

SANDWICH PARK DISTRICT

PARK USAGE AND RECREATION ORDINANCE

Revised and Approved 7-7-16

This ordinance addresses the rules and procedures for park use and recreation program fees and registration policies.

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ORDINANCE NO. 20.....
PARK USAGE AND RECREATION ORDINANCE
SANDWICH PARK DISTRICT
SANDWICH, ILLINOIS

WHEREAS, The Sandwich Park District is a municipal corporation duly organized on ____, 1966 under an act of the General Assembly of the State of Illinois ENTITLED, "An Act to Provide for the Organization of Park Districts", amended by Act approval may 17, 1951.

WHEREAS, The Sandwich Park District has heretofore adopted the "Park Usage and Recreation Ordinance", this revision supersedes the former Park Usage Ordinance 71-2, and all amendments governing all aspects of park usage, for the preservation of good order within the parks, control of property and natural life therein, and for the protection and preservation of park visitors and the parks under its jurisdiction and does now desire to amend and revise such Ordinance 71-2.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE SANDWICH PARK DISTRICT, DEKALB COUNTY, ILLINOIS, AS FOLLOWS:

CHAPTER ONE

Section 1.01 Definitions: Whenever in this ordinance the following terms are used, they shall have the meaning as hereinafter set forth:

- a. Park District or District: Shall mean the Sandwich Park District.
- b. Park System: shall mean any real estate, land or water, personal property and other property of every kind owned, leased or otherwise controlled by the Sandwich Park District including Veterans Park.
- c. Board: shall mean the Board of Park Commissioners of the Park District
- d. Director: shall mean the Director, or any other person designated by the Board or the Director to conduct activities and enforce park rules and regulations within a park.
- e. Police Officer: shall mean a City of Sandwich Police Department officer, qualified to enforce the regulations of the Park District, deputy of local County Sheriff's Office within jurisdiction of park location, police officer hired under contract, and every other law enforcement officer of the State of Illinois or any political subdivision thereof, including, but not limited to, the Illinois State Highway Patrol, sheriffs, deputy sheriffs, constables, and Division of Wildlife game protectors who are qualified to enforce the Regulations of the Park District.
- f. Park Security Force: shall mean Members of the Board of Commissioners, Director, Foreman of Parks & Properties, Park and Recreation Staff, and such other office or person as determined by the Board.
- g. Person: Shall mean any individual, company, partnership, corporation or association, or any combination of individuals, or any employee, agent or officer thereof.
- h. Park Waters: shall mean any lake, pond, reservoir, stream, creek, channel, lagoon, wetland, detention or other body of water, or any part thereof, whether natural or artificial, located in or adjoining a park.

- i. Fireworks: shall mean any combustible or explosive compositions, or any substance of combination of substances or article prepared for purpose of producing a visible or an audible effect by combustion, explosion, deflagration, or detonation.
- j. Fish or fishing: shall mean to take or attempt to take fish by any method.
- k. Hunt: shall mean to pursue, shoot, kill, trap, follow after or on the trail of, lie in wait for, shoot at or wound any animal while employing any device commonly used to kill or wound animals whether such acts result in such killing or wounding or not.
- l. Animal or animals: shall mean mammals, birds, fish, reptiles, amphibians, arthropods, mollusks, insect, arachnids and annelids.
- m. Vehicle: shall mean everything on wheels or on treads.
- n. Motor vehicle: shall mean any vehicle propelled or drawn by power other than muscular power, including a motorized bicycle, motorcycle, motor scooter, or snow mobile.

CHAPTER TWO

Section 2.01 Police Protection: The Police Department of the City of Sandwich, Sandwich, Illinois, and any other police department agency as hereinafter determined by the Board, shall be authorized and given the power to enforce the "Park Usage Ordinance" provisions and any other laws or ordinances of the State of Illinois or County of DeKalb or City of Sandwich, in the Park System. The Police are authorized and given the power to do all things necessary to conserve the peace and enforce all ordinances and laws in the Park System, and to conduct routine, periodic surveillance; make arrests on view of an offense or upon warrants; give warnings of violations; evict persons; and use lawful and reasonably necessary police methods to prevent, detect and make arrests for violations within the Park System of the "Park Usage Ordinance" or the Illinois Compiled Statutes of the State of Illinois, or any other ordinance or law.

Section 2.02 Agreements for Police Protection: The Board shall from time to time as necessary enter into written agreements with any governmental entity for police protection in the Park System, upon any terms and conditions as the Board deem appropriate and necessary, which agreement shall include among its provisions the disposition of fines collected including "Ordinance Tickets."

Section 2.03 Park Security Force: The Park Security Force shall consist of the members of the Boards of Commissioners, the Director, Park Foreman, park and recreation staff, and such other officers or persons as determined by the Board.

CHAPTER THREE

Section 3.01 Advertising: All requests will be considered by the Director and/or Board on case-by-case basis. See section 3.35 for detailed information.

Section 3.02 Animals and Birds:

- a. No person shall hunt, trap, remove, feed, destroy or in any other way abuse, molest, injure, pursue or destroy any animal, bird, egg, nest or animal habitation in the park, except in the case of educational catch-and-release programs preformed under the direction of qualified staff.

- b. All animals, including insects, caught by park users should be observed and quickly returned to the wild.
- c. No person shall cause or permit any privately owned animal or domestic pet to be in or upon the Park System unless on a leash or tether no longer than eight feet and accompanied by a person.
- d. It is asked that leashed animals are removed from sidewalks/paths and yield to pedestrians walking and running.
- e. Any person accompanying a privately owned animal or domestic pet in the Park System shall clean up and remove any of such animal's or domestic pet's excrement from the Park System or deposit such excrement into trash containers or receptacles.
- f. No person shall cause or permit any dangerous or vicious animal of any kind to run at large or be abandoned upon, or be harbored, caged or displayed in the park system.
- g. The Park security force or police are authorized to kill any dangerous animal when it is necessary for the protection of any person in the Park System.
- h. It shall be unlawful to harbor or keep any animal which disturbs the peace by loud noises at any time of the day or night.
- i. Any dog that shall bite or injure any person shall be captured and evidence of current rabies license shall be confirmed by the DeKalb County Health Department. If it is confirmed that the dog has a current rabies license, the dog shall be inspected by a licensed veterinarian and then released to the owner until a follow-up inspection ten (10) days later. If the dog does not have a current rabies license, the dog shall be kept under the observation of a licensed veterinarian for a period of ten (10) days and then undergo a follow-up inspection by the veterinarian at the end of this period. The veterinarian shall, make a written report to the health officer and should such dog show evidence of rabies, it shall be killed in a humane manner. In the event the veterinarian pronounces the dog free from rabies, such dog shall be released to the owner or keeper upon the payment of the veterinarian's fees. The owner or keeper of the dog may claim the same at the end of the two-week period by making payment of the costs involved while the dog is under the observation and also the costs of a license if said dog is not licensed. If the owner or keeper does not claim the dog at such time, then any person may redeem it by making a like payment. If the dog is not claimed as set forth above, then it shall be disposed of in a humane manner.
- j. No pets shall be allowed in Sandwich Park District buildings or facilities unless required to assist persons with disabilities
- k. No person shall ride or permit a horse or other equine animal in a park, unless during an event overseen by the park district.

