



# LEMONT PARK DISTRICT GENERAL USE ORDINANCE

*Approved August 21, 2012*  
*Updated August 18, 2015*  
*Approved March 21, 2017*  
*Approved December 18, 2020*

**Lemont Park District  
ORDINANCE NO. 2020-6**

**GENERAL USE ORDINANCE**

**WHEREAS**, the Lemont Park District, Cook County, Illinois (the “District”), has previously adopted and periodically updated rules and regulations for the governance of the parks and facilities of the District; and

**WHEREAS**, the District has previously adopted an integrated *General Use Ordinance* addressing both public use and operational regulations; and

**WHEREAS**, in order to provide more user-friendly regulations, the general use regulations shall be separate and apart from all other ordinances and regulations; and

**WHEREAS**, the District is authorized by the Park District Code to adopt a General Use Ordinance for the regulation of District property.

**NOW, THEREFORE** be it and it is hereby ordained by the Board of Park Commissioners of Lemont Park District, Cook County, Illinois, as follows:

**Section One – Policies:** The General Use Ordinance attached hereto and incorporated herein is hereby adopted as the rules and regulations of the Lemont Park District.

**Section Two – Scope:** The General Use Ordinance shall apply to and shall be enforced throughout all of the property of every kind owned by or under the jurisdiction of the District.

**Section Three – Effect:** This Ordinance shall become effective upon its passage and approval as provided by law.

**Section Four – Repealer:** All ordinances and parts of ordinances in conflict or inconsistent with any of the provisions of this ordinance are hereby repealed to the extent they are inconsistent with this ordinance.

**Section Five – Publication:** In lieu of other publications, the General Use 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 evidence of the passage and legal publication of this ordinance in all courts without further proof, as provided by law.

Roll Call Vote:

Ayes: 5

Nays: 0

Absent: 0

Abstain: 0

PASSED and APPROVED this 16<sup>th</sup> day of December, 2020.

**Lemont Park District**

By: *Brian Pepich*  
President

Attest: *Louise J. Fgofske*  
Secretary

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## Chapter 1. General Provisions

### **Sec. 1.1 Designation and Citation of Code**

The ordinance regulating the use of the parks and property owned or controlled by the Lemont Park District, Lemont, Illinois; providing for conduct and enforcement; and providing penalties for the violation of its provisions, shall be known and may be cited as the “General Use Ordinances.”

### **Sec. 1.2 Definitions**

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future; words in the plural number include the singular number and words in the singular number include the plural number; words importing the masculine gender shall include the feminine, and words importing the feminine gender shall include the masculine. The word “shall” is always mandatory and not merely directory.

#### **“Abandonment”**

The act of intentionally and permanently giving up, surrendering, deserting or relinquishing property, premises, and/or a right of way.

#### **“Area(s)”**

Where used means a specified place within a park.

#### **“Authorized Agent”**

Is any person granted authority by the Lemont Park District Board of Commissioners and Executive Director.

#### **“Board”**

Is the Board of Commissioners of the Lemont Park District by whom all policy matters are established pertaining to the Park District.

#### **“Cannabis”**

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

#### **“Carry”**

Means to wear, bear, or have on or about the person.

#### **“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.

#### **“Court”**

Means the circuit court of the county which has jurisdiction of District legal disputes.

**“District”**

Is the Lemont Park District of Cook and Will Counties, Illinois including its parks, properties, facilities, buildings, Board of Commissioners, employees and its agents.

**“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, playground, 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.

**“District Waters”**

Shall include all water located on or adjacent to or flowing over land owned, lease, or generally administered or operated by the Lemont Park District, including without limitation all natural or man-made lakes, rivers, creeks, streams, ponds, lagoons, bays and drainage ways.

**“Drug Paraphernalia”**

Is defined as provided by the Illinois Drug Paraphernalia Control Act (720 ILCS 600/1d) as amended hereafter.

**“Executive Director”**

Is the Executive Director of the Lemont Park District.

**“Employee”**

Is any employee of the Lemont Park District.

**“Facility”**

Means any District Property other than a building, park or playground and includes, without limitation, swimming pools, golf courses, tennis courts and basketball courts.

**“ILCS”**

Illinois Compiled Statutes

**“Ordinances”**

Means the General Use Ordinances of Lemont Park District approved by the Board of Park Commissioners of Lemont Park District and all amendments and supplements thereto.

**“Organized Recreational Activities”**

Refers to any planned activity, which is advertised or otherwise promoted, or sponsored by any person, and conducted at a predetermined time and place that can improve physical fitness, coordination, self-discipline, teamwork, as well as promote a sense of personal satisfaction and accomplishment.

**“Park Security”**

Refers to individuals that are employed or otherwise authorized to act on behalf of the Park District to interpret rules and maintain order.

**“Park System”**

Refers to individuals to District Property and all of the personnel, program, activities, and operations of the Park District.

**“Parking Area”**

wherever used means any designated park or any park road or drive, or special area contiguous thereto that is set apart from the standing or stationing of vehicles as deemed by the District.

**“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 do or 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.

**“Person”**

Means any individual, natural person, firm, partnership, association, corporation, company, trust, organization or any other group activity as a unit or the manager, lessee, agent, servant, partner, member, director, officer or employee, or any of them including executive administrator, treasurer, receiver or other representative appointed according to law.

**“Police Officer”**

Is any individual trained in the methods of law enforcement and given authority to maintain peace, safety, and order.

**“Pollution”**

is the contamination or other alteration of the physical, chemical, or biological properties of park waters or land, including changes in the temperature, taste, color, turbidity or odor of park waters or any discharge of any liquid, gas, solid, or other substance into or onto park waters or property that will or is likely to create a public nuisance or render such waters or property harmful or detrimental to the public health, safety or welfare, or to domestic, recreational or other beneficial uses, or to wild animals, birds, fish or other aquatic life.

**“Possess” or “Possession”**

Refers to exercising direct physical control or dominion, with or without ownership, over any kind of property, or archeological, cultural or natural resource.

**“Posted”**

Wherever used means any notice which is displayed whether by a sign in a park, or a park district building, or at the entrance to a park, or is available at the Administrative Office, the location being at the discretion of the District.



**“Property”**

Wherever used means any lands, waters, facilities or possessions of the District, whether in fee, as a leasehold or management agreement.

**“Refuse”**

Includes without limitations trash, garbage, rubbish, waste, papers, bottles or cans, debris, litter, oil, solvents, liquid waste, or other discarded material whether solid or liquid.

**“Services”**

Shall include but not 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.

**“Smoking”**

Refers to the lighting of cigarettes, cigars or pipes, the carrying of lighted cigarettes, cigars, pipes, or the intentional and direct inhalation of smoke from these objects or other devices designed to replicate the act of smoking (e.g. vaping, e-cigarette, etc.)

**“State”**

Means the State of Illinois.

**“Superintendent/Director”**

Is the person immediately in charge of any park area or department and its activities and to whom all employees of such area or department are responsible.

**“Take” or “Taking”**

Means to pursue, hint, harass, lure, harm, shoot, trap or ensnare, gig, spear, net, capture, collect, kill, destroy, wound, or attempt to do any of the above.

**“Tobacco”**

Is defined to include any lighted or unlighted cigarette, including but not limited to clove, bidis, or kreteks, electronic or e-cigarettes, cigars, cigarillos, pipes, hookah products, and any other smoking products; and any smokeless, spit, or spit-less, dissolve or inhale tobacco products, including but not limited to dip, chew, snuff, or snus, in any form; and all nicotine delivery devices that are not FDA-approved as cessation products.

**“Vehicle”**

Is any wheeled conveyance, whether motor powered or self-propelled. The term shall include any trailer in town of any size, kind or description. Exception is made for baby carriages and vehicles in the service of the Park District.

**“Vessel”**

Means every type or description of watercraft or object used or capable of being used as a means of conveyance or transportation on water, including without limitation boards, rafts, canoes, inner tubes, air mattresses, kayaks, jet skis, inflated devices, logs, branches, or any other buoyant object permitting or capable of free flotation. “Vessel” does not include personal flotation devices or equipment required for safety such as life vests.

**“Watercraft”**

Where used means any device or conveyance on the water whether propelled by motor, engine, wind or human power. The terms include, but are not limited to, any boat, canoe or raft.

**“Waters”**

Where used means waters within the jurisdiction of the District.

**“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.

**Sec. 1.3 Rules of Construction**

In construction of these Ordinances the following rules of construction shall be observed.

**And/Or**

“And” may be read “or” and “or” may be read “and” if the sense requires it.

**Gender**

Words in any section importing the masculine gender shall include the feminine and neutral as well as the masculine.

**May**

The word “may” is permissible and discretionary.

**Shall**

The word “shall” is mandatory.

**Sec. 1.4 Code to be Liberally Constructed**

All general provisions, terms, phrases and expressions contained in these Ordinances shall be liberally construed in order that the true intent of the District be fully carried out.

**Sec. 1.5 Designations and Headings; Construction**

All designations and headings of chapters, articles, divisions and sections are intended only for convenience in arrangement and as mere catchwords to indicate the contents of such chapters, articles, divisions or sections, whether printed in boldface type or italics.

**Sec. 1.6 Ordinance Provisions as Continuance of Existing Ordinances**

The provisions appearing in these Ordinances, insofar as they relate to the same subject matter and are substantially the same as those ordinance provisions previously adopted by the District and existing at the effective date of these Ordinances shall be considered as restatements and continuations thereof and not as new enactments.

**Sec. 1.7 Effect of Repeal of Ordinances; Revival**

- a) Neither the adoption of these Ordinances nor the repeal hereby of any ordinance of the District shall in any manner affect the prosecution for violations of such ordinance, which violations were committed prior to the effective date hereof, nor be construed as affecting any of the provisions of such ordinance relating to the collection of any such license or penalty or the penal provisions applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof, required to be posted, filed or deposited pursuant to any ordinance, and all rights and obligations thereof appertaining shall continue in full force and effect.
  
- b) Whenever any ordinance repealing a former ordinance, clause or provisions is repealed, such repeal shall not be construed as reviving such former ordinance, clause or provision, unless expressly provided therein.

**Sec. 1.8 Conflicting Provisions**

- a) If the provisions of different chapters, articles, divisions or sections of these Ordinances conflict with or contravene each other, the provisions of each chapter, article, division or section shall prevail as to all matters and questions growing out of the subject matter of that chapter, article, division or section.
  
