

**ORDINANCE NO. 401**

**ELK GROVE PARK DISTRICT**

**AN ORDINANCE CODIFYING RULES AND REGULATIONS  
GOVERNING THE USE OF PARKS AND RECREATIONAL  
AREAS UNDER THE CONTROL OF THE ELK GROVE PARK  
DISTRICT, PRESCRIBING PENALTIES FOR THE  
VIOLATION OF SUCH RULES AND REGULATIONS,  
PROVIDING FOR THE APPOINTMENT OF POLICE AND REPEALING  
ORDINANCE NO. 168 and ORDINANCE NO. 284 AS HERETOFORE AMENDED**

...

BE IT ORDAINED by the Board of Park Commissioners of the Elk Grove Park District ("District"), Cook County, Illinois, as follows:

**CHAPTER I**

**USE OF PARKS**

**Section 1.** CONTROL: The control of the parks and property of the District shall be vested in the Board of Park Commissioners, which may delegate such control to the Executive Director or other employee(s) of the District designated by the Commissioners.

**Section 2.** OPENING AND CLOSING TIMES: The Parks of the District shall be closed to the public each day at darkness, except that (i) persons engaged in activities supervised by the District or by approved organizations may remain until the conclusion of such supervised activity, at which time such persons shall promptly leave Park premises, notwithstanding the onset or existence of darkness, and (ii) areas which are lighted for the purpose of permitting recreational activities or pedestrian traffic across park lands shall remain open to the public during the lighted period. The Parks shall open each day at sunrise. All persons, except employees of the District whose duties require their presence, or persons who are participating in such approved, supervised activities or using such lighted areas as aforesaid, shall leave the parks promptly at darkness and shall not return before sunrise on the following day.

**Section 3.** REFUSE: No person shall litter, or suffer or cause to be littered any of the grounds, streets, parking lots, waterways, swimming pools, fountains, buildings, or other structures of the District by scattering or leaving paper, garbage, bottles, cans, boxes, yard waste, or other refuse therein, except in receptacles provided therefore.

**Section 4.** BRINE: No person shall pour or suffer or cause to be poured any brine or brine water, any automobile radiator drainage, any crank case drainage or any other injurious substance or noxious chemical or poison upon any grass, shrubbery or

trees within any Park of the District, or into any stream, lake, lagoon, pool, fountain of wading basin in any Park of the District.

Section 5. DEFACING PROPERTY: No person shall climb any trees, pluck any flowers or fruit, either wild or cultivated, or break, cut down, tramp upon, remove, or in any manner deface, mar, injure or mutilate any tree, shrub, flower bed, turf, fence, bridge, statue, ornament, gate, building, structure, fountain, refuse container, tool, implement, vehicle, car, light standard or any other facility within any park, driveway, or public place of the District over which the District has jurisdiction by ownership, lease or appropriation, whether within or outside the boundary of the District, or any such property of any patron of, or visitor to, the parks of the District.

Section 6. FIREARMS AND OTHER MISSILES: A. No person shall fire or discharge any gun, air rifle, pistol, rocket, torpedo, or other firearm, or shoot any bow and arrow nor B. throw any stone, rock or other missile within any of the parks, driveways or public places under the jurisdiction of the District, except when authorized to do so by the Board of Park Commissioners or its Executive Director or other officers authorized to give such permission. C. No person shall hit any golf ball, toss any dart, or other missile within any of the parks over which the District has jurisdiction, except at such places as may be designated as provided for that purpose. Notwithstanding anything to the contrary contained in this Ordinance, possession of a firearm by other than a police officer in the line of duty on any property owned or controlled by the District shall subject the offender to arrest and prosecution under applicable state statute.

Section 7. INTOXICATION: No person shall enter any of the parks or public places of the District while in an intoxicated condition, nor shall he/she remain therein while in an intoxicated condition.

Section 8. INTOXICATING LIQUORS:

A. General Prohibition: No malt, vinous, spirituous, fermented, intoxicating or alcoholic beverages shall be brought into, served, sold, purchased, consumed, carried in or about or delivered in, on, or to any District land, building, picnic area, or other District facility except as shall be expressly permitted under the terms of this Section 8 and any and an amendments hereto.

