SECTION IV CONDUCT ORDINANCE

ORDINANCE NO. 13-452

**AN ORDINANCE REGULATING THE USE
OF THE PARKS AND PROPERTY OWNED OR CONTROLLED
BY THE LOMBARD PARK DISTRICT
("CONDUCT ORDINANCE")**

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AN ORDINANCE REGULATING THE USE OF THE PARKS AND PROPERTY OWNED OR CONTROLLED BY THE LOMBARD PARK DISTRICT

CHAPTER I - DEFINITIONS, CONSTRUCTION, AND SCOPE

Section 1.01 Short Title.

This ordinance regulating the use of the parks and property owned or controlled by the Lombard Park District shall be known and may be cited as the "Conduct ordinance of the Lombard Park District."

Section 1.02 Definitions.

Unless otherwise expressly stated elsewhere in this ordinance, for purposes of this ordinance, the following words, terms, and phrases shall have the meanings given herein:

1. "Aircraft" means any device that is used designed or intended to navigate, or fly, in the air.

2. "Alcoholic Liquor" is defined as provided in the Illinois Liquor Control Act of 1934 (235 ILCS 5/1-3.05) as amended hereafter.

3. "Aquatic Life" means all fish, reptiles, amphibians, crayfish, mussels, mollusks, and crustaceans.

4. "Board" means the Board of Park Commissioners of the Lombard Park District.

5. "Camping" shall include the erecting of a tent or shelter of natural or synthetic material, preparing a sleeping bag, hammock, or other bedding material for use, setting up any temporary or permanent camping equipment including without limitation food preparation equipment, and parking of a motor vehicle, motor home or trailer, or mooring of a vessel, for the apparent purpose of overnight occupancy.

6. "Cannabis" is defined as provided in the Illinois Cannabis Control Act (720 ILCS 550/3(a)) as amended hereafter.

7. "Carry" means to wear, bear, or have on or about the person.

8. "Controlled Substance" is defined as provided in the Illinois Controlled Substances Act (720 ILCS 570/102 (f), 204, 206, 208, 210 and 212) as amended hereafter.

9. "Director" is the Executive Director of the Lombard Park District.

10. "District" is the Lombard Park District, DuPage County, Illinois.

11. "Lombard Police Force" shall consist of the sworn officers of the Village of Lombard Police Department and other sworn law enforcement officers having jurisdiction within the corporate limits of the District, who shall be conservators of the peace upon all District property with authority to issue citations and make arrests in accordance with applicable law.

12. "District property" is all of the property, real and personal, of every kind and description located within the jurisdiction of, or owned, administered, leased or licensed by, or otherwise in the possession or under the control of the District including without limitation every building, shelter, street, sidewalk, trail, path, beach, park, wilderness or open space, or other public place or facility and all District waters located on or adjacent to or flowing over property located within the jurisdiction of, or owned, administered, leased or licensed by, or otherwise in the possession or under the control of the District.

13. "District Waters" shall include all water located on, or adjacent to, or flowing over land owned, leased, or generally administered or operated by the District, and any other natural or man-made lakes, rivers, creeks, streams, ponds, lagoons, bays, and drainage ways.

14. "Department Head" is the person immediately in charge of a given District department and its activities and to whom all employees of such department are directly responsible, including the Superintendent of Parks, the Director of Recreation, the Superintendent of Golf Operations, and the Director of Finance and personnel.

15. "Facility" means any District property other than a building or park and includes, without limitation, any outdoor theater, water park, skate park, golf course, tennis court, basketball court, playground, athletic field, etc.

16. "Firearm" means a weapon, as a pistol, from which a projectile is fired.

17. "Fish" or "Fishing" means taking or attempting to take aquatic life in or from any District waters by any method, and all other acts such as placing, setting, drawing or using any device commonly used for the taking of Aquatic Life whether resulting in such taking or not.

18. "ILCS" is the Illinois Compiled Statutes.

19. "Operator" means a person who operates, drives, controls, otherwise has charge of, or is in actual physical control of a mechanical mode of transportation or any other mechanical equipment.

20. "Ordinance" means the Conduct ordinance of the Lombard Park District.

21. "Permit" is the written authorization issued by or under the authority of the District, by a District officer or employee empowered to grant said authorization, to a person to engage in a particular act or acts on District property. Said authorization is subject to the terms and conditions specified in the permit as well as all applicable federal, state, local, and District laws, ordinances, rules, and regulations.

22. "Person" is every natural person and every organization, firm, partnership, association, corporation, or entity of any kind or any employee, agent or officer thereof. This definition shall not include the District and any authorized officer, employee (full or part-time, regular or short-term), or agent of the District when acting within the scope of his authority.

23. "Possess" or "Possession" means exercising direct physical control or dominion, with or without ownership, over any kind of property, or archeological, cultural or natural resource.

24. "Refuse" includes without limitation trash, garbage, rubbish, waste, papers, bottles or cans, debris, litter, oil, solvents, liquid waste, or other discarded material whether solid or liquid.

25. "Services" shall include but not be limited to labor, professional services, transportation, leasing or renting any article, object, privilege, or service, giving of instructions or lessons, admission to exhibits, use of telephone or other utilities, or any act for which payment is customarily received.

26. "Smoking" means the lighting of cigarettes, cigars or pipes, the carrying of lighted cigarettes, cigars or pipes, or the intentional and direct inhalation of smoke/nicotine from any object.

27. "Take" or "Taking" means to pursue, hunt, harass, lure, harm, shoot, trap or ensnare, gig or spear, net, capture, collect, kill, destroy, wound, or attempt to do any of the above.

28. "Unmanned Aircraft" means any aircraft that is operated without the possibility of direct human intervention from within or on the aircraft and shall include model aircrafts and drones.

29. "Vehicle" means every device in, upon, or by which a person or property is transported or drawn on land, whether motor powered or self-propelled, except baby carriages, or strollers, bicycles when properly used on walks or trails, and vehicles in the service of the District.

30. "Vessel" means every type or description of craft, other than a seaplane on water, used or capable of being used as a means of transportation on water, including without limitation boats, rafts, canoes, kayaks, jet skis, inflated devices, or any buoyant device permitting or capable of free flotation. A "Seaworthy Vessel" shall mean: canoes, rowboats, kayaks and sailboats up to fifteen (15) feet in length. An "Unseaworthy Vessel" shall mean homemade rafts, air mattresses, plastic boats, all inflatable crafts and other types of unconventional Vessels.

31. "Wildlife" shall include any water fowl, mammal, animal, amphibian, reptile, or bird or the young or eggs thereof, but excluding any domesticated dog or cat.

Section 1.03 Construction and Scope.

(a) In the interpretation of this ordinance, 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 ordinance 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 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.

(b) This ordinance shall apply to and be enforceable within and upon all district property, and shall regulate the use thereof by all persons. However, no provision hereof shall make unlawful any act necessarily performed by any officer, employee or agent of the District, member of the Lombard Police Force when acting within the scope of his authority or in his line of duty, or any other person summoned by such person to assist him.

CHAPTER II - SPECIFIC RESTRICTIONS ON CONDUCT AND BEHAVIOR

Section 2.01 Aircraft/Unmanned Aircraft.

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

(b) No person shall land, cause to be landed, or permit or authorize the landing of any Aircraft and/or drone on District property, except when necessitated by unavoidable emergency or unless a permit therefor has first been obtained from the District in accordance with Chapter V of this ordinance.

(c) No person shall fly or cause to be flown or permit or authorize the flying of model Aircraft and/or drone on or over District property unless a permit therefor has first been obtained from the District in accordance with Chapter V of this ordinance.

(d) No person shall parachute or otherwise descend from an Aircraft into or onto District property or cause, permit or authorize another person to parachute or otherwise descend from an Aircraft into or onto District property except when necessitated by unavoidable emergency or unless a permit therefor has first been obtained from the District in accordance with Chapter V of this ordinance.

Section 2.02 Alcoholic Liquor.

(a) No person under the influence of Alcoholic Liquor, any other drug or drugs, intoxicating compound, or a combination thereof, as defined in Section 11–501 of the Illinois vehicle Code (625 ILCS 5/11-501), shall enter into, be, or remain on district property.

(b) No person, other than the District or its agent, shall sell or deliver any Alcoholic Liquor on district property, unless said person has first obtained a permit therefor from the District in accordance with Chapter V of this ordinance.

(c) No person shall bring into, possess, drink, consume, take, use, sell, deliver or transfer any alcoholic liquor on District property without having first obtained a permit therefor from the District in accordance with Chapter V of this ordinance, unless he is in or on District property where the possession, consumption, use, or transfer of alcoholic liquor is permitted.

(d) Every person possessing, using, consuming, or transferring alcoholic liquor pursuant to this section shall be subject to, and shall comply with, all applicable federal, state, local, and District laws, ordinances, rules, and regulations regarding the possession, use, consumption, or transfer of alcoholic liquor.

(e) Any person who is at least twenty-one (21) years of age may apply for a special permit in accordance with Chapter V of this ordinance to bring into, possess, consume, take, use or deliver alcoholic liquor on a temporary, short-term basis within the confines of Lombard Community Building or Lombard Golf Course on such days, at such times, and under such conditions as the Board, in the reasonable exercise of its sole discretion, may deem appropriate for such use.

(f) The Board may adopt and maintain from time to time such fee schedules, policies, rules and regulations for the implementation and observance of this ordinance as it may deem necessary and appropriate in the reasonable exercise of its sole discretion.

Section 2.03 Animals and Pets.

(a) No person shall bring or release onto district property any wildlife including without limitation any animal the capture or killing of which is authorized by the fish and game laws of the State of Illinois, or any other animal, except for domesticated dogs, cats or other domesticated animal subject to the restrictions contained in this section;. provided, however, that the District may bring or release, or permit another person to bring or release, such proscribed animals onto district property in conjunction with an activity or event conducted or sponsored by the District or in conjunction with a zoo, museum, nature center, or similar facility maintained, controlled, permitted or licensed by the District.

