

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

CHAPTER I- DEFINITIONS, CONSTRUCTION, AND SCOPE

Section 1.01

1. This Ordinance regulating the use of the parks and property owned or controlled by the Manhattan Park District shall be known and may be cited as the "Conduct Ordinance # 21-1 of the Manhattan Park District."

Section 1.02

1. Definitions. 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.
2. "Agent" means any representative contracted to the Manhattan Park District acting within the scope of his/her/their authority, such as caterers, outside vendors, etc.
3. "Aircraft" means any equipment or device that is used or intended to be used for human flight or is capable of flight, including but not limited to powerless flight.
4. "Alcoholic Liquor" is defined as provided in the Liquor Control Act of 1934 (235 ILCS 5/1-3.05) as amended hereafter.
5. "Aquatic Life" means all fish, reptiles, amphibians, crayfish, and mussels, mollusks, and crustaceans.
6. "Board" means the Board of Park Commissioners of the Manhattan Park District.
7. "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.
8. "Cannabis" is defined as provided in the Illinois Cannabis Control Act (720 ILCS 550/3(a)) as amended hereafter.
9. "Carry" means to wear, bear, or have on or about the person.
10. "Chief of Police" is the Chief of the Manhattan Police or such persons charged with or delegated such authority by the Chief of Police.
11. "Child Sex Offender" as defined by the Criminal Code of 2012 (720 ILCS 5/11-9.3(d)).

12. "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.
13. "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., Director of Recreation and Director of Parks).
14. "Director" is the Executive Director of the Manhattan Park District, or such persons charged with or delegated such authority by the Director.
15. "District" is the Manhattan Park District of Illinois.
16. "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, 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.
17. "District Waters" shall include all water located on, or adjacent to, or flowing over land owned, leased, or generally administered or operated by the Manhattan Park District, including without limitation, all natural or man-made lakes, rivers, creeks, streams, ponds, lagoons, bays, and drainage ways.
18. "Drones" means any unmanned aircraft system that is capable of sustained flight or suspension in the atmosphere including unmanned aircraft commonly referred to as model airplanes, small, unmanned aircraft or aerial systems, aerial hover craft, and any other remotely piloted or unmanned aircraft of any kind.
19. "Drug Paraphernalia" is defined as provided by the Drug Paraphernalia Control Act (720 ILCS 600/2(d) as amended hereafter.
20. "Facility" means any District Property other than a building, park or playground and includes, without limitation, baseball/softball fields, tennis courts and basketball courts.
21. "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.
22. "ILCS" is the Illinois Compiled Statutes.
23. "Manhattan Police Force" shall consist of the sworn officers of the Village of Manhattan Police Department and other sworn law enforcement officers having jurisdiction within the corporate limits of the District, who shall be conservators of the peace upon all District property with authority to issue citations and make arrests in accordance with applicable law.

24. "Model Aircraft" to mean any unmanned aircraft that is capable of sustained flight in the atmosphere, including unmanned aerial vehicles, unmanned aircraft systems and drones of any kind.
25. "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.
26. "Ordinance" means the Conduct Ordinance of the Manhattan Park District.
27. "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.
28. "Permit" is the written authorization issued by or under the authority of the District, by District officer or an 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.
29. "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.
30. "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.
31. "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.
32. "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.
33. "Sexual Predator" has the meaning ascribed to it in subsection (E) of Section 2 of the Sex Offender Registration Act (730 ILCS 150/1 *et seq.*).
34. "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.
35. "Take" or "Taking" means to pursue, hunt, harass, lure, harm, shoot, trap or ensnare, spear, net, capture, collect, kill, destroy, wound, or attempt to do any of the above.
36. "Tobacco" is defined to include any lighted or unlighted cigarette, including but not limited to clove, bidis, or kreteks, electronic or e-cigarettes, cigars, cigarillos, pipes, hookah products, and any other smoking products; and any smokeless, spit or spit-less, dissolvable or inhaled tobacco products,

including but not limited to dip, chew, snuff or snus, in any form; and all nicotine delivery devices that are not FDA-approved as cessation products.

37. "Vehicle" means every device in, upon, or by which a person or property is transported or driven 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.
38. "Vessel" means every type or description of craft, used or capable of being used as a means of transportation on water, including without limitation boats, rafts, canoes, inner tubes, air mattresses, kayaks, jet skis, inflated devices, or any buoyant device permitting or capable of free flotation, other than personal flotation devices such as life vests.
39. "Wildlife" shall include any waterfowl, mammal, animal, amphibian, reptile, or bird or the young or eggs thereof. Wildlife does not include any Domesticated Animal or other animal that is specifically permitted to be on District Property by a section of this Ordinance, but such presence shall be in strict accordance with any conditions or restrictions provided in such section or as defined by any Federal or State statute.

Section 1.03. Construction and Scope.

1. 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 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.
2. 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, 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. Alcoholic Liquor.

