

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

**BOURBONNAIS TOWNSHIP
PARK DISTRICT**

Mission Statement

The mission of the Bourbonnais Township Park District is to enrich the quality of life through recreation, education, and preservation.

**BOURBONNAIS TOWNSHIP
PARK DISTRICT ORDINANCE
NO. 24-01**

**AN ORDINANCE REGULATING THE USE OF THE PARKS
AND PROPERTY OWNED OR CONTROLLED BY THE
BOURBONNAIS TOWNSHIP PARK DISTRICT (hereinafter
referred to as, "Park District").**

WHEREAS, the Bourbonnais Township Park District is an Illinois Municipal corporation operating within territory predominantly in the City of Bourbonnais, Kankakee County, Illinois; and

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

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

WHEREAS, the Park Board of Commissioners has determined that it has become necessary and desirable to create the Ordinance No. 24-01, Providing for the Regulations and Restrictions Governing the Use of the Parks Under the Jurisdiction of the Board of the Park District so as to clearly reflect changes in law, circumstances and the needs of the Park District; and

WHEREAS, Ordinance No. 24-01 Regulating Parks will be adopted September 23, 2024,

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

**BE IT ORDAINED BY THE BOARD OF PARK COMMISSIONERS OF THE
BOURBONNAIS TOWNSHIP PARK DISTRICT THAT:**

SECTION 1. ADOPTION. That the provisions contained in the Ordinance and being Exhibit "A," appended hereto and expressly made a part thereof, be and the same are hereby adopted as the "Ordinance Regulating the Use of the parks and Property Owned or Controlled by the Bourbonnais Township Park District" within the Bourbonnais Township Park District, Kankakee County, Illinois.

SECTION 2. SEVERABILITY: The various provisions of this Ordinance are to be considered as severable and if any part or portion of this Ordinance shall be held invalid by any court of competent jurisdiction, such holding or decision shall not affect the validity of the remaining provisions of this ordinance which shall remain in full force and effect.

SECTION 3. REPEAL OF PRIOR ORDINANCES: All prior ordinances and resolutions in conflict or inconsistent herewith are hereby expressly repealed.

SECTION 4. EFFECTIVE DATE: This Ordinance shall be effective immediately upon its passage, approval, publication as provided by applicable law.

PASSED AND APPROVED this 23rd day of September 2024.


BOARD PRESIDENT 9/26/24
DATE


ATTEST 9/26/24
DATE

EXHIBIT "A"

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CHAPTER 1 - Definitions

Section 1 - Short Title

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

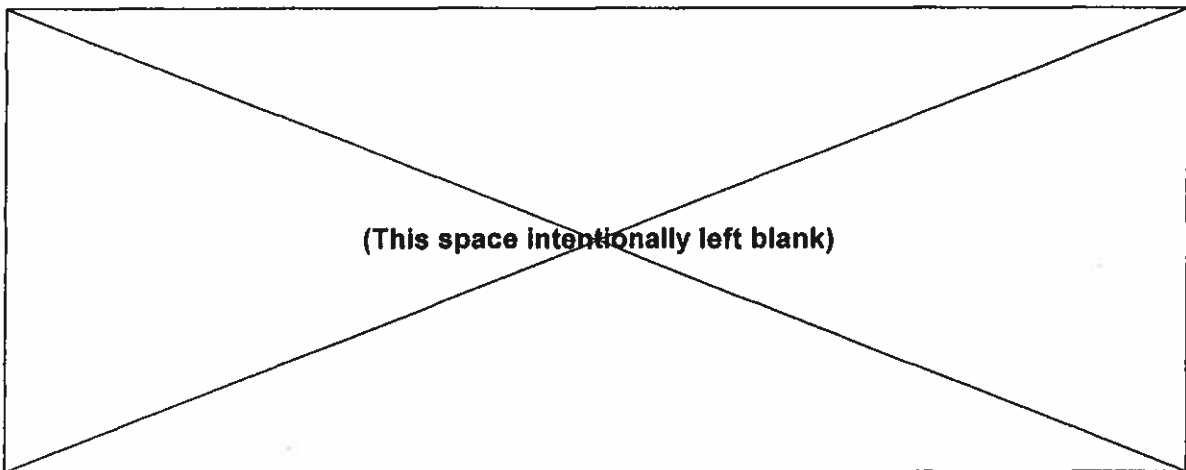
Section 2 - Definitions

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

- A. "Authorized Agent" is any person granted authority by the Bourbonnais Township Park District Board of Commissioners and Executive Director.
- B. "Village" is the Village of Bradley/Bourbonnais, Illinois. "BTPD" is the Bourbonnais Township Park District
- C. "Executive Director" is the person appointed and designated by the Park Board to administer the policies established by the Park Board.
- D. "Employee" is any employee of the Bourbonnais Township Park District.
- E. "Park" is any park or property owned, leased or controlled by the Bourbonnais Township Park District, such as play field, playground, baseball field, and recreation center or any other area or facility in the Park District, and devoted to active or passive recreation.
- F. "Park Board" is the Board of Commissioners of the Bourbonnais Township Park District by which all policy matters are established pertaining to the Park District.
- G. "Park District" is the Bourbonnais Township Park District of Kankakee County, Illinois including its parks, properties, facilities, buildings, Board of Commissioners, employees and its agents.
- H. "Person" is any natural person, firm, partnership, association, corporation, governmental unit, company, entity or any organization of any kind.
- I. "Police Officer" is any individual trained in the methods of law enforcement and authorized to maintain peace, safety, and order.
- J. "Pollution" is the contamination or other alteration of the physical, chemical, or biological properties of park waters or land, including changes in the temperatures, taste, color, turbidity or odor of park waters or any discharge of any liquid, gas, solid, or other substance into or onto park waters or property that will or is likely to create a public nuisance or render such waters or property harmful or detrimental to the public health, safety or welfare, or to domestic, recreational or other beneficial uses, or to wild animals, birds, fish or other aquatic life.