(b) Except as otherwise provided in this Section 2.03, no owner or agent of the owner having control of any domesticated dog, cat, or any other domesticated animal shall cause or permit such animal to be on district property unless the pet is restrained on a substantial leash which shall not exceed six (6) feet in length and such person has in his immediate possession a device for removal, and a depository for the transportation, of animal excrement from such property. The presence of domesticated dogs, cats and other domesticated animals is prohibited (i) inside any District building, except where the animal is part of a class offered by the District; (ii) in any district children's playgrounds; (iii) in any area of a park utilized as an athletic field; (iv) in a washroom facility; (v) in district drinking fountains; (vi) in Lilacia Park; and (vii) in any other area posted as prohibiting pets.

(c) All owners or agents of the owner having control of any domesticated dog, cat, or other domesticated animal, shall remove from District property, or properly dispose of in an appropriate receptacle, any excrement left by such animal.

(d) No person shall bring a domesticated dog, cat, or any other animal onto or permit any animal to remain on any portion of District property where the presence of animals is prohibited, except (i) in conjunction with an activity or event conducted or sponsored by the District; and (ii) dogs or other domesticated animals specially trained to assist the visually impaired or other persons with disabilities, when they are accompanying the persons with disabilities for purposes of providing such assistance.

(e) Any animal found on District property in violation of subsections (a) or (d) may be apprehended, removed to an animal shelter, public pound, or other place provided for that purpose, and disposed of pursuant to the laws or ordinances of DuPage County. The owner or person responsible for such animal shall be responsible for all costs and expenses incurred or encumbered in the removal and housing of such animal and such charge shall be in addition to and not in lieu of any other penalties provided for in this ordinance and any other applicable federal, state, local or district laws, ordinances, rules or regulations.

Section 2.04 Assault or Bodily Injury.

(a) No person shall, without lawful authority, engage in conduct on District property that places another person in reasonable apprehension of receiving bodily harm or physical contact of an insulting or provoking nature.

(b) No person shall intentionally or knowingly by any means cause bodily harm to, or make physical contact of an insulting or provoking nature with, another person on District property.

Section 2.05 Begging and Panhandling.

(a) No person shall beg or panhandle in District buildings, facilities or the entrances or stairways of such buildings or facilities.

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

Section 2.06 Boating.

(a) No person shall use or operate any motor driven vessel or any unseaworthy vessel on any district waters. Such vessels will be confiscated in the interest of public safety and welfare.

(b) Vessels that may be used in District waters shall be limited to seaworthy vessels.

(c) No person shall use or operate any vehicle for launching purposes on any District waters; all seaworthy vessels must be hand launched.

(d) No person shall use or operate any seaworthy vessel on District waters without first having registered such vessel in the name of an adult with the District office at 227 W. Parkside Avenue, Lombard, IL. Such registration will be free of charge for District residents, and a registration number will be issued for the current season (approximately May 1st to November 1st of each year). Non-resident registration fees shall be established by the Board.

(e) No person shall use or operate any seaworthy vessels on District waters except at Four Seasons, Lombard Lagoon, Madison Meadow, Southland, Terrace View and Vista Pond.

(f) No person shall use or operate a seaworthy vessel on any District waters unless under the direct supervision of an adult.

(g) All occupants of a seaworthy vessel must be wearing a United States Coast Guard approved personal flotation device of a Type I or II classification only.

(h) No person shall swim or dive from a seaworthy vessel into District waters.

(i) The rules and regulations as set forth in the Illinois Boat Registration and Safety Act are hereby adopted and made a part of this ordinance; and it is hereby made unlawful to violate any of said rules and regulations as set forth therein. Copies of the Illinois Boat Registration and Safety Act may be obtained at the office of the Lombard Park District, 227 W. Parkside Avenue, Lombard, IL.

(j) All applicable rules and regulations of the federal and state government shall also apply in the usage of seaworthy vessels on District waters. Illinois watercraft rules can be obtained from:

Illinois Department of Natural Resources
2050 W. Stearns Rd.
Bartlett, IL 60103
(847)608-3100
www.dnr.illinois.gov

(k) Radio controlled model power boats of 7.5 cc or less may be operated on the western half of the Lombard Lagoon and Four Seasons pond between April 25 and November 25 on the following days and times: Wed. - 5:00 p.m. - 7:00 p.m., Sat. - 12 noon - 3:00 p.m., Sun. 1:00 p.m. - 4:00 p.m., or as otherwise determined by the District.

(l) All radio controlled model power boat operators are required to carry $1,000,000 (one million dollars) in liability insurance, with the District designated as an additional insured on the policy, in order to use District waters. Operators will be required to furnish proof of said policy any time they are operating said radio controlled model power boats on District property.

Section 2.07 Camping.

No person shall place, erect, or use any hammock, swing, tent, shelter, or any other type of temporary or permanent housing or camping equipment on District property, or

otherwise camp in any manner on District property unless a permit therefor has first been obtained from the District in accordance with Chapter V of this ordinance.

Section 2.08 Charitable, Religious, Political, or Non-Profit Activities.

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

(b) Soliciting contributions for charitable, religious, political, or non-profit organizations is permitted on District property provided that a permit therefor has first been obtained from the District in accordance with Chapter V of this ordinance.

(c) The sale or distribution of merchandise by charitable, religious, political, or non-profit organizations is permitted on District property provided that a permit therefor has first been obtained from the District in accordance with Chapter V of this ordinance.

(d) Soliciting votes and circulating petitions for or against any candidate(s) for election to public office or with respect to any referendum or other public question is permitted on District property in areas open to the general public without a permit, subject to the limitations set forth in paragraphs (e) and (f) of this Section 2.08.

(e) No person shall engage in any activity described in subsections (a) through (d) of this Section 2.08 in District buildings or facilities in rooms or other locations in which any program, activity, class, function or special event conducted, sponsored by the District is in progress.

(f) No person engaged in the activities described in subsections (a) through (d) of this section shall obstruct or impede pedestrians or vehicles, harass park visitors with physical contact or persistent demands, misrepresent the affiliations of those engaged in such activities, misrepresent what the solicited funds will be used for or whether the merchandise is available without cost or donation, or interfere, interrupt, or engage in conduct incompatible with the purpose of, any program, activity, function, and/or special event conducted or sponsored by the District.

Section 2.09 Classes, Lessons and Camps.

No person shall bring or cause to be brought onto District property any class, play group, day camp, individual or group lesson or similar activity of any kind conducted for a fee or other consideration unless that person has a contract with the District to provide such a program or service. Nothing contained in this Section 2.09 shall be construed to prohibit any class, play group, or day camp from visiting District property, provided that the class, play group or day camp is regularly conducted at some location other than on District property, and further provided that it maintains any ratio of adult supervisors to children required at the District facility that the class, play group or day camp uses.

Section 2.10 Commercial Sale, Exhibition, or Distribution of Goods or Services.

(a) No peddler, vendor or any other person involved in an endeavor for profit shall engage in the commercial sale, rental, exhibition, or distribution of goods or services, including

without limitation the giving of instruction or lessons for a fee, upon District property unless he has received a permit, license or contract therefor from the District.

(b) No person engaged in the sale or distribution of goods or services under this section shall obstruct or impede pedestrians or vehicles, harass park visitors with physical contact or persistent demands, misrepresent the affiliations of those engaged in such activities, misrepresent whether the goods or services are available without cost or donation, or interfere, interrupt, or engage in conduct incompatible with the purpose of any program, activity, function, and/or special event conducted, sponsored, licensed or otherwise permitted by the District.

Section 2.11 Controlled Substances and Cannabis.

(a) No person under the influence of any controlled substance or cannabis shall enter into, be, or remain on District property.

(b) No person shall bring into, possess, take, use, sell, or transfer any controlled substance or cannabis on District property.

Section 2.12 Cooperation with Authorities.

(a) No person shall physically hinder, threaten, resist, intimidate, bribe, disobey, or otherwise intentionally interfere with any member of the Lombard Police Force or any District employee or agent in the performance of his duties.

(b) No person shall falsely represent that he is, or otherwise pretend to be, a District officer or employee, a member of the Lombard Police Force, or an agent or other representative of the District.

(c) No person shall knowingly display a false, expired or revoked permit, pass or membership card, or give a false report or false information (including, without limitation, information requested in a permit application) for the purpose of misleading a District employee or agent, or a member of the Lombard Police Force in the conduct of his official duties.

(d) No person shall knowingly permit any person other than the person to whom such pass, card, reservation, registration, or contract was issued to use said pass, card, reservation, registration, or contract in connection with access to or use of any District property or facility.

Section 2.13 Disorderly Conduct.

A person commits the offense of disorderly conduct when he knowingly:

(a) Does any act in such unreasonable manner as to alarm or disturb another and to provoke a breach of the peace; or

(b) Makes or causes to be made any excessively loud or unreasonable noise which disturbs the peace. For purposes of this subsection 2.13(b), excessively loud or unreasonable noise is defined as noise inconsistent with, or not attendant to, appropriate and customary park and recreational activities, considering the nature and purpose of the actor's conduct,

location, time of day or night, and other factors that would govern the conduct of a reasonably prudent person under the circumstances. This section shall include, without limitation, the loud or amplified playing of any type of audio equipment, noisemaker, musical instrument, or sound equipment. This section shall not apply to the playing of any musical instrument, public speaking, or the amplification thereof, in conjunction with activities conducted, sponsored or authorized by the District; or

(c) Uses obscene or abusive language or gestures, or threatens violence or injury to the person or property of others, in a manner intended and likely to incite or produce an immediate breach of the peace or violent or disorderly response; or,

(d) Congregates with other persons on District property with the intent to restrict vehicular or pedestrian traffic or with the intent to restrict the free ingress to or egress from District property and fails to comply with a lawful order of the Lombard Police Force to disperse.

Section 2.14 Display of Permit or Pass.

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

Section 2.15 Dumping, Pollution, Sanitation, and Litter.

(a) No person shall litter, cast, throw, drop, leave, scatter, place, pile, or otherwise dump, leave, or deposit in any manner any kind of dirt, rubbish, placard, handbill, pamphlet, circular, book, notice, paper of any kind, ashes, garbage, waste material, landscape waste, snow, ice, or other substance, whether liquid or solid, or any other Refuse in or upon District property, including in District dumpsters or roll offs, or in or upon District waters, except as specifically permitted by the District; provided, however, that paper, glass, cans, garbage and other refuse resulting from picnics or other lawful use of District property shall be deposited in receptacles provided by the District for that purpose. Where receptacles are not provided, are missing, or are full to capacity, all such garbage, refuse, or other material shall be carried away from the area of use by the person responsible for its creation and presence, and properly disposed of elsewhere.

