

ORDINANCE NO. 2023-7
AN ORDINANCE REGULATING THE USE OF THE PARKS AND PROPERTY OWNED
OR CONTROLLED BY THE WESTMONT PARK DISTRICT (“CONDUCT ORDINANCE”)

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DIVISION I CONSTRUCTION AND DEFINITIONS

SECTION 1. CONSTRUCTION AND SCOPE

In the interpretation of this Ordinance, its provisions shall be construed as follows:

- A. Any term in the singular shall include the plural.
- B. Any term in the masculine shall include the feminine and neuter.
- C. Any requirement or provisions of this Ordinance relating to any act shall respectively extend to and include the causing, procuring, aiding or abetting, directly or indirectly, of such act.
- D. The word "shall" is always mandatory and not merely directory. The word "may" is always permissive and upon the discretion of the District.
- E. This Ordinance is in addition to and supplemental to all applicable state, federal, local, and District laws, ordinances, rules, and regulations including without limitation the Park District Code (70 ILCS 1205/1-1 et seq.).
- F. The meaning of any term, phrase, or word not otherwise defined in this Ordinance shall be construed and interpreted to mean the same as said term, phrase, or word is otherwise defined, construed or interpreted in such applicable federal, state, local, or District laws, ordinances, rules, or regulations. The meaning of any term, phrase, or word not otherwise defined in this Ordinance or in such applicable federal, state, local, or District laws, ordinances, rules, or regulations shall retain its ordinary and properly understood meaning.
- G. The descriptive headings of the various sections or parts of this Ordinance are for convenience only and shall not affect the meaning or construction, nor be used in the interpretation, of any provision of this Ordinance.
- H. An attempt to commit an act or engage in an activity prohibited under this Ordinance shall likewise be deemed prohibited in the same manner as the commission of such act or the engaging in such activity and subject to the same penalties.
- I. This Ordinance shall apply to and be enforceable within and upon all District Property, and shall regulate the use thereof by all Persons. However, no provision hereof shall make unlawful any act necessarily performed by any federal, state or local officer or Employee or agent of the District or member of the Park Patrol when acting within the scope of his authority or in his line of duty, or any other Person summoned to assist him, except when such act endangers or encroaches

upon the rights of others as regulated by the laws of the Village of Westmont and the State of Illinois.

SECTION 2. DEFINITIONS

Unless otherwise expressly stated whenever used in this Ordinance. The following terms shall respectively mean:

- A. "Aircraft" shall mean any device that is used, designed, or intended to navigate, or fly in the air.
- B. "Alcoholic Liquor" shall be as defined in the Illinois Liquor Control Act (235 ILCS 5/1-3.05) as same is amended from time to time.
- C. "Board" shall mean the Board of Commissioners of the Westmont Park District, DuPage County, Illinois.
- D. "Cannabis" shall be defined as provided in the Illinois Cannabis Control Act (720 ILCS 550/3(a)) as amended hereafter.
- E. "Controlled Substance" shall be as defined in the Illinois Controlled Substance Act (720 ILCS 570/102) as amended from time to time.
- F. "District" shall mean the Westmont Park District, an Illinois park district, DuPage County, Illinois.
- G. "Director" shall mean the Executive Director of the Westmont Park District.
- H. "District Property" shall mean all of the property, real and personal of every kind, nature, and description located within the jurisdiction of, or owned, administered, leased or licensed by, or otherwise in the possession or under the control of the District including without limitation every building, shelter, street, sidewalk, trail, path, park open space, or other public place or facility with the jurisdiction of, or owned, administered, leased or licensed by, otherwise in the possession under control of the District.
- I. "Employee" shall mean any person on the payroll of the Westmont Park District, employed to perform special duties and tasks as described by personnel policy and the Board.
- J. "Minor" shall mean any Person who is under the age of eighteen (18) years old.
- K. "Ordinance" shall mean this Westmont Park District Conduct Ordinance.
- L. "Park Patrol" shall mean any individual, agent, employee, patrolman, police officer or other law enforcement officer appointed or designated by the Board to enforce the rules and regulations adopted by the Board.
- M. "Permit" shall mean and include any written authorization issued by or under the authority of the District, by a District officer or Employee empowered by the Board to grant said authorization, for a specified park privilege, activity or event, or permitting the performance of a specified act or acts in any Park.
- N. "Person" shall mean every individual, organization, firm, company, partnership, corporation, association, or any entity of any kind or any employee, agent or officer thereof.
- O. "Protected Area and Protected Areas" shall mean any locker room, dressing room, bathroom/restroom, lavatory, shower or bathing facility located on any District Property, or any area of such Property where children under the age of eighteen (18) years old are engaged in activities requiring that they wear swimsuits or other similar attire.
- P. "Smoking" shall mean the carrying, smoking, burning, inhaling, or exhaling of any kind of lighted pipe, cigar, cigarette, hookah, weed, herbs, vapors, or any other lighted smoking equipment, lighting of cigarettes, electronic cigarettes, cigars or pipes, the carrying of lighted cigarettes, electronic cigarettes, cigars or pipes, or the intentional and direct inhalation of smoke from these objects.

- Q. "Unmanned Aircraft" shall mean any Aircraft that is operated without the possibility of direct human intervention from within or on the Aircraft and shall include model aircrafts and drones.
- R. "Vehicle" shall mean any device, conveyance, or combination of conveyances, wheeled or without wheels, propelled, towed or unpropelled that in, around or on which, a Person or thing is or may be transported, including, but not limited to, bicycles, scooters, skateboards, mini bikes, motorcycles, snowmobiles, sleds, trucks and automobiles. Vehicles shall not include: i) vehicles used by the District; and ii) wheelchairs or other mobility devices designed exclusively to assist a Person with a disability.
- S. "Village" shall mean the Village of Westmont, Illinois.
- T. "Visual Recording Device" shall mean 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 video, photographic, electronic, digital, recorded or other visual image, picture or representation, including but not limited to, any camera, camcorder or videotaping device; and that capability or feature of any cellular telephone that enables such cellular telephone to record, produce, duplicate, reproduce, store, copy, transmit or display any video, photographic, electronic, digital, or other visual image, picture or representation.
- U. "Watercraft" shall mean any type of conveyance, whether powered by sun, wind, mechanical or human energy, for travel upon waters.
- V. "Waters" shall mean any waters or bodies of water as owned, leased or controlled by the District.
- W. "Wildlife" shall include any water fowl, mammal, animal, amphibian, reptile, or bird or the young or eggs thereof, but excluding any domesticated dog or cat.

DIVISION II - REGULATION OF VEHICLES

SECTION 1. MOTORIZED VEHICLE OPERATION

In connection with any District Property:

- A. No Person shall operate, or cause to be operated, any motorized Vehicle which in any manner does not comply with the Illinois Vehicle Code, or other law or laws of the State of Illinois or ordinance or regulation of the Village, where applicable, together with such regulations as are contained in this Ordinance and as from time to time amended, having to do with the equipment, control, licensing, registering, and use of motorized Vehicles and/or the licensing of operators of such Vehicles.
- B. No Person shall operate or cause to be operated, any Vehicle anywhere on District Property except on the roads, drives and parking areas, in compliance with Illinois law, Village code, District regulations and other applicable law.
- C. No Person shall operate or cause to be operated in or on District Property, any Vehicle that is not properly licensed or permitted to be operated on the roads, streets and highways of the State of Illinois except in such cases as authorized by the District, and then only in those areas specified and in accordance with restrictions duly set forth by the District. Vehicles subject to use in District parks only as authorized by the District include, but are not limited to, snowmobiles, go carts, trail bikes, mini bikes, and other such all-terrain, off the road vehicles.
- D. No Person shall change the oil or grease of, or wash, clean or polish Vehicles on District Property, unless a Permit therefor has first been obtained from the District in accordance with Division VII of this Ordinance.

- E. No Person shall ride upon the fenders, running boards, bumpers, hood, trunk, or any other exterior part of any Vehicle on District Property. No Person shall cling or attach himself, his Vehicle, or any other object, to any other Vehicle on District Property.
- F. No Person shall sound any siren or other type of signaling device which makes unusually loud or unnecessary noise on District Property unless that Person is driving or operating an authorized emergency Vehicle, responding to an emergency call, or pursuing an actual or suspected violator of the law.

SECTION 2. PARKING REGULATIONS

No Person shall, in connection with any District Property:

- A. Park a Vehicle anywhere except in specific areas as posted for parking of Vehicles.
- B. Park a Vehicle anywhere overnight without a Permit issued by the District. Any Vehicle parked for 24 consecutive hours without a Permit may be towed away at the owner's expense.
- C. Park a Vehicle in any manner at any time as to endanger public safety or as to partially or totally block, restrict or impede another parked Vehicle, normal traffic flow, road, driveway, sidewalk, doorway, or recreational area. The District shall have the right to tow away any Vehicle in violation of this paragraph at the owner's expense.
- D. Park a vehicle in any other manner as prohibited by law.
- E. Park a Vehicle upon any roadway or in any public off-street parking facility on District Property for any of the following purposes:
 - 1. To display such Vehicle for sale.
 - 2. To perform maintenance or repair of such Vehicle, except for repairs necessitated by an emergency.
 - 3. To sell goods or services from such Vehicle.
- F. No Person shall move a Vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful.
- G. Unauthorized use of parking places reserved for handicapped:
 - 1. For purposes of this section, handicapped Person means every natural Person who is unable to walk 200 feet or more unassisted by another Person or without the aid of a walker, crutches, braces, prosthetic device, or a wheelchair or without great difficulty or discomfort due to the following impairments: neurological, orthopedic, respiratory, cardiac, arthritic disorder, blindness, or the loss of function or absence of a limb or limbs.
 - 2. No Person shall park on District Property any motor Vehicle which is not bearing registration plates or decals or placard issued to a handicapped Person, pursuant to 625 ILCS 5/3-616, 11-1301.1, 11-1301.2, or to a disabled veteran pursuant to 625 ILCS 5/3-609 of the Illinois Vehicle Code which provisions are specifically incorporated in this Ordinance by reference, as evidence that the Vehicle is operated by or for a handicapped Person or disabled veteran, in any parking place, including without limitation any private or public off-street parking Facility, specifically reserved by the District, by the posting of an official sign as designated under 625 ILCS 5/11-301, for motor Vehicles bearing such registration plates. Any motor Vehicle bearing a handicapped license plate or a handicapped parking decal or device containing the international symbol of access issued to handicapped Persons by any local authority, state, district, territory or foreign country shall be recognized by the District as a valid license plate or device and receive the same parking privileges as handicapped residents of this State.

3. The District may remove or cause to be removed to the nearest garage or other place of safety any Vehicle parked within a stall or space reserved for use by the handicapped which does not display handicapped registration plates or a special decal or device as required by this section.
4. Any Person found guilty of violating the provisions of this section shall be fined \$200.00, in addition to any costs or charges connected with the removal or storage of any motor Vehicle authorized under this section.

