

XXVII. CONDUCT IN PUBLIC PARKS

27.00 DEFINITIONS

For the purpose of this section, the following definitions shall apply:

- A. "Board" means the Board of Commissioners of the Bolingbrook Park District.
- B. "Director" means the chief administrative officer of the District.
- C. "District" means the Bolingbrook Park District, Will County, Illinois.
- D. "Park" means any playfield, playground, open area, facility, building, or part of parts thereof, and the materials and equipment therein owned, leased or in use by the District.
- E. "Person" means any individual, group or organization of any kind.
- F. "Vehicle" means any motor powered conveyance, including minibikes, go-carts, and snowmobiles, but not including conveyances in use by the District.

27.01 HOURS OF OPERATION, CLOSED AREAS

- A. No person shall be allowed on park property between 10:00 p.m. and 6:00 a.m. unless otherwise posted or authorized by the Director or when attending an authorized meeting or activity being held in a park building or facility.
- B. No person shall be allowed at any time of for any reason on any park site or property that is declared closed by the Director.
Exception: Persons and vehicles may pass through such parks without stopping on the most direct walk or driveways leading from their point of entrance to the exit nearest to their point of destination.
- C. No person shall be allowed at any time on any part of any park, which is fenced in and locked.
- D. It shall be unlawful for a parent, legal guardian, a person in loco parentis, a person having legal or personal custody, or any other person to knowingly permit a person less than eighteen (18) years of age in his custody or control to be or remain in any part of any park system between the hours of 10:00 p.m. and 6:00 a.m. (See 27.03 for parental responsibility).

27.02 PROHIBITED ACTIVITIES

- A. Fires: No unauthorized person shall construct, light or make use of any fire on District property, except small contained fires used for the sole purpose of grilling food when located in designated picnic areas. Bonfires shall be strictly prohibited, unless authorized by the Director, and accompanied by written permits.
- B. Firearms, Fireworks and Weapons: No unauthorized person shall carry or discharge any gun, firearm or weapon, or discharge any rocket, firecracker, torpedo, squib, or other fireworks or objects containing any substance of an explosive nature on District premises without first obtaining a permit from the Director or Parks and Recreation and providing appropriate liability insurance naming the Bolingbrook Park District as additional insured. No person shall carry or discharge any bow and arrow, slingshot, BB gun or pellet gun, or other weapon or instrument used for hunting or target practice. No person shall throw or cast any stone or missile on District premises.

No unauthorized person shall bring onto park property any trapping device, any incendiary bomb or material, any smoke or stink bomb, any acid or caustic substance, tear gas, any disabling chemical agent, or any inflammable liquid, except charcoal lighter, fuel contained in the fuel tank of a motor vehicle, watercraft, lantern, camp stove or camp heater.

- C. Vandalism: No person shall cut, break, climb on, write on, or in any way injure or deface any tree, shrub, plant, turf, surface, or any part of a building, fence, bridge, lamp, post, play or sport apparatus, sign or other structure or property of District premises. Vandals shall be prosecuted and required to reimburse the Park District for replacement and/or repair of damage. Parents of minors shall be held responsible for any financial reimbursement.
- D. Disorderly Conduct: Persons committing any of the following acts shall be deemed guilty of disorderly conduct:
1. Willfully assault another in the park system or be engaged in, and or abet in any fight, quarrel or other disturbance in the park system.

2. Make, aid, countenance or assist in making any purpose to the annoyance, obstruction or disturbance breach of peace within the park system.
3. Fail to disperse after being ordered to do so by a person with police authority.
4. Enter upon any part of the park system, which is in an unfinished state, under construction, closed to the public, or over or upon any golf course except in the use thereof in the course or regular play.
5. Enter upon any portion of the park system where persons are prohibited from going, as indicated by sign or notice.
6. Fish or bathe in any of the waters of the park system except such portions thereof as may be designated for such purposes and under such regulations as may be prescribed by the District.
7. Engage in any fraudulent scheme, device or trick to obtain money or other valuable thing in any place in the park system.
8. Make or create loud or boisterous noises, whether by personal actions or electronic or mechanical amplification.
9. Use any abusive, threatening, insulting, indecent, profane or obscene language, or language calculated to occasion a breach of the peace.
10. Loitering about the public ways or parks, either by day or night, without any known lawful means of support, or without being able to give a satisfactory account of themselves.
11. No person shall climb any tree nor climb, walk, stand or sit upon any wall, building, fountain, fence, or railing.
12. Appear at any place in other than proper clothing that does not unduly expose the body.

