ORDINANCE NO. 16 - 5

AN ORDINANCE REGULATING THE USE OF THE PARKS AND PROPERTY OWNED OR CONTROLLED BY THE PEKIN PARK DISTRICT ("CONDUCT ORDINANCE")

This Ordinance published in pamphlet form on August 25, 2016, by authority of the Board of Park Commissioners of Pekin Park District, Tazewell and Peoria Counties, Illinois, pursuant to the Statutes of the State of Illinois then in force and effect.

Amended: March 22, 2018 December 12, 2019

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AN ORDINANCE REGULATING THE USE OF THE PARKS AND PROPERTY OWNED OR CONTROLLED BY THE PEKIN PARK DISTRICT

CHAPTER I - DEFINITIONS, CONSTRUCTION, AND SCOPE

<u>Section 1.01</u>. <u>Short Title</u>. This Ordinance regulating the use of the parks and property owned or controlled by the Pekin Park District shall be known and may be cited as the "Conduct Ordinance of the Pekin Park District."

<u>Section 1.02.</u> <u>Definitions.</u> Unless otherwise expressly stated elsewhere in this Ordinance, for purposes of this Ordinance, the following words, terms, and phrases shall have the meanings given herein:

- 1. "Agent" means any representative contracted to the Pekin Park District acting within the scope of his/her/their authority, such as caterers, outside vendors, etc.
 - 2. "Aircraft" means any device that is used or intended to be used for human flight in the air.
- 3. "Alcoholic Liquor" is defined as provided in the Illinois Liquor Control Act of 1934 (235 ILCS 5/1-3.05) as amended hereafter.
- 4. "Aquatic Life" means all fish, reptiles, amphibians, crayfish, mussels, mollusks, and crustaceans.
 - 5. "Board" means the Board of Park Commissioners of the Pekin Park District.
- 6. "Camp" or "Camping" shall include the erecting of a tent or shelter of natural or synthetic material, preparing a sleeping bag, hammock, or other bedding material for use, setting up any temporary or permanent camping equipment including without limitation food preparation equipment, parking of a motor vehicle, motor home or trailer, or mooring of a vessel, for the apparent purpose of overnight occupancy; and/or in connection therewith, the use of District Property for living accommodation purposes such as sleeping activities, or making preparations for sleeping activities, or storing personal property, or making preparations to store personal property, or making a fire or using a device to provide heat other than as may be permitted as part of a District event or activity.
- 7. "Cannabis" is defined as provided in the Illinois Cannabis Control Act (720 ILCS 550/3(a)) as amended hereafter.
 - 8. "Carry" means to wear, bear, or have on or about the person.
- 9. "Controlled Substance" is defined as provided in the Illinois Controlled Substances Act (720 ILCS 570/102 (f), 204, 206, 208, 210 and 212) as amended hereafter.
- 10. "Chief of Police" is the Chief of the Pekin Park District Police or such persons charged with or delegated such authority by the Chief of Police.
- 11. "Director" or "Executive Director" means the Executive Director of the Pekin Park District, or such persons charged with or delegated such authority by the Executive Director.
 - 12. "District" is the Pekin Park District, Tazewell and Peoria Counties, Illinois.
 - 13. "District Property" is all of the property, real and personal, of every kind 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, beach, park, wilderness or open space, or other public place or facility and all District Waters located on or adjacent to or flowing over property located within the jurisdiction of, or owned, administered, leased or licensed by, or otherwise in the possession or under the control of the District.

- 14. "District Waters" shall include all water located on or adjacent to or flowing over land owned, leased, or generally administered or operated by the Pekin Park District, including without limitation all natural or man-made lakes, rivers, creeks, streams, ponds, lagoons, bays, and drainage ways.
- 15. "Department Head" is the person immediately in charge of a given District department and its activities and to whom all employees of such department are directly responsible (e.g., Superintendent of Recreation and Superintendent of Parks).
- 16. "Drug Paraphernalia" is defined as provided by the Illinois Drug Paraphernalia Control Act (720 ILCS 600/1d) as amended hereafter.
- 17. "Facility" means any building of the District in which programs of the District, maintenance of District facilities or the general administration of the District's staff and employees are conducted, and shall include all outdoor areas and facilities of the District.
- 18. "Fish" or "Fishing" means taking or attempting to take aquatic life in or from any District Waters by any method, and all other acts such as placing, setting, drawing or using any device commonly used for the taking of aquatic life whether resulting in such taking or not.
- 19. "Hearing Officer" means a person appointed by the Director with the advice and consent of the Board. The Hearing Officer shall be an attorney licensed to practice law in the state of Illinois for a minimum of three (3) years next proceeding the date of his/her appointment.
 - 20. "ILCS" is the Illinois Compiled Statutes.
- 21. "Operator" means a person who operates, drives, controls, otherwise has charge of, or is in actual physical control of a mechanical mode of transportation or any other mechanical equipment.
 - 22. "Ordinance" means the Conduct Ordinance of the Pekin Park District.
- 23. "Organized Recreational Activities" means any planned activity, which is advertised or otherwise promoted, or sponsored by any person, and conducted at a predetermined time and place that can improve physical fitness, coordination, self-discipline, teamwork, as well as promote a sense of personal satisfaction and accomplishment.
 - 24. "Park Police" shall include any sworn officer of the Pekin Park District Park Police.
- 25. Park Service Officer shall include any non-sworn member of the Park District Police authorized to enforce ordinances.
- 26. "Permit" is the written authorization issued by or under the authority of the District, by a District officer or employee empowered to grant said authorization, to a Person to engage in a particular act or acts on District Property. Said authorization is subject to the terms and conditions specified in the Permit, license, or contract as well as all applicable federal, state, local, and District laws, ordinances, rules, and regulations.
- 27. "Person" is every natural person and every organization, firm, partnership, association, corporation, or entity of any kind or any employee, agent or officer thereof. This definition shall not include

the District and any authorized officer, employee (full or part-time, regular or short-term), or agent of the District when acting within the scope of his authority.

- 28. "Possess" or "Possession" means exercising direct physical control or dominion, with or without ownership, over any kind of property, or archeological, cultural or natural resource.
- 29. "Program or Facility Manager" A program or facility manager shall include and be limited to the Superintendent of Golf, the Superintendent of Parks, the Superintendent of Recreation, Parkside Athletics Manager, Special Facilities Manager and the Miller Senior Center Administrator.
- 30. "Refuse" includes without limitation trash, garbage, rubbish, waste, papers, bottles or cans, debris, litter, oil, solvents, liquid waste, or other discarded material whether solid or liquid.
- 31. "Services" shall include but not be limited to labor, professional services, transportation, leasing or renting any article, object, privilege, or service, giving of instructions or lessons, admission to exhibits, use of telephone or other utilities, or any act for which payment is customarily received.
- 32. "Smoking" means the lighting of cigarettes, cigars or pipes, the carrying of lighted cigarettes, cigars or pipes, or the intentional and direct inhalation of smoke from these objects.
- 33. "Structure" means something (such as a building) that is built by putting parts together and that usually stands on its own.
- 34. "Take" or "Taking" means to pursue, hunt, harass, lure, harm, shoot, trap or ensnare, gig or spear, net, capture, collect, kill, destroy, wound, or attempt to do any of the above.
- 35. "Vaping" means to inhale (= breathe into your lungs) the vapor produced by an electronic cigarette.
- 36. "Vehicle" means every device in, upon, or by which a person or property is transported or drawn on land, whether motor powered or self-propelled, except baby carriages, or strollers, bicycles when properly used on walks or trails, and vehicles in the service of the District.
- 37. "Vessel" means every type or description of watercraft or object used or capable of being used as a means of conveyance or transportation on water, including without limitation boats, rafts, canoes, inner tubes, air mattresses, kayaks, jet skis, inflated devices, logs, branches, or any other buoyant object permitting or capable of free flotation. "Vessel" does not include personal floatation devices or equipment required for safety such as life vests.
- 38. "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.

Section 1.03. Construction and Scope.

(a) In the interpretation of this Ordinance, its provisions shall be construed as follows: (1) Where the context permits, words in the masculine gender shall include the feminine and neuter genders and words in the singular number shall include the plural number; (2) The word "shall" is always mandatory and not merely directory; (3) The word "may" is always permissive and upon the discretion of the District; (4) 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.); (5) 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; (6) 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

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understood meaning; (7) 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; and, (8) 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.

(b) 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 officer, employee or agent of the District, member of the Park Police when acting within the scope of his authority or in his line of duty, or any other Person summoned by such person to assist him.

CHAPTER II - SPECIFIC RESTRICTIONS ON CONDUCT AND BEHAVIOR

Section 2.01. Aviation/RC Models

- (a) No Person shall fly, cause to be flown or permit or authorize the flying of 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 parachute or make an ascent or descent in an Aircraft into or onto District Property or cause, permit or authorize another Person to parachute or otherwise ascend/descend from an Aircraft into or onto District Property unless a Permit therefor has first been obtained from the District, except when necessitated by unavoidable emergency.
- (c) No Person shall upon or in connection with any property of the District: start, fly or use any fuel-powered, battery-powered or electric-powered model or toy or any remote controlled model car, scale model aircraft (including those commonly referred to as drones), boat or rocket or any like remote controlled or powered toy or model. The Director may grant, upon due application no less than 30 days in advance, a permit for use of like toys or models for special events, instruction classes or other functions on a case by case basis. The Director may create rules/regulations, along with safe areas for drone flight with dates/times posted on the District website. Nothing in this section shall prevent the flying of remote controlled model aircraft at the Hermon Lowery Airfield in Dirksen Park, by members and guests of members, under the rules and regulations as agreed upon and revised by the Board or the Director. Model Sail Boats are permitted at the Lagoon, if powered by sail and/or a slow speed electric motor. Model Sail Boats must not interfere with other uses of the Lagoon area or wildlife.

Section 2.02. Alcoholic Liquor.