1. No Person under the influence of Alcoholic Liquor, shall enter into, be, or remain on District Property. For purposes of this Section, "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 law person's opinion, or the statement of a witness.
2. No Person, other than the District or its agent, shall sell or deliver any Alcoholic Liquor on District Property, unless said Person has first obtained a permit, license, or contract therefor from the District in accordance with Chapter V of this Ordinance.
3. 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.
4. No Person shall bring into, possess, consume, take, use, sell, deliver or transfer any Alcoholic Liquor on District Property without having first obtained a Permit from the District in accordance with Chapter V of this Ordinance, unless he 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.
5. 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 federal, state, local, and District laws, ordinances, rules, and regulations regarding the possession, use, consumption, or transfer of Alcoholic Liquor.
6. Any person who is at least twenty-one (21) years of age may apply for a special permit in accordance with Chapter V of this Ordinance to bring into, possess, consume, take, use or deliver Alcoholic Liquor on a temporary, short-term basis within the confines of the District on such days, at such times, and under such conditions as the Board or Executive Director, in the reasonable exercise of its sole discretion, may deem appropriate for such use.
7. The Board may adopt and maintain from time to time such fee schedules, policies, rules and regulations for the implementation and observance of this Ordinance as it may deem necessary and appropriate in the reasonable exercise of its sole discretion.

Section 2.02. Animals and Pets.

1. No Person shall bring or release onto District Property any wildlife including without limitation any animal the capture or killing of which is authorized by the fish and game laws of the State of Illinois, or any other animal, except for domesticated dogs, cats or other domesticated animal subject to the restrictions contained in this section. Provided, however, that the District may bring or release, or permit another Person to bring or release such proscribed animals onto District Property in conjunction with an activity (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 maintained, controlled, permitted or licensed maintained by the District.

2. No Person shall feed any wildlife on District Property.
3. 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 six (6) feet in length and such Person has in his immediate possession a device for removal, and a depository for the disposal of animal excrement from such Property.
4. All owners or agents of the owner having control of any domesticated dog, cat, or other domesticated animal, shall remove from District Property, or properly dispose of in an appropriate receptacle, any excrement left by such animal.
5. No Person shall bring a domesticated dog, cat, or any other animal onto or permit any animal to remain on any portion of District Property where the presence of animals is prohibited, except (i) in conjunction with an activity or event conducted or sponsored by the District, or (ii) service animals individually trained to do work or perform task for people with disabilities, as defined by and in compliance with the Americans with Disabilities Act.
6. Any animal found on District Property in violation of this Ordinance may be detained or 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 Manhattan Village and/or Will 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. 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.

Section 2.03. Assault or Battery.

1. 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.
2. No Person shall intentionally or knowingly by any means cause bodily harm to or make physical contact of an insulting or provoking nature with, another Person on District Property. District employees, park commissioners and such other persons as may be designated from time to time by the District shall have authority to inform users of District property of the requirements or prohibitions contained in this ordinance or any other District ordinance but shall have no authority to cite or arrest any person for the violation of any ordinance.

Section 2.04. Begging, Panhandling, and Soliciting.

1. To the extent allowed under the law, begging, panhandling and soliciting is prohibited in District buildings, facilities or playgrounds or the entrances or stairways of such buildings or facilities.

Section 2.05. Boating.

1. No Person shall launch any Vessel in District Waters.
2. No person shall traverse any waterway associated with Park District Property, including but not limited to waterways/property North and South of the Jackson Creek. The closure of waterways within the boundaries of the District by authority of the Illinois Department of Natural Resources shall likewise be enforceable.

Section 2.06. Camping.

1. 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 in accordance with Chapter V of this Ordinance.

Section 2.07. Charitable, Religious, Political, or Non-Profit Activities.

1. 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.
2. Soliciting contributions for charitable, religious, political, or non-profit organizations is permitted on District Property provided that a Permit therefor has first been obtained from the District in accordance with Chapter V of this Ordinance.
3. The sale or distribution of merchandise by charitable, religious, political, or non-profit organizations is permitted on District Property, provided that a Permit therefor has first been obtained from the District in accordance with Chapter V of this Ordinance.
4. Soliciting votes and circulating petitions for or against candidate(s) 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 (5) and (6) of this Section.
5. No Person shall engage in any activity described in subsections (1) through (4) of this Section 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.
6. No Person engaged in the activities described in subsections (1) through (4) of this Section shall obstruct or impede pedestrians or Vehicles, harass park visitors with physical contact or persistent demands, misrepresent the affiliations of those engaged in such activities, misrepresent what the solicited funds will be used for or whether the merchandise is available without cost or donation, or interfere, interrupt, or engage in conduct incompatible with the purpose of, any program, activity, function, and/or special event conducted or sponsored by the District.

Section 2.08. Commercial Sale, Exhibition, or Distribution of Goods or Services.

1. No peddler, vendor or any other Person shall, absent a Permit, license, or contract, from the District, may engage in any activity for gain or for which any charge is made or any commercial sale, rental, exhibition, or distribution of goods or services, including without limitation the giving of instruction or lessons for a fee, upon District Property. The District shall not issue any Permit for a Person to engage in any such activity on the District Property but may issue a license or contract allowing a Person to engage in such an activity at specified locations as part of a Park District program.
2. 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 2.09. Controlled Substances and Cannabis.