SECTION 3. IMPROPER AND NEGLIGENT VEHICLE OPERATION

No Person shall in connection with any District Property:

- A. Operate a Vehicle at a rate of speed or in any manner that is unreasonable or imprudent, not having regard to the traffic and use of the way, condition of the weather, visibility, condition of the way and other surrounding conditions, so as to endanger any Person or property.
- B. Operate a Vehicle in such a manner as to deprive or unreasonably interfere with the equal right of any other Person to the use of such public street or highway.
- C. Operate a Vehicle in such a manner as to cause or produce unnecessary loud, raucous, excessive or unusual noise by racing of the motor, by lack of a muffler or use of a muffler cutout, by tire friction upon rapid turning or weaving, by spinning of the wheels from standing or slow moving position produced by sudden unnecessary motor acceleration, or by continuous sounding of a horn or other signal device.
- D. Operate a Vehicle in disregard of any sign, signal, marking or device erected, constructed or created by the District for the purposes of regulating, warning, or guiding traffic, or contrary to the order of direction of any police or Park Patrol officer or other Person duly authorized by the District to direct or regulate traffic on District Property.
- E. Operate a Vehicle and intentionally accelerate causing the rubber tires to spin, mark and deface District Property or roadway surface.
- F. Operate a Vehicle upon or in or on any District Property, road, or drive which has been closed and posted with appropriate signs or barricades. The District shall have authority to order areas, roads or drives closed during the process of construction, reconstruction, or repair, or for other purposes as determined by the District in its reasonable discretion.
- G. Operate a Vehicle in violation of any other federal, state, or local law.

SECTION 4. DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR AND/OR DRUGS

No Person who is under the influence of intoxicating liquor, drugs, Cannabis, or a Controlled Substance shall drive, operate, or be in possession or control of, or attempt to drive or operate, any Vehicle in or on any park or other District Property.

Upon trial for such offense, in addition to other evidence, evidence of the amount of Alcoholic Liquor in the Person at the time of the act alleged, as shown by a chemical analysis of his breath, blood, urine, saliva, or other bodily substances, is admissible, and the result of such analysis shall give rise to the presumptions set forth in Section 11-501.2(b) of the Illinois Vehicle Code (625 ILCS 5/11-501.2(b)) which provision is specifically incorporated into this Ordinance by this reference.

SECTION 5. DUTY OF OPERATOR IN ACCIDENTS

No Person shall leave the scene of a Vehicle collision with another Vehicle, Person or property occurring on District Property, without giving his true name and residence address to the injured Person or any other Person or member of the Park Patrol or District Employee requesting same, and in the event no public officer is present, he must immediately report the occurrence to the nearest police station or police headquarters.

SECTION 6. EMERGENCY VEHICLES

- A. For purposes of this section, emergency Vehicles shall include all ambulances, fire trucks, police, fire, and ranger cars, and other Vehicles used to protect the public health, safety, and welfare.
- B. The provisions of this chapter regulating the movement or parking of Vehicles on District Property shall not apply to the operator of any emergency Vehicle when responding to an emergency call or pursuing an actual or suspected violator of the law. However, such operator shall exercise extreme caution when on or approaching District Property including without limitation slowing down as necessary for safety, cautiously proceeding through traffic lights or stop signs, and having the Vehicle's warning system signals operating (e.g. siren, lights).
- C. When not responding to an emergency call or in the pursuit of an actual or suspected violator of the law, the operator of an emergency Vehicle shall obey the provisions of this section.
- D. Every Person operating a Vehicle on District Property shall, upon the approach of an emergency Vehicle making use of its warning system signals, immediately yield the right-of-way and shall stop, if possible, and pull to the side of the road and remain in such position until the emergency Vehicle has passed, unless otherwise directed by a member of the Park Patrol.

SECTION 7. ENFORCEMENT OF TRAFFIC REGULATIONS

No Person shall fail to obey a member of the Park Patrol or other District Employee who is directing traffic or enforcing sections of this Division on District Property.

SECTION 8. FLEEING OR ATTEMPTING TO ELUDE PARK PATROL

No Person driving or otherwise operating a motor Vehicle on District Property shall willfully fail or refuse to obey a visible or audible signal by a member of the Park Patrol to bring his Vehicle to a stop. The signal given by a member of the Park Patrol may be by hand, voice, siren, or red or blue light. The member of the Park Patrol giving such signal shall be in uniform or driving a vehicle appropriately marked showing it to be an official Park Patrol vehicle.

SECTION 9. GAS AND SMOKE

No Person shall drive or otherwise operate a Vehicle on District Property which emits excessive noxious fumes or smoke.

SECTION 10. HITCHHIKING

No Person shall solicit a ride nor stand in or near a roadway on District Property for the purpose of soliciting a ride from the operator of any Vehicle.

SECTION 11. MINIBIKES AND TRAILBIKES

No Person shall drive, ride, or otherwise operate any minibike or trailbike on District Property. For purposes of this section, every motor Vehicle which is self-propelled by power obtained by the combustion of gasoline which is designed with a seat or a saddle for the use of the rider, and is designed to travel mostly off-road on not more than three (3) wheels shall be a minibike or trailbike.

SECTION 12. INCORPORATION OF STATE STATUTES

In addition to the provisions of this Chapter, and to the extent not inconsistent therewith, no Person shall drive or otherwise operate a Vehicle or perform any act in any manner on District Property in violation of Chapters 6, 11 and 12 of the Illinois Vehicle Code (625 ILCS 5/6-100 et seq., 11-100 et seq. and 12-100 et seq.) which provisions are specifically incorporated into this Ordinance by this reference.

DIVISION III - PROTECTION OF PROPERTY, FACILITIES AND NATURAL RESOURCES

SECTION 1. PROTECTION OF PROPERTY AND FACILITIES

No Person shall with respect to District Property:

- A. Destroy, deface, paint, set fire to, alter, change or remove any post, building, wall shelter, picnic table, bridge, pier, drain, well, foundation, washroom pump, athletic court and apparatus, telephone, lamp post, fence, gate, refuse container, exhibit, display, tool or equipment, storage box, utility outlet, movie screen, flagpole, playground structure or any other structure, park amenity, or parts thereof on District Property, without prior express written permission of the District.
- B. Deface, destroy, cover, damage or remove any placard, notice, or sign or parts thereof, whether permanent or temporary, posted or exhibited by the District on District Property to announce the rules, regulations and warnings, or any other information to the public necessary or desirable for the proper use of the District park or other District Property.
- C. Throw, carry, cast, drag, push or deposit in any refuse container, picnic table, barricade or any other movable or non-movable property into any lake, pond, slough, stream, or lagoon or upon the frozen Waters thereof on District Property, 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, or to cause a hazard to public safety or to damage or destroy such District Property.
- D. Enter into or upon any District Property, or area thereof closed or posted against trespass, without written permission of the District. Areas of no trespass may include construction areas, work safety zones, equipment or material storage structures or area, workshops or stations, tree nurseries or areas undergoing intensive reforestation or other soil or vegetative treatment or area hazardous to public safety or health.
- E. Tamper with, or in any way weaken, destroy, damage, set fire to or remove anything from any District Property.
- F. Litter, cast, throw, drop, bring into, leave behind, scatter, place, pile, dump or deposit in any manner material of any kind, whether waste or otherwise, on District Property, except refuse, ashes, garbage and other material arising from the normal use and enjoyment of a picnic or other permitted activity, which shall be disposed of in accordance with District regulations. No bottles, cans, refuse, or foreign material of any description shall be deposited or thrown in any District Waters.
- G. Remove any container or material from designated receptacles for the purpose of waste recycling.

- H. Bathe or wash himself or food, clothing, dishes or other property in District Waters, fixtures or pools on District Property, except those areas designated by the District for such use.
- I. Dispose of human or animal waste on District Property except designated locations or in fixtures provided for that purpose.
- J. Construct, build, erect, or otherwise place any building, tent, stand, scaffold, platform or other structure of whatever kind, whether stationary or moveable and whether permanent or temporary in character, or construct, run, string, or otherwise place any electrical wire, conduit or pipe, or any public service or private utility, into, upon, above, or across or beneath District Property, unless a Permit, license, or contract therefor has first been obtained from the District.

SECTION 2. DESTRUCTION OR MISUSE OF NATURAL RESOURCES

No Person shall with respect to any District Property:

- A. Cut, remove, uproot or destroy any tree, sapling, seedling, bush, shrub, flower or plant, whether alive or dead, or chip, blaze, box, girdle, trim or otherwise deface or injure any tree, shrub or bush, or break or remove any branch or foliage thereof, or pick or gather any seed of any tree or other plant unless necessitated by the performance of restorative maintenance, or construction work as authorized by the District.
- B. Remove or cause to be removed any sod, earth, humus, downed timber, wood chips, peat, rock, sand or gravel, or remove or cause to be removed any other natural material of the forest floor or earth unless necessitated by the performance of restorative, maintenance, or construction work as authorized by the District.
- C. Hunt, pursue, trap, catch, capture, molest, poison, wound, abuse, chase, or kill or attempt to hunt, trap, catch, capture, molest, poison, wound, abuse, chase or kill any Wildlife or disturb, molest or rob the nest of any Wildlife or the lair, den or burrow of any Wildlife, without the prior written permission of the District and only in accordance with applicable law. No Person shall touch, tease, fright, disturb, or otherwise intentionally interfere with any Wildlife while feeding, nesting, breeding, sleeping, resting, flying or otherwise moving, conducting or participating in any activity on or upon District Property. No Person shall molest, touch, throw, or propel an object at, destroy, dig up, crush, shake, or in any way tamper with or damage the nest, lair, den, burrow, or home of any wildlife found on District Property.
- D. Release or cause to be released any wild, domestic, or pet animal, bird, fish, or reptile or bring in, plant, or distribute the seeds or spores of any flowering or non-flowering plant brought into or upon District Property from any outside source whatsoever, without written permission of the District.
- E. Use or cause to be used any chemical or biological pesticide or any other substance, measure or process designed to alter the anatomy or physiology of any organism or take action to manipulate their populations without written permission of the District, and then only in compliance with applicable law.
- F. Feed, harbor, or otherwise attract onto District Property any type of waterfowl, including ducks, geese, and sea gulls.
- G. Route any form of stormwater, runoff from sump pumps, or any other unnatural discharge of water onto District Property without the written permission of the District and only in accordance with applicable law.
- H. Deposit, dump, throw, cast, lay or place, or cause to be deposited, dumped, thrown, cast, laid or placed, any ashes, trash, rubbish, paper, garbage, refuse, grass clippings, leaf waste, debris or junk onto District Property.

SECTION 3. CONTRABAND

All animals, plants, birds, fish or reptiles, or parts thereof, killed, captured, trapped, taken or bought, sold or bartered, or had in possession contrary to any provisions of this Ordinance or applicable law shall be and are hereby declared contraband and, as such, shall be subject to seizure by any police or Park Patrol officer or Employee.

SECTION 4. DESTRUCTION BY MISUSE OF FIRE

No Person shall with respect to any District Property:

- A. Set fire, or cause to be set on fire, any tree, forest, brushland grassland, meadow, prairie, marsh, refuse container or structure unless expressly authorized by the District.
- B. Build a fire anywhere, for any purpose, except as provided in Division V.14 of this Ordinance herein.
- C. Drop, throw away or scatter any burning, lighted or hot coals, ashes, cigarette, cigar, firecracker, or match on District Property.
- D. Cause, suffer, or allow the burning of garbage, refuse, waste material, trash, motor Vehicle, or any part thereof, or other combustibles on District Property or cause smoke, haze, odor, sparks, dust, dirt, or other type matter or gaseous substance to come upon, pass through, or over the District Property.

