

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



**Mission Statement**

**Our Commitment To You!**

The Waukegan Park District is committed to providing parks, facilities and leisure opportunities to our culturally diverse population through the resources of community involvement, dedicated staff and sound management.

The Mission Statement was adopted by the Board of Commissioners on May 12, 1987. Amended by the Board of Commissioners on January 19, 1993 and August 13, 1996.



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

WHEREAS, the Waukegan Park District is an Illinois Municipal entity operating within territory predominantly in the city of Waukegan, Lake County, Illinois; and

WHEREAS, it is reasonable, necessary and desirable for the District to establish rules and regulations in order to provide for the safe and peaceful use of its parks; and

WHEREAS, it is reasonable, necessary and desirable for the District to establish rules and regulations in order to provide for the government, protection and preservation of the property, facilities and resources of the parks; and

WHEREAS, the Board has determined that it has become necessary and desirable to update the prior Ordinance Regulating the Use of Parks and Property Owned or Controlled so as to clearly reflect changes in law, circumstances and the needs of the Park District; and

WHEREAS, the Board has determined it is in the best interests of the District to adopt the attached ordinance, being Exhibit "A" in its entirety, and incorporated herein as if full set forth as the Ordinance Regulating the Use of the Parks and Property Owned or Controlled.

SECTION ONE: ADOPTION. That the provisions contained in the ordinance, being Exhibit "A," appended hereto and expressly made a part hereof, be and the same as hereby adopted as the "Ordinance Regulating Conduct in Public Parks" within the Waukegan Park District, Lake County, Illinois.

SECTION TWO: SEVERABILITY: The various provisions of this Ordinance are to be considered as severable and if any part or portion of this Ordinance shall be held invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance.

SECTION THREE: REPEAL OF PRIOR ORDINANCES: All prior ordinances and resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION FOUR: EFFECTIVE DATE. This ordinance shall be effective immediately upon its passage, approval, and publication as provided by applicable law.

PASSED AND APPROVED This 8th day of October, 2002.

WAUKEGAN PARK DISTRICT  
Lake County, Illinois

\_\_\_\_\_  
William K. Durkin, President

ATTEST:

\_\_\_\_\_  
Charles W. Smith, Secretary

ROLL CALL VOTE:

Ayes: \_\_\_\_\_

Nayes: \_\_\_\_\_

Absent: \_\_\_\_\_



## CHAPTER 1 - Definitions

### Section 1 - Short Title

The ordinance regulating the use of the parks and property owned or controlled by the Waukegan Park District, Waukegan, Illinois; providing for conduct and enforcement; and providing penalties for the violation of its provisions, shall be known and may be cited as the "Ordinance Regulating Conduct in Public Parks."

### Section 2 - Definitions

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

- A. "Authorized Agent" is any person granted authority by the Waukegan Park District Board of Commissioners and Executive Director.
- B. "Chief of Police" is the Executive Director of the Waukegan Park District or an authorized agent.
- C. "City" is the City of Waukegan, Illinois.
- D. "Director" is the person appointed and designated by the Board to administer the policies established by the Park Board.
- E. "Employee" is any employee of the Waukegan Park District.
- F. "Park" is any park or property owned, leased or controlled by the Waukegan Park District, such as a play field, playground, pool, golf course, recreation center or any other area or facility in the Park District, and devoted to active or passive recreation.
- G. "Park Board" is the Board of Commissioners of the Waukegan Park District by whom all policy matters are established pertaining to the Park District.
- H. "Park District" is the Waukegan Park District of Lake County, Illinois including its parks, properties, facilities, buildings, Board of Commissioners, employees and its agents.
- I. "Person" is any person, firm, partnership, association, corporation, governmental unit, company or an organization of any kind.
- J. "Police Officer" is any individual trained in the methods of law enforcement and given authority to maintain peace, safety, and order.
- K. "Pollution" is the contamination or other alteration of the physical, chemical, or biological properties of park waters or land, including changes in the temperature, taste, color, turbidity or odor of park waters or any discharge of any liquid, gas, solid, or other substance into or onto park waters or property that will or is likely to create a public nuisance or render such waters or property harmful or detrimental to the public health, safety or welfare, or to domestic, recreational or other beneficial uses, or to wild animals, birds, fish or other aquatic life.
- L. "Superintendent" is the person immediately in charge of any park area or department and its activities and to whom all employees of such area or department are responsible.
- M. "Vehicle" is any wheeled conveyance, whether motor powered or self-propelled. The term shall include any trailer in town of any size, kind or description. Exception is made for baby carriages and vehicles in the service of the Park District.
- N. "Area(s)" where used means a specified place within a park.