- (a) No Person under the influence of Alcoholic Liquor, shall enter into, be, or remain on District Property. For purposes of this Section 2.02 (a), "under the influence" means affected by Alcoholic Liquor, in any determinable manner. A determination of being "under the influence" can be established by a professional opinion, a scientifically valid test, a lay person's opinion, or the statement of a witness.
- (b) No Person, other than the District or its agent, shall sell or deliver any Alcoholic Liquor on District Property.
- (c) No person shall distribute, provide or allow any person under 21 years old to possess or consume Alcoholic Liquor on District Property. No person under the age of 21 years old shall possess or consume Alcoholic Liquor on District Property.
 - (d) No Person shall bring into, possess, consume, take, use, or transfer any Alcoholic Liquor

on District Property unless he/she is in or on District Property where the possession, consumption, use, or transfer of Alcoholic Liquor is permitted, or unless the Alcoholic Liquor is legally possessed in an unopened container stored in the trunk of a motor vehicle.

(e) Every Person possessing, using, consuming, or transferring Alcoholic Liquor pursuant to this section, shall be subject to and shall comply with the Liquor Control Act of 1934 and all other state, local, and District laws, ordinances, rules, and regulations regarding the possession, use, consumption, or transfer of Alcoholic Liquor, including adherence to Ordinance 09-4 relating to the sale of beer and wine at District golf courses.

Section 2.03. Controlled Substances, Cannabis and Synthetics.

- (a) Except in connection with a valid prescription, no Person under the influence of any Controlled Substance or Cannabis shall enter into, be, or remain on District Property.
- (b) Except in connection with a valid prescription, no Person shall bring into, possess, consume, take, use, sell, or transfer any Controlled Substance or Cannabis on District Property.
- (c) No Person shall possess, produce, plant, cultivate, tend or harvest the Cannabis plant on or in connection with any District Property.
- (d) Except in connection with a valid prescription, no Person shall possess, bring into or use Drug paraphernalia on or in connection with any District Property, with the intent to use it in ingesting, inhaling or otherwise introducing cannabis or a controlled substance into the human body, or in preparing cannabis or a controlled substance for that use.

(e) Synthetics:

- (1) For the purpose of this ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning:
- (a) A product containing a synthetic alternative drug means any product containing a synthetic cannabinoid, stimulant, or psychedelic/hallucinogen, as those terms are defined herein such as, but not limited to, the examples of brand names or identifiers listed on Exhibit "A" attached hereto and incorporated herein.
- (b) Synthetic cannabinoid means any laboratory-created compound that functions similar to the active ingredient in marijuana, tetrahydrocannabinol (THC), including but not limited to, any quantity of natural or synthetic material, compound, mixture, preparation, substance and analog (including isomers, esters, ethers, salts, and salt of isomers) containing a cannabinoid receptor agonist, such as but not limited to, the examples of brand names or identifiers listed on Exhibit "A" attached hereto and incorporated herein.
- (c) Synthetic stimulant means any compound that mimics the effects of any federally controlled Schedule 1 substance such as cathinone, methcathinone, MDMA and MDEA, including but not limited to, any quantity of natural or synthetic material, compound, mixture, preparation, substance and their analog (including salts, isomers, and salts of isomers) containing substances which have a stimulant effect on the central nervous system, such as but not limited to the examples of brand names or identifiers listed on Exhibit "A" hereto and incorporated herein.

- (d) Synthetic psychedelic/hallucinogen means any compound that mimics the effects of any federally controlled Schedule 1 substance, including but not limited to, any quantity of natural or synthetic material, compound, mixture, preparation, substance and their analog, (including salts, isomers, esters, ethers, and salts of isomers) containing substances which have a psychedelic/hallucinogenic effect on the central nervous system and/or brain, such as but not limited to, the examples of brand names or identifiers listed on Exhibit "A" attached hereto and incorporated herein.
- (2) It shall be unlawful for any person to sell, offer for sale or deliver any product containing a synthetic cannabinoid, a synthetic stimulant, or synthetic psychedelic/hallucinogen within properties owned, leased, or operated by the Pekin Park District.
- (3) It shall be unlawful for any person to knowingly possess a product containing a synthetic cannabinoid, a synthetic stimulant or synthetic psychedelic/hallucinogen within properties owned, leased, or operated by the Pekin Park District.
- (4) It shall be unlawful for any person to be under the influence of a synthetic cannabinoid, a synthetic stimulant or synthetic psychedelic/hallucinogen within properties owned, leased, or operated by the Pekin Park District.
- (5) Any person found to be in violation of Section 2.03 (e) of this ordinance shall be subject to a fine of not less than \$250.00 and not more than \$750.00 for each violation thereof. Each violation of this ordinance, or everyday a violation continues to exist, shall constitute a new and separate violation.

Section 2.04. Tobacco Products and Vaping.

- (a) Smoking, vaping or any use of a tobacco product is prohibited in all District buildings and District vehicles. Smoking is prohibited within 15 feet from the entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited under the Smoke Free Illinois Act, to ensure that tobacco smoke does not enter the area through entrances, exits, open windows, or other means.
- (b) Smoking, vaping or any use of a tobacco product is prohibited at any location where signs prohibit the use thereof.
- (c) No Person under the age of eighteen (18) years shall bring into, possess, have about or on their person, smoke, chew or otherwise consume, use, sell or transfer any tobacco or vaping product on District Property.

Section 2.05. Animals and Pets.

- (a) No Person shall bring or release onto District Property any Wildlife including without limitation, any animal captured or killed, of which is authorized by the fish and game laws of the State of Illinois, or any other animal, except for domesticated animals 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 (e.g., falconry) or event conducted or sponsored or permitted by the District or in conjunction with a zoo, museum, nature center, or similar facility controlled, permitted, licensed or maintained by the District.
- (b) No Person shall feed any waterfowl on District Property, or any other wildlife as regulated by the Department of Natural Resources.
 - (c) Except in areas where posted signs identify the area as an off leash area (such as the dog

park or dog training area), 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 the pet is on a leash which shall not exceed ten (10) feet in length and such Person has at all times the direct control, by hand, of the leash.

- (d) 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.
- (e) No Person shall bring a domesticated dog, cat, or any other animal, reptile or snake onto or permit such to remain on any portion of District Property where the presence of animals is prohibited, including within 10 feet of any walkway or feeder walkway surrounding or adjacent to the Mineral Springs Park Lagoon, Pavilion (including its porch), a fishing pier, boat dock or viewing dock; or in any playground area or upon an athletic field or in an athletic facility of any Park; inside a building; or where signs prohibit pets, except (i) in conjunction with an activity or event conducted, sponsored or permitted 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.
- (f) Any animal found on District Property in violation of subsections (a) or (e) may be apprehended, removed to an animal shelter, public pound, or other place provided for that purpose, and disposed of pursuant to the applicable laws or ordinances of Tazewell County or Peoria 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.
 - (g) No Person shall allow a dog under their control to chase, harass or kill any wildlife.

Section 2.06. Assault, Battery or Fighting.

- (a) No Person shall, without lawful authority, engage in conduct on District Property that places another Person in reasonable apprehension of receiving bodily harm or physical contact of an insulting or provoking nature.
- (b) No Person shall intentionally or knowingly by any means cause bodily harm or make physical contact of an insulting or provoking nature with another Person on District Property.
 - (a) No Person shall provoke or engage in any fight, brawl or riotous conduct so as to endanger the life, limb, health or property of another while on District Property.
 - (b) No Person shall assemble or congregate with another or others for the purpose of causing, provoking or engaging in any fight or brawl on District Property.
 - (c) No Person shall knowingly and intentionally jostle or roughly crowd or otherwise push or shove any person on District Property.

Section 2.07. Begging, Panhandling, Soliciting.

- (a) No person shall beg or panhandle on District property or in District buildings, facilities or playgrounds or the entrances or stairways of such buildings or facilities.
- (b) No Person on 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.

Section 2.08. Boating.

- (a) No Person shall launch any Vessel in District Waters, except from such places as may be designated therefore.
- (b) This section does not apply to the use of vessels to be used in approved park district programs or events (e.g., paddle boats, kayak lessons, etc.)..

Section 2.09. Camping.

- (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 District Property, other than as a participant in a program, activity or special event conducted, sponsored or permitted by the District.
- (b) Any person who violates any provision of this Section, and who continues to violate any provision of this Section, may be subject to an injunction to enforce this Section.
- (c) Any person who accumulates, masses together and maintains personal property such as supplies, goods, clothing, or personal effects upon District Property shall be required to remove such personal property from the District Property within twenty four hours of the notice to remove. If the personal property is interfering with any Park District program or activity, then the personal property may be immediately removed to another portion of District Property in order to avoid the interference with the program or activity. The fact that an action or proceedings have been instituted and are pending shall not preclude the District's ability to move or to require removal of said personal property and to abate if the personal property is not removed as required herein. Notice to abate the storage of personal property on a public way or public property shall be given to the owner or person in control of the personal property by personal service. Upon the failure of the owner of the personal property to remove the personal property within twenty four hours of the service of the notice, the District may lawfully remove the personal property. The personal property removed from District Property by the District pursuant to this Section, shall be disposed of if not claimed by the owner within thirty (30) days of its removal. Any costs associated with such abatement and storage may be charged to, and assessed to the property's owner.

Section 2.10. 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 submitted to the District 60 days prior to the scheduled event, and said permit has been approved by 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 submitted to the District 60 days prior to the scheduled event, and said permit has been approved by the District.
- (d) Soliciting votes and circulating petitions 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 2.10.

- (e) No Person shall engage in any activity described in subsections (a) through (d) of this Section 2.10 in District buildings in rooms, or on District athletic fields or other facilities in or on which any program, activity, class, function or special event conducted, or sponsored by the District is in progress.
- (f) No Person engaged in the activities described in subsections (a) through (d) of this Section 2.10 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, sponsored or permitted by the District.

Section 2.11 Commercial Sale, Exhibition, or Distribution of Goods or Services.

- (a) No peddler, vendor or any other Person shall, absent a Permit, license, or contract, from the District, engage in any activity for gain or for which any charge is made or any commercial sale, rental, exhibition (including advertising banners), or distribution of goods or services, including without limitation the giving of instruction or lessons for a fee, upon District Property. Photography by commercial photographers is allowed on District Property without a permit under the following conditions: 1) that the photography and associated activity do not, regardless of duration, unreasonably interfere with usage by other persons; 2) in addition, no one location within a park may be used by the photographer for more than 15 minutes for any of the photographic activities; and 3) in addition, no one park may be used by the photographer for more than an aggregate total of 60 minutes on any single calendar day for any of the photographic activities.
- (b) No Person engaged in any activity for gain or for which any charge is made or any 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 2.12. Cooperation with Authorities.

