as may be designated by the Director and

then only under such rules as are prescribed. Nor shall any person walk, remain, or conduct himself upon such portion of the Park designated for any particular game, sport, amusement or exercise in such way as to interfere with the use of such portion by persons who are using the same for the particular sport, game, amusement or exercise for which it has been designated.

a. **Golf**

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

b. **Baseball and Softball Playing**

(1) No person shall engage in games of softball or baseball except on District property having established diamonds and backstops constructed for that purpose.

(2) In District property having established softball or baseball diamonds, the type of participation on said diamond shall be in accordance with posted signs, if any.

c. **Rollerblading, Skateboarding, Skating, Sledding and Snowmobiling**

No person shall skate, sled, toboggan, snowmobile, ski, slide or engage in similar activities on District property except at such posted 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. **Tennis/Basketball Courts**

No person shall use bicycles, roller skates, roller blades or skateboards on any tennis court or basketball court surface unless the District has posted a sign allowing for such uses.

e. **Reckless Conduct**

No person shall engage in any activity in a rough or reckless manner so as to endanger, injure or damage persons or property in any way.

SECTION 5: PRIVATE ENTREPRENEURS

No person shall expose or offer for sale any article or thing, nor shall any person station or place any stand, cart, or vehicle for the transportation, sale, or display of any such article or thing in any Park, except a concessionaire or other person acting under an official permit of the Board; nor shall any person on District property announce, advertise, or call the public attention in any way to any article, or service for sale or hire.

SECTION 6: ADVERTISING

Except as required by the Illinois Election Code, no person shall paste, glue, tack or otherwise

affix or post any sign, placard, advertisement, or inscription whatever, nor erect or cause to be erected any permanent or temporary sign whatsoever on any structure or thing in a Park, except as authorized by the Director. Nothing herein shall be construed to prohibit the carrying of signs in the course of performing a First Amendment Activity in a First Amendment Location.

SECTION 7: FIRE AND FIREWORKS PROHIBITED; EXCEPTIONS

1. No person shall offer for sale, expose for sale, sell, possess, or use, or explode any fireworks, as defined in the Fireworks Regulation Act of Illinois, 425 ILCS 30/1, et seq., or other device commonly labeled, marketed, used and sold as fireworks.
2. No fireworks may be discharged on Park District property unless authorization is first obtained from the Park District's Board. A request to discharge fireworks made to the Park District's Board must include (1) the written approval from both the chief of the local police department and the chief of the fire department; (2) a permit granted by the Village of Lindenhurst; (3) the identity of the person licensed by the State Fire Marshall to supervise and perform the display; (3) a certificate of insurance naming the Park District and its officers, employees and agents as additional insureds covering liability arising out of or relating to the discharge of fireworks in an aggregate amount not less than \$5,000,000; (4) a bond or irrevocable letter of credit in the name of the Park District in the amount to cover, but not limited to, the costs of any damages caused by the display; and (5) a detailed plan for the safe and secure discharge of fireworks and the safe and secure management and security of those entering upon the Park District's property.
3. FIRES - No person shall light or make use of any fires on District property, except at such place as may be established for such purposes (i.e. designated cooking grills, Park District sponsored special event(s), etc.).

SECTION 8: WEAPONS

No person shall bring, carry or use knives, firearms, explosive substances or weapons of any kind on District property, excluding law enforcement, except to the extent expressly authorized by law. The District enforces the Illinois Firearm Concealed Carry Act, including Section 65 thereof describing prohibited areas.

SECTION 9: DISORDERLY CONDUCT

No person shall commit any act or use language which may be considered threatening, indecent or a breach of peace or any act which may be defined as disorderly conduct under the Illinois Criminal Code, 720 ILCS 5/26-1,2,3, or 4. No person shall commit any act or fail to act in a manner which results in obstructing other patrons from performing a lawful and intended use of any District Property.

SECTION 10: INJURY TO OR DESTRUCTION OF PARK PROPERTY

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

- 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 permit or suffer any fire upon land 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, destroy or alter any building, fence, monument, sculpture, bridge, or other structure or property contained therein.
- E. 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.
- F. Allow any animal to injure or deface any tree, plant, shrub, lawn or grassplot in any manner whatsoever.
- G. 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.
- H. Deface, destroy, cover over or otherwise make unreadable any warning or prohibitory sign or symbol in or on District property.
- I. 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.
- J. 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.
- K. Bring any plant or portion of a plant onto District property.
- L. Fail to maintain District property in a neat and sanitary condition.
- M. Deface, disfigure, break, cut, tamper with, displace or remove any Park property or appurtenances whatsoever, either real or personal.
- N. Remove any soil, rock, stone, trees, shrubs, or plants, down timber or other wood or materials from any Park nor make any excavation by tool, equipment, blasting, or other means or agency within any Park, except under the direction of the Director.
- O. Use any metal detectors.
- P. Stake down any portable play device including, but not limited to, moonwalks or other inflatable play structures.