- b) If clearly conflicting provisions are found in different sections of the same chapter, the provisions of the section last enacted shall prevail unless the construction is inconsistent with the meaning of that chapter.

**Sec. 1.9 References Include Amendments; Construction**

- a) Any reference in these Ordinances to an ordinance or provisions of these Ordinances shall mean such ordinance or provision as may now exist or is hereafter amended.
  
- b) Any references in these Ordinances to chapters, articles, divisions or sections shall be to the chapters, articles, divisions and sections of these Ordinances unless otherwise specified.

**Sec.1.10 Amendments and References to Ordinances**

Any additions or amendments to these Ordinances, when passed in such form as to indicate the intention of the Board to make the same part of these Ordinances shall be deemed to be incorporated in these Ordinances so that a reference to the General Use Ordinance of Lemont Park District shall be understood to include them.

**Sec. 1.11 Severability**

It is declared to be the intention of the Board that the sections, subsections, paragraphs, sentences, clauses and words of these Ordinances are severable. If

any sections, subsections, paragraph, sentences, clause or word is declared unconstitutional or otherwise invalid by the lawful judgment or decree of any court or competent jurisdiction, its unconstitutionality or invalidity shall not affect the validity of any of the remaining sections, subsections, paragraphs, sentences, clauses and words of these Ordinances, since the sections or parts of sections would have been enacted by the Board without and irrespective of any unconstitutional or otherwise invalid section, paragraph, sentence, clause or word being incorporated into these Ordinances.

## **Chapter 2. Protection and Use of District Property**

### **Sec. 2.1 Public Use and Hours**

Parks are for use by the general public. This ordinance is intended to help carry out this function, as well as to regulate the use of the parks and property maintained by the Lemont Park District, and to protect the rights of those owning property adjacent to such parks.

#### a) Hours of Use

All parks, shall be closed from dusk until dawn or 10:00pm to 5:00am, whichever comes first. No person, animal, or property of any kind shall remain on District Property after closing time, unless a permit is granted in advance by the District for later hours. Security lighting shall not be considered operational, artificial lighting.

#### b) Special Closings

The District may close one or more District parks, buildings, and 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 the District.

#### c) 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 to non-residents need not be the same fees charged to 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 may be posted at or on the applicable District property, published in the District's Program Brochures and Handbooks, or otherwise made available to the users of the District Property, who shall be charged with actual knowledge thereof and shall obey and comply with all such policies, rules and regulation. All Persons shall abide by all District policies, rules and regulation and with the direct orders or requests of employees or agents of the District when using District property.

d) Admissions/Identification

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

**Sec. 2.2 Bringing Plants, Shrubs or Trees Prohibited**

No person shall bring into or upon District property any tree, shrub, or plant, or portion thereof, except by written authorization of the District. This includes planting trees, shrubs, or plants at property lines. All plants, trees and shrubs near Park District Property must be maintained as to not cause health or safety issues.

**Sec. 2.3 Camping**

No person shall place, erect, or use any hammock, swing, tent, shelter or any other type of temporary or permanent camping equipment or otherwise camp in any manner, on District property unless a Permit has first been obtained from the District.

**Sec. 2.4 Criminal Trespass of Property**

No person shall:

- a) Enter or remain in any building or portion of District property where persons are prohibited by the District from entering by sign or other notice including where use is restricted to persons of the opposite sex except as otherwise specifically provided in these Ordinances;
- b) Enter or remain in any District property when it is closed to the public;
- c) Climb, walk or sit upon any sign, wall or fence under the control of the District;
- d) Go upon any lawn, grass plot, planted area, tree, shrub, monument, fountain, sculpture or structure where access is prohibited by signs or other notice or where access is restricted by fence or other physical barrier;
- e) Enter any District property that is reserved or scheduled for a specific group or activity, unless such person is invited by the individual or group responsible for such activity unless such person has paid any applicable admission and/or registration fees.

**Sec. 2.5 Damage to District Property**

Unless authorized by a written agreement with the District or otherwise expressly permitted by the District, no person shall while in or on District property:

- a) Deface, disfigure, break, cut, tamper with or displace or remove in or from any District property or building or other part thereof, any table, bench, fireplace, coping, lamp post, fence, wall, paving or paving material, water line or other public utility or parts or appurtenances thereof, or sign, notice or placard whether temporary or permanent, equipment, facilities or other District property or appurtenances whatsoever, either real or personal;
- b) Destroy, cut, break, injure, disturb, sever from the ground or remove any sod, soil, earth, rock, stone, timber, wood, material, or growing thing including but not limited to any plant, flower, flower bed, shrub, tree, growth, or any branch, stem, fruit, or leaf thereof; bring into or have in his/her possession in or on District property any tool or instrument intended to be used for the cutting thereof, or any garden or agricultural implements or tools which could be used for the removal thereof;
- c) Set fire to any trees, shrubs, plants, flowers, grass, plant growth or living timber, or allow any fire upon land to extend into District property;
- d) Cut, break or in any way injure, deface, destroy or alter any building, fence, monument, sculpture, bridge, fountains, or other structure or property contained therein;
- e) Operate or drive any motorized car, automobile or vehicle of any kind in or on District property in places other than roadways or in such a manner as to cause the same to collide with, run against, strike or cause to strike, injure, deface or damage any District property or appurtenance of any kind;
- f) Fasten any animal or attach any rope, sign, handbill or other things to any tree or shrub or to any protective device around any tree or shrub growing in or on the District property;
- g) Allow any animal under the person's ownership or temporary care to injure or deface any tree, plant, shrub, lawn or grassplot in any manner whatsoever. An animal is under a person's temporary care if the animal was brought upon District property by the person or by a minor under the person's temporary or permanent care;
- h) Fasten any bicycle, motorcycle, moped or other vehicle including motorized, to or leave the same standing so as to injure any tree, shrub, lawn or grass plot;
- i) Deface, destroy, cover or otherwise make unreadable any traffic warning or prohibitory sign or symbol in or on District property;
- j) Mark, carve, bend, cut, paint, deface, breakdown, destroy, damage, alter, change, sever, uproot, excavate or otherwise remove, or attach or suspend any rope, wire or other material or contrivance to or from any District property;
- k) Fail to maintain District property in a neat and sanitary condition; and

l) Neighbors to Park District Properties are to always respect property lines. In no circumstances are any items to be built or stored, even temporarily, on park property without permission from the District.

## **Sec. 2.6 Pools**

The following rules and regulations shall apply to all District swimming pools:

a) All outdoor swimming pools shall be open and in operation from approximately Memorial Day through Labor Day, weather and safety conditions permitting. All indoor swimming pools shall be open and in operation year round, weather and safety conditions permitting. Pools shall be open for public swimming during published and posted hours.

b) No person shall enter the bathhouse or pool area without payment of the admission charge that is established by the District or without displaying proper season passes that are issued therefore.

c) With the exception of registered programming, no person under eleven (11) years of age shall be admitted to the pool area unless he or she is accompanied by a person legally possessing an adult pass (ages 16 years old and up) or an adult daily admission and demonstrating competency to assume full responsibility for the care and safety of the person under eleven (11) years of age.

d) If any person shall refuse to obey any orders of lifeguards, attendants, managers or any agent of the District, the District may immediately terminate or suspend such person's rights to use the pool and other District property. Lifeguards are responsible for enforcing safety rules and responding to emergencies. Parents, guardians, or other persons who are 16 years of age or older and accompanying a child who is under 11 years of age, shall supervise the child.

e) No person shall attempt admission to the pool and such admission shall be refused if the person has contagious disease, infectious conditions such as colds, fever, ringworm, foot infections, skin lesions, diarrhea, vomiting, inflamed eyes, ear discharges, or any other condition which has the appearance of being infectious, or any excessive sunburn, abrasions which have not healed, corn plasters, bunion pads, adhesive tape, rubber bandages, or other bandages of any kind or if the persons appears to be under the influence of alcohol or exhibiting erratic behavior.

f) Persons with qualifying disabilities under state and/or federal law that require reasonable accommodations to enjoy District property should contact the Executive Director's office.

g) Littering is prohibited; in addition, no food, drink, gum or tobacco is allowed in pool area unless the District has specifically designated a section by posting a written notice. Glass containers are prohibited.

h) All persons are encouraged to take a shower before entering the pool area.

- i) Personal conduct within the pool facility must be such that the safety of self and others is not jeopardized. Running, boisterous or rough play, except supervised water sports, is prohibited.
- j) Only clean footwear, baby strollers, or wheelchairs are allowed in the pool area or bathhouse.
- k) Spitting, spouting of water, blowing the nose or otherwise introducing contaminants into the pool is prohibited.
- l) Glass, soap, or other material, which might create hazardous conditions or interfere with efficient operation of the swimming pool, are prohibited in the swimming pool or on the pool deck.
- m) All apparel worn in the pool shall be clean.
- n) All children who are not toilet-trained shall wear tightly fitting rubber, plastic pants, or approved swim diapers.
- o) Diving in water less than five feet deep is prohibited except when allowed for competitive swimming and training.
- p) Swimming outdoors is prohibited when thunder is heard or lightning is seen, including a 30-minute period after the last lightning or thunder is detected. Swimming indoors is prohibited when if a thunderstorm watch/warning or tornado watch/warning has been issued for our area AND lightning spotted or thunder heard, the indoor pool area will be closed for a minimum of 30 minutes from the time it was last detected.
- q) A Person must be forty-two (42) inches or taller to ride the slide.
- r) Individuals using the slide are asked to ride feet first only, Chain riding is prohibited.
- s) Elderly Persons, those suffering with heart disease or high blood pressure, and Persons using prescription medications should consult with their physicians before using the water slide or diving board.
- t) Any person who refuses to obey these or any other posted pool rules or otherwise violates any other provision of these Ordinances may be barred by the District from further use of the pool for the remainder of the pool season, in addition to the penalties set forth in these Ordinances.