- (a) No Person shall physically hinder, threaten, resist, intimidate, disobey, bribe, and attempt to bribe, or otherwise intentionally interfere with any member of the Park Police or any District employee or agent in the performance of his or her 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 Police, or an agent or other representative of the District.
- (c) No Person shall knowingly give a false report or false information (including, without limitation, information requested in a Permit application) for the purpose of misleading a District employee or agent, or a member of the Park Police in the conduct of his/her official duties.

Section 2.13. Disorderly Conduct.

No person shall knowingly:

(a) Upon or in connection with any property of the District: engage in behavior or speech that disrupts, alarms, disturbs, intimidates, or unreasonably interferes with others in the use of the Parks or any facility thereof and provokes a breach of the peace.

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- (b) Make or cause to be made any excessively loud or unreasonable noise which disturbs the peace. For purposes of this subsection 2.13(b), noise is excessively loud or unreasonable when it exceeds 60 dBA at a distance of 75 feet from the source. 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 permitted by the District. A permit to exceed the noise limitations in this subsection 2.13(b) will be granted for activities consistent with, or attendant to, appropriate and customary park and recreational activities that are reasonable for the location and time of day or night.
- (c) Shall use obscene or abusive language or gestures, or threatens violence or injury to the person or property of others, in a manner intended and likely to incite or produce an immediate breach of the peace or violent or disorderly response.
- (d) 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 District Property and fail to comply with a lawful order of the Park Police to disperse, issued in response to acts likely to cause substantial harm, or under circumstances where it is reasonable to believe that the order is necessary to allow Park Police to address a situation that threatens the public health, safety, or welfare.

Section 2.14. Display of Permit or Pass.

Every Person shall produce or display a Permit, License, Contract 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, License, Contract or pass is required to engage in an activity on District Property.

Section 2.15. Dumping, Pollution, Sanitation, and Litter.

- (a) No Person shall litter, cast, throw, drop, leave, scatter, place, pile, or otherwise dump, leave, or deposit in any manner any kind of dirt, rubbish, placard, handbill, pamphlet, circular, book, notice, flyer, other promotional material, paper of any kind, ashes, garbage, waste material, snow, ice, or other substance, whether liquid or solid, or any other refuse in or upon District Property except as specifically permitted by the District. Paper, glass, cans, bottles, garbage and other refuse arising from lawful use of District Property shall be deposited in receptacles provided by the District for that purpose. Where receptacles are not provided, are missing, or are full to capacity, all such garbage, refuse, or other material shall be carried away from the area of use by the Person responsible for its creation and presence, and properly disposed of elsewhere. No Person shall place household garbage, yard or construction waste, trash, rubbish or other matter generated outside of District property into garbage receptacles provided by the District. No Person shall discard, store, leave, or pile any form of yard waste, grass clippings, tree or shrub trimmings or any other form of landscape waste on District property.
- (b) No Person shall urinate or defecate on District Property other than in toilets in rest room facilities expressly provided for such purposes.
 - (c) No Person shall drain refuse from a trailer or other vehicle on District Property.
- (d) No Person shall bathe or wash himself/herself or food, clothing, dishes, or other property at water outlets, fixtures or pools on District Property, except at those areas designated by the District for such use.
 - (e) No Person shall pollute or contaminate District Property or District Waters.
- (f) No Person shall dispose of fish remains on District Property, or in District Waters or within any park area of the District except as permitted by the District.

(g)	No Person	shall	dispose of	human	or	animal	waste	on	District	Property	except	at
designated loca	ations or in co	ontaine	rs provided	for that	pur	ose.					•	

	Any Person										
improperly dep											
other penalties	provided for	in this Ord	linance	or applic	able	federal,	state,	local,	and/or [District	laws
ordinances, rule	es, and regula	tions.				Svalence -					

Section 2.16. Unlawful Construction, Maintenance or Encroachment

No Person shall upon or in connection with any property owned and/or managed by the District:

- (a) Erect, construct, install, or place any structure, building, improvement, shed, fence, wall, dog run, dog house, tree house, playhouse, play equipment, TV or radio reception device, machinery, equipment, or apparatus of any type, whether stationary or moveable and whether permanent or temporary in character, or stockpile, store or place any organic or inorganic material used for the construction of such items on, below, over or across a Park, without the written authorization from the District, and then only in accordance with the terms and conditions set forth in a license agreement, easement or other written agreement. Corporations may be prosecuted for a violation of this Section when an agent of the corporation performs the conduct that is prohibited.
- (b) Perform, cause or authorize any mowing, trimming, cutting, or grooming of District property, or perform any similar grounds maintenance for any purpose, or in any like manner encroach onto District property from privately or publicly owned lands.
- (c) Place, stockpile or store any gravel, stone, dirt, sand, wood, lumber or any other organic or inorganic material on District Property.
- (d) 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.
- (e) Plant vegetation of any kind on District Property without written authorization of the District.
- (f) Allow, authorize, build, construct, or place the discharge point of any sump pump, pool, water feature, or foundation drainage, or any storm water management measures, including but not limited to swales, drains and contouring, that directs or is intended to direct sump pump or foundation drainage discharge, onto District Property. All discharge of sump pumps and foundation drainage adjacent to Park property, shall be setback from the Park property line, in such a manner that the water flow is discharged onto the originating property and flows in accordance with Illinois drainage law.
- (g) Any person, who violates any part of Section 2.16, shall, after receiving written notification of violation from the District and in accordance with the timeframe and directions outlined in such notification, shall comply with the District's directives, whether in writing or delivered orally by a person with authority to enforce this Ordinance. The District shall have the discretion to address the encroachment with a negotiated agreement, civil remedy at law, or any other lawful remedy available to the District, including the physical removal of the encroachment.
- (h) The District may remove any encroachment(s) from District Property and assess the person(s) who violated this Section 2.16 the cost of removing such encroachment(s), and such charge shall be in addition to and not in lieu of any other penalties or remedies provided for in this Ordinance or

any applicable City of Pekin ordinance and/or State law.

(i) Any person who commits a violation of any part of this Section 2.16, in addition to any other civil or criminal penalty imposed, may be subject to a District ordinance fine.

Section 2.17. Fairs/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 therefore has first been submitted to the District 60 days prior to the scheduled event, and said permit has been approved by the District. The District shall allocate space at the fixed location to applicants on a first-come, first-served basis until no more space remains available.

Section 2.18. Fires.

- (a) No Person shall light, maintain, or make use of any fire on District Property, except at such places and at such times as the District may designate for such purpose and under such rules as may be prescribed by the District.
- (b) No fire shall ever be left unattended. Every fire shall be under the continuous care and direction of a competent Person 18 years of age or older from the time it is kindled until the time it is completely extinguished. All fires must be properly and completely extinguished prior to any Person leaving the site of the fire.
- (c) No Person shall throw or otherwise discard lighted or smoldering material 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.
- (d) Grills. No Person shall bring into the District any type of personal grill, except into areas surrounding shelters or other areas commonly used by the public for such purposes. Coals from all grills used within the District are the responsibility of the person possessing or using the grill. Coals must be properly extinguished prior to leaving the District. Grills must not be used within fifty (50) feet of parking area

Section 2.19. Fishing.

- (a) No Person shall fish or otherwise take aquatic life from District Waters in areas at which the District has posted signage prohibiting such activities.
- (b) Every Person fishing in District Waters shall comply with all applicable laws, rules and regulations of the State of Illinois as administered by the Department of Natural Resources and comply with any rule or regulation or restriction posted by the District controlling the size, species and number of fish that can be taken from a designated body of water. Each fish possessed by an offender in excess of the fishing limit shall constitute a separate violation.
- (c) Fishing in District Waters shall be conducted by means of a hook and line with a two pole limit, using no more than two hooks per line, each line being closely attended. No Person shall use drugs, poisons, explosives, electricity, missiles or nets of any kind to fish in District Waters.
- (d) No Person shall take bait from District Waters (including the sunfish, bluegill and crappie varieties).

- (e) Every Person shall carefully and immediately return to the water from which it was taken any fish that does not conform to size or species restrictions imposed by any applicable state, or District law, ordinance, rule or regulation, or that the Person chooses not to keep.
 - (f) Ice fishing is prohibited except at Lake Butterfield in McNaughton Park.

Section 2.20. Hunting or Trapping.

No Person shall hunt nor trap, nor bring any device (including animal attractants, scents or other devices used for to attract animals) for hunting or trapping into or onto District Property or District Waters. No Person legally hunting on adjacent private property, shall firearm hunt within 300 yards or bow hunt within 100 yards of an occupied District structure. No Person legally hunting or trapping off of District Property shall retrieve crippled wildlife unless they obtain permission from the Chief of Police or a Park Police Officer to enter upon District Property for such purpose. This section does not apply to Person(s) acting under authority of the Executive Director who remove, replace, eradicate or cull domestic animals or wildlife on District lands or properties.

Section 2.21. Gambling and Games of Chance.

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 as authorized by the District through issuance of a Permit in accordance with State Law, at a fair, carnival, or other organized event conducted, sponsored or permitted by the District.

Section 2.22. Interference with Other Users.

- (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.

Section 2.23. Loitering in District Buildings.

No Person shall loiter or remain in any District building or facility 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; or, (3) prevents the general public from obtaining the administrative or recreational services provided in the building or facility in a timely manner, after being requested to leave by any member of the Park Police, or where the District has posted a sign or signs that prohibit loitering.

Section 2.24. Theft or 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; or (3) Uses, conceals, or abandons the property knowing such use, concealment, or abandonment probably will deprive the owner permanently of such use or benefit.

Section 2.25. 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, for unlawful purposes or any purpose of disturbance or obstruction of the lawful activities of other Persons.

Section 2.26. Parades, Public Assemblies or Meetings.