B. Permitted Exceptions:

1. Sale by the District: The District may sell, serve, dispense or deliver any malt, beer, spirituous, vinous, fermented, intoxicating or other alcoholic liquor or beverage to any person at least 21 years of age in any building owned by the District or on the Fox Run Golf Links provided that the District has (a) first provided dram shop liability insurance in maximum limits so as hold the District harmless from all financial loss; (b) obtained any applicable liquor license required by law; and (c) has by motion approved by the Board of Commissioners of the District pursuant to this

enabling Section, specified (i) when in a building, the location of the building in which such alcoholic beverage is to be sold, served or otherwise dispensed, (ii) the types of alcoholic beverage to be so sold, served or otherwise dispensed, (iii) the days and hours during which sales may be made, and (iv) the person or persons who shall be authorized to make such sales or otherwise serve or dispense such alcoholic beverages on behalf of the District.

2. Consumption: The personal consumption and use of any malt, spirituous, fermented, intoxicating or other alcoholic liquor or beverage, to the extent and only to the extent that such alcoholic liquor or beverage has been sold, purchased, served, dispensed, or delivered for consumption pursuant to the provisions of Section B.1. above, is permitted on the District premises where such liquor or alcoholic beverage was dispensed, provided the consumption is by an adult of at least 21 years of age.

3. Additional Rules: The Board of Park Commissioners may from time to time establish additional rules and regulations related to the serving, dispensing, use, sale, delivery, purchase and consumption of liquor and other alcoholic beverages, including disposal and clean-up procedures, which rules and regulations shall govern until modified or rescinded.

Section 9. FIRES: No person shall build any fire in any of the parks or public places of the District, except in such places as have been, or may hereafter be provided for such purpose, and no person who has built any such fire within any such park shall leave the place where such fire was built without first completely extinguishing the same. Notwithstanding the foregoing, outdoor grilling upon issuance of a permit therefore by the Executive Director of the District, after application is made on a form provided by the District, on a portable outdoor grill, shall be permitted in such place(s), at such time(s), and at such park(s) as may be provided in said permit.

Section 10. DISTURBING PATRONS OR CONCESSIONAIRE OF THE DISTRICT: No person not invited, or not having paid an admission, where an admission is charged, shall enter any area, building or place which has been rented or otherwise reserved for any purpose, nor shall anyone enter any concession in any of the parks of the District without the consent of the concessionaire or its duly authorized agent or employee; nor shall any person disturb any patron of such concession, any participant in any dance, game, picnic, or a public assemblage authorized by the District, nor shall any person loiter in the immediate area of such concession so as to impede free access to such concession by other park patrons or the flow of pedestrian traffic in and about the area of such concession.

Section 11. DISTURBING THE PEACE: No person shall willfully disturb the peace and quiet of any park or adjacent territory by loud or unusual noises or by threatening, quarreling, challenging to fight or fighting any person.

Section 12. LEWD AND INDECENT ACTS: Whoever shall commit or perform a lewd, lascivious, licentious, indecent or lustful act in any of the parks of the District with intent to produce voluptuous or lewd emotions, or to stimulate or gratify lust, passion or sexual desire of other persons, shall be deemed guilty of lewd and indecent conduct.

Section 13. CLOTHING: No person shall enter nor remain in any park or public place of the District unless properly clothed or unless clothed in a manner generally considered appropriate for the game, sport or amusement in which such person is engaged.

Section 14. SKATING: No person shall skate on water areas within any of the parks or the District except when designated by the Board of Park Commissioners, and then only in areas designated for that purpose, and no person while engaged in skating shall conduct himself in such manner as to endanger the life, limb or clothing of other patrons, nor to the annoyance of the public generally.

Section 15. RESTRICTED PARTS OF PARK: No person shall enter upon any portion of the District where persons are prohibited from going by direction of the Director of Parks and Recreation as indicated by sign or notice; nor shall any person drive an automobile, truck or other licensed motor-driven vehicle in any Park within the District except on such streets and parking lots as shall be provided for that purpose nor shall any person drive a snowmobile, mini-bike or any other unlicensed motor-driven vehicle in any park or on any street or parking lot within the District. This section should not, however, be deemed to prohibit the driving of motorized golf carts rented from the District on authorized areas of the Fox Run Golf Links. No person shall in-line skate, roller-skate or skateboard on any tennis court, basketball court or bench of the District.