DIVISION IV - PERSONAL CONDUCT AND BEHAVIOR

SECTION 1. DISORDERLY CONDUCT

A. DISTURBING THE PEACE

- 1. No Person shall engage in any disorderly conduct, or act in any manner so to disturb the peace on District Property. Loud playing of record players, televisions, radios, tape recorders, noisemakers, CD players, sound equipment, musical instruments, fighting, quarreling or wrangling with loud voice or shouts, use of profane or abusive language, threatening violence to the Person or property of others, or engaging in riotous clamor or tumult are violations of this provision. This section shall not apply to the playing of any musical instrument, public speaking, or the amplification thereof, in conjunction with activities conducted, sponsored, or authorized by the District.
- 2. No Person shall disturb or intrude upon a picnic or gathering in any park or in or on any other District Property without consent of those composing the group, except for District Employees in the proper pursuit of their duties.
- 3. No Person shall congregate with other Persons on District Property with the intent to restrict vehicular or pedestrian traffic or with the intent to restrict the free ingress to or egress from the District Property except for District Employees in the proper pursuit of their duties or otherwise required by law.

B. ASSAULT AND BODILY INJURY

No Person shall without lawful authority engage in conduct which places another in reasonable apprehension of receiving a battery, nor shall any Person intentionally or knowingly without legal justification and by any means cause bodily harm to an individual or make physical contact of an insulting or provoking nature with an individual.

C. BEGGING AND PANHANDLING

No Person shall beg or panhandle in District parks, playgrounds, buildings, facilities, or the entrances or stairways of such buildings or facilities.

No Person begging or panhandling on the District Property shall obstruct or impede pedestrians or Vehicles; harass park visitors with physical contact or persistent demands; misrepresent his affiliations; misrepresent what the solicited funds will be used for; or interfere, interrupt, or engage in conduct incompatible with the purpose of any program, activity, function, and/or special event conducted, sponsored licensed or otherwise permitted by the District; or coerce or intimidate another Person into giving money, goods or services.

D. LOITERING

No Person shall loiter or remain in on District Property either alone or in consort with other Persons in such a manner that: (1) unreasonably obstructs the usual use of entrances, hallways, corridors, stairways, or rooms designated for specific purposes; (2) impedes or disrupts the performance of official duties by District Employees; (3) prevents the general public from obtaining the administrative or recreational services provided on District Property in a timely manner; or, (4) intentionally restricts vehicular or pedestrian traffic or intentionally restricts free ingress to and egress from District Property after being requested to leave, move or disperse by any District Employee or any member of the Park Patrol, or where the District has posted a sign or signs that prohibit loitering.

SECTION 2. PUBLIC INDECENCY

No Person shall commit, perform or engage in an act of public indecency, including but not limited to:

- A. An act of sexual penetration or sexual conduct as defined in 720 ILCS 5/12-12.
- B. A lewd exposure of the body done with intent to arouse or to satisfy the sexual desire of the Person.
- C. No Person shall exhibit, sell, give away, offer to sell or give away, display or hold or place in such a manner as to be open to public view any obscene book, pamphlet, drawing, picture, photograph, video, model, cast, instrument, or any other obscene item while on or upon District Property. For purposes of this subsection, obscene shall have the meaning ascribed to it in 720 ILCS 5/11-20.

SECTION 3. COMMERCIAL SALE, EXHIBITION OR DISTRIBUTION OF GOODS AND SERVICES

- A. No peddler, vendor or any other Person involved in an endeavor for profit shall engage in the commercial sale, rental, exhibition, or distribution of goods or services, including without limitation the giving of instruction or lessons for a fee, upon District Property unless he has received a Permit, license or contract therefor from the District or is otherwise authorized by the District.

- B. No Person engaged in the sale or distribution of goods or services under this section shall obstruct or impede pedestrians or Vehicles, harass park visitors with physical contact or persistent demands, misrepresent the affiliations of those engaged in such activities, misrepresent whether the goods or services are available without cost or donation, or interfere, interrupt, or engage in conduct incompatible with the purpose of any program, activity, function, and/or special event conducted, sponsored, licensed or otherwise permitted by the District.

SECTION 4. CHARITABLE, RELIGIOUS, POLITICAL, OR NON-PROFIT ACTIVITIES

- A. For purposes of this section, charitable, religious, political, or non-profit activities shall include, without limitation, soliciting contributions, the sale or distribution of merchandise, soliciting votes or circulating petitions for or against any candidate for election to public office or with respect to any referendum or other public question.
- B. Soliciting contributions for charitable, religious, political, or non-profit organizations is permitted on District Property provided that a Permit therefor has first been obtained from the District.
- C. The sale or distribution of merchandise by charitable, religious, political, or non-profit organizations is permitted on District Property provided that a Permit therefor has first been obtained from the District.
- D. Soliciting votes and circulating petitions, flyers or banners for or against candidate for election to public office or with respect to any referendum or other public question is permitted on District Property in areas open to the general public without a Permit, subject to the limitations set forth in paragraphs E and F of this section.
- E. No Person shall engage in any activity described in paragraphs A through D of this section in District buildings or facilities in rooms or other locations in which any program, activity, class, function or special event conducted, sponsored by the District is in progress.
- F. No Person engaged in the activities described in paragraphs A through D of this section shall obstruct or impede pedestrians or Vehicles, harass park visitors with physical contact or persistent demands, misrepresent the affiliations of those engaged in such activities, misrepresent what the solicited funds will be used for or whether the merchandise is available without cost or donation, or interfere, interrupt, or engage in conduct incompatible with the purpose of, any program, activity, function, and/or special event conducted or sponsored by the District.

SECTION 5. FAIRS AND SPECIAL EVENTS: SALE AND DISTRIBUTION OF MERCHANDISE; SOLICITING CONTRIBUTIONS

No Person shall sell and/or distribute merchandise or printed or written materials or solicit contributions, votes or signatures during fairs or special events conducted or sponsored by the District except at a fixed location designated by the District and unless a Permit therefor has first been obtained from the District. The District shall allocate space at the fixed location to applicants as determined by the District in its sole discretion.

SECTION 6. PARADES, PUBLIC ASSEMBLIES OR MEETINGS

- A. Public parades, rallies, processions, theatrical, dramatic, music presentations or entertainment of any description, athletic events, meetings, assemblies, exhibitions, gatherings, and demonstrations, are permitted on District Property provided that, where the number of participants is reasonably expected to exceed fifteen 20 or more Persons and/or Vehicles, a

Permit therefor must first be obtained from the District in accordance with Division VII of this Ordinance.

1. This section 6.A shall not apply to students going to and from school classes or participating in educational activities under the immediate direction and supervision of school authorities or their agents, a governmental agency acting within the scope of its functions, or normal or scheduled District programs or activities.
- B. No Person shall play any amplified instrument or set-up or use any communication system on District Property without first obtaining a Permit from the District in accordance with Division VII of this Ordinance other as otherwise agreed to by the District.
- C. Any Person issued a Permit by the District shall produce the Permit and exhibit it upon request of any District Employee or officer.
- D. No Person other than a District Employee or officer shall disturb or interfere with any Person occupying District Property under the authority of a Permit.

SECTION 7. POSTING PRINTED OR WRITTEN MATERIAL ON PUBLIC PLACES AND OBJECTS

- A. No Person shall paint, write on, or in any way mark or deface, or post or otherwise affix, any printed or written words, symbols, materials, or other marks to or upon District Property or anything or object located on District Property unless a Permit has been obtained from the District or is otherwise agreed to by the District by contract or authorized by the District.
- B. The District may remove any printed or written word, symbol, material, or other mark found posted or otherwise affixed upon any District Property or anything or object located on District Property contrary to the provisions of this section. The Person responsible for any such defacing, writing, or posting shall be liable for the cost incurred in the removal thereof. The provisions of the Illinois Parental Responsibility Law (740 ILCS 115/1 et seq.) are specifically incorporated in this Ordinance by reference for purposes of this section.

SECTION 8. SELLING OR DISTRIBUTING PRINTED OR WRITTEN MATERIAL

- A. The distribution of printed or written material available without cost or donation is permitted on District Property in areas generally available to the public.
- B. The sale or distribution for donation of printed or written material is permitted on District Property provided that a Permit therefor has first been obtained from the District in accordance with Division VII of this Ordinance.
- C. Any Person engaged in the sale or distribution of printed or written materials under this section shall not obstruct or impede pedestrians or Vehicles, harass park visitors with physical contact or persistent demands, misrepresent the affiliations of those engaged in such activities, misrepresent whether the materials are available without cost or donation, or interfere, interrupt, or engage in conduct incompatible with the purpose of, any program, activity, function, and/or special event conducted or sponsored by the District.

SECTION 9. GAMBLING

No Person shall play or engage in selling fortunes or futures, games of chance, or in any other device or game of chance, hazard or skill, either as bookmaker, dealer, player or otherwise, for the purpose of gaming or gambling for money or other valuable things on District Property, except at a fair, carnival, or other organized event conducted, sponsored or authorized by the District.

SECTION 10. FIREARMS AND WEAPONS

- A. No Person shall use, fire, set-off or otherwise cause to explode, discharge or burn, or throw onto or while on District Property any weapon or Firearm, as defined in Division IV, Section 5.C, any weapon capable of discharging a projectile by air, gas or explosive, any explosive substance, rocket, firecracker or other firework, missile, bomb, grenade, or other explosive device, liquid or gaseous substance, or any other weapon or Firearm described in 720 ILCS 5/24-1 et seq. No Person shall use a bow and arrow on or in any District Property.
- B. No Person shall bring onto, carry or have in his possession any weapon or Firearm, any gas or explosive, any explosive substance, rocket, firecracker or other firework, missile, bomb, grenade, or other explosive device, liquid or gaseous substance, any object whose intended use is as a weapon, or any other weapon or Firearm described in 720 ILCS 5/24-1 et seq. on District Property, except as otherwise preempted by the Firearm Owners Identification Card Act (430 ILCS 65/13.1) or the Firearm Concealed Carry Act (430 ILCS 66/1 et seq.) as set forth in Division IV, Section 5.C of this Ordinance.
- C. For the purposes of this Section 5.C the following terms shall apply in accordance with the Firearm Owners Identification Card Act (430 ILCS 65/13.1) and the Firearm Concealed Carry Act (430 ILCS 66/1 et seq.):

“Concealed Firearms” shall mean loaded or unloaded Handgun[s] carried on or about a Person completely or mostly concealed from view of the public or on or about a Person within a vehicle.

"Firearm" means any device, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas or escape of gas; excluding however:

1. Any pneumatic gun, spring gun, paint ball gun, or B-B gun which expels as single globular projectile not exceeding .18 inch in diameter or which has a maximum muzzle velocity of less than 700 feet per second;
2. Any pneumatic gun, spring gun, paint ball gun, or B-B gun which expels breakable paint balls containing washable marking colors;
3. Any device used exclusively for signaling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission;
4. Any device used exclusively for the firing of stud cartridges, explosive rivets or similar industrial ammunition; and
5. An antique firearm (other than a machine-gun) which, although designed as a weapon, the Department of State Police finds by reason of the date of its manufacture, value, design, and other characteristics is primarily a collector's item and is not likely to be used as a weapon.