(b) No person shall spit upon District property.

(c) No person shall urinate or defecate on District property other than in toilets in rest rooms expressly provided for such purposes.

(d) No person shall drain refuse from a trailer or other vehicle on District property.

(e) No person shall bathe or wash himself or food, clothing, dishes, or other property at water outlets, fixtures or pools on District property, except at those areas designated by the District for such use.

(f) No person shall pollute or contaminate District property or District waters.

(g) No person shall dispose of fish remains on District property, or in District waters or within any park area of the District except as permitted by the District.

(h) No person shall dispose of human or animal waste on District property except at designated locations or in fixtures provided for that purpose.

(i) Any person violating this section may be assessed the cost of removing any such improperly deposited substance or material and such charge shall be in addition to and not in lieu of any other penalties provided for in this ordinance or applicable federal, state, local, and/or District laws, ordinances, rules, and regulations.

Section 2.16 Erection of Structure/Wires.

No person shall construct, build, erect, or otherwise place any building, tent, stand, scaffold, platform or other structure of whatever kind, whether stationary or moveable and whether permanent or temporary in character, or construct, run, string, or otherwise place any electrical wire, conduit or pipe, or any public service or private utility, into, upon, above, or across or beneath District property, unless a permit, license, or contract therefor has first been obtained from the District.

Section 2.17 Fairs and Special Events: Sale and Distribution of Merchandise; Soliciting Contributions.

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

Section 2.18 Fires.

(a) No person shall light, maintain, or make use of any fire on District property, except at such places and at such times as the District may designate for such purpose and then only under such rules as may be prescribed by the District.

(b) No fire shall ever be left unattended. Every fire shall be under the continuous care and direction of a competent person 18 years of age or older from the time it is kindled until the time it is completely extinguished. All fires must be properly and completely extinguished prior to any person leaving the site of the fire. Open bonfires are not permitted on District property either on the ground or in any portable fire pit or other device.

(c) No person shall throw or otherwise discard lighted or smoldering material in any manner that threatens or causes damage to, or results in the burning of, District property or park resources, or creates a safety hazard.

Section 2.19 Fishing.

(a) No person shall fish or otherwise take aquatic life from District waters except in the ponds located at the following areas: Four Seasons, Lombard Lagoon, Madison Meadow, Old Grove, Southland, Sunset Knoll, Terrace View, Vista Pond and Westmore Woods.

(b) Every person fishing in District waters shall comply with all applicable federal, state, local, and District laws, ordinances, rules, and regulations including, without limitation, conservation laws and licensing requirements.

(c) Fishing in District waters shall be conducted by means of a hook and line, with the rod or line being closely attended. No person shall use drugs, poisons, explosives, other volatile substances, electricity, or missiles of any kind to fish in District waters, or place in such waters any piscivorous fish.

(d) No person shall dig, scratch, or otherwise disturb District property in order to locate or take bait.

(e) Every person shall carefully and immediately return to the water from which it was taken any fish that does not conform to size or species restrictions imposed by any applicable federal, state, local or District law, ordinance, rule or regulation, or that the person chooses not to keep.

(f) No person may ice fish in any District waters.

Section 2.20 Gambling and Games of Chance.

No person shall play or engage in selling fortunes or futures, games of chance, or in any other device or game of chance, hazard or skill, either as bookmaker, dealer, player or otherwise, for the purpose of gaming or gambling for money or other valuable things on District property, except at a fair, carnival, or other organized event conducted, sponsored or authorized by the District.

Section 2.21 Hunting or Trapping.

No person shall hunt or trap, or bring any device for hunting or trapping into or onto District property or District waters.

Section 2.22 Interference with Other Users.

(a) No person shall walk, act, or conduct himself upon any portion of District property designated for a particular game, sport, event, amusement or other use in such a way as to interfere with the use of such portion by other persons who are properly using the same for the particular game, sport, event, amusement or other use for which it has been designated.

(b) No person shall unreasonably disturb or interfere with any person occupying an area or participating in any activity on District property under the authority of a permit.

(c) No person shall engage in any activity on District property in a manner calculated, or which is reasonably likely, to endanger, injure, or damage persons or property in any way.

Section 2.23 Loitering in District Buildings.

No person shall loiter or remain in any District building or facility in such a manner that:

(1) unreasonably obstructs the usual use of entrances, hallways, corridors, stairways, or rooms designated for specific purposes; (2) impedes or disrupts the performance of official duties by District employees; or (3) prevents the general public from obtaining the administrative or recreational services provided in the building or facility in a timely manner, after being requested to leave by any member of the Lombard Police Force, or where the District has posted a sign or signs that prohibit loitering.

Section 2.24 Misappropriation of property.

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

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

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

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

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

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

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

Section 2.25 Mob Action.

(a) No person shall collect with other persons, in bodies or in crowds of two (2) or more persons gathered without authority of law, for unlawful purposes or any purpose of disturbance or obstruction of the lawful activities of other persons or otherwise disturb, obstruct, or interfere unreasonably with the lawful activities of other persons using District property in a manner which creates immediate violence or breach of the peace or threat thereof or endangers the person or property of others.

(b) No person shall knowingly commit an act or engage in conduct that urges or incites other persons to riot, engage in immediate violence or lawlessness, or commit any unlawful act.

(c) No person shall organize, promote, encourage, or otherwise participate in a riot or other breach of the peace involving crowds of two (2) or more persons gathered, without authority of law, for unlawful purposes or any purpose of disturbance or obstruction of the lawful activities of other persons.

Section 2.26 Parades, Public Assemblies or Meetings.

(a) Public parades, processions, theatrical, dramatic or music presentations, meetings, assemblies, gatherings, and demonstrations, are permitted on District property provided that, where the number of participants is reasonably expected to exceed fifteen (15) or

more persons and/or vehicles, a permit therefor must first be obtained from the District in accordance with Chapter V of this ordinance.

(b) This section shall not apply to students going to and from school classes or participating in educational activities under the immediate direction and supervision of school authorities or their agents, a governmental agency acting within the scope of its functions, or regular or scheduled District programs or activities.

Section 2.27 Posting Printed or Written Material In Designated Area.

(a) The District shall designate an area for the posting of printed or written public information material ("Community Bulletin Board").

(b) No person shall post, place, display, or cause to be posted, placed, or displayed any printed or written material on the community bulletin board without first presenting the material to the District. The District shall stamp and date the material as received, and post the material, as soon as space is available on the community bulletin board unless the said material is obscene as defined in 720 ILCS 5/11-20, or unless the material promotes any program or other activity for which a fee or other consideration is charged, provided that the District offers the same program or activity. The material may remain posted for a period not to exceed one (1) week after which a person may resubmit his public information notice for posting, space permitting.

(c) Space on the community bulletin board shall be allocated on a first-come, first-served basis, except that the District's own printed or written public information may be given priority. The printed or written material shall be no larger than 8 1/2 inches x 11 inches and only one copy of each public information notice shall be posted.

(d) The District may remove printed or written material that has not been posted in accordance with this Section. The person responsible for said posting shall be liable for the cost incurred in the removal thereof. The provisions of the Illinois Parental Responsibility Law (740 ILCS 115/1 *et seq.*) are specifically incorporated in this ordinance by reference for purposes of this section.

Section 2.28 Posting Printed or Written Material On Public Places and Objects.

(a) Except as provided in Section 2.27 of this ordinance, no person shall paint, write on, or in any way mark or deface, or post or otherwise affix, any printed or written words, symbols, materials, or other marks to or upon District property or anything or object located on District property.

(b) The District may remove any printed or written word, symbol, material, or other mark found posted or otherwise affixed upon any District property or anything or object located on District property contrary to the provisions of this Section. The person responsible for any such defacing, writing, or posting shall be liable for the cost incurred in the removal thereof. The provisions of the Illinois Parental Responsibility Law (740 ILCS 115/1 *et seq.*) are specifically incorporated in this ordinance by reference for purposes of this section.

Section 2.29 Protection of Animals.

(a) No person shall hunt, pursue, hurt, molest, wound, kill, trap, catch, poison, abuse, chase, shoot, touch, throw or propel objects at, endanger in any way, remove or cause to be removed, have in his possession, or release or cause to be released, any wildlife on or upon District property.

(b) No person shall give or offer to any wildlife any harmful, poisonous, or noxious substance on or upon District property.

(c) No person shall feed, touch, tease, frighten, disturb, or otherwise intentionally interfere with any wildlife while feeding, nesting, breeding, sleeping, resting, flying or otherwise moving, conducting or participating in any activity on or upon District property. No person shall place food on District property in such a manner as to attract wildlife.

(d) No person shall molest, touch, throw or propel any object at, destroy, dig up, crush, shake, or in any way tamper with or damage the nest, lair, den, burrow, or home of any wildlife found on or upon District property.

Section 2.30 Protection of property.

(a) No person shall mark, carve, bend, cut, paint, deface, affix any sticker or sign to, break down, destroy, damage, alter, change, sever, uproot, dig, excavate, take or otherwise remove, or attach or suspend any rope, wire, or other material or contrivance to, on, or from, District property or anything or object on or upon District property, or otherwise take, damage or destroy such property, thing or object, including, without limitation, vegetation, soil or sand, unless a permit, license or contract therefor has first been obtained from the District.

(b) No person shall climb upon, walk on, hang from or stand or sit on, any plant, fence, structure, or other District property of any kind except such benches or other property designated or customarily used for such purposes, or recreational equipment installed for such purposes.

(c) No person shall bring into, throw, cast, drop, deposit, or otherwise leave or lay down any smoke bomb, stink bomb, or other offensive smelling compound on District property.

(d) No person shall bring any plant or portion of a plant, plant product onto District property, or prune or dispose of any plant material on District property without the express written approval of the District. Any person requesting to plant new plantings on District party shall submit said request in writing to the District, along with a copy of the proposed landscaping plans for prior review and approval by the District. In the event the District approves any said new plantings, the requesting person shall be responsible for all costs associated with the same and shall be required to supply a Certificate of Insurance and execute and deliver to the District an agreement to indemnify and hold the District harmless from legal liability, property damage or injury to persons caused by the negligent or unlawful acts of the person in association with said planting on District property.

