



OSWEGOLAND
PARK DISTRICT

**AN ORDINANCE REGULATING THE USE
OF THE PARKS AND PROPERTY OWNED OR
CONTROLLED
BY THE OSWEGOLAND PARK DISTRICT
("PARK ORDINANCE")**

Park Code Ordinance #220915-1

Revised 01.14.08, 09.15.22

313 East Washington Street
Oswego, IL 60543
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oswegolandparkdistrict.org

Creating Opportunities for a Healthy Community!

**AN ORDINANCE REVISING AND UPDATING REGULATIONS GOVERNING THE
USE OF THE PARKS AND PROPERTY OWNED OR CONTROLLED BY THE
OSWEGOLAND PARK DISTRICT**

WHEREAS, the Oswegoland Park District (“*District*”) is an Illinois Park District, body politic, and unit of local government formed and operating under the Illinois Park Code; and

WHEREAS, Section 8(d) of the Illinois Park District Code, 70 ILCS 1205/8(d) grants to the District the power to establish by ordinance all rules and regulations necessary for the government and protection of parks, boulevards, driveways and other property under the jurisdiction of the District; and,

WHEREAS, pursuant to this authority, this District passed from time to time various ordinances relating to the control of the conduct of all persons and patrons under the jurisdiction of the District generally and “An Ordinance Regulating the Use of the Parks and Property Owned or Controlled by the Oswegoland Park District (the “*Park Ordinance*”) in particular; and

WHEREAS, the District wishes to revise the Park Ordinance to update its regulations for the purpose of limiting the use of its parks and controlling the conduct of persons and patrons of the parks under its jurisdiction.

WHEREAS, the Board of Commissioners of the Oswegoland Park District have determined that enacting the revisions to the Park Ordinance as set forth herein is in the best interest of the health, safety and welfare of the residents of the District.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Oswegoland Park District as follows:

SECTION 1: The forgoing recitals are hereby incorporated into this Ordinance herein as findings of the Oswegoland Park District Board of Commissioners.

SECTION 2: The Board of Commissioners hereby approve the revised Park Ordinance, substantially in the form of *Exhibit A*, attached and hereby incorporated in to this Ordinance by this reference.

SECTION 3: This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK, SIGNATURE PAGE TO
FOLLOW

Passed on September 15, 2022, on a roll call vote as follows:

AYES: Commissioners Wilson, Tartol & Behrens

NAYES: Ø

ABSTAIN: Ø

ABSENT: Commissioners IJams & Wise

David Behrens

President

ATTEST:

Cindy Benson

Secretary



Published in pamphlet form by the authority of the Oswegoland Park District
on September 15, 2022.

Cindy Benson

Secretary

EXHIBIT A

**An Ordinance Regulating the Use of the Parks and Property Owned or Controlled by the
Oswegoland Park District**

[appended on following pages]

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CHAPTER I – PURPOSE AND DEFINITIONS

SECTION 1. PURPOSE

The Oswegoland Park District (the “District”) is a municipal corporation that has been established under the authority of the Park District Code, 70ILCS1205/1, et seq., for the purpose of providing open space and facilities for educational and recreational purposes to the residents of the District. These Rules and Regulations are intended to assist the District in its management of its Property and Facilities to ensure that all residents of the District have safe and equal access to its Properties and Facilities.

SECTION 2. DEFINITIONS

Unless otherwise expressly stated whenever used in this Ordinance, the following terms shall respectively mean:

- A. “Alcoholic Liquor” shall be defined in the Illinois Liquor Control Act, (235 ILCS 5/1- 3.05) as same as amended from time to time.
- B. “Alternative nicotine product” means a product or device not consisting of or containing tobacco that provides for the ingestion into the body of nicotine, whether by chewing, smoking, absorbing, dissolving, inhaling, snorting, sniffing, or by any other means. “Alternative nicotine product” does not include: cigarettes as defined in Section 1 of the Cigarette Tax Act and tobacco products as defined in Section 10-5 of the Tobacco Products Tax Act of 1995; tobacco product and electronic cigarette as defined in this Section; or any product approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for that approved purpose.
- C. “Area” shall mean a specified location within a Park or Facility.
- D. “Barbeque Grill” shall mean a fabricated metal container and grill designed for the cooking of food.
- E. “Board” shall mean the Board of Commissioners of the Oswegoland Park District, a Municipal Corporation, Kendall and Will County Illinois.
- F. “Cannabis” shall have the meaning ascribed to it in Section 1-10 of the Cannabis Regulation and Tax Act, 410 ILCS 705/1-10.
- G. “Commercial Solicitation” shall mean any one or more of the following activities, not done for charitable purposes, by a Person on District Property:
 - 1) The sale of, or seeking to obtain orders for, the purchase of goods, wares, merchandise, foodstuff or services of any kind, character or description, for any kind of consideration whatsoever.
 - 2) The sale of, or seeking to obtain prospective customers for any application or purchase of insurance of any type, kind or character.
 - 3) The sale of, or seeking to obtain subscriptions to books, magazines, periodicals, newspapers or any type of publication.
- H. “Controlled Substance” shall have the meaning ascribed to it in the Illinois Controlled Substance Act, 720 ILCS 570/100, et seq., as amended.
- I. “Dawn” shall mean sunrise.
- J. “Director” shall mean the Director of the Oswegoland Park District.
- K. “District” shall mean the Oswegoland Park District, a Municipal Corporation, Kendall and Will County, Illinois.

- L. "Drug Paraphernalia" shall have the meaning ascribed to it in Section 2(d) of the Drug Paraphernalia Control Act, 720 ILCS 600/2(d), as amended.
- M. "Dusk" shall mean one (1) hour after sunset.
- N. "Electric Bicycles" by federal standards, is considered a "bicycle" (not a motorized vehicle) as long as it meets the following criteria:
 - 1) It must be low speed (an electric motor of less than 750 watts).
 - 2) It must have a maximum speed of less than 20 miles per hour.
 - 3) It must have functional pedals.
 - 4) The rider must be at least 16 years of age.
- O. "Electronic cigarette" means:
 - 1) any device that employs a battery or other mechanism to heat a solution or substance to produce a vapor or aerosol intended for inhalation;
 - 2) any cartridge or container of a solution or substance intended to be used with or in the device or to refill the device; or
 - 3) any solution or substance, whether or not it contains nicotine intended for use in the device.