**Sec. 2.7 Public Assemblies**

a) No person shall do any of the following on District property without first obtaining a Permit from the District:

- 1) Call or hold a public assembly, exhibition or entertainment of any description;
- 2) Conduct any musical concert, play any amplified instrument, or set up or use any communication system;
- 3) Hold or attempt to hold any meeting, assembly, demonstration, celebration, parade, rally, religious worship, or any sponsored entertainment, social, recreational or athletic event.
- 4) No person shall beg or solicit any alms or any contribution in any Park. Nor shall any person solicit, collect any donations or charge any fees for any service, whether private or public, except fees as charged by the Park and approved by the Board, without first having obtained a written permit from the Executive Director.

b) Persons desiring to engage in any of the above activities may apply to the District for a written Permit under the policies established by the Board and subject to fees by the Board.

c) Any person issued a Permit by the District shall produce the Permit and exhibit it upon request of any District employee or officer.

d) No person other than a District employee or officer shall disturb or interfere with any person occupying District property under the authority of a Permit.

**Sec. 2.8 Use of Restrooms, Washrooms, and Locker Rooms**

a) Every person shall cooperate in maintaining restrooms, washrooms and locker rooms in a neat and sanitary condition.

b) No person shall deposit objects of any kind other than toilet paper in the toilets or plumbing fixtures of a restroom, washroom facility or locker room.

c) Enter into or remain in any toilet, restroom, locker room, pavilion or structure or section thereof, which has been reserved and designated for use of the opposite sex, with exception made for children under five (5) years of age accompanied by an adult. Nor shall any person loiter in or around any restroom or locker room.

d) Children 5 years of age and under may use restrooms, washrooms and locker rooms designated for the opposite sex when a family facility is unavailable.

- e) Individuals may not use restrooms, washrooms and locker rooms designated for families.
- f) No person shall use any camera, video recorder or other device to record or transmit visual image(s) in or from any rest room, washroom or locker room of the District.

### **Chapter 3. Animals**

#### **Sec. 3.1 Domesticated Animals and Pets**

- a) No owner or person 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 animal is on a leash which shall not exceed eight (8) 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 District property.
- b) All owners or persons having control of any domesticated dog, cat, or other domesticated animal, shall remove any excrement from District property left by such animal and dispose of properly in a trash receptacle.
- c) 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; including Playground Areas, parks which are fenced on 3 sides or more, tennis courts, athletic fields, courts, and designated public swimming facilities, except (i) in conjunction with an activity or event conducted or sponsored by the District, or (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.
- d) Unlawful acts by animals.  
No person shall permit his domesticated dog, cat or any other domesticated animal to:
  - 1) Run uncontrolled
  - 2) Molest persons or vehicles by chasing, barking or biting
  - 3) Attack other animals
  - 4) Damage property other than the owner's
  - 5) Bark, whine, howl or make excess noises so as to cause a nuisance.
- e) No person shall cruelly beat, or otherwise inhumanely abuse or maltreat any animal.
- f) Any animal found on District property in violation of subsections (a) through (d) may be apprehended, removed to an animal shelter, public pound, or other place provided for that purpose, and, unless the owner claims the animal and is financially responsible for violations of this Ordinance, disposed of pursuant to

the applicable laws or ordinances of the State of Illinois and the Village of Lemont. The owner or person responsible for such animal shall be responsible for all costs and expenses incurred or encumbered in the removal and boarding of such animal and such charge shall be in addition to and not in lieu of any other penalties provided for in this section and any other applicable federal, state, local or district laws, ordinances, rules or regulations.

**Sec. 3.2 Protections of Non-Domesticated Animals, Birds, Fish, and Other Non-Domesticated Animals**

For purposes of this section “wildlife” means any bird, fish, or other non-domesticated animal including without limitation any animal, the capture or killing of which is authorized by the fish and game laws of the State of Illinois.

a) No person shall bring or release any wildlife onto District property; 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 by the District.

b) No person shall feed any wildlife on District property.

c) 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, treat cruelly, or have in possession, any wildlife upon, over, or under District property, except as expressly authorized and approved by the District.

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

e) No person shall touch, tease, frighten, disturb, or otherwise intentionally interfere with any wildlife while feeding, nesting, breeding, sleeping, resting, flying or engaging in any other activity on, upon, over or under District property, except as expressly authorized and approved by the District.

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

g) All animals, plants, birds, fish or reptiles, or parts thereof, killed, captured, trapped, or taken or bought, sold or bartered or had in possession contrary to any provisions of this ordinance or applicable laws of the State of Illinois or the United States of America, shall be and are hereby declared contraband and, as such, shall be subject to seizure by any police officer or employee of the Park District.

## Chapter 4. Personal Conduct

### Sec. 4.1 Abandonment of Property

It is unlawful for any person to intentionally surrender or abandon any personal property on District property, including, but not limited to, cars, boats, appliances, garbage, furniture, or refuse. In addition to all fines and other penalties for violation of this section, the District may remove and destroy such property and assess the costs for such removal to the person abandoning the property.

### Sec. 4.2 Advertisement, Peddling, and Solicitation

The purpose of this section is to control commercial enterprises, charitable, religious, political and election, non-profit activities, or sales on District property to ensure the public unimpeded use and enjoyment of the parks without being subjected to purely commercial exploitation.

a) No person shall offer for sale any articles or things, or conduct or solicit any business, trade, occupation, or profession on District property without a Permit from the District.

b) No person shall distribute, display, post, or fix any placard, sign, handbill, pamphlet, circular, or any other writing or printed material or objects containing advertising matter or announcements of any kind whatsoever on any District tree, shrub, post, building, gate, sign, or other District property unless:

1) The person or organization has obtained a Permit from the District;

2) The District has expressly designated the area for such use or;

3) The person holds a valid picnic, camping, or special event Permit in which case the person may display signs to identify their location or direct others to such location, provided that such signs are temporary and are removed by the permittee at the termination of the activity and provided that such signs are no larger than 24" x 30" and are not attached to any tree shrub, post, building, gate, District sign, or other structure located on District property.

c) No person shall distribute, display, post, or fix any sign, handbill, pamphlet, circular or any other writing or printed material or objects within any District building except in areas expressly designated for such use.

d) No person, or groups of people, shall beg or solicit contribution in any manner in any park without a permit from the District.

e) 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. The District shall allocate space at the fixed location to applicants on a first-come, first-served basis until no more space remains available.

**Sec. 4.3 Aircraft/Model Aircraft/Drones**

The following terms shall have the following meanings for purposes of this section:

**“Air Craft”**

Means any equipment or device that is used or intended to be used for human flight or is capable of flight, including but not limited to powerless flight.

**“Drone/ Unmanned Arial Vehicle (UAV)”**

Means any unmanned aircraft system that is capable of sustained flight or suspension in the atmosphere including unmanned aircraft commonly referred to as model airplanes, small unmanned air craft or aerial systems, aerial hover craft, and any other remotely piloted or unmanned aircraft of any kind.

- a) No person shall fly, cause to be flown or permit or authorize the flying of aircraft, model aircraft or drones 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, model aircraft or drones on District property unless a Permit therefore has first been obtained from the District, except when necessitated by unavoidable emergency.
- c) No person shall fly or cause to be flown or permit or authorize the flying of model aircraft, model aircraft or drones on or over District property unless a Permit has first been obtained from the District.
- 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 any aircraft into or onto District property unless a Permit has first been obtained from the District, except when necessitated by unavoidable emergency.

**Sec. 4.4 Alcoholic Liquors/Intoxication**

The following terms shall have the following meanings for purposes of this section:

**“Alcoholic Liquor”**

Shall have the meaning set forth in the Illinois Liquor Code, 235 ILCS 5/1-1 *et seq.*

**“Under the Influence”**

Means affected by any intoxicating liquor in any determinable manner. A determination of being “under the influence” can be established by a professional opinion, a scientifically valid test, a lay person’s opinion or the statement of a witness.

- a) No person under the influence of alcoholic liquor shall enter into, be, or remain on District property
  
- b) No person, other than the District or its authorized agents, shall sell or deliver any alcoholic liquor on District property, unless said person has first obtained all applicable state and local liquor licenses, provides proof of dram shop liability insurance in sufficient insurance coverage limits as determined by the District, and obtains a Permit therefore from the District.
  
- c) No person shall bring into, possess, consume, use, or transfer any alcoholic liquor on District property without having first obtained a Permit therefore from the District unless he is in or on District property where the possession or consumption of alcoholic liquor is allowed without a Permit, or unless the alcoholic liquor is legally possessed in an unopened container stored in the trunk of a motor vehicle. 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.

**Sec. 4.5 Assault, Battery, Fighting, and Reckless Conduct**

No person shall knowingly start a fight or fight or commit any assault, battery, or reckless conduct on District property.

For purposes of this section:

A person commits an assault when, without lawful authority, he engages in conduct which places another in reasonable apprehension of receiving a battery.

A person commits a battery if he intentionally or knowingly, without legal justification and by any means (1) causes bodily harm to an individual or (2) makes physical contact of an insulting or provoking nature with an individual.

A person commits reckless conduct when he causes bodily harm to or endangers the bodily state of an individual by any means if such person performs recklessly the acts which cause the harm or endangers safety regardless whether the acts are otherwise lawful or unlawful.

**Sec. 4.6 Begging and Panhandling**

- a) No person shall beg or panhandle in District buildings, facilities or playgrounds or the entrances or stairways of such buildings or facilities.
- b) No person begging or panhandling on 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.

**Sec. 4.7 Bicycling**

- a) When two or more persons in a group are operating bicycles, they shall not ride abreast, but shall ride in single file.
- b) No person 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 shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians and vehicles approaching on said roadway.
- d) No person operating a bicycle shall carry another person on the same bicycle. This restriction does not apply to tandem bicycles.
- e) No person shall operate a bicycle on District property between 30 minutes after Dusk and 30 minutes before Dawn, 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, or 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 may operate a bicycle or scooter on playgrounds, ball fields, tennis courts, skate parks or sidewalks except that small children riding three- or more-wheeled cycles may operate such cycles on sidewalks while under the supervision and control of an adult.
- g) No person shall ride a bicycle on any street or path where signs are posted prohibiting riding bicycles on those streets or paths. No person shall ride a bicycle on or across any area prohibiting bicycles including athletic fields, playgrounds, play lots, or any wet or newly seeded grassy areas.