- (a) Parades, processions, theatrical or dramatic presentations, meetings, assemblies, gatherings, and demonstrations are permitted on District Property, however where the number of attendees in any parade, procession, theatrical or dramatic presentation, meeting, assembly, gathering or demonstration is reasonably expected to exceed twelve (12) or more persons and/or vehicles, a Permit therefor must first be submitted to the District 60 days prior to the scheduled event, and said permit has been approved by the District.
- (b) This section 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.

Section 2.27. Posting Printed or Written Material in Designated Area.

- (a) The District shall designate areas for the posting of printed or written public information material (hereafter, "Community Bulletin Board") and, as set forth in Section 2.28, no materials may be posted on any other property or area owned or controlled by the District.
- (b) No Person shall post, place, display, or cause to be posted, placed, or displayed any printed or written material on the Community Bulletin Board without presenting the material to the District. The District shall stamp and date the material as received, and post the material, space permitting, on the Community Bulletin Board unless the said material is obscene as defined in 720 ILCS 5/11-20. The material may remain posted for a period at the discretion of the Director after which a Person may resubmit his/her public information notice for posting, space permitting. Events cannot be posted more than 30 days prior to the event.
- (c) Space on the Community Bulletin Board shall be allocated on a first-come, first-served basis, except that the District's own printed or written public information may be given priority. The printed or written material shall be no larger than 8 1/2 inches x 11 inches and only one copy of each public information notice shall be posted.
- (d) The District may remove printed or written material that has not been posted in accordance with this Section. The Person responsible for said 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.

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AMENDED; DECEMBER 12, 2019

Section 2.28. Posting Printed or Written Material on Public Places and Objects.

- (a) Except as provided in Section 2.27 of this Ordinance, 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, signs, banners, or other marks to or upon District Property or anything or object located on District Property.
- (b) The District may remove any printed or written word, symbol, material, sign, banner, 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 2.29. Selling or Distributing Printed or Written Material.

- (a) The sale or distribution with donation or cost of printed or written material is permitted on District Property provided that a Permit therefor has first been submitted to the District 60 days prior to the scheduled event, and said permit has been approved by the District.
- (b) Any Person engaged in the sale or distribution of printed or written materials under this Section 2.29 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, sponsored or permitted by the District.

Section 2.30. Protection of Animals.

- (a) No Person shall hunt, pursue, hurt, molest, wound, kill, trap, catch, poison, abuse, chase, shoot, touch, throw or propel objects at, endanger in any way, remove or cause to be removed, have in his possession, or release or cause to be released, any Wildlife on or upon District Property unless they obtain permission from the Chief of Police or a Park District Police Officer.
- (b) No Person shall give or offer to any Wildlife any harmful, poisonous, or noxious substance on or upon District Property.
- (c) No Person shall touch, tease, frighten, 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 except as directed by the District.
- (d) No Person shall molest, touch, throw or propel 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 or upon District Property except as directed by the District.

Section 2.31. Protection of Property.

- (a) No Person shall mark, carve, bend, cut, paint, deface, affix any sticker or sign to, break down, destroy, damage, alter, change, sever, uproot, dig, excavate or otherwise remove, or attach or suspend any rope, wire, or other material or contrivance to, on, or from, District Property or anything or object on or upon District Property, or otherwise take, damage or destroy such Property, thing or object unless a Permit, license or contract therefor has first been obtained from the District.
- (b) No Person shall climb upon, walk on, hang from or stand or sit on, any tree, plant, fence, structure, or other District Property of any kind except such benches or other property designated or customarily used for such purposes, or recreational equipment installed for such purposes.

- (c) No Person shall bring into, throw, cast, drop, deposit, or otherwise leave or lay down any smoke bomb, stink bomb, or other offensive smelling compound on District Property.
- (d) No Person shall bring any plant or portion of a plant or plant product onto District Property, except as part of a program, activity or class conducted or sponsored by the District, or as otherwise permitted by the District.
- (e) The District may give rewards to the Person(s) (other than District employees or agents, or members of the Park Police) who furnish information to the District, directly resulting in the arrest and conviction of any Person who unlawfully takes, damages, or destroys District Property. All claims for said reward must be made to the District within thirty (30) days after conviction and the District shall be the sole judge of any dispute arising over a reward, if any, and the Person(s) entitled to share therein. The District's decision on any matter connected with the reward shall be final, conclusive, and binding and shall not be subject to judicial review.

Section 2.32. Public Indecency.

- (a) No Person shall perform or commit any of the following acts on District Property:
 - (1) An act of sexual penetration or sexual conduct as defined in 720 ILCS 5/12-12; or,
- (2) A lewd exposure of the body done with intent to arouse or to satisfy the sexual desire of the Person.
- (b) 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 2.33. Reporting Accidents.

A Person involved in an incident on District Property resulting in personal injury or property damage, other than an accident reportable under section 3.06 of this Ordinance, shall report the incident to the District within twenty-four (24) hours after the incident.

Section 2.34. Restricted Areas.

- (a) No Person shall enter or remain in any building or portion of District Property where Persons are prohibited by the District from entering, or, except as provided in Section 2.34(c) of this Ordinance, where use is restricted to Persons of the opposite sex as indicated by a sign or notice posted by the District.
 - (b) No Person shall enter or remain in any District Property when it is closed to the public.
- (c) No Person shall enter any District Property which is reserved or scheduled for a specific group or activity, unless such Person is invited by the individual, group, or agency responsible for such activity and, if applicable, such Person has paid all appropriate admission and/or registration fees (ie golf courses, health club, waterpark, miniature golf).
- (d) No Person whose admission privileges to District Property have been terminated, revoked, forfeited or suspended by the District pursuant to Section 7.01 shall enter or remain in any District Property that is the subject of the termination, revocation, forfeiture or suspension.

Section 2.35. Restrictions Applicable to Specific Recreational Activities.

(a) Golf. No Person shall play or practice golf on District Property, except on a designated golf course or driving range or pursuant to a Park District program and further provided that the Person has satisfied all requisites before playing or practicing, including without limitation the paying of appropriate fees.

(b) <u>Team Sports</u>.

- (1) In those parks having athletic fields established for specific uses, participation in team sports in areas other than athletic fields established for that specific purpose is limited in accordance with signs or notices posted by the District;
- (2) In those parks having established athletic fields for specific uses, the type of recreation on said fields shall be in accordance with posted signs or notices posted by the District.

(c) Classes and Camps.

No Person shall bring or cause to be brought onto District Property any class, play class, day camp, group or individual lesson, or similar organized group activity of any kind unless a Permit allowing such use or activity has first been submitted to the District 60 days prior to the scheduled event, and said permit has been approved by the District.

(d) Tournaments, Leagues, or Other Organized Recreational Activities.

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 submitted to the District 60 days prior to the scheduled event, and said permit has been approved by the District.

(e) This section 2.35 does not apply to regular or scheduled District programs or activities. Where a conflict between regular or scheduled District programs or activities and a requested activity occurs, District programs and activities shall take precedence.

Section 2.36. Rest Rooms, Washrooms and Locker Rooms.

- (a) No Person shall deposit objects of any kind, other than human waste or toilet tissue, in the toilets or plumbing fixtures of a rest room, washroom or locker room facility on District Property.
- (b) No Person of the age of six (6) years or more may enter or use rest rooms, or washrooms on District Property designated for the opposite sex.
- (c) No Person shall use (i) any still camera, television or movie camera, camcorder, video recorder or transmitter or any other device capable of recording, filming or transmitting visual images; or (ii) any cellular telephone, into any rest room, locker room or washroom facility anywhere on District Property.

Section 2.37. Rollerskates, Skateboards, Bicycles, Scooters and Other Similar Objects.

No Person using roller-skates, in-line skates, skateboards, rollerskis, coasting vehicles, bicycles, scooters 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 such use has been posted as prohibited.

Section 2.38. Winter Sports.

(a) No Person shall skate, sled, toboggan, inner tube, ski, snowboard, slide, or engage in similar activities on District Property except at such places and at such times as the District may designate for such purposes, nor engage in any such activities at such places, that are closed due to inadequate snow

covering or other environmental conditions, or when notified of such conditions by any Park Police Officer, Park Service Officer or any other District employee authorized to control such activities.

- (b) No person shall otherwise enter upon any frozen District Waters to skate, slide or walk for any purpose, unless posted as "open for skating" or "open for ice fishing".
- (c) No Person shall skate, sled, toboggan, inner tube, ski, snowboard, slide or engage in similar activities on District Property, posted as prohibiting such activity.
- (d) No Person shall engage in any such activity in a reckless manner that endangers that Person or others, or at a speed greater than is safe and proper under the circumstances.
- (e) 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.
- (f) No Person shall bring onto the frozen waters of any lake, pond, or waterway controlled by the District, any race boat or wind-driven-like device or other vehicle.
- (g) No Person shall operate, drive, ride, park, sit upon while stationary a snowmobile on District Property. For purposes of this subsection, a snowmobile shall be defined as any self-propelled vehicle intended for travel primarily on snow, driven by a track or tracks in contact with the snow, and steered by ski or skis in contact with the snow.

Section 2.39. Sleeping on District Property.

No Person shall sleep on benches, sidewalks, parking lots, picnic grounds or tables, playgrounds 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 2.40. Swimming.

No Person shall bathe, swim, wade, float, splash, or otherwise enter District Waters other than at a designated swimming area, such as Dragonland, Riverfront Park or in connection with activities offered by the District. Users of designated swimming areas shall comply with all policies, rules and regulations as the District may designate for such activities.

Section 2.41. Weapons and Harmful Substances.

- (a) No Person while on District Property shall possess on or about their person, vehicle or any other conveyance, concealed or otherwise, any firearm (except a handgun as regulated by State Statutes), stun gun, taser, bow and arrow (except within the Archery Range by a member or guest with a member), slingshot, cross bow, spear and spear gun, switch-blade knife, stiletto, sword, blackjack, martial arts weapon, bludgeon, metal knuckles, or device capable of discharging a projectile or harmful chemical substance, or any weapon, instrument, or substance of like character or design.
- (b) While on District Property, no person shall carry or possess with the intent to use the same unlawfully against another, a dagger, dirk, billy, dangerous knife, razor, broken bottle, or other piece of glass, or any other dangerous or deadly weapon or instrument of like character. Nothing contained herein shall be construed to prevent any Park Police Officer, or any other duly sworn peace officer, from carrying such weapons as may be authorized and necessary in the discharge of their duties nor shall it apply to any person summoned by any such officer to assist in making arrests or preserving the peace while such person is engaged in assisting.

