

Carol Stream Park District



Park Rules and Regulations Ordinance

Adopted: May 2008

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ORDINANCE NO. 411
Rules and Regulations of the the Carol Stream Park District

AN ORDINANCE OF THE CAROL STREAM PARK DISTRICT, DUPAGE COUNTY, STATE OF ILLINOIS, AMENDING ORDINANCE NO. 291B RESTATING THE REGULATIONS AND RESTRICTIONS GOVERNING THE USE OF THE PARK SYSTEM OF THE CAROL STREAM PARK DISTRICT.

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF COMMISSIONERS OF THE CAROL STREAM PARK DISTRICT, THAT ORDINANCE NO. 291B IS HEREBY AMENDED AND THE BELOW REGULATIONS AND RESTRICTIONS GOVERNING THE USE OF THE PARK SYSTEMS ARE HEREBY RESTATED AND ADOPTED.

SECTION 1: ANIMALS:

- a) No owner or person having control of any animal shall cause or permit such animal to be on any district property without being leashed, except in connection with district-sponsored activities, programs, or events where it is specifically allowed by the District that animals may be unleashed. No leash shall be longer than eight (8) feet, and retractable leashes shall not be extended more than eight (8) feet. Unless specified, animals are not permitted at park programs and events, or in park district buildings.
- b) Any animal found on district property in violation of Paragraph (a) may be apprehended, turned over to police, removed to an animal shelter, public pound or other place provided for that purpose. Police will be given possession of the animal(s).
- c) Notwithstanding the foregoing, the Director, in his sole discretion, may designate district property or District events as no animal areas or events, respectively, in which cases no owner or person having control of any animal shall cause or permit such animal to be in such areas or present at such events.
- d) The owner or person having control of any animal shall remove and dispose of, off district property or in designated receptacle, any excreta deposited by his animal anywhere on Park property.
- e) The provisions of sub-section (a) through (d) above, shall not apply to a blind person or a seeing-eye dog, which is under the control of a blind person, or any recognized assisting animal for the disabled.

SECTION 2: WEAPONS

- a) No person at any time shall have in their possession or on or about their person, vehicle or any other conveyance, concealed or otherwise, any firearm, stun gun, taser, bow and arrow, slingshot, cross bow, spear, or spear gun, switch blade knife, stiletto, sword, blackjack, billy club, martial arts weapon or any air rifle, paint gun or device capable of discharging a projectile of harmful chemical substance, or any weapon, instrument, or substance of like character or design. Hereinafter, "weapons". Weapons may be allowed at those designated areas for their use by the Executive Director's discretion and then only in

accordance with the rules and restrictions duly set forth for the proper use of such areas. Nothing contained herein shall be construed to prevent any ranger, police officer, or any other duly sworn peace officer from carrying such weapons as may be authorized and necessary in the discharge of their duties, nor shall it apply to any person summoned by any such officer to assist in making arrests or preserving the peace while such person is engaged in assisting such officer.

SECTION 3: FIREWORKS AND PYROTECHNIC DEVICES:

- a) It shall be unlawful on any park district area for any person to light, discharge, detonate, or set off any type of fireworks, or any device capable of creating a loud or unusual noise, explosion, flash or smoke.
- b) It shall be unlawful on any park district area for any person to possess or exhibit any type of explosive device, or any type of electrical or electronic device that could be capable of detonating an explosive device.
- c) Except when and where permitted by special Park District programs, it shall be specifically unlawful for any person to use or possess any type of fireworks, pyrotechnics or explosives, or to put on a display of such items.

SECTION 4: THROWING STONES.

- a) No person shall throw or cast any stones, rocks, sticks or other missiles within the Carol Stream Park District system.

SECTION 5: BOATING.

- a) Where allowed, watercraft shall be used in accordance with district rules, regulations and restrictions duly set forth as part of such permit or as posted, as well as all applicable statutes of the STATE OF ILLINOIS and the UNITED STATES.
- b) Only those park waters designed as boating areas will be used for such purposes. No motorized boat shall be allowed in park waters.

SECTION 6: SWIMMING.

- a) No person shall swim, bathe, or wade in any water or waterway in or adjacent to any park, except in such public swimming pools during such hours as the Park District may designate and in accordance with the terms of this ordinance and any other regulations as set forth by the Board of Commissioners.
- b) No person shall allow their pets to swim, bathe, or wade in any water or waterway in or adjacent to any park.

SECTION 7: HINDERING OF AUTHORIZED AGENTS.

