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

CHAPTER 1 - DEFINITIONS, CONSTRUCTION, AND SCOPE

**Section 1.01. Short Title.** This Ordinance regulating the use of the parks and property owned, operated, maintained or controlled by the Vernon Hills Park District shall be known and may be cited as the "Conduct Ordinance of the Vernon Hills Park District."

**Section 1.02. Definitions.** Unless otherwise expressly stated elsewhere in this Ordinance, for purposes of this Ordinance, the following words, terms, and phrases shall have the meanings given herein:

1. "Aircraft" means any device that is used or intended to be used for human flight in the air or is capable of flight in the air, including without limitation powerless flight.
2. "Alcoholic Liquor" is defined as provided in the Illinois Liquor Control Act of 1934 (235 ILCS 5/1-3.05 ) as amended hereafter.
3. "Aquatic Life" means all fish, reptiles, amphibians, crayfish, mussels, mollusks, and crustaceans.
4. "Board" means the Board of Park Commissioners of the Vernon Hills Park District.
5. "Camping" shall include the erecting of a tent or shelter of natural or synthetic material, preparing a sleeping bag, hammock, or other bedding material for use, setting up any temporary or permanent camping equipment including without limitation food preparation equipment, and parking of a motor vehicle, motor home or trailer, or mooring of a vessel, for the apparent purpose of overnight occupancy, or remaining overnight on District Property.
6. "Cannabis" is defined as provided in the Illinois Cannabis Control Act (720 ILCS 550/3(a)) as amended hereafter.
7. "Carry" means to wear, bear, or have on or about the person.
8. "Controlled Substance" is defined as provided in the Illinois Controlled Substances Act (720 ILCS 570/102 (f), 204, 206, 208, 210 and 212) as amended hereafter.

9. "Director" is the Executive Director of the Vernon Hills Park District.

10. "District" is the Vernon Hills Park District, Lake County, Illinois.

11. "District Police Force" is the Village of Vernon Hills Police Department.

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

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

14. "Division Head" is the person immediately in charge of a given District Division and its activities and to whom all employees of such department are directly responsible (e.g., Superintendent of Recreation and Superintendent of Parks).

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

16. "ILCS" is the Illinois Compiled Statutes.

17. "Obscene" is defined as set forth in 70 ILCS 5/11-20.

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

19. "Ordinance" means this Conduct Ordinance.

20. "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.

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

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

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

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

25. "Smoking" means the lighting of cigarettes, cigars or pipes, the carrying of lighted cigarettes, cigars or pipes, or the intentional and direct inhalation of smoke from these objects.

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

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

28. "Vessel" means every type or description of craft, other than a sea-plane on water, used or capable of being used as a means of transportation on water, including without limitation boats, rafts, canoes, kayaks, jet skis, inflated devices, or any buoyant device permitting or capable of free flotation.

29. "Wildlife" shall include any water fowl, mammal, animal, amphibian,

reptile, or bird or the young or eggs thereof. Wildlife does not include any animal which is specifically permitted to be on District Property by a section of this Ordinance, but such presence shall be in strict accordance with any conditions or restrictions provided in such section.

**Section 1.03. Construction and Scope.**

(a) In the interpretation of this Ordinance, its provisions shall be construed as follows:

Where the context permits, words in the masculine gender shall include the feminine and neuter genders and words in the singular number shall include the plural number; (2) The word “shall” is always mandatory and not merely directory; (3) The word “may” is always permissive and upon the discretion of the District; (4) This Ordinance is in addition to and supplemental to all applicable state, federal, local, and District laws, ordinances, rules, and regulations including without limitation the Park District Code (70 ILCS 1205/1-1 et seq.); (5) The meaning of any term, phrase, or word not otherwise defined in this Ordinance shall be construed and interpreted to mean the same as said term, phrase, or word is otherwise defined, construed or interpreted in such applicable federal, state, local, or District laws, ordinances, rules, or regulations; (6) The meaning of any term, phrase, or word not otherwise defined in this Ordinance or in such applicable federal, state, local, or District laws, ordinances, rules, or regulations shall retain its ordinary and properly understood meaning; (7) The descriptive headings of the various sections or parts of this Ordinance are for convenience only and shall not affect the meaning or construction, nor be used in the interpretation of any provision of this Ordinance; and, (8) An attempt to commit an act or engage in an activity prohibited under this Ordinance shall likewise be deemed prohibited in the same manner as the commission of such act or the engaging in such activity and subject to the same penalties.

(b) This Ordinance shall apply to and be enforceable within and upon all District Property, and shall regulate the use thereof by all Persons. However, no provision hereof shall make unlawful any act necessarily performed by any officer, employee or agent of the District or by any contractor acting pursuant to express authority granted to him under his contract with the District, or by any member of the District Police Force when acting within the scope of his authority or in his line of duty, or any other Person summoned by such person to assist him.

## CHAPTER II - SPECIFIC RESTRICTIONS ON CONDUCT & BEHAVIOR

### **Section 2.01. Alcoholic Liquor.**

(a) No Person under the influence of Alcoholic Liquor shall enter into, be, or remain on District Property. For purposes of this Section 2.01, "under the influence" shall mean any impairment resulting from the consumption of Alcoholic Liquor that makes a person less able, either physically or mentally, or both, to exercise clear judgment or to possess that control of himself and his actions that he would otherwise have.

(b) No Person, other than the District or its agent, shall sell or deliver any Alcoholic Liquor on District Property, unless said Person has first obtained a Permit therefor from the District.

(c) No Person shall bring, possess, drink, consume, take, use, or transfer any Alcoholic Liquor on District Property without having first obtained a Permit therefor from the District unless he is in or on District Property where the possession, consumption, use, or transfer of Alcoholic Liquor is permitted.