"Electronic cigarette" includes, but is not limited to, any electronic nicotine delivery system, electronic cigar, electronic cigarillo, electronic pipe, electronic hookah, vape pen, or similar product or device, and any components or parts that can be used to build the product or device. "Electronic cigarette" does not include: cigarettes as defined in Section 1 of the Cigarette Tax Act and tobacco products as defined in Section 10-5 of the Tobacco Products Tax Act of 1995; tobacco product and alternative nicotine product as defined in this Section; any product approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for that approved purpose; any asthma inhaler prescribed by a physician for that condition and is being marketed and sold solely for that approved purpose; or any therapeutic product approved for use under the Compassionate Use of Medical Cannabis Program Act.
- P. "Employee" shall mean any Person on the payroll of the Oswegoland Park District, or under agreement with the Park District, employed to perform special duties and tasks as described by personnel policy and the Board of Commissioners.
- Q. "Facility" shall mean any Park, building, appurtenance, Area, or structure owned or leased by the Park District.
- R. "Fireplace" shall mean a permanent structure or masonry designed for an open fire, embers or ashes.
- S. "First Amendment Activities" shall mean, and include:
 - i. Charitable, religious or political speech or expressive conduct;
 - ii. Commercial sale and distribution of merchandise for charitable, religious, or political purposes;
 - iii. Parades, walks, public meetings, demonstrations or other public assemblies;
 - iv. Distributing non-commercial printed or written material; or
 - v. Erecting unattended, seasonal displays representing a noncommercial message, which may occupy an area no larger than 30 square feet for a period not to exceed thirty (30) days.
- T. "First Amendment Location" shall mean:

- a. For First Amendment Activities described in item 2.S.i. of said definition, First Amendment Location shall include (i) the meeting room where the Board of Park Commissioners meets, provided that such activity does not cause the Board or committee to be unable to effectively conduct any meeting and (ii) that portion of Prairie Point Community Park outside of any driveway or parking area, provided that such activity, in consideration of all other contemporaneous District activity occurring there, does not obstruct any public sidewalk or ingress or egress to any place or building on District property by hindering or impeding or tending to hinder or impede the free and uninterrupted passage pedestrians thereon or therein.
- b. For First Amendment Activities described in item 2.S.i., 2.S.ii. and 2.S.iii. of said definition, First Amendment Location shall mean that portion of Prairie Point Community Park outside of any driveway or parking area, provided that such activity, in consideration of all other contemporaneous District activity occurring there, does not obstruct any public sidewalk or ingress or egress to any place or building on District property by hindering or impeding or tending to hinder or impede the free and uninterrupted passage pedestrians thereon or therein.
- c. For First Amendment Activities described in item 2.S.iv. of said definition, First Amendment Location shall include: an open and unimproved area no larger than 10' x 10' adjacent to and outside the parking lot, provided that such activity, in consideration of all other contemporaneous District activity occurring there, does not obstruct any public sidewalk or ingress or egress to any place or building on District property by hindering or impeding or tending to hinder or impede the free and uninterrupted passage pedestrians thereon or therein.
- d. For First Amendment Activities described in item 2.S. v. of said definition, First Amendment Location shall include: Prairie Point Community Park
- U. "Group" shall mean an assemblage of two (2) or more Persons.
- V. "Loitering" shall mean to remain in or near a place in an idle or apparently idle manner, 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 or recreational services provided in the building or facility in a timely manner, after being requested to leave by any member of the District, or where the District has posted a sign or signs that prohibit loitering.
- W. "Motorized Vehicle" shall mean each and every form of conveyance that is powered by a source other than human power.
- X. "Overnight" shall mean the period when the Park, Permit or Facility officially closes or ends, until it opens the following day.
- Y. "Park" or "Park Property" or "Property of the District" shall mean all developments, improvements, facilities and any or all land, minerals, waters, overhead air rights, easements, and other Reservations owned, leased, controlled, or used by the District.
- Z. "Park Patrol" shall mean any Person, agent, Employee, patrolman, police officer, or other law enforcement officer appointed or designated by the Board to enforce the Rules and Regulations adopted by the Board.

- AA. "Permit and Reservation" shall mean and include any authorization issued by the Director or Director's designate pursuant to the authority of the Board for a specified Park privilege, activity or event, or permitting the performance of a specified act or acts in any Park.
- BB. "Person" shall mean any individual, company partnership, corporation, incorporation or association, or any combination of individuals or gathering whatsoever.
- CC. "Religious solicitation" or "charitable solicitation" shall mean the request by a Person on District Property directly or indirectly, of money, credit, property, financial assistance or other thing of value on the plea or representation that such money, credit, property, financial assistance or other thing of value will be used for a religious or charitable purpose. These words shall also mean and include the following methods of securing money, credit, property, financial assistance or other thing of value on the plea or representation that it will be used for a religious or charitable purpose as herein defined.
- 1) Any oral or written request.
 - 2) The distribution, circulation, mailing, posting or publishing of any handbill, written advertisement or publication.
 - 3) The public making of any announcement concerning an appeal, assemblage, athletic or sports event, bazaar, benefit, campaign, contest, dance, drive, entertainment, exhibition, exposition, party, performance, picnic, sale or social gathering to be held within the District, which the public is requested to patronize or to which the public is requested to make a contribution for any religious or charitable purpose connected therewith.
 - 4) The sale of, offer or attempt to sell, any advertisement, advertising space, book, card, chance, coupon, device, magazine, membership, merchandise, subscription, ticket or other thing in connection with which any appeal is made for any religious or charitable purpose, or where the name of any religious or charitable Person is used or referred to in any such appeal as an inducement or reason for making any such sale, or when or where in connection with any such sale, any statement is made that the whole or any part of the proceeds from any such sale will go or be donated to any religious or charitable purpose.
- DD. "Political Speech" shall include, but is not limited to, soliciting votes and circulating petitions for or against a candidate for election to public office or with respect to any referendum or other public question.
- EE. "Roller Skating" shall mean the use of roller skates, roller blades, or skateboards.
- FF. "Rules and Regulations" shall mean and include any resolution, regulation or Ordinance adopted by the Board.
- GG. "Service Animal" shall mean a dog or miniature horse that has been individually trained to perform tasks for the benefit of a person with a disability. Exceptions may be made by the District on a case-by-case basis in accordance with the law. Tasks may include, but are not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to sounds, pulling a wheelchair, or retrieving dropped items. Any animals that are used purely for emotional support, are not considered Service Animals.
- HH. "Smoke" or "Smoking" shall mean the act of inhaling the smoke from, or possessing, a lighted cigarette, cigar, pipe or any other form of tobacco or similar substance used for smoking; the carrying, smoking, burning, inhaling, or exhaling of any kind of lighted pipe, cigar, cigarette, hookah, weed, herbs, or any other lighted smoking equipment; or the use of any tobacco product, alternative nicotine product, or electronic cigarette causing the user to exhale any smoke, vapor,

or other substance other than those produced by unenhanced human exhalation. "Smoke" or "smoking" does not include smoking that is associated with a native recognized religious ceremony, ritual, or activity by American Indians that is in accordance with the federal American Indian Religious Freedom Act, 42 U.S.C. 1996 and 1996a.

- II. "Vehicle" shall mean any device, conveyance, or combination of conveyances, wheeled or without wheels, propelled, towed or unpropelled in, around or on which, a Person or thing is or may be carried, including, but not limited to, bicycles, scooters, skateboards, mini-bikes, motorcycles, snowmobiles, baby strollers, sleds, all-terrain vehicles, watercraft, trucks and automobiles excepting those devices assisting mobility in reference to the Americans with Disabilities Act.
- JJ. "Watercraft" shall mean any type of conveyance, whether powered by sun, wind, mechanical or human energy, for travel upon waters.

CHAPTER II – HOURS OF OPERATION

In connection with any Park or Property of the District:

- A. No Person shall be allowed on Park Property between Dusk and Dawn, unless otherwise authorized by the Director or when attending an authorized meeting or activity being held in a District Facility.
- B. No person shall be allowed at any time, for any reason, on any Park site or Property that is declared closed by the Director or Director's designate.

