



WARRENVILLE PARK DISTRICT

ORDINANCE 2019-04

**AN ORDINANCE AMENDING AND RESTATING THE
GENERAL USE RULES AND REGULATIONS OF THE
WARRENVILLE PARK DISTRICT AND REPEALING
ORDINANCE 2015-02**

**ORDINANCE NO. 2019-04
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ORDINANCE 2015-02**

WHEREAS, it is reasonable, necessary and desirable for the District to provide rules and regulations in order to provide for the safe and peaceful use of the parks; for the protection and preservation of the property, facilities, flora and fauna of the Parks and for the safety and general welfare of the public; and,

WHEREAS, the District has the authority and power to establish this General Use Ordinance; and,

WHEREAS, it is deemed necessary to revise the General Use Ordinance of the District,

NOW, THEREFORE, be it and the same is hereby **ORDAINED** by the Warrenville Park District and the Board of Park Commissioners thereof as follows:

CHAPTER I – DEFINITIONS

Section 1 – Definitions:

- a. **“District”** wherever used means the Warrenville Park District a municipal corporation, DuPage County, Illinois;
- b. **“Board”** wherever used means the Board of Park Commissioners of the District;
- c. **“Director”** wherever used means the Executive Director of the District;
- d. **“Person or Persons”** wherever used means individuals, firms, corporations, associations, societies or any group or gathering whatsoever;
- e. **“Permit”** wherever used means and includes any authorization issued and obtained from the Executive Director to conduct a regulated activity, exercise a regulated privilege, conduct a regulated event or perform a regulated act in any park or facility as specified in this ordinance;
- f. **“Written Permission of the Director”** where used includes written permission granted by authorized agents of the Executive Director;
- g. **“Park”** where used means all developments, improvements, facilities and any or all lands, minerals, waters, overhead air rights, easements and other real property owned, leased, controlled or used by the District or property holdings of the District; whether in fee as a leasehold or management agreement;
- h. **“Waters”** where used means waters owned, leased or controlled within the jurisdiction of the District;
- i. **“Employee”** where used means any full , part time, or short term worker in the employ of the District under the direct or indirect supervision of the Executive Director;
- j. **“Watercraft”** where used means any device or conveyance on the water whether propelled by motor, engine, wind, sun, or human power;

- k. **"Vehicle"** where used means every device, in, upon or by which any person or property is or may be transported or drawn upon a roadway, except devices moved by human power, devices used exclusively upon stationary rails or tracks.
- l. **"Sound Energy Amplification"** where used means music, speech, or any sound or noise transmitted by artificial means including, but not limited to, amplifiers, radios, televisions, public address systems, musical instruments;
- m. **"Amusement Device"** where used means any inflatable, device, gadget, machine or structure designed to test the skill or strength of the user or provide the user with any sort of ride, lift, swing, or ball experience including, but not limited to, inflatable games, inflatable slides or houses, ball-throwing contest devices, pinball-type devices, animal ride devices, , trampoline devices, and the like;
- n. **"Legal Adult"** where used means a grown up person or one who has reached the legal age as defined by the law of the State of Illinois;
- o. **"Area(s)"** where used means a specified place within a park or facility;
- p. **"Exclusion of Others"** where used refers to prohibiting use or behavior by others which disrupts or prevents the authorized and lawful use of designated area or structure in a Park by a person or persons holding a valid Permit for such area or structure activity;
- q. **"Property"** where used means any lands, developments, improvements, waters, facilities, equipment or possessions of the District, whether owned leased, managed, or used by the District;
- r. **"Posted"** where used means that a notice is posted, either by a sign in a Park at the entrance to a Park, at a facility or the Administrative Office, the location being at the discretion of the Executive Director.
- s. **"Police Officer"** where used means an individual trained in the methods of Law Enforcement and given authority to maintain peace, safety and order;
- t. **"Overnight"** where used means the time when the park or facility closed in the evening until it opens the following day;
- u. **"Rules and Regulations"** where used means and includes any resolution, regulation or ordinance adopted by the board.
- v. **"Park Patrol"** where used means person, agent, employee, patrol person, police officer or other law enforcement officer appointed or designated by the board to enforce the rules and regulations of the District.
- w. **"Liquor"** where used means as defined in the Illinois Liquor Control Act (235 ILCS 5/1-3.05) as same is amended from time to time.
- x. **"Controlled Substance"** where used means as defined in the Illinois Controlled Substance Act (720 ILCS 570/120) as same is amended from time to time.
- y. **"Barbecue Grill"** where used means a fabricated metal container and grill designed for the cooking of food.
- z. **"Sanctioned"** where used means sponsored by the District or conducted by authorization of a permit issued by the Executive Director.

Section 2 – Agency Activities: Activities and events designated as requiring approval by the Board, including those sponsored by the District, shall require a simple majority vote at any regular or special meeting of the Board with the item on the agenda published in advance of the meeting. Except as explicitly noted, the District will not engage in activities prohibited to the public. A program sponsored by the District does not need an explicit permit for any activity for which a permit is required of the public, but suitable registration of the activity in the District reservation system is required to prevent conflict with reservation by the public.