“Handgun” shall mean any device which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas, or escape of gas that is designed to be held and fired by the use of a single hand. A “Handgun” does not include a stun gun or taser, a machine gun, a short barreled rifle, or shotgun as these weapons are defined in the Illinois Criminal Code. A Handgun also does not include any pneumatic gun, spring gun, paint ball gun or B-B gun which expels a single projectile not exceeding .18 inch in diameter, or which has a maximum muzzle velocity of less than 700 feet per second, or which expels breakable paint balls containing washable marking colors. A Handgun is one type of Firearm.

"Licensee" shall mean a Person who has a license from the Illinois Department of State Police to carry a Concealed Firearm.

- D. Except as provided herein, no Person may knowingly carry any Firearm in the following locations:
1. **Park District Building:** All Firearms are prohibited in any building or portion of a building under the control of the District.
 2. **Pre-School/Child Care Facility:** All Firearms are prohibited in or on any District Property under the control of a pre-school or child care facility, including any room or portion of a building under the control of a pre-school or child care facility.
 3. **Gathering Requiring Permit:** Except as provided herein, all Firearms are prohibited at any public gathering or special event conducted on District Property that is open to the public but requires the issuance of a Permit from the District or other body. A Licensee is exempted from this Section 5.D.3 if the Licensee is carrying a Firearm through a public gathering for the sole purpose of accessing his or her residence, place of business, or vehicle, and there is no other way for Licensee to access his or her residence, place of business, or vehicle except through said gathering or special event.
 4. **Playgrounds:** All Firearms are prohibited on all District playgrounds.
 5. **Public Parks, Athletic Fields/Facilities:** All Firearms are prohibited in any public park, athletic field, real property or athletic facility owned or under the control of the District.
 - a. **Trail/Bikeway:** A Licensee is exempted from this Section 5.D.5 if the Person is carrying a Concealed Firearm while on a District trail or bikeway except in only those portions of the trail or bikeway that includes a public park.
 6. **School property:** Firearms are prohibited in District-sponsored programs or activities occurring at a building, real property, and parking areas owned or under the control of a public or private elementary or secondary school, community college or university.
 7. **Transportation:** Firearms are prohibited on any bus, train, or other form of transportation paid for in whole or in part with District funds, and any building, real property, and parking area under the control of a public transportation facility paid for in whole or in part with public funds.
 8. **Event that Involves Sale of Liquor:** Firearms are prohibited in or on any District Property that has been issued a "Special Event Retailer's license" as defined in Section 1-3.17.1 of the Liquor Control Act, during the time designated for the sale of alcohol by the Special Event Retailer's license, or a "Special use permit license" as defined in subsection (q) of Section 5-1 of the Liquor Control Act during the time designated for the sale of alcohol by the Special use permit license.
 9. **Parking Lots:** Except as provided herein, a Person is prohibited from carrying a Firearm in any District parking lot. A Licensee may carry a Concealed Firearm on or about his or her person within a Vehicle into a parking area on District Property and may store a Concealed Firearm or ammunition concealed in a case within a locked vehicle or locked container out of plain view within the vehicle in the parking area. A Licensee may carry a Concealed Firearm in the immediate area surrounding his or her vehicle within a prohibited parking lot area on District Property only for the limited purpose of storing or retrieving a Concealed Firearm within the vehicle's trunk. The term "case" as used above includes a glove compartment or console that completely encloses the Concealed Firearm or ammunition, the trunk of the vehicle, or a Firearm carrying box, shipping box or other container.

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

SECTION 11. FIREWORKS

No Person shall offer for sale, expose for sale, sell, possess, use, or explode any firecracker, torpedoes, skyrocket, roman candles, bombs, sparklers, rocket, squib or other fireworks of like construction, or anything containing any explosive or inflammable compound or any tablets or other device commonly used and sold as fireworks, on District Property without first obtaining a Permit from the District, or unless authorized to do so by contract with the District.

SECTION 12. USE OF VISUAL RECORDING DEVICES IN PROTECTED AREAS

No Person shall use any Visual Recording Device, in any Protected Area, to record, produce, duplicate, reproduce, store, copy, transmit or display any visual image of another Person without that Person's consent, or in the case of a Minor, without that the consent of such Minor's parent or legal guardian, unless the Person using the Visual Recording Device is the parent of such Minor. Any other Person wishing to use any Visual Recording Device in any Protected Area as provided herein, shall obtain a written waiver from any participant in a program or activity of the District (or as the parent or guardian of a Minor participant) whose visual image is to be used, which waiver shall grant specific permission to use such participant's visual image in videotapes, photographs, electronic or digital media, including Internet websites or similar media.

SECTION 13. RESTROOMS, WASHROOMS AND LOCKER ROOMS

- A. Every Person shall cooperate in maintaining rest rooms, washrooms and locker rooms on District Property in a neat and sanitary condition.
- B. No Person shall deposit objects of any kind, other than human waste and toilet tissue, in the toilets or plumbing fixtures of a rest room, washroom or locker room facility on District Property.
- C. No Person of the age of six (6) years or more may enter or use rest rooms, washrooms or locker rooms on District Property designated for the opposite sex.

SECTION 14. UNLAWFUL TRESPASS

- A. No Person shall trespass or remain in any park past the established closing time or the end of any approved activities therein as established by the District.
- B. No Person shall trespass anywhere on the Twin Lakes Golf Club at any time, except for those Persons paying the designated fee and complying with golf course rules and regulations as specified in Appendix II.
- C. This section shall not apply to any District Employee or any authorized agent of the District when acting within their scope of their duties as authorized by the District.

SECTION 15. ALCOHOLIC LIQUOR

- A. No Person under the influence of Alcoholic Liquor, any other drug or drugs, intoxicating compound, or a combination thereof, as defined in Section 11 – 501 of the Illinois Vehicle Code (625 ILCS 5/11-501), shall enter into, be, or remain on District Property.
- B. No Person, other than the District or its agent, shall sell or deliver any Alcoholic Liquor on District Property, unless said Person has first obtained a Permit therefor from the District.
- C. No Person shall bring into, possess, drink, consume, take, use, or transfer any Alcoholic Liquor on District Property without having first obtained a Permit therefor from the District unless he is in or on District Property where the possession, consumption, use, or transfer of Alcoholic Liquor is permitted.
- D. Every Person possessing, using, consuming, or transferring Alcoholic Liquor pursuant to this section, shall be subject to and shall comply with all applicable federal, state, local, and District laws, ordinances, rules, and regulations regarding the possession, use, consumption, or transfer of Alcoholic Liquor.

SECTION 16. CONTROLLED SUBSTANCES AND CANNABIS

- A. No Person shall sell or deliver Cannabis or any Controlled Substance to another Person or use Cannabis or any Controlled Substance upon District Property.
- B. No Person shall bring or possess any Controlled Substance on District Property.
- C. No Person shall bring into or possess Cannabis upon District Property except as permitted for a registered qualifying patient pursuant to the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.). No Person shall be under the influence of Cannabis while on District Property except as permitted for a registered qualifying patient pursuant to the Compassionate Use of Medical Cannabis Pilot Program Act.
- D. Except as provided in Division IV, Section 15.C, no Person under the influence of Cannabis, a Controlled Substance(s), or any combination thereof, shall enter into, be, or remain on District Property.

SECTION 17. SMOKING

Except as otherwise provided herein, Smoking or any use of a tobacco product is prohibited in all District, parks, buildings, facilities and vehicles. Smoking is also prohibited: (a) fifteen (15) feet from any District building entrance, exit, window that opens, or ventilation intake that serves an enclosed area where smoking is prohibited. Smoking or any use of a tobacco product shall only be allowed in the designated smoking areas of the Golf Course Club House and all other places on District Property designated as a smoking area as determined by the Director.

SECTION 18. ANIMALS AND PETS

- A. No Person shall bring or release onto District Property any Wildlife including without limitation any animal the capture or killing of which is authorized by the fish and game laws of the State of Illinois, or any other animal, except for domesticated dogs, cats or other domesticated animal subject to the restrictions contained in this section. Provided, however, that the District may bring or release, or permit another Person to bring or release such proscribed animals onto District Property in conjunction with an activity or event conducted or sponsored by the District or in conjunction with a zoo, museum, nature center, or similar facility controlled, permitted or licensed maintained by the District.

- B. Except as otherwise specified hereunder, no owner or agent of the owner having control of any domesticated dog, cat, or any other domesticated animal shall cause or permit such animal to be on District Property unless such animal is on a leash which shall not exceed six (6) feet in length and such Person has in his immediate possession a device for removal, and a depository for the transportation of, animal excrement from such Property. No Person may bring a dog or other domesticated animal into any playground, picnic shelter, swimming pool, fountain, athletic field or site of other recreational programming or special events of the District.
- C. All owners or agents of the owner having control of any domesticated dog, cat, or other domesticated animal, shall remove any excrement from District Property left by such animal.
- D. No Person shall bring a domesticated dog, cat, or any other animal onto or permit any animal to remain on any portion of District Property where the presence of animals is prohibited, except (i) in conjunction with an activity or event conducted or sponsored by the District; and (ii) dogs or other domesticated animals specially trained to assist the visually impaired or other Persons with disabilities, when they are accompanying the Persons with disabilities for purposes of providing such assistance .
- E. Any animal found on District Property in violation of paragraphs A or D of this section may be apprehended, removed to an animal shelter, public pound, or other place provided for that purpose, and disposed of pursuant to the laws or ordinances of DuPage County. The owner or Person responsible for such animal shall be responsible for all costs and expenses incurred or encumbered in the removal and housing of such animal and such charge shall be in addition to and not in lieu of any other penalties provided for in this Ordinance and any other applicable federal, state, local or District laws, ordinances, rules or regulations.
- F. Service animals for the visually impaired and other domesticated animals specially trained to assist Persons with disabilities are excluded from the prohibitions of this section when they are accompanying Persons with disabilities for purposes of providing such assistance.

SECTION 19. COOPERATION WITH AUTHORITIES

- A. No Person shall physically hinder, threaten, resist, intimidate, disobey, bribe, or otherwise intentionally interfere with any member of the Park Patrol or any District Employee, Board member or agent in the performance of his duties.
- B. No Person shall falsely represent that he is, or otherwise pretend to be, a District officer or Employee, a member of the Park Patrol, or an agent or other representative of the District.
- C. No Person shall knowingly display a false, expired or revoked permit, pass or membership card, or give a false report or false information (including, without limitation, information requested in a Permit application) for the purpose of misleading a District Employee, Board member or agent, or a member of the Park Patrol in the conduct of his official duties.

SECTION 20. DISPLAY OF PERMIT OR PASS

Every Person shall produce or display a Permit or pass when requested to do so by any authorized Person for the purpose of enforcing compliance with any federal, state, local, or District law, ordinance, rule, or regulation, when such Permit or pass is required to engage in an activity on District Property.

