



Downers Grove Park District

your chance to play

Downers Grove Park District Conduct in the Parks Ordinance 1324

June 2025

ORDINANCE NO. 1324
AN ORDINANCE REGULATING CONDUCT IN THE PARKS

WHEREAS, the Downers Grove Park District is an Illinois unit of local government operating under the Illinois Park Code, 70 ILCS 1205/1 et seq.; and

WHEREAS, the Park District has the power to regulate conduct within the park properties and facilities under its jurisdiction (“Parks”); and

WHEREAS, for that purpose, the Board of Commissioners hereby adopts the regulations set forth in Exhibit A attached hereto concerning conduct in the Parks.

NOW, THEREFORE, BE IT ORDAINED BY THE DOWNERS GROVE PARK DISTRICT BOARD OF PARK COMMISSIONERS, DUPAGE COUNTY, ILLINOIS, as follows:

1. Incorporation of Recitals. All recitals set forth in the preamble above are hereby fully incorporated in this resolution as if set forth in their entirety in this Section 1.
2. Approval. The District hereby approves and adopts the regulations concerning conduct in the Parks in the form attached hereto as Exhibit A.
3. Effective Date. This Ordinance shall take full effect immediately upon its passage. All previous ordinances, resolutions, motions, and orders of the Downers Grove Park District Board of Park Commissioners in conflict herewith are hereby repealed to the extent of such conflict.
4. Severability. If any portion of this Ordinance shall be determined to be invalid by a court of competent jurisdiction in the State of Illinois, the remaining portions of this Ordinance shall remain full force and affect.

PASSES this 26th day of June 2025.

AYES: Commissioners Johnson, Walsh, Bender, Dahlstrom, Lundt

NAYS: None

ABSENT: None

Craig Lundt

C86EF6DEFB608797C27F8570B273A351 readysign

Board President

ATTEST:

William G. McAdam

657B66B927ADFB864A752948818DE78D readysign

Secretary

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Ordinance 1324 – Conduct in the Parks
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Downers Grove Park District

Ordinance 1324 – Conduct in the Parks

ARTICLE 1 – RULES OF INTERPRETATION

This Ordinance does not apply to activities authorized by the District and/or part of any District program. Likewise, this Ordinance does not apply to official activities of Law Enforcement, Fire, or Emergency Services, nor District Personnel in the fulfillment of their job duties.

1.00 Ordinance Enforcement: Police enforcement activities are provided to the Downers Grove Park District by the Village of Downers Grove through an Intergovernmental Agreement (Resolution No. 2003-63) that has been in place since its initial signing on June 5, 1975. This IGA provides for policing services to be rendered by the Village of Downers Grove to provide police enforcement activities on Park District Property. This IGA authorizes Village police personnel to write a complaint, ticket, or charge to be prosecuted before the circuit court either under the Municipal Code of the Village of Downers Grove section 1-15, under Illinois Supreme Court Rules 501-556, or 720 Illinois Compiled Statutes 5/1-2 through 5/1-6. Village police personnel may also charge, or ticket, an individual under the procedure for settlement in lieu of prosecution as set out in the Municipal Code of the Village of Downers Grove, Section 1-16, for any offenses set forth in this document or any offense in Section 1-16 of the Municipal Code of Downers Grove.

1.00.1 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, and/or may have their admission privileges relating to District Property revoked or suspended for such period of time as the Executive Director or their designee shall determine, subject to the guidelines set forth below.

1.00.2 Notice of the Suspension shall be provided to the violator or offender in writing and may be provided by any District Manager. 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.

1.00.3 The Executive 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 or participating in District programming, if the Executive Director determines that, based on such violations, the person's future use of District Property or participation in District programming may interfere with other's use and enjoyment of District Property.

1.00.4 Any person suspended by the Executive Director for a period of more than ninety (90) days may appeal the suspension to the Board of Commissioners by filing a written appeal with the Executive Director within five (5) days of receiving the suspension. Thereafter, the Executive Director shall arrange a hearing on the suspension before the Board of Commissioners within thirty (30) days of the date of the notice of appeal. The Executive Director may, in the exercise of their discretion, issue a pro-rata refund to any person suspended from a program for which a fee was paid.

1.01 Board Notification: The Executive Director or their designee shall notify the Board of Commissioners whenever a crime or violation has taken place on Park District Property or whenever the Executive Director has issued a suspension from District Property or District programming, shall report whether damages or costs have been or will be incurred by the District, and shall report whether a complaint has or has not been authorized and executed by the District. Such notification shall be given to the Board no later than the next regular meeting following the incident.

1.02 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.

1.03 Words Generally: Whenever any word in this ordinance importing the plural number is used, any singular matter shall be taken to be included. When any subject matter is referred to in this ordinance, the words importing the singular number or a specific gender shall also apply to several matters or other genders and bodies corporate shall be taken to be included. Words in the present shall include the future.

ARTICLE 2 – DEFINITIONS

2.01 “Aircraft” means any device that is used or intended to be used for human flight in the air; it may also include models of airplanes or “unmanned aircraft systems” (aka “drones”) but the definition shall be applied so as to be consistent with any statute, administrative regulation, or guidance of the Federal Aviation Administration.

2.02 “Alcoholic Liquor” is defined as provided in the Illinois Liquor Control Act of 1934 (235 ILCS 5/1-3.05) as amended hereafter.

2.03 “Amusement Contraption” means any device, machine or structure designed to test the skill or strength of the user or provide the user with any sort of ride, lift, swing or fall experience including, but not limited to, ball-throwing contest devices, pinball-type devices, electronic games, animal ride devices, ball and hammer devices, and trampoline devices.

2.04 “Aquatic Life” means all fish, reptiles, amphibians, crayfish, mussels, mollusks, and crustaceans.

2.05 “Authorized Agent” refers to an individual granted authority by the Executive Director when acting within the scope of that authority.

2.06 “Board” refers to Members of the Downers Grove Park District Board of Park Commissioners.

2.07 “Camp” or “Camping” shall include the erecting of a tent or shelter of natural or synthetic material, preparing a sleeping bag, hammock, or other bedding material for use, setting up any temporary or semi-permanent equipment including without limitation food preparation equipment, parking of a motor vehicle, motor home or trailer, or mooring of a vessel, for the apparent purpose of overnight occupancy, regardless of the intended length of stay, and/or the use of District Property for any length of time for living accommodation purposes such as sleeping activities, or making preparations for sleeping activities, or storing personal property, or making preparations to store personal property, or making a fire or using a device to provide heat.

2.08 “Cannabis” is defined as provided in the Illinois Cannabis Control Act (720 ILCS 550/3(a)) as amended hereafter.

2.09 “Carry” means to wear, bear, or have on or about the person.

2.10 “Controlled Substance” is defined as provided in the Illinois Controlled Substances Act (720 ILCS 570/102 (f), 204, 206, 208, 210, and 212) as amended hereafter.

2.11 “Director” is the Executive Director of the Downers Grove Park District or their designee.