A person is guilty of violation of this section if, after having been given proper warning or notification that any such conduct is improper, he fails to cease such conduct.

- E. Boating and Swimming: No unauthorized person shall bring into, attempt to launch, use or navigate any boat, yacht, canoe, raft or other watercraft upon or swim in the waters of any lake or pond located within any property owned or controlled by the District except as such places as may be designated by the Director.

- F. Vandalism to Shrubs, Trees & Flowers: No unauthorized person shall damage, cut, carve, uproot or injure any tree, shrub or flower in any park; nor shall any person attach any rope, wire or other contrivance to any tree, shrub or flower.
- G. Encroachment: No person shall encroach upon District property by constructing fences, play apparatus, or any structure, or planting gardens or shrubs, or by assuming District property for personal use.
- H. Theft of Landscaping: No person shall remove any soil, rock, stone, tree, shrub, plant, timber or other wood or material from any park nor make any excavation by tool, equipment, blasting, or other means or agency, within any park, except as authorized by the Director.
- I. Dumping and Littering: No unauthorized person shall deposit, dump, throw, drain, or place any coal, ashes, grass clippings, tree or shrub trimmings, paper rubbish, manure or waste substance of any kind in or upon any part of District property, except that the waste or refuse from material consumed in the park.
- J. Animals: Domestic animals shall be restricted from park property **unless properly leashed and restrained**. Persons with leashed and restrained animals shall be responsible for the removal of the animal's waste. Guide dogs for the visually impaired are exempt from this clause while the dog is performing duties as expected. Wild animals not dangerous or damaging District property shall be protected.
- K. Tents and Utilities: No person shall set up or erect any tent or shelter in or run or string any public service utility into, upon or across any park without authorization from the Director.
- L. Injurious Substances: No person shall discharge any injurious substance in the water, air, or upon the ground, or property of any kind in a park.
- M. Alcoholic Beverages: No person shall bring within, possess, sell, or give away, or drink alcoholic beverages without a written permit authorized by the Director.
- N. Drunkenness and Narcotics: No person shall enter, be, or remain on District property while under the influence of alcohol or narcotics.
- O. Special Use Permit: No person over an age posted shall use park areas or playground equipment designed specifically for the use of a particular age group.
- P. Posted Regulations: No person shall violate rules controlling the use of Park District facilities as posted an/or published.

Q. Public Gatherings – Picnics, Demonstrations, Assemblies, Parades – Permits Required; Use of Certain Grounds Prohibited:

No group shall, in the park system:

1. Hold or attempt to hold any meeting, assembly, demonstration, celebration, parade, rally, religious worship, or any sponsored entertainment, social, recreational, or athletic event without first obtaining a written permit from the Director.
2. A group shall be considered to be thirty or more persons.
3. Use any portion of the park for mechanical or electronic amplification without first securing a permit.
4. Use any portion of the park where a permit has been issued to another to use the same.
5. Enter upon any portion of the park system where persons are prohibited from going as indicated by sign or notice.
6. Enter upon any part of the park system, which is in an unfinished state or under construction, or over or upon any golf course except in the use thereof in the course of regular play.

R. Advertisements and Posters: No unauthorized person shall display any placard or advertisement of any kind on District premises; nor shall any person distribute, cast, or place any handbill, pamphlet, circular, advertisement or notice of any kind, nor post, stencil, or otherwise affix any notice, bills, advertisements or other papers upon any structure, apparatus, or thing in or about District premises except as authorized by the Director.

However, according to the Illinois States Attorney, on Election day, *and Election day only*, political signs may be placed on public property (park district property) as long as 1) the location is being used as a polling place and 2) the signs are placed at least 100 feet from the entrance to the building.

S. Solicitation: No unauthorized person shall offer or exchange for sale any article or activity, or establish any type of concession, or do any hawking, peddling, soliciting, or begging, or buy or offer to buy any article, alms or activity, or take up any collection, solicit or receive contributions or money or anything of value upon District

premises, except when authorized to do so by permit from the Director.