Section 3.03 Parades and Meetings: No person or persons shall call, hold or participate in any procession, public meeting, gathering or parade, nor shall any person or persons be a participant in any public entertainment of any nature in the Park System without first having received written authorization from the Director or Board. Persons requesting rental or use of any pavilion or shelter shall be required to specify any said uses and shall be governed by above written authorizations clause for approval. Persons renting said facilities are governed by the Park District rental policies.

Section 3.04 Solicitation: No person shall sell or offer for sale any article, privilege, or service including contributions of any kind whatsoever, in the Park System unless such sale or offer is pursuant to contract with the Park District or without first having received written authorization from the Director or Board. No person shall distribute any literature in the Park System or property which is owned, leased, or otherwise controlled by the Park District, without written permission from the Director. No person shall, beg, peddle or solicit in the park.

Section 3.05 Signage: No person shall erect any sign in the Park System or attach any sign to property owned, leased, or otherwise controlled by the Park District, nor shall any person display any placard, notice, advertisement, circular, banner, or statement of any kind in a park other than on a vehicle. This section shall not apply to any signs erected by the Park District or any sign, placard, advertisement, circular, banner, or statement of any kind erected, attached or displayed with the permission of the Park District.

Section 3.06 Noise: No person within the Park System shall cause, make, aid, countenance, abet or assist in making any noise or play any amplified music or give amplified speeches tending to disturb other persons in the park or breach the peace in the Park System, except at a time and place as authorized by the District.

Section 3.07 Closing Hours: The Park System of the District shall be closed during the hours specified herein, except as may be authorized upon the written consent of the Director. No person or property of any kind shall remain in the Park System after the closing hours specified herein.

- a. All parks in the Park System shall be closed to the public from dusk to dawn, unless otherwise posted.
- b. Parking lot(s) may be closed at any and all park(s) as deemed necessary by the Director or Board. Hours will be posted.
- c. Memorial Park operational hours are from dawn to 10:00pm if activities are lighted by ball field lights. Lights must be turned off no later than 10:15pm.
- d. No child under the age of ten (10) shall be in such playgrounds or parks unless accompanied by an adult, eighteen (18) years of age or older.

Section 3.08 Facilities: The use of park facilities shall be as determined and designated by an employee or the Director. No person shall use the park facilities other than for the purposes designated by the Director, following the Park Ordinance and the Rental Policy. A Board member or the Director may restrict or prohibit certain uses of park facilities when there is a reasonable chance that any such use might result in damage to park property and/or might endanger park visitors. Where the use of facilities requires scheduling, the reserving and scheduling shall be authorized by administration staff or the Director. Rentals will be reserved on a first come, first serve basis after priority scheduling has been completed:

Park District programs, Park District co-sponsored programs, Resident (non-profit) organizations, Non-resident (non-profit) organizations, private individuals, businesses. All rules and procedures and fees will be followed in the Rental Policy.

Section 3.09 Encroachments: No person residing adjacent to Sandwich Park District property shall be allowed to encroach upon park property at any time unless otherwise approved in advance by the Director. Leaves, pine cones, seedlings or other foliage that is displaced from landscaping due to weather conditions or seasonal changes are not considered an encroachment on Park District property or adjacent residential property. Park District staff will maintain park property grounds, but will not maintain adjacent property. Examples of possible encroachment are specified herein.

- a. No residentially owned buildings or structures, including sheds and play equipment, whether temporary or permanent, shall be constructed, erected or installed on Park District property at any time.
- b. No residentially owned fences, fire pits or animal containment devices, whether above or below ground, may be constructed or installed on the Park District property at any time.
- c. No residentially owned utility lines or sprinkler systems, whether above or below ground may be constructed or installed on Park District property at any time.

- d. No residentially owned decorative monuments, statues or structures may be installed or erected on Park District property at any time.
- e. No residentially owned landscaping in the form of trees, shrubs, plants, flowers or vegetable/fruit gardens may be constructed, installed, or maintained on Park District property at any time.
- f. Residents are not allowed to maintain Park District property and landscaping in the form of grass mowing and tree, shrub, plant or flower pruning.

Section 3.10 Fires: No person shall ignite or maintain a fire in the Park System, unless otherwise authorized by the Director, Park Foreman or Board.

- a. Authorized fires will only be permitted in a campfire area, charcoal grill or specific area designated by the Park District.
- b. No person shall start or maintain a fire in the Park System and leave the vicinity of the fire without fully extinguishing the fire.
- c. No person shall burn wood found in the Park System, except for wood provided by the Park District and burned in designated containers.
- d. Only charcoal grills are allowed in the Park System.

Section 3.11 Interference with Police: No person shall interfere with, resist, hinder or delay any member of the Police or Park Security Force in the discharge of any official act of duty or fail or refuse to obey any lawful order or direction of such member.

Section 3.12 Impersonation: No person shall falsely represent or impersonate any member of the Police or Park Security Force of the District.

Section 3.13 Disorderly Conduct: No person shall engage in any conduct or use any abusive, threatening, profane or obscene language, excessive noise or language calculated to occasion a breach of peace, nor induce, permit or perform any indecent or obscene act of behavior, not exhibit, possess or transfer any intoxicating beverage, obscene pornographic pictures, writings, publications within the Park System. It shall be unlawful for any person to disturb any meeting of the Board of Commissioners or any committee thereof, or to behave in a disorderly manner at any such meeting, or at any such recreational program. It shall be unlawful for any vagrant to frequent, sleep, camp, or live in the Park System. Any person who has no established domicile or residence shall be considered to be a vagrant.