2.12 “District” is the Downers Grove Park District, DuPage County, Illinois.

2.13 “District Police Force” shall mean sworn members of the Village of Downers Grove Police Department as described in Resolution 2003-63.

2.14 “District Property” is all of the property, real and personal, of every kind and description located within the jurisdiction of, or owned, administered, leased or licensed by, or otherwise in the possession or under the control of the District including without limitation every building, shelter, street, sidewalk, trail, path, beach, park, wilderness or open space, or other public place, capital improvement, or facility, and all District Waters.

2.15 “District Waters” shall include all water located on or adjacent to, or flowing over, property owned, administered, operated, leased or licensed by the Downers Grove Park District, including without limitation all natural or man-made lakes, rivers, creeks, streams, ponds, lagoons, bays, and drainage ways and all waters over which the District has exercised jurisdiction as permitted by Illinois Statute.

2.16 “Department Head” is the person immediately in charge of a given District department and its activities and to whom all employees of such department are directly responsible (e.g., Director of Recreation and Director of Parks and Facilities).

2.17 “Employee” is an employee of the Downers Grove Park District.

2.18 “Drug Paraphernalia” is defined as provided by the Illinois Drug Paraphernalia Control Act (720 ILCS 600/1d) as amended hereafter.

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

2.20 “ILCS” means Illinois Compiled Statutes.

2.21 “Micromobility Devices” refers to a range of small, lightweight vehicles operating at speeds below 20 mph and driven by users personally with no more than two passengers and includes unicycles, bicycles, tricycles, shared (tandem) cycles, electric cycles, manually powered scooters, manually powered skateboards, and electric skateboards; but does not include class III electric bicycles (where the speed of the bicycle from the electric motor can exceed 20 miles per hour) the operation of which is prohibited on District Property, nor does it include “low speed electric scooters” as defined by the Illinois Vehicle Code, 625 ILCS 5/1-140.11, the operation of which is prohibited on District Property.

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

2.23 “Ordinance” refers to the duly adopted Ordinances of the Park District or the Village, as the case may be.

2.24 “Organized Recreational Activities” refers to any planned activity that is advertised or otherwise promoted or sponsored by any person and conducted at a predetermined time and place. These activities are designed to provide entertainment, physical exercise, social interaction, or personal development in a safe and engaging environment.

2.25 “Other Power-Driven Mobility Device” (“OPDMD”) is a device used by a person with a mobility disability. This definition does **not** include gasoline-powered devices or vehicles, golf carts, or riding lawn mowers, except as required as a reasonable accommodation under the Americans with Disabilities Act. This definition is restricted to a device with the following specifications:

- Must not exceed more than one-half the width of any trail, path, or sidewalk on which a device is being used; and
- For indoor use, must not exceed 36”; and
- Must not weigh more than 250 pounds; and
- Must be designed to travel on two or more low-pressure tires; and
- Must operate by electric-powered engine with a maximum decibel level of 55 or less.

2.26 “Overnight” refers to the time when the park or facility is officially closed until it opens the following day.

2.27 “Owner” is the person who holds the legal title to a vehicle or other property of any kind, or in the event that the vehicle or other property is the subject of an agreement for the conditional sale or lease thereof, with the right of purchase upon the performance of the conditions stated in the agreement, or with an immediate right of possession vested in the conditional vendee or lessee, or in the event mortgagor of the vehicle or other property is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this ordinance.

2.28 “Park Security” refers to individuals employed or otherwise authorized to act on behalf of the Park District to interpret rules and maintain order.

2.29 “Park System” refers to District Property and all of the personnel, programs, activities, and operations of the Park District.

2.30 “Permit” is the written permission or authorization that must be obtained from the District to carry out a given activity. Said authorization is subject to the terms, fees, and conditions specified in the permit, license, or contract, as well as all applicable federal, state, local, and District laws, ordinances, rules, and regulations.

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

2.32 “Possess” or “Possession” refers to exercising direct physical control or dominion, with or without ownership, over any kind of property, or archeological, cultural, or natural resource.

2.33 “Posted” refers to a notice posted, either on the District’s webpage, by a sign at the entrance to a Park, or at the administrative offices of the District.

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

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

2.36 “Smoking” or “Smoke” means the carrying, burning, inhaling, or exhaling of any kind of lighted pipe, cigar, cigarette, hookah, weed, herbs, or any other lighted smoking equipment and also includes the use of an electronic cigarette or other devices designed to replicate the act of smoking (e.g. with vapor, vaping, e-cigarettes, etc.).

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

2.38 “Tobacco” is defined to include any lighted or unlighted cigarette, including but not limited to clove, bidis, or kreteks, electronic or e-cigarettes, cigars, cigarillos, pipes, hookah products, and any other smoking products; and any smokeless, spit or spit-less, dissolvable or inhaled tobacco products, including but not limited to dip, chew, snuff or snus, in any form; and all nicotine delivery devices that are not FDA-approved as cessation products.

2.39 “Unmanned Aircraft System” or “UAS” means an unmanned aircraft and the equipment necessary for the safe and efficient operation of that aircraft (i.e., the same meaning as set forth in Federal Regulations) and generally refers to a drone or aircraft that flies with remote rather than direct human control.

2.40 “Vehicle” is defined by the Illinois Vehicle Code and means every device in, upon, or by which a person or property is transported or drawn on land, whether motor powered or self-propelled, but does not include such devices owned and operated by District personnel, baby carriages, strollers, Micromobility Devices or “OPMPD.”

2.41 “Vessel” means every type or description of watercraft or object used or capable of being used as a means of conveyance or transportation on water, including without limitation boats, rafts, canoes, inner tubes, air mattresses, kayaks, jet skis, inflated devices, logs, branches, or any other buoyant object permitting or capable of free flotation. “Vessel” does not include personal flotation devices or equipment required for safety, such as life vests.

2.42 “Wildlife” shall include any waterfowl, mammal, animal, amphibian, reptile, or bird or the young or eggs thereof, but excluding any domesticated dog or cat.

ARTICLE 3 – HOURS OF USE / PERMITS

3.1 Hours of Use: All parks (including the golf course), without operational lighted athletic facilities, shall be closed to the public from dusk each day until daybreak the following day unless permission has been granted by the District for extended hours. All parks with operational lighted athletic facilities, including driving range shelter, pavilions, and band shells, shall be open to the public after dusk during special events or programs while the lights are on, and shall close immediately after the lights are turned off until daybreak the following day. No person, animal, or property of any kind shall remain on District Property after closing time, unless a permit is granted in advance by the District for later hours. Security lighting shall not be considered operational, artificial lighting.

3.2 Permits

3.2.1 Any act prohibited by or under this ordinance or any other ordinance or rule of the District, provided such act is not otherwise prohibited by law or ordinance, shall be lawful to the extent authorized or permitted under the provisions of a permit issued by the District.

3.2.2 Permits shall be issued only upon payment of such fees as may be established from time to time by the District. All terms for the issuance of the permits must be strictly complied with, and any violation of the same, or any other law, ordinance, or rule of the District, shall be grounds for revocation of the same.