(e) The District may give rewards to the person(s) (other than District employees or agents, or members of the Lombard Police Force) who furnish information to the District,

directly resulting in the arrest and conviction of any person who unlawfully takes, damages, or destroys District property. All claims for said reward must be made to the District within thirty (30) days after conviction and the District shall be the sole judge of any dispute arising over a reward, if any, and the person(s) entitled to share therein. The District's decision on any matter connected with the reward shall be final, conclusive, and binding and shall not be subject to judicial review.

Section 2.31 Public Indecency.

(a) No person shall perform or commit any of the following acts on District property:

1. An act of sexual penetration or sexual conduct as defined in 720 ILCS 5/12-12; or,

2. A lewd exposure of the body done with intent to arouse or to satisfy the sexual desire of the person.

(b) No person shall exhibit, produce, sell, give away, offer to sell or give away, display or hold or place in such a manner as to be open to public view any obscene book, pamphlet, drawing, picture, photograph, video, model, cast, instrument, or any other obscene item while on or upon District property. For purposes of this subsection, obscene shall have the meaning ascribed to it in 720 ILCS 5/11-20.

Section 2.32 Reporting Incidents.

A person involved in an incident on District property resulting in personal injury or property damage, other than an accident reportable under section 3.06 of this ordinance, shall report the incident to the District within twenty-four (24) hours after the incident.

Section 2.33 Restricted Areas.

(a) No person shall enter or remain in any building or portion of District property where persons are prohibited by the District from entering, or, except as provided in Section 2.34(c) of this ordinance, where use is restricted to persons of the opposite sex as indicated by a sign or notice posted by the District.

(b) No person shall enter or remain in any District property when it is closed to the public.

(c) No person shall enter any District property which is reserved or scheduled for a specific group or activity, unless such person is invited by the individual, group, or agency responsible for such activity and, if applicable, such person has paid all appropriate admission and/or registration fees.

(d) No person shall enter or remain in any portion of District property if his admission privileges have been terminated, revoked, forfeited or suspended pursuant to Section 7.01 of this ordinance, or if his permit, pass, ticket or membership card for admission to, or use of, the specific District property which he enters has been suspended or revoked or if he has not paid the applicable fee or charge for the use of the specific District property.

Section 2.34 Restrictions Applicable to Specific Recreational Activities and Facilities.

No person shall engage in special activities including flying model airplanes, golf practice, ice skating, games, picnics, camping, except at locations specifically designated for such activities by the District. Areas for such activities may be reserved by groups for use at specified times.

(a) Golf. No person shall play or practice golf on District property, except at the Lombard Golf Course, and provided that the person has satisfied all requisites before playing or practicing, including without limitation the paying of appropriate fees and reserving or otherwise registering for a start time. No person shall play golf when conditions are unplayable, as determined solely by the District. Any person playing golf at the Lombard Golf Course shall use his or her own individual golf playing equipment.

(b) Paradise Bay Water Park; No Underwater Activity. No person shall use any inner tube, raft or other floating device at the Paradise Bay Water Park, unless expressly authorized by the District, provided, however, that regulation life jackets may be used if worn properly and as designed. No person may use skin diving or other equipment for underwater activity at any District facility or in any District waters unless a permit therefor has first been obtained from the District in accordance with Chapter V of this ordinance.

(c) Tennis. No person shall use District tennis courts for purposes other than playing tennis. No person shall engage in roller skating, rollerblading, skateboarding, bicycling, hockey, basketball, baseball or any other activity other than playing tennis on District tennis courts. The only exception shall be the most western end court at Madison Meadow that is constructed solely for the purpose of skateboarding.

(d) Skate Park. Madison Meadow Skate Park is constructed solely for the purpose of skateboarding. No person or group shall engage in roller skating, rollerblading or bicycling in the skate park.

(e) Rollerblading. The far west court at Madison Meadow is reserved for rollerblading. No person or group shall engage in roller skating or bicycling in this court.

(f) Baseball and Softball Playing.

1. No person shall engage in softball or baseball games except in those parks which have established diamonds and backstops constructed for that purpose, or such other areas as may be specifically designated by the District;

2. In those parks having established softball or baseball diamonds, participation in softball or baseball in areas other than established diamonds is limited in accordance with signs or notices posted by the District;

3. In those parks having established softball or baseball diamonds, the type of recreation conducted on said diamonds shall be in accordance with posted signs or notices posted by the District.

(g) Lilacia Park. No person shall bring in or use a bicycle, sled, skis, skateboard, roller skates, rollerblades, roller skis, skates, coasting vehicles, or similar devices in the District property known as Lilacia Park.

(h) Picnics.

1. Picnics requiring the use of fire shall be held only in those areas where the District has provided grills for that purpose and upon issuance of a Permit by the District in accordance with Chapter V of this ordinance. No personally owned cooking or grilling equipment shall be used on District property, unless expressly permitted by the District.

2. The District may designate areas for preparing, consuming, and dispensing food, beverages and other products. Persons holding a permit and dispensing any such products may do so only in the area designated in the permit. In the event the dispensing of the permitted products is by sale, the person must also comply with Section 2.10 of this ordinance. No person may dispense, prepare, consume, sell or otherwise use products, items or things otherwise prohibited in this ordinance or any other federal state, local, or District law, rule, regulation or ordinance.

(i) Tournaments, Leagues, or Other Regularly Scheduled Recreational Activities.

No person shall utilize any District property, including without limitation playing fields and other District facilities, for tournaments, leagues, or other regularly scheduled recreational activities unless a permit allowing such use or activity has first been obtained from the District in accordance with Chapter V of this ordinance.

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

Section 2.35 Rest Rooms, Washrooms, and Locker Rooms.

(a) Every person shall cooperate in maintaining rest rooms, washrooms and locker rooms on District property in a neat and sanitary condition.

(b) No person shall deposit objects of any kind, other than human waste and toilet tissue, in the toilets or plumbing fixtures of a rest room, washroom or locker room on District property.

(c) No person of the age of six (6) years or more may enter or use rest rooms, washrooms or locker rooms on District property designated for the opposite sex.

(d) No person shall bring or use (i) any still camera, television or movie camera, camcorder, video recorder or transmitter or any other device capable of recording, filming or transmitting visual images; or (ii) any cellular telephone, into any restroom, locker room or washroom anywhere on District property.

Section 2.36 Roller skates, Skateboards, and Other Similar Objects.

No person using roller skates, rollerblades, skateboards, roller skis, coasting vehicles, or similar devices on District property shall interfere with pedestrian use of sidewalks or vehicle use of the streets or parking lots, or otherwise act negligently, recklessly or without due caution, or in any manner so as to endanger any person or property nor use same where such use has been posted as prohibited.

Section 2.37 Selling or Distributing Printed or Written Material.

(a) Except as provided in Section 2.17 of this ordinance, the distribution of printed or written material available without cost or donation is permitted on District property.

(b) The sale or distribution for donation of printed or written material is permitted on District property provided that a permit therefor has first been obtained from the District in accordance with Chapter V of this ordinance.

(c) Any person engaged in the sale or distribution of printed or written materials under this Section 2.37 shall not obstruct or impede pedestrians or vehicles, harass park visitors with physical contact or persistent demands, misrepresent the affiliations of those engaged in such activities, misrepresent whether the materials are available without cost or donation, or interfere, interrupt, or engage in conduct incompatible with the purpose of, any program, activity, function, and/or special event conducted or sponsored by the District.

Section 2.38 Sledding, Ice Skating, and Snowmobiling.

(a) No person shall ice skate, sled, toboggan, inner tube, ski, slide, or engage in similar activities on District property except at such places and at such times as the District may designate for such purposes.

(b) No person shall engage in any such activity in a reckless manner that endangers that person or others or at a speed greater than is safe and proper under the circumstances.

(c) No person shall tow, push, pull, or otherwise propel another person on skis, sled, or other sliding device by use of any vehicle on District property.

(d) No person shall drive, ride, or otherwise operate a snowmobile on District property. For purposes of this subsection, a snowmobile shall be defined as any self-propelled vehicle intended for travel primarily on snow, driven by a track or tracks in contact with the snow, and steered by ski or skis in contact with the snow.

Section 2.39 Sleeping on District property.

No person shall sleep on benches, sidewalks, parking lots, picnic grounds or tables, playgrounds or playground equipment, stairways or doorways of District buildings or other District property so as to unreasonably obstruct or hinder the movement of other persons or the use of facilities.

Section 2.40 Smoking and E-cigarettes.

Smoking, E-cigarettes, or any use of a tobacco product is prohibited on Park District property with the exception of Lombard Golf Course. Smoking is prohibited within 15 feet of the golf course clubhouse and 50 feet of the golf course maintenance garage.

Section 2.41 Swimming.

No person shall bathe, swim, wade, float, splash, or otherwise enter District waters except at such times and places and in compliance with all policies, rules and regulations as the District may designate for such activities.

Section 2.42 Weapons and Firearms.

(a) No person shall use, fire, set-off or otherwise cause to explode, discharge or burn, or throw onto or while on District property any weapon or firearm, as defined in Section 2.42(c), any weapon capable of discharging a projectile by air, gas or explosive, any explosive substance, rocket, firecracker or other firework, missile, bomb, grenade, or other explosive device, liquid or gaseous substance, or any other weapon or firearm described in 720 ILCS 5/24-1 *et seq*.

(b) No person shall bring onto, carry or have in his possession any weapon or firearm, any gas or explosive, any explosive substance, rocket, firecracker or other firework, missile, bomb, grenade, or other explosive device, liquid or gaseous substance, any object whose intended use is as a weapon, or any other weapon or firearm described in 720 ILCS 5/24-1 *et seq*. on District property, except as otherwise preempted by the firearm Owners Identification Card Act (430 ILCS 65/13.1) and the Firearm Concealed Carry Act (430 ILCS 66/1 *et seq.*) as set forth in Section 2.42(c) of this Ordinance.

(c) For the purposes of this Section 2.42(c), the following terms shall apply in accordance with the Firearm Owners Identification Card Act (430 ILCS 65/13.1) and the Firearm Concealed Carry Act (430 ILCS66/1 *et seq.*):

"Concealed Firearms" shall mean loaded or unloaded Handgun[s] carried on or about a Person completely or mostly concealed from view of the public or on or about a Person within a vehicle.