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

### **Section 2.02. Animals and Pets.**

(a) No Person shall bring or release onto District Property any Wildlife including without limitation any animal the capture or killing of which is authorized by the fish and game laws of the State of Illinois, or any other animal, except for domesticated dogs, cats or other domesticated animals 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 controlled, maintained, permitted or licensed by the District.

(b) 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 on a 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.

(c) All owners or agents of the owner having control of any domesticated dog, cat, or other domesticated animal, shall remove any excrement from District Property 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.

(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 Lake 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.

(f) Dogs for the visually impaired and other domesticated animals specially trained to assist Persons with disabilities are excluded from the prohibitions of this section when they are accompanying Persons with disabilities for purposes of providing such assistance.

**Section 2.03. Assault or Bodily Injury.**

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

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

**Section 2.04. Begging and Panhandling.**

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

(b) No Person begging or panhandling on District Property shall intentionally 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 with, interrupt, or engage in conduct incompatible with the purpose of, any program, activity, function, and/or special event conducted, sponsored, licensed or otherwise permitted by the District; or coerce or intimidate another person into giving money, goods or services.

**Section 2.05. Charitable, Religious, Political, or Non-Profit Activities.**

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

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

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

(d) Soliciting votes and circulating petitions for or against any candidate for election to public office or with respect to any referendum or other public question is permitted on District Property in areas open to the general public without a permit, subject to the limitations set forth in this Section 2.05.

(e) No Person shall engage in any activity described in subsections (a) through (d) of this Section in any room of a District building or facility in which any program, activity, class, function or special event conducted, sponsored, licensed or otherwise permitted by the District is in progress.

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

**Section 2.06. Commercial Sale, Rental, Exhibition, or Distribution of Goods or Services.**

(a) No peddler, vendor or any other Person involved in an endeavor for profit shall engage in the commercial sale, rental, exhibition, or distribution of goods or services, including without limitation the giving of instruction or lessons for a fee, upon District Property unless he has received a

Permit, license or contract therefor from the District.

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

**Section 2.07. Controlled Substances and Cannabis.**

(a) No Person under the influence of any Controlled Substance or Cannabis shall enter into, be, or remain on District Property.

(b) No Person shall bring into, possess, take, use, sell, or transfer any Controlled Substance or Cannabis on District Property.

**Section 2.08. Cooperation with Authorities.**

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

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

(c) No Person shall knowingly give a false report or false information (including, without limitation, information requested in a Permit application) for the purpose of misleading the Board, a District employee or agent, or a member of the District Police Force in the conduct of his official duties.

**Section 2.09. Disorderly Conduct.**

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

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

(b) Makes or causes to be made any excessively loud or unreasonable noise which disturbs the peace. For purposes of this subsection, 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 play-

ing of any type of audio equipment, noisemaker, musical instrument, or sound equipment. This section shall not apply to the playing of any musical instrument, public speaking, or the amplification thereof, in conjunction with activities conducted, sponsored, licensed or otherwise permitted by the District; or

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

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

**Section 2.10. Display of Permit or Pass.**

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

**Section 2.11. Dumping, Pollution, Sanitation, and Litter.**

(a) No Person shall litter, cast, throw, drop, scatter, place, pile, or otherwise dump, release, leave, or deposit in any manner any kind of dirt, rubbish, placard, handbill, pamphlet, circular, book, notice, paper of any kind, ashes, garbage, waste material, 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 may and 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 rest room facilities expressly provided for such purposes.

(c) No Person shall drain oil, grease, anti-freeze, gasoline or other substance from a trailer or other Vehicle on District Property.

(d) No Person shall bathe or wash himself or food, clothing, dishes, or

other property at water outlets, fixtures or pools on District Property, except at those areas designated by the District for such use.

(e) No Person shall pollute or contaminate District Property or District Waters.

(f) No Person shall dispose of fish remains on District Property, or in District Waters except as permitted by the District.

(g) No Person shall dispose of human or animal waste on District Property except at designated locations or in fixtures provided for that purpose.

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

**Section 2.12. Encroachment.**

No building or other structure, garden/landscaping, or any part or appurtenance thereof shall extend into, upon or over any part of District Property, unless expressly permitted by the District, in writing.

**Section 2.13. Erection of Structures/Wires and Other Appurtenances and Devices.**

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

**Section 2.14. Fairs and Special Events: Sale and Distribution of Merchandise; Soliciting Contributions.**

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

**Section 2.15. 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.

(b) 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. All fires must be properly and completely extinguished prior to any Person leaving the site of the fire.

(c) 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 park resources, or creates a safety hazard.

**Section 2.16. Gambling and Games of Chance.**

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

**Section 2.17. Interference with Other Users.**

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

(b) No Person shall unreasonably disturb or interfere with any other Person occupying an area or participating in any activity on District Property under the authority of a Permit.

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

**Section 2.18. Loitering in District Buildings.**

No Person shall loiter or remain in any District building or facility in such a manner that: (1) unreasonably obstructs the usual use of entrances, hallways, corridors, stairways, or rooms designated for specific purposes; (2) impedes or disrupts the performance of official duties by District employees; or, (3) prevents the general public from obtaining the

administrative, recreational or other services provided in the building or facility in a timely manner, after being requested to leave by any member of the District Police Force, or where the District has posted a sign or signs that prohibit loitering.