(c) While on District Property, no Person shall, without a permit authorizing such, carry or possess any pneumatic gun, spring gun, paint ball gun, or B-B gun, or air soft gun or any device that either expels a projectile or projectiles of any kind.

Section 2.42. Pyrotechnics/Fireworks.

No person shall upon or in connection with any property of the District: Possess, set off, ignite, or attempt to set off any firecracker, fireworks, smoke bombs, rocket, black powder gun or other pyrotechnics without written authorization from the Board.

Section 2.43. Facility Rentals

Permits must be submitted to and issued by the District at least 3 days in advance of the date of use for the following facilities: Soldwedel, 4 H Shelter, Miller Senior Center and the Mineral Springs Park Pavilion Building. The Royal Avenue Shelter, the Miller Park Shelter and the Rotary Park Shelter are on a "first come" basis unless a permit has been submitted to and issued by the District at least 3 days prior to the date of use.

Section 2.44. Refuse Disposal.

No Person shall upon or in connection with any property of the District dispose of any refuse not generated and/or used therein.

Section 2.45. Equestrian.

Horses may only be ridden upon designated horse trails within McNaughton Park. Persons wishing to bring outside horses into McNaughton Park must enter into McNaughton Park at the stables. Owners must register their horses with staff at the stables office before entering the park. Horses and riders must obey posted notices and District ordinances. In addition, at no time may horses be ridden within a public picnic area, any planted or plowed field, within 100 feet of any lake except when riding on a designated trail, or into any area where such use would disturb campers or groups of persons engaging in any permitted activity in the park.

Section 2.46. Illinois Criminal Code.

No Person on District Property shall perform, or fail to perform, any act if such act or failure is a misdemeanor, petty offense, or violation of any provision of the Illinois Criminal Code, the provisions of which are incorporated in the Ordinance by this reference; however, this Section shall not apply to any act or failure to act that is a felony under Illinois law.

Section 2.47. Illinois Wildlife Code; Fish and Aquatic Life Code.

No person on District Property shall perform, or fail to perform, any act if such act or failure violates a provision of the Illinois Wildlife Code, 520 ILCS 5/1-1 et seq, or, likewise, the Illinois Fish and Aquatic Life Code, 515 ILCS 5/1-1 et seq., the provisions of both of which are incorporated in this Ordinance by this reference.

CHAPTER III - MOTORIZED VEHICLES, PARKING, AND TRAFFIC CONTROL

Section 3.01. All-Terrain Vehicles, Non-Licensed Motorized Vehicles, Minibikes or Trailbikes.

(a) No Person shall drive, ride, or otherwise operate an all-terrain vehicle or other non-licensed motorized vehicle on District Property. For purposes of this section, an all-terrain vehicle shall be defined as any motorized off-highway device 50 inches or less in width, having a manufacturer's dry weight of 600 pounds or less, traveling on three (3) or more low-pressure tires, designed with a seat or saddle for operator use, and handlebars or steering wheel for steering control.

(b) 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 fuel or by electric battery, 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 two (2) wheels shall be a minibike or trailbike.

Section 3.02. Bicycles.

- (a) When two (2) or more Persons in a group are operating bicycles on District Property, they shall not ride abreast, but shall ride in single file.
- (b) No Person operating a bicycle on District Property shall cling or attach himself or his bicycle to any other moving vehicle.
- (c) No Person operating a bicycle on District Property shall carry another Person on the same bicycle. This restriction does not apply to tandem bicycles equipped with two or more seats or saddles or an ordinary bicycle equipped with a seat or saddle for an infant or small child if used properly. In that event, there shall be only the number of Persons on the bicycle as there are seats or saddles.
- (d) No Person shall operate a bicycle in District playgrounds, on ball fields, tennis courts, or within 10 feet of the sidewalk surrounding the Mineral Springs Park Lagoon.
- (e) No Person other than a member of the Park Police shall ride a bicycle on any District street or path where signs are posted prohibiting riding bicycles.
- (f) Bicycles shall not, at any time, in any place, be indiscriminately parked on District Property in such manner as to interfere with pedestrian or vehicular traffic, or with Persons getting into or out of vehicles. No Person shall leave a bicycle on District Property lying on the ground or paving or set against trees or otherwise in a place other than a bicycle rack when such is provided and there is space available. 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.
- (g) All bicycles, when operated on District roadways, shall be kept to the right and shall be operated as nearly as practicable to the right-hand edge of the roadway.
- (h) No Person shall operate a bicycle on District Property at a speed faster than is reasonable and proper under the circumstances, and every bicycle shall be operated with reasonable regard for the safety of the rider and of other Persons and property.
- (i) Every Person operating a bicycle on District Property shall obey all federal, state, local, and District traffic laws, rules, and regulations applicable to motor vehicles, except those provisions which by their nature can have no application to the operation of a bicycle and except as otherwise provided by this section.

Section 3.03. Change of Oil/Cleaning.

No Person shall change the oil or grease of vehicles on District Property.

Section 3.04. Commercial Vehicles.

(a) The term "commercial vehicles" as used in this section shall include, but not be limited to trucks, station wagons, vans, pickups, passenger cars, or other vehicles when used in transporting Persons or movable property for a fee or profit, either as a direct charge to another Person, or otherwise, or used as incident to providing services to another Person (except when transporting passengers or movable property

to or from District Property), or used in connection with any business, except during the course of doing business with the District.

- (b) All roadways on District Property shall be used for pleasure driving only. No Person, other than District employees, shall drive any truck, tractor or other commercial vehicle of any kind on District Property without first obtaining a contract or permit therefor from the District.
- (c) This section shall not apply to commercial vehicles making authorized deliveries to, or performing authorized services for the District.

Section 3.05. Driving Areas.

No motor vehicle shall be driven or otherwise operated upon District Property except over and upon such roadways, parking lots, or other areas designated by the District for use by motor vehicles, and then only in accordance with posted signs as to speed, direction, parking, stopping, lane markings and traffic controls. A bicycle path shall not be deemed a roadway for the use of motor vehicles (including motorized pedalcycles) under this section, except for the authorized vehicles of the District.

Section 3.06. 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 Police 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 3.07. Emergency Vehicles.

- (a) For purposes of this section, emergency vehicles shall include all ambulances, fire trucks, police, fire, 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 Chapter.
- (d) Every Person operating a vehicle on District Property shall, at the immediate approach of an emergency vehicle making use of its warning system signals, 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 Police.

Section 3.08. Enforcement of Traffic Regulations.

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

Section 3.09. Fleeing or Attempting to Elude the Park Police.

No Person driving or otherwise operating a vehicle on District Property shall willfully fail or refuse to obey a visible or audible signal by a member of the Park Police to bring his vehicle to a stop. The signal given by a member of the Park Police may be by hand, voice, siren, or red or blue light. The member of the Park

Police giving such signal shall be in uniform or driving a vehicle appropriately marked showing it to be an official Park Police vehicle.

Section 3.10. Gas and Smoke.

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

Section 3.11. Reserved

Section 3.12. 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 625 ILCS 5/12-100 et seq.) which provisions are specifically incorporated in this Ordinance by reference.

Section 3.13. Reserved

Section 3.14. Reserved

Section 3.15. Negligent Driving.

No Person shall drive or otherwise operate a vehicle on District Property negligently, recklessly or without due caution, or in any manner so as to endanger any Person or property. All vehicles shall be driven or otherwise operated on the right side of any roadway open to travel, except when passing other vehicles.

Section 3.16. Parking.

For the purposes of health, safety and security of all parks owned, leased or operated by Pekin Park District, (the "District), no person shall commit any of the following acts or omissions:

- (a) Park or leave a vehicle in any park of the District during closing hours.
- (b) Leave a vehicle anywhere within a park for more than twenty-four hours because of mechanical failure, and then only after first notifying a police officer or the Director of the District. Any vehicle left for more than 24 hours may be towed at the owner's expense.
- (c) Park a vehicle anywhere except in specific areas as posted or designated for the parking of vehicles. The Executive Director shall determine posted parking areas.
- (d) Park a vehicle on turf, meadow, prairie, marsh, field, in a woodland, or on the exposed roots of any tree or shrub, except in an emergency, as a matter of public safety or when directed by a police officer or his or her designee.
- (e) Park any vehicle, driven by a student of Pekin Community High School, in any space marked with a green dot during school hours and while school is in session.
- (f) Park a vehicle in any area posted with signs and/or by markings on the pavement, prohibiting the parking of vehicles.
 - (g) On any District roadway, except where expressly permitted, and/or indicated

by signs erected by the Director.

- (h) Park a vehicle where it would block or obstruct, either partially or completely, any street, sidewalk, walkway, trail or right of way thereof, owned or leased by the District, whether the obstruction is permanent or temporary, and whether it is paved or unpaved, except as may be directed by a police officer, or by the direction of the Director or Superintendent of Parks.
- (i) Use of a parking lot or parking area for storing personal or business vehicles or equipment without prior approval by the Director.
- (j) Congregate or loiter within a parking area or the area immediately surrounding a parking area.

Prior to the commencement of any action in circuit court, officers of the park district may, in their discretion, provide any person found to have violated any ordinance prohibiting or restricting parking, with notice of such alleged violation through the issuance of a parking citation. A parking citation issued under authority of this section shall be in writing, in a format approved by the park district executive director, park district chief of police and park district attorney.

Whenever any vehicle is parked in violation of this section, and there is no person in attendance upon said parked vehicle to be served immediately with a district parking citation, any park district officer observing such violation may attach to the vehicle used in such violation, the district parking citation requiring that the person in whose name such vehicle is registered answer to the charge of such violation.

Section 3.17. Riding Outside Vehicles.

- (a) No Person shall ride upon the fenders, running boards, bumpers, hood, trunk, or any other exterior part of any vehicle on District Property. Nothing contained in this Section 3.17 shall be construed as prohibiting any person from riding upon a District hay wagon, parade float, or similar conveyance.
- (b) No Person shall cling or attach himself, his vehicle, or any other object, to any other vehicle on District Property.