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- K. "Department Head" is the person immediately in charge of any park area or department and its activities and to whom all employees of such area or department are responsible.
- L. "Vehicle" is any wheeled conveyance, whether motor powered or self-propelled. The term shall include any trailer in tow of any size, kind or description, except for baby carriages, children's wagon or bicycle and vehicles in the service of the Park District.
- M. "Area(s)" where used means a specified place within a park.
- N. "Overnight" wherever used means the time when the park or facility is officially closed until it opens the following day.
- O. "Parking Area" wherever used means any designated park or any park road or drive, or special area contiguous thereto that is set apart for the standing or stationing of vehicles as deemed by the Park District.
- P. "Permit" wherever used means the written permission of the District that must be obtained and possessed to engage in a specific activity.
- Q. "Posted" wherever used means any notice which is displayed whether by a sign in a park, park district building, entrance to a park, or is available at the Administrative Office, the location being at the discretion of the Park District.
- R. "Property" wherever used means any lands, waters, facilities or possessions of the District, whether in fee, as a leasehold or by management agreement.
- S. "Watercraft: wherever used means any device or conveyance utilized on water whether propelled by motor, engine, wind or human power. The terms include, but is not limited to, any boat, canoe or raft.
- T. "Waters" where used means waters within the jurisdiction of the Park District.



CHAPTER 2 - Public Use

Section 1 - Public Use and Mission

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

Section 2 - Hours of Use

- A. All Parks of the Park District shall be open to the public as posted from sunrise to sunset.
- B. All persons, except employees of the Park District whose duties require their presence, shall not remain in a park when a park is not open to the public without a permit from the Park District.
- C. Park hours shall be posted.

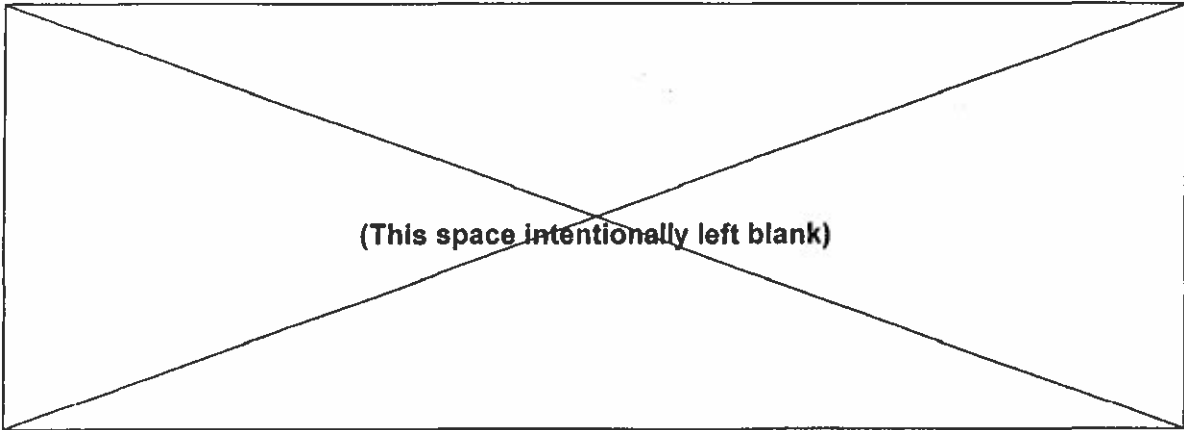
Section 3 - Park Use Permits

- A. No person shall conduct, operate, present, manage or take part in the following activities in a park unless a permit is obtained from the Park District or its authorized agent prior to the start of the activity:
 - 1. Any contest, show, exhibit, dramatic performance, play act, motion picture, commercial photo shoot, acrobatic feat, bazaar, organized sporting event, radio or television broadcast, ceremony, children's day camp, fair, circus, musical event or any public meeting, religious event, assembly or parade, including, without limitation, drills and maneuvers, rallies, picketing, marches or political meetings of any kind or character whatsoever.
 - 2. Any use of any park or facility by a certain person or group of persons to the exclusion of others.
 - 3. Any picnic, outing or gathering sponsored by any person or organization, or composed of twenty-five (25) or more persons, except as to particular parks designated by the Park District.
- B. Persons desiring general or exclusive use of parks or facilities or who would like to engage in the above-referenced activities shall apply to the Park District for a permit under the following categories and subject to established fees and charges:
 - 1. **Picnics:** General picnicking in Park District parks does not require a permit. No person shall picnic other than in a designated area. Picnic tables are available to non-permit picnickers on a first-come/first-served basis. A permit, known as a Park Use Permit, must be obtained for groups of twenty-five (25) or more persons. Only gas grills are allowed. Charcoal grills are prohibited at any park.