- T. Impersonation of Police or Park Personnel: No person shall falsely represent or impersonate any police officer or park personnel.
- U. Resisting or Interfering with Police or Employee: No person shall resist any police officer or employee in the discharge of his duty or fail or refuse to obey any lawful command of any such officer or employee or in any way interfere with or hinder or prevent any officer or employee from discharging his duty, or in any manner assist or give aid to any person in the custody of a police officer in attempting to escape from such custody, or rescue or attempt to rescue any person when in such custody.
- V. Ice Skating: Ice-skating, sledding, or crossing a frozen pond or stream is prohibited. Ice-skating is only allowed on designated ice rinks.
- W. Skating in Reckless Manner: No person shall skate in any part of the park system in a reckless manner, or at a speed greater than is reasonable and proper, having regard to the number of people in such part of the park system and the use thereof, or so as to endanger life or limb, or damage the property of any person; provided, however, that nothing herein contained shall be construed to prohibit any exhibition of, or contests in fast or fancy skating or the playing or hockey on such portions of any ice as may be set aside for that purpose.
- X. Sleeping in Parks – Hammocks: No person shall sleep in the park system between 10:00 p.m. and 6:00 a.m., or place, swing, occupy, or use any hammock therein for such purposes.
- Y. Gambling: No unauthorized person shall play games of chance or use any gambling device on District premises without prior approval from the Director.
- Z. Obscene Gestures and Lewd Acts: No person shall fornicate or shall commit any indecent, lewd, or filthy act, or utter any indecent, lewd, or filthy words, or use any threatening or obscene language, or make any threatening suggestions or obscene gestures or movement in the park system.
- AA. Obscene or Indecent Books and Pamphlets: No person shall exhibit, sell, give away or offer give away, or have in his possession, in the park system, any obscene or indecent book, pamphlet, paper, drawing, lithograph, engraving, picture, daguerreotype, photograph, stereoscopic picture,

model, cast, instrument or any article for indecent or immoral use.

BB. Protective Devices – Removal Of: No person shall remove, injure, or misuse any guard or device placed or intended to protect any tree, plant or shrub growing in any public way within the Park District.

CC. Truancy – Absence from School: On school days when school is in session, school aged children are not allowed in Park District facilities unless accompanied by a parent or guardian.

27.03 PARENTAL RESPONSIBILITY

A. Offense – It shall be unlawful for the parent or legal guardian of any unemancipated minor residing with such parent or legal guardian to fail to exercise proper parental responsibility by allowing or permitting said minor to commit violation of any park ordinance or state statute including especially concerning vandalism, battery, closing hours, curfew, disorderly conduct, use of or parking of autos, trespass, possession of alcoholic liquor, cannabis or controlled substances, or any other offense or willful or malicious acts to person or property.

B. Presumption – A parent, a person in loco parentis, or legal guardian shall be presumed to have allowed permitted said minor to have committed a violation of a park ordinance or state statute under all of the following conditions:

1. Said minor has been either adjudicated to be in violation of any ordinance or state statute as described in subsection (a) above, or has been charged with the violation of any ordinance of state statute as described in subsection (a) above (except if found to be not guilty), has incurred nonjudicial sanctions from any peace officer, police officer, or conservator of the peace resulting from an admission of guilt to an offense of an ordinance or state statute as described in subsection (1) above; and
2. Said parent or legal guardian has received a written notice by certified mail (return receipt request) or by personal service in substantially the following form:

LEGAL NOTICE

To: (Parents' Names)
From: Bolingbrook Park District

You are hereby notified that (minor's name) has been involved with a violation of a park ordinance (describe nature of violation) or state statute concerning vandalism, battery, closing hours, curfew, disorderly conduct, fireworks, obscene conduct, indecent exposure, use of or parking of autos, trespass, or possession of alcoholic liquor, cannabis or controlled substance, or any other offense of willful malicious acts to persons or property.

If said minor is again involved with a violation of one of the above type ordinance or state statutes, you may be found guilty of parental irresponsibility. Conviction for said offense could result in a fine of not less than \$50 or more than \$200. You are hereby notified that you must exercise proper parental responsibility over said minor by controlling his unlawful conduct.