SECTION 11: RESTRICTED AREAS

No person shall enter upon any portion of the park system where entry is prohibited by the District by sign or other suitable notice. No person shall enter or attempt to enter any

building area or facility in the Park which is closed to the public, or is under construction in an unfinished state, or scheduled for a specific group or activity unless invited to same; nor shall any person not invited or not having paid an admission fee, when such is charged, enter an area, building or place when it has been rented or otherwise reserved.

SECTION 12: WATERS

No person shall swim in the waters of the District unless permitted to do so by the Director, or the Director's designee.

SECTION 13: REFUSE

No person shall cause, permit, allow or suffer:

- the placement of any solid or liquid waste on District Property except in specified garbage receptacles;
- the placement of any placard, handbill, pamphlet, circular, book, notice or paper of any kind on District Property in an unsecured manner or which is reasonably expected to result in litter;
- Spitting upon or otherwise defiling District property;

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.

Any person violating this section may be assessed the cost to the District of removing any such improperly deposited substance or material and such charge shall be in addition to and not in lieu of any other penalties provided for in this Code.

SECTION 14: ANIMALS

It shall be unlawful for any individual having control of any dog or other animal to cause or permit such animal to be on any District Property including, without limitation, any street, sidewalk, parking lot or other public place or facility. However, nothing in this ordinance shall prohibit a service animal assisting a sight impaired person from entering or remaining at any location in or on District property in a manner consistent with the District's Service Animal Policy.

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, pursuant to the laws or ordinances of the Village of Lindenhurst; all at the expense of the owner or person responsible for such animal.

Except to the extent provided for in a District contract or permit, no person shall perform any act or fail to act in a manner which results in harm to any animal, or its young or eggs, on District Property.

SECTION 15: VEHICLES

A) Parking

No person shall park any vehicle or allow any vehicle to remain parked in any area of District property in violation of posted restrictions or 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. In no event shall any vehicle, except District vehicles, be parked on District property beyond 11:30 p.m., except with the approval of the District, which approval shall automatically be deemed given in connection with activities conducted by the District.

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 on the lawn areas or grounds of District Property.

In addition to and not in limitation of any other parking restrictions, no person shall park any vehicle or allow any vehicle to remain parked in any part of the driveway for Engle Memorial Park and Community Center.

B) 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 vehicle.

No person shall 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.

C) Commercial Vehicles

All roadways on District property shall be used for pleasure driving only. No person, other than District employees, shall drive any truck, tractor or other commercial vehicle of any kind on District property without first obtaining a permit or contract therefor from the District.

D) Repairs and Cleaning of Vehicles

No person shall change any parts, change oil, repair, wash, grease, wax, polish or clean a vehicle on 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.

E) Noise Created by Vehicles

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

F) Incorporation of State Statutes

In addition to the provisions of this Ordinance, and to the extent no inconsistent therewith no person shall operate a vehicle or perform any act in any manner on District property in violation of Chapter 11 of the Illinois Vehicle Code (625 ILCS 5/11-100, et seq.) which provisions are specifically incorporated in this Ordinance by reference.

SECTION 16: BICYCLES

Pathways on District property are provided for use by pedestrians and bicyclists. Bicycles may be used elsewhere on District property provided their use will not interfere with other park patrons or activities and provided that their use does not tend to injure, damage or destroy park land or park property, but to the extent reasonably convenient bicyclists should use, existing bicycle paths, roadways, parking lots and bicycle racks whenever possible.

SECTION 17: ALCOHOL, DRUGS AND NARCOTICS

No person shall drink, sell, possess, make a gift of or offer for sale within the park, any alcoholic liquor except in accordance with a contract approved by the Board of Park Commissioners and all applicable State and local licensing laws and regulations.

No person shall within the park use, administer, receive, offer for sale, possess, or make available to himself, or any person or animal, any controlled substance.

SECTION 18: GAMBLING

No person shall gamble or commit any act constituting gambling as the same is defined by state statutes, except in compliance with a raffle license issued by the Village of Lindenhurst.

SECTION 19: LOITERING

No person, except for children under four (4) years of age, shall enter into, loiter or remain in any toilet, restroom, bathhouse, pavilion or structure or section thereof, of any Park which has been reserved and designated by the Director for the use of the opposite sex.