**Section 2.19. Misappropriation of Property. No person on Park District Property shall knowingly:**

- (a) Obtain or exercise unauthorized control over the property of another.
- (b) Obtain by deception control over property of another.
- (c) Obtain by threat control over property of another.
- (d) Obtain control over stolen property knowing the property to have been stolen or under such circumstances as would reasonably induce him to believe that the property was stolen, where he:
  - (1) Intends to deprive the owner permanently of the use or benefit of the property; or,
  - (2) Knowingly uses, conceals, or abandons the property in such a manner as to deprive the owner permanently of such use or benefit; or,
  - (3) Uses, conceals, or abandons the property knowing such use, concealment, or abandonment probably will deprive the owner permanently of such use or benefit.

**Section 2.20. Mob Action.**

- (a) No Person shall collect with other Persons, in bodies or in crowds of two (2) or more Persons without authority of law, for unlawful purposes or any purpose of disturbance or obstruction of the lawful activities of other Persons or otherwise disturb, obstruct, or interfere unreasonably with the lawful activities of other Persons using District Property in a manner which creates immediate violence or breach of the peace or threat thereof or endangers the person or property of others.
- (b) No Person shall knowingly commit an act or engage in conduct that urges or incites other Persons to riot, engage in immediate violence or lawlessness, or commit any unlawful act.
- (c) No Person shall organize, promote, encourage, or otherwise participate in a riot or other breach of the peace involving crowds of two (2) or more Persons gathered, without authority of law, for unlawful purposes or any purpose of disturbance or obstruction of the lawful activities of other

Persons.

**Section 2.21. Parades, Public Assemblies or Meetings.**

(a) Public parades, processions, theatrical or dramatic presentations, meetings, assemblies, gatherings and demonstrations are permitted on District Property, provided that where the number of participants is reasonably expected to exceed twelve (12) or more persons and/or vehicles, a Permit therefor must first be obtained from the District in accordance with Chapter V of this Ordinance.

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

**Section 2.22. Posting Printed or Written Material In Designated Area.**

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

(b) No Person shall post, place, display, or cause to be posted, placed, or displayed any printed or written material on the Community Bulletin Board without presenting the material to the District. The District shall stamp and date the material as received, and post the material, space permitting, on the Community Bulletin Board unless the said material is Obscene. The material may remain posted for a period not to exceed one (1) week after which a Person may resubmit his public information notice for posting, space permitting.

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

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

**Section 2.23. Posting Printed or Written Material On Public Places and Objects.**

(a) Except as provided in Section 2.22 of this Ordinance, no Person shall paint, write on, or in any way mark or deface, or post or otherwise affix, any printed or written words, symbols, materials, or other marks to or upon District Property or any thing or object located on District Property.

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

**Section 2.24. Protection of Animals.**

(a) No Person shall hunt, pursue, hurt, touch, injure, kill, trap, catch, poison, abuse, chase, shoot, throw or propel objects at, endanger in any way, or remove or cause to be removed, have in his possession, or release or cause to be released, any Wildlife on or upon District Property, except with written permission of the District.

(b) No Person shall give or offer to any Wildlife any harmful, poisonous, or noxious substance on or upon District Property.

(c) No Person shall 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.

(d) No Person shall disturb, touch, throw or propel an object at, destroy, dig up, crush, shake, or in any way tamper with or damage the nest, lair, den, burrow, or home of any Wildlife found on, upon, over or under District Property.

(e) No person shall feed wildlife on District Property.

**Section 2.25. Protection of Property.**

(a) No Person shall mark, carve, bend, cut, paint, deface, affix any sticker or sign to, break down, destroy, damage, alter, change, sever, uproot, dig, excavate or otherwise remove, or attach or suspend any rope, wire, or other material or contrivance to, on, or from, District Property or any thing or object on or upon District Property, or otherwise take, damage or destroy such Property, thing or object unless a Permit, license or contract

therefor has first been obtained from the District.

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

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

(d) No Person shall bring any plant or portion of a plant or plant product onto District Property.

(e) The District may give rewards to the Person(s) (other than District employees or agents, or members of the District Police Force) who furnish information to the District, directly resulting in the arrest and conviction of any Person who unlawfully takes, damages, or destroys District Property. All claims for said reward must be made to the District within thirty (30) days after conviction and the District shall be the sole judge of any dispute arising over a reward, if any, and the Person(s) entitled to share therein. The District's decision on any matter connected with the reward shall be final, conclusive, and binding and shall not be subject to judicial review.

**Section 2.26. Public Indecency.**

(a) No Person seventeen (17) years of age or older shall perform or commit any of the following acts on District Property:

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

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

(b) No Person shall exhibit, sell, give away, offer to sell or give away, display or hold or place in such a manner as to be open to public view any Obscene book, pamphlet, drawing, picture, photograph, model, cast, instrument, or any other Obscene article while on or upon District Property.

**Section 2.27. Reporting Accidents.**

A Person involved in an incident on District Property resulting in personal injury or property damage, shall report the incident to the District Police Force within twenty-four (24) hours after the incident.

**Section 2.28. Restricted Areas.**

(a) No Person shall enter or remain in any building or portion of District Property where Persons are prohibited by the District from entering, or, except as provided in Section 2.30(c) of this Ordinance, where use is restricted to Persons of the opposite sex as indicated by a sign or notice posted by the District.

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

(c) No Person shall enter any District Property that is reserved or scheduled for a specific group or activity, unless such Person is invited by the individual, group, or agency responsible for such activity and unless such Person has paid any applicable admission and/or registration fees.

**Section 2.29. Restrictions Applicable to Specific Recreational Activities.**

**(a) Aircraft/Model Aircraft.**

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

(2) 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.

(3) 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 therefor has first been obtained from the District in accordance with Chapter V of this Ordinance.

(4) No Person shall parachute or otherwise descend from an Aircraft into or onto District Property or cause, permit or authorize another Person to parachute or otherwise descend from an Aircraft into or onto District Property, except when necessitated by unavoidable emergency.