CHAPTER II – PUBLIC USE

Section 1 – Public Use and purpose of the District:

- a. Parks are for use by the general public. One of the functions of the district is to acquire, protect, restore, restock, develop and interpret a well-balanced system of areas with scenic, ecological, recreational and historic values for the inspiration, education, use and enjoyment by the public.
- b. The Board of Commissioners believes that Park District patrons have the right to use Park District owned or leased property without being disturbed or impeded by other park district users; that Park District patrons have the right to an environment that is secure and comfortable, and that Park District patrons and employees have the right to materials and facilities that are available and in good condition.

Section 2 – Hours of Use:

- a. Parks shall be open to the public from sunrise to one half hour after sunset, local time, as published in the U.S. Naval Observatory Time Charts for the Chicago, Illinois, area unless different hours are posted by the Executive Director.
- b. No person shall remain in the Park when the Park is not open to the public unless in attendance at a sanctioned event or by a permit issued by the Executive Director.

Section 3 – Permits:

- a. No person shall conduct, operate, present, manage or take part in the following activities in a park unless a permit is obtained from the Executive Director prior to the start of the activity:
 1. Any contest, show exhibit, dramatic performance, play act, motion picture, bazaar, sporting event, ceremony, children's day camp or any public meeting, assembly or parade including, but not limited to, drills or maneuvers, rallies, picketing, speeches and addresses, marches or political meetings;
 2. Any use of any park or facility by a certain person or group of persons to the exclusion of others;
 3. Any other activity determined by the Executive Director to require regulation.
- b. Persons desiring the above activity may apply to the Executive Director for a written permit under the following categories and subject to fees set by the Board:
 1. Picnic: No permit is required to have a picnic; however, if a person desires to reserve a designated area or areas to the exclusion of others or desires to conduct, in conjunction with the picnic, related controlled activities such as, but not limited to, sound amplification, special vehicle access, animal rides and the like, then a picnic permit, valid for one day, is required.

2. Special Event: A permit is required for any of the other activities listed in Section 3a, paragraph 1 above. The permit may be valid from one to seven consecutive days. The permit may provide for use of an area or areas to the exclusion of others and for other permit-controlled activities pursuant to this Ordinance;
- c. Permits in General: The Board shall from time to time adopt specific procedures for issuing permits for the use of areas of a park or facility. Permits may also be required for other activities as determined by the Executive Director.

Section 4 Solicitation of Funds and Political Activities

- a. The solicitation of funds, the solicitation of donations, or the selling of goods on Park District property is not permitted except those activities which benefit the Park District directly, such as those sponsored by the Park District or a Park District approved affiliate. Affiliates must have written approval of the Executive Director.
- b. Soliciting votes and circulating any petitions for or against any candidates for election to public office or respect to any referendum or other public questions is not permitted in any Park District building.
- c. Public meetings or peaceful assemblies including, but not limited to, rallies, picketing, speeches and public address require approval and permit from the Executive Director and must not interfere with any park district program, event, activity and/or that of any affiliate programs, events or activity.
- d. No person shall engage in any activity described in this Section 4 in any room of a Park District building, or on District athletic fields or other facilities in or on which any program, activity, class, function, or special event conducted, licensed or otherwise permitted by the Park District is in progress.
- e. No person engaged in any activity described in Section 4 shall obstruct or impede District employees, pedestrians or vehicles, harass District employees or Park visitors with physical contact or persistent demands, misrepresent the affiliations of those engaged in such activities, or engage in conduct incompatible with the purpose of, any program, activity, function, and/or special event conducted, sponsored, licensed or otherwise permitted by the Executive Director.

CHAPTER III – PROTECTION OF PROPERTY, STRUCTURES AND NATURAL RESOURCES

Section 1 – Destruction or Misuse of Property and Structures: No person shall upon or in connection with any property of District:

- a. Destroy, deface, paint, alter, change or remove any monument, stone marker, benchmark, stake, post, blaze marking or designating any boundary line, survey line or reference point;
- b. Cut, break, mark upon or otherwise damage, destroy or remove any play equipment apparatus post, building, shelter, picnic table, bridge, pier, drain, well, foundation, pump, telephone, lamp post, fence, gate, refuse container, exhibit, display, tool or equipment, storage box, utility outlet, movie screen, flagpole, or any other structure or parts thereof, without written permission of the Executive Director;
- c. Deface, destroy, cover, damage or remove any placard, notice, or sign, or parts thereof, whether permanent or temporary, posted or exhibited by the District to announce the rules, regulations and warnings, or any other information necessary for public information for the proper use of the park;

