

## 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.