**(b) Baseball and Softball Playing.**

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

**(c) Boating/Model Boating.**

(1) No Person shall launch any Vessel in District Waters, except from such places as may be designated by the District therefore, and then only in compliance with applicable federal, state, local, and District laws, ordinances, rules, and regulations.

(2) No Person shall use, employ, or be in or upon any District launching ramp or facility for the launching or removal of Vessels except on dates and during hours established by the District.

(3) Model Boating. Permitted only in the lagoon area of Little Bear Lake in Century Park. The length of the boat may be no longer than 60" and the engine size may be no larger than 30 cc.

(d) Camping. No Person shall place, erect, or use any hammock, tent, shelter, or any other type of temporary or permanent housing or camping equipment on District Property, remain overnight on District Property or otherwise engage in Camping on District Property unless a Permit therefor has first been obtained from the District.

**(e) Fishing.**

(1) No Person shall Fish or otherwise take aquatic life from District Waters at any location where the District has posted prohibitory signage.

(2) Every Person Fishing in District Waters shall comply with all applicable federal, state, local, and District laws, ordinances, rules, and regulations including, without limitation, conservation laws and licensing requirements.

(3) Fishing in District Waters shall be conducted by means of a hook and line, with the rod or line being closely attended. No Person shall use drugs, poisons, explosives, electricity, or missiles of any kind to District Waters.

(4) No Person shall dig, scratch, or otherwise disturb District Property in order to locate or take bait.

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

(6) The provisions of this section apply to ice Fishing.

**(f) Golf.**

No Person shall play or practice golf on District Property, except when involved in an established golf class under the supervision and direction of the District, or in an area designated by the District for the playing or practicing of golf, and the Person has satisfied all requisites before playing or practicing, including without limitation the paying of any applicable fees.

**(g) Horseback Riding.**

No person shall bring or cause to be brought onto District property any horses, unless a Permit allowing such activity has first been obtained from the District.

**(h) Hunting or Trapping.**

No Person shall hunt or trap in or on, or bring any device for hunting or trapping into or onto, District Property or District Waters.

**(i) Picnics.**

No group of Persons exceeding twenty (20) in number shall picnic on District Property unless a Permit therefor has first been obtained from the District in accordance with Chapter V of this Ordinance. The District may designate areas for preparing, consuming, and dispensing food, beverages and other products. Persons holding a Permit and dispensing any such products may do so only in the area designated in the Permit. In the event that dispensing of the permitted products is by sale, the Person also must comply with Section 2.14 of this Ordinance. No Person may dispense, prepare, consume, sell or otherwise use products, items or things otherwise prohibited in this Ordinance or any other federal state, local, or District law, ordinance, rule, or regulation.

**(j) Rollerskating and Skateboarding.**

No Person using rollerskates, in-line skates, skateboards, coasting vehicles, 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.

**(k) Sledding, Ice Skating, and Snowmobiling.**

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

(2) No Person shall engage in any such activity in a reckless manner that endangers himself or others or at a speed greater than is safe and

proper under the circumstances.

(3) 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.

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

**(l) Swimming.**

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

**(m) Tournaments, Leagues, or Other Organized Recreational Activities.**

No Person shall utilize any District Property, including without limitation playing fields and other District facilities, for tournaments, leagues, or other organized recreational activities and outings unless a Permit allowing such use or activity has first been obtained from the District.

**(n) Conflicts.**

This section does not apply to programs or activities conducted, sponsored, licensed or permitted by the District. Where a conflict between District programs or activities conducted, sponsored, licensed or permitted by the District and a requested activity occurs, District programs and activities shall take precedence.

**Section 2.30. Restrooms, Shower Rooms, and Locker Rooms.**

(a) Every Person shall cooperate in maintaining restrooms, shower rooms, and locker rooms on District Property in a neat and sanitary condition.

(b) No Person shall deposit inappropriate objects of any kind in the toilets, sinks, or plumbing fixtures of a rest room or washroom, shower room, changing room, or locker room facility on District Property.

(c) Only Persons under the age of four (4) years may use rest rooms and washrooms designated for the opposite sex.

(d) No Person shall bring into any restroom, shower room or locker room

on District Property any camera or other device capable of recording or transmitting visual images.

**Section 2.31. Selling or Distributing Printed or Written Material.**

(a) The distribution of printed or written material available without cost or donation is permitted on District Property.

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

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

**Section 2.32. Sleeping on District Property.**

No Person shall sleep on benches, sidewalks, parking lots, or tables, playgrounds or playground equipment, stairways or in doorways of District buildings or other District Property in a manner which unreasonably obstructs, hinders, or impedes the movement of other Persons or their access to or use of any such location, equipment, or facility.

**Section 2.33. Soccer Goal Usage.**

(a) Except as provided in subsection 2.33 (c), below, no Person may install, place or use any soccer goal on District Property that is not anchored to the ground in a manner reasonably calculated to make it difficult for any Person to move the goal.

(b) Except as provided in subsection 2.33 (c), below, no Person, other than authorized District personnel, may move any soccer goal that the District has installed or otherwise placed on District Property.

(c) The prohibitions contained in subsections 2.33 (a) and 2.33 (b), above, shall not apply to lightweight fold-up or pop-up, collapsible portable soccer training goals which are typically marketed, sold and used for youth soccer practice and training sessions and not for official games.

(1) Any person violating or disobeying any provision of this Section

2.33 shall be fined \$500 for each offense, and any Person violating or disobeying any provision of this Section 2.33 while making use of District Property pursuant to a permit shall also be subject to suspension or revocation of the permit as determined appropriate by the District.

**Section 2.34. Smoking.**

(a) No Person under the age of 18 may possess or use any cigar, cigarette, smokeless tobacco or tobacco in any of its forms while on District Property.