2. **Facility Rental:** A Park Use Permit is required for exclusive use and rental of pavilions, buildings, sports fields and open space areas, which includes for one or more of the following reasons such as: a picnic, meeting, athletic event, rally, walk-a-thon, march or some type of religious event. Any type of religious ceremony must be approved by the Executive Director of the Park District. Park Use Permits are also required for a teacher or school planning an annual field day or class fun day activity or a family wishing to host a reunion or celebration. Upon submittal of an application and payment of associated fees, a Park Use Permit may be issued.
 3. All Permits may be applied for beginning in January for the upcoming season and such applications shall be submitted during regular business hours. Applications are processed on a first-come/first-served basis. The applicable rental fee and deposit must accompany the application. All cancellations must be in writing. Upon submittal of an application, required information and payment of associated fees, a Park Use Permit may be issued.
- C. **Permits in General:** Permits are not transferable or assignable without the written consent of the Park District or its authorized agent. Minor changes in a permit may be requested and may be made upon written request. Additional fees and charges may apply. The request for change must be made at least prior to the event. Permits may also be required for other activities as determined by the Park District.
1. **Standards for Issuance:** The Park District or its authorized agent shall issue a permit here under when it finds:
 - a. That the proposed activity or use of the parks shall not interfere with or detract from the general public's use and enjoyment of the park and surrounding property or facilities.
 - b. That the proposed activity and use will not interfere with or detract from the promotion of public health.
 - c. That the proposed activity or use is not anticipated to incite violence, crime or disorderly conduct.
 - d. That the proposed activity will not entail unusual, extraordinary or burdensome expense or police operation by the Park District or expose it to extraordinary liability.
 - e. That the facilities desired have not been reserved for other use on the day and time sought in the application.
 - f. That the proposed activity is compatible with the type of park, size and character of the area or waters involved and the facilities available; that adequate parking is available; that the proposed activity does not exclude other public use of the park; and that it is not expected to cause irreparable harm or extreme damage to the natural environment of the park.
 - g. That the proposed activity does not include unattended displays.
 2. **Additional Conditions:** Additional conditions for issuance of the permit may be, but are not limited to:
 - a. Requiring proof establishing the amount of liability insurance required, and/or requiring an indemnification and hold harmless agreement or
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- requiring a certificate of insurance naming the Park District as an additional insured.
 - b. Requiring the applicant to post a refundable deposit or security for the repair of any damage to Park District property, the cost of cleanup or both.
 - c. Requiring the applicant to furnish additional security forces, at the applicant's expense, as approved by the Park District. An applicant may be required to hire Village of Bradley police at the applicant's expense to provide security for an activity or event.
 - d. Requiring the applicant to furnish additional sanitary and refuse facilities that might be necessary based on the use or activity for which the permit is sought.
 - e. If an applicant is requesting to sell food at the proposed activity, it shall be necessary for the applicant to obtain a permit from the Kankakee County Public Health Department.
 - f. Requiring the applicant to comply with the Park District's risk management requirements for safe operation.
3. **Issuance of a Permit:** Once the Park District approves a permit the applicant must pay all necessary fees and charges before the permit is issued. A permit is not transferable or assignable from the applicant to any other person without the permission of the Park District. The permit holder must make the permit available for inspection by any law enforcement office or Park District employees on the date for which the permit or activity is being held to ascertain compliance with the terms and conditions of the permit.
4. **Effect of Permits:** A permittee shall be bound by all Park District rules, regulations and applicable ordinances, federal, county and local laws which are incorporated by reference into each permit.
5. **Liability of Permittee:** The person or persons to whom a permit is issued shall be liable for any loss, damage or injury to person or property sustained by anyone to whatever extent by reason of the acts or omissions of the person or persons to whom such permit shall have been issued.
6. **Revocation:** The Park District shall have the right and authority to revoke a permit upon finding a violation of any rule, regulation or ordinance; violation of any term or condition of the permit, including failure to produce the permit for inspection upon request of any law enforcement officer or Park District employee; providing false or misleading information on the application for the permit; or upon good cause shown as determined within the sole reasonable discretion of the Park District.



CHAPTER 3 - Protection of Property, Structures and Natural Resources

Section 1 - Destruction or Misuse of Property and Structures

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

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

- K. Bring into, leave behind or dump any material of any kind, whether waste or otherwise, in the park, except refuse, ashes, garbage and other material arising from the normal use and employment of a picnic or other permitted activity, provided such material is properly deposited in receptacles designed for such purposes. Where receptacles are not provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere. Any material of any kind shall not be left or deposited within or near the parks so as to pollute Park District land, waters, or air coursing through or over the parks or otherwise interfere with proper use and enjoyment of the park. Bottles, cans, refuse or foreign material of any description shall not be deposited or thrown in any streams, wetlands, ponds or lakes located in the parks.

Section 2 - Destruction or Misuse of Natural Resource

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

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

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- J. Use or cause to be used any chemical or biological pesticide or any other substance, measure or process designated to alter the anatomy or physiology of any organism for the purpose of directly manipulating their populations, without written permission from the Park District or authorized its agent and then only in compliance with all applicable laws regulations or as may be promulgated by the State of Illinois.