Section 3.14 Loitering: No person shall loiter, delay, or stand idly around in the vicinity of the rest room located in a park and no person shall enter rest room facilities in a park provided for the exclusive use of the opposite sex or while already occupied.

Section 3.15 Minors: No parent, guardian or custodian of a minor shall knowingly assist or allowed such minor to do any acts within the Park System in violation of any, Law, ordinance or rule of the District. A minor is defined herein as any person who is under the age of eighteen (18) years.

Section 3.16 Dumping and Refuse: No person shall dump, throw, discard or place any charcoal, ashes, dust, manure, garbage, glass, plastic, rubbish, metal, paper, wood, brush or grass clippings or cause or permit same to be deposited in, on or about the Park System, except in such receptacles and containers as may be provide for such purpose. No person shall deposit refuse or garbage in the Park System that originated from his or her residence, office, or place of business. No person shall discharge, throw, drop, or cause to flow, into park waters any noxious or deleterious substance, either solid or liquid, which renders such waters harmful or unfavorable to the public health or animal life. No person shall release any animal in the park or other property controlled by the Park District.

Section 3.17 Trespasses: No person shall enter upon any portion of the Park System, including the Skate Park or Splash Park, at any time or place where persons are prohibited by sign, notice or erected fence, or fail or refuse to depart from the Park System when requested either orally or in writing by the Police or Park Security Force.

Section 3.18 Sleeping in the Park System: No person shall sleep, camp, set a tent or otherwise remain in the Park System including Park grounds, facilities or bathrooms during closing hours without written permission of the Director.

Section 3.19 Fireworks, Firearms and Weapons: No person shall have possession or control or in any way use, sell, purchase, discharge, or operate within the Park System any firearm, slingshot, knife, bow & arrow, air powered gun, paint pellet gun, fireworks, ax, hatchet, saw or knife with a blade length longer than three inches or other explosive substance or item, or set off or attempt to set off or ignite any firecracker, fireworks, smoke bombs, rockets, black powder devices, or other pyrotechnics without written permission by the Director.

Section 3.20 Missiles: No person shall throw, project or cast, or encourage others in throwing, projecting or casting any stone, projectile, or missile into, upon or at any building or structure, object or person within the Park premises.

Section: 3.21 Golfing in Parks: No person shall golf, or hit or putt golf balls (exception: golf wiffle balls) within or into the parks except upon established golf courses, if available.

Section 3.22 Damage to District Property:

- a. No person shall write upon, cut, break, paint, move, remove, injure, tamper with, damage or deface any buildings, structure, bridges, tables, benches, fireplaces, railings, paving or paving material, waterlines or other public utilities or parts thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, fences, posts, or other boundary markers, or other structures or equipment, facilities, or park property that are owned, leased or maintained by the Park District.
- b. No person shall write upon, cut, chop, break, climb on, paint, move, remove or in any way injure, damage or deface any stone, tree, shrub, plant, flower or turf that are maintain, owned or leased by the Park District.
- c. Any parent or legal guardian of a minor who resides with such parent or legal guardian is liable for actual damages for the willful or malicious acts of such minor, which cause injury to a person or property, in an amount not to exceed Two Thousand Five Hundred Dollars (\$2,500.00) for each occurrence of such willful or malicious acts by the minor. The enforcement of this provision shall be made in accordance with the definitions and provisions in the Parental Responsibility Law, Illinois Compiled Statutes, 740 ILCS 115.1.

Section 3.23 Drunkenness and Intoxicating Beverages or Under the Influence:

- a. No person who is under the influence of intoxicating liquor or narcotic drugs may be or remain on Park District property. Nor shall any person transport, carry, possess or otherwise have any violation of either the Cannabis Control Act, Chapter 56 1/2 Section 71 of the Illinois Revised Statutes or in violation of the Controlled Substances Act, Chapter 56 1/2 Section 1100. Nor shall any person transport, carry, possess or have any alcoholic liquor in violation of the Liquor Control Act of 1934, Chapter 43 Section 93.9 of the Illinois Revised Statutes or in violation of the local ordinance issued by the jurisdiction having authority to issue such an ordinance.

- b. No person shall possess, consume, sell, give, or use any alcohol, drugs and/or Controlled substance or drug paraphernalia in the Park System.

Section 3.24 Special Functions: From time to time the Director or Board may permit a special function in the Park System which allows alcoholic beverages to be distributed or sold with the purchase of special event insurance. All private parties will follow the rules and guidelines in the Rental Policy. The Park District will follow the State Guidelines for use of alcoholic beverages.

Section 3.25 Offering Articles for Sale or Exchange: No person shall sell, exchange, offer for sale or exchange any goods, wares or merchandise of any kind within the park premises without first having obtained the written consent of the Director or Board to do so.

Section 3.26 Gambling and Fortune Telling: No person shall tell fortunes, play at games of chance or use any gambling device in the Park System, nor shall any person make any bet of any kind therein unless the Director or Board gives prior written approval.

Section 3.27 Illegal Assembly: No person shall, in conjunction with others, assemble within the Park System for any unlawful purpose.

Section 3.28 Operation of Bicycles: No person while operating a bicycle upon the Sandwich Park District property shall violate any laws, ordinances or statutes of the City of Sandwich, County of DeKalb, Kendall, LaSalle or State of Illinois, or do any act forbidden or fail to perform any act required herein by this ordinance.

- a. Definitions: The Sandwich Park District or Park District Property shall be defined as all property lying within the boundaries of the Sandwich Park District, and a portion of Sandwich School District property, where applicable.
- b. Inspection of Bicycles: 1) Any uniformed police officer of any police department shall be authorized to inspect any bicycle at any reasonable time for the purpose of determining that it has a serial number thereon or number, or upon reasonable cause to believe that a bicycle is unsafe or is not equipped as required by law, or that its equipment is not in proper adjustment or repair. 2) Any person riding a bicycle shall, upon request, by a uniformed police officer, submit the bicycle to an inspection and test for this purpose. 3) No person shall in any manner interfere with or hinder the making of such an inspection.
- c. Parents Responsibility: A parent or guardian of any child shall not authorize or knowingly permit such child to operate any bicycle in violation of the provisions in this section.
- d. Use of Bicycle Without Consent of Owner Prohibited: It shall be unlawful for any person to use or operate any bicycle within the Sandwich Park District without the consent of the owner.
- e. Traffic Regulations: Every person operating a bicycle shall strictly observe all traffic signs and signals and all other traffic rules and regulations applicable thereto, and shall obey the orders and directions of every police officer authorized to direct or regulate traffic.
- f. Riding on Bicycles: 1) A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto. 2) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped, except that an adult rider may carry a child securely attached to his/her person in a backpack or