(b) Smoking of any tobacco product, including, without limitation, the carrying, smoking, burning, inhaling, or exhaling of any kind of lighted pipe, cigar, cigarette, hookah, weed, herbs, or any other lighted smoking equipment, is prohibited within all buildings, structures, facilities and vehicles owned, administered, leased or licensed, or otherwise in the possession or under the control of the District, or within fifteen (15) of any entrance to, exit from, window that opens into, or ventilation intake that serves any such building, structure or facility. Smoking is also prohibited in all wooded areas on District Property, and at all other locations on District Property where signs are posted prohibiting smoking.

(c) Smoking of any tobacco product, including, without limitation, the carrying, smoking, burning, inhaling, or exhaling of any kind of lighted pipe, cigar, cigarette, hookah, weed, herbs, or any other lighted smoking equipment, is prohibited on, or within twenty-five (25) feet of, any playground, skate park, baseball field, softball field or other athletic field owned, administered, leased or licensed, or otherwise in the possession or under the control of the District.

(d) A Person who violates any provision of this Section 2.34 shall be given a warning for the first offense within any 12-month period. A Person who violates this Section 2.34 on two or more occasions within any 12-month period shall be subject to revocation of any Permit issued to that Person by the District and, in addition, shall be fined as follows: 2nd offense: Twenty Five Dollars (\$25.00); 3rd offense Fifty Dollars (\$50.00); 4th offense Seventy Five Dollars (\$75.00); 5th, or any subsequent offense within any 12-month period One Hundred Dollars (\$100.00). The maximum fine for any single violation of this Section 2.34 shall be One Hundred Dollars (\$100.00).

**Section 2.35. Weapons, Fireworks, Explosives, Rockets.**

No Person shall bring onto, carry, have in his possession or on or about his person, concealed or otherwise, or use, fire, set off or otherwise cause to explode, discharge or burn, or throw onto or while on District Property any bludgeon, black-jack, billy club, sand-club, sand-bag, metal

knuckles, throwing star, switchblade knife, ballistic knife, any other dangerous knife (including without limitation a dirk, dagger, or stiletto), razor, broken bottle or other dangerous piece of glass, firearm, pistol, revolver, rifle, shotgun, automatic weapon, firearm silencer, air gun, pellet gun, stun gun, bow and arrow, slingshot, any weapon capable of discharging a projectile by air, spirit, gas or explosive, any explosive substance, rocket, firecracker or other firework, missile, bomb, grenade, or other explosive device, liquid or gaseous substance, any other dangerous weapon, or any object whose intended use is as a weapon, not specifically named herein. All weapons named herein shall have the definitions, if any, set forth in 720 ILCS 5/24-1.

### **Section 2.36. Incorporation of State Statutes and Local Ordinances.**

In addition to the provisions of this Chapter, and to the extent not inconsistent therewith, no Person shall perform any act in any manner on District Property in violation of any provision of the Criminal Code of 1961 (720 ILCS 5/1-1 et seq.), the Fish and Aquatic Life Code, 515 ILCS 5/1-1 et seq.), the Wildlife Code (520 ILCS 5/1-1 et seq.), or the Village Code of the Village of Vernon Hills, which provisions are specifically incorporated in this Ordinance by reference.

## **CHAPTER III – MOTORIZED VEHICLES, PARKING, AND TRAFFIC CONTROL**

### **Section 3.01. All -Terrain Vehicles.**

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

### **Section 3.02. Minibikes, Trailbikes and Scooters.**

No Person shall drive, ride, or otherwise operate any minibike or trailbike on District Property. For purposes of this section, every motor Vehicle which is self-propelled by power obtained by either the combustion of gasoline or by electricity/battery on not more than three (3) wheels shall be deemed to be a minibike or trailbike.

### **Section 3.03. Commercial Vehicles.**

(a) The term "commercial vehicles" as used in this section shall include, but not be limited to, trucks, station wagons, vans, pickups, passenger cars, or other Vehicles when used in transporting Persons or movable property for a fee or profit, either as a direct charge to another Person, or

otherwise, or used as incident to providing services to another Person, or used in connection with any business. This includes food delivery vehicles and food vending vehicles.

(b) All roadways on District Property shall be used for pleasure driving only. No Person other than District employees shall drive any truck, tractor or other commercial vehicle of any kind on District Property without first obtaining a Permit, license or contract therefor from the District.

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

**Section 3.04. Driving Areas.**

No motor Vehicle shall be driven or otherwise operated upon District Property except over and upon such roadways, parking lots, or other areas designated or marked by the District for use by motor Vehicles. A bicycle path shall not be deemed a roadway for the use of motor Vehicles under this section.

**Section 3.05. Enforcement of Traffic Regulations.**

No Person shall fail to obey a member of the District Police Force or other District employee who is directing traffic or enforcing sections of this Chapter on District Property.

**Section 3.06. Fleeing or Attempting to Elude the District Police Force.** No Person driving or otherwise operating a motor Vehicle on District Property shall willfully fail or refuse to obey a visual or audible signal by a member of the District Police Force to bring his Vehicle to a stop. The signal given by a member of the District Police Force may be by hand, voice, siren, or red or blue light. The member of the District Police Force giving such signal shall be in uniform or driving a Vehicle appropriately marked showing it to be an official District Vehicle.

**Section 3.07. Gas and Smoke.**

No Person shall drive or otherwise operate a Vehicle on District Property which emits excessively noxious fumes or dense smoke.