"Firearm" means any device, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas or escape of gas; excluding however:

1. Any pneumatic gun, spring gun, paint ball gun, or B-B gun which expels as single globular projectile not exceeding .18 inch in diameter or which has a maximum muzzle velocity of less than 700 feet per second;

2. Any pneumatic gun, spring gun, paint ball gun, or B-B gun which expels breakable paint balls containing washable marking colors;

3. Any device used exclusively for signaling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission;

4. Any devise used exclusively for the firing of stud cartridges, explosive rivets or similar industrial ammunition; and

5. An antique firearm (other than a machine-gun) which, although designed as a weapon, the Department of State Police finds by reason of the date of its manufacture, value, design, and other characteristics is primarily a collector's item and is not likely to be used as a weapon.

"Handgun" shall mean any device which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas, or escape of gas that is designed to be held and fired by the use of a single hand. A "Handgun" does not include a stun gun or taser, a machine gun, a short barreled rifle, or shotgun as these weapons are defined in the Illinois Criminal Code. A Handgun also does not include any pneumatic gun, spring gun, paint ball gun or B-B gun which expels a single projectile not exceeding .18 inch in diameter, or which has a maximum muzzle velocity of less than 700 feet per second, or which expels breakable paint balls containing washable marking colors. A Handgun is one type of Firearm.

"Licensee" shall mean a Person who has a license from the Illinois Department of State Police to carry a Concealed Firearm.

(d) Except as provided herein, no person may knowingly carry any firearm in the following locations:

1. **Park District Building:** All firearms are prohibited in any building or portion of a building under the control of the District.

2. **Pre-School/Child Care Facility:** All firearms are prohibited in or on any District property under the control of a pre-school or child care facility, including any room or portion of a building under the control of a pre-school or child care facility.

3. **Gathering Requiring Permit:** Except as provided herein, all firearms are prohibited at any public gathering or special event conducted on District property that is open to the public but requires the issuance of a permit from the District or other body. A licensee is exempted from this Section 2.42(d)3 if the licensee is carrying a firearm through a public gathering for the sole purpose of accessing his or her residence, place of business, or vehicle, and there is no other way for licensee to access his or her residence, place of business, or vehicle except through said gathering or special event.
4. **Playgrounds:** All firearms are prohibited on all District playgrounds.

5. **Public Parks, Athletic Fields/Facilities:** All firearms are prohibited in any public park, athletic field, real property or athletic facility owned or under the control of the District.

    a. **Trail/Bikeway:** A licensee is exempted from this Section 2.42(d)5 if the person is carrying a concealed firearm while on a District trail or bikeway except in only those portions of the trail or bikeway that includes a public park.

6. **School property:** Firearms are prohibited in District-sponsored programs or activities occurring at a building, real property, and parking areas owned or under the control of a public or private elementary or secondary school, community college or university.

7. **Transportation:** Firearms are prohibited on any bus, train, or other form of transportation paid for in whole or in part with District funds, and any building, real property, and parking area under the control of a public transportation facility paid for in whole or in part with public funds.

8. **Event that Involves Sale of Liquor:** Firearms are prohibited in or on any District Property that has been issued a "Special Event Retailer's license" as defined in Section 1-3.17.1 of the Liquor Control Act, during the time designated for the sale of alcohol by the Special Event Retailer's license, or a "Special use permit license" as defined in subsection (q) of Section 5-1 of the Liquor Control Act during the time designated for the sale of alcohol by the Special use permit license.

9. **Parking Lots:** Except as provided herein, a Person is prohibited from carrying a Firearm in any District parking lot. A licensee may carry a concealed firearm on or about his or her person within a vehicle into a parking area on District property and may store a concealed firearm or ammunition concealed in a case within a locked vehicle or locked container out of plain view within the vehicle in the parking area. A licensee may carry a concealed firearm in the immediate area surrounding his or her vehicle within a prohibited parking lot area on District property only for the limited purpose of storing or retrieving a concealed firearm within the vehicle's trunk. The term "case" as used above includes a glove compartment or console that completely encloses the concealed firearm or ammunition, the trunk of the vehicle, or a firearm carrying box, shipping box or other container.

A licensee is also permitted to carry a concealed firearm upon his or her person while he or she is traveling along a public right of way that touches or crosses any District owned or controlled premises, if the concealed firearm is carried on his or her person in accordance with the provisions of the Firearm Concealed Carry Act.

Section 2.43 Fireworks.

No Person shall offer for sale, expose for sale, sell, possess, use, or explode any firecracker, torpedoes, skyrockets, roman candles, bombs, sparklers, rocket, squib or other fireworks of like construction, or anything containing any explosive or inflammable compound or any tablets or other device commonly used and sold as fireworks, on District property without first obtaining a permit from the District in accordance with Chapter V of this Ordinance, or unless authorized to do so by contract with the District.

CHAPTER III - MOTORIZED VEHICLES, BICYCLES, PARKING, AND TRAFFIC CONTROL

Section 3.01 All-Terrain vehicles.

No person shall drive, ride, or otherwise operate an all-terrain vehicle on District property. For purposes of this section, an all-terrain vehicle shall be defined as any motorized off-highway device 50 inches or less in width, having a manufacturer's dry weight of 600 pounds or less, travelling on three (3) or more low-pressure tires, designed with a seat or saddle for operator use, and handlebars or steering wheel for steering control.

Section 3.02 Bicycles.

(a) When two (2) or more persons in a group are operating bicycles on District property, they shall not ride abreast, but shall ride in single file.

(b) No person operating a bicycle on District property shall cling or attach himself or his bicycle to any other moving vehicle.

(c) The operator of a bicycle emerging from an alley, driveway, or building on District property shall, upon approaching a sidewalk or the sidewalk area extending across any alley or driveway, yield the right-of-way to all pedestrians approaching, and upon entering the roadway shall yield the right-of-way to all vehicles approaching.

(d) No person operating a bicycle on District property shall carry another person on the same bicycle. This restriction does not apply to tandem bicycles equipped with two or more seats or saddles or an ordinary bicycle equipped with a seat or saddle for an infant or small child if used properly. In that event, there shall be only the number of persons on the bicycle as there are seats or saddles.

(e) No person shall operate a bicycle on District property between 30 minutes after sunset and 30 minutes before sunrise, without a clear, white, properly lighted headlight, visible under normal atmospheric conditions from the front thereof for not less than 500 feet and firmly attached to the bicycle, and without a red reflector firmly attached to the bicycle, which is clearly visible in the headlight beam of an automobile for a distance of 500 feet to the rear of the bicycle.

(f) No person shall operate a bicycle on District playgrounds, ball fields, or tennis courts.

(g) No person shall ride a bicycle on any District street or path where signs are posted prohibiting riding bicycles.

(h) Bicycles shall not, at any time, in any place, be indiscriminately parked on District property in such manner as to interfere with pedestrian or vehicular traffic, or with persons getting into or out of vehicles. No person shall leave a bicycle on District property lying on the ground or paving or set against trees or otherwise in a place other than a bicycle rack when such is provided and there is space available. All bicycles parked on District property shall be locked. No person shall move or in any manner interfere with, any bicycle which is properly parked on District property, nor shall any person interfere with, or, in any manner, hinder any person from properly parking a bicycle.

(i) All bicycles, when operated on District roadways, shall be kept to the right and shall be operated as nearly as practicable to the right-hand edge of the roadway.

(j) No person shall operate a bicycle on District property unless the bicycle is equipped with a signaling device (e.g. bell or horn), in good working order and audible at a distance of 100 feet when sounded.

(k) No person shall operate a bicycle on District property at a speed faster than is reasonable and proper under the circumstances, and every bicycle shall be operated with reasonable regard for the safety of the rider and of other persons and property.

(l) Every person operating a bicycle on District property shall obey all federal, state, local, and District traffic laws, rules, and regulations applicable to motor vehicles, except those provisions which by their nature can have no application to the operation of a bicycle and except as otherwise provided by this section.

(m) No person shall bring a bicycle into any District building or Facility.

Section 3.03 Change of Oil/Cleaning.

No person shall change the oil or grease of, or wash, clean or polish vehicles on District property, unless a permit therefor has first been obtained from the District in accordance with Chapter V of this ordinance.

Section 3.04 Commercial vehicles.

(a) The term "commercial vehicles" as used in this section shall include, but not be limited to trucks, station wagons, vans, pickups, passenger cars, or other vehicles when used in transporting persons or movable property for a fee or profit, either as a direct charge to another person (except when transporting passengers or movable property to or from the District), or otherwise, or used as incident to providing services to another person, or used in connection with any business, except during the course of doing business with the District.

(b) 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 contract or permit therefor from the District.

(c) This section shall not apply to commercial vehicles making authorized deliveries to, or performing authorized services for the District.

Section 3.05 Driving Areas.

No motor vehicle, including any automobile, truck, motorcycle, motor bike, or motor scooter, shall be driven or otherwise operated upon District property except over and upon such roadways, parking lots, or other areas designated by the District for use by motor vehicles. A bicycle path shall not be deemed a roadway for the use of motor vehicles under this section.

Section 3.06 Duty of operator in Accidents.

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

Section 3.07 Emergency vehicles.

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

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

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

(d) Every person operating a vehicle on District property shall, at the immediate approach of an emergency vehicle making use of its warning system signals, yield the right-of-way and shall stop, if possible, and pull to the side of the road and remain in such position until the emergency vehicle has passed, unless otherwise directed by a member of the Lombard Police Force.

Section 3.08 Enforcement of Traffic Regulations.

No person shall fail to obey a member of the Lombard Police Force or other District employee who is directing traffic or enforcing sections of this chapter on District property.

Section 3.09 Fleeing or Attempting to Elude the Lombard Police Force.

No person driving or otherwise operating a motor vehicle on District property shall willfully fail or refuse to obey a visible or audible signal by a member of the Lombard Police Force to bring his vehicle to a stop. The signal given by a member of the Lombard Police Force may be by hand, voice, siren, or red or blue light. The member of the Lombard Police Force giving such signal shall be in uniform or driving a vehicle appropriately marked showing it to be an official Lombard Police Force vehicle.

Section 3.10 Gas and Smoke.

No person shall drive or otherwise operate a vehicle on District property which emits excessive noxious fumes or dense smoke.

Section 3.11 Hitchhiking.