CHAPTER III – RESTRICTED AREAS

- A. Entering Prohibited Areas
No Person shall enter upon any portion of the District Property where Persons are prohibited from going by direction of the Board, Director, or their designate, as indicated by sign or notice.
- B. Entering Unfinished Areas
No Person except as authorized by the District shall enter upon any part of the District Property that is in an unfinished state or under construction.
- C. Entering Building or Areas Closed to Public or Scheduled for Specific Group or Activity
No Person shall enter any building or area of District Property when it is closed to the public. No Person shall enter any building or area in the District which is reserved or scheduled for a specific group or activity, unless such Person is invited by the Person responsible for such activity and, if applicable, such Person has paid all appropriate admission fees.
- D. Use of Rest Rooms, Locker Rooms and Comfort Stations
No Person eight years of age or older shall use the locker rooms or restrooms lawfully designated for use by persons with a different specific gender identity. No Person under the age of five years shall use any locker room or restroom unless accompanied by a Person over the age of eighteen years.
- E. Playgrounds Designated for Persons under Twelve Years of Age
No Person the age of twelve years or older shall use playground equipment designed for Persons under the age of twelve years.

CHAPTER IV – REGULATIONS OF MOTORIZED VEHICLES

SECTION 1. VEHICLE EQUIPMENT AND OPERATION AND ACCESS

No Person shall upon or in connection with any Property of the District:

- A. Except as authorized by and in accordance with the District’s Mobility Device Use Policy, operate, or cause to be operated, any Motorized Vehicle which in any manner that does not comply with the Vehicle Code of the State of Illinois, or other law or laws of the State of Illinois or local municipal Ordinances where applicable, together with such regulations as are contained in this Ordinance and as from time to time amended, having to do with the equipment, control, licensing, registering, and use of Motorized Vehicles and/or the licensing of operators of such Vehicles.

SECTION 2. VEHICLE TYPES AND ACCESS

No Person shall upon or in connection with any Property of the District:

- A. Except as authorized by and in accordance with the District’s Mobility Device Use Policy, operate, or cause to be operated, any Motorized Vehicle anywhere except on the roads, drives and Parking Areas provided, without written permission of the Director or Director’s designate and then only in compliance with the directions and restrictions of the local police of the area.
- B. Except as authorized by and in accordance with the District’s Mobility Device Use Policy, 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 written permission of the Director or Director’s designate and then only in those Areas specified and in accordance with the Rules and Regulations duly set forth by the Director or Director’s designate. 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.
- C. Operate a Motorized Vehicle on any road, drive or parking area posted, gated or barricaded as closed to public traffic.
- D. Any unauthorized Vehicle remaining on District Property after closing may be caused to be removed from anywhere in any of the Park Property by towing. The expense of such towing shall be borne by the owner of the Vehicle.

SECTION 3. PARKING

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

- A. Park a Motorized Vehicle anywhere except in specific Areas as posted or designed for the parking of Vehicles. The Director or Director’s designate shall determine posted parking Areas.
- B. Park a Motorized Vehicle anywhere Overnight without permission by the Director or Director’s designate. Any Vehicle parked for 24 consecutive hours without a Permit may be towed.
- C. Park a Motorized Vehicle in any manner at anytime as to partially or totally block, restrict or impede another parked Vehicle, normal traffic flow, road, driveway, sidewalk, doorway, or recreational Area. The District shall have the right to tow away any Motorized Vehicle in violation of this paragraph.
- D. Park a Motorized Vehicle on turf, meadow, prairie, marsh, field, in a woodland, or on the exposed roots of any tree or shrub, except in an emergency or a matter of public safety.
- E. Loiter within a parking Area.

- F. Change any parts, change oil, repair, wash, grease or clean a Vehicle on any parking area in or on District Property except such repairing, cleaning as is necessary to ensure good vision, or such emergency repairs as are necessary to remove such Vehicle from the parking Area.

If the District is authorized to tow a Vehicle based on a violation of this Section, the expense of such towing and storage charge if any, shall be borne by the owner of the Motorized Vehicle.

SECTION 4. IMPROPER AND NEGLIGENT VEHICLE OPERATION

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

- A. Operate a Vehicle at a rate of speed or in any manner that is unreasonable or imprudent, not having regard to the traffic and use of the way, condition of the weather, visibility, condition of the way and other surrounding conditions, so as to endanger life or limb, or injury to the Property of any Person.
- B. Operate a Vehicle in such a manner as to deprive or unreasonably interfere with the equal right of any other Person to the use of such public street or highway.
- C. Operate a Vehicle in such a manner as to cause or produce unnecessary loud, raucous, excessive or unusual noise by 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 sounding of a horn or other signal device.
- D. Operate a Vehicle in disregard of any sign, signal, marking or device erected, constructed or created by the Director or Director's designate for the purposes of regulating, warning, or guiding traffic, or contrary to the order of direction of any police or Park Patrol officer or other Person duly authorized by the District Director or Director's designate to regulate traffic in the Parks.
- E. Operate a Vehicle and intentionally accelerate causing the rubber tires to spin, mark and deface Park facilities, turf, or roadway surface.
- F. Operate a Vehicle upon or in any Park Area, road, or drive that has been closed and posted with appropriate signs or barricades. The Director or Director's designate shall have authority to order Areas, roads or drives closed during the process of construction, reconstruction, repair and/or other management purposes.
- G. Leave a motor vehicle unattended in any District Property while the motor of such vehicle is running.
- H. The provisions of this section shall not be construed to relate to emergency, police or fire department Vehicles or any Vehicle owned by the District or a District employee displaying proper identification where the employee is duly authorized to operate such Vehicle at such location.
- I. No Person who is under the influence of intoxicating liquor, Cannabis, drugs, or a controlled substance shall drive, operate, or be in possession or control of, or attempt to drive or operate, any Vehicle, aircraft or motorboat in any Park or on any District Property.

CHAPTER V – PROTECTION OF PROPERTY, FACILITIES, AND NATURAL RESOURCES

SECTION 1. PROTECTION OF PROPERTY AND FACILITIES

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

- A. Destroy, deface, paint, alter, change or remove any post, building, wall, shelter, picnic table, bridge, pier, drain, well, foundation, washroom, pump, athletic court and apparatus, telephone, lamp post, fence, gate, refuse container, exhibit, display, tool or equipment, storage box, utility outlet, movie screen, flagpole, playground structure or any other structure, Park amenity, or parts thereof, without written permission of the Director or Director's designate. No Person shall bring, carry, or use in any Park any aerosol can of paint, except in a directly supervised program.
- B. 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 for the proper use of the Park.
- C. Throw, carry, cast, drag, push or deposit any refuse container, picnic table, barricade or any other movable or non-movable property into lakes, ponds, sloughs, streams, rivers or lagoons, or upon the frozen waters thereof, or to otherwise move, stack or hide such property in such a way as to render in unavailable to the general public for its intended use, or to cause a hazard to public safety, or to damage or destroy such property.
- D. Enter into or upon any Park, waters, or Area thereof or structure closed or posted against trespass, without written permission of the Director or Director's designate. These structures or Area may be, but are not limited to, residences and their immediate surrounding Area, construction Areas, work safety zones, equipment or material storage structures or Area, workshops or stations, tree nurseries or Areas undergoing intensive reforestation, or other soil or vegetative treatment or Area hazardous to public safety or health.
- E. Tamper with, or in any way weaken, destroy, damage, or remove anything from any District-owned Vehicles, machines, equipment, facilities or playgrounds without written permission from the Director or Director's designate.
- F. Bring into, leave behind, or dump any material of any kind, whether waste or otherwise, except refuse, ashes, garbage and other material arising from the normal use and enjoyment of a picnic or other permitted activity. Any refuse that is produced on-site shall be disposed of on-site in the appropriate designated receptacles or removed from the Park. No bottles, cans, refuse, or foreign material of any description shall be deposited or thrown in any of the streams, waterways, ponds or lakes located in the Parks.
- G. Occupy or inhabit, or cause to be occupied or inhabited, any house, barn, shelter, shed or other structure or use for storage, or cause to be used for the storage of any goods, any house, barn, shelter, shed or other structure without approval of the Board, and written permission of the Director or Director's designate.
- H. 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 generated on the site in the course of normal, lawful use of District Property.
- I. Remove any container or material from receptacles designated for the purpose of waste recycling.
- J. Plant any landscaping on Park District Property without consent of the Director or their designate.