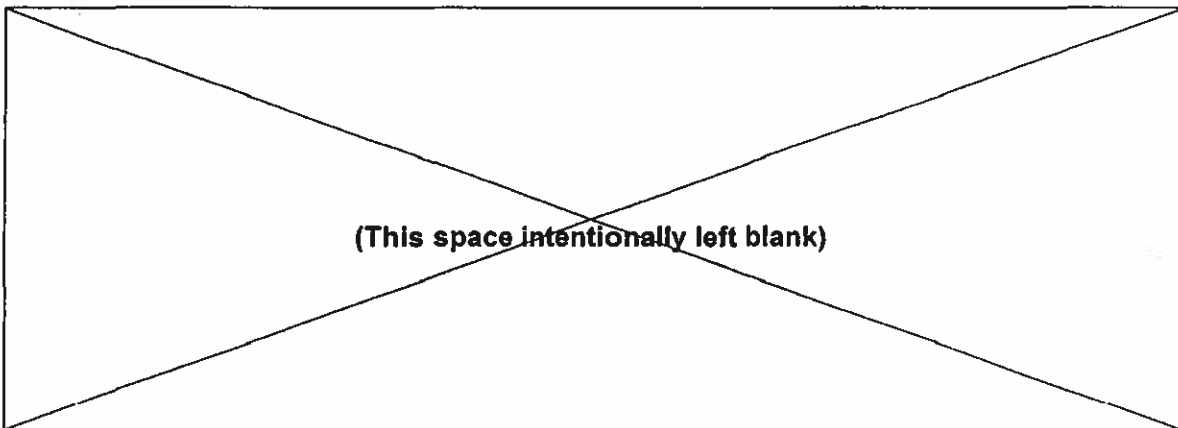
Section 3 - Contraband

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

Section 4 - Destruction by Misuse of Fire

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

- A. Set fire, or cause to be set on fire, any tree, brush, grassland, meadow, prairie, slash, refuse container or structure unless necessitated by the performance of park maintenance, or pursuant to authorized conduct within the Park District.
- B. Build a fire anywhere, for any purpose, except in gas grills. Fuels used in fires shall not produce any noxious fumes or smoke.
- C. Build any fire whatsoever, for any purpose in or out of a receptacle or grill and leave it unattended. For the purpose of this ordinance, a fire shall be deemed properly extinguished when its ashes, residue, coals and unburned substance is cold to the human touch.
- D. Cause, suffer, or allow the burning of garbage, refuse, waste material, trash, or other combustibles within or adjacent to the parks so as to cause smoke, haze, odor, sparks, dust, dirt, or other type of matter or gaseous substance to come upon, or pass over the park which would cause an air pollution nuisance or damage or injury to person or property.



CHAPTER 4- Regulations of Recreational Activities

Section 1 - Swimming

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

- A. Swim, wade, or bathe at any time in any of the ponds, lakes, streams or watercourses, designated by the Park District.

Section 2 - Bicycling, Skateboarding, and Skating

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

- A. Ride a bicycle except on the right-hand side of the road paving as close as conditions permit. Bicycles shall be kept in a single file when two or more are operating as a group, and bicyclists shall at all times operate their bicycles with reasonable regard for the safety of others.
- B. Ride with any other person on a bicycle, except for a tandem bicycle which has seats for more than one person.
- C. Leave unattended his/her bicycle, except in a bicycle rack when such is provided and there is space available.
- D. Ride a bicycle on any path, trail, or other area designated and posted as prohibiting bicycles. Bicyclists shall yield the right of way to pedestrians on paths, trails or other areas where are prohibited. No person shall operate a bicycle in a reckless manner so as to endanger pedestrians or other bicyclists.
- E. Skateboard, roller skate or in-line skate on Park District property where it is posted as prohibited. All skateboarders, roller skaters and in-line skaters shall yield the right-of-way to pedestrians, bicyclists or other skaters.

Section 3 – Gas Powered Motor/ Electronic Bikes and Scooters

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

- F. Ride a gas powered motor bike or scooters, however electronic bikes and scooters are allowed and are limited to 10 MPH speed limit. Electronic bikes and scooters shall be kept in a single file when two or more are operating as a group, and at all times operate with reasonable regard for the safety of others.

Section 4 - Sound or Energy Amplification

No person shall upon or in connection with any property of the Park District play or operate any sound or energy amplification devices (including without limitation, radios, hand held radio devices, compact disc or cassette tape players, iPod, mp3 players, automobile radio type devices, television sets, public address systems and musical instruments) or operate any other sound or energy amplification device in such a manner that the sound emanating therefrom can be heard at a distance of fifty (50) feet from the device during its use or operation.

Section 5 - Winter Sports

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

- A. Sled, toboggan, ski or slide on any area posted by the Park District as being "unsafe" or "hazardous" or as being "closed" due to inadequate snow cover or other environmental conditions, or upon being duly notified of such by the Park District.

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- B. Enter on or upon any frozen water to skate, fish, slide or walk on for any purpose whatsoever other than areas designated for such use and then only in compliance with the rules and regulations posted for such use.
- C. Fish through the ice on any frozen waters or parts thereof designated by the Park District.
- D. Bring onto or upon the frozen waters of any lake, pond or watercourse any iceboat or wind-driven-lie device or other vehicle.
- E. Ice skate on any area that is designated the Park District.

Section 6 - Snowmobiles

A. Definitions:

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

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

- 1. On Park District property.

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

Section 7 - Field and Team Sports

No person shall upon or in connection with any property of the Park District play or engage in any team sport or game such as, but not limited to, baseball, football, soccer, field hockey, volleyball, lacrosse or horseshoes, except in those areas designated by the Park District as athletic fields, or in such a manner as to interfere with other persons lawfully using said areas.