**Section 3.08. 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.

**Section 3.09. Incorporation of State Statutes.**

In addition to the provisions of this Chapter, and to the extent not inconsistent therewith, no Person shall drive or otherwise operate a Vehicle or

perform any act in any manner on District Property in violation of Chapters 11 and 12 of the Illinois Vehicle Code (625 ILCS 5/11-100 et seq. and 625 ILCS 5/12-100 et seq.) which provisions are specifically incorporated in this Ordinance by reference.

**Section 3.10. Parking.**

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

(b) No Person shall park any motor Vehicle or allow any motor Vehicle to remain parked in any area of District Property beyond the normal closing hour of the park system, except when a different closing hour has been designated by the District for that area or unless permission therefor has first been obtained from the District. In no event shall any motor Vehicle except District Vehicles be parked on District Property later than 11:30 p.m., except with the approval of the District which approval shall automatically be deemed given in connection with activities conducted, sponsored, licensed or otherwise permitted by the District. Any vehicle parked in violation of this Section 3.10(b) may be removed and/or impounded by the District Police Force as provided for in Sections 4.06(b) and 7.03 of this Ordinance.

(c) No Person shall stop, park, or place any Vehicle on District Property so as to obstruct or interfere with traffic or travel or endanger the public safety, and no Person shall stop, park, or place any Vehicle in any of the following places except when expressly permitted by the District or when necessary to avoid conflict with other traffic or when in compliance with the instructions of a member of the District Police Force: (1) on the left side of any roadway; (2) on parkways, lawn areas, and grounds; (3) in front of a public or private driveway; (4) within any intersection; (5) within any crosswalk; (6) within 20 feet of any intersection or crosswalk; (7) within 30 feet of any stop sign or traffic control signal; (8) on the roadway side of any Vehicle stopped or parked at the edge or curb of the roadway; (9) in a position to block another Vehicle lawfully parked; (10) on any sidewalk; (11) at any place where official signs or other markings prohibit parking, or where curbs have been painted yellow; (12) within 15 feet of a fire hydrant; (13) in a fire lane or within 8 feet of the entrance to a fire lane; (14) within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of such entrance (when properly sign-posted); (15) between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings; (16) alongside or opposite any street

excavation or obstruction when stopping, standing, or parking would obstruct traffic; (17) upon any bridge or other elevated structure upon a roadway, or within a roadway tunnel; (18) on any railroad tracks or within 50 feet of the nearest rail of a railroad crossing; (19) on a controlled-access roadway; (20) in the area between roadways of a divided highway, including without limitation crossovers; and, (21) at any place or time where a permit or sticker is required by the District for parking unless the required permit or sticker has been obtained and is displayed on the Vehicle.

(d) No Person shall park a Vehicle upon on District Property for any of the following purposes: to display such Vehicle for sale; to perform maintenance or repair of such Vehicle, except for repairs necessitated by an emergency; or, to sell goods or services from such Vehicle.

(e) Every Person in whose name a Vehicle is registered pursuant to law and who leases such Vehicle to others, after receiving written notice of a violation of this Ordinance involving such Vehicle and the identifying number upon the registration plates and registration sticker or stickers of 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

(f) No Person who is the lessor of a Vehicle pursuant to a written lease agreement shall be liable for the violation of any parking or standing regulation of this Ordinance involving such Vehicle during the period of the lease provided that upon the District's request received within 120 days after the violation occurred, the lessor provides within 60 days after such receipt the name and address of the lessee. The driver's license number may also be requested by the District if needed for enforcement of this Ordinance.

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

(h) Penalty Provisions for Parking Violations.

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

(2) Whenever any Vehicle is parked in violation of any parking provision of this Ordinance, 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.

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

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

(5) Any Person who violates or fails to comply with any provision of this section shall be fined \$25.00 for each offense.

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

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

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

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

(10) The Clerk of the Circuit Court shall notify the County State's Attorney of each respondent who fails to make payment or who fails to request a court hearing pursuant to subsections (k)(6), (7), (8), and/or (9). Upon being notified by the Clerk of the Circuit Court, the County State's Attorney shall institute a civil action against the respondent in an amount of the fine plus a penalty double the relevant fine and costs. Any action instituted and

(11) proceeding therein shall be conducted in accordance with the Rules of the Circuit Court of Lake County, the Code of Civil Procedure and the laws, rules and regulations of the State of Illinois.

**Section 3.11. Speeding.**

Except as provided in this Ordinance, no Person shall drive or otherwise operate a Vehicle on District Property at a speed greater than is reasonable and safe under the circumstances, having due regard for traffic, pedestrians, weather conditions and the intended use of the roadway and at no time at a speed greater than 15 miles per hour, and no Person shall drive or otherwise operate a Vehicle on District Property at a speed that endangers the safety of any Person or property.

**Section 3.12. Traffic Signs and Signals.**

No Person shall fail to observe any traffic sign indicating speed limit, direction of travel, caution, stopping, parking, crosswalk lanes, traffic lane markers, and any other sign posted by the District for safeguarding life or property.

**Section 3.13. Unattended Motor Vehicles.**

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

**Section 3.14. Unauthorized Use of Parking Places Reserved for Handicapped Persons.**

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

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

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

(d) Any Person found guilty of violating the provisions of this section shall be fined not less than \$100 and not more than \$200 in addition to any costs or charges connected with the removal or storage of any motor Vehicle authorized under this section.

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

**Section 4.01. Hours.**

(a) Except as otherwise provided in this Section, District Property (Parks) shall be open to the public from sunrise in the morning until sunset in the evening of that same day and District Property shall be closed to the public from sunset each day until sunrise the following day.

(b) Parks with lighted pathways, eg. Deerpath Park, Century Park, Hawthorn Melody Park and Kelli Garvanian Park, shall be open to the public each day until 10:30p.m.; provided however, that basketball courts located within these parks shall be closed to the public from sunset each day until sunrise the following day.