Section 16. USE OF PLAYGROUND EQUIPMENT: No person shall use any of the playground or sports apparatus or equipment in any manner, which shall weaken or tend to weaken damage or destroy such apparatus or equipment.

Section 17. ANIMALS: No person shall bring any undomesticated animal into any Park. No person shall bring any domesticated animal into any park except when under control by said person and on a leash not to exceed fifteen (15) feet in length. No person shall permit any dog or other domesticated animal when brought into any Park as permitted as aforesaid to disturb, interfere with, bite, or assault any person or animal in said Park. No person shall bring a dog or other domesticated animal into any Park unless such person shall be carrying with him or her a visible means for removal of its excrement and unless such person shall immediately remove such excrement from said Park or dispose of it in an appropriate trash receptacle.

Section 18. GAMBLING: No person shall play at games of chance or use any gambling device in violation of State statutes in any park or recreational area of the District.

Section 19. PROTECTION OF BIRDS AND ANIMALS: No person shall trap, catch, wound, kill, treat cruelly or attempt to trap, catch, wound, or kill any bird or

animal; or molest or rob any nest of any bird or animal in the District. Nothing contained in this Section 19 shall be deemed or construed to prohibit District personnel or any contractual service engaged by the District from trapping any animal or catching or removing any animal from District property when necessary or advisable and in the best interest of the District or the public.

Section 20. RESISTING OR INTERFERING WITH OFFICER: No person shall resist any Commissioner or police officer of the District in the discharge of his duty, or fail or refuse to obey any lawful command of any such Commissioner or police officer or in any way interfere with or hinder or prevent any such Commissioner or police officer from discharging his duty, or in any manner assist or give aid to any person in custody of such Commissioner or police officer or escape or attempt to escape from custody of such Commissioner or police officer, or rescue or attempt to rescue any person when in such custody.

Section 21. IMPERSONATION OF OFFICERS: No person shall falsely represent or impersonate any police officer or pretend to be a police officer.

Section 22. ASSAULT: No person shall commit an assault, or an assault and battery, within any of the parks or other public places under the control of the District.

Section 23. OBSCENE OR INDECENT BOOKS AND PAMPHLETS: No person or persons shall knowingly exhibit, sell, or offer to sell, give away, or offer to give away, in the District, any obscene or indecent book, pamphlet, paper, drawing, movie film, picture, or photograph.

Section 24. FIREWORKS: No person shall have in possession, nor fire, discharge or set off within the parks or property controlled by the District, any firecracker, squib, bomb, firework or any other device capable of creating an explosion without the written permission of the Board of Park Commissioners or the Executive Director.

Section 25. SMOKING: Smoking is prohibited in all areas of buildings and in vehicles owned, leased, controlled, or operated by the District.

Section 26. DISPLAY OF WEAPON: No person shall in any threatening manner display any pistol, knife, club or other deadly weapon in or on any property owned or controlled by the District.

Section 27. PARKING OF VEHICLES ON PARK PROPERTY: Vehicles of persons using or visiting park premises, if parked on park district property, may be parked only on a parking lot of the District, unless special written permission is granted by the Executive Director. Such parking shall be in accordance with posted rules and instructions. Any vehicle parked in violation of the above may be towed away and impounded until towing fees and charges are paid therefore, in addition to penalties set forth herein for violations of this ordinance.

## **CHAPTER II**

### **SUSPENSION**

A. (1) **SUSPENSION GENERALLY:** In addition to the possibility of being arrested, upon serious infraction of any rule, regulation, ordinance or policy of the District, including but not limited to any foregoing section of this ordinance as from time to time amended, the patron will be given verbal instructions by the Executive Director, the Director of Leisure Services, a security guard, a Coordinator or designated staff member to leave the District facility' or park in question, to refrain from usage of all District facilities until such time as he/she makes arrangements for an interview to discuss the infraction(s) with either the Executive Director of the District, OR the Director of Leisure Services of the District. If possible, at the time of eviction, the patron will be given a letter advising of the disciplinary action and procedure to follow as set forth in Chapter II B, (1).

(2) **EMPLOYEE TO INFORM:** It is the responsibility of the employee directly involved to inform the Director of Leisure Services of the removal of the patron and the reason(s) for such removal through the use of an Incident Report Form.