- d. Take, appropriate, excavate, injure, destroy, or remove any historical or prehistoric ruin or parts thereof, or any object of antiquity, without written permission of the Executive Director and only in accordance with applicable state law;
- e. Throw, carry, cast, drag, push or deposit any refuse container, picnic table, barricade or any other movable or non-movable property in a lake, pond, slough, stream or lagoon or upon the frozen waters thereof or to otherwise move, stack or hide such property in such a way as to render it unavailable to the general public for its intended use, to cause a hazard to public safety, or to damage or destroy such property;
- f. Occupy or inhabit, or cause to be occupied or inhabited, any barn, shed or Park District owned building, port-o-let or other Park District owned structures without written permission of the Executive Director;
- g. Enter into or upon any park, waters or structure closed or posted against trespass, without written permission of the Executive Director. These structures or area may be, but not limited to, construction areas, work safety zones, equipment or material storage structures, workshops, tree nurseries, areas undergoing intensive reforestation, other soil vegetative treatment, and areas hazardous to public safety to health;
- h. Tamper with or in any way weaken, destroy, enter or climb upon, damage or remove anything from any park, vehicle, facility, structure, maintenance equipment, , machine, or implement;
- i. Misuse any refuse container or receptacle by depositing into it any hot coals or other hot or burning substances; or by depositing into it any garbage, trash, refuse or other unwanted material that was not gathered on the site in the course of normal, lawful use of park facilities;
- j. Knowingly enter District buildings or lands after receiving notice from the Executive Director or Park Commissioner of the District or a law enforcement officer that the entry is forbidden or remaining in a District building or on District land after receiving notice to depart. Violation of this sub section shall constitute trespass.

Section 2 – Destruction or Misuse of Natural Resources: No person shall upon or in connection with any property of the District:

- a. Cut, remove, uproot, wantonly destroy or injure any District vegetative landscaping whether alive or dead, or chip, blaze, box, girdle, trim, deface or injure any tree, shrub or bush or break or remove any branch or foliage thereof or pick or gather any seed of any tree or other plant without written permission of the Executive Director;
- b. Remove or cause to be removed any sod, earth, humus, downed timber, wood chips, peat, rock, sand or gravel or remove any other natural material of the forest floor or earth without written permission from the Executive Director;
- c. Hunt, pursue, trap, catch, capture, molest, poison, wound or kill any mammal, bird, reptile, amphibian or invertebrate animal or disturb, molest or rob the nest of any mammal, bird, reptile or amphibian;
- d. Fish in any waters of the District posted against fishing with attended or unattended lines, during the hours that Parks are closed, or in violation of any applicable laws of the State of Illinois or any restrictions posted by the Executive Director;
- e. Release or cause to release any wild, domestic or pet animal, bird, fish, or reptile or bring in or plant or distribute the seeds or spores of any plant brought into or upon Park lands or waters from any outside source whatsoever, without written permission of the Executive Director;

- f. Use or cause to be used any chemical or biological pesticide or any other substance, measure or process designed to alter the anatomy or physiology of any organism for the purpose of directly manipulating their populations, without authorization of the Executive Director and then only in compliance with all applicable laws of the State of Illinois and the United States of America;
- g. Feed, harbor, or otherwise attract into a park any type of waterfowl, including ducks, geese, and sea gulls;
- h. Route any form of storm water, runoff from sump pumps, or any other unnatural discharge of water onto District property without the written permission of the District and only in accordance with applicable law;
- i. Deposit, dump, throw, cast, lay or place, nor cause to be deposited, dumped, thrown, cast, laid or placed any ashes, trash, rubbish, paper, garbage, refuse, grass clippings, yard waste, leaf waste, debris, or junk onto District property without written permission of the Executive Director.

Section 3 – Contraband: All animals, plants, birds, fish or reptiles, or parts thereof, killed, captured, trapped, taken, bought, sold, bartered or held in possession contrary to any provisions of the Ordinance or applicable laws of the State of Illinois shall be and are hereby declared contraband and, as such, shall be subject to seizure by any police officer, caretaker or employee of the District.

Section 4 – Destruction by Misuse of Fire: No person shall upon or in connection with any property of the District commit or attempt to commit any of the following acts:

- a. Knowingly or unknowingly set fire, or cause to be set on fire, any tree, forest, brush land, grassland, meadow, prairie, or marsh, or any other natural resource or property of the District;
- b. Build a fire anywhere, for any purpose, except in provided fireplaces, or provided or privately owned fire receptacles, without first obtaining a written Permit from the Executive Director;
- c. Build a fire or cause a fire to start in or out of a receptacle close to or in any structure whatsoever or close to any tree or plant in such a way as to deface, damage or destroy that structure or scar, injure or destroy the tree or plant or its foliage;
- d. Drop, throw away or scatter any burning, lighted or hot coals, ashes, cigarette, cigar or match except in those receptacles provided for such disposal;
- e. Build any fire whatsoever for any purpose in or out of a receptacle or fireplace and leave it unattended, until such fire is properly extinguished. For the purpose of the Ordinance, a fire shall be deemed properly extinguished when its ashes, residue, coals and unburned substance is cold to the human touch.

CHAPTER IV – REGULATION OF SPORTS AND GAMES & LEISURE ACTIVITIES

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

Section 1 – Swimming: Swim, wade, or bathe at any time in any of the ponds, lakes, pools, streams, sloughs, or watercourses except at such place or places as may be designated by the Executive Director and then and only in accordance with the rules, regulations and restrictions promulgated and posted.

Section 2 – Watercraft: Bring into, attempt to launch or use, or navigate any boat, yacht, canoe, raft or other watercraft upon the waters of any watercourse, lagoon, lake, pond, or slough, except at such place or places as may be designated by the Executive Director. Where allowed, watercraft shall be used in accordance with District rules, regulations and restrictions as well as all applicable statutes of the State of Illinois and the United States. No watercraft may be moved or beached upon Park District land unless expressly stated by permit.