I. EMPLOYEES

- a) No person shall interfere with or in any manner hinder any employee of the Park District while engaged in construction, repairing or caring for any park property.
- b) No person shall interfere with or in any manner hinder any employee, volunteer, or authorized agent of the Park District while engaging as an instructor, coach,

coordinator, facilitator, or the like in a Park District sponsored program, class, league or event.

II. RESISTING OR INTERFERING WITH COMMISSIONERS OR EMPLOYEES.

- a) No person shall resist any commissioner or employee of the district in the discharge of his/her duty or fail or refuse to obey any lawful command of any such commissioner or employee or in any way interfere with or hinder or prevent any such commissioner or employee from discharging his/her duty, or in any manner assist or give aid to any person in custody to escape or to attempt to escape from custody or rescue or attempt to rescue any person when in such custody.

SECTION 8: OFFERING ARTICLES FOR SALE.

- a) No person shall offer or exchange for sale any article or thing or do any hawking, peddling or soliciting, or buy or offer to buy an article or thing, privilege or service, or take up any collection or solicit or receive contributions of money or anything of value in the Park system, and no person shall make any use of District property in connection with its profit making activities, unless a permit or contract therefore has first been obtained from the district, or when authorized to do so by permit from or contract with the Park District.
- b) No person shall expose or offer for sale to the general public any articles or things, or conduct to solicit any business, trade or occupation or profession without a valid concession license agreement approved by the Park District and then only in accordance with the terms and conditions thereof, it being the intention to control commercial enterprises or sales on District property.
- c) No person shall display, distribute, post or fix any placard, sign, handbill, pamphlet, circular or any other writing or printed material of any kind whatsoever, without permission of the Director, except that groups holding a valid Picnic, Camping or Special Event Permit may display signs to identify their location or direct others to it, providing that such signs are no larger than 18" x 24" and are not attached to any tree or shrub or any post, building, window, door, district sign, gate or other structure, nor shall the placement of the sign cause any damage to Carol Stream Park District property.

SECTION 9: PUBLIC MEETINGS.

- a) No person shall call or hold any public meeting or give any concert or public entertainment of any kind in the park system without the express consent of the District.
- b) No person, group of persons or organization shall hold, conduct, participate or organize any large group event, festival, function, picnic, party, sporting event, show, or the like ("Large Group Event") in the park system without the expressed consent of the district in the form of a permit. The permit shall be displayed at the event. Any gathering of 30 or more persons shall be considered a Large Group Event. If a permit is granted, the permitted event shall be conducted according to all federal, state, and local laws, and the rules and regulations of the district including any specific requirements of the permit. Failure to do so will be cause for immediate termination of the permit, removal of the group from the premises, and a fine up to \$500 to the person who signed the permit.

SECTION 10: RESTRICTED PARTS OF PARK.

- a) No person shall enter into any building or portion of district property where persons are prohibited by the district from entering, or where use is restricted to persons of the opposite sex [exception is made for children under the age of six (6)], as indicated by sign or notice. No person shall enter any building or area of District Property when it is closed to the public. No person shall enter any building or area in the district which is reserved or scheduled for a specific group or activity, or Carol Stream Park District program, unless such person is invited by the individual, group, or agency responsible for such activity and, if applicable, such person has paid all appropriate admission fees.

SECTION 11: BEGGING.

- a) No person shall beg or solicit alms in the Park system.

SECTION 12: SLEEPING IN THE PARKS

- a) No person shall sleep on benches, sidewalks steps or in doorways of the District nor shall any person without an established residence who wanders idly from place to place without any lawful or visible means of support or lawful purpose, use District Property in a manner designed or calculated to act as a substitute for such residence or means of support.

SECTION 13: FIRES.

- a) No person shall light or make use of any fire on District property, except at such places and at such times as may be designed for such purpose and then only with such permission of and under such rules as may be prescribed by the Park District. Every such fire shall be under the continuous care and direction of an adult from the time it is kindled until the time it is completely extinguished.

SECTION 14: INTOXICATING LIQUORS-DRUGS-OR OTHER CONTROLLED SUBSTANCES.

- a) Intoxicating Liquors-Drugs: No person under the influence of any intoxicating liquor, drug, narcotic or other controlled substance shall enter, be or remain in the park system nor shall any person bring within, possess, sell, give away, drink, consume or use any alcoholic beverage, drug, narcotic or controlled substance in the Park system.
- b) On rare occasions, the Park Board of Commissioners may cause a permit to be issued allowing the consumption of alcoholic beverages at specific events.

SECTION 15: DUMPING ARTICLES.

