

ORDINANCE NO. 06-17-10-1

AN ORDINANCE ESTABLISHING THE BYLAWS, RULES GOVERNING THE CONDUCT OF BUSINESS, AND RULES AND REGULATIONS GOVERNING CONDUCT IN THE PARKS FOR THE POSEN PARK DISTRICT

WHEREAS the Posen Park District is a Municipal Corporation, duly organized and acting pursuant to the powers as recited in the "Park District Code", 70 ILCS 1205/1-1 et seq; and **WHEREAS** the Park District Code empowers the Posen Park District pursuant to 70 ILCS 1205/8-1 (d) and (f) to pass all necessary ordinances, rules, and regulations for the conduct of business, protection of the Parks, and direction of employees; and

WHEREAS the Park District Code, 70 ILCS 1205/8-1 (e) allows the District to prescribe fines and penalties for ordinance violations; and

WHEREAS it is in the best interests of the Posen Park District to categorize, catalog, and update the ordinances governing the operations of the District; and

WHEREAS it is in the best interests of the Posen Park District to provide for the orderly use of and maintenance of the Posen Park District facilities

NOW THEREFORE BE IT ORDAINED by the President and Board of Commissioners of the Posen Park District, Cook County, Illinois, as follows:

CHAPTER VII: RULES AND REGULATIONS FOR CONDUCT IN PARKS AND UPON GROUNDS

SECTION 1: GENERAL RESTRICTIONS AND RULES OF CONDUCT.

Conduct with respect to the use of park property and natural resources as hereinafter set forth is regulated. These restrictions are as follows:

1. Hours of Operation: Parks shall be open to the public from sunrise to sunset unless extended as part of a sanctioned Park District event. No person shall remain on Park District property when the park is not open for public use unless specifically authorized by the Board or when the person is attending an authorized meeting or public event on the property.
2. Ball Playing in the Park: Ball may only be played in any of the parks if that park has the facility for that specific type of ball play or if the user has written permission by park permit to play a specific sport in a specific park. Ball playing on any court or field will be limited to a period of two hours for each group so as to allow all groups access to facilities.
3. Animals/Pets in the Park: No person shall bring any animal/pet in or upon any Park District property except if authorized by the Board in written form and as part of an organized Park District program. The lone exception to this restriction is to allow the presence of licensed service animals, whereby the owner is responsible for the control of the animal and removal of any animal waste.
4. Solicitation, Trading, Barter, and Begging: No person shall sell, buy, exchange, beg, offer for sale or trade, take up collections, solicit, or receive anything of value in or upon Park District property except with written consent of the Board of Commissioners.
5. Controlled Substance, Alcohol: No person shall give away, consume, inhale, ingest, or sell any intoxicating beverages, recreational drug, narcotic or controlled substance of any kind or nature in or upon Park District property, nor shall any person be under the influence of any of the above indicated substances while present upon any Park or District property. Alcohol will only be permitted under specific circumstance of special Park District event or special use permit given with express written consent and voted approval of the Board of Commissioners and shall be restricted at any such event to beer and/or wine only.
6. No person shall hinder, interfere with, or cause or threaten to do bodily harm to any employee or commissioner of the District while such employee or commissioner is engaged in performing his or her duties in and on behalf of the District.
7. No person shall erect or post any sign, placard, advertisement, or inscription whatsoever upon any structure within or on any property owned by the District, except as authorized by the Board.
8. No person shall light; build, or attempt to light or build any fire in any Park except in such areas of a Park and under such regulations as may be designated by the Board.
9. No person shall have in their possession, carry, or conceal either on their person or in a vehicle and/or use any firearm, stun gun, taser, bow and arrow, sling shot, billy club, sword, stiletto, switch blade, knife, martial arts weapon, air gun, or any device capable of discharging a projectile or harmful chemical substance pursuant to state statutes. Nothing herein shall be construed to prevent any police officers from carrying such weapons as may be necessary to discharge their duties. No person shall possess, ignite, or use any type of firecracker, sparkler, explosion, or other pyrotechnic device within the Park property without written consent of the Board and as part of an organized Park District program.
10. No person shall throw any stone, brick, bottle, or other missile not designed for recreational purposes and being used therefore in or upon any Park.
11. No person shall deface, disfigure, break, cut, tamper with, or displace or remove in or from any Park any building or part thereof, table, bench, fireplace, coping, lamp post, fence, wall, paving, or any sign, notice or placard whether temporary or permanent,

equipment, facilities, or other District property, either real or personal.

12. No person shall damage, cut, carve, uproot or injure any tree or injure the bark, or pick the flowers or seeds of any tree or plant in any Park; nor shall any person attach any rope, wire, or other contrivance to any tree or plant, in any Park; nor shall any person in any other way injure or impair the beauty or usefulness of any Park.

13. No person shall climb any tree nor climb, walk, stand or sit upon any wall, building, fountain, fence, or railing in any Park or upon any other District property not designed for such purposes.

14. No person shall remove any soil, rock, stones, trees, shrubs, plants, timber, or other wood or materials from any Park nor make excavation by tool, equipment, blasting, or other means or agency within any Park, except as authorized by the Board.