B. (1) **LETTER TO PATRON:** If the patron was not handed a letter at the time the patron was suspended, then within 96 business hours, the patron will be sent a letter by registered or certified mail, informing the patron of:

- a. The nature of the offense
- b. The penalty or suspension period for the offense
- c. Instructions for setting a date and time for a meeting with the administrative staff involved if an appeal is desired
- d. That he/she is not to return to any District facility until such a meeting as listed in Part B (1) c above occurs, OR if found doing so, he/she may be arrested and/or prosecuted for "trespass."

(2) **INFORM EMPLOYEES:** It shall be the responsibility of the Executive Director of the District and/or the Director of Leisure Services to inform appropriate District representatives of the name of the patron to insure that all levels of supervision know that such patron is not to use park facilities until further notice.

(3) **TRESPASS:** If a patron who has been notified in accordance with Paragraph B (1) is observed in a park facility the patron may be subject to arrest for trespass.

C. (1) **PATRON MEETING:** Upon meeting with the Executive Director and/or the Director of Leisure Services the issues, involving the patron will be

discussed on an informal basis. The specific offense(s), evidence, and penalty, if any, will also be discussed.

(2) CHANGE IN LENGTH OF SUSPENSION: Should there be a change in length of suspension, it shall be the responsibility of the Executive Director of the Elk Grove Park District and/or the Director of Leisure Services to inform appropriate Park District representatives of the results of the meeting concerning the patron.

D. (1) APPEAL TO PARK BOARD: If the suspension imposed is for one (1) month or longer and the patron feels that the penalty is too severe for the offense committed, or there are extenuating circumstances that were not taken into consideration by the Executive Director of the District and/or the Director of Leisure Services OR that he/she definitely is not guilty of the offense as charged, the patron may request a hearing before the Board of Park Commissioners. Such request must be received in writing within 10 days of the date the results of the meeting with the Executive Director and/or the Director of Leisure Services are communicated to the patron.

(2) BOARD HEARING WITHIN TEN (10) DAYS OF REQUEST: The Board of Park Commissioners shall meet within 10 days of the date on which such appeal notice is given to the Secretary of the Board. The patron will be notified in writing as to the date and time set for his/her meeting with the Board.

(3) BOARD DETERMINATION: At said meeting, the Board shall hear testimony presented by all interested parties and render a fair and impartial determination.

E. (1) POLICY VIOLATIONS SUBJECT TO DISCIPLINARY ACTION WHERE THERE IS NO INTENT TO EFFECT ARREST: A person shall be in violation of District policy when he or she:

- a. Refuses to deposit or provide a valid identification card or identify oneself when requested to do so by a District Employee; or
- b. Presents a false identification; or
- c. Violates POSTED District rules; or
- d. Continues to violate NON-POSTED rules not contained in a park district ordinance, after being instructed by a District employee, either orally or in writing that such conduct is in violation of said rule.

(1) POSTED, as stated in Section E, (1), c and d, shall mean any sign, either written or illustrated, and mounted in a conspicuous place and adjacent to or within the area of regulation.

F. (1) PENALTIES FOR VIOLATION OF CONTROL ORDINANCE:  
Penalties for infraction of the various sections of Chapter I of this ordinance shall be as follows. Any suspension imposed shall be from the use of all parks and facilities of the District for the period of suspension.

- (a) Violation of Sections 2,3,4,7,8A, 10,13,14,16,17,18,21,25,27  
Or Chapter II E. (1) a,b,c,d:

	Minimum Suspension:
First Offense:	Two (2) weeks suspension
Second Offense	One (1) month suspension
Third Offense	Two (2) months suspension

- (b) Violations of Sections 6B, 6C, 9,15,19

	Minimum Suspension:
First Offense:	Two (2) weeks suspension
Second Offense	Two (2) months suspension
Third Offense	One (1) year suspension

- (c) Violations of Sections 5, 11, 12, 20, 22, 23, 24

	Minimum Suspension:
First Offense:	Two (2) months suspension
Second Offense	Four (4) months suspension
Third Offense	One (1) year suspension

- (d) Violations of Sections 6A, 26

First Offense:	Lifetime suspension
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G. (1) Once a patron has accumulated three (3) or more suspensions as a result of violations of any of the rules, regulations, policies or ordinances of the District within a 12-month period, all penalties for violations thereafter will be assigned as a third offense violation.