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 or destroy any tree, sapling, seedling, bush, shrub, flower or plant, whether alive or dead, or ship, blaze, box, girdle, trim or otherwise deface or injure any tree, shrub or bush, 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 as authorized by the Director or Director's designate.
- B. Remove or cause to be removed any sod, earth, humus, downed timber, wood chips, peat, rock, sand or gravel, or remove or cause to be removed any other natural material of the forest floor or earth unless necessitated by the performance of restorative, maintenance, or construction work as authorized by the Director or Director's designate.
- C. Hunt, pursue, trap, catch, capture, molest, poison, wound or kill, or attempt to hunt, trap, catch, capture, molest, poison, wound, or kill any invertebrate animal, mammal, bird, reptile or amphibian, disturb, molest or rob the nest of any mammal, bird, insect, reptile or amphibian or the lair, den or burrow of any mammal, bird, reptile or amphibian.
- D. Fish in any waters of the District posted against fishing, or by using a bow and arrow, spear or slingshot, or by using hooks baited with live or dead fish, amphibian or bird, or with any device using more than two hooks per line, or any net, seine or trap, or with attended or unattended lines during the hours that Parks are closed as defined by provisions of this Ordinance or in violation of any applicable law of the State of Illinois as administered by the Illinois Department of Natural Resources or in violation of any regulations or restrictions as may be posted by the Director or Director's designate controlling the size, species, and number of fish that can be taken from a designated body of water.
- E. Release or cause to be released any wild, domestic, or pet animal, bird, fish or reptile, or bring in, plant or distribute the seeds or spores of any flowering or non-flowering plant brought into or upon Park lands or waters from any outside source whatsoever, without written permission of the Director or Director's designate.
- F. Use or cause to be used any chemical or biological pesticide or any other substance, measure or process designed to alter the anatomy or physiology of any organism for the purpose of directly manipulating their populations without written permission of the Director or Director's designate, and then only in compliance with applicable laws of the State of Illinois and the United States.
- G. Feed, harbor, or otherwise attract into a Park any type of waterfowl, including ducks, geese, and seagulls.
- H. Route any form of storm water, runoff from sump pumps, or any other unnatural discharge of water onto District Property without the written permission of the District and only in accordance with applicable law.
- I. Deposit, dump, throw, cast, lay or place, or cause to be deposited in any Park or Facility, any ashes, trash, rubbish, paper, garbage, refuse, grass clippings, leaf waste, debris or junk. However, on-site produced garbage can be deposited in an appropriately designated container.
- J. Pump from Park District waters for private use.

SECTION 3. CONTRABAND

All animals, plants, birds, fish or reptiles, or parts thereof, killed, captured, trapped, taken or bought, sold or bartered, or hand in possession, contrary to any provision of this ordinance or applicable law, shall be

and are hereby declared contraband, and as such, shall be subject to seizure by any police or Park patrol or employee of the 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, forest, brush land, grassland, meadow, prairie, marsh, refuse container or structure, without written permission of the Director or Director's designate.
- B. Build a fire anywhere, for any purpose, except in provided Fireplaces, or Barbeque Grills as defined herein.
- C. Drop, throw away or scatter any burning, lighted or hot coals, ashes, cigarette, cigar, firecracker, or match.
- D. Cause, suffer, or allow the burning of garbage, refuse, waste material, trash, Motor Vehicle or any part thereof, or other combustibles within the Park so as to cause smoke, haze, odor, sparks, dust, dirt, or other type matter or gaseous substance to come upon, pass through, or over the Park.
- E. Build a fire or cause a fire to start in a Fireplace or Barbeque Grill close to or in any tree or other plants in such a way as to deface, damage or destroy that structure, or scar, injure or destroy any tree or plants or their foliage.
- F. Build any fire whatsoever for any purpose in or out of a Barbeque Grill or Fireplace 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 are cold to the human touch.

SECTION 5. LOST AND FOUND PROPERTY

Any person finding lost or unattended goods, money, or other items on District Property (the "Finder") shall report such finding to the District as soon as possible. When the value of the found property exceeds the sum of \$50 and the owner thereof is unknown, the District shall obtain contact information from the Finder. The District will attempt to make a reasonable effort to locate the property owner(s). If the owner does not claim such money, goods, or other items within thirty (30) days of discovery, the property will be considered abandoned property and shall be disposed of as the District deems appropriate, provided that the Finder shall be contacted and offered the abandoned property. All property determined to be abandoned property without Finder information or not wanted by the Finder shall be donated to a community organization or disposed of as the District deems appropriate. Lost or unattended property of any value that has been impounded or found shall be stored for a minimum period of thirty (30) days. All property not claimed shall be disposed of as the District deems appropriate.

CHAPER VI – PERSONAL CONDUCT & BEHAVIOR

SECTION 1. DISORDERLY CONDUCT

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

- A. Disturbing the peace. Engage in any disorderly conduct, or act in any manner so as to disturb the peace within the Park. Loud playing of record players, televisions, radios, tape recorders, noisemakers, CD players, sound equipment, musical instruments, fighting, quarreling or wrangling with loud voice or shouts, use of profane or abusive language, threatening violence to the Person or Property of others, or engaging in riotous clamor or tumult are violations of this provision. No

Person shall disturb or intrude upon a picnic or gathering in any Park without consent of those composing the Group, except for Park Employees in the proper pursuit of their duties.

- B. Assault. Commit an assault. An assault occurs when a Person engages in conduct which places another in reasonable apprehension of receiving a battery.
- C. Battery. Commit a battery. A battery occurs when any Person intentionally or knowingly without legal justification and by any means cause bodily harm to an individual.
- D. Engage in solicitation from persons on District property, except for First Amendment Activities in areas specifically described as First Amendment Locations.
- E. No Person on Park District Property shall obstruct or impede pedestrians or Vehicles or the entrance to any building or vehicle; touch another person without that person's consent; harass park visitors with physical contact, persistent demands from a person after that person has refused an earlier request, or follow or remain alongside a person who walks away after being solicited; misrepresent his or her affiliations; misrepresent what the solicited funds will be used for; 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; make any statement, gesture or other communication that would cause a reasonable person to feel threatened, coerced, compelled or intimidated into giving money, goods or services; or use any profane or abusive language during or following a solicitation.
- F. Loitering: 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 or recreational services provided in the building or facility in a timely manner, after being requested to leave by any member of the Park District, or where the District has posted a sign or signs that prohibit loitering.
- G. Hazardous Recreational Activity. Engage in any activity, sport, game, or amusement that constitutes a hazardous recreational activity which creates substantial risk of injury to a participant or spectator as defined in 745 ILCS 10/3-109, et seq. An activity that may not be a hazardous recreational activity and is not enumerated in the above statute, may become so due to the location of the activity or the proximity to those not participating.
- H. Impersonation. Have the identification of a Park Employee unless authorized (i.e., card, badge, etc.). No Person may represent himself/herself as a Park Commissioner, Park Ranger, Park Policeman, or Director of Parks and Recreation unless duly commissioned by the Park Board.

