



Park Rules and Regulations Ordinance

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Jean Kaczmarek
DuPage County Clerk

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ORDINANCE NO. 411

Rules and Regulations of the Carol Stream Park District

AN ORDINANCE OF THE CAROL STREAM PARK DISTRICT, DUPAGE COUNTY, STATE OF ILLINOIS, AMENDING 411 DATED MAY 12, 2008, WHICH AMENDED 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. 411 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 person shall bring or release onto district property any wildlife including without limitation any animal the capture or killing of which is authorized by the fish and game laws of the State of Illinois, or any other animal, except for domesticated dogs, cats or other domesticated animal subject to the restrictions contained in this section; provided, however, that the District may bring or release, or permit another person to bring or release, such proscribed animals onto district property in conjunction with an activity or event conducted or sponsored by the District or in conjunction with a zoo, museum, nature center, or similar facility maintained, controlled, permitted or licensed by the District.
- b) Except as otherwise provided in this Section, no owner or agent of the owner having control of any domesticated dog, cat, or any other domesticated animal shall cause or permit such animal to be on district property unless the pet is restrained on a substantial leash which shall not exceed six (6) feet in length and such person has in his immediate possession a device for removal, and a depository for the transportation, of animal excrement from such property. The presence of domesticated dogs, cats and other domesticated animals is prohibited (i) inside any District building, except where the animal is part of a class offered by the District; (ii) in a washroom facility; and (iii) in any other area posted as prohibiting pets.
- c) All owners or agents of the owner having control of any domesticated dog, cat, or other domesticated animal, shall remove from District property, or properly dispose of in an appropriate receptacle, any excrement left by such animal.
- d) No person shall bring a domesticated dog, cat, or any other animal onto or permit any animal to remain on any portion of District property where the presence of animals is prohibited, except (i) in conjunction with an activity or event conducted or sponsored by the District; and (ii) dogs or other domesticated animals specially trained to assist the visually impaired or other persons with disabilities, when they are accompanying the persons with disabilities for purposes of providing such assistance.
- e) Any animal found on District property in violation of subsections (a) or (d) may be

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

SECTION 2: 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, knife exceeding 3", 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". Except as otherwise permitted by law.
- b) Weapons may be allowed at those designated areas, and/or, designated Park District programs or events, 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, pyrotechnics, explosives, or any device capable of creating a loud or unusual noise, explosion, flash or smoke, except when and where permitted by special Park District programs.
- 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.

SECTION 4: BOATING

- a) Where allowed, watercraft shall be used in accordance with Illinois Department of Natural Resources and the United States Coast Guard according to the Illinois Boat Registration and Safety Act. The Illinois Department of Natural Resources' has full and complete jurisdiction on any Illinois waters. All applicable rules and regulations of the Carol Stream Park District will apply.
- b) Motorized and wind powered (sail) boats are not permitted on any Carol Stream Park District waterways.
- c) Any person under the age of 18 in a watercraft must be accompanied by a parent or adult guardian.

- d) Watercrafts must be launched and landed at designated areas only.

SECTION 5: FISHING

- a) Where allowed, persons may fish recreationally at Carol Stream Park District waterways.
- b) The Illinois Department of Natural Resources has full and complete jurisdiction on any Illinois waters. 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.
- c) The Carol Stream Park District encourages “catch and release.” The practice of “catch and release” within recreational fishing is intended as a technique of conservation. After capture, the fish are unhooked and returned to the water.
- d) Ice Fishing is not permitted on Carol Stream Park District waterways.

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 bathe their pets 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, Commissioners, 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.

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, company or corporation 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 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

contract 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 written or printed material of any kind whatsoever without permission of the Executive Director, or designee, except groups holding a District issued Picnic or Special Event Permit who 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, 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. Any signage erected for the above stated purpose must be removed at the conclusion of the picnic or special event.

SECTION 9: PUBLIC MEETINGS

- a) No person shall call or hold any public meeting, benefit, and fundraiser or give any concert or public entertainment of any kind in the Park system without the express consent of the District.
- b) Any gathering of 30 or more persons shall be considered a Large Group Event. 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. 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

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: 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) restricts vehicular or pedestrian traffic or restricts 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.

SECTION 13: FIRES

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

The unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, including alcohol, cannabis and medical marijuana is prohibited on Park District Property.

However, the Park Board recognizes an exception for patrons who may desire to have alcohol as part of their private rental or during select programs or events held on Park District property. Such use or consumption of alcoholic beverages will be by permit only, as defined by Park Board Policy.

And however, the Park Board recognizes an additional exception for Park District Staff to sell alcohol to patrons, as defined by Administrative Operations Policy and Park Board Policy.

Regardless of permission to consume alcoholic beverages on park property, or lawful use of medical marijuana, or other controlled substances, patrons will be required to conduct themselves and/or their organizations according to all local, State and Federal laws.

Violation of any park rules will be cause for immediate revocation of the alcoholic beverage permit, and, further appropriate action.

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 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

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 within the Park system.