SECTION 21. INTERFERENCE WITH OTHER USERS OR DISTRICT EMPLOYEES

- A. No Person shall walk, act, or conduct himself upon any portion of District Property designated for a particular game, sport, event, amusement or other use in such a way as to interfere with the

use of such portion by other Persons who are properly using the same for the particular game, sport, event, amusement or other use for which it has been designated.

- B. No Person shall unreasonably disturb or interfere with any Person occupying an area or participating in any activity on District Property under the authority of a Permit.
- C. No Person shall interfere with, unreasonably disrupt, delay, or in any manner hinder any Employee of the District engaged in the performance of his or her duties.
- D. No Person shall engage in any activity on District Property in a manner calculated or which is reasonably likely to endanger, injure, or damage Persons or property in any way.
- E. This section shall not apply to the extent a District Employee is acting within his scope of duties as authorized by the District.

SECTION 22. MISAPPROPRIATION OF PROPERTY

- A. No Person shall knowingly obtain or exercise unauthorized control over the property of another.
- B. No Person shall knowingly obtain by deception control over property of another.
- C. No Person shall knowingly obtain by threat control over property of another.
- D. No Person shall knowingly obtain control over stolen property knowing the property to have been stolen or under such circumstances as would reasonably induce him to believe that the property was stolen, where he:
 - 1. Intends to deprive the owner permanently of the use or benefit of the property.
 - 2. Knowingly uses, conceals, or abandons the property in such a manner as to deprive the owner permanently of such use or benefit.
 - 3. Uses, conceals, or abandons the property knowing such use, concealment, or abandonment is likely to deprive the owner of such use or benefit.

SECTION 23. MOB ACTION

- A. No Person shall collect with other Persons, in bodies or in crowds of two (2) or more Persons without authority of law, for unlawful purposes or any purpose of disturbance or obstruction of the lawful activities of other Persons or otherwise disturb, obstruct, or interfere unreasonably with the lawful activities of other Persons using District Property in a manner which creates immediate violence or breach of the peace or threat thereof or endangers the Person or property of others.
- B. No Person shall knowingly commit an act or engage in conduct that urges or incites other Persons to riot, engage in immediate violence or lawlessness, or commit any unlawful act.
- C. No Person shall organize, promote, encourage, or otherwise participate in a riot or other breach of the peace involving crowds of two (2) or more Persons gathered, without authority of law,

SECTION 24. REPORTING ACCIDENTS

A Person involved in an incident on District Property resulting in personal injury or property damage, other than a Vehicle collision, shall report the incident to the District's Park Patrol within twenty-four (24) hours of the incident. A Vehicle collision shall be reported immediately to the Village Police.

SECTION 25. SOCIAL MEDIA POLICY

Statement of Purpose

The Westmont Park District recognizes and places a priority on communicating information about its Programs and Services to its Residents and the public. Social media platforms, such as but not limited to, *Facebook, Instagram, Twitter, TikTok, YouTube* are recognized as methods of communication among residents, government agencies, and businesses. Social media provides the ability to share information and to interact with residents, businesses and the public. The Park District recognizes the value of social media in today's communication and seeks to encourage and foster said communication.

Social Media Defined

Social media is defined as: blogs, other types of self-published online journals, and collaborative web-based discussion forums including, but not limited to, *Facebook, Instagram, Twitter, TikTok, YouTube* and any other online services that allow for interaction through social media.

General Rules and Guidelines

The following disclaimer and guidelines will be posted on the Westmont Park District Website. The Park District acknowledges that its social media sites are used as a method to present information as way to easily communicate with the public. The Park District uses communication tools and features to answer questions, post events, updates and engage with the public as it encourages the public to do so as well. The District welcomes comments and conversations which follow all guidelines as outlined below.

Limited Public Forum

The Park District's social media accounts are not public forums and shall be considered limited public forums. The Park District does not make its social media accounts available for general public discourse and debate. Rather, the Park District reserves and limits the topics discussed on its social media accounts.

Content Restrictions

The Park District does not discriminate against any views or content, but under the laws pertaining to use of a limited public forum and the Park District's policies, the Park District reserves the right to monitor and remove any of the following comments or posts:

- Comments unrelated to the purpose and scope of the Park District page.
- Comments not related to a post or comment.
- Violent, threatening, vulgar, obscene, profane, hateful, sexual or racist comments, including masked words (***), acronyms, and abbreviations.
- Information that may compromise the safety or security of the public, the Park District, or the Park District's IT system.
- Comments that promote, foster, perpetuate or encourage discrimination on the basis of race, creed, color, age, religion, gender, marital status, disability, sexual orientation or the like comments that threaten or defame any person or organization.
- Any content which violates an individual's privacy or which provides identifiable information of an individual, such as address, phone number, social security number or other similar information.
- Solicitations, advertisements, or endorsements of any commercial, financial or non-governmental agency or which solicits commerce.
- Solicitations, advertisements, or endorsements of any personal, financial gain.
- Comments that suggest or encourage illegal activity.
- Comments promoting or opposing any person who is campaigning for election to a political office or promoting or opposing any ballot proposition, or all posts of a political nature.
- Multiple, successive off-topic posts by a single user.
- Spam, advertising, solicitations, and fraudulent messages

- Links to outside websites/external URLs
- Repetitive posts copied and pasted by multiple users, including reposting.
- Posting of any copyrighted or trademarked materials without the expressed permission of the holder of the copyright or trademark.
- Posts that otherwise violate the social media platform’s terms of use
- Posts that otherwise violate any Westmont Park District policies, or any local, state or federal law

This Policy is subject to amendment or modification at any time to ensure that its continued use is consistent with its intended purpose as a limited forum.

Violations/Content Removal

The Park District monitors its social media accounts and reserves the right to remove any content in violation of Park District Policies or block users who repeatedly violate its Policy. If a portion of a post is inappropriate, the entire post will be deleted.

Requests from 3rd Parties

Due to the number of requests received from third-party entities, we have developed the following social media policy to preserve the focus and integrity of the content on our social media platforms. Our social media policy is to post or share only the following content:

- District-related activities, events, and services
- Approved content from District contract instructors
- Applicable content from government and local public agencies
- Applicable content from affiliated co-sponsored community groups
- Public safety information

SECTION 26. AMERICANS WITH DISABILITIES ACT

The Park District acknowledges and supports the Americans with Disabilities Act (42 U.S.C. 12131 “ADA”) and prohibits discrimination on the basis of disability in the services, programs, or activities of the Park District. The Board adopted the ADA grievance procedure set forth in **Appendix __**, and authorizes, empowers, and directs the Executive Director of to designate a responsible employee or employees to coordinate the Park District’s efforts to comply with and carry out its responsibilities under ADA. The Board recognizes the need to provide quality social service for special populations that live within the Park District within the financial resources available. The Park District will meet its responsibilities through participation in cooperative social service associations where such is more economical or viable than an “in-Park District” program, in accordance with the Park District Code and the Park District’s policy addressing social service agency partnerships.

SECTION 27. NON-DISCRIMINATION

The Park District shall not discriminate in the provision of its services or facilities, or in its employment practices, on any unlawful basis, including but not limited to race, religion, national origin, age, sex or sexual orientation, pregnancy, disability, or association with a person with a disability, veteran status, or citizenship status and will not tolerate harassment or intimidation of any Park District employee or patron. The Park District’s “zero tolerance” policy extends to discriminatory conduct or harassment or intimidation by a Park District elected or appointed official or Park District employee, or by a patron,

volunteer, vendor, contractor, customer, or affiliated organization or other business partner of the Park District. The policy applies to all Park District operations.

DIVISION V - REGULATIONS OF SPORTS, GAMES AND LEISURE ACTIVITIES

SECTION 1. AIRCRAFT/UNMANNED AIRCRAFT

- A. No Person shall fly, cause to be flown or permit or authorize the flying of an Aircraft of any kind at any time over District Property at an elevation lower than the minimum safety requirements established by the Federal Aviation Administration or other governmental authority, at an elevation which is lower than is reasonably safe under the circumstances, or in a manner which endangers the safety of any Person on District Property.
- B. No Person shall land, cause to be landed, or permit or authorize the landing of any Aircraft on District Property, except when necessitated by unavoidable emergency.
- C. Unless otherwise authorized by law, no Person shall fly or cause to be flown or permit or authorize the flying of an Unmanned Aircraft on or over District Property unless a Permit therefor has first been obtained from the District. Any Person authorized to operate an Unmanned Aircraft on District Property shall comply with all regulations established by the Federal Aviation Administration, the Park District, Village or other governmental authority having jurisdiction over such use and operation of the Unmanned Aircraft.
- D. No Person shall parachute or otherwise descend from an Aircraft into or onto District Property, or cause, permit or authorize another Person to parachute or otherwise descend from any Aircraft in or onto District Property, unless a Permit has first been obtained from the District, except when necessitated by unavoidable emergency.

SECTION 2. WATERCRAFT

- A. No Person shall bring into, attempt to launch, or use, or navigate, any type of watercraft upon any District Waters, except as allowed by Permit and Regulations.
- B. Where allowed by Permit, watercraft shall not have any electrical or motor driven propellants, and shall be operated in a safe manner in accordance with restrictions as may be set forth in such Permit.
- C. No watercraft may be moored or beached upon District Property unless expressly authorized stated by Permit.

SECTION 3. SWIMMING

No Person shall bathe, swim, wade, float, splash, or otherwise enter or remain in District Waters except at such times and places and in compliance with all policies, rules and regulations as the District may designate for such activities.

SECTION 4. WINTER SPORTS

- A. **ICE SKATING**
No Person shall skate, ski or slide on any District Waters, except those areas designated for such purpose and then only in compliance with rules and regulations for such use.
- B. **SLEDDING**

No Person shall sled, slide, inner tube, or toboggan on any District Property except those designated for such purpose, and then only upon proper snow cover or as other environmental conditions allow and as allowed by posted notice from the District.

C. **SKIING**

No Person shall downhill ski on any District Property at any time. Cross country skiing is allowed on District Property not otherwise restricted by the District.

D. **ICE FISHING**

No Person shall ice fish in any District Waters.

E. **SNOWMOBILING**

No Person shall ride or operate any snowmobile or other self-propelled vehicle designed for travel on snow covered ground at any time on District Property, unless authorized to do so by the District.

F. **OTHER VEHICLES**

No Person shall bring onto or operate upon any frozen District Waters, any iceboat or other wind driven device at any time.

G. **MISCELLANEOUS**

No Person shall tow, push, pull, or otherwise propel another Person on skis, sled, or other sliding device by use of any Vehicle on District Property.

No Person shall engage in any such activity listed in this section in a reckless manner that endangers that Person or others or at a speed greater than is safe and proper under the circumstances.

SECTION 5. POWER MODELS, TOYS AND MODEL ROCKETRY

A. No Person shall operate model boats, cars or other similar power models start, ignite, fly, or use any fuel powered model, rocket on any District Property, except in areas designated for such use by the District.

B. Model boats and cars shall be permitted only in non-pedestrian or otherwise non-restricted areas as designated by the District and cannot be powered by any combustible fuel engine.