SECTION 2. PUBLIC INDECENCY

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

- A. Conduct. Engage in an act of public indecency. Public indecency shall include: (1) an act of sexual penetration; (2) sexual conduct as defined in 720 ILCS 5/12-12(e)(f); or (3) a lewd exposure of the body done with the intent to arouse or satisfy the sexual desire of the person.
- B. Attire. Appear partially nude. Partial nudity shall include: (1) the showing of the human male or female buttocks or any portion thereof with less than a full opaque covering; (2) the showing of the female breast with less than a full opaque covering any portion thereof; or (3) the depiction of covered male genitals in a discernibly turgid state. This definition shall also include the entire lower portion of the human female breast, but still not include any portion of the cleavage of the

human female breast exhibited by a dress, blouse, shirt, leotard, bathing suit, or other wearing apparel, provided the areola is not exposed. This definition includes and is intended to prohibit the wearing of “thong” or “t-back” bathing suits on Park Property.

SECTION 3. SOLICITING/VENDING/ADVERTISING

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

- A. Offer or exchange for sale any article of merchandise or food or do any banking, peddling, or solicitation, or buy or offer to buy any article of merchandise or food, or take up any collection or solicit or receive contributions of money or articles of value, including without limitation the giving of instruction or lessons for a fee, upon District Property except when authorized by Permit, under contract with the District or for First Amendment Activities in areas specifically described as First Amendment Locations. The District shall not issue any Permit for a Person to engage in any such activity that is deemed to be in conflict or in competition with District programs.
- B. Display, distribute, post, or fix any type of placard, sign, pamphlet, or other printed material containing advertising or other material whatsoever, except for (i) Groups holding a valid picnic or special event that may have identification and direction signs, provided they are temporary and removed at the end of the activity, and are not attached to any tree, post, fence, building or other District structure and (ii) temporary signs allowed by the Illinois Election Code for polling places during the electioneering period. Nothing herein shall be construed to prohibit the carrying of signs in the course of performing a First Amendment Activity in a First Amendment Location.
- C. Circulate or distribute, in any indoor District property, any leaflets, handbills, notices, pamphlets, books, documents, or papers of any kind, except on bulletin boards expressly provided for such purpose, or cause them to be attached to vehicles and equipment parked on District property.

SECTION 4. GAMBLING

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

- A. Manage, operate or engage in gambling in any form without the prior express written authorization of the Board to conduct video gaming in accordance with state and municipal regulations. Without such prior authorization and compliance with applicable law, it is also a violation for any Person to possess any device or machine whose purpose is to wager on the outcome or which money or other things of value are staked. Any such device or machine not so authorized as provided herein shall be subject to seizure, confiscation and destruction by any Employee of the District.

SECTION 5. FIREARMS, WEAPONS, EXPLOSIVES, AND MISSILES

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

- A. Have in their possession or on or about their Person, vehicle or other conveyance, concealed or otherwise any switchblade, hunting knife, dagger, metal knuckles, club, chain, slingshot, blowgun, bow and arrow, stun gun, taser, sword, or any potentially dangerous lethal instrument, harmful solid, liquid aqueous, effervescent, gaseous substance while within any Park or upon Park District Property. Nothing contained herein shall be construed to prevent any Park Patrol officers or duly sworn peace officer, from carrying such weapons as may be authorized and necessary in the discharge of their duties nor shall it apply to any person summoned by any such officer to assist in making arrests or preserving the peace while such person is engaged in assisting.

- B. Throw or cast any stones or other missiles, or any class of fireworks, sparkler, or smoke device in any Park.
- C. While on District Property, no Person shall, without a permit authorizing such, carry or possess any pneumatic gun, spring gun, paint ball gun, or B-B gun, or air soft gun or any device that either expels a projectile or projectiles of any kind.
- D. For the purposes of this Section 5(D), all capitalized terms shall have the meanings ascribed to them in the Firearm Owners Identification Card Act (430 ILCS 65/13.1) and the Firearm Concealed Carry Act (430 ILCS66/1 et seq.).

Except as provided herein, no Person may knowingly carry any Firearm in the following locations:

1. Park District Building: All Firearms are prohibited in any building or portion of a building under the control of the District.
2. Gathering Requiring Permit: All Firearms are prohibited at any public gathering or special event conducted on District Property that is open to the public. A Licensee is exempted from this Section if the Licensee is carrying a Concealed Firearm through a public gathering for the sole purpose of accessing his or her residence, place of business, or vehicle, and there is no other way for Licensee to access his or her residence, place of business, or vehicle except through said gathering or special event.
3. Playgrounds: All Firearms are prohibited on all District playgrounds.
4. Public Parks, Athletic Fields/Facilities: All Firearms are prohibited in any public park, athletic field, real property or athletic facility owned or under the control of the District, provided, however, that a Licensee is exempted from this Section if the person is carrying a Concealed Firearm while on a District trail or bikeway except in only those portions of the trail or bikeway that includes a public park.
5. School Property: Firearms are prohibited in District-sponsored programs or activities occurring at a building, real property, and parking areas owned or under the control of a public or private elementary or secondary school, community college or university.
6. Transportation: Firearms are prohibited on any bus, train, or other form of transportation paid for in whole or in part with District funds, and any building, real property, and parking area under the control of a public transportation facility paid for in whole or in part with public funds.
7. Event that Involves Sale of Liquor: Firearms are prohibited in or on any District Property that has been issued a liquor license at the location and during the time designated for the sale of alcohol by such license.
8. Parking Lots: Except as provided herein, a Person is prohibited from carrying a Firearm in any District parking lot. A Licensee may carry a Concealed Firearm on or about his or her person within a vehicle into a parking area on District Property and may store a Concealed Firearm or ammunition concealed in a case within a locked vehicle or locked container out of plain view within the vehicle in the parking area. A Licensee may carry a Concealed Firearm in the immediate area surrounding his or her vehicle within a prohibited parking lot area on District Property only for the limited purpose of storing or retrieving a Concealed Firearm within the vehicle's trunk, if the Licensee ensures that the Concealed Firearm is unloaded prior to exiting the vehicle. The term "case" as used above includes a glove compartment or console that completely encloses the Concealed Firearm or ammunition, the trunk of the vehicle, or a Firearm carrying box, shipping box or other container.

A Licensee is also permitted to carry a Concealed Firearm upon his or her person while he or she is traveling along a public right of way that touches or crosses any District owned or controlled premises, if the Concealed Firearm is carried on his or her person in accordance with the provisions of the Firearm Concealed Carry Act.

SECTION 6. USE OF FACILITIES RESTRICTED BY GENDER IDENTITY

No Person, except for children under eight (8) years of age, shall enter or remain in any toilet, locker room, restroom, or other structure that has been lawfully designated by the District for use by persons with a different specific gender identity.

SECTION 7. UNLAWFUL CONSTRUCTION

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

- A. Erect, construct, install or maintain including but not limited to any garden, tent, hunting perch, tree house, play structure, or any other structure on, below, over, or across any Park or District Property, except as permitted in writing by the Director or Director's designate and specifying work to be done and conditions pursuant to the terms of such Permit.