3.2.3 Permits may be obtained after the application for said permit is approved by a Park District representative.

ARTICLE 4 – GENERAL USE REGULATIONS

4.1 Regulations to Protect District Property and the Natural Environment

4.1.1 Open Burning: It shall be unlawful to burn or cause the burning in any location within the Park System of any paper, leaves, twigs, branches, wood, grass clippings, or other refuse from farming or gardening, or other combustible materials of any nature whatsoever except as follows:

4.1.1.1 Charcoal Cooking Burning: Except during posted times of drought and fire hazard conditions, portable charcoal grills are permitted in parks where they do not interfere with the use of the park by others; coals and ash must be disposed of properly by removing from District Property and hot coals shall not be removed from the grill and shall not be left anywhere on District Property.

4.1.1.2 Wood Burning Campfires: Campfires are prohibited except for Park District programs.

4.1.2 Plant & Soil Destruction: Cutting, injuring or destroying any tree, vine, shrub, naturalized grasses or other planting or cutting, and removing any sod or earth from District Property, is prohibited without written authority from the District to do so.

4.1.3 Protection of Birds and Animals: No Person shall trap, catch, hunt, molest, wound, treat cruelly, or kill any bird or animal, or attempt same, or molest or rob any nest of any bird or animal on District Property without written authority from the District to do so.

4.1.4 Protection of Property: No Person shall:

4.1.4.1 Mark, litter, injure, damage, destroy, take, or withhold in any way District Property (including plants and wildlife) of any kind.

4.1.4.2 Interfere with the use of the Park System.

4.1.4.3 Interfere with District operation or programming of the Park System.

4.1.4.4 Bring to or install any plant or portion of a plant on District Property.

4.1.4.5 Throw, spit, pour, or otherwise discharge any injurious article or vile substance upon or from the waters, grounds, or property of the District Property.

4.1.5 Illegal Dumping: It is unlawful for any individual to bring or deposit any municipal solid waste, landscape waste, household garbage, construction debris, electronics, (e.g. televisions, computers, speakers, audio equipment, etc.) litter, furniture, belongings, etc. with the intent of leaving such on District Property. Refuse, litter, and recyclable materials generated during activities on District Property shall be placed in appropriate receptacles designed for the collection of such refuse, litter, and recyclables.

Except as authorized by the District, District Property shall not be utilized for the disposal of any of the following:

- Household trash or garbage (e.g., trash bags, cardboard, gift wrap, packing materials, etc.)
- Construction debris (e.g., lumber, carpet, roofing materials, siding, concrete, tile, etc.)
- Landscape waste (e.g. leaves, grass clippings, tree trimmings, shrub trimmings, garden waste, etc.)

4.1.6 Encroachment: Neighbors to District Property shall respect property lines, and encroachment onto District Property is prohibited. Under no circumstances are any items to be built or stored, even temporarily, on District Property without permission from the District.

4.1.6.1 No plantings are to be installed on District Property without prior permission from the District. Any plantings that exist on District Property are property of the Park District and will be altered or removed only at the discretion of the District.

4.1.6.2 Individuals are not to remove any plants or trees from District Property without prior permission from the District (e.g., plants in flower beds, perennial bulbs, trees, mulch, etc.).

4.1.6.3 Clearing of plants and trees to install pathways or trails from private property onto District Property is not allowed.

4.1.6.4 Neighbors to District Property are reminded that Village regulations require a minimum of 20' runoff area for sump pumps prior to discharging onto District Property. Violators will be reported to the Village of Downers Grove Code Enforcement.

4.2 Regulation of Recreational Activities

4.2.1 Fishing: Fishing shall be in accordance with all Illinois Department of Natural Resources, State, and Federal Regulations. Fishing is prohibited in areas where and when the District has posted signage stating that fishing is prohibited.

4.2.2 Bicycling: Bicycling is regulated under Micromobility Devices. See Section 4.3.

4.2.3 Camping Prohibited: Camping on District Property is prohibited.

4.2.4 Climbing: Except when done upon such recreational equipment as may be installed by the District for such purpose, no person shall climb upon any plants, fences, structure, or property of any kind in the Park System.

4.2.5 Engine-Powered Models or Toys: No person shall start, fly or use any fuel-powered engine or jet-type or electric-powered model aircraft, boat or rocket, or like powered toy or model in the Park System except as follows: Powered and radio-controlled model boats no greater than 1/10 scale are permitted provided that the operation of any powered model must not constitute a nuisance or a hazard.

4.2.6 UAS (a/k/a “Drone” Policy): The Park District has determined that it uses the first 150 feet of airspace above ground level on its properties; accordingly, except as operated by the Park District, unmanned aircraft systems (“UAS” a/k/a “Drones”) and any other model aircraft subject to 14 CFR Part 101 may not be operated on, over, or across the District Property or the Park System at any altitude below 150 feet above ground level without a special use permit from the Park District. This permitting is to coordinate the use and programming of Park District property and is not a regulation of unmanned aerial systems. Those groups/individuals wishing to fly a drone over a Park District property at an altitude at or below 150 feet above ground level shall apply for the special use permit with the Executive Director. All such UAS operations shall, at all times, comply with all regulations and/or guidelines issued by the Federal Aviation Administration. To the limited extent that this policy conflicts with regulations promulgated by the Illinois Department of Transportation, said regulations shall supersede this policy.

4.2.7 Organized Recreational Activities: No Person shall unreasonably interfere with any Organized Recreational Activities or other authorized use of District Property. Doing so may subject said person to a charge of criminal trespass. No Person shall engage in any activity in a rough or reckless manner so as to endanger, injure, or damage persons or property in any way.

4.2.8 Golfing: No Person shall swing or make use of any golf club, nor play golf, nor hit or putt golf balls within the Park System, except at the Belmont Golf Club and driving range, or Adventure Falls Mini Golf or other areas established by the District.

4.2.9 Horseback Riding: No Person shall bring into, unload, use, or ride any horse on District Property except on a horse or equestrian trail established by the District or except where required as a reasonable accommodation under the Americans with Disabilities Act.

4.2.10 Picnics: Picnics may be held in any unrestricted area within the Park System, not specifically set aside for other recreational activity. A permit is required for group picnics involving twenty (20) or more persons.

4.2.11 Play Classes: No Person shall provide instruction or training or conduct any class, “day camp,” or other non-religious organized group activity for which any form of compensation is received on any District Property without a permit from the District and then only upon such terms specified therein.

4.2.12 Playground Apparatus: Playgrounds are generally designated for 2 to 5-year-olds or 5 to 12-year-olds. Adults shall not use any of the playground apparatus or devices meant exclusively for the use of children without being accompanied by a child. When accompanied by a child, an adult may use the equipment to assist or play with the child they are supervising, as long as it does not inhibit the use of the equipment or create a safety concern for other individuals. This does not include the use of swings, which are intended for any age range.

4.2.13 Roller and In-Line Skating: No Person shall propel himself with the use of roller or in-line skates or roller shoes (*heelies*) on District Property in such a manner as to endanger pedestrians.