C. No person shall operate scooters, bikes, carts or other similar equipment powered by electric or battery on District property. Electric and/or battery operated wheelchairs and other ADA equipment are excluded from this regulation.

SECTION 6. EQUESTRIAN USE

No Person, without a Permit, shall bring into, ride upon, unload or use any horse or pony on District Property without prior approval of the District.

SECTION 7. FIELD AND TEAM SPORTS

A. No Person shall play or engage in any team sport or game such as, but not limited to, baseball, football, soccer, volleyball, horseshoes, or softball, except in those areas designated for such use on District Property, and only in such a manner as to not interfere with other Persons using said athletic areas, and under such rules and regulations as stated in Appendix I and as may otherwise be prescribed by the District.

B. No Person shall use lighted athletic fields past the hours as follows: Little League Field - 10:30 P.M.; Babe Ruth and Softball Fields - 11:00 P.M.; and Blackhawk Park - 10:00 P.M.

- C. This section shall not apply to a District Employee to the extent he is acting within his scope of duties as authorized by the District.

SECTION 8. GOLFING

No Person shall possess, swing, or make use of any golf club to hit or putt golf balls on, within or into any District Property, except on any established District golf course or driving range, and then only in accordance with the rules, regulations and fees therefor as established in Appendix I.

SECTION 9. BICYCLES AND SKATEBOARDS

- A. No Person shall ride a bicycle or skateboard on any path, trail, roadway, park, athletic field, spectator area, public areas, or other area designated and posted by the District as prohibiting bicycles or skateboards or both.
- B. No Person shall carry another Person on the handlebars, frame, fender or otherwise on the same except on a suitable seat attached thereto for such a purpose, or operate a bicycle in a reckless manner so as to endanger pedestrians, the rider, riders thereon, or District Property.
- C. No Person shall park or leave unattended any bicycle so to impede, travel upon or block any pedestrian or vehicular traffic or access way on District Property.
- D. No Person shall move or in any manner interfere with, any bicycle which is properly parked on District Property, nor shall any Person interfere with, or, in any manner, hinder any Person from properly parking a bicycle. This section shall not apply to a District Employee to the extent he is acting within his scope of duties as authorized by the District.
- E. No Person shall be permitted to roller-skate or rollerblade on any athletic court, except in those areas designated for such use by the District.
- F. No Person operating a bicycle on District Property shall cling or attach himself or his bicycle to any other moving Vehicle.
- G. The operator of a bicycle emerging from an alley, driveway or building on District Property shall, upon approaching a sidewalk or the sidewalk area extending across any alley or driveway, yield the right-of-way to all pedestrians approaching on said sidewalk or sidewalk area, and upon entering the roadway shall yield the right-of-way to all Vehicles approaching on said roadway.
- H. No Person using roller skates, rollerblades, skateboards, roller skis, coasting vehicles, or similar devices shall interfere with pedestrian use of sidewalks or Vehicle use of the streets, or otherwise act negligently, recklessly or without due caution, or in any manner so as to endanger any Person or property nor use same where use of such devices has been posted as prohibited.

SECTION 10. METAL DETECTORS

No Person shall possess, use, or operate any type device intended for locating buried objects in the parks, except with a Permit from the District.

SECTION 11. FISHING

- A. Fishing shall be permitted in District ponds, watercourses and other District Waters in accordance with this section and applicable law except those Waters on the Twin Lakes Golf Club, or other Waters as posted to be restricted by the District.
- B. No Person shall fish in any District Waters posted against fishing, or by using a bow and arrow, spear or slingshot, or by using hooks baited with live or dead fish, amphibian, or bird or with any

device using more than two hooks per line, or any net, seine, or trap, or with attended or unattended lines during the hours that the District Property is closed as defined by provisions of this Ordinance or in violation of any applicable law of the State of Illinois or in violation of any regulations or restrictions as may be posted by the District controlling the size, species, and number of fish that can be taken from a designated body of water.

SECTION 12. CAMPING AND SLEEPING

- A. No Person shall place, erect or use any hammock, swing, tent shelter, or any other type of temporary or permanent housing or camping equipment on District Property, nor otherwise camp in any manner on any District Property without first obtaining a Permit for the same in accordance with Division VII of this Ordinance and only in areas as may from time to time be designated by the District for camping.
- B. No Person shall sleep in any park between one hour after sunset and sunrise the following day, except in designated camping areas as aforesaid.
- C. No Person shall sleep on benches, sidewalks, parking lots, picnic grounds or tables, play-grounds or playground equipment, stairways or doorways of District buildings or other District Property so as to unreasonably obstruct or hinder the movement of other Persons or the use of facilities.

SECTION 13. PICNICS AND PARK RESERVATIONS

- A. Picnics shall be permitted only in areas designed or designated therefore and during the regular open hours of that park.
- B. Picnic and park areas may be reserved for use by groups in accordance with Division VII, Section D.1 and the rules and regulations duly set forth in Division VII of this Ordinance.
- C. No Person shall use the area in any park or other District Property being used by a group having a valid reservation Permit, except with permission of the group. This section shall not apply to a District Employee to the extent he is acting within his scope of duties as authorized by the District.

SECTION 14. FIRES AND BARBEQUES

- A. No Person shall ignite, tend, or maintain any open fire on District Property without first obtaining a Permit for the same or as otherwise authorized by the District.
- B. Barbeques and cookouts shall be permitted only in a barbeque grill or District provided fireplace, provided that materials used to burn therein are not taken live from District Property, and further provided that the cooking fire is maintained without the emission of dense smoke, sparks, odor, dust, or ash, and properly extinguished after use and is never left unattended by a competent Person 18 years of age or older. A fire shall be deemed properly extinguished when ashes, residue, coals and unburned substances are cold to human touch.
- C. The dumping of hot ashes, lighted or smoldering material, or fire from a portable barbeque grill onto the grass, plants, or in any manner that threatens or causes damage to, or results in the burning of, District Property or park resources, or creates a safety hazard, is prohibited. Hot ashes shall be deposited only in specified areas or designated receptacles, but not in picnic refuse receptacles.

SECTION 15. CLASSES, CAMPS, TOURNAMENTS AND LEAGUES

- A. No Person shall bring or cause to be brought onto District Property any class, play class, day camp, group lesson or similar organized group activity of any kind unless a Permit allowing such use or activity has first been obtained from the District in accordance with Division VII of this Ordinance.
- B. No Person shall utilize any District Property, including without limitation playing fields and other District facilities, for tournaments, leagues, or other organized recreational activities and outings unless a Permit allowing such use or activity has first been obtained from the District in accordance with Division VII this Ordinance.
- C. This section does not apply to normal or scheduled District programs or activities. Where a conflict between normal or scheduled District programs or activities and a requested activity occurs, District programs and activities shall take precedence unless otherwise agreed to by the District.

DIVISION VI. PARK HOURS, CLOSING AND GENERAL OPERATION POLICIES

SECTION 1. PARK HOURS

All neighborhood parks close daily at 9:00 p.m. Community Parks: Veterans Memorial, Ty Warner, Twin Lakes and Bellerive Parks, close daily at 10:00 p.m. except during District sponsored activities.

The District may establish other hours during which District Property or any parts thereof shall be subject to different hours of operation or closed to the public. The Board may periodically revise these hours.

SECTION 2. SPECIAL CLOSINGS

The Board or the Director may close one or more District parks, buildings, and facilities or any part thereof to the public at any time and for any interval of time, either temporarily or at regular intervals, and either entirely or merely to certain uses, as deemed advisable and in the best interests of the public and District.

SECTION 3. USE OF CLOSED PROPERTY PROHIBITED

No Person shall use, occupy, be in, or remain upon District Property or leave any personal property in or upon District Property which is closed to the public, or after closing hours, unless permission therefor has first been obtained from the District.

SECTION 4. SCHEDULES, FEES, RULES AND REGULATIONS

Time schedules for the operation of, and the activities to be conducted on, District Property and the amount of facility, Permit and program fees, may be reviewed and approved periodically by the Board. As permitted by law, fees charged non-residents of the District need not be the same as fees charged residents of the District. The Board may otherwise establish policies, rules and regulations for proper conduct by Persons using District Property. Specific policies, rules and regulations pertaining to District Property and programs, in addition to the rules and regulations contained herein, may be posted at or on the applicable District Property and/or published in District program brochures or otherwise made available to the users of District Property, who shall be charged with actual knowledge thereof and shall obey or comply with all such policies, rules and regulations. All Persons shall abide by all District policies, rules and regulations and with the direct orders or requests of Employees and agents of the District when using District Property.

SECTION 5. ADMISSION/IDENTIFICATION

No Person shall enter into, be, or remain in or upon District Property without paying any proper admission fees, without complying with registration requirements, if any, which may be established by the District, and without displaying the required admission identification. All admission identification cards, papers and tickets are non-transferable and must be individually registered, unless otherwise specifically noted thereon. A charge may be made by the District for replacing lost admission identification cards, papers and tickets.

SECTION 6. LOST, FOUND AND ABANDONED PROPERTY

- A. No Person shall abandon property on District Property.
- B. Property left unattended for longer than twenty-four (24) hours or unattended property that interferes with any park visitors' safety, orderly management of the park area, or presents a threat to park resources may be impounded or removed by the District at any time. The owner of such property shall be responsible and liable for all costs and expenses associated with the impounding, removal, storage, or other disposal of the property.
- C. Any Person finding lost or unattended property on District Property shall report such finding to the District as soon as practicable. Whenever a District Employee or agent finds lost or unattended property on District Property he shall return such property to a District facility. The District will attempt to make every reasonable effort to locate the property's owner(s).
- D. Unattended property that has been impounded or property that has been found shall be stored for a minimum period of thirty (30) days. Unless claimed by the owner or an authorized agent thereof, the property may be claimed by the finder of such property unless the finder is an Employee, officer, or agent of the District or Board. All property not claimed shall be disposed of in compliance with applicable law.

SECTION 7. BUILDING USE

No Person shall use any District building or facility for an event or activity which is not conducted or sponsored by the District unless a Permit therefor has first been obtained from the District in accordance with Division VII of this Ordinance and/or a license agreement has been executed with the District. All Persons using District buildings or facilities shall comply with the provisions of this Ordinance and with the provisions and conditions of the Permit and/or license agreement and with all other applicable policies, rules, and regulations of the District regarding the use of District Property.

DIVISION VII. PERMITS AND REGULATIONS

SECTION 1. AUTHORITY

To carry out the terms of this Ordinance, the Director is hereby authorized to issue Permits, post notices, or take any other action as required hereby, subject to the guidelines hereinafter set forth.