SECTION 8. UNLAWFUL OBSTRUCTIONS

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

- 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 or to the detriment of the appearance 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 and confederate with others to prevent or obstruct any Person from peacefully entering upon any Property of the District or preventing or obstructing free passage or transit over or through any lands or waters of the District or obstruct the entrance into any enclosure within the District, except that nothing in this Section shall be construed to deny lawful 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.

SECTION 9. ALCOHOL, DRUGS AND SMOKING

No person who is under the influence of intoxicating liquor or narcotic drugs may be or remain on Park District property.

- A. The use of Cannabis is prohibited on Park District property, including in any "public place", as that term is defined in Section 10-35 of the Cannabis Regulation and Tax Act, 410 ILCS 705/10-35. Nor shall any person transport, carry, possess or otherwise have Cannabis in violation of the Cannabis Control Act, 720 ILCS 550/1 et seq. as amended, the Cannabis Regulation and Tax Act, 410 ILCS 705/1, et seq., as amended ("CRTA"), including without limitation possessing cannabis on the grounds of any preschool, primary or secondary school, or the possession of cannabis by any person under 21 years of age except under provisions of law authorizing the possession of medical cannabis unless for a qualifying patient or caregiver pursuant to the Compassionate Use of Medical Cannabis Program Act. No person shall transport, carry, possess or otherwise have a

Controlled Substance in violation of the Controlled Substance Act, 720 ILCS 570/100, et seq., as amended. Nor shall any person transport, carry, possess or have any alcoholic liquor in violation of the Liquor Control Act of 1934, Chapter 43 Section 93.9 of the Illinois Revised Statutes or in violation of the local ordinance issued by the jurisdiction having authority to issue such an ordinance.

- B. No person shall possess an item of drug paraphernalia, other than Cannabis-related drug paraphernalia, except for persons legally authorized to possess hypodermic syringes or needles under the Hypodermic Syringes and Needles Act, 720 ILCS 635/1 et seq. as amended.
- C. Smoking in any indoor facility of the District or within 15 feet of any entrance or exit to a building or enclosed District facility is in violation of the Smoke Free Illinois Act, 410 ILCS 82/1, et seq. and is prohibited.
- D. No person may smoke in any vehicle owned, leased, or operated by the District.
- E. In an effort to accommodate all guests, unenclosed outdoor District events are designated as non-smoking. For the duration of an unenclosed outdoor District event, no person shall smoke within the perimeter of the event area, general walkways, tents, or permanent or temporary restroom facilities or within fifteen feet (15') of an entrance or exit to any festival or other outdoor District event.

SECTION 10. CONTROL AND TREATMENT OF ANIMALS AND PETS

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

- A. Bring in, lead or carry any dog (except for a Service Animal) onto Park Property that is unleashed or on a leash longer than six (6) feet, except in those Areas designated by the Director or Director's designate for dog training and then only in accordance with the Rules and Regulations duly promulgated for the control of such Area or Areas.
- B. Willfully or neglectfully cause or allow or release any animal or fowl, wild, domestic or pet, to run or remain at large except within those Areas designated by the Director or Director's designate and then only in accordance with the rules and restrictions duly promulgated for the control of such Area or Areas.
- C. Torture, whip, beat or cruelly treat or neglect any animal.
- D. Bring in, drive, ride or lead in any animal, except that horses and other beast animals may be ridden or led or driven ahead of carts, wagons or other non-motorized conveyances attached thereto on such portions of the Park as may be designated by the Director or with a Permit from the Director or Director's designate and then only in accordance with the provisions of the Ordinance and the rules and restrictions duly promulgated for the control of such Area or Areas.
- E. Bring in, drive, ride or carry any wild, domestic or pet predator animal or bird, leashed or unleashed, into the District Property or part thereof, designated as a nature preserve or Nature Area or Historic site unless such animal is kept confined in a closed Vehicle or trailer.
- F. Shall permit to remain any offal or manure produced or deposited by any animal owned by him or within his control.
- G. Nothing in this Ordinance shall be construed to prohibit the controlled use of certain animals approved by the Director or Director's designate for purposes of public safety, such as, but not limited to, the protection of Employees, of District Property, the protection of Employees in the performance of their duties, or search and rescue.

- H. No person shall bring or keep any animal in any Park District building or area in a park not designated for that purpose, except that a person with disabilities may bring or keep a Service Animal when they are accompanying any person with disabilities for purposes of providing such assistance, or unless otherwise authorized by the Director or Director's designate for for purposes of a Park District program.

SECTION 11. PUBLIC GATHERING

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

- A. Hold or attempt to hold any First Amendment Activities described in Section 2.S.iii of the "First Amendment Activities" definition reasonably expected to involve more than twelve (12) persons or vehicles at any time without the issuance of a permit from the Director or Director's designate in accordance with Facility and Park Reservation Procedures. 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. The District may impose time, place and manner restrictions upon any First Amendment Activities on any District Property and all persons shall comply with such time, place and manner restrictions.
- B. Hold or attempt to hold any sponsored entertainment, social, recreational, or athletic event, without first obtaining a written permit from the Director or Director's designate in accordance with Facility and Park Reservation Procedures.

CHAPTER VII – REGULATIONS OF SPORTS, GAMES AND LEISURE ACTIVITIES

SECTION 1. AVIATION AND AIRSPACE

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

- A. Make an ascent in a balloon, airplane, glider, hang glider, kite, or any descent in or from any balloon, aircraft, airplane, glider, hang glider, kite, parachute, or any other planned aviation activity without written permission of the Director or Director's designate. Any descent other than one caused by mechanical or structural failure of the aircraft or any of its parts shall be deemed to have been made voluntarily. This list of planned aviation activities is not exhaustive and is meant to encompass all manned aviation activities.

SECTION 2. PERSONAL WATERCRAFT

- A. All designated Park District waterways will be signed "Boating by Permit Only." Permit applications can be obtained at any Park District facility, or downloaded from www.oswegolandparkdistrict.org.
- B. Designated Park District waterways for boating include Bartlett Prairie/Wetland (Lakeview), Briarcliff Park, Farmington Lakes Park, and Whispering Woods Park. No boating allowed at Augusta Lake, Chesterfield Park, or Winrock Park.
- C. Allowable watercraft that may be used in District-approved waterways shall be limited to seaworthy craft of the following solid types: canoes, rowboats, kayaks, stand-up paddleboards, sailboats, and paddleboats up to seventeen (17) feet in length. All other craft prohibited by this Ordinance.

- D. It shall be prohibited to use or operate watercraft on any lagoon, pond, or body of water owned or controlled by the District unless under the direct supervision of an adult 18 years of age or older. All occupants must conform with requirements at all times for use of a United States Coast Guard approved personal flotation device.
- E. Swimming, diving from, and horseplay on watercraft is hereby prohibited. Alcoholic beverages on watercraft are prohibited.
- F. Where allowed by Permit, Watercraft shall not have any electrical or motor driven propellants, and shall be operated in a safe manner in accordance with restrictions as may be set forth in such Permit.
- G. No Watercraft may be moored or beached upon Park District land unless expressly stated by Permit.
- H. The District shall not provide supervision at any lakes or other bodies of water. Capsizing the boat, whether it be accidental or deliberate, will be considered an unsafe boating operation.
- I. Use of watercraft on district waterways is allowed from Dawn to Dusk only, unless otherwise authorized by the Director or Director's designate.