- sling. 3) No person operating a bicycle shall carry another person on the handlebars of said bicycle. 4) When more than two (2) persons in a group are operating bicycles on a path, trail, or roadway, they shall ride single file.
- g. Exercise of Due care: A person propelling a bicycle shall exercise due care and proper precaution, and shall sound a horn or bell or give an audible sound when necessary, in order to prevent colliding with any pedestrian, or any other person operating a bicycle, or to avoid colliding with any property.
 - h. Speed: No bicycle shall be operated at any time faster than is reasonable or proper, and every bicycle shall be operated with reasonable regard to the safety of the rider and of other persons and property.
 - i. Turning; Starting; Stopping: The operator of a bicycle on a roadway when making a right turn shall follow the right-hand edge of the roadway, and the operator of a bicycle on a roadway when making a left turn shall approach the point of turning in the traffic lane nearest the center of the roadway and shall not cut the left-hand corner. No operator of a bicycle shall suddenly, start, slow down, stop or attempt to turn without first indicating such movement as provided by law.
 - j. Bicycle Racing: It shall be unlawful for any person to participate in a racing event upon a sidewalk, bicycle path, parking lot unless approved by the Sandwich Park District. Such racing events shall only be granted under conditions which will assure reasonable safety for all participants, spectators, and other persons using the facilities in such a manner so as to prevent the unreasonable interference with and inconvenience of the other persons using the area.
 - k. Trick Riding: No person shall, while operating a bicycle, indulge or engage in any kind of trick or unsafe riding except in designated areas such as a skate park.
 - l. Lights and Brakes: 1) No person shall operate a bicycle within the period from sunset to sunrise without having a properly lighted headlight attached to the front of the bicycle, visible under normal atmospheric conditions from the front thereof for a distance of not less than three hundred (300) feet, nor without having a red light or a reflector attached to the rear of the bicycle, which is clearly visible in the headlight beam of a motor vehicle for a distance of not less than two hundred (200) feet to the rear of the bicycle. 2) Every bicycle shall be equipped with a brake which will adequately control movement of, and stop and hold such bicycle.
 - m. Clinging to Vehicles: No persons riding upon any bicycle shall attach the same or himself to any other moving vehicle or motorized vehicle.
 - n. Carrying Articles: No person operating a bicycle shall carry any package, bundle or article which prevents the use of both hands in control and operation of the bicycle. A person operating a bicycle shall keep at least one hand on the handlebars at all times.
 - o. Position of Bicycles on Right-of Way: Any person operating a bicycle on any roadway or bicycle path shall ride as close as practicable to the right-hand curb or edge of the right-of-way, except under the following situations: 1) When overtaking and passing another bicycle proceeding in the same direction; or 2) When reasonably necessary to avoid colliding with any other person or object in that lane.
 - p. Yielding of Right-of-Way: 1) A person propelling a bicycle upon and along a sidewalk, roadway, bicycle path, or parking lot, shall yield the right-of-way to any *pedestrian* and shall give an audible signal before overtaking or passing any pedestrian or any other person operating another bicycle. 2) A person shall not ride on a bicycle upon or along a sidewalk, parking lot, bicycle path, roadway or any other location upon which the use of the bicycles is prohibited by this Ordinance. Order of priority shall be walkers, runners, riders. It is asked that leashed animals are removed from sidewalks/paths and yield to pedestrians walking running and on a bicycle.

- q. Bicycle Parking: 1) A person may park a bicycle on a sidewalk providing it shall not impede with the normal and reasonable movement of pedestrian traffic. 2) A person may park a bicycle in a parking lot provided it shall not impede the normal reasonable movement of motorized vehicles. 3) A bicycle may not be parked upon the bike path in such a manner so as to obstruct the movement of the pedestrians or other persons operating their bicycle thereon.
- r. Trails: All persons riding a bicycle shall remain on the trail or specified route. It is unlawful to ride in undesignated areas or to create a trail through repeated violations. No person shall ride a bicycle on a nature trail designated for foot traffic only.
- s. Operation Prohibited on Certain Areas: It shall be unlawful for any person to operate a bicycle within Veterans Park. It shall also be unlawful to incorporate into use any picnic table, bench, refuse barrel or any other hardscape item in the Park System such as railings or curbs for purposes of riding or operating bicycles, other than designated areas at the skate park.

Section 3.29 Operation of Skateboards and Roller Blades: Whenever in this section the following terms are used, they shall have the meanings respectively ascribed to them in this subsection:

- a. Skateboards/Longboards include a vehicle or piece of hardwood board, fiberglass, plastic, or metal with two (2) or more tandem wheels with solid or pneumatic tires and propelled by human power.
- b. Roller Blades include all roller style skates, particularly but not limited to, skates with an in-line system of wheels.
- c. Operate refers to the use, putting into action or causing to function of a skateboard by a person mounted thereon, including but not limited to standing, sitting or kneeling. Operate refers to the use, putting into action or causing to function of roller blades by a person wearing them.
- d. Operation Generally. Except as specifically prohibited in Subsection e. below, skateboards and roller blades may be operated on bike trails or walkways, provided that the operator thereof exercises due care in the operation and speed of said skateboards and roller blades, and under all circumstances yields the right-of-way to pedestrians using said trails or sidewalks.
- e. Operation Prohibited on Certain Areas. It shall be unlawful for any person to operate a skateboard or roller blades in the vehicular traffic portions of parking lots, drives and roadways, as well as on/in tennis courts, basketball areas, pavilions and shelters in the Park System. It shall also be unlawful to incorporate into use any picnic table, bench, refuse barrel or any other hardscape item in the Park System such as railings or curbs for purposes of riding or operating skateboards, bicycles, roller blades or skates.

Section 3.30 Skate Park Regulations: The Skate Park shall be governed by the following regulations.

- a. The skate/bicycle park is unsupervised and participants skate/bike at their own risk.
- b. It is suggested that proper protective equipment such as helmets, elbow pads, knee pads etc... be used during skating and cycling
- c. Caution must be used at the Skate Park: Bicycling, inline skating and skateboarding are high-risk recreational activities with inherent risk of serious injury.
- d. No personally owned ramps, boxes, or other devices may be brought into the facility.
- e. No motorized equipment may be brought into the facility.
- f. Please be courteous of other park users.
- g. Bringing glass into the area is prohibited.
- h. Please keep the skate park clean and dispose of garbage in containers.
- i. The skate park is open every day from dawn till dusk weather permitting.