- O. "Overnight" wherever used means the time when the park or facility is officially closed until it opens the following day.
- P. "Parking Area" wherever used means any designated park or any park road or drive, or special area contiguous thereto that is set apart from the standing or stationing of vehicles as deemed by the District.
- Q. "Permit" wherever used means the written permission of the District that must be obtained and possessed to carry out a specific activity.
- R. "Posted" wherever used means any notice which is displayed whether by a sign in a park, or a park district building, or at the entrance to a park, or is available at the Administrative Office, the location being at the discretion of the District.
- S. "Property" wherever used means any lands, waters, facilities or possessions of the District, whether in fee, as a leasehold or management agreement.
- T. "Watercraft" where used means any device or conveyance on the water whether propelled by motor, engine, wind or human power. The terms include, but are not limited to, any boat, canoe or raft.
- U. "Waters" where used means waters within the jurisdiction of the District.

## CHAPTER 2 - Public Use

### Section 1 - Public Use and Mission

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

### Section 2 - Hours of Use

- A. Parks shall be open to the public from sunrise to sunset unless otherwise posted.
- B. No person shall remain in the park when the park is not open to the public, without a permit from the Park District.
- C. Park hours shall be posted.

### Section 3 - Park Use Permits

- A. No person shall conduct, operate, present, manage or take part in the following activities in a park unless a permit is obtained from the Park District or his authorized agent prior to the start of the activity:
  - 1. Any contest, show, exhibit, dramatic performance, play act, motion picture, commercial photo shoot, acrobatic feat, bazaar, organized sporting event, radio or television broadcast, ceremony, children's day camp, fair, circus, musical event or any public meeting, religious event, assembly or parade including, but not limited to, drills and maneuvers, rallies, picketing, marches or political meetings.
  - 2. Any use of any park or facility by a certain person or group of persons to the exclusion of others.
  - 3. Any picnic, outing or gathering sponsored by any person or organization, or composed of twenty-five (25) or more persons, except as to particular parks designated by the Park District.

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

1. **Picnics:** General picnicking in Waukegan Park District parks does not require a permit. No person shall picnic other than in a designated area. Individual grills and picnic tables are available to non-permit picnickers on a first-come/first-served basis. A permit, known as a Park Use Permit must be obtained for groups of twenty-five (25) or more persons.
2. **Facility Rental:** A Park Use Permit is required for exclusive use and rental of the Bevier Picnic Pavilion, Bowen Formal Garden, the Janet Morrison Picnic Center, the Hinkston Pavilions North and South and the Washington Bandshell. Park Use Permits may be submitted beginning March 1 for the upcoming season and shall be made in person during regular business hours. Applications are processed on a first-come/first-served basis. The rental fee and deposit must accompany the application. All cancellations must be in writing. A separate permit is required for rental of other District buildings and facilities. Upon submittal of an application, required information and payment of associated fees, a Park Use Permit may be issued.
3. **Park Use Permit:** A Park Use Permit is required for any group of 25 or more persons requesting the use of a specific park for one or more of the following reasons: a picnic, meeting, athletic event, rally, walk-a-thon, march or some type of religious event. Any type of religious ceremony must be approved by the Board of Commissioners of the Waukegan Park District. Park Use Permits are also required for a teacher or school

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

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

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

- a. That the proposed activity or use of the park shall not interfere with or detract from the general public's use and enjoyment of the park and surrounding property or facilities.
- b. That the proposed activity and use will not interfere with or detract from the promotion of public health.
- c. That the proposed activity or use is not anticipated to incite violence, crime or disorderly conduct.
- d. That the proposed activity will not entail unusual, extraordinary or burdensome expense or police operation by the Park District or expose it to unusual or extreme liability.

- e. That the facilities desired have not been reserved for other use at the day and hour required in the application.
- f. That the proposed activity is compatible with the type of park, size and character of the area or waters involved and the facilities available, and that it is not expected to cause irreparable harm or extreme damage to the natural environment of the park.

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

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

3. **Issuance of a Permit:** Once the Park District approves a permit the applicant must pay all necessary fees and charges before the permit is issued. A permit is not transferable from the applicant to any other person without the permission of the Park District. The permit holder must make the permit available for inspection by any law enforcement officer or Park District employees on the date for which the permit or activity is being held to ascertain whether the conditions of the permit are being adhered to.
4. **Effect of Permits:** A permittee agrees to be bound by all park rules, regulations and applicable ordinances which are incorporated by reference into each permit, and all federal, state, county and local laws.
5. **Liability of Permittee:** The person or persons to whom a permit is issued shall be liable for any loss, damage or injury sustained by any person or reserving group whatever by reason of the negligence of the person or persons to whom such permit shall have been issued.
6. **Revocation:** The Park District shall have the authority to revoke a permit upon finding violation of any rule, regulation or ordinance; violation of any condition of the permit, **including failure to produce the permit for inspection upon request of any law enforcement officer or Park District employee;** providing false or misleading information on the application for the permit; or upon good cause shown.