Section 3 – Engine Powered Models or Toys: Start, fly, ignite, or use any fuel-powered engine, jet-type or electric-powered model aircraft, boat, rocket or like powered toy or model, except at those areas or waters designated by the Executive Director for such use and then only in accordance with such rules, regulations and restrictions promulgated and posted by the Executive Director.

Section 4 – Equestrian Use: Bring into, unload, use or ride any horse, unless in such areas designated equestrian use or with authorization by the Executive Director.

Section 5 – Bicycling, Skateboarding, Roller Skating and Inline Skating:

- a. Ride a bicycle, skateboard, inline skate, roller skate on any path, trail, roadway, athletic field, spectator area or other area designated and posted prohibiting such use, or on any other path, trail or area designated and posted as being exclusively a horse or equestrian trail or area by the Executive Director;
- b. Fail to ride a bicycle as closely as possible to the right-hand side of any road, trail, or path, as conditions shall permit;
- c. Carry another person on the handlebars, frame or fender or so ride on a bicycle except on a suitable seat attached to such bicycle for such purpose, or operate a bicycle in a reckless manner so as to endanger pedestrians or the rider or riders thereon;
- d. Ride a bicycle on any path or trail more than two abreast or on any roadway or road used by the public for regular motor vehicle access in any other manner than single file;
- e. Park or leave unattended any bicycle, skateboard, or other vehicle so to block or impede travel upon any pedestrian or vehicular traffic or access way in any park;
- f. Use roller-skates, inline skates, skateboards or other vehicle on any athletic court, except in those areas designated for such use by the Executive Director.

Section 6 – Sound or Energy Amplification: Play or operate any sound amplification devices or operate any other energy amplification device in such a way as to be audible beyond the immediate vicinity of such device or musical instrument without a permit from the Executive Director, and no such permit shall be issued or maintained where any sound produced by such devices may be heard without the aid of mechanical or electronic detection equipment in any residential area.

Section 7 – Winter Sports:

- a. Sled, toboggan, ski or slide on any area posted by the Executive Director, as being unsafe, hazardous or being closed due to inadequate snow cover or other environmental conditions, or upon being duly notified of such by the Executive Director;
- b. Enter on or upon any frozen waters to skate, fish, slide or walk, for any purpose whatsoever other than areas designated for such and then only in compliance with the rules and regulations posted for such use;

- c. Fish through the ice on any frozen waters or parts thereof designated as ice skating areas by the Executive Director;
- d. Bring into or upon the frozen waters of any lake, pond, or watercourse any iceboat or wind-driven device or other vehicle.

Section 8 – Field and Team Sports:

- a. Play or engage in any team sport or game in such a manner as to interfere with other persons lawfully using said areas;
- b. Use lighted athletic fields past the hours of 10:30 p.m.

Section 9 – Amusement Devices: Bring in, set up, construct, manage or operate any amusement or entertainment device or gadget, without Executive Director approval and a duly executed permit.

Section 10 – Aviation: Make any ascent in a balloon, airplane, glider, hang glide, or any voluntary descent in or from any balloon, aircraft, airplane, glider, hang glider, or parachute without a written permit from the Executive Director. Any landing caused by mechanical or structural failure of the aircraft or any of its parts, shall not be deemed to have been made voluntarily.

Section 11 – Gambling:

- a. Manage, operate, or engage in gambling of any form without permission of the Board in accordance with the applicable laws of the State of Illinois;
- b. Have in their possession any machine or device for the reception of money or other things of value on chance, skill, or upon the action of which money is staked, bet, hazard, won or lost. Any such machine or device shall be subject to seizure, confiscation and destruction by any police officer.

Section 12 – Firearms, Weaponry and Explosives:

- a. Use a bow and arrow of any kind in any park without a permit;
- b. Use a shotgun, rifle, pistol, bb gun, pellet gun or any type of firearm, for shooting in any park including, but not limited to, skeet, trap or target shooting;
- c. Possess, ignite or use any type of firecracker, sparkler, explosive or other pyrotechnic device in any park without Executive Director approval.

Section 13 – Camping and Sleeping in Parks:

- a. Camp within any park except with written permit by the Executive Director;
- b. Sleep in any park between dusk and sunrise the following day, except in designated camping areas as aforesaid.

Section 14 – Fires & Barbecues:

- a. Ignite, tend or maintain any open fire in any park;
- b. Conduct a barbecue or cookout except in a barbecue grill or District provided fireplace, and provided that materials used to burn therein are not taken from the park, and are properly extinguished after use. A fire shall be deemed properly extinguished when ashes, residue, coals and unburned substances are cold to the human touch;

- c. Dump hot ashes or fire from a portable barbecue grill onto the grass or plants. Hot ashes shall be deposited only in specified areas or designated receptacles, but not in picnic refuse receptacles.

CHAPTER V – REGULATION OF VEHICLES, TRAFFIC AND PARKING

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

Section 1 – Vehicle Operation and Equipment: Operate or cause to be operated, any motorized vehicle that does not comply with or in a manner that does not comply with the Vehicle Code of the State of Illinois or other law or laws of the State of Illinois or ordinance of the City of Warrenville, Illinois, where applicable, together with such regulations as are contained in this Ordinance and as from time to time amended, having to do with the equipment, control, licensing, registering and use of motorized vehicles and/or the licensing of operators of such vehicles.