(c) The Board may by resolution, without the necessity of amending this Ordinance: (i) establish other hours during which District Property or any parts thereof shall be closed to the public, and (ii) periodically revise the hours provided, however, that notice of hours established by resolution shall be posted at the applicable park or park location.

**Section 4.02. Special Closings.**

The Board or the Director 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 District.

**Section 4.03. Use of Closed Property Prohibited.**

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

**Section 4.04. Schedules, Fees, Rules, and Regulations.**

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

**Section 4.05. Admission/Identification.**

No Person shall enter into, be, or remain in or upon District Property without paying any applicable admission fees, without complying with registration requirements that may be established by the District, or

without displaying the required admission identification. All admission identification cards, papers and tickets are non-transferable and must be individually registered, unless otherwise specifically noted thereon. A charge may be made by the District for replacing lost admission identification cards, papers and tickets.

**Section 4.06. Lost, Found, and Abandoned Property.**

(a) No Person shall abandon property on District Property.

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

(c) Any Person finding lost or unattended property on District Property shall report the discovery to the District as soon as is practicable. Whenever a District employee or agent finds lost or unattended property on District Property he shall report the discovery to his supervisor or Division Head. The District will attempt to make every reasonable effort to locate the property's owner(s).

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

**Section 4.07. Building Use.**

No Person shall use any District building or facility for an event or activity that is not conducted or sponsored by the District unless a Permit therefor has first been obtained from the District in accordance with this Ordinance and/or a license agreement has been executed with the District. All Persons using District buildings or facilities shall comply with the provisions of this Ordinance and with the provisions and conditions of the Permit and/or license agreement and with all other applicable policies, rules, and regulations of the District regarding the use of District Property.

## CHAPTER V - PERMITS AND OTHER AUTHORITY

### **Section 5.01. Permits.**

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

(b) Every Person requesting a Permit shall complete and file a written application with the Director, on forms provided by the District, and pay applicable application fees at the location designated by the District. The District shall time and date stamp each such application immediately upon receipt.

(c) Except as otherwise provided in this subsection 5.01(c), applications for Permits must be received by the District at least forty-eight (48) hours prior to the use for which a Permit is sought. Applications for Permits under sections 2.01, 2.06, 2.29 and any other section of this Ordinance or any other District ordinance, rule, or regulation not involving the exercise of First Amendment rights must be received by the District at least twenty-one (21) calendar days prior to the requested use.

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

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

(2) A prior application for a Permit for the same date, time, and location has been or will be granted and the use authorized by that Permit does not reasonably allow occupancy of that particular location by more than one permittee; or,

(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 park resources or facilities, damage to an environmentally sensitive or protected area's ecosystem, impairment of a protected area's atmosphere of peace and tranquility, unreasonable interference with District functions, buildings, facilities, operations, programs or activities, or unreasonable interference with the use or purpose of the District Property applied for; or,

(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 the park.

(6) This subsection 5.01(d) is not applicable to applications for commercial activity Permits under sections 2.06 and 2.14 of this Ordinance or to Permits for sale or delivery of Alcoholic Liquor under section 2.01. The District reserves the right to exercise its discretion in issuing Permits under sections 2.01 and 2.06.

(e) The District shall approve or deny any application received pursuant to Sections 2.08, 2.05, 2.14, 2.21 or 2.31 of this Ordinance within twenty-four (24) hours from its receipt. The District shall approve or deny any application received pursuant to Section 2.14 of this Ordinance within (48) hours from its receipt. For applications under sections 2.01, 2.06, 2.29 and any other section of this Ordinance or any other District ordinance, rule, or regulation not involving the exercise of First Amendment rights, the District shall approve or deny the application within fourteen (14) calendar days from its receipt. However, the District may extend the time for such action provided that it notifies the applicant within twenty-four (24) hours after the District's receipt of the application. Such notice shall specify the time within which the District will approve or deny the application.

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

(g) If an application is denied on the basis of a scheduling conflict or inappropriateness of the location, duration, or time of the activity, the District will make a reasonable effort to arrange an alternative location, duration or time that is acceptable to the applicant. If the District denies an application pursuant to sections 2.05, 2.14, 2.21 or 2.31, or the applicant is dissatisfied with such Permit as issued, he may appeal the decision to the Board within ten (10) calendar days after the decision is rendered. If the Board rejects the appeal after full review, or if time for full review is not available, the applicant may appeal the decision to the appropriate state or federal court. All other decisions on the issuance of Permits by the District are final.

(h) Any Permit granted by the District may contain lawful prerequisites to the issuing of the Permit and restrictions on the conduct of the permitted 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.

(i) 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.

(j) 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.

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

(l) Except as provided in subsections 5.01(l)(1) and (2), 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.

(1) This subsection shall not apply to Permits granted under section 2.06 of this Ordinance. For Permits granted under section 2.06, the District shall determine the length of time that a Permit will be valid.

(2) This subsection shall not apply to Permits granted under section 2.31 of this Ordinance for newsracks or newsstands. Such Permits shall be issued for a period of six (6) months.

(m) 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.

(n) For purposes of this section 5.01, 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.

## **Section 5.02. Insurance and Hold Harmless Agreement.**

(a) Except as provided in subsection 5.02(a)(1), every applicant for a

Permit shall acquire general liability insurance to protect himself and the District from liability resulting from his use of District Property and provide proof of such insurance to the District before the District will issue a Permit to an otherwise acceptable applicant. The District must be named on such policy as an additional insured. Where possible, an applicant may acquire a rider to the District's insurance policy at the applicant's cost and expense. Applicants should contact the District's administrative office for more information.