## CHAPTER 3 - Protection of Property, Structures and Natural Resources

### Section 1 - Destruction or Misuse of Property and Structures

No person shall upon or in connection with any property of the Waukegan Park District:

- A. Destroy, deface, paint, alter, or remove any monument, stone marker, bench mark, stake, post or blaze marking or designating any boundary line, survey line or reference point.
- B. Cut, break, mark upon or otherwise damage, destroy or remove any post, building, shelter, picnic table, bench, grill, railing, bridge, pier, drain, well, foundation, pump, telephone, lamp post, fence, gate, refuse container, exhibit, display, tool or equipment, paving or paving materials, storage box, utility outlet, movie screen, flagpole, water line or the park property without written permission from the Park District.
- C. Deface, destroy, cover, damage or remove any placard notice, or sign, or parts thereof, whether permanent or temporary, posted or exhibited by the District to announce the rules, regulations and warnings, or any other information to the public necessary or desirable to the proper use of the park or park property.
- D. Construct or erect any building or structure of any kind, whether permanently or temporarily, or run or string any public utility into, upon or across a park without the written permission from the Park District.
- E. Take, appropriate, excavate, injure, destroy, or remove any historical or prehistorical ruin or parts thereof, or any object of antiquity, without written permission of the Park District.
- F. Throw, carry, cast, drag, push or deposit any refuse container, picnic table, barricade or any other movable or non-movable property into a lake, pond, wetland, stream or lagoon or upon the frozen waters thereof, or to otherwise move, stack, or hide such property in such a way as to render it unavailable to the general public for its intended use, to cause a hazard to public safety or to damage or destroy such property.
- G. Occupy or inhabit, or cause to be occupied or inhabited, any barn, shed, or other structure, or use for storage or cause to be used for the storage of any goods, any barn, shed or other structure without written permission of the Park District.
- H. Enter into or upon any park area or structure closed or posted against trespass, without written permission of the Park District. These structures or areas may be, but are not limited to, employee residences and their immediate surrounding area, construction areas, work safety zones, equipment or material storage structures or area, work shops or stations, greenhouse or areas undergoing reforestation or other soil or vegetative treatment, or areas hazardous to the public safety or health.
- I. Tamper with in any way, enter or climb upon, weaken, destroy, damage, or remove anything from any park vehicle, watercraft, machine or implement.
- J. Misuse any refuse container or receptacle by depositing into it any hot coals or other hot or burning substances, or by depositing into it any garbage, trash, refuse or other unwanted material that was not gathered on the site in the course of normal, lawful use of park facilities.
- K. Bring into, leave behind or dump any material of any kind, whether waste or otherwise, in the park, except refuse, ashes, garbage and other material arising from the normal use and

enjoyment of a picnic or other permitted activity, provided such material is properly deposited in receptacles provided for such purposes. Where receptacles are not provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere. Nor shall any material of any kind be left or deposited within or near the parks so as to pollute the District land, waters, or air coursing through or over the parks or otherwise to interfere with proper use and enjoyment of the park. No bottles, cans, refuse or foreign material of any description shall be deposited or thrown in any streams, wetlands, ponds or lakes located in the parks.

## Section 2 - Destruction or Misuse of Natural Resources

No person shall upon or in connection with any property of the District:

- A. Cut, remove, uproot, pick, saw, chop, carve, injure or wantonly destroy any tree, bush, shrub, flower or plant, whether alive or dead, or chip, blaze, box, girdle, trim or otherwise deface or injure any tree, shrub or bud, or break or remove any branch or foliage thereof or pick or gather any seed of any tree or other plant unless necessitated by the performance of restorative maintenance, or construction work pursuant to contract with the District or by written permission.
- B. Drive any nail, staple or attach or fasten any wire, rope, or device to any tree or plant, or tie or hitch any animal to any tree, plant or bush.
- C. Climb any tree, or walk, stand or sit upon any monument, vase, fountain, railing, fence or any other park property not designated or normally used for such purposes.
- D. Remove or cause to be removed any sod, earth, downed timber, rock, sand or gravel, or remove or cause to be removed any other natural material from Park District property unless necessitated by the performance of restorative maintenance, or construction work pursuant to contact with the Park District or by written permission.
- E. Hunt, trap, molest, wound, poison or kill, or attempt to hunt, trap, molest, poison, or kill any animal, bird or reptile, or disturb any nest lair, den or burrow of any animal, bird or reptile, without written permission from the Park District.
- F. Fish in any waters of the Park District except in waters designated by the Park District for fishing, and then under such laws, ordinances and regulations as may be promulgated by the State of Illinois.
- G. Fish in any park waters where swimming, bathing or wading is permitted.
- H. Engage in fishing for profit in park waters, or buy or sell fish caught in park waters.
- I. Release or cause to be released any wild, or domestic animal, bird, fish or reptile, or distribute the seeds or spores of any flowering or non-flowering plant into or upon park lands or waters, without written permission of the Park District.
- J. Ride, lead or allow to be loose upon park premises, any horse, pony or other riding animal, except in areas designated for riding by posted signs and with the written permission of the Park District.
- K. Use or cause to be used any chemical or biological pesticide or any other substance, measure or process designated to alter the anatomy or physiology of any organism for the purpose of directly manipulating their

populations, without written permission of the Park District or authorized agent and then only in compliance with all applicable laws of the State of Illinois Department of Agriculture.