SECTION 17: PROTECTION OF BIRDS AND ANIMALS

No person shall trap, catch, wound, 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

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, mow, uproot, excavate or otherwise remove; or attach or suspend any rope, tape, 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, soccer or football goal, basketball net 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, RADIO CONTROL MODELS AND UNMANNED AIRCRAFT SYSTEMS (DRONES)

- a) The operation of battery-powered model RC boats is permissible in designated park ponds. Adult supervision is required at all times. The model boat may not be driven in a reckless manner which may damage Park District property or endanger wildlife or native plantings. No one is allowed to enter into any lake, pond or waterway to launch or retrieve a model boat.
- b) The operation of battery-powered RC airplanes, model airplanes weighing 2 pounds or less, Category F5 based on the FAI Sporting Code are permissible in designated park areas. All Federal Aviation Administration or other governmental authority rules and regulation must be obeyed. Adult supervision is required at all times. Only one model airplane may be flown in a designated area at one time. Flying over private property adjacent to park property is prohibited. Only two people can enter the designated park area at one time, the plane operator and one observer. The pilot must maintain control of their airplane at all times and fly in a safe manner.
- c) No person shall unless a permit has first been obtained start, ignite, fly, or use any fuel powered model rocket in any park areas. All rockets must fall into the category of Model Rocketry, comply with the National Fire Protection Association (NFPA code 1122) and must be launched within a designated park area.
- d) No person shall fly, cause to be flown, or permit or authorize the flying of any manned aircraft, unmanned aircraft systems (drones), ultralight or glider 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 in a manner which endangers the safety of any person or District property. No person shall land or cause to be landed or permit or authorize the landing of any manned aircraft or unmanned aircraft systems (drones) on Park District property

SECTION 22: WINTER SPORTS-SLEDDING

- a) No person shall skate board, skate, toboggan, snowmobile, ski, slide, snowboard, 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 sled, skate, bike, or other jumps, in any park, at any time.

SECTION 23: WINTER SPORTS-FROZEN WATERS

It shall be unlawful for any person on any Park District property to:

- 1. Enter on or upon any frozen waters to skate, 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

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) It shall be unlawful and considered trespassing for any person to be on, enter, or remain on any Park District area or property at any time after receiving notice from proper authority, prior to, or after entering Park District property that such entry is prohibited.
- b) Except when and where permitted by special Park District programs, it shall be unlawful and considered trespassing on Park District property for any person to:
 - 1. enter any area posted as restricted or closed
 - 2. enter any Park District area or property after hours
 - 3. operate any motorized vehicle except on regularly designated roads, drives, and parking lots
 - 4. be parked on roads, drives or parking lots after hours
 - 5. climb, or by any means circumvent, any fence or barrier to gain access to a park area or building

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 solicit individuals for organized gang membership, or intimidate any individuals for non-affiliation in an organized gang, while on any District property, on any Park District organized field trip, or recreational facilities owned or operated by the District.
- c) Any behavior of this sort can be banned from Park District property.

SECTION 27: AVIATION

- 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 safety requirements established by the Federal Aviation Administration 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 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.
- b) Permitting use of and landing of aircraft for official District business as permitted by FAA or other regulations.

SECTION 28: SMOKING ON PARK DISTRICT PROPERTY

- a) Smoking, Use of E-Cigarettes, Use of Tobacco, and Use of Matches in Any Form in Buildings Prohibited. No person shall smoke any cigar, cigarette, or pipe on or within

any building located on Park District Property in violation of the “Smoke Free Illinois Act” 410 ILCS 82/1 et seq., as may be amended from time to time. No Person shall smoke or otherwise use any e-cigarette on or with in any building located on Park District Property. For purpose of this Ordinance, “e-cigarette” is defined as any battery-operated device that contains cartridges filled with a combination of nicotine, flavor, and chemicals that are turned into vapor which is inhaled by the user.

No person shall use tobacco in any of its forms, including but not limited to any smokeless, spit, or spitless, dissolvable or inhaled tobacco products, dip, chew, or snuff on or within any building located on Park District Property.

No person shall light matches, lighters, or other devices capable of starting a fire in any building or any part of the Park System except for the purpose of lighting a grill at locations designated for that purpose, or as otherwise allowed by express written permission of the District.

- b) Penalty. Any person found guilty of violating section B of this Ordinance shall be fined not less than \$100 or more then \$250 for each offense.
- c) Smoking Use of E-Cigarettes, and Use of Any Tobacco Products in Certain Outdoor Areas Prohibited. No person shall smoke any cigar, cigarette, or pipe in or on any Park District park, facility, parking lot, or trail. No person shall use tobacco in any of its forms, including but not limited to smokeless, spit or spitless, dissolvable or inhaled tobacco produces, dip, chew, or snuff in or on any Park District park, facility, parking lot or trail.
- d) Penalty. Any person found guilty of violating Section D of this Ordinance maybe fined not less than \$100 or more than \$250 for each offense.
- e) No person shall smoke any marijuana, hashish or opium or any other illegal substance in any place in the park system, nor shall any person discard any lighted or unlighted match, cigar, or cigarette in any place in the park system.
- f) Repeal. Any Ordinance in conflict with this Ordinance is hereby repealed to the extent of such conflict.
- g) Severability. If any portion of the Ordinance is found to be invalid by a court of the competent jurisdiction, that portion shall be served from the Ordinance and the rest of the Ordinance shall be considered to be in full force and effect.
- h) Effective Date. This ordinance shall be effective from and after its approval and publication as provided by law.

SECTION 29: ORDINANCES

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

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

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 13th day of August 2018.

AYES	<u>4</u>
NAYS	<u>0</u>
ABSTAIN	<u>0</u>

CAROL STREAM PARK DISTRICT

By: _____

Brenda Gramann

President, Board of Commissioners

ATTEST:

Jim Reuter

Secretary, Board of Park Commissioners

FILED
JUL 10 2019

Jean Kaczmarek
DuPage County Clerk