4.2.14 Skateboarding and Scootering: Scooters and Skateboards are regulated herein as Micromobility Devices. See Section 4.3.

4.2.15 Swimming: No Person shall:

4.2.15.1 Swim, wade, or bathe at any time in any of the ponds, lakes, fountains, streams, sloughs, or watercourses except at such places as may be designated by the District and then only in accordance with the rules and regulations posted for such use.

4.2.15.2 Change into or from bathing attire, except in places designated for such use.

4.2.15.3 Fail to wear bathing attire at all times while engaged in any permitted aquatic or related activity.

4.2.16 Watercraft: No Person shall use any device of conveyance on the waters of the Park System, whether propelled by motor, engine, wind, or human power, other than in areas designated for such and then only in compliance with the rules and regulations posted for such use.

4.2.17 Winter Sports: No Person shall:

4.2.17.1 Skate, sled, toboggan, ski, snowboard, slide, or carry on other similar activity on District Property except at such places and times as the District may designate for the purpose. No Person while engaged in such activity shall conduct themselves in such a manner as to annoy others or to endanger, injure, or damage persons or property in any way.

4.2.17.2 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.

4.2.17.3 Fish through the ice on any frozen waters or parts thereof other than areas designated for such and then only in compliance with the rules and regulations posted for such use.

4.2.17.4 Bring onto or upon the frozen waters of any lake, pond, or watercourse any iceboat or wind-driven-like device or other vehicle.

4.2.17.5 Operate a snowmobile on District Property.

4.2.18 Amusement Contraptions: No Person shall bring in, set up, construct, manage, or operate any Amusement Contraption in the Park System.

4.3 Regulation of Vehicles, Mobility Devices, and Parking

4.3.1 Restriction of Vehicle Use on and Adjacent to District Property

No person shall:

4.3.1.1 Operate any Vehicle anywhere except on the roads, drives, and parking areas provided for by the District. "Low speed electric scooters," as defined by 625 ILCS 5/1-140.11 are prohibited on District Property.

4.3.1.2 Operate any Vehicle at a speed greater than the speed limit posted or, in the absence of such posted limit, at a speed in excess of 5 miles per hour. At no time shall a Vehicle be operated

at a speed that is greater than that which is reasonable and proper with regard to pedestrians present, and other traffic or environmental conditions. This shall include reduced speed limits as posted on public roadways, "park zones," and "park zone streets" as included in the amended Illinois Vehicle Code (Public Act 094-0808).

4.3.1.3 Operate a Vehicle in such a way that traffic is obstructed.

4.3.1.4 Operate a Vehicle that is not licensed or permitted to be operated on roads, streets, and highways of the State of Illinois (e.g., ATV, Golf Cart, etc.).

4.3.1.5 Operate or move a vehicle in a closed park.

4.3.2 Obedience to Traffic Control Devices

4.3.2.1 No driver of a Vehicle shall disobey the instructions of any official traffic control device placed in accordance with the provisions of this ordinance, unless at the time otherwise directed by a police officer.

4.3.2.2 No provision of this ordinance for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation, an official sign is not in a proper position and sufficiently legible to be seen by an ordinarily observant person.

4.3.2.3 Whenever a particular section does not state that signs are required, such a section shall be effective even though no signs are erected or in place.

4.3.3 Other Power-Driven Mobility Device Policy: The Downers Grove Park District is dedicated to providing all of its guests with equal access to District Property and programs. The Downers Grove Park District has taken into consideration the use of other power-driven mobility devices in accordance with 28 Code of Federal Regulations section 35.104 and factors such as impacts on other users, the safety of other users, impacts on property and infrastructure, and the noise level of such devices. The use of Other Power-Driven Mobility Devices ("OPDMDs") on District Property is permitted as follows:

4.3.3.1 The operator of the OPDMD must be a person with a mobility or physical impairment, and Park District personnel may request proof of such impairment as permitted by ADA regulations.

4.3.3.2 The OPDMD is allowed only in areas of the park, hard surface trails, or Park District facilities where the general public is allowed.

4.3.3.3 The OPDMD operator must not use or operate such a device at a park or at Park District facilities if use of the device causes damage to the park grounds or infrastructure or Park District facilities.

4.3.3.4 The OPDMD must be operated at a speed that is safe relative to surrounding foot traffic.

4.3.3.5 The OPDMD must not be operated in a dangerous or reckless manner or at speeds that jeopardize the safety of the operator or other persons; must not be operated in wet or ecologically sensitive or hazardous areas; nor operated on District Property when the District Property is closed or not in operation.

4.3.3.6 The Park District does not accept responsibility for storage of the OPDMD.

4.3.3.7 The Park District does not accept responsibility or liability for damage to the OPDMD or injury to the operator, whether caused by the operator, another visitor to a facility or site, or any other circumstance.

4.3.3.8 The Park District reserves the right to suspend the use of facilities or sites by the OPDMD operator within the limits set by the Americans with Disabilities Act if doing so is in the best interests of the Park District and its invitees.

4.3.3.9 The Park District reserves the right to change, modify, or amend this policy at any time it deems appropriate.

4.3.4 Micromobility Devices

Micromobility Devices are permitted within the Park System as follows:

4.3.4.1 No Person using Micromobility Devices shall interfere with pedestrian use of sidewalks or vehicle use of the streets, or otherwise act negligently, recklessly, or without due caution, or in any manner so as to endanger any Person or property. When two or more Persons in a group are operating Micromobility Devices, they shall not ride abreast but shall ride in a single file.

4.3.4.2 No Person operating a Micromobility Device shall cling or attach any part of themselves or their Micromobility Device to any other moving vehicle.

4.3.4.3 No Person operating a micromobility device shall carry another Person on the same device. This restriction does not apply to tandem bicycles or child safety seats. In those cases, there shall be only the number of Persons on the bicycle as there are seats or saddle.

4.3.4.4 No Person shall operate an electric bicycle on District property between thirty (30) minutes after sunset and thirty (30) minutes before sunrise, without a clear, white, properly lighted headlight, visible under normal atmospheric conditions from the front therefore not less than five hundred (500) feet and firmly attached to the device, and without a red reflector firmly attached to the device, which is clearly visible in the headlight beam of an automobile for a distance of five hundred (500) feet to the rear of the bicycle.

4.3.4.5 No Person may operate a Micromobility Device on District playground surfaces, athletic fields, athletic courts, or sidewalks except small children riding three or more-wheeled bicycles while under the supervision and control of an adult. This restriction does not apply to operating a bicycle on a designated bicycle pathway.

4.3.4.6 No Person shall ride a Micromobility Device on any District Property where signs are posted prohibiting riding Micromobility Devices.

4.3.4.7 Micromobility Devices shall not, at any time, in any place, be indiscriminately parked by anyone in such a manner as to actually or possibly interfere with pedestrians or traffic, or with Persons getting into or out of automobiles. No Person shall leave a Micromobility Device lying on the ground or pavement or set against trees or otherwise in a place that may create a safety hazard or interfere with the use of the area for recreational purposes.