### **CHAPTER III**

#### **ARREST AND FINE**

Any person violating or disobeying any provision of this Ordinance may be suspended from the use of the parks and facilities of the Elk Grove Park District as provided in Chapter II hereof, and in addition, where there is an intent to effect an arrest, such person may be arrested by Elk Grove Village Police and may be fined upon conviction for each provision violated, which fines may be recovered by an action in the name of the Elk Grove Park District in the Circuit Court of Cook County, Illinois. The District may also seek in the action, in addition to fines, an order that the offender be required to make restitution for damage resulting from violations.

### **CHAPTER IV**

#### **POLICE**

In addition to the authority reserved to the District in Section II of this Ordinance, where there is an intent to effect an arrest, the Village of Elk Grove Village Police may enforce the laws of the State of Illinois, the Ordinances of the District and Ordinances of the Village of Elk Grove Village, which may be applicable to any of the parks thereof within the boundaries of the Village of Elk Grove Village, or within the parks, streets and public places of the District. One or more such police officers may be appointed by the Village of Elk Grove Village as a juvenile officer or officers who shall advise and supervise juvenile offenders under the ordinance of the District governing the use of parks and, if necessary, refer offenders to the Family Court of Cook County.

The President of the Board shall have the power to formulate or make such additional rules and regulations as an emergency or emergencies as the public interest may from time to time require for the orderly regulation of the District in the care and protection of the property of the District and for the preservation of public health and peace in and about the District, and shall cause the Executive Director to close any Park to the public whenever the President of the Board shall find that there is a clear and present danger to the public health and safety within such park.

**CHAPTER V**  
**REPEALER**

Ordinance No. 168, as heretofore amended, is hereby repealed.  
Ordinance No. 284, as heretofore amended, is hereby repealed.

PASSED: This 14th day of March, 2019

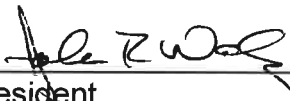
APPROVED: This 14th day of March, 2019

ADOPTED: This 14th day of March, 2019

VOTES:     **Ayes:** Commissioner Souder  
                            Commissioner O'Malley  
                            President Walz

**Nays:** None

**Absent:** Commissioner Biedke  
                    Commissioner Cooke

  
\_\_\_\_\_  
President  
Board of Park Commissioners  
Elk Grove Park District

ATTEST:

  
\_\_\_\_\_  
Secretary  
Elk Grove Park District

STATE OF ILLINOIS       )  
                                      ) SS.  
COUNTY OF COOK        )

I, Robert Biedke, DO HEREBY CERTIFY that I am the duly elected, qualified and acting Secretary of the Elk Grove Park District and of the Board of Park Commissioners of the Elk Grove Park District; and that I have access to and am custodian of the official Minutes of the Meetings of the Board of Park Commissioners and of the Elk Grove Park District.

I DO FURTHER CERTIFY that the above and foregoing is a true and correct copy (duplicate) of a certain Ordinance entitled:

**ORDINANCE NO. 401**

**ELK GROVE PARK DISTRICT**

**AN ORDINANCE CODIFYING RULES AND REGULATION  
GOVERNING THE USE OF PARKS AND RECREATIONAL  
AREAS UNDER THE CONTROL OF THE ELK GROVE PARK  
DISTRICT, PRESCRIBING PENALTIES FOR THE  
VIOLATION OF SUCH RULES AND REGULATIONS,  
PROVIDING FOR THE APPOINTMENT OF POLICE AND REPEALING ORDINANCE  
NO. 168 AND ORDINANCE NO. 284 AS HERETOFORE AMENDED**

That the foregoing was passed by the Board of Park Commissioners of said Elk Grove Park District on the 14th day of March, 2019, and was on the same day approved by the Secretary of the Elk Grove Park District; that it was filed and recorded in the office of the Secretary of the Elk Grove Park District of which the foregoing is a true copy (duplicate) and is now on file in the office of such Secretary.

GIVEN under my hand and seal of the Elk Grove Park District this 14th day of March, 2019.



Secretary  
Elk Grove Park District  
Cook County, Illinois

(SEAL)