1. No Person under the influence of any Controlled Substance or Cannabis shall enter into, be, or remain on District Property.
2. In accordance with state and local regulations, no Person shall bring into, possess, consume, take, use, sell, or transfer any Controlled Substance or Cannabis on District Property
3. No Person shall possess, produce, plant, cultivate, tend or harvest the Cannabis plant on or in connection with any District Property.
4. 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.

Section 2.10. Cooperation with Authorities.

1. No Person shall physically hinder, threaten, resist, intimidate, disobey, bribe, and attempt to bribe, or otherwise intentionally interfere with any member of the Manhattan Police Force or any District employee or agent in the performance of his or her duties.
2. No Person shall falsely represent that he is, or otherwise pretend to be, an employee, District officer or employee, a member of the Manhattan Police Force, or an agent or other representative of the District.
3. No Person shall knowingly display a false, expired or revoked Permit, pass or membership card or give a false report or false information (including, without limitation, information requested in a Permit application) for the purpose of misleading a District employee or agent.

4. No Person shall knowingly permit any person other than the person to whom such pass, card, reservation, registration, or contract was issued to use said pass, card, reservation, registration, or contract in connection with access to or use of any District property or facility.

Section 2.11. Disorderly Conduct.

1. No Person shall 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.
2. No Person shall make or cause to be made any excessively loud or unreasonable noise which disturbs the peace. For purposes of this subsection, excessively loud or unreasonable noise is defined as noise inconsistent with, or not attendant to, appropriate and customary park and recreational activities, considering the nature and purpose of the actor's conduct, location, time of day or night, and other factors that would govern the conduct of a reasonably prudent person under the circumstances. This Section shall include, without limitation, the loud or amplified playing of any type of audio equipment, noisemaker, musical instrument, or sound equipment, and loud noises made by the racing of a vehicle motor, lack of a vehicle muffler or use of a muffler cut-out device, or by tire friction from rapid acceleration, rapid turning or weaving in a vehicle. This Section shall not apply to the playing of any musical instrument, public speaking, or the amplification thereof, in conjunction with activities conducted, sponsored or authorized by the District.
3. No Person shall use obscene or abusive language, or gestures, or threats of 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.
4. No Person shall congregate with other Persons on District Property with the intent to restrict vehicular or pedestrian traffic or with the intent to restrict the free ingress to or egress from District Property and fail to comply with a lawful order of the Police or District employees to disperse.
5. No person shall engage in any gang-related activities, including the display or possession of gang related symbols, the use of hand signals, soliciting membership, intimidating or threatening behavior, or wearing or displaying any gang colors or clothing identified with gang activities.

Section 2.12. Display of Permit or Pass.

1. 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 2.13. Dumping. Pollution, Sanitation, and Litter.

1. 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, landscape waste, snow, ice, or other substance, whether liquid or solid, or any other refuse in or upon District Property, including

in District dumpsters or roll offs, or in District Waters, except as specifically permitted by the District; provided, however, that paper, glass, cans, garbage and other refuse resulting from picnics or other 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.

2. No Person shall spit upon District Property.
3. No Person shall urinate or defecate on District Property other than in toilets in rest room facilities expressly provided for such purposes.
4. No Person shall drain refuse from a trailer or other vehicle on District Property.
5. No Person shall bathe or wash himself 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.
6. No Person shall pollute or contaminate District Property or District Waters.
7. No Person shall dispose of human or animal waste on District Property except at designated locations or in fixtures provided for that purpose.
8. Any Person violating this Section shall be assessed the cost of removing any such improperly deposited substance or material and such charge shall be in addition to and not in lieu of any other penalties provided for in this Ordinance or applicable federal, state, local, and/or District laws, ordinances, rules, and regulations.

Section 2.14. Fairs and Special Events: Sale and Distribution of Merchandise: Soliciting Contributions.

1. No Person shall sell and/or distribute merchandise or printed or written materials or solicit contributions, votes or signatures during fairs or special events conducted or sponsored by the District except at a fixed location designated by the District and unless a Permit therefor has first been obtained from the District in accordance with Chapter V of this Ordinance. 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 2.15. Fires.

1. 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 and the Village of Manhattan.
2. 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. Open bonfires are not permitted on District Property either on the ground or in any portable fire pit or other device.

3. 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.
4. No Person shall build a fire anywhere for any purpose, except in District owned fire receptacles, without the express permission of the Director, also including but not limited to gas or charcoal grills, stoves, or pits.

Section 2.16. Fishing.

1. No Person shall fish or otherwise take aquatic life from District Waters in areas at which the District has posted signage prohibiting such activities.
2. 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.
3. Fishing in District Waters shall be conducted by means of a hook and line, using no more than two hooks per line, each line being closely attended. No Person shall use drugs, poisons, explosives, other volatile substances, electricity, or missiles of any kind to fish in District Waters.
4. No Person shall dig, scratch, or otherwise disturb District Property in order to locate/take bait.
5. 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 District, state, or local law, ordinance, rule or regulation, or that the Person chooses not to keep.
6. 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
7. Ice fishing is prohibited on any District Waters.