4.3.4.8 No Person shall operate a Micromobility Device faster than is reasonable and proper, and every Micromobility Device shall be operated with reasonable regard for the safety of the rider and of other Persons and property.

4.3.5 Parking

4.3.5.1 When prohibited, means the standing of a Vehicle, whether occupied or not, otherwise than temporarily, for the purpose of, and while actually engaged in, loading or unloading. No Person shall park a Vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, or in any of the following places: (1) on a sidewalk; (2) in front of a District driveway; (3) within an intersection of District

roads or trails; (4) within 15 feet of a fire hydrant; (5) on any crosswalk; (6) within 30 feet upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of a District roadway; (7) between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless the District indicates a different length by signs or markings; (8) alongside or opposite any street excavation or obstruction when such parking would obstruct traffic; (9) on the roadway side of any Vehicle parked at the edge or curb of a street; or (10) at any place where official signs prohibit parking.

4.3.5.2: No Person shall, without a permit, park a vehicle upon any District Property for any of the following purposes:

- To display such a vehicle for sale; or,
- To perform maintenance, cleaning, or repair of such vehicle, except for repairs necessitated by an emergency; or,
- To sell goods or services from such vehicle; or
- To use as overflow parking for another business, organization, or homeowner, or
- For overnight or after-hours purposes; or
- For commuter purposes, or
- For any non-Park District-related purposes not otherwise listed.

4.3.5.3: No Person shall park a vehicle on District Property other than in established or designated parking areas, and such shall be in accordance with the posted directions and markings or with the directions of any attendant or staff member who may be present.

4.3.5.4: Abandoned vehicles and/or those that are not in line with the District Ordinance may be reported to the Police and may be ticketed or towed at the owners' expense.

4.4 Regulation of Personal Conduct and Behavior

4.4.1 Advertising and Vending: No Person shall:

4.4.1.1 Sell or Exchange: No Person shall sell, offer to sell or exchange any property, or buy, offer to buy, or exchange any property, or take up any collections of money or property of value in the Park System unless on a recognized public forum (e.g., a sidewalk) or otherwise authorized by Permit, and at all time in accordance with local and state laws.

4.4.1.2 Solicit contributions: Other than as permitted in connection with District approved programming (e.g., concession sales) or District initiatives and partnerships (e.g., "Toys for Tots"), no person shall solicit donations on any District Property that is not a recognized public forum for purposes of speech acts and rights of peaceful assembly (e.g., sidewalks). Further, even where permitted, no person on District Property shall obstruct or impede pedestrians or vehicles; harass park visitors with physical contact or persistent demands; misrepresent affiliations; misrepresent what 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; or to coerce or intimidate another person into giving money, goods or services.

4.4.2 Animal Control: These provisions apply to Owners of any animals, regardless of the animal's level of domestication.

4.4.2.1 Unrestrained: No animal shall be allowed to run unrestrained anywhere upon any District Property. No animal is allowed upon District Property unless said animal is securely fastened and

restrained by a leash not more than six (6) feet in length. No animal other than a Service Animal shall be permitted to enter upon or remain upon any park area utilized as an athletic field, children's play area, or posted to prohibit animals. An animal found loose upon District Property may be apprehended and removed to an animal shelter, public pound, or other place available for said purposes, and impounded at the expense of the animal's Owner.

4.4.2.2 Excrement: No Owner shall cause or permit an animal to enter upon or remain upon District Property unless the Owner is in immediate possession of a device for the complete removal of any excrement which may be deposited by its animal upon District Property. In the event an animal defecates on District Property, the Owner shall immediately pick up and remove the excrement deposited by the animal from District Property to a proper receptacle located on property owned or possessed by the Owner.

4.4.2.3 Abuse: No Person shall cruelly beat, or otherwise inhumanely abuse or maltreat any animal.

4.4.3 Aviation Control: No Person shall ascend or descend in a balloon, airplane, glider, hang glider, kite, or parachute without obtaining a permit from the District.

4.4.4 Disorderly Conduct: The various kinds of conduct, demeanor, states of behavior, and action enumerated in this section shall be deemed disorderly conduct and are prohibited. Any Person found guilty of such conduct, demeanor, or state of behavior or action shall be deemed a disorderly person, and shall for each offense upon conviction, be punished as provided in applicable law or ordinance. The District reserves the right to remove people due to behavior at all sites and facilities and to charge a person who resists removal with criminal trespass. No person in the Park System shall:

4.4.4.1 Commit an assault, or an assault and battery, upon any Person.

4.4.4.2 Possess, drink, sell, or transfer any intoxicating liquor (except the golf course facilities or parks as approved by the Park Board).

4.4.4.3 While under the influence of narcotic drugs, enter, be or remain in the Park System, nor shall any Person being within, possess, smoke, consume, sell or transfer narcotic drugs in the Park System, provided, however, that this subsection shall not be construed to apply to a Person whose faculties have been impaired by medication prescribed by a physician and taken as directed.

4.4.4.4 Engage in any fisticuffs.

4.4.4.5 Conduct themselves, or join with one or more other Persons, if they know or should know that, singly or together with the others with whom they have joined, they are unreasonably obstructing the free and uninterrupted passage of the public in the Park System.

4.4.4.6 Persist in disturbing the public peace and quiet by loud or aggressive conduct, having once been clearly informed by Persons affected that they are, in fact, unreasonably causing such a disturbance, provided, however, that notice need not be given when such persons affected reasonably believe that to do so would constitute a risk to their personal safety.

4.4.4.7 Persist in disturbing the peace and orderly conduct of any meeting of a public body or any meeting open to the general public by any conduct or communication which, by its very existence, inflicts injury or tends to incite an immediate breach of the peace or which prevents the peaceful and orderly conduct of such meeting after having been clearly informed that he is, in fact, unreasonably causing such a disturbance.

4.4.4.8 Knowingly “harass” any other Person. “Harass” is defined as any repeated verbal or nonverbal conduct which is specifically intended to frighten, embarrass or anger the person or persons who are the object of such conduct or which the person accused has reason to know is likely to produce such reactions, or which, by its very utterance, inflicts injury or tends to incite an immediate breach of the peace. “Harass” also includes bullying.

4.4.4.9 Knowingly obstruct or resist a member of a public safety agency in the discharge of their lawful duties or fail to obey the lawful order of said official, knowing them to be a member of a public safety agency.

4.4.4.10 Urinate or defecate on any part of District Property not specifically designated for that purpose.

4.4.4.11 Graffiti, writing, drawing, carving, making, or showing any lewd or indecent words, sentences, design, picture, or figure on any District Property.

4.4.4.12 Summon, without any good reason therefor, by telephone or otherwise, the Police or Fire Department, any public or private ambulance, or any other service of any kind to go to any address where the service called for is not needed.

4.4.4.13 Knowingly take possession of and ride or take away any bicycle without the express or implied permission of the owner.