- j. The park will be closed during inclement weather.
- k. In the event rules are not being followed, the Sandwich Park District may choose, at its own discretion to temporarily or permanently close this facility.
- l. The Sandwich Park District reserves the right to revise policies and/or rules regarding this skate park.

Section 3.31 Splash Park Regulations: The Splash Park shall be governed by the following regulations:

- a. The Splash Park is open from 9:00am to 8:00pm unless otherwise posted.
- b. In the event the rules are not being followed, the Sandwich Park District may choose, at its own discretion to temporarily or permanently close this facility.
- c. The District reserves the right to revise policies and/or rules regarding the Splash Park.
- d. The Splash Park may be closed at any time due to weather, maintenance or other operational concerns.
- e. The park will be closed during inclement weather.
- f. The Splash Pad is unsupervised. All children under the age of 10 must have adult supervision.
- g. ***Street shoes are prohibited*** on the Splash Pad. Please walk barefoot in the “splash” area. Clean flip flops, water shoes may be used.
- h. Toddlers not “toilet trained” must wear swim diapers and tightly fitting plastic pants over diaper.
- i. Splash Pad water is not suitable for drinking. A drinking fountain is available for use.
- j. Patrons engaging in horse play or foul language will be asked to leave.
- k. Climbing on the splash pad features is strictly prohibited.
- l. Keep bicycles, skateboards and in-line skates off the splash pad, and no riding at all at the Splash Park.
- m. No pets, food or drink on the splash pad. No glass containers.
- n. NO SMOKING anywhere in the Splash Park Area.
- o. Splash Park should be vacated at the first sight of lightning or sound of thunder, per Park District Lightning Detection System Policy.
- p. Groups of 10 or more must apply for approval and may receive a permit at the office, 1001 N. Latham Street, 815-786-8044.
- q. The Splash Pad must only be started by the two activators. The Activators are located at the south & north of the pad. Tap on it to activate sequence.

Section 3.32 Motorized and Model Vehicles: No person shall bring, operate, drive or park any motorized or model vehicle, including but not limited to, motorized or remote controlled automobiles, trucks, mini bikes, motorcycles, snowmobiles, within the Park System except on the streets and designated parking lots without first having obtained written authorization from the Director or the Board. No person shall drive or take any vehicle within the park at night unless head and tail lights are lighted.

Section 3.33 Speed of Vehicles: No vehicle may be driven upon any highway, street, roadway or parking lot within the Park System at a speed in excess of ten (10) miles per hour, or as otherwise determined by the Board and as posted. No person shall operate any type of vehicle in the Park System without due regard for the safety of persons or property.

In relation to Other Power Driven Mobility Devices an exclusive policy has been adopted by the Park District, adopted the 11th day of September, 2014. *Pursuant to the new ADA title II regulation published September 14, 2010, this policy is adopted and in place for the Sandwich Park District.*

Section 3.34 Parking: The Park System shall be governed by the following parking regulations:

a. General Parking Regulations:

1. No person shall park or permit any vehicle to be parked or unattended upon any Sandwich Park District property other than on the surface of the parking lot without permission by the Board, staff or the Director.
2. No person shall park or permit any vehicle to be parked or unattended upon any Sandwich Park District parking lot after the closing hour as designated by the Park Usage Ordinance of the Sandwich Park District, DeKalb County, Illinois.
3. No person shall park or permit any vehicle to be parked or unattended upon any Sandwich Park District parking lot for a period of more than twenty-four (24) consecutive hours unless prior permission is given by the Director or the Board.
4. No vehicle shall be parked or abandoned in the Park System during any public emergency or disaster, including fire, storm, snowstorm, in such manner to cause or constitute an obstruction to traffic flow or emergency equipment including snow removal equipment.
5. Parking is prohibited in parking lot stalls except if the vehicle is parked within the lanes designated.
6. Parking is prohibited on grass areas of the Park System without permission by staff, Board or the Director.
7. Parking lots and designated parking areas within the Sandwich Park District Park System are intended solely for the patrons of the particular site or area and for patrons conducting business with, or involved in any activity pertaining to, the Sandwich Park District. Vehicles may be towed at owners' expense or Ordinance Tickets may be issued.
8. No person on Park District property shall make repairs, change parts of any kind to any vehicle, except emergency repairs necessary to remove such vehicle within a reasonable amount of time.

b. Specific Parking Regulations:

No person shall park or permit any vehicle to be parked or unattended in the Splash Park parking lot for more than eight (8) hours in any consecutive period of time between the hours of 9:00a.m. and 8:00 p.m. on Sunday through Saturday of each week; unless the business is to use the splash pad ONLY. Only splash pad patrons may park in the Splash Park parking lot. Vehicles may be towed at owners' expense or Ordinance Tickets may be issued.

c. Presumption of Liability:

The fact that an automobile which is illegally parked is registered in the name of a person shall be considered proof that such person was in control (and owner) of the automobile at the time of such parking.

d. Authority to Post Parking Signs:

The Board of Commissioners shall determine the parking hours and restrictions for park district property and shall post parking signs in such areas where parking is prohibited or limited, indicating such prohibition and limitations. All handicapped reserved stalls must be clearly marked by a sign and pavement striping. The vehicle must show a plaque or license plate acknowledging permission to park in reserved stalls.

e. Towing Vehicles Away:

1. The Board of Commissioners, or any person designated by them, including the police department, are hereby authorized to remove or have removed and towed away by commercial towing service, any vehicle parked in violation or any posted sign or notice otherwise in violation of the Park District parking restrictions or prohibitions.
2. Vehicles towed away shall be stored and returned to the owner or operator thereof upon payment of the expense of towing storing such vehicle.

Section 3.35 Commercial Photography & Advertising:

- a. Commercial Photography: No person shall take or cause to be taken any still or motion pictures or video recording, for commercial purposes or for use in commercial advertising, without written permission of the Director and then only in accordance with the rules and restrictions duly set forth as part of such permission. Commercial photographers must notify staff or the Director two weeks in advance of the date of the photography or recording session.
- b. Honoring Permits: No person shall by act or speech willfully or unreasonably hinder, interrupt or interfere with any duly permitted activity or unreasonably or willfully intrude on any areas or into any structures designated for the use of certain person or persons to the exclusion of others by written permission of the Director or Board.
- c. Document Fee: Any commercial vendor approved may enter into a written contract, which may include a fee given to the Park District. The fee may relate to the activity or event of which the photography or media is taking place. Lack of compliance to this regulation may result in a fine set by the Board and Director up to a maximum of \$500 per occurrence.