**Section 3 - Contraband**

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

**Section 4 - Destruction by Misuse of Fire**

No person shall upon or in connection with any property of the District:

- A. Set fire, or cause to be set on fire, any tree, brush, grassland, meadow, prairie, slash, refuse container or structure unless necessitated by the performance of park maintenance, or pursuant to conduct within the Park District.

- B. Build a fire anywhere, for any purpose, except in provided grills, or in appropriate receptacles, Fires shall be limited to cooking fires or fires in a fire pit as authorized by the Park District. Fuels used in fires shall not produce any noxious fumes or smoke.

- C. Build any fire whatsoever, for any purpose in or out of a receptacle or grill and leave it unattended, unless such fire is properly extinguished. For the purpose of this ordinance, a fire shall be deemed properly extinguished when its ashes, residue, coals and unburned substance is cold to the human touch.

- D. Cause, suffer, or allow the burning of garbage, refuse, waste material, trash, or other combustibles within or adjacent to the park so as to cause smoke, haze, odor, sparks, dust, dirt, or other type of matter or gaseous substance to come upon, or pass over the park which would cause an air pollution nuisance or damage to person or property.



## CHAPTER 4 - Regulations of Recreational Activities

No person shall upon or in connection with any property of the Waukegan Park District:

### Section 1 - Swimming

- A. Swim, wade, or bathe at any time in any of the ponds, lakes, pools, streams or watercourses except at such place or places as may be designated by the Park District and then only in accordance with the rules, regulations, and restrictions promulgated and posted.
- B. Change into or from bathing attire, except in those places designated for such use.
- C. Fail to wear bathing attire at all times while engaged in any permitted swimming activity.

### Section 2 - Bicycling, Skateboarding, Roller Skating and In-Line Skating

- A. Ride a bicycle except on the right-hand side of the road paving as close as conditions permit. Bicycles shall be kept in a single file when two or more are operating as a group, and bicyclists shall at all times operate their bicycles with reasonable regard to the safety of others; signal all turns, pass to the right of any vehicle they are overtaking, and pass to the right of any vehicle they may be meeting.
- B. Ride with any other person on a bicycle, except for a tandem bicycle which has seats for more than one person.
- C. Leave his/her bicycle except in a bicycle rack when such is provided and there is space available.
- D. Ride a bicycle on any path, trail, roadway or other area designated and posted as prohibiting bicycles. Bicyclist shall yield the right of way to pedestrians on paths, trails or other areas where motor vehicles are prohibited. No person shall operate a

bicycle in a reckless manner so as to endanger pedestrians or other bicyclists.

- E. Skateboard, roller skate or in-line skate on Park District property where it is posted as prohibited. All skateboarders, roller skaters and in-line skaters shall yield the right-of-way to pedestrians, bicyclists or other skaters.

### Section 3 - Sound or Energy Amplification

Play or operate any sound amplification devices (including, but not limited to radios, hand held radio devices, compact disc and cassette tape players, automobile radio type devices, television sets, public address systems and musical instruments) or operate any other energy amplification device in such a manner that the sound emanating therefrom can be heard at a distance of fifty (50) feet from the equipment during its use or operation.

### Section 4 - Winter Sports

- A. Sled, toboggan, ski or slide on any area posted by the Park District as being "unsafe" or "hazardous" or as being "closed" due to inadequate snow cover or other environmental conditions, or upon being duly notified of such by the Park District.
- B. Enter on or upon any frozen water to skate, fish, slide or walk on for any purpose whatsoever other than areas designated for such and then only in compliance with the rules and regulations posted for such use.
- C. Fish through the ice on any frozen waters or parts thereof designated by the Park District as ice skating areas.
- D. Bring onto or upon the frozen waters of any lake, pond or watercourse any iceboat or wind-driven-like device or other vehicle.
- E. Ice skate on any area posted by the Park District as being "closed" or "no skating" or "unsafe ice." Ice skating shall be allowed in designated rinks only.

### Section 5 - Snowmobiles

#### A. Definitions:

1. "Snowmobile" is any self-propelled vehicle designed for travel on snow or ice in a natural terrain, steered by wheels, skis or runners.
2. "Operate" means to control the operation of a snowmobile.
3. "Operator" is any person who operates or is in actual physical control of a snowmobile.

#### B. Regulations: It shall be unlawful for any person to operate a snowmobile under the following conditions:

1. On Park District property without express provision or permission to do so by the proper Park District authority.
2. In a manner so as to create a loud, unnecessary or unusual noise so as to disturb or interfere with the peace and quiet of other persons.
3. In a careless, reckless or negligent manner so as to endanger the safety of any person or property.

#### C. Unattended Vehicles: It is unlawful for the owner or operator to leave or allow a snowmobile to be or remain unattended on property while the motor is running or with the keys for starting the vehicle left in the ignition.