4.4.4.14 When in proximity to a fire or other hazard, refuse or knowingly fail to obey a reasonable official request or order to move for purpose of maintaining public safety.

4.4.4.15 Fail to accurately identify themselves when requested to do so by a police officer after the officer observes that the Person commits a civil infraction or when the officer has probable cause to believe the Person has committed a misdemeanor outside the officer’s presence.

4.4.4.16 Loiter on District Property under circumstances that cause reasonable concern for the safety or health of any person or property in the vicinity. The following are circumstances that may be considered in determining whether reasonable concern is warranted:

4.4.4.16.1 The Person is one of a group of people threatening, making threatening gestures, using obscene language, or otherwise menacing persons in the area.

4.4.4.16.2 The Person appears to be illegally consuming, using, or concealing illegal consumption or use of alcoholic beverages or controlled substances.

4.4.4.16.3 The Person is one of a group blocking the free passage of pedestrian or vehicle traffic on a Park System street or sidewalk.

4.4.4.17 Without a permit, use sound amplification equipment to generate sound audible at a distance of 30 feet from the device producing the sound. For purposes of this section, “Sound amplification equipment” shall mean any machine or device for the amplification of the human voice, music, or any other noise or sound, but shall not mean devices used by public safety officials in the performance of their official duties.

4.4.4.18 Collect with other persons, in bodies or in crowds of two (2) or more persons, without authority of law, for unlawful purposes or for any purpose of disturbance or obstruction of the lawful activities of other persons on District Property or otherwise disturb, obstruct, or interfere unreasonably with the lawful activities of other persons using District Property; collect with other persons, in bodies or in crowds of two (2) or more persons, without authority of law, in a manner which creates immediate violence or breach of the peace or threat thereof or endangers the person or property of others; knowingly assemble with one (1) or more other persons to commit

an act or engage in conduct that urges or incites other Persons to engage in immediate violence or lawlessness or commit any unlawful act; organize, promote, encourage, or otherwise participate in a breach of the peace involving crowds of two (2) or more persons gathered, without authority of law, for unlawful purposes or any purpose of disturbance or obstruction of the lawful activities of other persons; assemble with one (1) or more other persons, without authority of law, for unlawful purposes or in a manner that disturbs, obstructs, or interferes unreasonably with the lawful activities of others on District Property (including but not limited to any gathering that incites or engages in immediate violence, breach of the peace, or conduct that endangers persons or property); nor knowingly urge, incite, organize, promote, encourage, or participate in any unlawful assembly or act that disrupts public order or the lawful use of District Property.

4.4.5 Gambling: Gambling of any kind, or setting up, or participating in, any lottery or gambling device, unless specifically authorized under Illinois Law and the District, is strictly forbidden on District Property.

4.4.6 Indecent Exhibitions: Lewd acts, exhibitions, or expressions are strictly forbidden in the Park System, irrespective of whether the property or any portion thereof is recognized as a public forum.

4.4.7 Public Meetings: No Person or organization of any kind shall call or hold any public meeting, exhibition or entertainment of any kind within the Park System unless the District grants permission or the assembly is conducted peacefully and wholly within a recognized public forum in compliance with the time, place and manner restrictions of the Park District.

4.4.8 Restricted Areas: No Person shall enter upon any portion of the Park System where persons are prohibited by the District as indicated by signs or notice. No Person shall enter or attempt to enter any building or area in the Park System that is closed to the public or scheduled for a specific group or activity unless invited by the same, and where an admission fee is charged, payment of the admission fee is made.

4.4.9 Rules to be Obeyed: No Person shall violate or disobey any rule of this District relating to the use and governance of the Park System if notice of the same is posted in some conspicuous place within the Park System. No Person shall violate or disobey any such rule of the District, although the same may not have been posted as aforesaid, after having been notified of the existence and nature of such rule by any member of the police force or employee of the District. No Person shall violate or disobey the directions or instructions contained in any notice or sign posted by the District relating to the use and government of the Park System.

4.4.10 Weapons, Explosives & Fireworks: No Person shall possess, brandish, expose, throw, or carelessly handle any explosive contrivance, or firework anywhere on District Property without first obtaining a permit from the District. No Person shall possess any firearm within the Park System; however, this prohibition does not apply to the lawful storage of a firearm in a parking lot that is part of the Park System, nor to the lawful possession and transport of a firearm along a trail within the Park System.

4.4.11 Tobacco Use and Smoking/E-Cigarettes/Vaping:

4.4.11.1 Indoor Facilities/Vehicles: Tobacco use, smoking, e-cigarettes and vaping shall be prohibited in all indoor facilities and vehicles under the jurisdiction of the Park District consistent with the laws and regulations of the State of Illinois, DuPage County and the Village of Downers Grove, including but not limited to the Smoke Free Illinois Act (410 ILCS 82/1).

4.4.11.2 Outdoor Parks and Amenities Tobacco use, smoking, and vaping shall be prohibited at Fishel Park during events, Adventure Falls Sprayground and Mini Golf, Lyman Woods, Belmont Prairie, athletic fields, playgrounds, or any Park District-sponsored or approved event.

4.4.11.3 Belmont Golf Course: Tobacco use, smoking, and vaping shall be prohibited in the clubhouse, patio area, driving range, maintenance facilities, cart storage area, and parking lot. Tobacco use is permitted on the golf course areas of play (only Tee Boxes, Fairways, and Greens).

4.4.12 First Amendment Activities:

4.4.12.1 Policy Statement - This Policy is intended to address the criteria for engaging in activities protected by the First Amendment of the United States Constitution while on District Property. The District is aware that its mission includes providing public spaces for the peaceable and reasonable performance of First Amendment activities on District Property. The District supports and encourages these rights as a foundation of the United States of America. The spaces designated as public forums in this policy are in addition to traditional public forums under the jurisdiction of other local governments, such as the Village of Downers Grove (e.g., sidewalks, parkways, public right of way), which are not within the control of the District.

The District also recognizes that its primary mission is to provide facilities and opportunities for active and passive recreational activities and that the use of District properties for this mission can limit or prevent First Amendment Activities. There are also areas within the District's Park System that are used for operations and incompatible with First Amendment Activities due to safety concerns. As a result of these competing interests and safety concerns, the types of First Amendment activities allowed on District Property must be balanced against the nature and size of the property and the other intended or permitted uses thereof so that the conduct of First Amendment Activities does not result in a direct conflict with the Park District's intended or permitted use of the property, the risk of damage to District Property, or the risk of injury.

In light of these considerations, the Board of Park Commissioners adopts this Policy as an exercise of its power to establish by Policy all needful rules and regulations for the government and protection of parks, boulevards & driveways, and other property under its jurisdiction, and to affect the objects for which the District was formed.

4.4.12.2 Definitions and Designations:

4.4.12.2.1 "First Amendment Activities" shall mean, and include the following activities:

- Engaging in acts of auditory and visual expression using or distributing leaflets, handbills, flags, printed materials (regardless of medium), placards, or other merchandise, or using auditory amplification devices or video display devices, or gathering or associating for those purposes;
- Engaging in or accepting donations in exchange for acts of auditory or visual expression (e.g., busking);
- Conducting parades or public assemblies;
- Erecting unattended displays.