Section 3.36 Naming of Parks, Recreations Areas and Facilities: The Board of Commissioners recognizes the need to properly identify all facilities, parks and/or recreation areas within the jurisdiction of the District. The naming of all such park recreation areas shall be a function of the Board.

Naming facilities, parks, and/or recreation areas shall be based upon geographical, historical, or ecological relationships significant to the region. For the neighborhood parks this includes the name of the subdivision or development or adjacent street in which the park is located.

In cases where individuals or organizations have provided exceptional contributions and/or service to the District, the Board may, at its discretion, officially name a facility or area within a park, or the park itself, after an individual or group of people. All maps, plats, and other records and instruments of the District shall reflect the Board's action.

Upon officially naming a park or recreation area, the Board shall cause to have erected a suitable sign identifying the facility, park, or recreation area.

Section 3.37 Memorial Program:

The Memorial Tree/Bench Program is designed to help beautify the district's parks and allow community members to honor a special person or occasion. Persons wishing to commemorate a special event, such as a wedding anniversary, birth date, or memorial to a loved one or relative may do so by having a tree planted or bench installed in some of our park district's parks.

Persons are to contact the park district and secure a location and type of tree or bench allowed.

The park district will list the donation on the Tree Plaque located in the lobby of the administration office at the David A. Francis Center.

If individual parties would like to place a plaque near the tree, it will need to be approved by the park district and will solely be the financial responsibility of the party.

The park district will plant, install and maintain the item, however may not be able to guarantee the replacement of the item, due to budgetary allowance. The Board reserves the right to relocate the tree or bench at their discretion due to future changes in the design of the park.

Section 3.38 Winter Sports, Air and Water Related Activities:

- a. Winter Sports:
 1. No person shall sled, toboggan, ski or slide on any area except those areas designated by the Director or Park Board, provided that these areas have not been posted as being “unsafe” or “hazardous” or as being “closed” due to inadequate snow cover or other environmental conditions. See Section 3.32 for regulations on snowmobiling in the Parks system.
 2. No person shall enter on or upon frozen waters for any purpose whatsoever other than in areas designated by the Director or Park Board for such and then only in compliance with the rules and regulations posted, if applicable.
 3. No person shall fish through the ice on any frozen waters or parts thereof designated as ice skating areas by the Director or Park Board, if applicable.
 4. No person shall drive onto or upon the frozen waters of any lake, pond, ice rink, or watercourse, using any iceboat or wind-driven-like device or other vehicle.
- b. Swimming: No person shall swim, wade, or bathe at any time in any of the rivers, ponds, lakes, pools, streams, creeks, sloughs, or watercourses except at such place or places as may be designated by the Director or Board and then only in accordance with the rules, regulations, and restrictions promulgated and posted, if applicable.
- c. Watercraft: No person shall bring into, attempt to launch or use, or navigate any boat, yacht, canoe, raft, kayak, or other watercraft upon waters of any watercourse, lagoon, lake, pond, creek or slough, except at such place or places as may be designated by the Director or Park Board. Where allowed, watercraft shall be used in accordance with District rules, regulations and restrictions duly set forth and posted as well as all applicable statutes of the State of Illinois and Federal Statutes, if applicable.
- d. Engine Powered Models or Toys: No person shall start, fly or use any fuel-powered or electric-powered model aircraft, boat, rocket, or *drone* within the Parks system, unless given permission by the Director or Board. Selected areas within a park may have designated signs posted for such use. All engine powered models or toys, while in operation, must remain 200 feet from patrons using the park system. All other use is prohibited unless a person is a participant in a Sandwich Park District sanctioned class or program and then only in accordance with such rules, regulations and restrictions promulgated and posted by the Director or Board.
- e. Fishing: No person shall fish (including ice fishing) unless written authorization is obtained from the Director of the Board, or signs posted allowing fishing, or unless a person is a participant in a Sandwich Park District sanctioned class or program, if applicable.

Section 3.39 Smoking: Effective January 1, 2008, the Smoke-free Illinois Act prohibits smoking in virtually all public places and workplaces, including offices, theaters, museums, libraries, educational institutions, schools, government and commercial establishments, enclosed shopping centers and retail stores, restaurants, bars, private clubs and gaming facilities. Smoking is defined as inhaling, exhaling, burning by persons of any lighted cigar, pipe, cigarette, e-cigarette, plant or other combustible substance in any manner or in any form. Smoking is not permitted inside any Park District buildings, within 15 feet of any Park District buildings.

Smoking is **allowed** within all park district parking lots (and street parking) ONLY.

Smoking is NOT allowed on other non-enclosed areas of park property.

Smoking in Park District Vehicles Prohibited.

a. Smoking in any park district vehicle or on any park district motorized equipment is prohibited. No person shall smoke in any vehicle or on any motorized equipment which is owned, leased or operated by the park district unless specifically exempt under paragraph 3.39 of this Ordinance.

Section 3.40 Athletic Fields: All athletic fields are for use by participants in the park district programs or affiliated organizations or with permission of the Director or Board of Commissioners.

- a. Affiliate Organizations: Organizations approved to use the park district athletic fields are Sandwich Boys Baseball; Sandwich School District, at this time.
- b. Practices: Organized practices are not allowed on athletic fields without the permission of the Director or Board.
- c. Residential Use Areas: Organized practices are being held and allowed at Memorial, Milestone, Knights and Patriots Park during open hours.
- d. Athletic Rental Policy: Private organizations may rent the athletic fields, if and when available. The Athletic Rental Policy will be used.

Section 3.41 Accident and Emergency Medical Care: The Park District does not provide insurance coverage for injuries suffered while using park facilities. First Aid will only be given if the person attempting to administer first aid is qualified and trained in the proper procedure. The Park District assumes no liability by providing expedition emergency aid in an effort to reduce pain, suffering, and discomfort while protecting the life and limbs of the injured party.