- h) Bicycles shall not, at any time, in any place, be indiscriminately parked by anyone in such manner as to actually or possibly interfere with pedestrians or automobiles. No person shall leave a bicycle 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. No person shall move or in any manner interfere with, any bicycle which is properly parked, nor shall any person interfere with, or, in any manner, hinder any person from properly parking a bicycle.
- i) All bicycles, when operated on roadways, shall be kept to the right and shall be operated as nearly practicable at the right-hand edge of the roadway or sidewalk.
- j) No person shall operate a bicycle on the District property, which is not equipped with a signaling device (bell, horn), in good working order and audible at a distance of 100 feet when sounded.
- k) No person shall operate a bicycle faster than is reasonable and proper, 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 observe all traffic and Illinois Vehicle Code rules and regulations applicable to motor vehicles under this chapter, except those provisions of this chapter which by their nature can have no application and except as otherwise provided by this section.

**Sec. 4.8 Bribing Employees**

No person shall give or offer any money, gift, privilege or article of value to any District employee, officer, or agent in order to violate the provisions of the Ordinance or any other District ordinance, contract, permit or statute of the State of Illinois and the United States or in order to gain or receive special consideration in applying for any use or privilege, or treatment in the use of District property. This section shall apply both on and off District property.

**Sec. 4.9 Commercial Photography**

No person shall take or cause to be taken any still or motion pictures (including video tapes), make sketches or paintings for commercial purposes or for use in commercial advertising, without first obtaining a Permit from the District.

**Sec. 4.10 Disorderly Conduct**

- a) No person shall commit any act, or aid in acting, in such unreasonable manner as to alarm or disturb another and to provoke a breach of the peace.
- b) No person shall engage in violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance.



c) Does not make, or aid in making, any unreasonable offensive act, utterance, gesture or display which, under the circumstances, creates a clear and present danger of a breach of peace or imminent threat of violence.

d) Refuses or fails to cease and desist any conduct or activity likely to produce a breach of peace where there is an imminent threat of violence, and where the police have make all reasonable efforts to protect the otherwise peaceful conduct and activity, and have requested that said conduct and activity be stopped and have explained the request if there be time.

e) Fails to obey a lawful order of dispersal by a person known by him to be a police officer under circumstances where persons are committing acts of disorderly conduct in the immediate vicinity, which acts are likely to cause substantial harm or serious inconvenience, annoyance or alarm.

e) No person shall commit any other act which may be defined as disorderly conduct under the Illinois Criminal Code, 720 ILCS 5/26-1,2,3, or 4.

**Sec. 4.11 Drugs/Cannabis/Controlled Substances**

For purposes of this section, the following words will have the following meanings:

**“Cannabis”**

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

**“Controlled Substance”**

Means any substance so defined in the Illinois Controlled Substances Act, 720 ILCS 570/100 *et seq.*;

**“Intoxicating Compounds”**

Shall include all substances listed in the Use of Intoxicating Compounds Act, 720 ILCS 690/0.01 *et seq.*;

**“Under the Influence”**

Means affected by cannabis, any controlled substance, or any intoxicating compound in any determinable manner. A determination of being “under the influence” can be established by a professional opinion, a scientifically valid test, a layperson’s opinion or the statement of a witness.

a) No person shall bring, possess, sell, and/or deliver to another person or use cannabis (including medical marijuana) or any controlled substance upon District property.

b) No person under the influence of cannabis (including medical marijuana), intoxicating compound, controlled substance, or any combination thereof, shall enter into, be, or remain on District property.

**Sec. 4.12 Dumping, Polluting, and Littering**

- a) No person shall litter, cast, throw, drop, leave, scatter, place, pile, or otherwise dump, or deposit in any manner any kind of dirt, rubbish, placard, handbill, pamphlet, circular, book, notice, flyer, other promotional material, paper of any kind, ashes, garbage, waste material, snow, ice, or other substance, whether liquid or solid, or any other refuse in or upon District property 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 urinate or defecate on District property other than in toilets in restroom facilities expressly provided for such purposes.
- c) No person shall drain refuse from a trailer or other vehicle on District property.
- d) No person shall bathe or wash themselves 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.
- e) No person shall pollute or contaminate District Property or adjacent properties.
- f) No Person shall deposit, dump, throw, or place any garbage, refuse, rubbish, construction debris, bottles, cans or other similar containers of any description, or any other liquid or solid that will or may result in the pollution or hindrance of the use of any District waters.
- g) No person shall dispose of fish remains on District property, except as expressly 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 shall 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 these Ordinances or applicable federal, state, local, and/or district laws, ordinances, rules, and regulations.

**Sec. 4.13 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 under such rules as may be prescribed by the District. Fires shall be limited to cooking fires. Fuels used in fires shall not produce any noxious fumes or smoke. In the event the District permits a person to use such a fire the person shall

comply with the following requirements in addition to any other rules as may be prescribed by the District:

- 1) No fire shall ever be left unattended. Every fire shall be under the continuous care and direction of a competent adult from the time it is kindled until the time it is completely extinguished.
- 2) All fires must be properly and completely extinguished prior to any person leaving the site of the fire. For the purpose of this ordinance, a fire shall be deemed properly extinguished when its ashes, residue, coals and unburned substance is cold to the human touch.
- 3) Dumping of ashes from grills is strictly prohibited.
- 4) No person shall throw or otherwise discard lighted or smoldering material in any manner that threatens, causes damage to, or results in the burning of District property or other District resources, or creates a safety hazard.
- 5) No person shall cause, suffer, or allow the burning of garbage, refuse, waste material, trash, or other combustibles within or adjacent to the park so as to cause smoke, haze, odor, sparks, dust, dirt, or other type of matter or gaseous substance to come upon, or pass over the park which would cause an air pollution nuisance or damage to person or property.
- 6) No person shall set fire, or cause to be set fire, any tree brush, grassland, meadow, prairie, refuse container or structure unless necessitated by the performance of park maintenance and permitted by the District.

#### **Sec. 4.14 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, or unless authorized to do so by contract with the District.

#### **Sec. 4.15 Fishing**

Fishing shall be in accordance with all Illinois Department of Natural Resources, State and Federal Regulations. A fishing license is required for all individuals age 16 and older, and can be obtained from the Illinois Department of Natural Resources for recreational fishing; persons under the age of 16, and persons declared legally disabled or blind, do not require a license.

- a) No person shall fish where signage is posted prohibiting to do so.
- b) Ice fishing is not permitted on Lemont Park District, or adjacent, waterways.

**Sec. 4.16 Gambling/Fortune Telling**

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 permitted by the District.

**Sec. 4.17 Games and Sports**

No person shall engage in any sport, game, or amusement on District property where prohibited by the District. Nor shall any person walk, remain, or go upon any portion of District property designated for any particular game, sport, or amusement in such a way as to interfere with the use of that portion of District property by persons who are using the same for the particular sport, game or amusement for which it has been designated. No person shall engage in any permitted activity in a rough or reckless manner so as to endanger, injure or damage any person or property in any way.

No person shall use a golf club, baseball bat, tennis racket, or other device, to strike, hit, propel or otherwise throw any object, such as balls or rocks, on District property, except in designated areas, and only as such device is intended to be used. No person shall play golf or practice golf on District property.

**Sec. 4.18 Hindering Employees**

No person shall interfere with, unreasonably disrupt, delay, or in any manner hinder any employee of the District engaged in the performance of his or her duties.

**Sec. 4.19 Hitchhiking**

No person shall solicit a ride nor stand in or near a roadway on District property for the purpose of soliciting a ride from the operator of any vehicle.

**Sec. 4.20 Impersonating an Officer**

It shall be unlawful for any person to unlawfully represent or impersonate any police officer or official of the District or pretend to be such officer or official.

**Sec. 4.21 Indecent Conduct**

a) No person shall commit, or intend to commit, any indecent, lewd or lascivious act on District property, or utter any lewd or offensive words within the hearing of another person.

b) No person shall appear on District property in a state of nudity or make any indecent exposure of his person or be guilty of any other lewd or indecent act or behavior.

c) No Person shall enter or remain in or on any District property unless fully clothed in a manner generally considered to be appropriate for the game, sport, program or event in which such Person is engaged.

d.) No Person shall exhibit, sell, or offer to sell or give away any obscene or indecent book, pamphlet, paper, drawing, movie film, video tape, picture, photograph, or any other obscene or indecent article of any kind while on District property. For purposes of this subsection, obscene shall have the meaning ascribed to it in 720 ILCS 5/11-20.

#### **Sec. 4.22 Loitering**

No person shall loiter or remain on District property either alone or in consort with other persons 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; (3) prevents the general public from obtaining the administrative or recreational services provided on District property in a timely manner; (4) restrict vehicular or pedestrian traffic or restrict free ingress to and egress from District property; after being requested to leave, move, or disperse by any employee of the District, or where the District has posted a sign or signs that prohibit loitering.

#### **Sec. 4.23 Metal Detectors**

No person shall operate any device which is designed for the detection of metal objects on or below District property.

#### **Sec. 4.24 Minors**

a) No parent, guardian, or custodian of a minor shall knowingly assist or allow such minor to do any acts on District property in violation of any law, ordinance or rule of the District. A minor is defined herein as any person who is under the age of eighteen (18) years.

b) The parent or legal guardian of an unemancipated minor who resides with such parent or legal guardian shall be liable for damages caused by the willful or malicious acts of such minor as provided in the Illinois Parental Responsibility Act, 740 ILCS 115/1, *et seq.* This section shall not affect the recovery of damages in any other course of action where the liability of the parent or legal guardian is predicated on a common law basis.

#### **Sec. 4.25 Mob Action**

No person shall engage in mob action. Mob action consists of any of the following: (i) the use of force or violence disturbing the public peace by two (2) or more persons acting together without authority of law; or (ii) the assembly of two (2) or more persons to do an unlawful act; or (iii) The assembly of two (2) or more persons, without authority of law, for the purpose of doing violence to the person or property of any one supposed to have been guilty of a violation of the

law or for the purpose of exercising correctional powers or regulative powers over any person by violence.

**Sec. 4.26 Obstructing Travel**

No person shall set, or cause to be set or placed, any goods, wares, merchandise, or property of any kind so as to obstruct travel on District property.

**Sec. 4.27 Picnics**

a) Picnics may be held in any unrestricted area on District property not specifically set aside for other recreational activity. A Permit is required for group picnics involving ten (10) or more persons. Groups of less than fifteen persons do not require a Permit unless the group desires to reserve a designated area or shelter to the exclusion of others. (Please contact the Lemont Park District and refer to the Lemont Park District's Rental Policy.)

b) No person shall use, infringe upon or disturb a group in possession of a valid Permit, except under permission by the group possessing such Permit.