15. No person shall throw, discharge, or otherwise place or cause to be placed in the waters of any swimming pool, fountain, lake, stream, or other body of water in or adjacent to any Park or any tributary, stream, storm sewer, or drain flowing into such waters, any substance, matter or thing, liquid or solid, which will or may result in any pollution or hindrance of use of said waters.

16. No person shall bring into or dump, deposit or leave any bottles, broken glass, ashes, paper, fill, boxes, manure, cans, dirt, rubbish, waste, garbage, or other trash or litter in any Park except that the waste, garbage, or refuse from material consumed in a Park may be deposited in receptacles provided therefore.

17. No person shall hunt, molest, harm, attempt to harm, frighten, trap, or kill any animal or bird in any Park, nor shall any person remove or have in his or her possession any wild animal or bird or the eggs or nest thereof in any Park or remove such from any Park.

18. No person shall bring, drive, use or ride in any Park, a vehicle that has not been licensed by the State of Illinois, nor bring, drive, use or ride any vehicle prohibited from being brought, driven, ridden, or used in any Park by the Board.

19. No person shall drive any vehicle in any Park, except upon paved roads, parking areas, or other areas designated for such purposes, and only then accordance with posted signs governing the traffic controls of the Park area, unless otherwise permitted by the Board, and excluding District vehicles or other vehicles driven by employees or commissioners for Park maintenance or District business purposes.

20. No person shall park any vehicle in the Park or upon any District property between evening dusk and dawn, unless attending a park district activity, event, or meeting, nor shall any person leave any vehicle anywhere upon District property more than 24 hours because of mechanical failure, nor shall any person fail to notify the District and the Village Police Department and obtain the services of a tow truck for any vehicle that has failed to function within one hour of such failure.

21. No person shall enter into, loiter, or remain in any toilet, restroom, bathroom, pavilion, or structure thereof, of any Park, which has been reserved and designated by the Board, temporarily or permanently, for the use of the opposite sex.

22. No person shall make, or assist in making any loud or raucous noise, riot or disturbance tending to a breach of the peace in any Park, nor gather with other persons in bodies or crowds for unlawful purposes. No person shall use abusive, insulting, or obscene language or language calculated to occasion a breach of the peace, in any Park.

23. No person shall construct or erect any building or structure of any kind, temporary or permanent, in any Park, or run or string any public service utility into, upon, or across any Park, without first obtaining a written permit from the Board.

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

25. No person shall hold or attempt to hold any meeting, assembly, demonstration, worship service, parade, rally, festival, party, or any sponsored entertainment, social, or athletic event without first obtaining a written permit from the Board.

26. No person or group issued a permit by the Board shall fail to produce the same when requested by a Police officer, District employee, or commissioner.

27. No person or group shall disturb or interfere with any person or party occupying any Park under the authority of a permit.

28. No person shall bring within, sell, use, or give away any drugs or cannabis as defined by the statutes of the State of Illinois, nor shall any person be under the influence of such drugs or cannabis while on District property.

29. No person shall golf in any Park, or otherwise practice golfing in any Park.

30. No person shall gamble or play games of chance or use any gambling device in or upon Park property.

31. No person shall camp within any Park unless they have received written approval of the Board to do so. No person shall sleep within any Park between dusk and dawn except as part of an organized Park District event and upon receiving written approval of the Board.

32. No person shall ride a bicycle, skateboard, rollerblades, or roller skates on any path, athletic field, or other public area upon Park property, nor shall any person leave unattended any type of bicycle or other transportation means that impedes or blocks traffic within designated parking areas or hinders District employees in the performance of their duties.

33. No person shall use or operate playground equipment in a manner other than that for which it was intended, nor in any way that may endanger person or property.

SECTION 2: AUTHORIZATION OF LAW ENFORCEMENT. The Posen Park District authorizes the Village of Posen Police Officers to enforce its ordinances and regulations on District property.

SECTION 3: EXCEPTION FOR PARK DISTRICT PERSONNEL. The forgoing regulations shall not prohibit the performance of the lawful employment duties of Park District employees nor the lawful activities of the commissioners.

SECTION 4: FINES FOR MISCONDUCT. Any person, firm, or corporation violating this ordinance shall be fined in the amount of \$750.00, except for the offense of unauthorized entry or trespassing, when such parties shall be fined in the amount of \$500.00, and a separate offense shall be deemed committed for each and every day during which a violation continues or exists and upon each and every entrance and exit from District property during the commission of any such offense.

SECTION 5: GANG PROHIBITED ACTIVITIES.

A. For purposes of this section, a gang means an association of five or more individuals with an established hierarchy that encourages members of the association to perpetrate a crime or provide support to the members of the association who commit a crime.

B. It shall be unlawful for any person to wear, use, or display any clothing, emblem, badge, symbol, sign (either verbal or nonverbal), or other things, which shows evidence of membership or affiliation with any gang while on District property.

C. Any person who is guilty of violating this section of this ordinance shall be fined in the amount of \$750.00, with a separate violation being deemed as being committed during each and every day the violation exists and upon each and every entrance and exit from District property during the commission of such offense.

D. Any person who is found guilty in a court of law of violating any provision of this section shall be banned from using any District facility or Park for a period of one year. Any subsequent violation shall increase said ban to a period of three years.