No person shall solicit a ride or stand in or near a roadway on District property for the purpose of soliciting a ride from the operator of any vehicle.

Section 3.12 Incorporation of State Statutes.

In addition to the provisions of this Chapter, and to the extent not inconsistent therewith, no person shall drive or otherwise operate a vehicle or perform any act in any manner on District property in violation of Chapters 6, 11 and 12 of the Illinois vehicle Code (625 ILCS 5/6-100 *et seq*., 11-100 *et seq.* and 12-100 *et seq.*) which provisions are specifically incorporated in this ordinance by reference.

Section 3.13 Intoxicated operators.

(a) No person shall drive or otherwise operate or attempt to drive or otherwise operate a vehicle on District property while under the influence of alcoholic liquor, controlled substances, or cannabis or a combination of such substances.

(b) Upon trial for such offense, in addition to other evidence, evidence of the amount of alcohol in the person at the time of the act alleged, as shown by a chemical analysis of his breath, blood, urine, saliva, or other bodily substances, is admissible, and the result of such analysis shall give rise to the presumptions set forth in Section 11-501.2(b) of the Illinois vehicle Code (625 ILCS 5/11-501.2(b)) which provision is specifically incorporated in this ordinance by reference.

Section 3.14 Minibikes, Trailbikes, and Go-Carts.

No person shall drive, ride, or otherwise operate any minibike, trailbike or go-cart on District property. For purposes of this section, every motor vehicle which is self-propelled by power obtained by the combustion of gasoline or electric which is designed with a seat or a saddle for the use of the rider, and is designed to travel mostly off-road on not more than three (3) wheels shall be a minibike, trailbike, or go-cart.

Section 3.15 Negligent Driving.

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

Section 3.16 Parking.

(a) No person shall park a vehicle on District property in other than established or designated parking areas, and such shall be in accordance with the posted directions and markings or with the directions of any attendant who may be present.

(b) No person shall park any vehicle or allow any vehicle to remain parked in any area of District property beyond the normal closing hour of District property, except when a different closing hour has been designated by the District for that area or unless permission therefor has first been obtained from the District. In no event shall any vehicle

except District vehicles be parked on District property later than normal closing hours, except with the approval of the District, which approval shall automatically be deemed given in connection with activities conducted by the District.

(c) No person shall stop, park, or place any vehicle on District property so as to obstruct or interfere with traffic or travel or endanger the public safety, and no person shall stop, park, or place any vehicle in any of the following places except when otherwise designated, or when necessary to avoid conflict with other traffic or when in compliance with the instructions of a member of the Lombard Police Force: (1) on the left side of any roadway; (2) on parkways, lawn areas, and grounds; (3) in front of a public or private driveway; (4) within any intersection; (5) within any crosswalk; (6) within 20 feet of any intersection or crosswalk; (7) within 30 feet of any stop sign or traffic control signal; (8) on the roadway side of any vehicle stopped or parked at the edge or curb of the roadway ("double parking"); (9) in a position to block another vehicle lawfully parked; (10) on any sidewalk; (11) at any place where official signs or other markings prohibit parking, or where curbs have been painted yellow; (12) within 15 feet of a fire hydrant; (13) in a fire lane or within 8 feet of the entrance to a fire lane; (14) within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of such entrance (when properly sign-posted); (15) between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings; (16) alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic; (17) upon any bridge or other elevated structure upon a roadway, or within a roadway tunnel; (18) on any railroad tracks or within 50 feet of the nearest rail of a railroad crossing; (19) on a controlled-access roadway; (20) in the area between roadways of a divided highway, including without limitation crossovers; and, (21) at any place or time where a permit or sticker is required by the District for parking unless the required permit or sticker has been obtained and is displayed on the vehicle. Areas that are specifically posted "no parking" or "no parking-fire lane" shall include the following: the driveway commonly known as Bradley Lane at the east side of Madison Meadow; the circle driveway in front of Sunset Knoll Recreation Center; the service driveway adjacent to Park View School at Terrace View; Paradise Bay Water Park access driveways at Lombard Common and sidewalk to the Lombard Community Building; Lombard Community Building circle drive; the entrance driveway at Westmore Woods; the Fairview access driveway at Old Grove; and all entrance/exit driveways at Four Seasons. All vehicles must be legally parked within areas designated for parking.

(d) No person shall park a vehicle upon any roadway or in any public off-street parking Area on District property for any of the following purposes:

1. To display such vehicle for sale; or,

2. To perform maintenance or repair of such vehicle, except for repairs necessitated by an emergency; or,

3. To sell goods or Services from such vehicle.

(e) The operator of an authorized emergency vehicle, as defined in section 3.07 of this ordinance, may park or stand irrespective of the provisions of this ordinance.

(f) Every person in whose name a vehicle is registered pursuant to law and who leases such vehicle to others, after receiving written notice of a violation of this ordinance involving such vehicle, shall upon request provide the District with a written statement of the name and address of the lessee at the time of such offense and the identifying number upon the registration plates and registration sticker or stickers of such vehicle.

(g) No person who is the lessor of a vehicle pursuant to a written lease agreement shall be liable for the violation of any parking or standing regulation of this ordinance involving such vehicle during the period of the lease provided that upon the District's request received within 120 days after the violation occurred, the lessor provides within 60 days after such receipt the name and address of the lessee and/or his driver's license number if needed for enforcement of this ordinance.

(h) Except as otherwise provided, every vehicle stopped or parked upon a two-way roadway on District property shall be stopped or parked with the right-hand wheels parallel to and within twelve (12) inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder.

(i) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful.

(j) Except as otherwise provided, every vehicle stopped or parked upon a one-way roadway on District property shall be so stopped or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement, with its right-hand wheels within twelve (12) inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder, or with its left-hand wheels within twelve (12) inches of the left-hand curb or as close as practicable to the left edge of the left-hand shoulder.

(k) Penalty Provisions for Parking Violations.

1. Whenever any vehicle shall have been parked in violation of any section of this ordinance prohibiting or restricting vehicular standing or parking, the person in whose name the vehicle is registered with the Secretary of State of Illinois shall be prima facie responsible for the violation and subject to the penalty therefor, except as otherwise provided in subsection (g) above.

2. Whenever any vehicle is parked in violation of any parking provision of this ordinance, any member of the Lombard Police Force observing such violation may issue a parking violation notice, and serve the notice on the owner of the vehicle by handing it to the operator of the vehicle, if he is present, or by affixing it to the vehicle in a conspicuous place. The issuer of the notice shall specify on the notice his identification number, the particular parking regulation allegedly violated, the make and state registration number of the cited vehicle, and the place, date, time, and nature of the alleged violation and shall certify the correctness of the specified information by signing his name to the notice.

3. A parking violation notice issued, signed, and served in accordance with this section, or a copy of such notice, shall be deemed prima facie correct and shall be prima facie evidence of the correctness of the facts shown therein. The notice or copy there of shall be admissible in any subsequent administrative or legal proceeding.

4. Any violation of the parking provisions of this ordinance or any provision of the Illinois Motor vehicle Code prohibiting or restricting vehicular standing or parking shall be a civil offense punishable by fine, and no criminal penalty, or civil sanction other than that prescribed in this ordinance, shall be imposed.

5. Any person who violates or fails to comply with any provision of this section shall be fined in the amount specified in the schedule attached to, and incorporated in, this ordinance as Exhibit A.

6. Any person on whom a parking violation notice has been served shall within fourteen (14) days from the date of the notice either pay the indicated fine or, in the manner indicated on the notice, request a court hearing to contest the charge, violation, or violations.

7. If no response is made in accordance with subsection (l)(6) of this section, the Clerk of the Circuit Court shall serve a second notice of violation, by first-class mail, postage prepaid, to the address of the registered owner of the cited vehicle as recorded with the Secretary of State of Illinois. The notice shall specify the date of a violation, and make and state registration of the cited vehicle, the ordinance or Code provision violated, the applicable fine and penalty in an amount equal to the relevant fine to be paid by the final notice date or request for hearing. The final notice date for payment shall be 21 days from the initial due date.

8. If the respondent requests a court hearing in person to contest the cited violation or violations, the Clerk of the Circuit Court shall notify the respondent in writing of the time and place of the hearing.

9. A notice sent pursuant to subsections (l)(6), (7), and/or (8) shall state that failure to pay the indicated fine or failure to request a court hearing will constitute a debt due and owing to the Village of Lombard, and as such may be collected in accordance with applicable law. Payment in full of any fine and/or penalty resulting from a standing or parking violation shall constitute a final disposition of that violation.

10. The Clerk of the Circuit Court shall notify the County State's Attorney of each respondent who fails to make payment or who fails to request a court hearing pursuant to subsections (l)(6), (7), (8), and/or (9). Upon being notified by the Clerk of the Circuit Court, the County State's Attorney shall institute a civil action against the respondent in an amount of the fine plus a penalty double the relevant fine and costs. Any action instituted and proceeding therein shall be conducted in accordance with the Rules of the Circuit Court of DuPage County, the Code of Civil Procedure and the laws, rules and regulations of the State of Illinois.

Section 3.17 Riding Outside vehicles.

(a) No person shall ride upon the fenders, running boards, bumpers, hood, trunk, or any other exterior part of any vehicle on District property.

(b) No person shall cling or attach himself, his vehicle, or any other object, to any other vehicle on District property.

Section 3.18 Right of Way.

(a) Every operator of a vehicle shall yield the right of way to a pedestrian at any marked crosswalk or within any unmarked crosswalk at any intersection on District property.

(b) Every operator of a vehicle shall exercise due care to avoid colliding with pedestrians upon any roadway on District property, shall give warning to any pedestrian in the roadway by sounding the horn when necessary, and shall exercise proper precaution upon observing any child, confused person, disabled person or animal upon a roadway.

(c) Every pedestrian crossing a roadway on District property at any point other than within a marked crosswalk or within an unmarked crosswalk at any intersection shall yield the right of way to vehicles upon the roadway.

(d) Except as otherwise provided herein, the operator of a vehicle approaching an intersection on District property shall yield the right-of-way to a vehicle which has already entered the intersection from a different roadway. When two (2) vehicles approach an unmarked intersection from different roadways at approximately the same time, the operator of the vehicle on the left shall yield the right-of-way to the vehicle on the right.

Section 3.19 Siren Devices.