Section 2.17. Gambling and Games of Chance.

1. 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 authorized by the District.

Section 2.18. Hunting or Trapping

1. No Person shall hunt nor trap, nor bring any device 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 Executive Director to enter upon District Property for such purpose.

Section 2.19. Interference with Other Users.

1. 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.
2. 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.
3. No Person shall engage in any activity on District Property in a manner calculated, or which is reasonably likely, to endanger, injure or damage Persons or property in any way.

Section 2.20. Loitering in District Buildings.

1. 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 Police or District employees, or where the District has posted a sign or signs that prohibit loitering.

Section 2.21. Metal Detectors

1. No Person shall upon or in connection with any property of the District bring into or use any device or instrument used to detect metallic objects without prior permission of the Director.

Section 2.22. Misappropriation of Property or Theft.

1. No Person shall knowingly obtain or exercise unauthorized control over the property of another.
2. No Person shall knowingly obtain by deception control over property of another.
3. No Person shall knowingly obtain by threat control over property of another.
4. 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 2.23. Mob Action.

1. 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.
2. 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.
3. 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 2.24. Model Aircraft. Aircraft. Drones.

1. No Person shall operate or fly, cause to be operated or flown, or permit or authorize the operation or flying of Aircraft over District Property except in strict accordance with applicable laws governing such flight, including rules promulgated by the Federal Aviation Administration.
2. No Person shall operate, launch, take off, land, cause to launch, take off or land, or authorize the operation, take off, launching or landing of any Aircraft of any kind from or on District Property, except when necessitated by unavoidable emergency.
3. No Person shall parachute or otherwise descend from an Aircraft into or onto District Property or cause, permit or authorize another Person to parachute or otherwise descend from an Aircraft into or onto District Property except when necessitated by unavoidable emergency.
4. No person shall operate, launch, take off, land, cause to launch, take off or land, or authorize the operation, take off, launching or landing of any Drones of any kind from or on District Property.

Section 2.25. Parades. Public Assemblies or Meetings.

1. Public parades, processions, theatrical or dramatic presentations, meetings, assemblies, gatherings, and demonstrations are permitted on District Property, except that no parade, procession, theatrical or dramatic presentation, meeting, assembly, gathering or demonstration shall be held on any portion of the property the Park District has occupied. Where the number of participants in any parade, procession, theatrical or dramatic presentation, meeting, assembly, gathering or demonstration is reasonably expected to exceed twenty-five (25) or more persons and/or vehicles, a Permit therefor must first be obtained from the District in accordance with Chapter V of this Ordinance.
2. 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 2.26. Posting Printed or Written Material in Designated Area.

1. The District shall designate any areas for the posting of printed or written public information material (hereafter, "Community Bulletin Board"). No materials may be posted on any other property or area owned or controlled by the District.
2. 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, or unless the material promotes any program or other activity for which a fee or other consideration is charged, provided that the District offers the same program or activity. The material may remain posted for a period not to exceed one (1) week after which a Person may resubmit his public information notice for posting, space permitting.
3. 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.
4. 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.

Section 2.27. Posting Printed or Written Material on Public Places and Objects.

1. Except as provided in Section 2.26 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, or other marks to or upon District Property or anything or object located on District Property.
2. The District may remove any printed or written word, symbol, material, or other mark found posted or otherwise affixed upon any District Property or any thing 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.
3. The District may post printed or written words, symbols, materials, or other marks on its Property ("District Speech"), including but not limited to seasonal displays. The District will consider requests to add to or modify "District Speech", including offers to donate materials or things, upon written request to the Director at least 60 days in advance of the relevant District Speech. The District shall not be obligated to accept any offer or gift and may decline all such offers or requests.
4. The District may impose time, place and manner restrictions upon any speech events on any of its Property and all persons shall comply with such time, place and manner restrictions. To the extent permitted by law, such restrictions may include the District establishing a "Free Speech Zone" on Park District Property where speech events can occur.

Section 2.28. Printed or Written Material for Sale or Distribution.

1. The distribution of printed or written material available without cost or donation is permitted on District Property, except for the area designated as where this activity will only be allowed.
2. 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 obtained from the District in accordance with Chapter V of this Ordinance, except for the area designated for this activity will only be allowed by permit.
3. Any Person engaged in the sale or distribution of printed or written materials under this Section shall not obstruct or impede pedestrians or Vehicles, harass park visitors with physical contact or persistent demands, misrepresent the affiliations of those engaged in such activities, misrepresent whether the materials are available without cost or donation, or interfere, interrupt, or engage in conduct incompatible with the purpose of, any program, activity, function, and/or special event conducted or sponsored by the District.

Section 2.29. Prohibited Presence of Sex Offenders.

1. In accordance with State statute, it is unlawful for a Sexual Predator or a Child Sex Offender to (a) knowingly be present in any District building or on District Property comprising any public park; and (b) knowingly loiter on a public way within 500 feet of a District building or District Property comprising any public park. Terms and requirements addressed in this Section shall align with the Criminal Code of 1961, Criminal Code of 2012 and the Park District Code.

Section 2.30. Protection of Animals.