SECTION 3. SWIMMING

No swimming, wading, or water bathing shall be allowed in the lakes, rivers, or other water of the Park District, except for the Civic Center Aquatic Park and Winrock Pool, unless authorized by the Director or Director's designate.

SECTION 4. WINTER SPORTS

No person shall, upon or in connection with the use of any District Property:

- A. Ice skating. Skate or slide on any natural or man-made bodies of water, except those Areas and at such times designated for such purpose by the District in accordance with posted notice. No person shall otherwise enter upon any frozen bodies of water to skate, slide or walk for any purpose.
- B. Sledding/Snowboarding. Sled, slide or toboggan in any Areas except those designated for such purposes, and then only at such times and upon proper snow cover or as other environmental conditions allow and as allowed by posted notice from the Director or Director's designate.
- C. Skiing. Downhill ski in any Park at any time. Cross-country skiing is allowed in any Park Area not otherwise restricted by the Director or Director's designate.
- D. Ice Fishing. Ice fish on any natural or man-made bodies of water controlled by the District, except those areas and at such time as may be allowed by posted notice from the Director or Director's designate.
- E. Snowmobiling. Ride or operate any snowmobile or other self-propelled Vehicle designed for travel on snow-covered ground at any time on any District Property, unless authorized to do so by the Director or Director's designate.
- F. Other Vehicles. Bring onto or operate upon any frozen waters in any Park, any iceboat or other wind-driven device at any time.

SECTION 5. POWER MODELS, DRONES, TOYS AND MODEL ROCKETRY

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

- A. Start, ignite, fly, or use any fuel-powered, battery-powered or electric-powered model or toy, unmanned aerial system (“drone”) and model aircraft subject to 14 CFR Part 101, car, boat or rocket or any radio-controlled or like-powered toy or model in any Park Areas except in Areas designated by the Director or Director’s designate for such use and only in accordance with such rules, regulations and restrictions promulgated and posted by the Director or Director’s designate.
- B. Operate, launch, take off, land, cause to launch, take off or land, or authorize the operation, take off, launching or landing of any drones subject to 14 CFR Part 107 of any kind from or on District Property without a permit from the Director or Director’s designate, nor any drones subject to 14 CFR 101 except in designated areas and in no case:
 - 1. in violation of the Federal Aviation Administration rules, regulations and safety guidelines governing such flight;
 - 2. over or within one hundred (100’) horizontal feet of the property line of the following facilities: playground, tennis court, aquatic facility, golf course or skate park;
 - 3. over or within one hundred (100’) horizontal feet of any group activity organized or permitted by the District – including without limitation baseball, softball, football, soccer, lacrosse games and practices
 - 4. directly over any person, group of people or occupied space;
 - 5. for the purpose of conducting surveillance (which is defined as the gathering of images, sounds, data or other information in a manner that intrudes upon the solitude, privacy or seclusion of a person or his/her private affairs or concerns), unless expressly permitted by law;
 - 6. that is equipped with a firearm or other Weapon or with the intent to use the Drone or anything attached to the Drone to cause harm to persons or property;
 - 7. whenever weather conditions would impair the operator’s ability to do so safely;
 - 8. out of eyesight of the operator; or
 - 9. in a reckless or careless manner.
- C. Model boats and cars shall be Permitted only in non-pedestrian or otherwise non- restricted Areas and cannot be powered by any combustible fuel engine.

SECTION 6. EQUESTRIAN USE

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

- A. Bring into, ride upon, unload or use any horse or pony in any Park except in designated areas.

SECTION 7. FIELD AND TEAM SPORTS

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

- A. Play or engage in any team sport or game such as, but not limited to, baseball, football, soccer, volleyball, horseshoes, or softball, except in those Park Areas designated for use as athletic fields, and only in such a manner as to not interfere with other Persons using said athletic Areas, and under such Rules and Regulations as may be prescribed by the Director or Director’s designate.
- B. Use lighted athletic fields past the hours as following: No inning can be started after 9:45 pm. Lights out at 10:00 pm. Unless permitted by the Director or Director’s designate.
- C. 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.

SECTION 8. GOLFING

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

- A. Possess, swing, or make use of any golf club to hit golf balls within or into any Park in such a manner as to put those persons who are occupying any Park at risk of injury. To possess, swing or make use of any golf club and hit golf balls within or into any Park is considered a hazardous recreational activity as defined in Chapter V, Section 1, Paragraph F, and therefore prohibited where there is the possibility that such an activity could endanger those not participating.

SECTION 9. BICYCLES, ROLLERBLADES AND SKATEBOARDS

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

- A. Ride a bicycle, roller blade, or skateboard on any path, trail, roadway, athletic field, spectator Area, public Areas, or other Area designated and posted by the District or Director or Director's designate as prohibiting bicycles, roller blades, or combinations of the above. Bicycles, roller blades and skateboards may only be used on designated bike trails and skate park.
- B. Carry another Person on the handlebars, frame, and fender or so ride a bicycle except on a suitable seat attached thereto for such a purpose, or operate a bicycle in a reckless manner to endanger pedestrians, the rider, or riders thereon.
- C. Park or leave unattended any bicycle so to impede, travel upon or block any pedestrian or vehicular traffic or access way in any Park.
- D. Fail to ride a bicycle on the right hand side of any road, trail or path as conditions shall permit.
- E. Ride a bicycle on any path or trail more than two (2) abreast or on any roadway or road used by the public for regular Motor Vehicle access in any other manner than single file.
- F. Operate a bicycle, roller blades, skateboard, or other non-Motorized Vehicle in a way that would endanger the operator or any Park user or Employee.
- G. Roller skate or roller blade in or on any facility that is posted as prohibiting roller skating or roller-blading.

SECTION 10. FISHING

Fishing shall be permitted in District ponds, watercourses and other waters in accordance with applicable state law or as restricted by the Director or Director's designate. All District ponds, watercourses and other waters are catch and release.

SECTION 11. CAMPING AND SLEEPING IN PARKS

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

- A. Camp within any Park except in Areas as may from time to time be designated or upon written approval of the Director or Director's designate.
- B. Sleep in any Park between Dusk and sunrise the following day, except in designated camping Areas with a Permit from the Director or Director's designate.
- C. Place, erect, or use any hammock, swing, tent, shelter, or any other type of temporary or permanent, housing or camping equipment on District property.

SECTION 12. PICNICS AND PARK RESERVATIONS

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

- A. Picnic in any Area that is not designated for picnics during the regular hours of the Park.
- B. Picnic on District Property in a group of Persons exceeding fifteen (15) in number unless a valid Park Reservation Permit therefor has first been obtained from the District.
- C. Use the Area in any Park being used by a Group having a valid Park Reservation Permit, except with permission of the Group.
- D. Fail to produce or display any Permit or pass required in order to engage in any activity on District Property, upon request of any authorized Person who shall desire to inspect the same for the purpose of enforcing compliance with any ordinance or rule of the District.
- E. Bring or cause to be brought any class, play class, day camp, group or individual lesson, or similar organized group activity of any kind unless a Permit allowing such use or activity has first been obtained from the District.
- F. Every Person requesting a Permit shall complete and file an application with the Director or his designee, on forms provided by the District, and pay the applicable fees.
- G. Permits must be received by the District at least two weeks prior to the activity for which a Permit is sought.
- 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 activity including without limitation: general liability insurance coverage; an agreement to fully indemnify and hold the District harmless from any liability or costs resulting from the activity; a requirement that the Persons involved in the activity obey or comply with all federal, state, local, and District laws, rules, and regulations; time, duration, and location restrictions; security deposit; a written agreement by the applicant to fully restore any District Property soiled or damaged by the activity; and, any reasonable restriction necessary for the efficient and orderly contemporaneous administration of the activity, other activities with a Permit, and regular District uses, functions, programs, and activities.
- I. The District may make necessary changes or place necessary additional restrictions on any Permit after it has been issued.
- J. Violation of the terms and conditions associated with the Permit may result in the suspension or revocation of the Permit.