- At no time does this policy limit or prohibit acts of visual expression on clothing or tattoos, unamplified speaking, and/or casual conversations.

4.4.12.2.2 Designated First Amendment Forums: “Designated First Amendment Forum” shall mean Locations where First Amendment activities are permitted.

Areas Permitted for the Practice of First Amendment Activities:

1. Generally, all District Property, or parts thereof, not expressly restricted in paragraph 3 below, are Designated First Amendment Forums so long as the First Amendment Activities do not interrupt or impair recreational programming, other events, concerts, or athletics occurring or scheduled for that District Property.
2. The following areas are, during operating hours for the specific District Property, typically free from other programming and therefore those desiring to engage in First Amendment Activities are encouraged to use these areas (or the listed alternative area when there is programming):
 - All public sidewalks, alleys, and parkways along District properties that do not impede entrance to and exit from those properties;
 - Grass areas along Warrenville Rd. and Cross St. at the Administrative/Warrenville Road office that do not impede entrance to and exit from the facility;
 - Outside the fence at Belmont Golf Club;
 - Grass areas along Belmont Road and the facility at the Cathy Mahoney Recreation Center that do not impede entrance to and exit from the facility;
 - During meetings of the Park District Board of Commissioners held at the Cathy Mahoney Recreation Center, the areas inside and adjacent to the meeting room (provided the First Amendment Activities do not unreasonably interfere with the public’s business at the meeting);
 - When not in use for Preschool/Day Camps, all grass areas on the property of the Lincoln Community Center and Constitution Park, provided the First Amendment Activities do not impede entrance to and exit from the facility;
 - When Fishel Park is in use for concerts, programming, or other events hosted or sanctioned by the District, the areas that include the sidewalks, parkways, and alleys adjacent to Fishel Park are available for First Amendment Activities provided that the First Amendment Activities do not impede entrance to and exit from the park.
 - When the following parks are in use for programming or other events, then the areas adjacent to the parking lots at Hummer, McCollum, Whitlock, Doerhoefer, Gelwicks, O’Brien, Gilbert, Memorial, Washington, or Ebersold that do not impede entrance to or exit from the park, its fields, its playgrounds or other amenities are available; however, First Amendment Activities shall not be permitted on any playground surfaces, mini-golf courses, or turf athletic fields so as to preserve those assets for their intended functions.
3. Due to their unique characteristics, preservation of history and/or other sensitivities of these areas, the following locations are hereby expressly designated as protected from First Amendment Activities of any and every kind, and Staff and the Village of Downers Grove are

authorized and directed to take such reasonable action as necessary to protect these assets from any deleterious effects of any attempted First Amendment Activities:

- Downers Grove Museum
- Lyman Woods/William F. Sherman Interpretive Center
- Belmont Prairie & Buffer
- Doerhoefer Park synthetic turf athletic field
- Downers Burial Place
- Adventure Falls (mini-golf, splash pad, courts, fitness, & playground area) at McCollum Park
- Garden/Farm Plots at Mar-Duke Farm
- All Playgrounds

4.4.12.2.3 - Permit Requirement:

No Person or organization, other than the District, shall, without a permit:

- Conduct a public assembly, event, program, or parade involving more than fifteen (15) individuals or vehicles;
- Place, paste, glue, tack or otherwise affix or post any sign, placard, advertisement, or inscription whatsoever, nor erect or cause to be erected any permanent or temporary sign whatsoever, on any structure, fence or tree on District property, except to the extent temporary signs are 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 any activities protected by the First Amendment of the United States Constitution;
- 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;
- Engage in solicitation from Persons on District property except as such activities are protected by the First Amendment of the United States Constitution; and
- Erect unattended seasonal displays; and where permitted, such displays may occupy an area no larger than thirty (30) square feet nor be displayed for more than fourteen (14) days.

Permits are subject to the District's priority of use Ordinances and Policies. By issuing a permit, the Park District does not relinquish the right to control the management of the District property and enforce all necessary and proper rules for the safe operation of District property.

4.4.12.2.4 Indemnification and Reimbursement Agreement: No permit for any activity described in Article IV shall be granted unless the applicant shall have executed an agreement with the District, on a form to be prescribed by the District staff, in which the applicant shall promise and covenant to bear all costs of policing, cleaning up and restoring the District property upon which the permitted event or activity occurs upon conclusion of the event or activity; to reimburse the District for any such costs incurred by the District; and to indemnify

the District and hold the District harmless from any liability to any person resulting from any damage or injury proximately caused by the action or omission of the permittee, the sponsoring organization, its officers, employees or agents or any person under their control insofar as permitted by law. Such an agreement may be executed contemporaneously with the issuance of the permit.

4.4.12.2.5 Security Deposit: For any activity described in Article IV.A.1, 3, 4 or 5, no application for permit shall be granted unless the same shall be accompanied by the deposit of a sum of money equal to the estimated cost of policing, cleaning up and restoring the park upon conclusion of the use or activity, as set by the schedule of fees set by the District staff and approved by the Board. Promptly after the conclusion of a permitted activity, the District shall inspect the premises and equipment used by the permittee. If it is determined by such inspection, that the sponsor or participants in the permitted event proximately caused damage to District property in excess of normal wear and tear and which requires repairs in excess of routine maintenance, the District shall retain the security deposit or any portion thereof necessary to pay for the cost of repair. The District staff shall give written notice of the assessment of damages and retention of the security deposit to the permittee by personal delivery or by deposit in the United States mail, with proper postage prepaid to the name and address set forth in the application for permit.

4.4.12.2.6 Insurance: The District may require that the Applicant, as a condition of any Permit, procure and maintain at all times during its use of District property, insurance in such amounts and with such coverages as shall reasonably be required by the District and shall name the District as an additional insured thereunder. The amounts and type of insurance required shall be reasonably determined by the Executive Director, based upon the nature of the activity, the estimated number of participants, and the risk of personal injury or property damage involved. The Executive Director shall prepare a uniform schedule of insurance guidelines for particular types of activities. Applicant shall provide the District with a certificate from its insurer, evidencing such coverage prior to the applicant's use of District property. The certificate shall also provide that the insurer shall give the District reasonable advance notice of the insurer's intent to cancel the insurance coverage provided.

4.4.12.2.7 Processing of Application for Permits:

A. Order: Applications must be filed during regular business hours or shall not be deemed filed until the next business day. Applications shall be filed no later than 48 hours prior to the activity for which a permit is sought. Applications may be obtained from the Park District website or the Administrative Office. Applications for permits shall be processed in order of receipt (e.g., first come, first served), and the use of a particular First Amendment Location or part thereof shall be allocated preference in order of receipt of fully executed applications.