1. 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.
2. No Person shall give or offer to any Wildlife any harmful, poisonous, or noxious substance on or upon District Property.
3. No Person shall feed, 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.
4. 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.

1. 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, including without limitation, soil or sand, unless a Permit, license or contract therefor has first been obtained from the District.
2. No Person shall climb upon, walk on, hang from or stand or sit on, any 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.
3. 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.
4. 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.

Section 2.32. Public Indecency.

1. No Person shall perform or commit any of the following acts on District Property:
 - a. An act of sexual penetration or sexual conduct as defined in 720 ILCS 5/11-0.1; or
 - b. A lewd exposure of the body done with intent to arouse or to satisfy the sexual desire of the Person.
2. No Person shall exhibit, produce, 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. Pyrotechnics.

1. 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 Director.

Section 2.34. Refuse Disposal.

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

Section 2.35. Reporting Accidents.

1. 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 Park District within twenty-four (24) hours after the incident.

Section 2.36. Restricted Areas.

1. No Person shall enter or remain in any building or portion of District Property where Persons are prohibited by the District from entering.
2. No Person shall enter or remain in any District Property when it is closed to the public.
3. 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.
4. No Person whose admission privileges to District Property have been terminated, revoked, forfeited or suspended by the District pursuant to Section 7.01 Ordinance shall enter or remain in any District Property that is the subject of the termination, revocation, forfeiture or suspension.
5. No Person shall enter or remain in any portion of District Property if his admission privileges have been terminated, revoked, forfeited or suspended pursuant to Section 7.01, or if his permit, pass, ticket or membership card for admission to or use of, the specific District Property which he enters has been suspended or revoked or if he has not paid the applicable fee or charge for the use of the specific District Property.

Section 2.37. Restrictions Applicable to Specific Recreational Activities.

1. Team Sports
 - a. 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. Picnics
 - a. Picnics requiring fires shall be held only in those areas where fireplaces, stoves, grills, or pits have been provided by the District for that purpose and upon issuance of a Permit by the District in accordance with Chapter V of this Ordinance. No personally owned cooking or grilling equipment shall be used on District Property, unless expressly permitted by the District.
 - b. No group of Persons exceeding twenty-five (25) in number shall picnic on District Property unless a Permit therefor has first been obtained from the District in accordance with Chapter V of this Ordinance. The District may designate areas for preparing, consuming, and dispensing food, beverages and other products. Persons holding a Permit and dispensing any of such products may do so only in the area designated in the Permit. In the event the dispensing of the permitted products is by sale, the Person must also comply with Section 2.14 of this Ordinance. No Person may dispense, prepare, consume, sell or otherwise use products, items or things otherwise prohibited in this Ordinance or any other federal state, local, or District law, rule, regulation or ordinance.

3. Classes and Camps.
 - a. No Person shall bring or cause to be brought onto District Property any class, play group, day camp, individual or group lesson or similar activity of any kind conducted for a fee or other consideration unless that Person has a contract with the District to provide such a program or service. Nothing contained in this Section shall be construed to prohibit any class, play group, or day camp from visiting District Property, provided that the class, play group or day camp is regularly conducted at some location other than on District Property, and further provided that it maintains any ratio of adult supervisors to children required at the District Facility that the class, play group or day camp uses.
4. Tournaments, Leagues, or Other Organized Recreational Activities.
 - a. No Person shall utilize any District Property, including without limitation playing fields and other District Facilities, for tournaments, leagues, or other regularly scheduled organized recreational activities and outings unless a Permit allowing such use or activity has first been obtained from the District in accordance with Chapter V of this Ordinance. This Section does not apply to normal 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 2.38. Rest Rooms and Washrooms.

1. Every Person shall cooperate in maintaining rest rooms, washrooms, and locker rooms on District Property in a neat and sanitary condition.
2. 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.
3. No Person shall bring or 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 2.39. Roller skates, Skateboards, Bicycles and Other Similar Objects.

1. No Person using roller skates, in-line skates, skateboards, rollerskis, coasting vehicles, bicycles or similar devices on District Property shall interfere with pedestrian use of sidewalks or Vehicle use of the streets or parking lots, 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 2.40. Sledding, Ice Skating and Snowmobiling.

1. No Person shall ice 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 Police Officer or any other District employee authorized to control such activities.

2. No Person shall ice skate, sled, toboggan, inner tube, ski, snowboard, slide or engage in similar activities on District Property, contrary to these rules and regulations, published and posted by the District for control of such activities.
3. 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.
4. 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.
5. No person shall enter upon any frozen waters to ice skate, slide or walk or for any purpose.
6. 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 without the prior written permission of the Director.
7. 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 2.41. Sleeping on District Property.

1. 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 2.42. Swimming.

1. No Person shall bathe, swim, wade, float, splash, or otherwise enter District Waters.

Section 2.43. Tobacco Products.

1. Smoking 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 (410 ILCS 82/1, *et seq.*) to ensure that tobacco smoke does not enter the area through entrances, exits, open windows, or other means. Smoking is prohibited within 100 feet of any athletic field or other outdoor Facility on District Property at which any organized activity conducted or authorized by the District is taking place. Smoking is also prohibited in all wooded areas on District Property.
2. Athletic associations that utilize Manhattan Park District-owned facilities must commit to enforcing this policy during all scheduled activities.