Section 2 – Vehicle Types and Access Allowed:

- a. Operate, or cause to be operated, any vehicle anywhere except on the roads, drives and parking areas provided without a permit from the Executive Director and then only in compliance with the condition of the permit;
- b. Operate or cause to be operated, any motor vehicle anywhere that is not licensed or permitted to be operated on the roads, streets, and highways of the State of Illinois without a permit from the Executive Director and then only in those areas specified and in accordance with the rules and restriction duly set forth. Vehicles not so licensed and, therefore, subject to the provision of this sub-section include, but are not limited to snowmobiles, go-carts, trail bikes, mini-bikes and such other all-terrain off-the-road vehicles;
- c. Operate, move, or cause to be operated or moved, any vehicle closed in as a result of the closing of the park at the proper posted time, without written permission of the Executive Director or until such time that the Park is officially opened;
- d. Operate a vehicle on any road, drive or parking area posted, gated or barricaded as closed to public traffic.

Section 3 – Right-Of-Way: Operate a motor vehicle in such a manner as to fail to yield the right-of-way to pedestrians and equestrians, or to deprive or unreasonably interfere with the equal rights of any other person to use the property of the District.

Section 4 – Parking:

- a. Park a vehicle overnight without a permit from the Executive Director;
- b. Park a vehicle in such a way as to block in another parked vehicle;
- c. Park a vehicle in such a way as to block, restrict or impede the normal flow of traffic;
- d. Park a vehicle in a zone or area posted prohibiting parking;
- e. Park a vehicle on turf, meadow, prairie, marsh, field, in a woodland or on the exposed roots of any tree or shrub, except in an emergency or when directed to do so by the District staff as a matter of public safety.

Section 5 – Speed Limits: Operate or propel a vehicle or cause to be propelled on any road, drive or parking area at a speed greater than the speed limit posted along the right-of-way or in the absence of such posted limit, at a speed in excess of 10mph.

Section 6 – Signs: Fail to observe all traffic signs and control devices erected and maintained by the District indicating speed, direction, restrictions as to vehicular use, caution, stopping or parking.

Section 7 – Negligent or Careless Driving: Operate any motor vehicle in the Park in a reckless or wanton manner, or carelessly so as to endanger life or property.

Section 8 – Overweight Vehicles: Operate any motor vehicle having a gross weight capacity, including vehicle and maximum load in excess of 8,000 pounds, or any vehicle bearing a Class C or heavier license plate pursuant to Illinois Revised Statutes except emergency vehicles or with a permit from the Director.

Section 9 – Improper Operation: Operate a motor vehicle:

- a. At a rate of speed or in any manner that is unreasonable or imprudent having regard to the traffic and use of the way, condition of the weather, visibility, condition of the roadway and other surrounding conditions, so as to endanger the life, limb or injure the property of any persons;
- b. In such a manner as to deprive or unreasonably interfere with the equal rights of any other person to the use of such public street or highway;
- c. In such a manner as to cause or produce unnecessary loud, raucous, excessive or unusual noise by the racing of the motor, by lack of a muffler or use of a muffler cutout, by tire friction upon rapid turning or weaving, by spinning of the wheels from standing or slow moving position produced by sudden unnecessary motor acceleration, or by continuous unnecessary sounding of a horn or other signal device;
- d. In disregard of any sign, signal, marking or device erected, constructed or create by the city or any public body or official having jurisdiction, for the purposes of regulating, warning or guiding traffic, or contrary to the order of direction of any police officer or other person duly authorized to direct or regulate traffic.

Section 10 – Driving While Under the Influence of Alcohol, Drugs or Controlled Substances: Drive, operate or be in possession or control of or attempt to drive or operate any vehicle while under the influence of alcohol, drugs or any other controlled substance.

CHAPTER VI – REGULATION OF PERSONAL CONDUCT AND BEHAVIOR

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

Section 1 – Vending and Advertising:

- a. Expose or offer for sale any articles or things, or conduct or solicit any business, trade or occupation of profession without a valid Concession Contract Agreement approved by the Board and then only in accordance with the terms and conditions thereof, it being the intention to control commercial enterprises or sales on district lands;
- b. Display, distribute, post or fix any placard, sign, handbill, pamphlet, circular or any other writing or printed material or objects containing whatsoever except that groups holding a valid Picnic, Camping, or Special Event Permit may display signs to identify their location or direct others to it, providing such signs are temporary and are removed by the Permittee at the termination of the activity and providing that such signs are no larger than 24" x 30" and are not attached to any tree or shrub or any post, building, District sign, gate or other structure.

Section 2 – Unlawful Obstructions:

- a. Set or place or cause to be set or placed any goods, wares, merchandise stand, cart or vehicle for the transportation or vending of any such goods, wares, or merchandise upon any park without a permit from the Executive Director;
- b. Shall not by force, threats, intimidation, unlawful fencing or enclosure, prevent or obstruct access to any lands or waters of the District, or obstruct the entrance into any enclosure within the District.