No person shall sound any siren or other type of signaling device which makes unusually loud or unnecessary noise on District property unless that person is driving or operating an authorized emergency vehicle, as defined under section 3.09, responding to an emergency call, or pursuing an actual or suspected violator of the law.

Section 3.20 Speeding.

Except as provided in Section 3.07(b) of this ordinance:

(a) No person shall drive or otherwise operate a vehicle on District property at a speed greater than is reasonable and safe under the circumstances, having due regard for traffic, pedestrians, weather conditions and the intended use of the roadway and at no time at a speed greater than 15 miles per hour unless posted otherwise.

(b) No person shall drive or otherwise operate a vehicle on District property at a speed which endangers the safety of any person or property.

Section 3.21 Traffic Signs and Signals.

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

(b) No person shall deface, injure, move, or otherwise interfere with any traffic sign or signal on District property.

Section 3.22 Unattended Motor vehicles.

No person driving, operating, or otherwise in charge of a motor vehicle on District property shall permit it to stand unattended without first stopping the engine, locking the ignition and removing the keys. When the motor vehicle is standing upon any perceptible grade, the person shall set the parking brake thereon and turn the front wheels to the curb or side of the roadway.

Section 3.23 Unauthorized Use of Parking Places Reserved for Handicapped persons.

(a) For purposes of this section, handicapped person means every natural person who is unable to walk 200 feet or more unassisted by another person or without the aid of a walker, crutches, braces, prosthetic device, or a wheelchair or without great difficulty or discomfort due to the following impairments: neurological, orthopedic, respiratory, cardiac, arthritic disorder, blindness, or the loss of function or absence of a limb or limbs.

(b) No person shall park on District property any motor vehicle which is not bearing registration plates or decals issued to a handicapped person, pursuant to 625 ILCS 5/3-616, 11-1301.1, 11-1301.2, or to a disabled veteran pursuant to 625 ILCS 5/3-609 of the Illinois vehicle Code which provisions are specifically incorporated in this ordinance by reference, as evidence that the vehicle is operated by or for a handicapped person or disabled veteran, in any parking place, including without limitation any private or public off-street parking Area, specifically reserved by the District, by the posting of an official sign as designated under 625 ILCS 5/11-301, for motor vehicles bearing such registration plates. Any motor vehicle bearing a handicapped license plate or a handicapped parking decal or device containing the international symbol of access issued to handicapped persons by any local authority, state, district, territory or foreign country shall be recognized by the District as a valid license plate or devise and receive the same parking privileges as handicapped residents of this State.

(c) The District may remove or cause to be removed to the nearest garage or other place of safety any vehicle parked within a stall or space reserved for use by the handicapped which does not display handicapped registration plates or a special decal or devise as required by this section.

(d) Any person found guilty of violating the provisions of this section shall be fined as specified in the schedule attached to, and incorporated in, this ordinance as Exhibit A, in addition to any costs or charges connected with the removal or storage of any motor vehicle authorized under this section.

CHAPTER IV - PARK HOURS, CLOSING, AND GENERAL OPERATION POLICIES

Section 4.01 Hours.

(a) Except as otherwise provided in this Section 4.01, District property shall be open to the public from 6:00 a.m. until 10:00 p.m. that same day and District property shall be closed to the public from 10:00 p.m. each day until 6:00 a.m. the following day.

(b) Lilacia Park shall be open to the public from sunrise until sunset that same day and shall be closed to the public from sunset each day until sunrise the following day.

(c) No person shall remain in any District park which is fenced in and provided with gates at such time as the gates are closed.

(d) No person shall remain in any District building or Facility or enter such building or Facility during such hours as the building is locked and closed to the public.

(e) The Board may establish other hours during which District property or any parts thereof shall be closed to the public. The Board may periodically revise these hours.

Section 4.02 Special Closings.

The Board or the Director may close one or more District parks, buildings, or Facilities or any part thereof to the public at any time and for any interval of time, either temporarily or at regular intervals, and either entirely or merely to certain uses, as deemed advisable and in the best interest of the public and District.

Section 4.03 Use of Closed property Prohibited.

No person shall use, occupy, be in, or remain upon District property or leave any personal property in or upon District property which is closed to the public, or after closing hours, unless permission therefor has first been obtained from the District.

Section 4.04 Schedules, Fees, Rules, and Regulations.

Time schedules for the operation of, and the activities to be conducted on, District property and the amount of Facility, permit and program fees, may be reviewed and approved periodically by the Board. As permitted by law, fees charged non-residents of the District need not be the same as fees charged residents of the District. The Board may otherwise establish policies, rules and regulations for proper conduct by persons using District property. Specific policies, rules and regulations pertaining to District property and programs generally or to specific Facilities or programs may be posted at or on the applicable District property and/or published in District program brochures or otherwise made available to the users of District property, who shall be charged with actual knowledge thereof and shall obey or comply with all such policies, rules and regulations. All persons shall abide by all District policies, rules and regulations and with the direct orders or requests of employees and agents of the District when using District property, and shall pay all applicable fees and charges for the use of District property.

Section 4.05 Admission/Identification.

No person shall enter into, be, or remain in or upon District property without paying any applicable admission fees, without complying with registration requirements, if any, which may be established by the District, and without displaying the required admission identification. All admission identification cards, papers and tickets are non-transferable and must be individually registered, unless otherwise specifically noted thereon. A charge may be made by the District for replacing lost admission identification cards, papers and tickets.

Section 4.06 Lost, Found, and Abandoned property.

(a) No person shall abandon property on District property.

(b) Property left unattended for longer than twenty-four (24) hours or unattended property that interferes with any park visitors' safety, orderly management of the park area, or presents a threat to park resources may be impounded or removed by the District at any time. The owner of such property shall be responsible and liable for all costs and expenses associated with the impounding, removal, storage, or other disposal of the property.

(c) Any person finding lost or unattended property on District property shall report such finding to the District as soon as is practicable. Whenever a District employee or agent finds lost or unattended property on District property he/she shall report such finding to his Department Head. The District will attempt to make every reasonable effort to locate the property's owner(s).

(d) Unattended property that has been impounded or property that has been found shall be stored for a minimum period of thirty (30) days. Unless claimed by the owner or an authorized agent thereof, the property may be claimed by the finder of such property unless the finder is an employee, officer, or agent of the District or Board. All property not claimed shall be disposed of as the District deems appropriate.

Section 4.07 Building Use.

No person shall use any District building or portion of a building for an event or activity which is not conducted or sponsored by the District unless a permit or rental contract therefor has first been obtained from the District in accordance with Chapter V of this ordinance and/or a license agreement has been executed with the District. All persons using District buildings or Facilities shall comply with the provisions of this ordinance and with the provisions and conditions of any permit and/or license agreement issued by the District for the event or activity, and with all other applicable policies, rules, and regulations of the District regarding the use of District property.

CHAPTER V - PERMITS AND OTHER AUTHORITY

Section 5.01 Permits.

(a) Permits may be granted upon proper application and approval where the applicable section of this ordinance or any other District ordinance, policy, rule, or regulation provides for the issuing of a permit in order to engage in a particular activity.

(b) Every person requesting a permit shall complete and file with the District a written application, on forms provided by the District, and pay applicable application fees. When received, the application shall be dated and stamped as received and a receipt issued to the applicant.

(c) Except as provided in subsection 5.01(c)(1), applications for permits must be received by the District at least five (5) business days prior to the activity for which a Permit is sought.

1. This application deadline shall not apply to applications for permits under sections 2.02, 2.10, 2.34 and any other section of this ordinance or any other District ordinance, rule, or regulation not involving the exercise of First Amendment rights. For

such permits, applications must be received by the District at least three (3) weeks prior to the requested activity.

(d) Except as provided in subsection 5.01(d)(6), the District shall issue the permit without unreasonable delay unless:

1. The proposed activity violates any federal, state, local, or District law, rule, or regulation; or,

2. A prior application for a permit for the same date, time, and location has been or will be granted and the activities authorized by that permit do not reasonably allow simultaneous occupancy of the same location by multiple permittees; or,

3. The District has scheduled its own program or event for the same date, time and location, and the District's program or event does not reasonably allow simultaneous occupancy of the same location by multiple users; or,

4. The proposed activity is of such a nature that it cannot reasonably be accommodated in the particular location applied for, considering, without limitation; the likelihood of such things as damage to park resources or facilities; damage to an environmentally sensitive or protected area's ecosystem; impairment of a protected area's atmosphere of peace and tranquility; unreasonable interference with District functions, buildings, facilities, operations, programs or activities; or unreasonable interference with the use or purpose of the District property applied for; or,

5. The proposed activity would substantially impair the operation or use of facilities or services of District concessionaires or contractors; or,

6. The proposed activity would so dominate the use of District property as to preclude other persons from using and enjoying the park; with the exception of other Lombard governmental agencies; or,

7. This subsection 5.01(d) is not applicable to applications for commercial activity Permits under sections 2.10 and 2.17 of this ordinance, permits for alcohol under section 2.02 and permits under section 2.34. The District reserves the right to exercise its discretion in issuing permits under sections 2.02, 2.10 and 2.17 and 2.34.

(e) The District shall have at least twenty-four (24) hours after receiving a permit application to review the application. However, for applications under section 2.18 of this ordinance, the District shall have at least five (5) business days after receiving an application to review the application, and for any such application involving the assembly of more than one hundred (100) persons, the District shall have at least six weeks after receiving an application to review the application. For applications under sections 2.02, 2.10, 2.34 and any other section of this ordinance or any other District ordinance, rule, or regulation not involving the exercise of First Amendment rights, the District shall have at least two (2) weeks after receiving a permit application to review the application. However, the District reserves the right to take additional time to review any application. If the District determines that it will exercise this right, it shall notify the applicant within twenty-four (24) hours after the District's receipt of the application.

(f) If the application is approved, the District shall issue a written permit to the applicant. If the application is denied, the District shall issue to the applicant written reasons for denying the application.

(g) If an application is denied on the basis of a scheduling conflict or inappropriateness of the location, duration, or time of the activity, the District will make a reasonable effort to arrange an alternative that is acceptable to all parties. If an application under sections 2.08, 2.26 or 2.37 is denied, or the applicant is dissatisfied with such Permit as issued, he/she may appeal the decision to the Board within ten (10) days after the decision is rendered. If the Board rejects the appeal after full review, or if time for full review is not available, the applicant may appeal the decision to the appropriate court. All other decisions on the issuance of permits by the District are final.