### Section 6 - Field and Team Sports

Play or engage in any team sport or game such as, but not limited to, baseball, football, soccer, field hockey, volleyball, lacrosse or horseshoes except in those areas designated by the Park District as athletic fields, or in such a manner as to interfere with other persons lawfully using said areas.

### Section 7 - Golfing in Parks

Swing or make use of any golf club nor play golf, nor hit or putt golf balls within or into the parks except upon established golf courses or driving ranges as are now used or may in the future be established and designated by the Park District.

### Section 8 - Games

Take part in the playing of any games involving thrown or otherwise propelled objects such as balls, stones, arrows, javelins, kites, or model airplanes or rockets except in areas conducive for such forms of recreation.

### Section 9 - Amusement Contraptions

Bring in, set up, construct, manage or operate any amusement or entertainment device or gadget, without a permit thereof.

### Section 10 - Aviation

Make any ascent in a balloon, airplane, glider, hang glider, or any descent in or from any balloon, aircraft, airplane, glider, hang glider, or parachute without a permit thereof, nor shall any person fly, cause to be flown, or permit any balloon, airplane, glider, or hang glider to be flown over any park premises at any time at an elevation less than is reasonable and proper, so as to endanger the safety of any person or property.

### Section 11- Gambling

- A. Manage, operate, organize, participate or engage in gambling or participate in or abet any games of chance as defined in 720 ILCS 5/28-1 et seq.
- B. Have in their possession any clock, wheel, tape machine, slot machine, pinball machine or other machine or device for the reception of money or other thing of value on chance or skill or upon the action of which money is staked, bet, hazarded, won or lost, without Park District approval. Any such machine or device in violation of this section shall be subject to seizure and confiscation.

## CHAPTER 5 - Regulations of Vehicles, Traffic and Parking

### Section 1 - Vehicle Operation and Equipment

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

No person shall in connection with any property of the Waukegan Park District:

### Section 2 - Vehicles Types and Access Allowed

- A. Operate, or cause to be operated, any vehicle anywhere except on the designated roads, drives, and parking areas provided, in compliance with the directions and restrictions of the police, or any authorized park employee. Nothing contained herein shall be construed to prevent police or emergency vehicles from free access to all areas of park property in the execution of their duties.
- B. Operate a vehicle in such a way that traffic is obstructed.
- C. Operate, or cause to be operated, any motor vehicle anywhere, that is not licensed or permitted to be operated on the roads, streets and highways of the State of Illinois without a permit from the Park District and then only in those areas specified and in accordance with the rules and restrictions duly set forth. Vehicles not so licensed and, therefore, subject to the provisions of this subsection include, but are not limited to, snowmobiles, go-carts, trail bikes, mini-bikes, and such other all-terrain, off-the-road vehicles.

- D. Operate or cause to be operated or moved, any vehicle closed in as a result of the closing of the park at the proper posted time, without a permit or until such time that the park is officially opened.
- E. Operate a vehicle on any road, drive or parking area posted, gated or barricaded and closed to public traffic.

### Section 3 - Right-of-Way

Operate a motor vehicle in such a manner as to fail to yield the right-of-way to pedestrians or to deprive or unreasonably interfere with the equal rights of any other person to use the property of the District.

### Section 4 - Parking

- A. Park a vehicle on any park property other than in areas designated for parking that type of vehicle, unless there is an emergency or unless directed to do otherwise by a law enforcement officer or an authorized park employee.
- B. Leave a vehicle parked on park property after park closing hours without obtaining permission from the Park District, or after the closing of a function for which the Park District has authorized a later closing hour.
- C. Park a vehicle in such a way as to block another parked vehicle.
- D. Park a vehicle in such a way as to block, restrict or impede the normal flow of traffic.
- E. Permit a motor vehicle which he is driving, or in charge of, to stand unattended without first stopping the engine, locking the ignition, and removing the keys, and when standing upon any perceptible grade, without setting the brake thereon and turning the front wheel so as to inhibit the accidental movement of said motor vehicle.

- F. Park any vehicle in any parking place designated as reserved for handicapped persons unless proper registration plates, decals or devices are exhibited indicating that the vehicle is operated by or for a handicapped person. Any vehicle in violation of this subsection is subject to removal at owner's or operator's expense.
- G. Double-park any vehicle on any driveway unless directed by a park official or temporarily for discharging passengers.
- H. Leave any vehicle in the park more than twenty-four (24) hours due to a mechanical failure. At the end of this period the vehicle shall be towed away at the owner's expense.
- I. Change oil, grease, wash or polish vehicles and leave debris from such action, or change any parts or make repairs of any kind to any vehicle in the Park System, except such emergency repairs necessary to remove such vehicle therefrom.

#### **Section 5 - Speed Limit**

Operate a vehicle on any road, drive, or parking area at a speed greater than the speed limit posted along the right-of-way or, in the absence of such posted limit, at a speed in excess of ten (10) miles per hour, but in no event shall a vehicle be operated at a speed that is greater than reasonable and proper with regard to pedestrians present or traffic conditions.