3. Said minor, within two (2) years of the receipt of said notice by the parent or legal guardian, has been either adjudicated to have committed, has been charged with the violation (except if found to be not guilty), or has admitted to have committed any violation or any ordinance or state statute as described in subsection (1) above, or has failed to stay clean from disciplinary problems during that period.
- C. Definitions – The following terms shall have the meaning described to them for the purposes of this section:
1. Legal guardian means a person appointed guardian or given custody of a minor by court, but it does not include a person appointed guardian or given custody of a minor under the “Juvenile Court Act,” as amended, in the State of Illinois.
 2. Person in loco parentis means any person, except those defined in (1) having a minor in his custody or control whether or not related.
 3. Minor means any person who has not yet attained the age of eighteen (18).

- D. Supervision – It is policy of the District to permit the prosecutor to use the provisions of the Unified Code of Correction, “as amended, of the State of Illinois, pertaining to supervision in order to further the ends of justice, restitution, and purposes of this section.”
- E. Court Appearance of Parents – It is the policy of the District that a parent or legal guardian of a minor be notified and required to appear in court whenever that minor is charged with a violation of an ordinance of state statute which requires that minor’s appearance in court. To this end, it is hereby directed that a notice insubstantial the following form be sent to the parents or legal guardians of the minor:

LEGAL NOTICE

To: (Parents’ Names)
From: Bolingbrook Park District

You are hereby notified that (minor’s name) has been charged with an offense, which is a violation of a park ordinance, or state statute and which required the appearance of said minor in court. You are further notified that one of the parents of said minor must appear in court before the case will be tried or be disposed.

If you fail to appear, the prosecutor has been directed to bring you into court. Failure to obey a subpoena can result in contempt of court, with a fine or imprisonment as the penalty.

The prosecutor may issue subpoenas at any time and is hereby directed to have subpoenas issued whenever a parent or legal guardian of a minor does not appear in court after the first time said case has been before the court.

27.04 VEHICLES

No unauthorized person shall bring or use any unauthorized vehicle upon District property, other than designated parking areas or roadways. A vehicle shall be defined as any motorized object including, but not limited to, automobiles, jeeps, vans, buses, trucks, motorcycles, mopeds, dirt bikes, or snowmobiles. Exceptions shall include wheelchairs and authorized Park District and Police vehicles and maintenance equipment.

In areas marked with lines, lanes, or stalls, no vehicle shall be parked or stand except within said marked lines, lanes, or stalls.

No vehicle shall be driven in the park system at a greater speed than posted or five (5) miles per hour where unposted and in any event no vehicle shall be driven at a greater speed than is reasonable and proper, having due regard for the traffic, pedestrians, activities, conditions of the way and area where said driving is being done.

27.05 LOADING PERMIT

A loading permit allows vehicles to be driven into authorized parks for the purpose of loading and unloading supplies. The vehicle must immediately be returned to the road or parking lot after loading or unloading. A maximum of three loading permits per year per qualifying organization will be issued.

27.06 ABANDONED VEHICLES

No person shall park any vehicle in any park, driveway, or parking area of a park except during daylight hours, unless attending an authorized meeting or other activity in a park building, nor shall any person leave any vehicle anywhere in a park more than 24 hours because of mechanical failure, nor shall any person fail to notify the Village Police Department and obtain the services of a tow truck for any vehicle that has failed to function within one hour of such activity.

27.07 VEHICLES – IMPOUNDING OF, LIABILITY OF REGISTERED OWNER, AND TICKETS

- A. Every vehicle abandoned or parked in violation of this article is hereby declared to be a nuisance which may be abated by any police officer by removing and conveying such vehicle to the vehicle pound. Before the owner or person entitled shall be permitted to remove the same, he or she shall furnish evidence of ownership or right to possession, and shall pay for the cost of towing or removal to the vehicle pound, and the cost of storage for each day or fraction thereof in said pound.
- B. Whenever any vehicle shall have been parked in violation of any provisions of this article prohibiting or restricting parking, the person in whose name such vehicle is registered shall be prima facie responsible for such violation and subject to penalty therefore.

27.08 PENALTY

- A. Any person found guilty of a violation of the Code of Conduct in Public Parks shall be fined not less than fifty Dollars (\$50) nor more than Two Hundred Dollars (\$200).
- B. In addition to the penalty provided in Section 27.08 A hereof, any person found guilty if a violation of this Park Code shall be liable to the Park District for the amount of any and all damages incurred by the Park District.