(1) For uses involving the exercise of First Amendment rights, including without limitation parades, rallies, religious services, solicitation of votes, petition signatures or contributions, picketing and leafleting, the District may waive the requirement of insurance if the applicant demonstrates that he or his organization cannot procure general liability insurance or that the cost of procuring such insurance or acquiring a rider to the District's insurance policy is prohibitive. An applicant must request such a waiver in writing.

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

### **Section 5.03. Restoration Deposit.**

(a) The District may require payment of a restoration deposit as a prerequisite to the issuance of a Permit. The District shall refund the deposit if the Person responsible for the permitted use cleans any refuse caused or left by the use or the use's participants and restores District Property to the condition it was in prior to the use to the District's satisfaction. If the District is required to clean up or restore District Property after the permitted use, the Person responsible for the permitted use shall reimburse the District for all costs and expenses associated with the clean-up and restoration. The cost of the clean-up and restoration shall be deducted from the restoration deposit. If there are any funds remaining after the cleanup and restoration costs have been paid, they shall be returned to the permittee. If the costs and expenses for the clean-up and restoration exceed the amount of the restoration deposit, the District reserves the right to bill the permittee and to pursue any and all legal options.

(b) For uses involving the exercise of First Amendment rights, the District may accept a written agreement to clean up and restore District Property after the permitted use in lieu of the restoration deposit if the applicant can demonstrate that payment of a restoration deposit would create an

undue financial hardship. An applicant must request this arrangement in writing. If the permittee does not satisfactorily perform according to the agreement, the District reserves the right to bill the permittee and pursue any and all legal remedies.

**Section 5.04. Other Authority.**

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

CHAPTER VI - ENFORCEMENT

**Section 6.01. Police/Security Force.**

(a) The District Police Force is the Village of Vernon Hills Police Department. The District Police Force shall be the conservators of the peace on District Property, and shall be responsible for the enforcement of all federal, state, local, and District laws, ordinances, rules, and regulations on District Property.

(b) The members of the District Police Force shall have the authority to eject from District Property, arrest, or issue citations to any Person who violates any applicable federal, state, local, or District law, ordinance, rule, or regulation on District Property.

**Section 6.02. Rules to be Obeyed.**

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

**Section 6.03. Parties to Ordinance Violation.**

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

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

(c) It is unlawful for the owner or any other Person employing or otherwise directing the operator of any Vehicle, to request or knowingly permit operation of any such Vehicle on District Property in any manner contrary to this Ordinance.

## CHAPTER VII - PENALTIES

### **Section 7.01. Revocation of Privileges; Fine.**

Any Person violating or disobeying any section or part thereof of this Ordinance, or any other ordinance, rule or regulation of the District may be fined not less than \$25 nor more than \$1,000.00 for each offense, may be forthwith evicted from District Property, or may have his admission rights to District Property suspended, terminated or revoked. The District Police Force may issue and serve upon the offender a Notice of Violation for any violation of this Ordinance. Each such Notice of Violation shall specify the amount of the fine to be paid for the offense, which shall be \$50.00 unless this Ordinance provides for a higher fine for a specific violation. Fines will double if not paid within ten (10) days of the issuance of the Notice of Violation. Fines may be recovered by an action in the name of the Village of Vernon Hills in the Circuit Court for the Nineteenth Judicial Circuit, Lake County, Illinois, if not voluntarily paid by the person committing the offense within ten (20) days of the issuance by the District Police Force of a Notice of Violation, specifying the amount of the fine(s). The procedure in such actions shall be the same as provided by law for like actions for violation of ordinances in cities organized under the general laws of the State of Illinois. Payment of fines shall be to the Village of Vernon Hills.

### **Section 7.02. Restitution.**

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

**Section 7.03. Seizure/Removal/Impoundment of Property.**

Any property, substance or thing brought into, utilized, placed, or left on District Property in violation of this Ordinance, or any other District ordinance, rule, or regulation may be removed, seized, and destroyed in the case of property and substances referred to in Section 2.01, Alcoholic Liquors, 2.02, Animals and Pets, 2.07, Controlled Substances and Cannabis, and 2.34, Weapons, Firearms, Explosives, Rockets, or seized and impounded in the case of any other property, substance or thing (including without limitation Vehicles and bicycles). Property so impounded shall not be returned to the owner(s) thereof until such Person(s) shall have provided the District Police Force with acceptable proof or evidence of ownership and until such Person(s) shall have reimbursed the District Police Force in full for all costs and expenses to the District of such impoundment including without limitation any removal and storage charges. Property not claimed by the rightful owner(s) thereof within sixty (60) days after such impoundment may be sold by the District Police Force which shall be entitled to the entire proceeds thereof, or otherwise disposed of, provided that any motor vehicle towed and/or impounded shall be disposed of according to the applicable laws of the State of Illinois.

**Section 7.04. Non-Exclusivity of Penalties.**

The penalties provided for in this Chapter VII are in addition to and not exclusive of any other remedies available to the District as provided by applicable law. Each of the penalties provided for in this Chapter is not exclusive of any of the other penalties provided in this Chapter and such penalties may be imposed singly or in any combination permitted by law.

**CHAPTER VIII - REPEAL**

District Ordinances 17, 22, 24, 25, 26, 32, and 146 and all other District ordinances, resolutions, policies, rules and regulations in conflict or inconsistent with any of the provisions of this Ordinance are hereby repealed.

**CHAPTER IX - SEVERABILITY**

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

## CHAPTER X - PUBLICATION AND EFFECTIVE DATE

### **Section 10.01. Publication in Book Form.**

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

### **Section 10.02. Effective Date.**

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

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Jeff Fougerousse  
Secretary, Board of Park Commissioners

Published in pamphlet form this 26th day of August, 2010