#### **Section 6 - Signs**

Operate a vehicle in disregard of any sign, signal, marking or device erected, constructed or created by the City, the District, or any public body or official having jurisdiction for the purpose of regulating, warning or guiding traffic, or contrary to the order of direction of any police officer or other person duly authorized to direct or regulate traffic.

#### **Section 7 - Negligent or Careless Driving**

Operate any motor vehicle in the park in a reckless or wanton manner, or carelessly so as to endanger life or property.

#### **Section 8 - Overweight Vehicle**

Operate any motor vehicle having a gross weight capacity, including vehicle and maximum load in excess of 8,000 pounds, or any vehicle bearing a Class-C or heavier license plate pursuant to Chapter 95 1.2, Section 3-815 Illinois Revised Statutes, except emergency or delivery vehicles, without a permit from the Park District.

#### **Section 9 - Improper Vehicle Operation**

- A. Operate a vehicle in such a manner as to deprive or unreasonably interfere with the equal rights of any other person as to the use of such public street or highway.
- B. Operate a vehicle in such a manner as to cause or produce unnecessary loud or unusual noise by the racing of the motor, by lack of a muffler or use of a muffler cutout, by tire friction upon rapid turning or weaving, by spinning of the wheels from standing or slow moving position produced by sudden unnecessary motor acceleration, or by continuous unnecessary motor acceleration, or by continuous unnecessary sounding of a horn, radio, stereo or other signal device.
- C. Operate a vehicle and intentionally accelerate causing the tires to spin, mark and deface the park or roadway surface.
- D. Allow any person to ride upon the fenders or any other part of any vehicle.

#### **Section 10 - Driving While Under the Influence of Intoxicating Liquor or Drugs**

Drive, operate or be in possession or control of, or attempt to drive or operate, any vehicle on any Park District property if said person is under the influence of intoxicating liquor, drugs, or a controlled substance.

## CHAPTER 6 - Regulation of Personal Conduct and Behavior

The Park District hereby adopts the Illinois Criminal Code Chapters 705 and 720 Illinois Criminal Law and Procedure, as from time to time amended, as the rules governing criminal offenses on Park District property, except where Park District ordinances specifically establish different rules. Enforcement shall be authorized by any law enforcement officer or authorized agent.

No person shall upon or in connection with any property of the Waukegan Park District:

### Section 1 - Vending and Advertising

- A. Expose or offer for sale or hire any articles or things, or conduct or solicit any business, trade or occupation or profession without the approval of the Park District or authorized agent and then only in accordance with the terms and conditions thereof, it being the intention of the District to control commercial enterprises or sales on District lands.
- B. Display, distribute, post or fix any placard, sign, handbill, pamphlet, circular, or any other writing or printed material or objects containing advertising matter or announcements of any kind whatsoever without permission from the Park District or authorized agent, except the groups holding a valid Park Use Permit, may display signs to identify their location or direct others to it, providing such signs are temporary and are removed by permittee at the termination of the activity.
- C. Beg or solicit contribution in any manner in any park.

### Section 2 - Unlawful Obstructions

- A. Set or place or cause to be set or placed any goods, wares, or merchandise or any stand, cart or vehicle for the transportation or

vending of any such goods, wares, or merchandise or any other article upon any property of the District to the obstruction of use of any park.

- B. By force, threats, intimidations or by any unlawful fencing or enclosing or any other unlawful means prevent or obstruct or combine with others to prevent or obstruct any person from peacefully entering upon any property of the District or obstruct the entrance into any enclosure within the District, excepting nothing in this section shall be constructed to deny unlawful enforcement of a valid permit granting a certain person or persons use to the exclusion of others as defined and provided for in this ordinance.
- C. Enter, without appropriate invitation or without having paid appropriate admission fee, any Park District area, facility or program which has been rented or otherwise reserved for any purpose; nor shall anyone enter any concession in any of the parks of the District without the consent of the concessionaire or duly authorized agent or employee; nor shall any person disturb any patron of such concession, any participant in any dance, game, picnic, or a public assemblage; nor shall any person loiter in the immediate area of any such concession as to impede free access to such concession by other park patrons or the flow of pedestrian traffic in and about the area of such concession.

### Section 3 - Unlawful Construction or Maintenance

Erect, construct, install, or perform any maintenance on, below, over or across a park except by proper authorization of the District authorizing such activity and then only in accordance with written permission of the Director specifying in detail the work to be done and the conditions to be fulfilled pursuant to the terms of such authorization.

#### **Section 4 - Drug or Alcohol Abuse**

Possess, give away, sell, serve, dispense or drink any alcoholic beverage, or possess, sell, deliver, smoke, inhale, inject, eat, chew or swallow any beer, wine, other alcoholic beverage, narcotic drug, or controlled substance provided however, that the sale, delivery, possession and consumption of alcoholic beverages to or by any person not under the age of 21 years in any specified building or within a specified area owned by the District, as authorized by the Park District from time to time, shall be permitted. Also, that the sale, delivery, possession and consumption of alcoholic beverages to or by any person not under the age of 21 years in building owned by the District and situated on Park District Golf Courses, shall be permitted. Any person found to be in violation of this section shall be subject to arrest or ejected from the park premises.