3. 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 product on District Property.
4. The District will ensure that ashtrays are removed from areas where smoking is prohibited and that appropriate "No Smoking" signage is posted in accordance with state and federal requirements to ensure that community, facility users and staff will be notified about smoke-free areas.
5. Staff will make periodic observations to monitor for compliance. Any person found violating this policy may be subject to immediate ejection from the facility at the given time and/or for the remainder of the event.

Section 2.44. Unlawful Construction, Maintenance or Encroachment

1. No Person shall upon or in connection with any property owned and/or managed by the District:
 - a. Erect, construct, install, build or place any structure, building, tent, 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 the Village of Manhattan, as may be required, 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 and if required, the Village of Manhattan District.
 - e. Plant vegetation of any kind on District Property without written authorization of the Director.
 - 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 or other 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.
2. Any person, who violates any part of this Section, shall remove any encroachment from District Property, after receiving written notification of violation from the District and in accordance with the timeframe and removal specifications outlined in such notification.

3. The District may remove any encroachment(s) from District Property and assess the person(s) who violated this Section 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 Village of Manhattan ordinance and/or State law.
4. Any person who commits a violation of any part of this Section, in addition to any other civil or criminal penalty imposed, may also be subject to fines subject to Manhattan Village Ordinances.

Section 2.45. Weapons and Firearms.

1. No Person shall bring onto, carry, have in his possession or on or about his person, concealed or otherwise, or use, fire, set off or otherwise cause to explode, discharge or burn, or throw onto or while on District Property any bludgeon, black-jack, billy club, sand-club, sand-bag, metal knuckles, throwing star, switchblade knife, ballistic knife, any knife having a blade longer than 3 inches, any other dangerous knife (including without limitation a dirk, dagger, or stiletto), razor, broken bottle or other dangerous piece of glass, firearm, pistol, revolver, rifle, shotgun, automatic weapon, firearm silencer, air gun, pellet gun, stun gun or taser, bow and arrow, slingshot, any weapon capable of discharging a projectile by air, spirit, gas or explosive, any explosive substance, rocket, firecracker or other firework, missile, bomb, grenade, or other explosive device, liquid or gaseous substance, bottles of gasoline with a rag attached any other dangerous weapon, or any object whose intended use is as a weapon, not specifically named herein, unless a permit therefor has first been obtained in accordance with Chapter V of this Ordinance. All weapons named herein shall have the definitions, if any, set forth in 720 ILCS 5/24-1.
2. No person shall use or explode any toy pistol, toy cannon, toy cane or toy gun in which explosives are used, or use or explode any blank cartridge, on District property except that starter pistols may be used for sporting or athletic events authorized by the District.

CHAPTER III - MOTORIZED VEHICLES, BICYCLES, PARKING, AND TRAFFIC CONTROL

Section 3.01. All-Terrain Vehicles or Go-Karts.

1. No Person shall drive, ride, or otherwise operate an all-terrain vehicle or a go-kart 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.

Section 3.02. Bicycles.

1. Bicycles are permitted in designated areas of the Park District. Bicycles should be ridden in a safe and responsible manner in adherence with all Park District signage.
2. 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.

3. No Person operating a bicycle on District Property shall cling or attach himself or his bicycle to any other moving Vehicle.
4. The operator of a bicycle emerging from an alley, driveway or building on District Property shall, upon approaching a sidewalk or the sidewalk area extending across any alley or driveway, yield the right-of-way to all pedestrians approaching on said sidewalk or sidewalk area, and upon entering the roadway shall yield the right-of-way to all Vehicles approaching on said roadway.
5. 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.
6. No Person shall operate a bicycle on District playgrounds, ball fields, tennis courts, or sidewalks except that children under the age of 4 years old riding three- or more-wheeled cycles may operate such cycles on sidewalks while under the supervision and control of an adult.
7. 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. All bicycles parked on District Property shall be locked. 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.
8. 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.
9. Every Person operating a bicycle on District Property shall obey all federal, state and local 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.
10. No Person shall bring a bicycle into a District Building or Facility.

Section 3.03. Change of Oil/Cleaning.

1. No Person shall change the oil or grease of, or wash, clean or polish Vehicles on District Property, unless a Permit therefor has first been obtained from the District in accordance with Chapter V of this Ordinance, or unless the Person is authorized by the District or is performing community service under District supervision.

Section 3.04. Commercial Vehicles.

1. 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 (except when transporting passengers or movable property to or from the District), 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.
2. 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.
3. This Section shall not apply to commercial vehicles making authorized deliveries to or performing authorized services for the District.

Section 3.05. Driving Areas.

1. No motor vehicle, including any automobile, truck, motorcycle, motor bike, or motor scooter, shall be driven or otherwise operated upon District Property except over and upon such parking lots, or other areas designated by the District for use by motor vehicles. A bicycle path shall not be deemed a roadway for the use of motor vehicles under this Section.