- A. The Director shall have the authority to designate areas, facilities, or Waters, suitable for various activities or use, to close parks, or parts thereof, in the interest of public health, safety or general welfare or in order to protect the natural resources from unreasonable harm and to promulgate and issue Permits and collect such fees as established by the District in accordance with the following guidelines:

1. That no Person be discriminated against because of race, sex, creed, color, national origin, age, disability, marital status, sexual orientation, military status, or other protected class.
2. That the proposed use or activity will not reasonably interfere with or detract from the general public's use and enjoyment of District Property.
3. That the proposed use or activity is not reasonably likely to result in violence or in serious harm to property or Persons.
4. That the proposed activity or use will not entail extraordinary expense or operation costs by the District or expose it to unusual or extreme liability.
5. That the area desired has not been reserved for another activity at the same time.
6. That the proposed activity is not reasonably expected to detract from the promotion of public health.
7. That the proposed activity can be accommodated in the particular location applied for, considering, without limitation, the type of District Property, size and character of the area, Waters or other District Property involved and the facilities available, and that it is not reasonably expected to cause irreparable harm or damage to the natural environment of the District Property, does not impair a protected area's atmosphere of peace and tranquility, does not unreasonably interfere with District functions, buildings, facilities, operations, programs or activities; or does not unreasonably interfere with the use or purpose of the District Property applied for.
8. That the proposed activity does not violate any federal, state, local, or District law, rule, ordinance, or regulation.

B. The Director may impose reasonable restrictions in granting of a Permit including, but not limited to, any of the following:

1. Restricting the open dates for reserved area use, the length of time an area will be held for reserved use, the use of ground fires, sound and energy amplification devices, amusement devices, off the road vehicle access, the number of Persons present, location and type of any tents, bandstands, stages, or temporary structures, the use of domestic, pet or trained animals, the use of shelters or structures, the collecting for any purpose of any water, soils, minerals, flora and fauna, the type and location of sports and games, or any other activity which appears likely to create a risk of unreasonable harm to the use and enjoyment of the District Property by others or of damage to District Property.
2. Requiring, when the activity is deemed by the Director to require such: a) general liability insurance and proof of the same; b) a certificate of insurance naming the District as an additional insured and, at the Director's discretion, a copy of the applicant's policies and required endorsements and proof that, in the event of a cancellation or expiration of said policies, notice will be provided to the District no more than 30 days following the same; c) hold harmless agreement; d) a written agreement executed and binding upon the applicant to fully restore any District Property soiled or damaged by the activity; e) any reasonable restriction necessary for the efficient and orderly contemporaneous administration of the activity, other activities with a Permit, and regular District uses, functions, programs, and activities; and f) a requirement that the Persons involved in the activity obey or comply with all federal, state, local, and District laws, rules, and regulations.

3. Requiring the name, address, telephone number and driver license number of a legal adult responsible for the use of activity requested as well as name, address and telephone number of the group represented by the applicant.
 4. Requiring that the applicant furnish additional approved security personnel at the applicant's expense, such personnel to act in accordance with requirements determined by the District.
- C. All Permits required by this Ordinance or issued by the Director shall be delivered at the Community Center office in Westmont, on a first-come, first-served basis beginning the first working day of each calendar year. All applications for Permits shall be submitted at least 72 hours in advance of the earliest requested date, provided that the Director may waive the 72 hour time period in the interest of public health or safety or for such events that are of a significant civic nature or activities protected by the United States Constitution.
 - D. Any Person holding a valid Permit issued by the District for use of District Property shall take precedence for use of that District Property over any Person other than the District unless the District otherwise determines a change is necessary as set forth in Division VII, Section 1, paragraphs E or K.
 - E. The District may make necessary changes or place necessary additional restrictions on any Permit after it has been issued.
 - F. The Director is authorized to seek reasonable information regarding any proposed use, activity or privilege and require a record of such information on a Permit application.
 - G. No Person shall misrepresent, falsify or withhold such required information.
 - H. No Person granted a Permit shall violate the requirements, terms, conditions, restrictions or rules duly set forth under the authority of this Ordinance as part of any granted Permit or registration; violation of the terms and conditions associated with the Permit may result in the suspension or revocation of the Permit.
 - I. The Board may set forth in other ordinances the requirement for a Permit or the payment of a registration fee as it deems proper and may change them from time to time.
 - J. No Person shall obtain or use any Permit without first having paid the fee established by ordinance for such Permit.
 - K. All designated areas, Waters or facilities and all Permit restrictions, rules and regulations, or conditions are subject to review at any time by the District. Any aggrieved Person shall have the right to petition the Board, in writing, regarding denial or restriction of use or activity and such petition shall be heard by the Board as the President shall direct.
 - L. A restoration deposit may be required for any Permit. The District shall refund the deposit if the person responsible for the activity cleans any refuse caused or left by the activity or the activity's participants and restores District Property to the condition it was in prior to the activity to the District's satisfaction or complies with any other requirements established by the District for refund of said deposit. If the District is required to cleanup or restore District Property after the activity, the Person responsible for the activity shall reimburse the District for all costs and expenses associated with the cleanup and restoration. The cost of the cleanup and restoration shall be taken from the restoration deposit. If there are any funds remaining after the cleanup and restoration costs have been subtracted, they shall be returned to the appropriate Person. If the costs and expenses for the cleanup and restoration exceed the amount of the restoration deposit, the Person responsible for the activity shall pay the difference to the District upon demand. In the event said costs are not reimbursed, the District reserves the right to pursue any and all legal options.

If the restoration deposit would create a financial hardship for the applicant which the applicant can so demonstrate, the District may accept a written agreement to clean up and restore District Property after the activity. If the applicant does not satisfactorily perform according to the agreement, the District reserves the right to pursue any and all legal options.

SECTION 2. ACTIVITIES REGULATED BY PERMIT

- A. Permits may be granted upon proper application and approval where the applicable section of this Ordinance or any other District ordinance, policy, rule, or regulation provides for the issuing of a Permit in order to engage in a particular activity.
- B. Except for any event which is organized or sponsored by the District, no Person shall conduct, operate, present, manage or take part in the following activities in a park unless a Permit for that activity is obtained from the District prior to the start of the activity:
 - 1. Any organized, supervised, non-family activity or picnic, or any activity or picnic to which more than twenty (20) Persons are invited to attend or actually attend.
 - 2. Distributing or consuming Alcoholic Liquor in accordance with Division VII, Section 2, paragraph E of this section.
 - 3. Any contest, show exhibit, dramatic performance, play act, motion picture, acrobatic feat, bazaar, sporting event, ceremony, children's day camp or any public meeting, assembly or parade, including but not limited to drills and maneuvers, rallies, picketing, speeches and addresses, marches or political meetings.
 - 4. Any use of District Property by a certain Person or group of Persons to the exclusion of others.
 - 5. Camping on District Property or inhabiting any District Property overnight.
 - 6. Any other activity that requires a Permit in accordance with this Ordinance.
- C. Permits required under this Ordinance shall be issued only on the basis of reasonable time, place and manner, considerations, and subject to the general health, safety and welfare of the District and District Property.
- D. Persons desiring that any of the above activities be conducted in any District park may apply for a Permit under the following categories and subject to payment of fees as set by the District:
 - 1. **Picnic:** No Permit is required to have a picnic; however, if a Person desires to reserve a designated area or areas to the exclusion of others; is conducting, operating, presenting, managing or taking part in an organized, supervised, non-family picnic and has invited twenty (20) or more people to participate in a picnic; or desires to conduct, in conjunction with the picnic, related controlled activities, such as sound amplification, special vehicle access, animal rides and the like, then a picnic Permit valid for one day, is required.
 - 2. **Camping:** The required Permit reserves a designated area or areas to the exclusion of others and allows the individuals issued the Permit to remain in the park overnight.
 - 3. **Special Event:** A Permit is required for any of the other activities listed in Division VII, Section 2, paragraph B.3 above. The Permit may be valid for 1 to 7 consecutive days. The Permit may provide for use of an area or areas to the exclusion of others and for other activities requiring a Permit pursuant to this Ordinance.
 - 4. **Other Activities:** Any other activity that requires a Permit in accordance with this Ordinance.
- E. Permits for Alcoholic Beverages

1. Beer and wine may be served, not sold, unless by special Permit issued by the Director upon approval of the Board, and only in those areas of certain parks as specified in Division VII, Section 2, paragraph E.5 in this subject to applicable state and local law. No hard alcohol is allowed on District Property at any time. No glass containers are allowed at any time.
2. Permittee will provide the District with a detailed outline of planned activities including, but not limited to, times of the event, procedures to control underage drinking, compliance with server training requirements, laws and regulations, site layout, purpose of outing, and 3 names of individuals responsible for activity.
3. All Permits and necessary insurance information must be filed for approval by the Board a minimum of 30 days prior to the event.
4. Required Permits and insurance shall include the following:
 - a. Any group wishing alcohol privileges must provide adequate insurance as determined by the Director, and must name the District as an additional insured.
 - b. In addition to a District Permit, a temporary liquor license may be required by the Village, all at the expense of the permittee.
5. Beer and wine are allowed by Permit only in Veterans Memorial Park, Twin Lakes Park, Ty Warner Park, Twin Lake Woods, and Lions Park. Beer and wine must be confined to the picnic pavilions at Veterans Memorial Park, and the shelter at Lions Park ONLY.

Please refer to the District's Facility Rental Policy, which is incorporated herein by reference, for further rules and regulations regarding the consumption of alcoholic beverages on District Property.

- F. Permits are not transferable and fees paid are not refundable except upon prior written approval by the District and proof sufficient to the District that assignee meets all requirements applicable to the original applicant for the stated event and there is not material change in said event. Except as provided in Division VII, Section 2.E, Permits must be applied for at least 72 hours in advance of event. Minor changes in the Permit may be made upon written permission of the Director for no additional fee providing that the specific park or area designated is not changed, the date or date involved are not changed, the number of individuals attending the proposed activity is not increased, and the request for the change is made at least 72 hours prior to the event. Permits may also be required for other activities as required by this Ordinance or as determined by the Director.

Please see the District's Facility Rental Policy, which is incorporated herein by reference, for further rules and regulations regarding rental of District parks and facilities.

DIVISION VIII. ENFORCEMENT

SECTION 1. AUTHORITY

- A. The District's Park Patrol or any other authorized District Employee responsible for a park site, facility or activity has the authority to enforce the this Ordinance or any Appendix hereto, and all federal, state or local and District laws, rules and regulations on District Property.
- B. The District's Park Patrol or any other authorized District Employee responsible for a park site, facility or activity, shall have the authority, without the use of force, to immediately eject from District Property or specific activities on District Property, or to provide for the arrest of or

issuance of citations to any Person who violates this Ordinance or any Appendix hereto, or any applicable federal, state, local, or District law, rule or regulation on District Property.

- C. The Village Police Department shall have the power and authority to arrest or eject from District Property any Person found in the act of violating any applicable provision of this Ordinance or any Appendix hereto, or any federal, state, local, or District law, rule or regulation on District Property. Nothing herein shall be construed to prevent other law enforcement officers from carrying out their duties in accordance with applicable law within the District and on District Property.

SECTION 2. RULES AND REGULATIONS

- A. No Person shall violate or disobey any provision of this Ordinance or any other District ordinance, policy, rule or regulation regulating conduct or activities on District Property even though the same may not have been posted. No Person shall violate or disobey the directions or instructions contained in any notice or sign posted by the District relating to the use of District Property, or the directions or instructions of any District Employee or member of the Park Patrol seeking to enforce compliance with state, local or District laws, rules, or regulations or any Employee or officer of the District seeking to enforce District laws, rules or regulations.
- B. The District may from time to time, promulgate reasonable rules and regulations governing the use of District Property. Appendices I and II are approved herewith and incorporated herein, and such rules and regulations shall become binding and effective upon their being approved by the Board and posted at the entrance to the facility or areas governed by them and shall be enforced with the same force and effect as the other provisions of this ordinance.