#### **Section 5 - Weapons and Harmful Substances**

- A. At any time have in their possession or on or about their person, any firearm, pistol, revolver, rifle, shotgun, ammunition, bow and arrow, crossbow, slingshot, blackjack, billy club, any device capable of discharging a projectile by air, spirit, gas or explosive, any explosive substance or harmful solid, liquid or gaseous substance, any tear gas or any disabling chemical agent or any other dangerous weapon. Nothing contained herein shall be construed to prevent any duly sworn police 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. The Park District may designate areas within a park where bows and arrows, and/or firearms can be used. In such cases, the Park District shall promulgate rules and regulations for the safe use of such devices, and no person shall fail to abide by such rules and regulations.

- B. Bring onto park property any trapping device, any incendiary bomb or material, any smoke or stink bomb, any acid or caustic substance, or any inflammable liquid, except charcoal lighter or fuel contained in the fuel tank of a motor vehicle.
- C. Discharge any of the weapons or instruments, listed in Section 5A above, into or over any park from outside a park.

#### **Section 6 - Hindering or Bribing Employees**

- A. Interfere with, unreasonably disrupt or delay or in any manner hinder any District employee or distract him/her from the performance of his/her duties.
- B. Give or offer to give an employee any money, gift, privilege, or article of value on or off District property in order to violate the provisions of this ordinance or any other District ordinance, contract, or permit or statute of the State of Illinois and the United States or in order to gain or receive special consideration in applying for any use or privilege or to gain special consideration and treatment in the use of any District property or facility.

#### **Section 7 - Use of Facilities Restricted as to Sex**

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

#### **Section 8 - Disorderly Conduct**

Engage in conduct that is disorderly, and a person shall be deemed to have engaged in disorderly conduct when he knowingly:

- A. Does any act in such unreasonable manner as to provoke, make or aid in making a breach of peace.

- B. Does or make any unreasonable offensive act, utterance, gesture or display which, under the circumstances, creates a clear and present danger of a breach of peace or imminent threat of violence.
- C. Refuses or fails to cease and desist any conduct or activity likely to produce a breach of peace where there is imminent threat of violence, and where the police have made all reasonable efforts to protect the otherwise peaceful conduct and activity, and have requested that said conduct and activity be stopped and have explained the request if there be time.
- D. Fails to obey a lawful order of dispersal by a person known by him to be a police officer under circumstances where persons are committing acts of disorderly conduct in the immediate vicinity, which acts are likely to cause substantial harm or serious inconvenience, annoyance or alarm.
- E. Assembles persons for the purpose of using force or violence to disturb the public peace.
- F. Contributes to the delinquency of a minor while within the park system.

#### **Section 9 - Public Indecency**

Engage in conduct that is publicly indecent, and a person shall be deemed to have committed an act of public indecency when any person performs any of the following acts:

- A. An act of sexual intercourse.
- B. An act of deviate sexual conduct.
- C. A lewd exposure of the body done with intent to arouse or to satisfy the sexual desire of the person.
- D. A lewd fondling or caress of self or the body of another person of either sex.

#### **Section 10 - Obscene Books and Pamphlets**

Knowingly exhibit, sell, give away, or offer to sell or give away in the Park District any obscene book, pamphlet, paper, drawing,

movie film, picture, photograph, or any other article of any kind of an obscene nature.

#### **Section 11 - Control and Treatment of Dogs and Domestic Animals**

- A. Bring in, lead or carry any dog or domestic animal that is unleashed or on a leash longer than six (6) feet, except to those areas designated by the Park District for use by such animals and then only in accordance with the rules and regulations duly promulgated for the control of such area or areas.
- B. Bring a dog or other domestic animal into a park area where dogs or domestic animals are prohibited. Dogs and domestic animals are prohibited from within twenty-five (25) feet of a playground, picnic shelter, swimming pool, fountain, athletic field, golf course or any sites of recreation activity such as but not limited to recreation programs and special events which may be designated by the Park District. All dogs in those areas where such domestic animals are not prohibited shall be restrained at all times on adequate leashes not greater than six (6) feet long and shall be accompanied by a person capable of controlling them.
  - 1. Any dog or other domestic animal found to be running at large and not under the control of any person while on Park District property may be apprehended and removed to an animal shelter, public pound or any other place provided for such purpose, all at the expense of the owner.
  - 2. Any person who brings a dog or other domestic animal onto Park District property shall cleanup and properly dispose of defecation left by the dog or other domestic animal under the control or ownership of such person.