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

- Obstruct any driveway or public sidewalk or ingress or egress to any place or building on District property by hindering or impeding or tending to hinder or impede the free and uninterrupted passage of vehicles or pedestrians thereon or therein.
- Commit in or upon any driveway, public sidewalk or entrance or exit to any public

sidewalk or entrance or exit to any public place on District property, any act or thing which is an obstruction or interference to the free and lawfully conducted use thereof by anyone.

SECTION 20: CAMPING

No person shall place, erect or use any hammock, swing, tent or other shelter or otherwise camp or sleep on District property, except upon written permission from the Director.

SECTION 21: 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/or program fees, shall be approved and reviewed periodically by the Board. As permitted by law, fees charged non-residents of the District need not be the same as fees charged residents of the District. The Board 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 22: PUBLIC ASSEMBLIES

No person or organization shall call or hold a First Amendment Activity of any description on District Property except at First Amendment Locations designated for such purposes.

No person shall conduct any musical concert, play upon any amplified instrument nor set up or use any communication system in a Park without first obtaining a permit.

No person issued a permit by the Board or Director shall fail to produce the permit and exhibit it upon request of the Director or park employee, or Board Member or police officer.

No person shall disturb or interfere with any person or party occupying any District property, under the authority of a permit.

SECTION 23: MINORS

The parent or legal guardian of an un-emancipated 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 11511, et seq.

SECTION 24: AUTHORITY

Whenever a power is granted to or a duty is imposed upon a public officer or employee of the

Lindenhurst Park District, the power may be performed by an authorized deputy of the Village of Lindenhurst Police Department or designee or by any person authorized pursuant to law or ordinance, unless this Code expressly provides otherwise.

SECTION 25: REVOCATION OF PRIVILEGES

Any person who is found by a court of competent jurisdiction to have performed any activity prohibited by any of the provisions of this Code shall be assessed a fine of no less than \$25.00 and no more than \$1,000.00 for each violation. Each day of violation shall be deemed a separate violation. The District, or its designee may also seek restitution for damages resulting from the violations.

Any person found to have willfully violated this Code more than three (3) times within any consecutive six (6) month period may be barred from District property by the Board of Park Commissioners.

The Village of Lindenhurst, through its Police Force and judicial prosecution, shall have power to enforce all Sections of this Code and prosecute same. For the purposes of this Section the Village of Lindenhurst shall be deemed the District's designee.

SECTION 26: REPEALER

All prior Ordinances of Lindenhurst Park District which are in conflict or inconsistent with any of the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance.

This Ordinance shall be effective from and after its passage and approval in accordance with law.

Passed: August 12, 2014

Approved: August 12, 2014

Votes: Ayes: 3 (Stout, Solbrig, Parkman)

Nays: 0

Absent: 2 (Hunecke, Behnke)

Recorded: August 12, 2014



Dean Parkman, President (s)
Board of Park Commissioners

ATTEST:



Thomas Lippert, Secretary (s)
Board of Park Commissioners

I, THOMAS J. LIPPERT, DO HEREBY CERTIFY that I am the duly appointed, qualified and acting Secretary of the Lindenhurst Park District and of the Board of Park Commissioners of the Lindenhurst Park District; and that I am access to the official Minutes of the Meetings of the Board of Park Commissioners and of the Lindenhurst Park District.

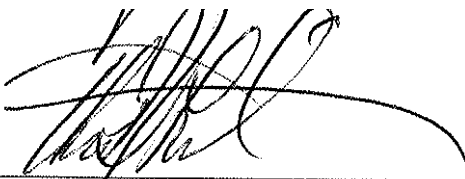
I do further certify that the above and foregoing is a true and correct copy (duplicate) of a certain ordinance entitled:

ORDINANCE NUMBER 14-08-05

LINDENHURST PARK DISTRICT

AN ORDINANCE CODIFYING RULES
AND REGULATIONS PERTAINING
TO THE CONTROL OF PERSONS
AND ACTIVITIES IN THE LINDENHURST
PARK DISTRICT

That the foregoing was passed by the Board of Park Commissioners of said Lindenhurst Park District on the 12th day of August, 2014, and was on the same day approved by the Secretary of the Lindenhurst Park District; and it was filed and recorded in the office of the Secretary of the Lindenhurst Park District of which the foregoing is a true copy (duplicate) and is now on file in the office of such Secretary. Given under my hand and seal of the Lindenhurst Park District this 12th day of August 2014.



THOMAS J. LIPPERT SECRETARY
LINDENHURST PARK DISTRICT

Thomas J. Lippert, Secretary
Lindenhurst Park District
Lindenhurst, Illinois

4839-7002-3452, v. 1