(h) Any permit granted by the District may contain lawful prerequisites to the issuing of the Permit and restrictions on the conduct of the permitted activity including without limitation: general liability insurance coverage; an agreement to fully indemnify and hold the District harmless from any liability or costs resulting from the activity; a requirement that the persons involved in the activity obey or comply with all federal, state, local, and District laws, ordinances, rules, and regulations; time, duration, and location restrictions; restoration deposit; a written agreement by the applicant to fully restore any District property soiled or damaged by the activity; and, any reasonable restriction necessary for the efficient and orderly contemporaneous administration of the activity, other activities with a permit, and regular District uses, functions, programs, and activities.

(i) Any person holding a valid permit issued by the District for use of District property shall take precedence for use of that District property over any person other than the District.

(j) The District may make necessary changes or place necessary additional restrictions on any permit after it has been issued.

(k) Violation of the terms and conditions associated with the permit may result in the suspension or revocation of the permit.

Section 5.02 Insurance and Hold Harmless Agreement.

(a) Except as provided in subsection 5.02(a)(1), every applicant for a permit shall acquire general liability insurance to protect himself and the District from liability resulting from his use of District property and provide proof of such insurance to the District before the District will issue a permit to an otherwise valid applicant. The District must be named on such policy as additional insured. Where possible, an applicant may acquire a rider to the District's insurance policy at the applicant's cost and expense in order to provide the required coverage. Applicants should contact the District's administrative office for more information.

1. For activities involving the exercise of First Amendment rights, including without limitation parades, public gatherings, speeches and rallies, this requirement may be waived by the District if the applicant can demonstrate that he or his organization cannot procure general liability insurance or that the cost of procuring such insurance or acquiring a rider to the District's insurance policy is prohibitive.

(b) Every applicant must execute and deliver to the District an agreement to indemnify and hold the District harmless from legal liability, property damage or injury to persons caused by the negligent or unlawful acts of the applicant or any member, volunteer, employee, agent, participant, or other person associated with the applicant or his group or organization during the permitted activity.

Section 5.03 Restoration Deposit.

(a) A restoration deposit may be required for any permit. The District shall refund the deposit if the person responsible for the activity cleans any refuse caused or left by the activity or the activity's participants and restores District property to the condition it was in prior to the activity to the District's satisfaction. If the District is required to clean up after the activity, the person responsible for the activity shall reimburse the District for all costs and expenses associated with the clean-up and restoration. The cost of the clean-up and restoration shall be taken from the restoration deposit. If there are any funds remaining after the clean-up and restoration costs have been subtracted, they shall be returned to the appropriate person. The responsible person or group responsible for the activity shall reimburse the District for any costs or expenses for the clean-up and restoration that exceed the amount of the restoration deposit, and the District reserves the right to pursue any and all legal remedies in order to collect such reimbursement.

(b) If the restoration deposit would create a financial hardship for the applicant which the applicant can so demonstrate, the District may accept a written agreement to clean up and restore District property after the activity. If the committee does not satisfactorily perform according to the agreement, and the District reserves the right to pursue any and all legal.

Section 5.04 Other Authority.

Activities otherwise prohibited under this ordinance, or any other District ordinance, policy, rule, or regulation may be conducted or engaged in by a person, his agents and/or employees, if done in strict conformance with the provisions of an agreement with the District which has been duly authorized by the Board.

CHAPTER VI – ENFORCEMENT

Section 6.01 Police/Security Force.

(a) The Lombard Police Force shall be the conservators of the peace on District property, and shall be responsible for the enforcement of all federal, state, local, and District laws, rules, and regulations on District property.

(b) The members of the Lombard Police Force shall have the authority to eject from District property, arrest, or issue citations to any person who violates any applicable federal, state, local law or District Conduct ordinances on District property.

(c) District employees, park commissioners and such other persons as may be designated from time to time by the District shall have authority to inform users of District property of the requirements or prohibitions contained in this ordinance or any other District ordinance, but shall have no authority to cite or arrest any person for the violation of any ordinance.

Section 6.02 Rules to be Obeyed.

No person shall violate or disobey any provision of this ordinance or any other District ordinance, policy, rule or regulation regulating conduct or activities on District property even though the same may not have been posted. No person shall violate or disobey the directions or instructions contained in any notice or sign posted by the District relating to the use of District property, or the directions or instructions of any member of the Lombard Police Force, or any employee of the District seeking to enforce compliance with federal, state, local laws, or District Conduct ordinances.

Section 6.03 Parties to Ordinance Violation.

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

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

(c) It is unlawful for the owner or any other person employing or otherwise directing the operator of any vehicle, to request or knowingly permit operation of any such vehicle on District property in any manner contrary to this ordinance.

CHAPTER VII – PENALTIES

Section 7.01 Revocation of Privileges; Fine.

Any person violating or disobeying any section or part of this ordinance, or any other District ordinance, policy, rule, or regulation, may be forthwith evicted from District property, may have his admission rights to District property terminated, revoked, forfeited or suspended for up to one (1) year, and/or may, upon conviction, be fined in the amount specified in the schedule attached to, and incorporated in, this ordinance as Exhibit A.

Section 7.02 Restitution.

In addition to, or instead of, the fines and penalties provided for in Section 7.01, any person violating or disobeying any section or part of this ordinance, or any other federal, state, local, or District law, rule, or regulation, may be required to make restitution for damage resulting from such violation(s). The provisions of the Illinois Parental Responsibility Law (740 ILCS 115/1 *et seq.*) are specifically incorporated in this ordinance by reference for purposes of this section.

Section 7.03 Seizure/Removal/Impoundment of property.

Any property, substance, or thing brought into, utilized, placed, or left on District property in violation of this ordinance, or any other District ordinance, rule, or regulation may be removed, seized, and destroyed in the case of property and substances referred to in sections 2.02, 2.03, 2.06, 2.07, 2.11 and 2.42, or seized and impounded in the case of any other property, substance or thing (including without limitation vehicles, bicycles and Vessels). Property so impounded shall not be returned to the owner(s) thereof until such person(s) provides the District with acceptable proof or evidence of ownership and until such person(s) has reimbursed the District in full for all costs and expenses to the District of such impoundment including without limitation any removal and storage charges. property not claimed by the rightful owner(s) thereof within sixty (60) days after such impoundment may be sold by the District which shall be entitled to the entire proceeds thereof, or otherwise disposed of. Any motor vehicles towed and/or impounded shall be disposed of according to the applicable laws of the State of Illinois.

Section 7.04 Non-Exclusivity of Penalties.
The penalties provided for in this Chapter 7 are in addition to and not exclusive of any other remedies available to the District as provided by applicable law. The penalties provided for in section 7.01 may be imposed or assessed in addition to and not necessarily in lieu of the penalties provided for in section 7.02, and vice versa.

CHAPTER VIII - REPEAL

All District ordinances, resolutions, policies, Conduct ordinances or parts thereof in conflict or inconsistent with any of the provisions of this ordinance are hereby repealed, including, without limitation, An ordinance regulating the use of the parks and property owned or controlled by the Lombard Park District, adopted on July 23, 2013 and amended from time to time thereafter.

CHAPTER IX - SEVERABILITY

Provisions of this ordinance shall be deemed to be severable. Should any section or part of this ordinance be declared invalid or unenforceable by a court of competent jurisdiction, the remaining part or parts of such section and/or the other sections, as the case may be, of this ordinance shall nevertheless be valid, binding and subsisting.

CHAPTER X - PUBLICATION AND EFFECTIVE DATE

Section 10.01 Publication in Book Form.

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

Section 10.02 Educating the Community

The District shall participate in educating and informing the public on laws, ordinances, rules, regulations, and policies that apply to parks and recreation areas and facilities. The

Conduct Ordinance 13-452 and other Behavior Management Polices are available on the District website: http://lombardparks.com/code-of-conduct/

Section 10.03 Effective Date.

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

Lombard Park District
Administration Office
227 W. Parkside Avenue
Lombard, IL 60148
630-627-1281

PASSED by roll call vote this day of 27 day of August 2019.

ROLL CALL VOTE:

AYE: _____

NAY: _____

ABSENT: _____

APPROVED this 27 day of August 2019.

_____
President, Board of Park Commissioners of the
Lombard Park District

ATTESTED and RECORDED this
27 day of August 2019 and
Published in pamphlet form this
28 day of August 2019.

_____
Secretary, Board of Park Commissioners
of the Lombard Park District

EXHIBIT A

1. Penalty Fee. Any person violating any provision of this ordinance shall be immediately removed from District property, and/or subject to arrest and/or shall be fined not less than fifteen dollars ($15) nor more than five hundred dollars ($500) for each offense.

2. Procedure in Lieu of Initiating Complaint and Penalty. The citation of "Hang-On" ticket will provide for a penalty of fifteen dollars ($15) payable not later than thirty (30) days after the issuance of the citation. If upon the due date, the citation has not been paid, a registration search will be made to determine the registered owner of the vehicle, and a notice will be sent by registered mail calling for a payment of an additional fine of twenty-five dollars ($25) within thirty (30) days after receipt of such notice. If, upon the due date, payment has not been made, a second notice will be issued by registered mail calling for payment of an additional fine of forty dollars ($40) within thirty (30) days after receipt of such notice. If, upon the due date, payment has not been made, the officer who originally cited the vehicle or person shall prepare a verified complaint to be filed with the Circuit Court of DuPage County.

3. Procedure in Lieu of Initiating Complaint and Penalty for Handicapped Parking. Any vehicle parked in a space reserved for handicapped persons will provide for a penalty of two hundred fifty dollars ($250) as posted. If, upon the due date, the citation has not been paid, a registration search will be made to determine the registered owner of the vehicle, and a notice will be sent by registered mail calling for a payment of an additional fine of twenty-five dollars ($25) within thirty (30) days after receipt of such notice. If, upon the due date, payment has not been made a second notice will be issued by registered mail calling for payment of an additional fine of forty dollars ($40) within thirty (30) days after receipt of such notice. If, upon the due date, payment has not been made, the officer who originally cited the vehicle shall prepare a verified complaint to be filed with the Circuit Court of DuPage County.