- C. Bring in, drive, ride or lead in any animal, except in accordance with the provisions of this ordinance and the rules and restrictions duly promulgated

for the control of such animals except that horses, beasts of burden and draft animals may be ridden or driven ahead of vehicles attached thereto on such portions of the park as may be designated by the Park District.

- D. Nothing in this ordinance shall be construed to prohibit the controlled use of certain animals approved by the Director for purposes of public safety, such as but not limited to, the protection of Park District property or the protection of employees in the performance of their duties or search and rescue.

#### **Section 12 - Honoring Permits**

By act or speech willfully or unreasonably hinder, interrupt or interfere with any duly permitted activity, or unreasonably or willfully intrude on any areas or into any structures designated for the use of a certain person or persons to the exclusion of others.

#### **Section 13 - Pyrotechnics**

Possess, set off or attempt to set off or ignite any firecrackers, fireworks, smoke bombs, rockets, black powder guns or other pyrotechnics without Park District approval, and then only under such rules and regulations as may be promulgated by the Board and subject to all local, state and federal laws.

#### **Section 14 - Smoking in Park District Buildings**

Smoke in any part of the Park District's buildings unless a specifically designated and posted smoking area or in a permitted smoking area under the Illinois Clean Indoor Air Act.

**CHAPTER 7 - Enforcement**

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

**Section 1 - Police**

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

**Section 2 - Penalties**

- A. The Park District may also seek an order of restitution from any offender who has caused damage to Park District property while violating this ordinance.
- B. Payment of Violations Without Court Action:
  - 1. In case of any violations of the following provisions, if such violation in the opinion of the police officer detecting such violation is of such a nature of kind that it does not tend to immediately endanger the public safety, and District property has not been damaged, such police officer may issue a “hang on” complaint which indicates that payment of the minimum penalty may be paid as herein provided.

Included violations: see table below.

- 2. The Park District shall designate the location to which such compromise payments shall be made. In case of failure to make payments as herein provided, the officer issuing the complaint shall transmit the complaint to the Clerk of the Circuit Court of Lake County, as in other cases.

**Table 1  
 Included Violations**

Park District Chapter/Section		Waukegan City Ordinance	State Statute 720
Chapter 2	Section 2	Hours	15-67
	Section 3	Permits	720/5-21-5
Chapter 3	Section 1	Destruction of Property	saa
	Section 2	Misuse of Natural Resources	n/a
	Section 4	Destruction of Natural Resources	720/5-21-1
Chapter 4	Section 2	Bicycling/Skateboarding	15-66
	Section 3	Sound Amplification	15-66
	Section 5	Vehicle Repairs Prohibited	15-66
	Section 7	Golfing	5-1
Chapter 5	Section 2	Gambling	21-217
	Section 4	Parking	11-30
	Section 5	Speed Limit	n/a
	Section 9	Improper Use (Reckless)	n/a
	Section 10	DUI	15-46
Chapter 6	Section 1	Soliciting	720/5-28-1
	Section 4	Drug/Alcohol Abuse	all city ordinances apply
	Section 11	Dogs Running At Large	n/a

- C. The District may also seek, in addition to or instead of fines and penalties, an order that the offender be required to make restitution for damage resulting from violations of this ordinance.

### **Section 3 - Rules and Regulations**

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

### **Section 4 - Authority of Other Agencies**

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

### **Section 5 - Permits and Designated Areas - Authority**

To carry out the terms of this ordinance, the Park District is hereby given authority to issue the permits, set fees, post notices or take the other action as called for herein, subject to the guidelines set forth in Chapter 2.

### **Section 6 - Civil Suits**

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

### **Section 7 - United States, State and Local Laws**

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

## **CHAPTER 8 - Miscellaneous**

### **Section 1 - Repeal**

All District ordinances and parts of ordinances and all resolutions, rules and orders, or any parts thereof, in conflict with this ordinance, or any parts thereof, are hereby repealed.

### **Section 2 - Enactment**

This ordinance shall be in full force and effect from and after its passage and approval.

### **Section 3 - Captions and Headings**

The captions and headings used herein are for convenience of reference only and do not define or limit the contents of each paragraph.

### **Section 4 - Severability**

The provisions of this ordinance shall be deemed to be severable, and the invalidity or unenforceability of any provisions shall not affect the validity and enforceability of the other provisions hereof.

### **Section 5 - Inspection of Rules, Regulations, Designations and Schedules of Fees**

Copies of all rules, regulations, designations and schedules of fees, established by the Park District Director or Board of Commissioners, shall be kept in a single location and made available to the public for inspection during normal business hours at the Park District Corrine J. Rose Administrative Center, 2000 Belvidere Street in Waukegan, Illinois.



## CHAPTER 9 - Amendments

This ordinance may be amended from time to time by the District and such amendment may be shown by either marking the section amended or attaching the amendment to this ordinance, or filling in the schedule below.

<u>DATE</u>	<u>CHAPTER</u>	<u>SECTION</u>	<u>TITLE OR DESC.</u>
5/13/03	2	3	Park Use Permits
5/13/03	6	1	Vending & Advertising