Section 3.18. Right of Way.

- (a) Every operator of a vehicle shall yield the right of way to a pedestrian at any marked crosswalk or within any unmarked crosswalk at any intersection on District Property.
- (b) Every operator of a vehicle shall exercise due care to avoid colliding with pedestrians upon any roadway on District Property, shall give warning to any pedestrian in the roadway by sounding the horn when necessary, and shall exercise proper precaution upon observing any child, confused Person, or disabled Person upon a roadway.
- (c) Every pedestrian crossing at a roadway on District Property at any point other than within a marked crosswalk or within an unmarked crosswalk at any intersection shall yield the right of way to vehicles upon the roadway.
- (d) Except as otherwise provided herein, the operator of a vehicle approaching an intersection on District Property shall yield the right-of-way to a vehicle which has already entered the intersection from a different roadway. When two (2) vehicles approach an unmarked intersection from different roadways at approximately the same time, the operator of the vehicle on the left shall yield the right-of-way to the vehicle on the right.

Section 3.19. Siren Devices.

No Person shall sound any siren-sounding device 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, as defined under section 3.07, responding to an emergency call, or pursuing an actual or suspected violator of the law.

Section 3.20. Speeding.

Except as provided in Section 3.07(b) of this Ordinance:

- (a) No Person shall drive or otherwise operate a vehicle on District Property at a speed greater than is reasonable and safe under the circumstances, having due regard for traffic, pedestrians, weather conditions and the intended use of the roadway and at no time at a speed greater than twenty (20) miles per hour.
- (b) No Person shall drive or otherwise operate a vehicle on District Property at a speed which endangers the safety of any Person or property.

Section 3.21. Traffic Signs and Signals.

- (a) No Person shall fail to observe and obey all traffic signs indicating speed, direction, caution, stopping, parking, crosswalk lanes, traffic lane markers, and any other sign posted by the District for safeguarding life and property.
- (b) No Person shall deface, injure, move, or otherwise interfere with any traffic sign or signal on District Property.

Section 3.22. Unattended Motor Vehicles.

No Person driving, operating, or otherwise in charge of a motor vehicle on District Property shall permit it to stand unattended without first stopping the engine, locking the ignition and removing the keys. When the motor vehicle is standing upon any perceptible grade, the Person shall set the parking brake thereon and turn the front wheels to the curb or side of the roadway.

Section 3.23. Unauthorized Use of Parking Places Reserved for Handicapped Persons.

- (a) 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.
- (b) No Person shall park on District Property any motor vehicle which is not bearing registration plates or decals issued to a handicapped person, pursuant to Sections 3-616, 11-1301.1, 11-1301.2, or to a disabled veteran pursuant to Section 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 devise and receive the same parking privileges as handicapped residents of this State.
 - (c) The District may remove or cause to be removed 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 devise as required by this section.

(d) Any Person found guilty of violating the provisions of this section shall be fined no less than \$250.00 and no more than \$500.00 in addition to any costs or charges connected with the removal or storage of any motor vehicle authorized under this section.

Prior to the commencement of any action in circuit court, officers of the park district may, in their discretion, provide any person found to have violated any ordinance prohibiting or restricting parking, with notice of such alleged violation through the issuance of a parking citation. A parking citation issued under authority of this section shall be in writing, in a format approved by the park district executive director, park district chief of police and park district attorney.

Whenever any vehicle is parked in violation of this section, and there is no person in attendance upon said parked vehicle to be served immediately with a district parking citation, any park district officer observing such violation may attach to the vehicle used in such violation, the district parking citation requiring that the person in whose name such vehicle is registered answer to the charge of such violation.

Section 3.24 Vehicle Seizure and Impoundment

one year.

- (a) Violations authorizing seizure. Except as provided in subsection (b), a motor vehicle, operated with the permission, express or implied, of the owner of record, that is used in connection with the following violations, shall be subject to seizure and impoundment by the District, and the owner of record of said vehicle shall be liable to the District for any administrative penalty in addition to any towing and storage fees as hereinafter provided.
- (1) Driving with suspended or revoked license, 625 ILCS 5/6-603, and administrative penalty of \$500.00, except that vehicle shall not be to seizure or impoundment if the suspension is for an unpaid citation (parking or moving) or due to failure to comply with emission testing.
- (2) Driving under the influence, 625 ILCS 5/11-501(a), and administrative penalty of \$500.00.
- (3) When a motor vehicle is operated by a person against whom a warrant has been issued by a Circuit Court in Illinois, for failing to answer charges that the driver violated (a)(1) or (a)(2) of the above or violation of 625 ILCS 5/6-101, an administrative penalty of \$500.00.
- (4) No valid driver's license, 625 ILCS 5/6-101(a), an administrative penalty of \$500.00.
 - (a) Except a person that had a valid driver's license that is expired less than
- (b) Except a person who is less than 17 years of age operating a motor vehicle on any street or highway when in violation of the Child Curfew Act (720 ILCS 555/0.01 et seq.) or section 66-71.
- (5) Fleeing or attempting to elude, 625 ILCS 5/11-204, an administrative penalty of \$500.00.
- (6) Reckless driving; pursuant to 625 ILCS 5/11-503 and street racing; pursuant to 625 ILCS 5/11-506, and administrative penalty of \$500.00.
 - (7) Illegal transportation of alcohol/driver, 625 ILCS 5/11-502(a), an administrative

penalty of \$500.00,

- (8) Firearms offenses, and administrative penalty of \$500.00; (a) 720 ILCS 5/24-1, Unlawful use of weapons.
- (b) 720 ILCS 5/24-1.1, Unlawful use or possession of weapons by felons or persons in the custody of the Department of Corrections.
 - (c) 720 ILCS 5/24-1.2, Aggravated discharge of a firearm.
- (d) 720 ILCS 5/24-1.2-5, Aggravated discharge of a machine gun or firearm equipped with a device designed or used for silencing the report of a firearm.
 - (e) 720 ILCS 5/24-1.5, Reckless discharge of a firearm.
 - (f) 720 ILCS 5/24-1.6, Aggravated unlawful use of a weapon.
- (9) Drug offenses: Possession of cannabis more than 30 grams, 720 ILCS 550/4.(d), (e), (f) and (g), an administrative penalty of \$500.00.
- (10) Drug offenses: Unauthorized possession of controlled substances, 720 ILCS 570/402, and administrative penalty of \$500.00.
- (11) Drug offenses: Methamphetamine Control and Community Protection Act, 720 ILCS 646, and administrative penalty of \$500.00.
 - (12) Soliciting a Prostitute: 720 ILCS 5/11-14, and administrative penalty of \$500.00.
- (13) Leaving the Scene of an Accident Involving Injury or Death, 625 ILCS 5/11-401, and administrative penalty of \$500.00.
 - (b) General regulations
- (1) This section shall not replace or otherwise abrogate any existing state or federal laws or District ordinance pertaining to vehicle seizure and impoundment, and these penalties shall be in addition to any penalties that may be assessed by a court for any criminal charges.
- (2) This section shall not apply if the vehicle used in the violation was stolen at that time and the theft was reported to the appropriate police authorities within 24 hours after the theft was discovered.
- (3) Fees for towing and storage of a vehicle under this section shall be those approved by the chief of police for all towers authorized to tow for the District.
 - (4) Reserved
 - (5) Reserved
- (c) Notice. Whenever a police officer has probable cause to tow, the police officer shall notify any person identifying himself as the owner of the vehicle or any person who is found to be in control of the vehicle at the time of the alleged violation, of the fact of the seizure and of the vehicle and of owner's right to request a preliminary vehicle impoundment hearing to be conducted under this section. Said vehicle shall be impounded pending the completion of the hearings provided for in subsection (d) herein, unless

the owner of the vehicle posts with the District a cash bond in the amount of \$500.00 and pays the towing and storage charges.

- (d) Preliminary hearing. If the owner of record of a vehicle seized pursuant to this sections desires to appeal the seizure, said owner must make a request for said hearing within 24 hours of the seizure. Said request shall be in writing and filed with the chief of police or his designee who shall conduct such preliminary hearing within 24 hours after receipt of the request excluding Saturdays, Sundays, or District holidays. All interested persons shall be given a reasonable opportunity to be heard at the preliminary vehicle impoundment hearing. The formal rules of evidence will not apply at the hearing and hearsay evidence shall be admissible only if it is the type commonly relied upon by reasonably-prudent persons in the conduct of their affairs. If, after the hearing, the chief of police or his designee determines there is probable cause to believe that the vehicle is subject to seizure and impoundment pursuant to this section, he shall order the continued impoundment of the vehicle as provided in this section, unless the owner of the vehicle posts with the District a cash bond in the amount of \$500.00, and pays the tower any applicable towing and storage fees. If the chief of police or his designee determines that there is no such probable cause, the vehicle will be returned without penalty or other fees.
- (e) Hearing. Within ten days after a vehicle is seized and impoundment pursuant to this section, the District shall notify by certified mail, return receipt requested, the owner of record of the date, of his/her right to a full hearing before the hearing officer to determine whether the subject vehicle is eligible for impoundment; and that, in the event the owner of record would like a hearing, he/she must file a request for such hearing in writing with the District within fifteen (15) days of the posted date of notice. If a written request is not received within fifteen (15) days of the mailing notice, then the owner is defaulted, and the impoundment fee will be kept by the District or, if no fee is posted, then the vehicle may be sold as abandoned thirty (30) days after the default. For purposes of this section, the following shall apply to the owner's hearing:
- 1. Unless continued by order of the hearing officer, the hearing shall be held within thirty (30) days after a request for hear is received by the District.
- 2. All interested persons will be given a reasonable opportunity to be hear at the owner's hearing.
- 3. If, after the conclusion of the hearing, the hearing officers determines by a preponderance of the evidence that the vehicle was used as hereinabove provided in section 3.24 of this Ordinance, the hearing officer shall order the continued impoundment of the vehicle until the owner of the vehicle pays to the District a penalty in the amount of five hundred dollars (\$500.00), plus the towing and storage costs. The penalty shall be a debt due to the District.
- 4. If the hearing officer determines that the vehicle was not used as hereinabove provided in section 3.24 of this Ordinance, the motor vehicle will be returned to the owner of record without any penalty or other costs, and the District shall be responsible for the cost of towing and storage. If a cash bond had previously been posted, the cash bond shall be returned.
- 5. If the owner of record fails to appear at the hearing, the hearing officer shall enter an order of default in favor of the District, which shall require payment to the District of an administrative penalty of five hundred dollars (\$500.00).
- (f) Administrative penalty. If an administrative penalty is imposed pursuant to this section, such penalty shall constitute a debt due and owing to the District. If a cash bond has been posted pursuant to this section, the bond shall be applied to the penalty. If a vehicle has been impounded when such a