Section 3.06. Duty of Operator in Accidents.

1. 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, District employee requesting same, and in the event no police officer is present, he must immediately report the occurrence to the nearest police station or police headquarters.

Section 3.07. Gas and Smoke.

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

Section 3.08. Hitchhiking.

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

Section 3.09. Incorporation of State Statutes.

1. 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., 625 ILCS 5/11-100 *et seq.*, and 625 ILCS 5/12-100 *et seq.*) which provisions are specifically incorporated in this Ordinance by reference.

Section 3.10. Intoxicated Operators.

1. No Person shall drive or otherwise operate nor attempt to drive or otherwise operate a Vehicle on District Property while under the influence of intoxicating Alcoholic Liquor, Controlled Substances, or Cannabis or a combination of such substances.

Section 3.11. Minibikes and Trail bikes.

1. No Person shall drive, ride, or otherwise operate any minibike or trail bike on District Property. For purposes of this Section, every motor Vehicle which is self-propelled by power obtained by the combustion of gasoline which is designed with a seat or a saddle for the use of the rider and is designed to travel mostly off-road on not more than two (2) wheels shall be a minibike or trail bike.

Section 3.12. Negligent Driving.

1. 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.

Section 3.13. Parking.

1. No Person shall park a Vehicle on District Property in other than established or designated parking areas, and such shall be in accordance with the posted directions and markings or with the directions of any attendant who may be present.
2. No Person shall park any Vehicle or allow any Vehicle to remain parked in any area of District Property beyond the normal closing hour of the District Property, except when a different closing hour has been designated by the District for that area or unless permission therefor has first been obtained from the District. In no event shall any vehicle except District Vehicles be parked on District Property later than 12:00 a.m., except with the approval of the District, which approval shall automatically be deemed given in connection with activities conducted by the District.
3. No Person shall park a Vehicle upon any District parking area for any of the following purposes: (1) To display such Vehicle for sale; or (2) to perform maintenance or repair of such Vehicle, except for repairs necessitated by an emergency; or (3) to sell goods or services from such Vehicle.

Section 3.14. Siren Devices.

1. No Person shall sound any siren, 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 3.15. Traffic Signs and Signals.

1. 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.
2. No Person shall deface, injure, move, or otherwise interfere with any traffic sign or signal on District Property.

Section 3.16. Unauthorized Use of Parking Places Reserved for Persons with Disabilities.

1. For purposes of this Section, as defined by law (625 ILCS 5/1-159.1) as amended from time to time, a person with a disability is defined as a natural person who, as determined by a licensed physician, by a licensed physician assistant, or by a licensed advanced practice registered nurse: (1) cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device; (2) is restricted by lung disease to such an extent that his or her forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than 60 mm/hg on room air at rest; (3) uses portable oxygen; (4) has a cardiac condition to the extent that the person's functional limitations are classified in severity as Class III or Class IV, according to standards set by the American Heart Association; (5) is severely limited in the person's ability to walk due to an arthritic, neurological, oncological, or orthopedic condition; (6) cannot walk 200 feet without stopping to rest because of one of the above 5 conditions; or (7) is missing a hand or arm or has permanently lost the use of a hand or arm.
2. 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 625 ILCS 5/3-616, 11-1301.1, 11-1301.2, or to a disabled veteran pursuant to 625 ILCS 5/3-609 of the Illinois Vehicle Code which provisions are specifically incorporated in this Ordinance by reference, as evidence that the vehicle is operated by or for a handicapped person or disabled veteran, in any parking place, including without limitation any private or public off-street parking facility, specifically reserved by the District, by the posting of an official sign as designated under 625 ILCS 5/11-301, for motor vehicles bearing such registration plates. Any motor vehicle bearing a handicapped license plate or a handicapped parking decal or device containing the international symbol of access issued to handicapped persons by any local authority, state, district, territory or foreign country shall be recognized by the District as a valid license plate or device and receive the same parking privileges as handicapped residents of this State.
3. The District may request local policing authorities to remove vehicles which do not display handicapped registration plates or a special decal or device as required by this Section.

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

Section 4.01. Hours.

1. Except as otherwise provided in this Section, District Property shall be open to the public from sunrise in the morning until sunset each day.
2. Consistent with any applicable Village of Manhattan Ordinances, an athletic field, diamond, 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 at times designated by the Park District and authorized by the Executive Director.
3. The Board may establish other hours during which District Property, or any parts thereof shall be closed to the public. The Board may periodically revise these hours.

Section 4.02. Special Closings.

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

Section 4.03. Use of Closed Property Prohibited.

1. 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.

1. Time schedules for the operation of, and the activities to be conducted on, District Property and the amount of facility, Permit and program fees, may be reviewed and approved periodically by the Board. As permitted by law, fees charged non-residents of the District need not be the same as fees charged residents of the District. The Board may otherwise establish policies, rules and regulations for proper conduct by Persons using District Property. Specific policies, rules and regulations pertaining to District Property and programs may be posted at or on the applicable District Property and/or published in District program brochures or otherwise made available to the users of District Property, who shall be charged with actual knowledge thereof and shall obey or comply with all such policies, rules and regulations. All Persons shall abide by all District policies, rules and regulations and with the direct orders or requests of employees and agents of the District when using District Property.
- 2.