**Sec. 4.28 Resisting or Interfering With Officer**

No person shall:

- 1) Resist any police officer in the discharge of his/her duties;
- 2) In any way interfere with or hinder or prevent him/her from discharging his/her duty as such officer, or offer or endeavor to do so;
- 3) In any manner assist any person in the custody of any member of the police force to escape or attempt to escape from such custody, or attempt to rescue any person in custody.

**Sec. 4.29 Skateboarding**

No person using rollerskates, in-line skates, skateboards, rollerskis, coasting vehicles, hoverboards or similar devices on District property shall interfere with pedestrian use of sidewalks or use of the streets by vehicles, or otherwise act negligently, recklessly or without due caution or in any manner so as to endanger any person or property. No person shall use such devices on any District property where such use has been posted as prohibited. No scooters or bicycles are allowed in the Rock Pit Skate Park.

**Sec. 4.30 Sleeping in Parks/Vagrancy**

- a) No person shall sleep on District property between 10:00 p.m., and 6:00 a.m., except when authorized to do so by a Permit from the District.
- b) No person shall use District property in a manner designed or calculated to act as a substitute for a residence or means of support.

**Sec. 4.31 Sledding/Snowboarding/Ice Skating**

- a) No person shall ice skate, sled, toboggan, inner tube, ski, snowboard, slide, or engage in similar activities on District property except at such times and places 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 enter on or upon any frozen water to skate, fish, slide or walk on, for any purpose whatsoever. This includes bringing onto or upon the any frozen body of water any ice boat, a motor, or wind-driven-like device or other vehicle.

**Sec. 4.32 Smoking - Tobacco Free Parks**

For purposes of this section, the following words will have the following meanings:

**“Tobacco”**

is defined to include any lighted or unlit cigarette, including but not limited to clove, bidis, or kreteks, electronic or e-cigarettes, cigars, cigarillos, pipes, hookah products, and any other smoking products including medical marijuana; and any smokeless, spit or spit-less, dissolvable, or inhaled tobacco products, including but not limited to dip, chew, snuff, or snus, in any form; and all nicotine delivery devices that are not FDA-approved as cessation products.

- a) Pursuant to the Smoke Free Illinois Act (**410 ILCS 82/ et seq.**) and the policy of the Park district, no person shall smoke in or on any Park District building, facility, equipment or vehicle. Smoking is prohibited on all Park District property. This includes the use of all tobacco products, medical marijuana and E-cigarettes.

**Sec. 4.33 Sound and Energy Amplification**

No person shall play or operate any sound amplification devices including public address systems, musical instruments and the like, or operate any other energy amplification device or musical instrument without a Permit from the District, and

no such permit shall be issued or maintained where sound produced by such devices is judged by the Executive Director or his or her designee to be a public annoyance.

No person shall make or causes to be made any excessively loud or unreasonable noise which disturbs the peace. For purposes of this subsection, excessively loud or unreasonable noise is defined as noise inconsistent with or not reasonably 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, radio or stereo, 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, licensed or otherwise permitted by the District.

**Sec. 4.34 Swimming**

No person shall bath, swim, wade, float, splash, or otherwise enter District waters, including fountains, other than at a designated swimming area. Users of designated swimming areas shall comply with all policies, rules and regulations as the District may designate for such activities, including those pertaining to swimming pools.

**Sec. 4.35 Theft of Property/Services**

No Person shall remove, without permission of the Executive Director or his/her designee, any furniture, equipment, materials, landscaping, tree, rock, soil, or other property from any District Property. Nonpayment of any fee or charge required to be paid to the District for use of any property, facility, program or class of the District or for services rendered is prohibited. No Person shall transfer, misuse, or tamper with any District membership identification card or any other authorized identification, pass, gift card or document issued by the District.

**Sec. 4.36 Throwing Missiles**

No person shall throw or cast any stones or other missiles on District property, except where such throwing or casting is involved in a recognized game or recreational activity, and then only upon such portions of District property as may be designated.

**Sec. 4.37 Unlawful Assemblies**

It shall be unlawful to collect, gather or be a member of any disorderly crowd, or any crowd gathered together for any unlawful purpose, or for any person to join in or stay with or near any such gathering.



**Sec. 4.38 Weapons and Firearms**

- a) No person other than police officers shall bring, attempt to bring, carry, have in his vehicle, or use in any way, any gun or firearm or portion thereof upon District property, except designated shooting ranges. This includes individuals who possess a conceal and carry permit.
- b) No person shall bring, attempt to bring, carry, or have in his vehicle, or use in any way, any knife having a blade longer than 3 inches, any air gun, pellet gun, or sling shot on District property.
- c) No person shall bring, attempt to bring, carry, have in his vehicle, or use in any way, any explosives, ammunition, or bottles of gasoline with a rag attached.
- d) No person shall bring, attempt to bring, carry or use in any way, any bow or arrow upon District property except as approved by the District as part of a directly supervised park program.
- e) No person shall use or explode any toy pistol, toy cannon, toy cane, or toy gun in which explosives are used, or use or explode any blank cartridge, on District property except that starter pistols may be used for sporting or athletic events authorized by the District.

**Chapter 5. Vehicles**

The Park District hereby adopts the Illinois Vehicle Code Chapter 625 Illinois Compiled Statutes, as from time to time amended, as the rules governing the operation, licensing and registering of motor vehicles, and the licensing of operators of motor vehicles on Park District property, except where Park District ordinances specifically establish different rules. Enforcement shall be authorized by any law enforcement officer or authorized agent.

For purposes of this article, the terms used herein shall have the meanings assigned under the Illinois Vehicle Code (625 ILCS 5/1-1 *et seq.*).

**Sec. 5.1 ATV's and Off-Highway Motorcycles**

No person shall drive or operate any ATV or off-highway motorcycle on District property, except under the following circumstances:

- a) In such areas and at such times as are specifically designated by the District;
- b) When such vehicles are used by law enforcement officers or District employees or agents for law enforcement or District purposes; or
- c) In the case of an emergency.

**Sec. 5.2 Drag Racing**

For purposes of this section, “drag racing” means the act of two or more individuals competing or racing on District property in a situation in which one of the motor vehicles is beside or to the rear of a motor vehicle operated by a competing driver and the one driver attempts to prevent the competing driver from passing or overtaking him, either by acceleration or maneuver, or one or more individuals competing in a race against time on any street or roadway on District property.

No person who is an operator of a motor vehicle on District property may be a participant in the act of drag racing. A person found guilty of drag racing shall be fined in an amount no less than \$50.00 but no greater than \$500.00.

**Sec. 5.3 Driving Under the Influence**

No person shall drive or otherwise operate nor attempt to drive or otherwise operate a vehicle on District property while under the influence of alcoholic liquor, cannabis, controlled substance, or any other intoxicating compound, drugs, or any combination thereof.

**Sec. 5.4 Driving on Designated Roadways and in Accordance with Posted Regulations**

No person shall drive any motor vehicle on District property upon a sidewalk, sidewalk area or pathway located on District property except upon a permanent or duly authorized temporary driveway or for routine maintenance, utility or emergency service or for special delivery or pickup involving goods or customer services.

No Person shall drive any vehicle on any District property except upon paved roads or parking areas designated for such purposes, and only then in accordance with posted signs as to speed, direction, parking, stopping, lane markings, and traffic controls.

No Person may operate a vehicle upon or in or on any District property, road, or drive which has been closed and posted with the appropriate signs or barricades. The District shall have authority to order areas, roads, or drives closed during the process of construction, reconstruction, or repair, or for other purposes as determined by the District in its reasonable discretion.

**Sec. 5.5 Mufflers**

No person shall operate a motor vehicle on District property, which is not equipped with a muffler adequate to deaden the sound of the engine.

## **Sec. 5.6 Other Power Driven Mobility Device Policy**

The Lemont Park District is dedicated to providing all of its guests with equal access to its features and amenities. The Lemont Park District has taken into consideration the use of other power driven mobility devices in accordance with 28 Code of Federal Regulations section 35.104 and factors such as impacts on other users, the safety of other users, impacts on property and infrastructure, and the noise level of such devices. The Park District has determined that it will permit the use of other power driven mobility devices ("OPDMDs"), as defined below, at parks, on hard surface trails, sidewalks and Park District facilities, and has developed this policy described below.

**Definition:** An other power driven mobility device (OPDMD) is a device used by a person with a mobility disability. This definition does not include gasoline powered devices or vehicles, golf cars, or riding lawn mowers. This definition is restricted to a device with the following specifications:

- a) Must not exceed more than one-half the width of any trail, path or sidewalk on which a device is being used; and
- b) For indoor use, must not exceed 36"; and
- c) Must not weigh more than 250 pounds; and
- d) Must be designed to travel on two or more low-pressure tires; and
- e) Must operate by electric powered engine with a maximum decibel level of 55 or less.

**Permission:** In order to maintain a safe pedestrian environment and the desired pace and flow of visitor traffic, the Park District authorizes persons with mobility impairments to use OPDMDs at parks, on hard surface trails and at Park District facilities, subject to the following restrictions:

1. The operator of the OPDMD must be a person with a mobility or physical impairment, and proof of such impairment may be requested by Park District personnel in accordance with ADA regulation;
2. The OPDMD is allowed only in areas of the park, hard surface trail or Park District facilities in which the general public is allowed;
3. The OPDMD operator must not use or operate such a device at a park, on a hard surface trail, or at Park District facilities if use of the device causes damage to the trail/path/sidewalk, the park grounds or infrastructure, or Park District facilities;
4. The OPDMD must be operated at a speed that is relative to surrounding foot traffic;
5. The OPDMD:
  - a. Must not be operated in a dangerous or reckless manner or at speeds that jeopardize the safety of the operator, or other persons.