Section 3 – Unlawful Construction or Maintenance: Erect, construct, install or perform any maintenance on, below, over or across a Park or Facility except by proper authorization of the Executive Director of such activity and then only in accordance with written permit of the Executive Director specifying in detail the work to be done and with the condition to be fulfilled pursuant to the terms of such authorization.

Section 4 – Alcohol and Drugs:

- a. **GENERAL PROHIBITIONS:** No person shall enter any of the parks or public places of the District while in an intoxicated condition or under the influence of any illegally obtained drug, narcotic, or controlled substance, nor shall he/she remain therein while in an intoxicated condition or under such influence. No person shall possess, give away, sell, serve, dispense, deliver, smoke, inhale or inject any intoxicating or alcoholic beverages or drugs shall be brought into, serviced, possessed, sold, purchased, consumed, carried in, about or delivered in, on, or to any Park District land, building, picnic area, or other District facility except as shall be expressly permitted under the terms of this Section 4 and any and all amendment hereto.
- b. **Permitted Exceptions:**
 1. Sale by the District/Other: The District may sell, serve, dispense or deliver any malt, beer, spirituous, vinous, fermented, intoxicating or other alcoholic liquor or beverage to any person at least 21 years of age in any site owned/leased by the District provided that the District has;
 - i. first provided dram shop liability insurance in maximum limits so as to hold the District harmless from all financial loss;
 - ii. obtained any applicable liquor license required by law; and
 - iii. has a motion approved by the Board of Commissioners of the District pursuant hereto, specified
 - the location of the site in which such alcoholic beverage is to be sold, served or otherwise dispensed,
 - the types of alcoholic beverage to be sold, served or otherwise dispensed,
 - the days and hours during which sales may be made, and
 - the person or persons who shall be authorized to make such sales or otherwise serve or dispense such alcoholic beverages on behalf of the District.

Nothing herein contained shall prohibit the possession, transportation, or consumption of alcohol liquors in Parks by the possessor for the personal use of the possessor, his family and guests who are at least 21 years of ages when the advance written approval of the Executive Director has been obtained, and then only upon such terms and conditions as the Executive Director shall require.

2. Consumption: The personal consumption and use of any malt, spirituous, fermented, intoxicating or other alcoholic liquor or beverage, to the extent and only to the extent that such alcoholic liquor or beverage has been sold, purchased, served, dispensed, or delivered or possessed for consumption pursuant to the provision of Section 4. B.1. above, is permitted on the District premises where such liquor or alcoholic beverage was dispensed, provided the consumption is by an adult of at least 21 years of age.
3. Additional Rules: The Board of Park Commissioners may from time to time establish additional rules and regulations related to the serving, dispensing, use, sale, delivery, purchase and consumption of liquor and other alcoholic beverages, including disposal and clean-up procedures, which rules and regulations shall govern until modified or rescinded.

Section 5 – Weapons and Harmful Substances: At any time have in their possession, on or about their person, concealed or otherwise, any firearm, pistol, revolver, rifle, shotgun, bow and arrow, slingshot, blackjack, billy-club, any weapon capable of discharging a projectile by air, gas or explosive, any explosive substance, harmful solid, liquid or gaseous substance, or any other dangerous weapon. Nothing contained herein shall be construed to prevent any duly sworn Police Officer his/her duties, nor shall it apply to any person summoned by any such Officer to assist in making arrests or preserving the peace while such person is engaged in assisting.

Section 6 – Hindering or Bribing Employees;

- a. Interfere with, or in any manner hinder any employee engaged in the performance of his/her duties;
- b. Give or offer to give any employee any money, gift, privilege, or article of value on or off District property in order to violate the provisions of the ordinance or any other District Ordinance, contract or permit, or statute of the State of Illinois or the United States, or in order to gain or receive special consideration in applying for any use or privilege, or to gain special consideration and treatment in use of any District property or facility.

Section 7 – Use of Facilities Restricted as to Gender: Enter into or remain in any toilet, restroom, bathhouse, pavilion, structure or section thereof, which has been reserved and designated for use of the opposite gender, except children under four (4) years of age or any persons who require adult supervision.

Section 8 – Disorderly Conduct: Engage in conduct that is disorderly. A person shall be deemed to have engaged in disorderly conduct when he knowingly:

- a. Does any act in such unreasonable manner as to provoke, make or aid in making a breach of peace;
- b. Does or makes any unreasonably offensive act, utterance, gesture or display which, under the circumstances, creates a clear and present danger of a breach of peace or imminent threat of violence;

- c. Refuses or fails to cease and desist any unpeaceful conduct or activity likely to produce a breach of peace where there is imminent threat of violence, and where police officers have made all reasonable efforts to protect the otherwise peaceful conduct and activity, and have requested that said conduct and activity be stopped and explained the request if there be time;
- d. Fails to obey a lawful order of dispersal by a person known by him to be a police officer under circumstances where persons are committing acts of disorderly conduct in the immediate vicinity, where acts are likely to cause substantial harm or serious inconvenience, annoyance or alarm;
- e. Assembles with 2 or more persons for the purpose of using force or violence to disturb the public peace.