If the injured party appears to be a juvenile and/or unconscious, a call should be made to 911 and the extent of the injury described. The injured party should not be moved unnecessarily. If the injured party is eighteen years of age or older and capable of rendering a decision in his/her own behalf, the individual may request and ambulance. Each Park District employee will exercise good judgment in determining the extent of the injury and the action to be taken. The primary concern will always be the well-being of the injured party.

Good Samaritan Law: "Any person who in good faith renders emergency care, without compensation or expectation of compensation, at the scene of an accident or emergency to the victim of the accident or emergency shall not be liable for any civil damages resulting from the persons acts or omission, except for such damages as may result from the person's gross negligence or wanton acts or omissions."

Illinois Public Act 94-876, H.B. 542 of 2006 H. 4232 requires every physical fitness facility to have at least one AED on premises. It also requires a trained user on premises during office hours. Also, Illinois passed the law that all facilities and parks have an AED available on premises during organized play. The Park District has an AED located and available at Memorial Park, Milestone Park and David A. Francis Center during office hours and organized play.

Section 3.42 Lightning Detection: The park district created a policy to outline how the Park District will specifically address the safety issues associated with lightning and severe storms. Lightning kills and heeding the alerts could be a matter of life or death.

Each park will have two air horns (sirens) in the concession stand and/or a building. Currently the park district will use the internet and "smart phone" capabilities, or weather alert radio to monitor lightning within a 10 mile radius and the overall weather condition before and during the activity. There are no wired or wireless commercial systems installed at this time of first approval.

It is the responsibility of the leader of the organization to assign someone to monitor the weather and lightning during all activities, via "smart phone" weather alert, tablet or internet. It is believed that if thunder can be heard, lightning is present. It is time to seek shelter.

ALL PARK USERS HAVE AN OBLIGATION TO COMPLY WITH THE ALERTS BY IMMEDIATELY vacating the park and seeking shelter. This includes coaches, parents, referees/umpires, spectators, guests. It applies equally to organized sports activities as well as casual park users. For more information and complete instructions for park users, please refer to the Lightning Detection System Policy.

Section 3.43 Exemption: Acts and conduct of Sandwich police officers, officials and employees of the Park District, or contractors of the Park District, to the extent necessary for performance of their authorized duties, shall be exempt from the provisions of these Regulations.

Section 3.44 Penalties:

- a. Any persons violating or disobeying any clause or provision of any section of this ordinance shall be guilty of a misdemeanor, and upon conviction, shall be fined the proper sum per violation. See Exhibit A. A separate offense shall be deemed committed upon each day or each separated occurrence on which a violation occurs or continues. In addition, the following penalties may be imposed:
- b. Eviction: Any person violating any of the parking provisions of this ordinance may be forthwith evicted from the Park System by the Police or Park Security Force.
- c. Towing and Storage: Any person violating any of the parking provisions of this ordinance, and whose vehicle is towed away shall pay in full all towing service and storage charges in addition to the aforesaid fine before the vehicle is returned to the owner.
- d. Payment of Fines: Any person charged and issued a parking ticket for a violation of any parking ordinance in the Park System may settle and compromise and pay the fine per schedule. See Exhibit A. Said fine will be paid within forty-eight (48) hours after the date and time said ticket is

issued. If the fine is not paid within said time period, the fine will be doubled. If the fine is not paid within ten (10) days from the date of violation, a Notice to Appear or Warrant may be issued against said alleged offender. Any payment of fines, outside of court, shall be paid at the City of Sandwich Police Department, Sandwich, Illinois.

- e. Restitution: The District may also seek in the same court actions for the above penalties, in addition, or instead of fines and penalties, an order that the offender be required to make restitution for damage resulting from any violations of the Ordinance, or community service hours awarded for the violation.
- f. Settlement and Compromise of Fines: Any person charged and ticketed for violation of any offense contained in this Ordinance for Sections 3.01 through 3.43 may settle, avoid court system and compromise such alleged violation by paying a fine per schedule, Exhibit A. If the fine is not paid within the aforesaid time period, a Notice to appear or Warrant may be issued for the arrest of the alleged offender, and the Court will thereafter determine the amount of the fine. Any payment of fines, outside of court, shall be paid at the City of Sandwich Police Department, Sandwich, Illinois. The Intergovernmental Agreement with the City of Sandwich, Sandwich Police Department will be followed in regards to filing reports to the Sandwich Park District and recording set fines.

CHAPTER FOUR

Section 4.01 Repeal: All existing ordinances, resolutions and orders in conflict herewith are hereby repealed.

CHAPTER FIVE

Section 5.01 Publication in Pamphlet Form: In lieu of other publications, this ordinance shall be published in pamphlet form, as provided by law, and when so printed shall become effective and shall have the same force and effect as otherwise published by law; and such pamphlet shall be received as evidence of the passage of this ordinance in all courts or places without further publication, all as provided by law.

CHAPTER SIX

Section 6.01 Validity: If any provision of this Ordinance is held invalid, the invalidity of that provision shall not affect any of the other provisions of this Ordinance.

CHAPTER SEVEN

Section 7.01 "Park Usage and Recreation Ordinance" Effective Date: This ordinance shall be known as the "Park Usage and Recreation Ordinance" and shall take effect and be in full force from and after its passage, approval and publication in pamphlet form as provided by law.

CHAPTER EIGHT

Section 8.01 Saving Clause: The amendment, revision or repeal of any section or portion of a Section or Sections of the "Park Usage and Recreation Ordinance" of Sandwich Park District by this Ordinance shall not:

- a. Affect suits pending or rights existing immediately prior to the effective date of this Ordinance:

- b. Impair, avoid or affect any right acquired or cause of action now existing under any such amended, revised or repealed Park Usage and Recreation Ordinance or Section thereof.

CHAPTER NINE

Section 9.01 Residency: Residency shall be determined as the home or living address, as opposed to business address or the address of family members. Boundaries of the Sandwich Park District will try to be kept contiguous with the boundaries of the City of Sandwich. All other residing outside these boundaries will be deemed non-residents.