- b. Must not be driven into wet or ecologically sensitive or hazardous areas.
  - c. Must not be operated when parks or Park District facilities are not in operation.
6. The Park District does recognize the use of Segways® as an appropriate device for use inside Park District facilities unless for the following reasons:
- a. The congestion of foot traffic within the facility may create a hazardous environment.
  - b. The manufacturer's recommendation for helmet and protective equipment for riders, much like bicycles, skateboards and rollerblades.
7. The Park District does not accept responsibility for storage of the OPDMD
8. The Park District does not accept responsibility liability for damage to the OPDMD, or injury to the operator, whether caused by the operator, another visitor to a facility or site, or any other circumstance.
9. The Park District reserves the right to suspend the use of facilities or sites by the OPDMD operator if doing so is in the best interests of the Park District and its participants.
10. The Park District reserves the right to change, modify, or amend this policy at any time, as it deems appropriate.

**Sec. 5.7 Parking, Standing, or Stopping**

- a) No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition and removing the keys and when standing upon any perceptible grade, without effectively setting the brake thereon and turning the front wheels to the curb or side of the roadway.
- b) No person shall park a vehicle on District property except in established or designated parking areas, in accordance with the posted directions and markings or with the directions of any attendant who may be present.
- c) No person shall park any vehicle or allow any vehicle to remain parked on District property beyond the normal closing hour of the District, except when a different closing hour has been designated by the District for that area or unless express written permission therefore has first been obtained from the District.
- d) No person shall stop, stand, or park 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, stand, or park 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 directions of a District employee:

- 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, other than in a marked parking space;
- 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 signposted);
- 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.
- e) No person shall park a vehicle upon any roadway or in any public off street parking facility 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.
- f) Notwithstanding any contrary provision contained in this section the operator of an authorized emergency vehicle may park or stand irrespective of the provisions of this Ordinance.
- g) 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.
- h) 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, where permitted, 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.
- i) Penalty Provisions for Parking Violations.
- 1) 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 section 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.
  - 2) 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 section 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. The driver's license number may also be requested by the District if needed for enforcement of this section.

- 3) Whenever any vehicle has been parked in violation of these section 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 therefore.
- 4) Whenever any vehicle is parked in violation of any parking provision of this section, any law enforcement officer 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.
- 5) 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 thereof shall be admissible in any subsequent administrative or legal proceeding.
- 6) Any violation of the parking provisions of this section or any provision of the Illinois 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 section, shall be imposed.
- 7) Any person who violates or fails to comply with any provision of this section shall be fined not less than \$30.00 and not more than \$500.00 for each offense.
- 8) 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.
- 9) If the respondent requests a court hearing to contest the cited violation or violations, the office of the Chief of Lemont Police Department shall arrange such a hearing and shall notify the respondent in writing of the time and place of the hearing.
- 10) A notice sent pursuant to this section shall state that failure to pay the indicated fine or failure to request a court hearing will constitute a debt due and owing the District, 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.

j) Parking within designated areas shall be limited to the time required to facilitate the Park District related activity. Vehicles parked for non-park use, daily, for commuter use, carpooling, or overnight will be reported to the police department for ticketing and towing.

**Sec. 5.8 Riding Outside Vehicles**

- a) No person shall ride upon the fenders, running boards, bumpers, hood, 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.

**Sec. 5.9 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, or disabled person upon a roadway.
- c) Every pedestrian crossing at 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 that 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.

**Sec. 5.10 Rules of the Road**

All Persons operating a motor vehicle must follow all applicable rules of the road in accordance with the Illinois Vehicle Code. This includes but is not limited to:

- a) Licensed Vehicles: No Person shall operate or cause to be operated in or on District property, any vehicle that is not properly licensed or permitted to be operated on the roads, streets and highways of the State of Illinois except in such cases as authorized by the District, and then only in those areas specified and in accordance with restriction duly set forth by the District.
- b) 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 police requesting same, and in the even no public officer is present, he must immediately report the occurrence to the nearest police station or headquarters.

c) Electronic Devices: No Person shall operate a motor vehicle and electronic mobile device at the same time.

**Sec. 5.11 Snowmobiles**

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.

No person shall drive, ride, or otherwise operate a snowmobile on District property.

**Sec. 5.12 Speed Limit**

No person shall operate, propel or cause to be propelled a vehicle on any road, drive, or parking area at a speed greater than the speed limit posted along the right-of-way or, in the absence of such posted limit, at a speed in excess of 10 miles per hour.

**Sec. 5.13 Towing**

Any unattended vehicle in violation of any provision of this ordinance may be towed at owner’s expense.

**Chapter 6. Permits**

**Sec. 6.1 Permit Process**

For purposes of this section, the term “exercise of First Amendment rights” shall include, without limitation, parades, marches, demonstrations, rallies, religious services, speeches, solicitation of votes, petition signatures or contributions, picketing and leafleting.

a) Permits may be granted upon proper application and approval where the applicable section of these Ordinances or any other District ordinance, policy, rule, or regulation requires a Permit in order to engage in a particular use or activity.

b) Every person requesting a Permit shall complete and file a written application with the Executive Director or his or her designee on forms provided by the District and pay applicable application fees at the District’s administrative offices located at 16028 127<sup>th</sup> St. Lemont, IL 60439. The application shall be dated and stamped when received and a receipt shall be issued to the applicant.

c) Unless otherwise provided in another section of these Ordinances or District ordinance, rule, or regulation, all applications for Permits not involving the exercise of First Amendment rights must be received by the District at least fourteen (14) calendar days prior to the use for which a Permit is sought. Applications for Permits involving the exercise of First Amendment rights must be received by the District at least three working business days prior to the event requested.

d) Except for applications for Permits involving a commercial activity or for the sale or delivery of alcoholic beverages, the District shall issue the requested Permit without unreasonable delay unless:

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

2) A prior application for a Permit for the same date, time, and location has been or will be granted and the use authorized by that Permit does reasonably allow multiple occupancy of that particular location by more than one permittee;

3) The proposed use 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 District 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;

4) The proposed use would substantially impair the operation or use of facilities or services of District concessionaires or contractors; or

5) The proposed use would so dominate the use of District property as to preclude other persons from using and enjoying them.

e) If the application is approved, the District shall issue a written Permit to the applicant. If the application is denied, the District shall issue the applicant written reasons for denying the application.

f) 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 location, duration, or time that is acceptable to the applicant. If the District denies an application pursuant to section (specific sections), or the applicant is dissatisfied with such Permit as issued, he may appeal the decision to the Board. 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 state or federal court. All other decisions on the issuance of Permits by the District are final.

g) Any Permit granted by the District shall contain lawful prerequisites to the issuing of the Permit and restrictions on the conduct of the permitted use including without limitation: payment of a reasonable fee; general liability insurance coverage; an agreement to fully indemnify and hold the District harmless from any liability or costs resulting from the use; a requirement that the persons involved in the use observe 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 use; and, any reasonable restriction necessary for the efficient and orderly contemporaneous administration of the use, other activities with a Permit and regular District uses, functions, programs, and activities.

h) Any person holding a valid Permit issued by the District for use of District property may use that District property to the exclusion of any other person except the District and its employees and authorized agents.

i) Subject to the terms of subsection (g) above, the District may make necessary changes or place necessary additional restrictions on any Permit after it has been issued.

j) Violation of the terms, restrictions and conditions contained in the Permit may result in the suspension or revocation of the Permit.

k) Unless as specifically provided elsewhere in the Ordinances, no Permit shall be issued for a period in excess of seven (7) consecutive calendar days. A Permit may be extended for like periods of time pursuant to a new application, unless another person has requested use of the same location and use of that location by more than one permittee is not reasonably possible.

l) For uses involving the exercise of First Amendment rights, the District may waive any application or Permit fees if the applicant demonstrates that the cost of such fees is prohibitive. An applicant must request such a waiver in writing.

## **Sec. 6.2 Park Use Permits**

A. No person shall conduct, operate, present, manage or take part in the following activities in a park unless a permit is obtained from the Park District or his authorized agent prior to the start of the activity:

1. Any contest, show, exhibit, dramatic performance, play act, motion picture, commercial photo shoot, acrobatic feat, bazaar, organized sporting event, radio or television broadcast, ceremony, children's day camp, fair, circus, musical event or any public meeting, religious event, assembly or parade including, but not limited to, drills and maneuvers, rallies, picketing, marches or political meetings.

2. Any use of any park or facility by a certain person or group of persons to the exclusion of others.

3. Any picnic, outing or gathering sponsored by any person or organization, or composed of ten (10) or more persons, except as to particular parks designated by the Park District.

B. Persons desiring general or exclusive use of parks or facility or who would like to engage in the above activities shall apply to the Park District for a permit under the following categories and subject to established fees and charges:

1. Picnics: General picnicking in Lemont Park District parks does not require a permit. No person shall picnic other than in a designated area. Individual grills and picnic tables are available to non-permit picnickers on a first come/first-served basis. A permit, known as a Park Use Permit must be obtained for groups of ten (10) or more persons.

2. Facility Rental: A Park Use Permit is required for exclusive use and rental of all Lemont Park District pavilions. Park Use Permits may be submitted on Martin Luther King Junior Day in January for the upcoming season and shall be made in person during regular business hours. Applications are processed on a first-come/first-served basis. The rental fee and deposit must accompany the application. All cancellations must be in writing. A separate permit is required for rental of other District buildings and facilities. Upon submittal of an application, required information and payment of associated fees, a Park Use Permit may be issued.

3. Park Use Permit: A Park Use Permit is required for any group of 10 or more persons requesting the use of a specific park for one or more of the following reasons: a picnic, meeting, athletic event, rally, walk-a-thon, march or some type of religious event. Any type of religious ceremony must be approved by the Executive Director, or designee, of the Lemont Park District.

a) Park Use Permits are also required for a teacher or school planning an annual field day or class fun day activity or a family wishing to host a reunion or celebration. Upon submittal of an application and payment of associated fees, a Park Use Permit may be issued.

C. Permits in General: Permits are not transferable without the written consent of the Park District or its authorized agent. Minor changes in the permit may be requested and shall be made upon written request. Additional fees and charges may apply. The request for change must be made at least seventy-two (72) hours prior to the event. Permits may also be required for other activities as determined by the Park District.