Section 9 – Public Indecency: Engage in conduct that is publicly indecent. A person shall be deemed to have committed an act of Public Indecency when any person performs any of the following acts:

- a. An act of sexual intercourse; or
- b. An act of deviant sexual conduct; or
- c. A lewd exposure of the body; or
- d. A lewd fondling or caress of the body of another person or themselves.

Section 10 – Control and Treatment of Animals:

- a. Bring in, lead or carry any dog that is unleashed or on a leash longer than six (6) feet, except at those areas designated by the Director for dog training and then only in accordance with the rules and regulations duly promulgated for the control of such area or areas;
- b. Permit a dog, cat, or other animal owned by or under control of, to be on or remain on any area posted, designed or being used as a picnic area, athletic field, or children's play area, or spectator area pertaining thereto and/or the approaches thereto except for service animals;
- c. Willfully or neglectfully cause, allow or release any animal or fowl, wild, domestic or pet, to run or remain at large, except within those areas designated by the Executive Director and then only in accordance with the rules and restrictions duly promulgated for the control of such area or areas;
- d. Torture, whip, beat, cruelly treat or neglect any animal;
- e. Bring in, drive, ride or carry any wild, domestic or pet predator animal or bird, leashed or unleashed, into the district property or part thereof, designated as a nature preserve, Nature Area or Historic site unless such animal is kept confined within a closed vehicle or trailer;
- f. Shall remove any offal or manure produced or deposited by any animal owned by him or within his control, with the exception of that produced or deposited by equine animals when used in conformity with the applicable provisions of this Ordinance;
- g. Nothing in this Ordinance shall be construed to prohibit the controlled use of certain animals approved by the Executive Director for purposes of public safety, such as, but not limited to, the protection of employees of District property the protection of employees in the performance of their duties or search and rescue.

Section 11 – Commercial Photography: Take or cause to be taken any still, motion pictures, make sketches or paintings for commercial purposes for use in commercial advertising, without the written permission of the Executive Director.

Section 12 – Honoring Permits: By act or speech willfully or unreasonably hinder, interrupt or interfere with any duly permitted activity or unreasonable or willfully intrude on any areas or into any structures designated for the use of a certain person or persons to the exclusion of others by written permission of the Executive Director.

Section 13 – Pyrotechnics: Set off or attempt to set off or ignite any firecracker, fireworks, smoke bombs, rockets, black powder guns, or other pyrotechnics except fireworks displays by special permit approved by the Board.

CHAPTER VII – ENFORCEMENT

Section 1 – Police: All Police officers charged with the responsibility of law enforcement in the District have the power and are authorized (1) to arrest any persons found in the act of violating any Ordinance of the District or rule or regulation thereof or law of the State of Illinois or ordinance of the City of Warrenville where applicable, (2) to eject said person from any park or facility or portion thereof for violation of any such ordinance, rule, regulation, or statute, and (3) to expel from District property any person acting in an unruly manner or causing a disturbance to others in the park or building.

Section 2 – Two Penalties – One Judgment: In all cases where the same offense shall be made punishable or shall be created by different clauses or section of this or any other Ordinance or statute, the Police Officer or other duly sworn peace officer or person prosecuting may elect under which to proceed, but not more than one judgment shall be had against the same person for the same offense.

Section 3 – Fines and Penalties:

- a. Any person found guilty of violating any provision of the ordinance shall be fined an amount not to exceed \$1000.00 or the maximum amount allowed by state law;
- b. Persons found guilty of violating the provisions of Chapter III and Chapter VI of this Ordinance may, at the discretion of the Executive Director, in lieu of a fine, be assigned to manual labor time not to exceed the fine considered appropriate divided by the prevailing minimum hourly wage.

Section 4 – Rules and Regulations: The Board shall from time to time promulgate and make reasonable rules and regulation governing the use of the various areas, facilities, devices and vehicles within the parks, and such rules and regulations or areas governed by them and shall be enforced with the same force and effect as the other provision of this Ordinance.

Section 5 – Authority of Other Agencies: Nothing in this Ordinance shall be construed to prevent other officers from carrying out their own duties within the territories of the District as defined by applicable laws of the City of Warrenville, State of Illinois and United States or ordinances of DuPage County, Illinois, or in accord with any other Policing Agreement approved by the Board.

Section 6 – Permits, and Designated Areas – Authority: To carry out the terms of this Ordinance, the Director is hereby given authority to issue the permits, post notices to take other action as called for herein, subject to the guidelines herein set forth:

- a. The Executive Director shall have the authority to designate areas, facilities, or waters, suitable for various activities or use, to close parks, or parts thereof, in the interest of public health, safety or general welfare or in order to protect the natural resources from unreasonable harm

and to promulgate and issue permits where required by this Ordinance and collect such fees as established by the District in accordance with the following guidelines:

1. That no person be discriminated against because of age, race, sex, sexual orientation, gender orientation, creed, color, physical or mental disability or national origin;
 2. That the proposed use or activity will not reasonably interfere with or detract from the general public's use and enjoyment of the park and surrounding property or facilities;
 3. That the proposed use or activity is not reasonably likely to result in violence or in serious harm to property or persons;
 4. That the proposed activity or use will not entail extraordinary expense or operation costs by the District or expose it to unusual or extreme liability;
 5. That the area desired has not been reserved for another activity at the same time;
 6. That the proposed activity is reasonably expected to not detract from the promotion of public health;
 7. That the proposed activity is reasonably compatible with the type of park, size and character of the area or waters involved and the facilities available and that it is not reasonably expected to cause irreparable harm or extreme damage to the natural environment of the Park.
- b. The Director may impose reasonable restrictions on the granting of a Permit including, but not limited to, any of the following:
1. Restricting the open dates for reserved area use, the length of time an area will be held for reserved use, the use of ground fires, sound and energy amplification devices, amusement devices, off-the-road-vehicle access, the number of persons present, location and type of any tents, bandstands, stages, or temporary structures, the use of domestic, pet or trained animals, the use of shelters or structures, the collecting for any purpose of any water, soil, mineral, flora and fauna, the type and location of sports and games or any other activity which appears likely to create a risk of unreasonable harm to the use and enjoyment of the Park by others or of damage to District Property;
 2. Requiring proof of and establishing the amount of liability insurance required, and/or requiring a Hold Harmless Agreement, or requiring a Certificate of Insurance naming the District as an additional insured when the activity is deemed by the Executive Director to require such;
 3. Requiring that the applicant furnish additional approved security forces at the applicant's expense, such forces to act under District supervision;
- c. The Executive Director is authorized to seek reasonable information regarding any proposed use, activity or privilege and require a record of such information on a Permit Application;
- d. The Board of Commissioners of the district may set forth in other ordinance such permit or registration fees as it deems proper and may change them from time to time;
- e. All designated areas, waters or facilities and all Permit restrictions, rules and regulations, or conditions are subject to review at any time by the Board. Any aggrieved person shall have the right to petition the Board, in writing, regarding denial or restriction of use or activity and be properly heard by the Board as the President shall direct.

Section 7 – Civil Suits: Nothing in this Ordinance shall be construed to prevent or preclude the lawful use by the District of a civil remedy at law to correct an abuse or loss suffered by the district as a result of violation of this Ordinance or any law of the State of Illinois.

Section 8 – State, United States and Local Laws: All persons within the Parks of the Warrenville Park District are subject to all Ordinances, rules and regulations of the District, as well as all applicable laws of the United States of America, State of Illinois from time to time. These laws include, but are not limited to, the Illinois Vehicle Code, the Criminal Code of the State of Illinois, and the Game and Fish Codes of the State of Illinois, as amended and changed from time to time.

CHAPTER VIII – MISCELLANEOUS

Section 1 – Conflict: All District Ordinances and parts of Ordinances and all resolutions and Orders, or any parts thereof, in conflict with this Ordinance, or any parts thereof, are hereby repealed.

Section 2 – Enactment: This Ordinance shall be in full force and in effect from and after its passage, approval and publication, as by Statute in such cases made and provided.

Section 3 – Captions and Heading: The captions and headings used herein are for convenience and reference only and do not define or limit the contents of each paragraph.

Section 4 – Severability: The provisions of this Ordinance shall be deemed to be severable, and the invalidity of enforceability of any provisions shall not affect the validity and enforceability of the other provisions hereof.

Section 5 – Copies: The Secretary of the Board shall transmit a copy of this Ordinance to the City of Warrenville, City of Warrenville Chief of Police and the Warrenville Library District.

Section 6 – Aiding or abetting Violations: Every person who commits, attempts to commit, conspires to commit, or aids and abets any acts or omissions prohibited in this Ordinance or any rules or regulations of the District, whether individually or in consort with one or more other persons as principal, agent or accessory shall be deemed accountable for the act or omission prohibited by the Ordinance or rule or regulation of the District.

PASSED: This 16th day of May, 2019

APPROVED: This 16th day of May, 2019

RECORDED VOTE:

AYES: 4

NAYS: 0

ABSENT: 1

ATTEST



Secretary, Board of Commissioners
Warrenville Park District
Warrenville, IL 60555



President, Board of Commissioners
Warrenville Park District
Warrenville, IL 60555

STATE OF ILLINOIS)
) SS.
COUNTY OF DUPAGE)

I, TIM REINBOLD, DO HEREBY CERTIFY that I am the duly elected, qualified and acting Secretary of the Warrenville Park District and of the Board of Park Commissioners of the Warrenville Park District; and that I have access to and am custodian of the official Minutes of the Meetings of the Park Commissioners and of the Warrenville Park District.

I DO FUTHER CERTIFY that the above and foregoing is a true and correct copy (duplicate) of a certain ordinance entitled:

**ORDINANCE NO. 2019-04
WARRENVILLE PARK DISTRICT**

**AN ORDINANCE AMENDING AND RESTATING THE GENERAL USE RULES
AND REGULATIONS OF THE WARRENVILLE PARK DISTRICT AND
REPEALING ORDINANCE 2015-02**

That the foregoing was passed by the Board of Park Commissioners of said Warrenville Park District on the 16th day of May, 2019, and that the original thereof was filed and recorded in the office of the Secretary of the Warrenville 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 Warrenville Park District, this 16th day of May, 2019.



Secretary, Board of Park Commissioners
Warrenville Park District
DuPage County, Illinois

(SEAL)