SECTION 3. PARTIES TO ORDINANCE VIOLATION

- A. Every Person who commits, attempts to commit, conspires to commit, or aids or abets in the commission of any act in violation of this Ordinance, any Appendix thereto, or any other applicable federal, state, local or District law, rule or regulation, as a principal, agent, or accessory, shall be guilty of such offense, and every Person who falsely, fraudulently, forcibly or willfully induces, causes, coerces, requires, permits, or directs another to violate any provision of this Ordinance is likewise guilty of such offense.
- B. Any Person who is the owner, registered owner, or Person in control of any animal, Vehicle or other property of any kind brought, placed, parked or allowed to remain on District Property in violation of this Ordinance, any Appendix thereto, or any other applicable federal, state, local or District law, rule or regulation, shall be deemed prima facie responsible for such violation and shall be subject to the penalties provided herein.
- C. It is unlawful for the owner or any other Person employing or otherwise directing the operator of any Vehicle, to request or knowingly permit operation of any such Vehicle on District Property in any manner contrary to this Ordinance, any Appendix thereto, or any applicable federal, state, local or District law, rule or regulation on District Property.

DIVISION IX. PENALTIES

SECTION 1. SUSPENSION OF PARK ADMISSION AND USE PRIVILEGES

- A. Any Person who violates any applicable provision of this Ordinance or any Appendix hereto, or any applicable federal, state, local, or District law, rule or regulation on District Property, may be immediately ejected from District Property, and may, after receipt of notice, be suspended from

the privilege of admission to and use of specified District Property, in the discretion of the District's Director, as follows:

1. Subject to the suspension procedure outlined in Division IX, Section B, with respect to organized athletic activities on District Property, if the Person did not receive a citation, or if the Person received a citation but court proceedings are still pending, the District may determine to suspend the Person for no less than two (2) games, or for the remainder of the season, as the District may deem reasonable and appropriate given the severity of the violation in the context in which it occurred, including but not limited to, a consideration of whether there was personal injury or property damage incurred as a result of the violation.
 2. If the Person received a citation and was convicted of any violation of this Ordinance or any Appendix hereto, or any applicable federal, state, local, or District law, rule or regulation on District Property, the District may determine to suspend the Person from the privilege of admission to and use of specified District Property or facilities, for no less than two (2) weeks nor more than one (1) year, as the District may deem reasonable given the severity of the violation in the context in which it occurred, including but not limited to, a consideration of whether there was personal injury or property damage incurred as a result of the violation.
- B. If a Person has not been convicted of any violation of this Ordinance or any Appendix hereto, or any applicable federal, state, local, or District law, rule or regulation on District Property, and the Director or his/her designee (collectively referred to as the "Director" for purposes of this Division IX, section 1) determines the Person's continued presence on District Property creates an imminent threat to the public's health, safety or welfare while on District Property, the Director may verbally order the Person to leave District Property and to refrain from usage of all District Property until further order of the Director in accordance with the following procedure:

1. **Notice**

Within 72 hours after the order to leave District Property, the District will provide the Person written notice by registered or certified mail (1st Notice), informing the Person of:

- a. The nature of the offense.
- b. The threat to the public's health, safety or welfare while on District Property caused by the Person's offense and related conduct.
- c. The intended suspension period for the offense.
- d. An explanation of the facts that form the basis of the proposed suspension.
- e. Instructions for setting a date and time for a meeting with the Director and another District Administrative staff member to discuss the offense and to provide the Person an opportunity to present his or her version of the incident.
- f. That the Person is not to return to any District Property until such a meeting as aforesaid occurs, OR if found doing so, he/she may be arrested and/or prosecuted for "trespass."

If a Person who has been notified in accordance with Division IX, section B is observed on District Property, the Person may be subject to arrest for trespass.

2. **Meeting**

At the meeting with the Director and the other District Administrative staff member, items in Division IX, section 1.B.1 (a)-(f) above will be discussed on an informal basis. The specific offense(s), evidence, and suspension, if any, will also be discussed. The Person will also have an opportunity to present his or her version of the incident at this meeting.

3. Second Notice

Within forty-eight (48) hours after the meeting with the Director and the other District Administrative staff member, the District shall send written notice ("2nd Notice") to the Person stating (a) the suspension, if any, and any conditions that the Person must meet to prevent further risk to the Park District's patrons or public property and to regain use of District Property and, (b) the Person's right to appeal the suspension, as set forth below.

4. Appeal to Board

If the Person objects to the suspension imposed or wishes to notify the District of extenuating circumstances not taken into consideration by the Director and the other District Administrative staff member, or if the Person believes he or she is not guilty of the offense as charged, the Person may request a hearing before the Board. The Person's request must be in writing and must be filed with the Board Secretary or his/her designee or the Board President within 10 days after the date of the 2nd Notice and should include the following information: a) the Person's contact information, including address, telephone number and email address; b) date of issuance of the 1st Notice and location; c) reason for being on District Property at the time of the incident; d) any other information Person wishes to be considered; and e) whether a hearing is requested. In the event the Person appeals the suspension under this section to the Board: a) the suspension shall continue until the Board makes a final decision; and b) the Director shall promptly transmit to the Board a full report in writing of the facts related to the suspension, the suspension imposed, and the reasons for the suspension imposed.

5. Board Hearing

In the event the Person requests a hearing, the Board shall meet with the Person, Director and the other District Administrative staff member within 10 days of the date on which such appeal notice is given to the Secretary of the Board ("Suspension Hearing"). The Person will be notified in writing as to the date and time set for the Suspension Hearing. At the Suspension Hearing, the Board shall receive testimony in accordance with the standard Illinois rules of evidence, presented by all interested parties and shall render a fair and impartial determination in accordance with its independent findings regarding the facts and the applicable standards for review set forth in this Section.

6. Standard for Determining Suspension and Suspension Duration

If the Board finds and determines from its independent review of the facts and circumstances presented at the Suspension Hearing that the Person or the Person's conduct represents a continuing material threat to the health, safety or welfare of the District's patrons, employees or the property of either, it shall uphold the suspension imposed by the Director.

The duration of any suspension from District Property, and the nature and scope of the suspension, shall be determined based on the Person's conduct causing the violation, the nature of the offense, whether it is the Person's first, second, third or greater offense, and any other facts or circumstances that demonstrate whether or not the Person remains a threat to the health, safety or welfare of the District's patrons, employees or the property of either of them.

A Person's suspension may be limited to use of, or access to, specific District facilities, programs or portions of District Property. Once a Person has accumulated three (3) or more suspensions as a result of violations of any of the District rules within a 12-month period, all penalties for violations thereafter will be assigned as a third offense violation.

7. Notice of Finding

If, in the opinion of the Director, the Person remains a threat to the health, safety or welfare of the District's patrons, staff, or property at the end of any suspension period authorized hereunder, the Director may request a new hearing before the Board to extend said suspension the "Suspension Extension Hearing"). The Notice, hearing, standard for review and decision process shall be governed by the same rules as set forth above for the Board hearing (Division IX, sections B. 3-6), provided that the Director shall give written notice to the Person and to the Board ("Suspension Extension Hearing Notice") not less than 30 days prior to the Suspension Extension Hearing. Upon a finding by the Board that the Person remains a material threat to the health safety or welfare of the District's patrons or employees or the property of either, the Board may extend the suspension for an additional period of not more than five (5) years.

SECTION 2. FINES

In addition to suspension of the privilege of admission to and use of specified District Property, any Person who violates any applicable provision of this Ordinance or any Appendix hereto, or any applicable federal, state, local, or District law, rule or regulation on District Property, may be fined, upon a finding of guilty by a court of competent jurisdiction, in an amount no less than \$75.00 and no more than \$1,000.00 per day per offense.

SECTION 3. RESTITUTION

In addition to any other penalty provided for herein, any Person who violates any applicable provision of this Ordinance or any Appendix hereto, or any applicable federal, state, local, or District law, rule or regulation on District Property shall also be required to make restitution for damages resulting from such violation. The procedure in such action by the District shall be the same as that provided by law for like ordinance violation actions in cities organized under the general laws of this State, and offenders may be imprisoned for non-payment of fines and costs in the same manner as in such cities. All fines when collected shall be paid into the treasury of the District. The provisions of the Illinois Parental Responsibility Law (740 ILCS 115/1, et seq.) are specifically incorporated in this Ordinance by reference for purposes of this section.

SECTION 4. IMPOUNDMENT

Any property, substance or thing brought into, utilized, placed or left on District Property in violation of this Ordinance or any Appendix hereto, or any applicable federal, state, local, or District law, rule or

regulation, may be removed, seized and destroyed as provided by law. Any Vehicle towed and/or impounded shall be disposed of in accordance with law.

SECTION 5. NON-EXCLUSIVITY OF PENALTIES

The penalties provided for in this Division IX are in addition to and not exclusive of any other remedies available to the District as provided by applicable law. The penalties provided for in Division IX, sections 1 and 2 may be imposed or assessed in addition to and not necessarily in lieu of the penalties provided for in the above Division IX, section 3, and vice versa.

DIVISION X. REPEAL

All District ordinances, resolutions, policies, rules and regulations or parts thereof in conflict or inconsistent with any of the provisions of this Ordinance, including, without limitation, "Westmont Park District Rules and Regulations," adopted _____ and amended thereafter, are hereby repealed.

DIVISION XI. SEVERABILITY

Provisions of this Ordinance shall be deemed to be severable. Should any section or part of this Ordinance be declared invalid or unenforceable by a court of competent jurisdiction, the remaining part or parts of such section and/or the other sections, as the case may be, of this Ordinance shall nevertheless be valid, binding and subsisting.

DIVISION XII. PUBLICATION AND EFFECTIVE DATE

SECTION 1. PUBLICATION IN BOOK FORM

In lieu of other publications, this Ordinance shall be published in book or pamphlet form, and when so published, shall become effective with the same force and effect as if otherwise published. Such book or pamphlet shall be received as conclusive evidence of the passage and legal publication of this Ordinance in all courts and other places without further proof of the passage and publication of this Ordinance.

SECTION 2. EFFECTIVE DATE

This Ordinance shall take effect and be in force ten (10) days after the date of its passage, approval, and publication in book or pamphlet form as provided for herein.

PASSED by roll call vote this 11th day of July, 2023.

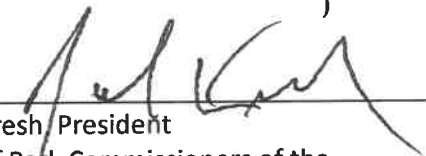
ROLL CALL VOTE:

AYE: Commissioners Belmonte, Conneely, Karesh, Moffett, Zapinski

NAY: none

ABSENT: none

APPROVED this 11th day of July, 2023



John Karesh, President
Board of Park Commissioners of the
Westmont Park District

ATTESTED and RECORDED this

11th day of July, 2023, and published

in pamphlet form this ____ day of _____, 2023



Karen Moffett, Secretary
Board of Park Commissioners
of the Westmont Park District