1. Standards for Issuance: The Park District or authorized agent shall issue a permit hereunder when he finds:

- a. That the proposed activity or use of the park shall not interfere with or detract from the general public's use and enjoyment of the park and surrounding property or facilities.
- b. That the proposed activity and use will not interfere with or detract from the promotion of public health.
- c. That the proposed activity or use is not anticipated to incite violence, crime or disorderly conduct.
- d. That the proposed activity will not entail unusual, extraordinary or burdensome expense or police operation by the Park District or expose it to unusual or extreme liability
- e. That the facilities desired have not been reserved for other use at the day and hour required in the application.
- f. That the proposed activity is compatible with the type of park, size and character of the area or waters involved and the facilities available, and that it is not expected to cause irreparable harm or extreme damage to the natural environment of the park.

2. Additional Conditions: Additional conditions for issuance of the permit may be, but are not limited to:

- a. Requiring proof and establishing the amount of liability insurance required, and/or requiring a hold harmless agreement, or requiring a certificate of insurance naming the Park District as an additional insured.
- b. Requiring the applicant to post a refundable deposit or security for the repair of any damage to Park District property, or the cost of cleanup, or both.
- c. Requiring the applicant to furnish additional security forces, at the applicant's expense, approved by the District. An applicant may be required to hire Village of Lemont police at the applicant's expense to provide security for an activity or event.
- d. Requiring the applicant to furnish additional sanitary and refuse facilities that might be necessary based on the use or activity for which the permit is sought.
- e. If an applicant is requesting to sell food at the proposed activity, it will be necessary to obtain a permit from the Cook County Health Department and/or Village of Lemont.

3. Issuance of a Permit: Once the Park District approves a permit the applicant must pay all necessary fees and charges before the permit is issued. A permit is not transferable from the applicant to any other person

without the permission of the Park District. The permit holder must make the permit available for inspection by any law enforcement officer or Park District employees on the date for which the permit or activity is being held to ascertain whether the conditions of the permit are being adhered to.

4. Effect of Permits: A permittee agrees to be bound by all park rules, regulations and applicable ordinances which are incorporated by reference into each permit, and all federal, state, county and local laws.

5. Liability of Permittee: The person or persons to whom a permit is issued shall be liable for any loss, damage or injury sustained by any person or reserving group whatever by reason of the negligence of the person or persons to whom such permit shall have been issued.

6. Revocation: The Park District shall have the authority to revoke a permit upon finding violation of any rule, regulation or ordinance; violation of any condition of the permit, including failure to produce the permit for inspection upon request of any law enforcement officer or Park District employee; providing false or misleading information on the application for the permit; or upon good cause shown.

## **Chapter 7. Enforcement**

State laws for Park Districts apply. This ordinance is enacted pursuant to the Park District's authority under the Illinois Park District Code, 70 ILCS 1205/1-1, et seq. All persons coming upon Park District property shall abide by this ordinance. The Illinois Park District Code states that the members of the Park Board and all police officers appointed by them shall be conservators of the peace within and upon such parks, boulevards, driveways, and property controlled by such Park District, and shall have power to make arrests in view of the offense, or upon warrants for violation as for breach of peace, in the same manner as the police in cities organized and existing under the general laws of the Village of Lemont, County of Cook and the State of Illinois.

### **Sec. 7.1 Police/Security Force**

The Village of Lemont Police force, the Cook County, DuPage County and Will County Sheriff's Departments 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, ordinances, rules, and regulations on District property.

All city, county, state and other law enforcement authorities shall be authorized to enforce all laws and regulations, including District ordinances, on District property.

All sworn officers of the Lemont Police Department shall have the power and the authority to issue citations and complaints or arrest any persons found in the act of violating any ordinance of the District or rules or regulations thereof, ordinance of the Village of Lemont or law of the State of Illinois, where applicable, and to eject said person from any park or any portion thereof for violation of any such ordinance, rule, regulation or statute.

**Sec. 7.2 General Penalty**

- a) In all cases where the same offense is made punishable or is created by different clauses or sections of these Ordinances, the prosecuting officer may elect under which to proceed, but not more than one recovery shall be had against the same person for the same offense; provided that the revocation of a license or Permit or fine imposed in an administrative hearing shall not be considered a recovery or penalty so as to bar any other penalty being enforced.
- b) Where an act or omission is prohibited or declared unlawful and no penalty or fine or imprisonment is otherwise provided, the offending person shall be fined not less than \$100 nor more than \$1,000 for each offense. Each day that a violation continues shall be deemed a separate offense. In addition to any fine, the District may revoke the privilege to use all or some of the facilities of the District for such length of time as is determined appropriate by the District.
- c) In case of amendment of any section of these Ordinances containing the provisions for which a penalty is provided in another section, the penalty so provided in such other section shall relate to the section so amended or the amending section, whether re-enacted in the amendatory ordinance or not unless such penalty is specifically repealed therein.
- d) Whenever a finding of guilty is entered by the Court or a plea of guilty is entered by a defendant, the Court may, in addition to fine imposed, enter an order to pay restitution with restitution to be in an amount not to exceed actual out-of-pocket expenses or loss proximately caused by the conduct of the defendant. The Court shall determine the amount and conditions of payments.
- e) Whenever the Court finds any person guilty of failing to pay a fine assessed for violation of a municipal ordinance, and such person is subsequently incarcerated for contempt of court based on such violation, there shall be allowed a credit of twenty dollars (\$20.00) for each day of incarceration to be applied to that person's outstanding fine.
- f) No provisions of these Ordinances designating the duties of any officer or employee shall be construed as to make such officer or employee liable for any fine or penalty provided in these Ordinances for a failure to perform such duty, unless the intention of the Board to impose such a fine or penalty on such officer or employee is specifically and clearly expressed in the section creating the duty.

**Sec. 7.3 Rules and Regulations**

The Board of Commissioners shall from time to time promulgate and make reasonable rules, practices, procedures and regulations governing the use of the various areas, facilities, devices and vehicles within the parks, and such rules and regulations shall become binding and effective upon their being posted at the facility or areas governed by them and shall be enforced with the same force and effect as the other provisions of this ordinance.

**Sec. 7.4 Authority of Other Agencies**

Nothing in this ordinance shall be construed to prevent other law enforcement officers from carrying out their own duties within the territories of the District as defined by applicable laws of the State of Illinois and United States or ordinances of Cook County, Illinois and the Village of Lemont, or in accord with any other policing agreement approved by the Park Board.

**Sec. 7.5 Permits and Designated Areas - Authority**

To carry out the terms of this ordinance, the Park District is hereby given authority to issue the permits, set fees, post notices or take the other action as called for herein, subject to the guidelines set forth in Chapter 6.

**Sec. 7.6 Civil Suits**

Nothing in this ordinance shall be construed to prevent or preclude the lawful use by the District of a civil remedy at law, to correct an abuse or loss suffered by the District as a result of violation of this ordinance or any law of the Village of Lemont, County of Cook or State of Illinois.

**Sec. 7.7 United States, State and Local Laws**

All persons within the parks of the Lemont Park District are subject to all ordinances, rules and regulations of the District, as well as all applicable laws of the United States, State of Illinois and local ordinances of Cook County, Illinois and the Village of Lemont, Illinois, as amended and changed from time to time. These laws include, but are not limited to, the Illinois Vehicle Code, the Criminal Code of the State of Illinois and Game and Fish Codes of the State of Illinois, as amended and changed from time to time.

**Chapter 8. Appendix**

The following appendices are Park District policies and procedures that shall be treated as a part of the General Use Ordinance.



## **Sec. 8.1 Service Animals**

The Department of Justice published revised final regulations implementing the Americans with Disabilities Act (ADA) for title II (state and local government services) and title III (public accommodations and commercial facilities), in the Federal Register. These requirements, or rules clarify and refine issues that have arisen over the past 20 years and contain new, and updated, requirements, including the 2010 Standards for Accessible Design (2010 Standards).

This publication provides guidance on the term “service animals” and the service animal provisions in the Department of Justice’s regulations.

- Only dogs are recognized as service animals under titles II and III of the ADA.
- A service animal is a dog that is individually trained to do work or perform tasks for a person with a disability.
- Generally, title II and III entities must permit service animals to accompany people with disabilities in all areas where members of the public are allowed to go.

### **Primary District Contacts**

a) Participants and authorized users may request to have a service animal accompany them in parks and facilities where they are authorized users as a reasonable accommodation. Persons with disabilities are invited to contact the District’s ADA Coordinator.

b) Visitors may be accompanied by a service animal when observing programs and activities, or enjoying the District’s parks and Facilities, without making a request for a reasonable modification. Persons with disabilities are invited to contact the ADA Coordinator with any questions about this policy.

### **Definitions**

#### **“Service Animals”**

Are defined as dogs or miniature horses that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, altering and protecting a person who is having a seizure, reminding a person with a mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work of task of a dog or miniature horse has been trained to provide must be directly related to the person’s disability. Dogs or miniature horses whose sole function is to provide comfort or emotional support do not qualify as a service animal under the ADA.

#### **“Partner/Handler”**

A person with a disability who uses a service animal as a reasonable accomplishing the tasks of daily living.

#### **“Team”**

A partner/handler and a service animal. The two work as a cohesive team in accomplishing the tasks of daily living.

## **“Trainee”**

A dog or a miniature horse being trained to become a service animal has the same rights as a fully trained service animal when accompanied by a partner/handler and identified as such.

## **Where Service Animals are Allowed**

Under the ADA, and local governments, businesses, and nonprofit organizations that serve the public generally must allow service animals to accompany people with disabilities in all areas of the facility where the public is normally allowed to go.

The District may impose restrictions on service animals as it deems necessary for safety reasons. Restrictions may be considered on a case-by-case basis to determine if the animal poses a danger to others at the District’s sites or could be in danger itself, and to determine if other reasonable accommodations can be provided to assure that the individual enjoys access to the District’s premises, facilities, or programs. Questions about these restrictions on service animals should be directed to the contacts identified in this policy.

## **Responsibilities of Partner/Handler:**

- a) Responding truthfully to the limited and appropriate inquiries that may be made by employees regarding the service animal.
- b) Ensuring that the animal meets any local licensing requirements, including maintenance of required immunizations for that type of animal.
- c) Ensuring that the animal is wearing a license and/or tag at all times.
- d) Ensuring that the animal is in a harness or on a leash or tether at all times. Exceptions may be considered individually.
- e) Ensuring that the animal is under control and behaves properly at all times. The supervision of the animal is solely the responsibility of its partner/handler. If the animal's behavior becomes a hygiene problem, or the animal acts in a threatening manner, the District may require the partner/handler to remove the service animal from the site.
- f) Ensuring that all local ordinances or other laws regarding cleaning up after the animal urinates and/or defecates are strictly adhered to. Individuals with disabilities who physically cannot clean up after their own animals are not required to clean or pick up and dispose of urine and/or feces; however, these individuals should use marked service animal toileting areas where provided.
- g) Ensuring that the animal is kept in good health. If the service animal becomes ill, the partner/handler must remove it from the area. If such action does not occur, the District’s staff may require it to leave.