Section 8 - Golfing in Parks

No person shall upon or in connection with any property of the Park District swing or make use of any golf club nor play golf, nor hit or putt golf balls within or into the parks.

Section 9 - Games

No person shall upon or in connection with any property of the Park District take part in the playing of any games involving thrown or otherwise propelled objects such as balls, stones, arrows, javelins, or model airplanes or rockets, except in areas conducive to such forms of recreation and after a permit has first been obtained from the Park District for that specific activity and location.

Section 10-Amusement Devices

No person shall upon or in connection with any property of the Park District bring in, set up, construct, manage or operate any amusement, hobby or entertainment device or gadget, without a permit therefore.

Section 11 - Aviation

Except when approved by the Executive Director, no person will use any motorized, non-motorized, remoted controlled or free-flying/gliding airplanes, helicopters, rockets, drones or any other unmanned aircraft systems on any Bourbonnais Township Park District property. Whereas not already governed by this ordinance, the Bourbonnais Township Park District will comply with all current and future regulations of the Federal Aviation Administration (FAA) for the use of any Unmanned Aircraft Systems (USA) and/or Illinois Department of Transportation (IDOT), as shall be in effect from time to time.

Section 12 - Gambling

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

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

Section 13- Camping

No person shall upon or in connection with any property of the Park District take part in any camping or sleeping overnight in a park.

Section 14 - Metal Detectors

No person shall upon or in connection with any property of the Park District be allowed to use a metal detector or similar device in any of the Park District's parks.

Section 15 - Cell Phones and Other Recording and Duplicating Devices

No person shall upon or in connection with any property of the Park District use (i) any electronic, mechanical, manual, electric, digital, voltaic or other device, instrument or means capable of recording, producing, duplicating, reproducing, storing, copying, transmitting or displaying any visual, video, photographic, electronic, digital recorded, or other visual image, picture, or representation, including without limitation, any camera, photographic camera, video camera, fiber optic camera, motion picture camera, television camera, camcorder, or videotaping device, or (ii) any cell phone of any type or kind capable of producing a visual image, in any restroom, locker room, lavatory, bathroom, shower facility, or dressing room, in any building owned, leased to, or under the control of the Park District.

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CHAPTER 5 - Regulations of Vehicles, Traffic and Parking

Section 1 - Vehicle Operation and Equipment

The Park District hereby adopts the Illinois Vehicle Code, 625 ILCS 5/1-100, et seq., as from time to time amended, as the rules governing the operating, licensing and registering of motor vehicles, and the licensing of operators of motor vehicles on Park District property, except where Park District ordinances specifically establish different rules. Enforcement shall be authorized by any law enforcement officer or authorized agent.

Section 2 - Vehicles Types and Access Allowed

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

- A. Operate, or cause to be operated, any vehicle anywhere, except on designated roads, drives, and parking areas provided in compliance with the directions and restrictions of the police, or any authorized park employee. Nothing contained herein shall be construed to prevent police, emergency, or Park District owned vehicles from free access to all areas of park property in the execution of their duties.
- B. Operate a vehicle in such a way that traffic is obstructed.
- C. Operate, or cause to be operated, any motor vehicle anywhere, that is not licensed or permitted to be operated on the roads, streets and highways of the State of Illinois without a permit from the Park District and then only in those areas specified and in accordance with applicable rules and restrictions. Vehicles not so licensed and therefore, subject to the provisions of this subsection include, without limitation, snowmobiles, go-carts, trail bikes, mini-bikes, and such other all-terrain, off-the-road vehicles. Park District vehicles are exempt.
- D. Operate or cause to be operated or moved without a permit or until such time as the park is officially opened, any vehicle closed in a park as a result of the closing of the park at the proper posted time.
- E. Operate a vehicle on any road, drive or parking area posted, gated or barricaded and closed to public traffic.

Section 3- Right-of-Way

No person shall in connection with any property of the Park District operate a motor vehicle in such a manner as to fail to yield the right-of-way to pedestrians or to deprive or unreasonably interfere with the equal rights or opportunity of any other person to use the property of the Park District.

Section 4 - Parking

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

- A. Park a vehicle on any park property other than in areas designated for parking that type of vehicle, unless there is an emergency or unless directed to do otherwise by a law enforcement officer or an authorized park employee.
- B. Leave a vehicle parked on park property after park closing hours without obtaining permission from the Park District, or after the closing of a function for which the Park District has authorized a later closing hour.

- C. Park a vehicle in such a way as to block another parked vehicle.
- D. Park a vehicle in such a way as to block, restrict or impede the normal flow of traffic.
- E. Permit a motor vehicle which such person is operating, or in charge of, to stand unattended without first stopping the engine, locking the ignition, and removing the keys, and when standing upon any perceptible grade, without setting the brake thereon and turning the front wheel so as to inhibit the accidental movement of said motor vehicle.
- F. Park any vehicle in any parking place designated as reserved for handicapped persons, unless proper registration plates, decals or devices are exhibited indicating that the vehicle is operated by or for a handicapped person. Any vehicle in violation of this subsection is subject to removal at owner's or operator's expense.
- G. Double-park any vehicle on any driveway unless directed by a park official or temporarily for discharging passengers.
- H. Leave any vehicle in the park more than twenty-four (24) hours due to a mechanical failure. At the end of such period the vehicle shall be towed away at the owner's or operator's expense.
- I. Change oil, grease, wash or polish vehicles and leave debris from such action, or change any parts or make repairs of any kind to any vehicle in any park area, except such emergency repairs necessary to remove such vehicle therefrom.