CHAPTER VIII – ENFORCEMENT

SECTION 1. AUTHORITY OF OTHER AGENCIES OR PERSONS

- A. The Police Departments of Oswego, Montgomery, Aurora, Plainfield, Kendall and Will County have the power and are authorized to arrest or eject from any Park or Facility any Person found in the act of violating any Ordinance of the District, Ordinance of the applicable municipality or county, or laws of the State of Illinois.
- B. Nothing in this Ordinance shall be construed to prevent other law enforcement officials from carrying out their duties in accordance with applicable law within the District and its Parks.
- C. The District may appoint and assign Park Patrol officers to supervise and enforce Park regulations and Ordinances in the Parks.

SECTION 2. FINES AND PENALTIES

- A. For each violation of any of the provisions of this Ordinance or for each day that a violation continues, a fine shall be imposed upon the violator being found guilty thereof by a court of

competent jurisdiction, in an amount of not less than \$75.00 nor more than \$500.00 and court costs. Restitution may be required by the court or local police jurisdictions in appropriate cases. The Ordinance Fine and Penalty Schedule is outlined on page 25.

- B. In the case of improper Motorized Vehicle operation, the District may impound the Motorized Vehicle for a period not to exceed thirty (30) days, at which time said Motorized Vehicle may be claimed by the owner for a fee of not less than \$500.00.

SECTION 3. RULES AND REGULATIONS

The Director or Director's designate may from time to time, promulgate Rules 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 approved by the Park Board of Commissioners and 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.

CHAPTER IX – MISCELLANEOUS

SECTION 1. CONSTRUCTION AND SCOPE

In the interpretation of this Ordinance affecting Parks, its provisions shall be constructed as follows:

- A. Any term in the singular shall include the plural.
- B. Any term in the masculine shall include the feminine and neuter.
- C. Any requirement or provisions of this Ordinance relating to any act shall respectively extend to and include the causing, procuring, aiding, or abetting, directly or indirectly, of such act.
- D. No provision hereof shall make unlawful any act necessarily performed by any officer or Employee of the District in line of duty or work as such or by any Person, his agents, or Employees, in the proper and necessary execution of the terms of any agreement with the Board, except when such act endangers or encroaches upon the rights of others as regulated by the laws of the Village of Oswego, City of Plainfield, Aurora, Montgomery, County of Will, Kendall, and/or the State of Illinois.

SECTION 2. CONFLICT

All District Ordinances and parts of Ordinances and all Regulations and Orders, or any parts thereof, in conflict with this ordinance or any parts thereof, are hereby repealed.

SECTION 3. ENACTMENT

This Ordinance shall be in full force and effect from and after its passage, approval and publication, as by Statute in such cases made and provided.

SECTION 4. CAPTIONS AND HEADINGS

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

SECTION 5. 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.

ORDINANCE FINE AND PENALTY SCHEDULE

Any Person violating or disobeying any section or part of this Ordinance, or any other District ordinance, policy, rule, or regulation, may be forthwith evicted from District Property, may have their admission privileges relating to District Property revoked, or suspended for such period of time as the Director or Director's designate shall determine, subject to the guidelines set forth below, and/or may, upon conviction, and unless otherwise specified herein, be fined in an amount not less than \$75.00 and not more than \$1,000.00 for each offense and/or required to perform community service on District Property under District supervision.

Suspension Guidelines

A person engaged in any of the following Violations Classes, on District Property, may be suspended from the particular Park or up to all District Property for up to the number of days indicated. Notice of the Suspension shall be provided to the violator or offender in writing and may be provided by any member of the Oswego Police, District Director, or Director's designee. Any person entering District Property during a suspension period violates this Section. District suspension and notification shall be sufficient notice for any violator or offender to be charged under Illinois State statute with Criminal Trespass to State Supported Property.

Class 1 Violations: Result in a ten (10) day suspension.

- Conduct that interferes with public use of District Property or programs
- Disruptive behavior which interferes with the rights of others to use District Property
- Use of profane, obscene or offensive language, or conduct which interferes with the enjoyable use of District Property
- Trespassing on District Property that is closed to the public or while the individual is under suspension
- Failure to comply with the directions of a District employee in the performance of his/her duty
- Any violation of posted District rules and/or regulations or the District's published code of sports ethics
- Posting and/or distribution of any handbill or advertisement without permission of the Director or Director's designate
- Use or possession of fireworks without endangerment of the public
- Smoking or possession of tobacco products by a person under the age of 18.
- Any Violation that, in the exercise of reasonable discretion of the authorized employee responding to the Violation, warrants an ejection or suspension.

Class 2 Violations: Result in a thirty (30) day suspension.

- Any disorderly conduct
- Any intentional damage or misuse of District Property
- Possession of a prohibited weapon
- Possession, transfer, sale or use or being under the influence of Alcoholic Liquor, any Controlled Substance or Cannabis while on District Property or attending District events
- Fighting or deliberating causing or attempting to cause injury to another person and/or animal
- A second Class 1 violation
- Any action prohibited by city, state or federal criminal law
- Public indecency

- Use of fireworks, fires or combustible materials that endanger the public

Class 3 Violations: Result in a sixty (60) day suspension.

- A third or subsequent Class 1 violation
- A second or subsequent Class 2 violation

In addition to the above Class Violations, the Director may suspend any person violating any Section of this Ordinance, for a period not to exceed twelve (12) months, from using any District Property, if the Director determines that, based on such violations, the person's future use of District Property may interfere with other's use and enjoyment of District Property. Any person suspended in such manner, may appeal the suspension to the Park Board of Commissioners within five days after the person receives the suspension. The decision of the Park Board of Commissioners shall be final and binding.

Restitution

In addition to, or instead of, the fines and penalties provided for in Ordinance Fine and Penalty Schedule, any Person violating or disobeying any section or part of this Ordinance, or any other federal, state, local, or District law, rule, or regulation, shall be required to make restitution to the District 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.

CHAPTER X - PUBLICATION AND EFFECTIVE DATE

SECTION 1. PUBLICATION IN BOOK FORM

In lieu of other publications, this Ordinance shall be published in electronic and pamphlet form, and when so published, shall become effective with the same force and effect as if otherwise published. Such publication 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 2. EFFECTIVE DATE

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

PASSED by roll call vote this 15TH day of September, 2022.

ROLL CALL VOTE:

AYE: Commissioners WILSON, TARTOL & BEHRENS

NAY: Ø

ABSTAIN: Ø

ABSENT: COMMISSIONERS IJAMS + WISE

APPROVED this 15TH day of September, 2022.

David Behrens
President, Board of Park Commissioners
Oswegoland Park District

ATTESTED and RECORDED this 15TH day of September, 2022,
and published in pamphlet form this 15TH day of September, 2022.

Cindy Benson
Secretary, Board of Park Commissioners
Oswegoland Park District