penalty is imposed, the District may seek to obtain a judgment on the debt and enforce such judgment against the vehicle as provided by law. Except as provided otherwise in this section, a vehicle shall continue to be impounded until the penalty is paid to the District and any applicable towing and storage fees, are paid to the tower, in which case possession of the vehicle shall be given to the person who is legally entitled to possess the vehicle or the vehicle is sold or otherwise disposed of to satisfy a judgment to enforce a lien as provided by law. If the administrative penalty and applicable fees are not paid within 30 days after an administrative penalty is imposed against an owner of record who defaults by failing to appear at the hearing, the vehicle shall be deemed unclaimed and shall be disposed of in the manner provided by law for the disposition of unclaimed vehicles. In all other cases, if the administrative penalty and applicable fees are not paid within 30 days after the expiration of time at which administrative review of the hearing officer's determination may be sought, or within 30 days after an action seeking administrative review has been resolved in favor of the District, whichever is applicable, the vehicle shall be deemed unclaimed and shall be disposed of in the manner provided by law for the disposition of unclaimed vehicles under the Illinois Vehicle Code.

(g) Vehicle possession.

- (1) Except as otherwise specifically provided by law, no owner, lien holder, or other person shall be legally entitled to take possession of a vehicle impounded under this section until the administrative penalty and fees applicable under this section have been paid. However, whenever a person with a lien of record against an impounded vehicle has commenced foreclosure proceedings, possession of the vehicle shall be given to that person if he or she agrees in writing to refund to the District the amount of the net proceeds of any foreclosure sale, less any amounts required to pay all lien holders of record, not to exceed the administrative penalty, plus the applicable fees.
- (2) For purposes of this section, the "owner of record" of a vehicle is the record title holder as registered with the secretary of state, State of Illinois.

CHAPTER IV - PARK HOURS, CLOSING, AND GENERAL OPERATION POLICIES

Section 4.01. Hours.

- (a) No person shall enter or remain upon Mineral Springs Park or the Sunken Garden area at 14th and Court Streets in Pekin, Illinois between the hours of 11:30 p.m. and <u>5:00 a.m.</u>, nor shall any person enter or remain upon any other park in the Park System during posted closing hours, except when authorized to do so by the Board or by the Director.
- (b) An athletic field, dog park, diamond, outdoor swimming pool, skate park, outdoor basketball or tennis court or other outdoor Facility that is designated for active recreation and that is artificially lighted shall remain open to the public only until such time as the artificial lighting is turned off.
- (c) The Board or Director may establish other hours during which District Property or any parts thereof shall be closed to the public. The Board or Director may periodically revise these hours.

Section 4.02. Special Closings.

The Board or the Director or his/her designee(s) 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 interest of the public and District.

Section 4.03. 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 4.04. 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 or Director. 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 or Director 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 may be posted at or on the applicable District Property and/or published in District program brochures and website, 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 4.05. 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 4.06. Lost, Found, and Abandoned Property.

- (a) No Person shall abandon property on District Property
- (b) Property left unattended or property suspicious in nature, that interferes with any park visitors' safety, orderly management of the park area, constitutes a nuisance, or presents a threat to park resources may be impounded or removed by the District at any time and disposed of in any manner deemed appropriate by the District Staff. 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 is practicable. Whenever a District employee or agent finds lost or unattended property on District Property, and subject to the authority given in subparagraph (b) and the lost-and-found policy in the personnel manual, shall report such find to his Department Head. 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. All property not claimed shall be disposed of as the District deems appropriate.

Section 4.07. 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 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.

CHAPTER V - PERMITS AND OTHER AUTHORITY

Section 5.01. Permits.

- (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) Every Person requesting a Permit shall complete and file an application with the Director or his designee, on forms provided by the District, and pay the applicable fees. When received, the date on which the application is received shall be recorded and a receipt or response issued to the applicant.
- (c) Except as provided in subsection 5.01(c) (6), the District shall issue the Permit without unreasonable delay unless:
- (1) The proposed activity violates any federal, state, local, or District law, rule, or regulation; or,
- (2) A prior application for a Permit for the same date, time, and location has been or will be granted and the activities authorized by that Permit do not reasonably allow multiple occupancy of that particular area; or,
- (3) The proposed activity is of such a nature that it cannot reasonably be accommodated in the particular location applied for, considering, without limitation, the likelihood of such things as damage to park resources or facilities, damage to an environmentally sensitive or protected area's ecosystem, impairment of a protected area's atmosphere of peace and tranquility, unreasonable interference with District functions, buildings, facilities, operations, programs or activities, or unreasonable interference with the use or purpose of the District Property applied for; or,
- (4) The proposed activity would substantially impair the operation or use of facilities or services of District concessionaires or contractors; or,
- (5) The proposed activity would so dominate the use of District Property as to preclude other Persons from using and enjoying the park.
- (6) The proposed activity is prohibited by, or inconsistent with, the classifications or permitted uses of the park, or a part thereof, designated pursuant to Section 4.04 of this Ordinance.
- (d) If the application is approved, the District may issue a written Permit to the applicant. If the application is denied, the District shall explain the reasons for denying the application.
- (e) If an application is denied on the basis of a scheduling conflict or inappropriateness of the location, duration, or time of the activity, the District will make a reasonable effort to arrange an alternative that is acceptable to all parties.
- (f) Any Permit granted by the District may contain lawful prerequisites to the issuing of the Permit and restrictions on the conduct of the permitted activity including without limitation: security/police fees, maintenance fees, general liability insurance coverage; an agreement to fully indemnify and hold the District harmless from any liability or costs resulting from the activity; a requirement that the Persons involved in the activity obey or comply with all federal, state, local, and District laws, rules, and regulations; time, duration, and location restrictions; security deposit; a written agreement by the applicant to fully restore any District Property soiled or damaged by the activity; and, 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.

- (g) 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.
- (h) The District may make necessary changes or place necessary additional restrictions on any Permit after it has been issued.
- (i) Violation of the terms and conditions associated with the Permit may result in the suspension or revocation of the Permit.

Section 5.02. Insurance and Hold Harmless Agreement.

- (a) Every applicant for a Permit may be required to acquire general liability insurance to protect himself and the District from liability resulting from his use of District Property and provide proof of such insurance to the District before the District will issue a Permit to an otherwise valid applicant. The District must be named on such policy as additional insured. Where possible, an applicant may acquire a rider to the District's insurance policy at the applicant's cost and expense. Applicants should contact the District's administrative office for more information.
- (b) Every applicant must execute and deliver to the Park District an agreement to indemnify and hold the District harmless from legal liability, property damage or injury to persons caused by the negligent or unlawful acts of the applicant or any member, volunteer, employee, agent, participant, or other Person associated with the applicant or his group or organization.

Section 5.03. Security Deposit.

A security 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. If the District is required to clean up 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 clean-up and restoration. The cost of the clean-up and restoration shall be taken from the security deposit. If there are any funds remaining after the clean-up and restoration costs have been subtracted, they shall be returned to the appropriate Person. If the costs and expenses for the clean-up and restoration exceed the amount of the security deposit, the District reserves the right to pursue any and all legal options.

Section 5.04. Other Authority.

Activities otherwise prohibited under this Ordinance, or any other District ordinance, policy, rule, or regulation may be conducted or engaged in by a Person, his agents and/or employees, if done in strict conformance with the provisions of an agreement with the District which has been duly authorized by the Board.

CHAPTER VI – ENFORCEMENT

Section 6.01. Park Police.

- (a) The District shall operate a police force ("Park Police") to ensure the welfare of park users and employees, and life and property within the District. The police force shall consist of Park Police Officers (PPOs) who meet the requirements of the Illinois Police Training Act and have completed a training course as prescribed under the Peace Officer Firearm Training Act, and Park Service Officers (PSOs).
 - (b) Park Police Officers shall be conservators of the peace within the Park District and within

other areas under an intergovernmental agreement, and except as limited by the Chief of Police, may-based on a preponderance of the evidence--issue citations, eject from District Property, suspend from District Property, arrest, or cause to be arrested, with or without a warrant, any person who breaks the peace, or who violates any ordinance, rule, or regulation of the Park District, and based on probable cause, any law of the State of Illinois, including but not limited to the Illinois Vehicle Code.

- (c) Park Police Officers shall have the authority to seize, confiscate and impound any substance, plant, animal, vehicle, or other article which, upon a preponderance of the evidence or probable cause, they find to be used or possessed in violation of this Ordinance.
- (d) Park Service Officers shall, in connection with their duties as prescribed by the Park District, diligently enforce the provisions of this Ordinance and, except as limited by the Chief of Police, issue citations and warnings to persons acting in violation of this Ordinance and to eject and suspend persons acting in violation of this Ordinance from District Property. Park Service Officers may act as peace officers when aiding a commissioned Police Officer, when such aid is requested.

Section 6.02. Rules to be Obeyed.

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 member of the Park Police, or any employee of the District seeking to enforce compliance with Federal, state, local or District laws, rules, or regulations.

Section 6.03. Burden of Proof.

The guilt of a person charged with a violation of this Ordinance need only be established by a preponderance of the evidence unless otherwise required by law for the particular violation at issue.

Section 6.04. 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 or other ordinance, rule or regulation of the District, 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 or other District ordinance, 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.
- (d) Where applicable, the Park District may pursue all of its rights and remedies available under the Illinois Parental Responsibility Law, 740 ILCS 115/1 et seq.