## **District’s Remedies if Partner/Handler Does Not Meet Responsibilities:**

- a) The District may exclude a service animal from all parts of its property if a partner/handler fails to comply with these restrictions, and in failing to do so, fundamentally alters the nature of programs, services, or activity offered by the District.

b) The District may exclude a service animal from all parts of its property if a partner/handler fails to control the behavior of a service animal and it poses a threat to the health or safety of others.

### **Inquiries, Exclusions, Charges, and Other Specific Rules Related to Service Animals**

- When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two questions:
  - 1) is the dog a service animal required because of a disability
  - 2) what work or task has the dog been trained to perform. Staff cannot ask about the person's disability, required medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.
- Allergies and fear of dogs are not valid reasons for denying or refusing service to people using service animals. When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, for example, in a school classroom or at a homeless shelter, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.
- A person with a disability cannot be asked to remove his service animal from the premises unless:
  - 1) the dog is out of control and the handler does not take effective action to control it or
  - 2) the dog is not housebroken. When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to obtain goods or service without the animal's presence.
- Establishments that sell or prepare food must allow service animals in public areas even if state or local health codes prohibit animals on the premises.
- People with disabilities who use service animals cannot be isolated from other patrons, treated less favorably than other patrons, or charged fees that are not charged to other patrons without animals. In addition, if a business requires a deposit or fee to be paid by patrons with pets, it must waive the charge for service animals.

### **Temporary Exclusion of Service Animals**

A participant or authorized user, employee, or visitor may report a concern regarding a service animal to the District's ADA Coordinator or other supervisory staff, and the District may take appropriate action as follows:

- a) Temporary Exclusion of a Service Animal Used by a Participant or Visitor:
  1. In response to an immediate concern, authorized District staff may determine that a service animal must be temporarily removed from parks, sites, or facilities. The employee authorized to make such decisions at that site, park, or facility shall notify the participant or visitor of this decision and that the incident will be reported immediately to the District's ADA Coordinator. The employee shall then report the incident to the ADA Coordinator.

2. The ADA Coordinator (or designee) will investigate all reported concerns and incidents where service animals have been temporarily removed from sites, parks, and facilities. The ADA Coordinator (or designee) will consult with appropriate Department personnel and determine whether or not the animal should be excluded from sites, parks, and facilities for an extended period of time, permanently or for particular services, programs or activities due to the increased risk of harm or injury to the partner/handler, the service animal or other participants. The ADA Coordinator (or designee) will notify the participant, authorized user, or visitor of his or her decision. All decisions will be made on a case-by-case basis given the particular prevailing circumstances.

3. If it is appropriate for the service animal to be excluded from sites, parks, or facilities permanently, the ADA Coordinator (or designee) will work with other Department staff to attempt to provide an alternative reasonable accommodations in place of the service animal, to allow the participant, authorized user, or visitor to use the site, park or facility.

4. A participant, authorized user, or visitor who does not agree with the decision regarding removal from the premises may file an accessibility complaint..

**B. Temporary Exclusion of an Employee's Service Animal:**

1. In response to an immediate concern, the District may determine that a service animal must be temporarily removed from sites, parks, or facilities. The Director (or designee) shall notify the employee of this decision and that the incident will be reported immediately to the District's ADA Coordinator. The Director (or designee) shall then report the incident to the District's ADA Coordinator.

2. The ADA Coordinator will investigate all reported concerns and cases where service animals have been temporarily removed from sites, parks, and facilities. The ADA Coordinator will consult with appropriate staff and determine whether or not the animal should be excluded for an extended period of time, permanently or for particular services, programs or activities due to the increased risk of harm or injury to the partner/handler, the service animal or other participants. The ADA Coordinator shall notify the employee of his or her decision. All decisions will be made on a case-by-case basis given the particular prevailing circumstances.

3. If it is appropriate for the animal to be excluded from sites, parks, and facilities permanently, the ADA Coordinator will attempt to ensure that the employee receives an appropriate accommodation in place of the use of a service animal.

4. An employee who does not agree with the resolution may file an appeal or formal complaint following the District's ADA Process.

**Conflicting Disabilities**

Individuals with medical issues (such as respiratory diseases) who are affected by animals should contact the ADA Coordinator if they have a concern about exposure to a service animal. The individual will be asked to provide medical documentation that identifies a disability and the need for an accommodation. The appropriate District staff will facilitate a process to resolve the conflict that considers the needs and conditions of all persons involved.

## **No Liability to District**

- a) The District accepts no responsibility for care of service animals.
- b) The District accepts no liability for injury to any service animal, or injury to the partner/handler, whether caused by the animal, its partner/handler, another visitor to a District facility or site, the physical conditions of the District facility or site or any other circumstance.
- c) The District accepts no liability for damage or injury to others caused by a service animal.
- d) The District accepts no liability for any injuries or property damage, to the service animal, its partner/handler, or others resulting from the District's failure to enforce this policy or to supervise a service animal.

## **8.2 Transgender Rights Policy**

The Lemont Park District does not discriminate in any way on the basis of sex, sexual orientation, gender identity, or gender expression. This policy is designed to create a safe environment for all patrons. This policy sets forth guidelines to address the needs of transgender and gender non-conforming patrons and clarifies how the law should be implemented in situations where questions may arise about how to protect the legal rights or safety of such employees. This policy does not anticipate every situation that might occur with respect to transgender or gender non-conforming patrons, and the needs of each transgender or gender non-conforming patron must be assessed on a case-by-case basis. In all cases, the goal is to ensure the safety, comfort, and healthy development of transgender or gender non-conforming patrons while maximizing the patron's integration and minimizing stigmatization of the patron.

### **Definitions**

The definitions provided here are not intended to label patrons but rather to assist in understanding this policy and the legal obligations of patrons. Patrons may or may not use these terms to describe themselves.

#### **“Gender Expression”**

An individual's characteristics and behaviors (such as appearance, dress, mannerisms, speech patterns, and social interactions) that may be perceived as masculine or feminine.

#### **“Gender Identity”**

A person's internal, deeply-felt sense of being male, female, or something other or in-between, regardless of the sex they were assigned at birth. Everyone has a gender identity.

#### **“Gender Non-conforming”**

This term describes people who have, or are perceived to have, gender characteristics and/or behaviors that do not conform to traditional or societal expectations. Keep in mind that these expectations can vary across cultures and have changed over time.

#### **“LGBT”**

A common abbreviation that refers to the lesbian, gay, bisexual, and transgender community.

### **“Transgender”**

An umbrella term that can be used to describe people whose gender identity and/or expression is different from their sex assigned at birth. - A person whose sex assigned at birth was female but who identifies as male is a transgender man (also known as female-to-male transgender person, or FTM). - A person whose sex assigned at birth was male but who identifies as female is a transgender woman (also known as male-to-female transgender person, or MTF). - Some people described by this definition don't consider themselves transgender – they may use other words, or may identify simply as a man or woman. A person does not need to identify as transgender in order for an employer's nondiscrimination policies to apply to them.

### **“Transition”**

The process of changing one's gender from the sex assigned at birth to one's gender identity. There are many different ways to transition. For some people, it is a complex process that takes place over a long period of time, while for others it is a one- or two-step process that happens more quickly. Transition may include “coming out” (telling family, friends, and coworkers); changing the name and/or sex on legal documents; and, for many transgender people, accessing medical treatment such as hormones and surgery.

### **“Sexual Orientation”**

A person's physical or emotional attraction to people of the same and/or other gender. Straight, gay, and bisexual are some ways to describe sexual orientation. It is important to note that sexual orientation is distinct from gender identity and expression. Transgender people can be gay, lesbian, bisexual, or straight, just like non-transgender people.

### **Locker Room/Restroom Usage**

- Transgender individuals may use the restroom/locker room they identify with, and the agency should not require them to use the restroom that corresponds to their birth sex.
- The Lemont Park District has available single-use restrooms, unisex restrooms and/or family changing areas, if the individual has not had gender reassignment surgery.
- In the absence of such facilities, transgender individuals (with or without reassignment surgery) may use the facility that corresponds with their gender identity.
  - If other patrons/employees object to such usage, District employees will defer to the rights of the transgender individual over others' personal discomfort.
- Transgender individuals with body parts corresponding to their birth sex are expected to be discreet when using the facility that corresponds to the sex they identify with, so consider the need to make temporary improvements to your locker room/restroom facility, if appropriate, to maximize privacy further.
- Members should grant unrestricted restroom and locker room access/use according to an individual's fulltime gender presentation unless there is objective reason to suspect the person is not being truthful as to gender representation.

### **Inquiries, Exclusions, Charges, and Other Specific Rules Related to Transgendered Patrons**

- If staff have objective reason to believe individuals are lying about their gender identity, they can temporarily deny access to restrooms and locker rooms corresponding to their alleged gender identity, pending proof of their gender identity. At this time the Manager on Duty or full-time staff will work with the transgendered person to
- Discrimination/ Harassment - It is unlawful and violates the Lemont Park District's policies to discriminate in any way against a patron because of the patron's actual or perceived gender identity. Additionally, it also is unlawful and contrary to this policy to retaliate against any person objecting to, or supporting enforcement of legal protections against, gender identity discrimination at District programs or sites. The Lemont Park District is committed to creating a safe environment for transgender and gender non-conforming patrons. Any incident of discrimination, harassment, or violence based on gender identity or expression should be reported to the Risk Manager as soon as possible and will be given immediate and effective attention, including, but not limited to, investigating the incident, taking suitable corrective action, if necessary.
- Dress Codes – The Lemont Park District does not have dress codes that restrict patrons clothing or appearance on the basis of gender, with the exception of patrons utilizing the swimming pools who are pre-surgery transitioning from female to male – for this situation we ask that patrons wear an appropriate top. Transgender and gender non-conforming patrons have the right to comply with District's dress codes in a manner consistent with their gender identity or gender expression.