Section 5 - Speed Limit

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

Section 6 - Signs

No person shall in connection with any property of the Park District operate a vehicle in disregard of any sign, signal, marking or device erected, constructed or created by the City, the Park District, or any public body or official having jurisdiction for the purpose of regulating, warning or guiding traffic, or contrary to the order of direction of any police officer or other person duly authorized to direct or regulate traffic.

Section 7 - Negligent or Careless Driving

No person shall in connection with any property of the Park District operate any motor vehicle in the park in a negligent, reckless or wanton manner, or carelessly so as to endanger life or property.

Section 8 - Overweight Vehicle

No person shall in connection with any property of the Park District operate any motor vehicle having a gross weight capacity, including vehicle and maximum loads in excess of 8,000 pounds, or any vehicle bearing a Class-D or heavier license plate pursuant to 625 ILCS 5/3-815, as amended from time to time, without a permit from the Park District, except emergency or delivery vehicles.

Section 9 - Improper Vehicle Operation

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

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

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

No person shall in connection with any property of the Park District drive, operate or be in possession or control of, or attempt to drive or operate any vehicle on any Park District property if said person is under the influence of intoxicating liquor, drugs, or a controlled substance as defined by Federal or State law.

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CHAPTER 6 - Regulation of Personal Conduct and Behavior

The Park District hereby adopts the Illinois Criminal Code, 720 ILCS 5/1-1, *et seq.* and Code of Criminal Procedure, 725 ILCS 5/100-1, *et seq.*, as amended from time to time, as the rules governing criminal offenses on Park District property, except where Park District ordinances specifically establish different rules. Enforcement shall be authorized by any law enforcement officer or authorized agent.

Section 1 - Vending and Advertising

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

- A. Expose or offer for sale or hire any articles or things, or conduct or solicit any business, trade or occupation or profession without the approval of the Park District or its authorized agent, and then only in accordance with the terms and conditions thereof, it being the intention of the Park District to control commercial enterprises or sales on its property. The advertising or promotion of any business, production, service or profit-making event is not allowed in any park or publication of the Park District, except when authorized by the Park Board of Commissioners.
- B. Display, distribute, post or fix any placard, sign, handbill, pamphlet, circular, or any other writing or printed material or objects containing advertising matter or announcements of any kind or character whatsoever without permission from the Park District or its authorized agent, except the groups holding a valid Park Use Permit, may display signs to identify their location or direct others to it, provided that such signs are temporary and are removed by permittee at the termination of the activity.
- C. Beg or solicit contributions or donations in any manner in any park, unless authorized by the Park District.

Section 2 - Unlawful Obstructions

No person shall upon or in connection with any property of the Park 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 Park District which obstructs the use of any park.
- B. By force, threat, intimidation or by any unlawful fencing or enclosing or any other unlawful means, prevent or obstruct or combine with others to prevent or obstruct any person from peacefully entering upon any property of the Park District or obstruct the entrance into any enclosure within the Park District, excepting 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.
- C. Enter, without appropriate invitation or without having appropriate admission fee, any Park District area, facility or program which has been rented or otherwise reserved for any purpose; nor shall anyone enter any concession in any of the parks of the Park District without the consent of the concessionaire or duly authorized agent or employee; nor shall any person disturb any patron of such concession, any participant in any dance, game, picnic, or a public assemblage; nor shall any person loiter in the immediate area of any such concession so as to impede free access to such concession by other park patrons or the flow of pedestrian traffic in and about the area of such concession.

Section 3 - Unlawful Construction or Maintenance

No person shall upon or in connection with any property of the Park District erect, construct, install, or perform any maintenance on, below, over or across a park, except by proper authorization of the Park District authorizing such activity, and then only in accordance with written permission of the Executive Director specifying in detail the work to be done and the conditions to be fulfilled pursuant to the terms of such authorization.

Section 4 - Drug or Alcohol Abuse

No person shall upon or in connection with any property of the Park District possess, give away, sell, serve, dispense or drink any alcoholic beverage, or possess, sell, deliver, smoke, inhale, inject, eat, chew, swallow, or otherwise ingest in any manner whatsoever any beer, wine, other alcoholic beverage, narcotic drug, or controlled substance; provided however, that the sale, delivery, possession and consumption of alcoholic beverages to or by any person 21 years of age or older in any specified building or within a specified area owned by the Park District, as authorized by the Park District from time to time, shall be permitted. Any person found to be in violation of this section shall be subject to arrest or ejected from the park premises.

Section 5 - Weapons and Harmful Substances

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

- A. At any time have in their possession or on or about their person, any firearm, knife, pistol, revolver, rifle, shotgun, ammunition, bow and arrow, crossbow, slingshot, blackjack, billy club, any device capable of discharging a projectile by air, spirit, gas or explosive, any explosive substance or harmful solid, liquid or gaseous substance, any tear gas or any disabling chemical agent or any other dangerous weapon of any kind or character whatsoever. Nothing contained herein shall be construed to prevent any duly sworn police officer from carrying such weapons as may be authorized and necessary in the discharge of their duties; nor shall it apply to any person summoned by any such officer to assist in making arrests or preserving the peace while such person is engaged in such assistance. The Park District may designate areas within a park where bows and arrows, and/or firearms can be used. In such cases, the Park District shall promulgate rules and regulations for the safe use of such devices, and no person shall fail to abide by such rules and regulations.
- B. Bring onto park property any trapping device, any incendiary bomb or material, any smoke or stink bomb, any acid or caustic substance, or any flammable liquid, except charcoal lighter or fuel contained in the fuel tank of a motor vehicle, for the usual and ordinary purposes thereof.
- C. Discharge any of the weapons or instruments, listed in Section 5A above, into or over any park from outside a park.