B. Preliminary Approval: Applicants must agree that participants of events will abide by and comply with federal, state, municipal laws and policies, as well as the rules and regulations of the Park District. Applications for permits for activities or events that require insurance, approval, or permits from other governmental entities or compliance with other terms or conditions will be reviewed, and if the application otherwise conforms to all other requirements, a preliminary approval will be issued. If, within fourteen (14) days of the

issuance of the preliminary approval, but in no event later than the day prior to the date of the event or activity, an insurance certificate evidencing the requisite insurance is not filed with the Executive Director, or the approval or permit of other governmental entities has not been received, or the other terms and conditions have not been met, the preliminary approval will expire, the application for permit will be deemed denied and no written notice of denial will be required. Please note that the Park District may terminate the permit at any time if it determines the applicant and/or the participants have violated the rules set forth in this Code.

C. Written Denials: Except for applications for permits for which preliminary approvals have been issued, applications for permits shall be deemed approved, subject to insurance requirements as provided in Section VII, above, if no written denial is issued before the date of the event, but in no case later than fourteen (14) days of the date on which the application is fully completed, executed and filed with the appropriate officer or employee, as designated by the Executive Director; provided, however, the District may extend the period of review for an additional fourteen (14) days by issuance of a written notice of extension describing such additional relevant information required by the District to identify if the application and proposed activity complies with this Code. If, prior to the expiration of the extended review period, no written denial is issued, the application for permit shall be deemed approved.

D. Notice of Extended Review or Denial or Issuance of Permit: Written or electronic notice of denial or notice of extension shall be served on the applicant by e-mail, personal delivery, or by deposit in United States mail, with proper postage prepaid, to the name and address on the application for permit.

E. Contents of Notice; Grounds for Denial: Notice of denial of an application for permit shall clearly set forth the grounds upon which the permit was denied together with a citation to the sections of this Policy with which the application fails to comply and, where feasible, shall contain a proposal by the District for measures by which the applicant may cure any defects in the application for a permit or otherwise procure a permit. Where an application or permit has been denied because a fully executed prior application for the same time and place has been received, and a permit has been or will be granted to the prior applicant authorizing uses or activities which do not reasonably permit multiple occupancy of the particular area, the District shall propose an alternate place, if available for the same time, or an alternate time, if available for the same place. The District may deny an application for a permit on any of the following grounds:

1. The application for permit is not fully completed and executed;
2. The applicant has not timely tendered the applicable application fee, user fee, indemnification and reimbursement agreement, or security deposit;
3. The application for the permit contains a material falsehood or misrepresentation;
4. The applicant is legally incompetent to contract or to sue and be sued;
5. The applicant or the person on whose behalf the application for permit was made has on prior occasions damaged District property and has not paid in full for such damage, or has other outstanding and unpaid debts to the District;

6. A fully executed prior application for a permit for the same time and place has been received, and a permit has been or will be granted to a prior applicant (or higher-ranking applicant) authorizing uses or activities which do not reasonably permit multiple occupancy of the particular park or part thereof;
7. The use or activity intended by the applicant would conflict with previously planned programs organized and conducted by the District and previously scheduled for the same time and place;
8. The proposed use or activity is prohibited or inconsistent with the recognized and accepted uses of the park or part thereof;
9. The use or activity intended by the applicant would present an unreasonable danger to the health or safety of the applicant, or other users of the park, of District employees, or the public, despite reasonable accommodations designed to mitigate such risks;
10. The applicant has not complied with or cannot comply with applicable licensure requirements, policies, or regulations concerning the sale or offering for sale of any food, goods, or services;
11. The use or activity intended by the applicant is prohibited by law, by the policies or policies of the District, or by the regulations of the District staff;
12. The applicant has not secured the requisite insurance; or
13. The applicant or the person on whose behalf the application for permit was made has, on prior occasions, made material misrepresentations regarding the nature or scope of the event or activity previously permitted or has violated the terms of prior permits issued to the applicant.

F. Amendment or Revision of Applications: Any amendment of an application or permit shall, for purposes of determining the priority of the application for permit, relate back to the original filing thereof, but the time in which the District shall grant or deny the application for permit and serve notice of such shall be computed from the date of the amendment or revision.

4.4.12.2.8 Procedures for Review: Waivers

A. Review by Executive Director

1. Any applicant who is denied a permit or a permittee who is assessed damages pursuant to this Policy may, within seven days of the service of notice of such determination, file a written appeal from such determination with the Executive Director. If the Executive Director's decision is being appealed, the appeal shall be filed with the Board President;
2. The Executive Director shall have two (2) business days from the date on which the appeal was filed in which to serve upon the applicant a notice that he/she has affirmed, modified, or reversed the denial;
3. Such notice shall be deemed served upon the applicant or permittee when it is personally delivered or when it is sent by United States mail, with proper postage prepaid, to the name and address set forth on the application for permit;

4. If such notice is not served upon the applicant or permittee within two (2) business days of the date upon which the appeal was filed, then the decision shall be deemed reversed.

B. Form of Appeals: Any appeal filed pursuant to this Policy shall state succinctly the grounds upon which it is asserted that the decision should be modified or reversed and shall be accompanied by copies of the application for permit, the written notice of the determination of the supervisor and/or the Executive Director and any other papers material to the determination.

C. Waiver of Requirements: Any requirements for or limitation upon a permit or the requirement of a permit may be waived by the Executive Director if the activity is protected by the First Amendment of the United States Constitution and/or the condition would be so financially burdensome that it would preclude the applicant from using District property for the proposed activity. Fees for equipment and services may not be waived pursuant to this subsection. Application for a waiver shall be made on a form prescribed by the Executive Director.

4.4.13 Safety Requirement for Solicitation: Any Person engaging in solicitation activity pursuant to a permit issued by the District in or on, or in close proximity to, a parking lot, highway or street in or on or proximate to District Property must wear a high visibility vest and must obtain any necessary permits as may be required by the Village of Downers Grove or DuPage County.

ARTICLE 5 – POLICE DEPARTMENT

5.1 Police Force: The District has elected to enter into an intergovernmental cooperation agreement to secure police services from the Downers Grove Police Department. The powers, duties, and limitations set forth in this Article 5 shall be incorporated and transferred as provided in said agreement. Further, in such an event, the police force shall not be limited by the powers set out in the Park District Code but shall enjoy all powers granted to their office.

5.2 Duties: The police force shall be the conservators of the peace within the Park System and shall be responsible for the enforcement of the laws of the State of Illinois and Ordinances and rules of the District and Village of Downers Grove applicable thereto, pursuant to law.

5.3 Powers: The members of the Village of Downers Grove police force shall have the power to make arrests as provided by law.

ARTICLE 6 – ENFORCEMENT

6.1 Animal Control: Any person guilty of violating the Animal Control sections of this Ordinance shall be fined based on the Village of Downers Grove Ordinance.

6.2 General Fines: Any person violating or disobeying any clause or provision of any section of this ordinance, or any other regulatory ordinances or rules of the District, shall be guilty of a misdemeanor, may be forthwith evicted from the Park System, may have their permit forfeited, and shall be fined upon conviction not more than \$200 for each offense, the fine to be recovered in manner and form as provided

by law. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.