- (a) No person shall place, pile or otherwise dump, leave or deposit in any manner any kind of dirt, rubbish, refuse, ashes, garbage, grass clippings and other yard waste, snow, ice or other substance, whether liquid or solid, on District property except as specifically permitted by the district. Any person violating this section may be assessed the cost to the district of removing any such improperly deposited

substance or material and such charge shall be in addition to and not in lieu of any other penalties provided for in this Ordinance.

- (b) No person shall litter, cast, throw, drop or otherwise deposit or leave any garbage, refuse or other material of any kind on district property nor shall any person spit upon or otherwise defile district property. Provided, however, that paper, glass, cans, garbage and other refuse resulting from picnics or other lawful use of district property may and shall be deposited in receptacles provided by district for that purpose. Where receptacles are not so provided, are missing, or are full to capacity, all such garbage, refuse or other material shall be carried away from the area of use by the person(s) responsible for the presence and property disposed of elsewhere.

SECTION 16: GAMBLING.

- a) No person shall play or engage in selling routines 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.

SECTION 17: PROTECTION OF BIRDS AND ANIMALS.

- a) No person shall trap, catch, wound or kill or mistreat or attempt to trap, catch, wound or kill any bird or animal or molest or rob any nest of any bird or animal in the park system.

SECTION 18: BRINGING PLANTS SHRUBS OR TREES PROHIBITED.

- a) No person shall bring into or upon the park system any tree, shrub, or plant of any newly plucked branch or portion of a tree, shrub, or plant, without expressed approval of Park district.

SECTION 19: DAMAGE TO PARK PROPERTY.

Unless a permit or contract therefore has first been obtained from the district, no person shall mark, carve, bend, cut, paint, deface, break, down, destroy, damage, alter, change, sewer, uproot, excavate or otherwise remove, or attach or suspend any rope, wire or other material or contrivance to or from, any district property including without limitation any:

- a) park building or part thereof, table, bench, fireplace, coping, lamp post, fence, wall, paving, or paving materials, shelter, refuse container, exhibit, display, tool or equipment, water line, telephone, or public utility or parts or appurtenance thereof, or any sign, notice or placard, whether temporary or permanent, equipment or facilities;
- b) soil, rock, stone, timber, or other wood materials;
- c) tree, sapling, seedling, bush, shrub, flower, plant or plant material whether dead or alive.

Nor shall any person climb upon, hang from or stand or sit on, any plant, fence, structure or other district property of any kind except such benches or other property

designated or customarily used for such purposes, or recreational equipment as may be installed by the district for such purposes.

SECTION 20: BREACH OF PEACE - - DISORDERLY CONDUCT.

- a) No person shall make, countenance or assist in making any improper noise, riot, disturbance, breach of the peace or diversion tending to a breach of the peace in the Park system or be guilty of any disorderly conduct therein or collect with other persons in bodies or crowds for unlawful purposes or for any purpose to the annoyance or obstruction or disturbance of other persons.
- b) No person shall engage in behavior, speech, gesture or any offensive act that provokes a breach of the peace or disrupts alarms, disturbs, intimidates, or unreasonably interferes with others in the normal, safe use of the park system or any facility thereof.
- c) No person shall falsely represent or impersonate any Park District Commissioner or employee, or pretend to be a Park District Commissioner, employee or an agent or other representative of the district.

SECTION 21: ENGINE POWERED OR RADIO CONTROLLED MODELS.

- a) No person shall fly, cause to be flown, or permit or authorize the flying of any aircraft of any kind at any time over district property at an elevation lower than the minimum safety requirements established by the Federal Aviation Administration or other governmental authority, or at an elevation which is lower than is reasonably safe under the circumstances, or in a manner which endangers the safety of any person or district property. No person shall land, cause to be landed or permit or authorize the landing of any aircraft on District property, except when necessitated by unavoidable emergency. No person shall fly or cause to be flown, or permit or authorize the flying of, model aircraft on or over District property unless a permit therefore has first been obtained from the District.

SECTION 22: WINTER SPORTS-SLEDDING.

- a) No person shall skate board, skate, toboggan, snowmobile, ski, slide, golf or engage in similar activities on District property except at such places and at such times as the District may designate for that purpose, and no person shall engage in such activity in a reckless manner or at a speed greater than is safe and proper under the circumstances.
- b) Any or all sledding areas may be closed if and when the area becomes unsafe due to lack of snow cover or for other safety related purposes.
- c) It shall be unlawful for any person to erect or build man-made jumps on any sledding hill at any time.

SECTION 23: WINTER SPORTS-FROZEN WATERS.