Section 6 - Hindering or Bribing Employees

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

- A. Interfere with, unreasonably disrupt or delay or in any manner hinder any Park District employee or distract him/her from the performance of his/her duties.
- B. Give or offer to give an employee any money, gift, privilege, or article of value on or off Park District property so as to violate the provisions of: this ordinance, any contract or permit, any statute of the State of Illinois or the United States, in order to gain or

receive special consideration in applying for any use or privilege, or to gain special consideration and treatment in the use of any Park District property or facility.

Section 7 - Use of Facilities Restricted as to Gender

No person shall upon or in connection with any property of the Park District enter into or remain in any toilet, restroom, bathhouse, pavilion or structure or section thereof, which has been reserved and designated for use of the opposite gender, except for minor children of such age and ability so as to need to be and when accompanied and supervised by an adult. Nor shall any person loiter in or around any restroom, bathhouse or dressing room for the purpose of soliciting another to engage in sexual behavior.

Section 8 - Disorderly Conduct

No person shall upon or in connection with any property of the Park District engage in conduct that is disorderly, and a person shall be deemed to have engaged in disorderly conduct when he knowingly:

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

Section 9 - Public Indecency

No person shall upon or in connection with any property of the Park District engage in conduct that is publicly indecent, and a person shall be deemed to have committed an act of public indecency when any person performs any of the following acts:

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

Ordinance Regulating the Use of Parks and Property Owned or Controlled by the Bourbonnais Township

Section 10 - Obscene Books and Pamphlets

No person shall upon or in connection with any property of the Park District knowingly exhibit, sell, give away, or offer to sell or give away in the Park District any obscene book, pamphlet, paper, drawing, movie film, picture, photograph, or any other article of any kind of an obscene nature.

Section 11 - Control and Treatment of Dogs and Domestic Animals

- A. This ordinance shall not be construed to prohibit the controlled use of certain animals approved by the Executive Director or purposes of public safety, such as but not limited to, the protection of Park District property or the protection of employees in the performance of their duties or search and rescue.

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

- B. Bring in, lead or carry any dog or domestic animal that is unleashed or on a leash longer than six (6) feet, except to those areas designated by the Park District for use by such animals and then only in accordance with the rules and regulations promulgated for the control of such area or areas.
- Any dog or other domestic animal found to be running at large and not under the control of any person while on Park District property may be apprehended and removed to an animal shelter, public pound or any other place provided for such purpose, all at the expense of the owner.
 - Any person who brings a dog or other domestic animal onto Park District property shall cleanup and properly dispose of defecation left by the dog or other domestic animal under the control or ownership of such person.
- C. Bring in, drive, ride or lead in any animal, except in accordance with the provisions of this ordinance and the rules and restrictions promulgated for the control of such animals, except that horses, beasts of burden and draft animals may be ridden or driven ahead of vehicles attached thereto on such portions of the park as may be designated by the Park District.

Section 12 - Honoring Permits

No person shall upon or in connection with any property of the Park District by act or speech willfully or unreasonably hinder, interrupt or interfere with any duly permitted activity, or unreasonably or willfully intrude upon any areas or into any structures designated for the use of a certain person or persons to the exclusion of others.

Ordinance Regulating the Use of Parks and Property Owned or Controlled by the Bourbonnais Township

Section 13 - Pyrotechnics

No person shall upon or in connection with any property of the Park District possess, set off or attempt to set off or ignite any firecrackers, fireworks, smoke bombs, rockets, black powder guns or other pyrotechnics without Park District approval, and then only under such rules and regulations as may be promulgated by the Park Board and subject to all local, State and Federal laws.

Section 14- Smoking in Park District Buildings

No person shall upon or in connection with any property of the Park District smoke in any part of the Park District's buildings or within 15 feet of any building entrance, window, ventilation intake, or air conditioner pursuant to the Smoke Free Illinois Act, 410 ILCS 82/1, *et seq.* (P.A. 095-0017).

Section 15 - Lurk or Lie in Wait

No person shall lurk, lie in wait, or be concealed in any place with intent to do mischief or commit any crime or other illegal act.