- a. Non-residents of the Park District may register for programs provided that their entrance into the programs will not make it necessary to exclude a resident and further provided their entry will not cause an added expense to the District.
- b. The Park District shall attempt to provide recreation program opportunities based on the desire and interest of the residents as interpreted by the staff and the Board of Commissioners, provided that the finances and facilities are available and that the activity is wholesome in nature and is in the best interest of the participants.
- c. All participation in Park District activities and facilities shall be considered a privilege which may be denied if the participant is unable to maintain a code of conduct fitting to the group, or if the participant's presence is to the detriment of the other participants in the program.
- d. Fees for programs will be computed to recover costs and support those programs offered to the residents and participants. Some fees may be higher for non-residents, to offset the taxing issue. Pre-purchased tickets are not refundable, but are transferable. Cancellations may occur for general programs, and participants may receive a full refund if cancellation occurs before 48 business hours of the start of the program. A twenty-five (25%) refund of the total cost of the program will be returned if cancelation occurs with less than 48 business hours before the program begins.
- e. Non-residents have an option of purchasing a non-resident card, valid for one year, at an annual cost of \$125.00. This allows the household to participate receiving resident rates. It also allows for a tax deduction if payable to the Sandwich Foundation.
- f. The Park District does not assume any financial responsibility for accidents that occur while a person is using or is enrolled in Park District programs or facilities. All participants must sign a liability waiver before participating in the program.
- g. In the event that bills are presented or questions arise regarding the Park District liability, the Park District will ask for assistance from the insurance carrier to make a determination. Park District employees shall not make determinations pertaining to liability, nor are they authorized to make statements regarding the liability or the Park District's intention to pay for the expenses related to injuries.

PASSED by the Board of Commissioners, Sandwich Park District, DeKalb County, Illinois, this 7th day of July, 2016, by the following roll call vote:

DIANA RUD, NAY
TODD LATHAM, AYE
BILL CLEMONS, AYE
ROBERTA TROEGER, AYE
STEVE WOLF, AYE
DIANE SCENTS, ABSTAIN
STACEY DERRICO, AYE

APPROVED by me, Roberta Troeger, as president of the Board of Commissioners of the Sandwich Park District, DeKalb County, Illinois, this 7th day of July, 2016.

Roberta Troeger, Pres.

Roberta Troeger

President

Sandwich Park District, DeKalb County, IL 60548

(SEAL)

ATTEST:

Starr A. Frederick

Starr Frederick

Secretary

Sandwich Park District, DeKalb County, IL 60548

EXHIBIT A

ORDINANCE FINE and PENALTY SCHEDULE

All fines are doubled for repeat fines within a six-month period

Hours of Operation

\$100.00

Violation of hours of operation (Dusk till Dawn)
Violation of closed area

Restricted Areas

\$100.00

Entering prohibited areas
Entering unfinished areas
Entering areas closed to the public
Using restrooms meant for the opposite gender

Regulations of Motorized Vehicles

\$85.00

Parking anywhere except areas designated
Blocking roadway, gate, driveway, sidewalk, etc.
Parking overnight

\$100.00

Leaving vehicle in park after hours
Parking on turf, meadow, field, etc.
Loitering within parking area

\$150.00

Unlicensed Motor Vehicle in Park
Operation of Vehicle other than roadway or parking
Operation of Unlicensed Vehicle on Roads
Operation of vehicle in closed area
Parking in handicapped space without authority
Reckless Driving
Driving to interfere with use of roadway
Loud vehicle (muffler)
Disobeying Traffic Control Device
Spinning, squealing, or screeching of tires
Driving in closed area

Protection of Property, Facilities and Natural Resources

\$100.00

Hunting or attempting to hunt on Park Property
Fishing in unauthorized area
Depositing wildlife or plant life on Park Property
Use of Pesticide in Park Property
Attracting wildlife into Park Property

EXHIBIT A (cont.)

Protection of Property, Facilities and Natural Resources

\$100.00

- Routing water onto Park Property
- Illegal Dumping

\$150.00

- Destruction of Property
- Destruction or removal of signs
- Placing Park Property in a waterway
- Trespass to property or structure
- Damage to Park District Vehicle, equipment or facility
- Dumping
- Occupy or inhabit any Park Structure
- Misuse of refuse container (hot coals)
- Damage to Plant, Tree, etc.
- Removal of Landscaping Material

Personal Conduct and Behavior

\$25.00

- Smoking where prohibited

\$100.00

- Begging
- Loitering
- Hazardous Recreational Activity
- Posting signs or distributing material
- Facility restricted by sex
- Unlawful Construction
- Blocking use/detriment of appearance with merchandise
- Obstructing use of Park by Threat or Force
- Selling or soliciting
- Gambling
- Animal off leash
- Allowing animal to run loose
- Cruelty/Neglect to animal
- Horses or beasts of burden without permit
- Predator animal not confined or leashed
- Gathering without permit

\$150.00

- Disorderly Conduct
- Assault
- Battery
- Impersonation of Park Official
- Public Indecency (sexual conduct, nudity)

\$150.00

- Possession of dangerous weapon/discharging
Fireworks, etc.

EXHIBIT A (cont.)

\$200.00

Under the influence of alcohol or drugs/Possess or sell

Regulations of Sports, Games, and Leisure Activities

\$50.00

Model aircraft prohibited
Model boats and cars prohibited in pedestrian area
Horseback riding prohibited
Sports not in designated areas or interfering with others
Using lighted field after hours (after 10:15 pm)
Golfing prohibited
Ride bicycle, roller blade, skateboard not designated path
Passengers on bicycle/Reckless operation
Unattended Bicycle blocking path traffic
Failure to ride to the right
Riding more than single file on path
Reckless operation of bicycle, roller blades or skateboard
Skateboarding, roller blading where prohibited by sign
Fishing where prohibited
Camping without permit
Camping overnight without permit
Picnic in area not designated for picnic
Use of area when other group has valid permit

\$100.00

Manned aircraft where prohibited
Watercraft where prohibited
Motorized watercraft where prohibited
Moored or beached watercraft where prohibited
Swimming where prohibited
Ice Skating where prohibited
Sledding/Snowboarding where prohibited
Downhill Skiing where prohibited
Ice Fishing where prohibited
Snowmobiles where prohibited
Wind driven device on frozen water

For each violation of any of the provisions of this Ordinance or for each day that a violation continues, a fine shall be imposed upon the violator being found guilty thereof by a court of competent jurisdiction, in an amount of not less than \$50.00 nor more than \$350.00 and court costs. Restitution may be required by the court or local police jurisdictions in appropriate cases. The Fine and Penalty Schedule is attached as Exhibit "A".

In the case of improper Motorized Vehicle operation, the District may impound the Motorized Vehicle for a period not to exceed (thirty) 30 days, at which time said Motorized Vehicle may be claimed by the owner for a fee of not less than \$500.00. The District will not be responsible for the Motorized Vehicle or its contents during the course of impoundment.