- a) It shall be unlawful for any person on any Park district property to:

1. Enter on or upon any frozen waters to skate, fish, slide, or walk or for any purpose whatsoever upon such waters unless they are posted "open" or "safe".
2. Fish through the ice on any frozen waters or parts thereof.
3. Bring onto or upon the frozen waters of any lake, pond, or watercourse any iceboat, any motor, or wind-driven-like device or other vehicle.

SECTION 24: HOURS OF USE.

- a) The Park system shall be open to the public from 6 A.M. to dusk unless District sponsored activities are in progress or different hours are posted by the Board of Commissioners. No person shall remain in the Park system when not open to the public except by permit from or contract with the Park district.

SECTION 25: TRESPASS.

- a) Prohibited. No person, firm, or corporation shall commit a trespass within the Carol Stream Park District upon District property.
- b) Specifically enumerated trespasses. Without constituting any limitation upon the provisions of subsection (a) hereof, any of the following acts by any person, firm or corporation shall be deemed included among those that constitute trespass in violation of the provisions of said subsection (a):

An entry upon the premises, or any part thereof, of the Park district in violation of a notice posted or exhibited or in violation of any notice, warning or protest given orally or in writing by any Park district employee or authorized occupant thereof; or

1. The pursuit of a course of conduct or action incidental to the making of an entry upon Park district land or property in violation of a notice posted or exhibited or in violation of any notice, warning or protest given orally or in writing by any Park district employee or authorized occupant thereof; or
2. A failure or refusal to depart from the premises of the Park district in case of being requested, either orally or in writing, to leave by any Park district employee or authorized occupant thereof; or
3. An entry into or upon any vehicle or water craft made without the consent of the person having the right to the possession or control thereof, or failure or refusal to leave any vehicle or water craft after being requested to leave by the person having such right.

SECTION 26: ORGANIZED GANGS-PROHIBITED ACTIVITIES.

- a) For purposes of this section, "organized gang" means an association, or part of said association, of five or more persons with an established hierarchy, that encourages members of the association to perpetrate crimes, or provide support to the members of the association who do commit crime.
- b) It shall be unlawful for any person to wear, use, or display any clothing, emblem, badge, symbol, sign (either verbal or non-verbal), or other thing which evidences membership or affiliation in any organized gang while on any District property or recreational facilities owned or operated by the District.

- c) It shall be unlawful for any person to solicit individuals for organized gang membership, or intimidate any individuals for non-affiliation in an organized gang, while on any District property or recreational facilities owned or operated by the District.
- d) Any person who is found guilty in a court of law for violating any provision of this section twice in any one-year period shall be banned from using the parks or recreational facilities of the District.
- e) Any person who has been banned from using the parks and recreational facilities under this section and who refuses to remove himself or herself from the parks and recreational facilities after requested to do so, shall be deemed to have violated Section 25, Trespass.

SECTION 27: AVIATION.

- a) No person shall make any ascent or descent in a balloon, airplane, ultra-light, glider, hang-glider, kite or parachute or any similar aviation device without prior written permission of the Executive Director.

SECTION 28: METAL DETECTORS.

- a) No person shall bring in or use any device or instrument used to detect metallic objects without prior permission of the District.

SECTION 29: ORDINANCES.

- a) All public ordinances of all municipalities within which any part of the Carol Stream Park District is located are, hereby adopted by the Carol Stream Park District, insofar as the same are applicable to the use of that portion of the park and park facilities of the Carol Stream Park District located within the territorial limits of such respective municipalities, as well as the laws, statutes and regulations of the State of Illinois. Said municipal ordinances within that portion of the park district located within said respective municipalities shall be deemed to be in addition to the provisions of these ordinances, and violations thereof shall constitute violations of this section, and shall subject the violator to the penalties provided herein.

SECTION 30: PENALTY.

- a) Any person violating any clause or provision of any section of this ordinance shall be fined Five Hundred Dollars (\$500.00) for each offense, the fine to be recovered in a manner and form as provided by law. The Park district may also seek, in addition to said fines, an order that the offender be required to make restitution for the damage resulting from the violation, and the court shall grant such relief where appropriate.

SECTION 31: RESERVATION OF LEGAL RIGHTS.

- a) This ordinance shall not be interpreted in any way to limit the Carol Stream Park District from seeking any and all legal remedies available to it under criminal or civil law, and the Constitutions of the State of Illinois and the United States of America.

This Ordinance voted upon this 12th day of May, 2008.

AYES

NAYS

ABSTAIN

CAROL STREAM PARK DISTRICT

By: _____

Daniel J. Bird

President, Board of Commissioners

ATTEST:

Arnold J. Biondo

Secretary, Board of Park Commissioners