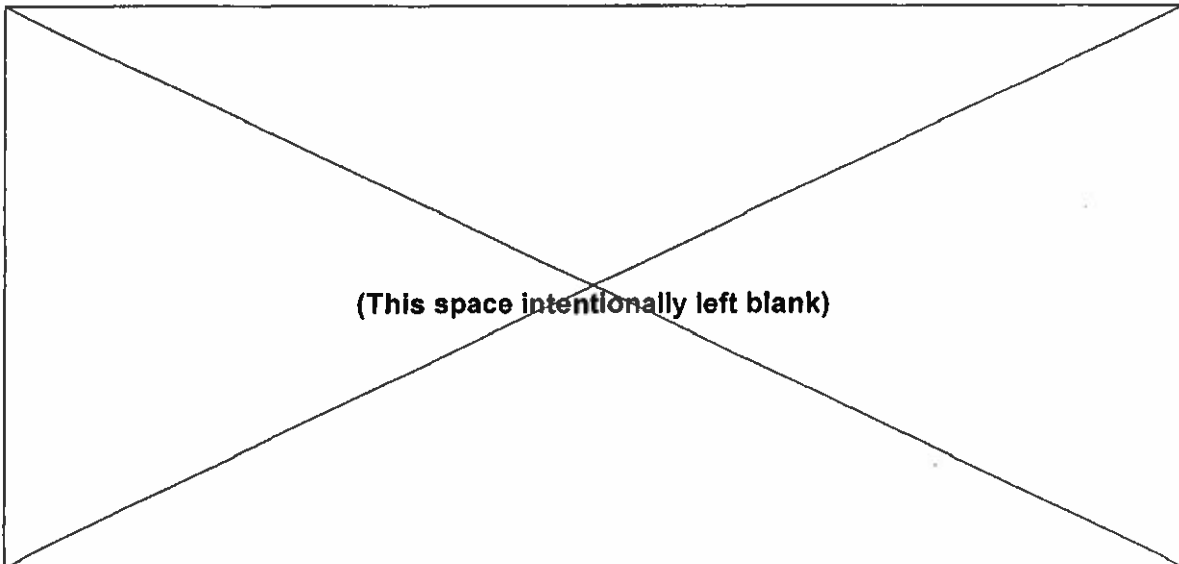
Section 16 - Loitering

No person shall loiter, loaf, wander, stand or remain idle either alone and/or in consort with others in a park facility in such a manner to:

- Obstruct or hinder the use of a park or facility by other.
- Obstruct or interfere in the carrying out of duties of a Park District employee or City, County or State employee performing duties in the park or park facility.

Section 17 - Littering

No person shall throw, toss, place or deposit or cause to be thrown, placed or deposited litter or offensive substances in or upon any public place in the parks or park facilities, except in the receptacles provided thereof.



CHAPTER 7 - Enforcement

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

Section 1 - Police

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

Section 2 - Penalties

- A. Any person violating or disobeying any provision of this Ordinance may be arrested by the Police in the enforcement of this Ordinance and may be fined upon conviction the sum of ONE THOUSAND DOLLARS (\$1,000.00), which fine may be recovered by an action in the name of the Park District in the Circuit Court of Kankakee County, Illinois.
- B. Payment of Violations Without Court Action:
 - 1. In case of any violations of the provisions hereof, if in the opinion of the police officer detecting such violation, it is of such a nature or kind that it does not tend to immediately endanger the public safety, and Park District properly has not been damaged, such police officer may issue a "warning" complaint which indicates that payment of a lesser penalty may be paid to resolve such obligation.
 - 2. The Park District shall designate the location to which such compromise payments shall be made. In case of failure to make payments as herein provided, the officer issuing the complaint shall transmit the complaint to the Clerk of the Circuit of Kankakee County, as in other cases.
- C. The Park District make also seek, in addition to or instead of fines and penalties, an order that the offender be required to make restitution for damage resulting from violations of this ordinance.

Section 3 - Rules and Regulations

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

Section 4 - Authority of Other Agencies

This ordinance shall not be construed to prevent other law enforcement officers from carrying out their own duties within the territories of the Park District as defined by applicable laws of the State of Illinois and United States or ordinances of Kankakee County, Illinois and the Village of Bradley, or in accord with any other policing agreement approved by the Park Board.

Section 5 - Permits and Designated Areas - Authority

In order to carry out the terms of this ordinance, the Park District shall have the authority to issue the permits, set fees, post notices or take the other action as called for herein, subject to the provisions set forth in Chapter 2.

Section 6 - Civil Suits

This ordinance shall not be construed to prevent or preclude the lawful use by the Park District of a civil remedy at law or equity, as the case may be, to correct any abuse or loss suffered by the Park District as a result of violation of this ordinance or any law of the Village of Bradley, Kankakee County or State of Illinois.

Section 7 - United States, State and Local Laws

All persons within the parks of the Park District are subject to all ordinances, rules and regulations of the Park District, as well as all applicable laws of the United States, State of Illinois and local ordinances of Kankakee County, Illinois and the Village of Bradley, Illinois, as amended and changed from time to time. These laws include, without limitation, the Illinois Vehicle Code, the Criminal Code of the State of Illinois and Game and Fish Codes of the State of Illinois, as amended and changed from time to time.

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CHAPTER 8 - Miscellaneous

Section 1 - Repeal

All Park District ordinances and parts of ordinances and all resolutions, rules and orders, or any parts thereof, in conflict or inconsistent with this ordinance, or any parts hereof, are to the extent of such conflict or inconsistency hereby repealed.

Section 2 - Enactment

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

Section 3 - Captions and Headings

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

Section 4 - Severability

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

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

Copies of all rules, regulations, designations and schedules of fees, established by the Park District Executive Director or Board of Commissioners, shall be kept in a single location and made available to the public for inspection during normal business hours at the Park District, 459 N Kennedy Dr, Bourbonnais, Illinois.

Section 6 - No Duty Created

This and all other Park District ordinances and resolutions shall not, unless expressly approved and adopted therein, be construed to create or impose any duty of any kind or character whatsoever upon the Park District, its Commissioners, officers, employees or agents.

CHAPTER 9 - Amendments

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