CHAPTER VII – PENALTIES

Section 7.01. Revocation of Privileges; Fine.

(a) Any Person violating or disobeying any section or part of this Ordinance, other than Chapter III section 3.16 hereof, or any other District ordinance, policy, rule, or regulation, may be forthwith evicted from District Property, may have his admission privileges relating to District Property revoked, or suspended for such period of time as the Director or his designee shall determine, subject to the guidelines set forth below, and/or may, upon conviction, and unless otherwise specified herein, be fined in an amount not less than \$150.00 (\$100.00 for Sections 3.02, 3.05, 3.08, 3.10, 3.16, 3.20 and 3.21) and not more than 750.00 for each offense.

For violations of section 3.16 and 3.23, where a parking citation has been issued, such parking citation shall constitute an offer to settle the violation under the following conditions.

- 1. The violation, with the exception of a parking citation for a violation of section 3.16(e), pertaining to green dot parking spaces, may be settled within seven (7) days from the issuance of the parking citation by the payment of fifteen dollars (\$15.00). A parking citation written for a violation of section 3.16(e), pertaining to green dot parking spaces, may be settled within seven (7) days from the issuance of the parking citation by the payment of twenty-five dollars (\$25.00).
- 2. The violation, with the exception of a parking citation for a violation of section 3.16(e), pertaining to green dot parking spaces, may be settled within fourteen (14) days from the issuance of the parking citation by the payment of twenty-five dollars (\$25.00). A parking citation written for a violation of section 3.16(e), pertaining to green dot parking spaces, may be settled within fourteen (14) days from the issuance of the parking citation by the payment of fifty dollars (\$50.00).
- 3. A violation of section 3.23, pertaining to designated parking for handicapped persons, may be settled within fourteen (14) days, ONLY by the payment of two hundred and fifty dollars (\$250.00).

Any offer of settlement represented by the issuance of a parking citation may be accepted within the time limits listed above, by payment of the appropriate amount at the Robert N. Blackwell Administration Building.

Should any violator fail to accept the offer of settlement represented by the issuance of a parking citation, such offer of settlement shall automatically expire. Upon expiration of such offer of settlement, any officer of the district, or the district's attorney, may, without further notice to the violator, file a complaint in Tazewell County circuit court, charging the violator with one or more violations of section 3.16. Upon conviction, the general provisions of this chapter shall apply; provided, however, that persons convicted of violating section 3.23 shall be subject to the special penalty set forth in that section.

(b) If a violation of this Ordinance is of such a nature or kind that it does not tend to immediately endanger the public safety, a Park Police Officer or Park Service Officer may indicate on the complaint that payment of the indicated penalty may be handled administratively as herein provided. An administrative payment determination is based solely on the discretion of the issuing officer and not guaranteed for any violation of this Ordinance. Where so indicated, the violator may make the payment of the indicated penalty for any of the violations listed without appearance in court by payment as indicated on the violation within ten (10) days from the date of the issuance of the said complaint or notice of violation, however after 10 days from the date of issuance of the complaint or notice of violation, the violation must be settled at the County Court as indicated on the complaint or notice of violation.

(c) The Director shall designate the location of the department of the District to which such administrative payments shall be made. In case of failure to make payments as herein provided, the District may forthwith transmit the complaint to the Clerk of the Circuit Court for the 10th Judicial Circuit (Tazewell County) as in other cases. All monies received hereunder shall be turned over to Accounts Receivable of the District upon receipt.

Section 7.02. Suspension Guidelines

- (a) Conduct Sufficient to Warrant Suspension. The following conduct shall be sufficient to warrant a suspension from any District program or facility:
- (1) Physical Abuse of Staff or Patrons. Any physical assault or battery of a staff member or patron of a program or facility by another patron of the District.
- (2) Verbal Abuse of Staff or Patrons. A verbal threat to do physical harm to a staff member or patron of a program or facility of the District, or a continuing pattern of verbal conduct or abuse by a patron designed to harass, insult, belittle or impugn the integrity or competence of a staff member or patron of a program or facility of the District.
- (3) Violation of the Posted Rules or Regulations of Program or Facility. A violation of posted Rules or Regulations for a program or facility shall constitute a violation of this Ordinance and subject the offender to enforcement as herein provided.
- (b) Enforcement. The Program or Facility Manager of each facility or program of the District shall have full authority to suspend any patron using or enrolled in any of the District's programs or facilities for a violation of this Ordinance.
- (c) Notice of Suspension. If a patron is found to have violated the provisions of this Ordinance, and such violation is sufficient to warrant a suspension from the program or facility, the Program or Facility Manager of the program or facility shall issue to such patron a written Notice of Suspension, by hand delivery or by certified mail, to his or her last known address as shown on the records of the District.
- (d) Limitation on Suspension. The term of suspension issued by a Facility Manager shall not exceed six (6) months for the first offense and shall not exceed one (1) year for a second or succeeding offenses.
- (e) Right of Appeal. A patron that has been found to have violated the provisions of this Ordinance by a program or facility manager of the District and has been issued a Notice of Suspension by the manager, shall have the right of appeal to the Executive Director of the District, provided such appeal is in writing and filed with the Director within ten (10) days of hand delivery or the posting of said Notice of Suspension. The decision of the Director shall be conclusive and final.

CHAPTER VIII - 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, are hereby repealed.

CHAPTER IX - 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.

CHAPTER X - PUBLICATION AND EFFECTIVE DATE

<u>Section 10.01</u>. <u>Publication in Book Form</u>. 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.

<u>Section 10.02</u>. <u>Effective Date</u>. 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.

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PEKIN PARK DISTRICT ORDINANCE NO. 16-5; AUGUST 25, 2016

CHAPTER X - PUBLICATION AND EFFECTIVE DATE

Section 10.01. 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 10.02. 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 this25th day of	August, 2016	
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President, Board of Park Commissioners of the Pekin Park District.

ATTESTED and RECORDED and published In pamphlet form this __25th__day of __August__, 2016 .

Secretary, Board of Park Commissioners

of the Pekin Park District

<u>Section 10.03</u>. <u>Amended Date</u>. 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.

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of the	Pekin Park District				

PEKIN PARK DISTRICT ORDINANCE NO. 16-5; AUGUST 25, 2016 AMENDED; MARCH 22, 2018

<u>Section 10.03.</u> <u>Amended Date.</u> 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 this22nd day ofMarch, 2018	
ROLL CALL VOTE:	
AYE: M. Brown, K. Cain, P. Helm, G. Maloney + K. L	<u>Jalrave</u>
NAY:	
ABSENT: S. Price and G. Gillis	
APPROVED this22nd day ofMarch, 2018	
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ATTESTED and RECORDED and published In pamphlet form this22nd day ofMarch, 2018	
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Secretary, Board of Park Commissioners

of the Pekin Park District

<u>Section 10.03</u>. <u>Amended Date</u>. 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.

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ABSENT:		And the second s		
APPROVED this1	12th day ofDece			
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<u>Section 10.03</u>. <u>Amended Date</u>. 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 this12th day ofDecember, 2019
ROLL CALL VOTE:
AYE: PAULA HELM, GART GILLIS, KYLE CAIN, GREG MALONET
NAY:
ABSENT: KRISTEN WALRAVEN, SCOTT PRICE, MARY BROWN
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APPROVED this12th day ofDecember, 2019
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Pekin Park District
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ATTESTED and RECORDED and published
In pamphlet form this12th day ofDecember, 2019

Secretary, Board of Park Commissioners

of the Pekin Park District

Exhibit A

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2010 Freedom K2 Silver 8-Bali Fully Loaded K2 Solid Sex on the Mountain Funky Monkey Aztec Gold K2 Solid Sex on the Mountain Aztec Midnight Wind Texcatlipoca Funky Monkey XXXX K2 Standard Back Draft G Four K2 Strawberry Bad 2 the Bone G Greenies Caramel Crunch K2 Summit Banana Cream Muke Genie K2 Summit Coffee Work Gold Spirit Spice Bayou Blaster Black K2 Thai Dream Diamond Black Green Monkey Chronic Salvia K2 Ultra Magic Salvia Greenies Strawbern K2 Watermelon Black Mamba Heaven Improved IC3 Heavenscent Suave Blueberry Hayze K3 Blueberry Bombay Blue Humboldt Gold K3 Cosmic Blend Buzz Iamaican Gold Jamaican Gold K K3 Dusk C3 Royal K3 Grape C4 Herbal Incense K3 Heaven Improved Caneff K1 Orbit K3 Heaven Legal Cherry.Bomb K2K3 Kryptonite Chill X K2 (unknown variety) K3 Legal Chronic Spice K2 Amazonian Shelter K3 Legal - Original (Black) Cill Out K2 Amazonian Shelter K3 Legal- Earth (silver) Citrus K2 Blonde K3 Legal-Sea (silver) Colorado Chronic K2 Blue K3 Legal-Sun (Black) DaBlock I{2 Blueberry K3 Mango Dark Night II K2 Citron K3 Original Demon K2 Cloud 9 K3 Original Improved Diamond Spirit K2 Kryptonite K3 Strawberry Dragon Spice K2 Latte K3 Sun D-Rail IC2 Mellon K3 Sun Improved Dream K2 Mint K3 Sun Legal Earthquake K2 Orisha Black Magic Max K3 XXX **Emption Spice** K2 Orisha Max K2 Orisha K4 Bubble Bubble Euphoria Regular K2 Orisha Super K4 Gold EX_SES Platinum Strawberry K4Purple Haze K2 Orisha White Magic Super exSES K2 Peach K4 Silver EX-SES Platinum K4 Summit K2 Pina Colada EX-SES Platinum Blueberry IS2 Pineapple K4 Summit Remix EX-SES Platinum Cherry Kind Spice K2 Pincapple Express EX-SES Platinum Strawberry K2 Pink Kl Gravity EX-SES Platinum Vanilla K2 Pink Panties Kl Orbit Fire Bird Ultimate Strength

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Exhibit A

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Legal Eagle Legal Eagle Apple Pie

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Magic Gold Magic Silver Magic Spice Mega Bomb

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Improved K3 Kryptonite New K3

Earth

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Wicked X

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Yucatan Fire
Yucatan Fire
Zombie World