Section 4.05. Admission/Identification.

1. No Person shall enter into, be, or remain in or upon District Property without paying any applicable 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.

1. No Person shall abandon property on District Property.
2. Property left unattended for twenty-four (24) hours or unattended property suspicious in nature that interferes with any park visitors' safety, orderly management of the park area, or presents a threat to park resources may be impounded or removed by the District at any time. The owner of such property shall be responsible and liable for all costs and expenses associated with the impounding, removal, storage, or other disposal of the property.
3. 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, he shall report such finding to his Department Head. The District will attempt to make every reasonable effort to locate the property's owner(s).
4. Unattended property that has been impounded or property that has been found shall be stored for a minimum period of thirty (30) days. Unless claimed by the owner or an authorized agent thereof, the property may be claimed by the finder of such property unless the finder is an employee, officer, or agent of the District or Board. All property not claimed shall be disposed of as the District deems appropriate.

Section 4.07. Building Use.

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

CHAPTER V • PERMITS AND OTHER AUTHORITY

Section 5.01. Permits.

1. 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.
2. Every Person requesting a Permit shall complete and file a written application with the Director or designee, on forms provided by the District, and pay applicable application fees at the District's administrative offices located at 397 South State Street, Manhattan Illinois. When received, the application shall be dated and stamped as received and a receipt issued to the applicant.
3. Applications for Permits must be received by the District at least seventy-two (72) hours prior to the activity for which a Permit is sought.
 - a. The abovementioned application deadline does not apply to applications for permits under Sections 2.01, 2.08, 2.36 and any other section of this ordinance or any other District ordinance, rule or regulation involving the exercise of First Amendment rights. For those permits, applications must be received by the District at least three (3) weeks prior to the requested activity.
4. Except as provided in number 6 of this subsection, 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 simultaneous occupancy of the same location by multiple permittees; or (3) The District has scheduled its own program or event for the same date, time and location, and the District's program or event does not reasonably allow simultaneous occupancy of the same location by multiple users; or (4) 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 (5) The proposed activity would substantially impair the operation or use of Facilities or services of District concessionaires or contractors; or, (6) The proposed activity would so dominate the use of District Property as to preclude other Persons from using and enjoying the park; or (7) The proposed activity is prohibited by, or inconsistent with, the classifications or permitted uses of the park, or a part thereof, designated pursuant to this Ordinance. This subsection is not applicable to applications for commercial activity as outlined in Section 2.08 and 2.14 of this Ordinance and permits for alcohol as outlined in Section 2.01 and permits outlined in Section 2.37. The District reserves the right to exercise its discretion in issuing Permit.
5. The District shall have at least three (3) business day after receiving a permit application to review the application. However, for applications 2.14 of this Ordinance, the District shall have at least

two (2) weeks after receiving an application to review said application. For applications under 2.01, 2.08 or 2.37 of this Ordinance or any other District ordinance, rule, or regulation not involving the exercise of First Amendment rights, the District shall have at least two (2) weeks after receiving a permit application to review the application. However, the District reserves the right to take additional time to review any application. If the District determines that it will exercise this right, it shall notify the applicant within one (1) business day after the District's receipt of the application.

6. If the application is approved, the District may issue a written Permit to the applicant. If the application is denied, the District shall issue to the applicant written reasons for denying the application.
7. 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. If an application under Sections 2.08, 2.25, 2.37 is denied, or the applicant is dissatisfied with such Permit as issued, he may appeal the decision to the Board within ten (10) days after the decision is rendered. If the Board rejects the appeal after full review, or if time for full review is not available, the applicant may appeal the decision to the appropriate court. All other decisions on the issuance of Permits by the District are final.
8. 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: 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, ordinances, 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.
9. 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.
10. The District may make necessary changes or place necessary additional restrictions on any Permit after it has been issued.
11. 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.

1. Except as provided in subsection 5.02(1)(a), every applicant for a Permit shall 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 in order to provide the required coverage. Applicants should contact the District's administrative office for more information.

- a. For activities involving the exercise of First Amendment rights, including without limitation parades, public gatherings, speeches and rallies, this requirement may be waived by the District if the applicant can demonstrate that he or his organization cannot procure general liability insurance or that the cost of procuring such insurance or acquiring a rider to the District's insurance policy is prohibitive.
2. 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 during the permitted activity.

Section 5.03. Security Deposit.

1. A security deposit may be required for any Permit. The District shall refund the deposit if the Person responsible for the activity follows all provided rules and regulations and 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. The permittee shall reimburse the District for any costs or expenses for the clean-up and restoration that exceed the amount of the security deposit and the District reserves the right to pursue any and all legal remedies in order to collect such reimbursement.
2. If the security deposit would create a financial hardship for the applicant, and the applicant can so demonstrate, the District may accept a written agreement to clean up and restore District Property after the activity. If the applicant does not satisfactorily perform according to the agreement, the District reserves the right to pursue any and all legal options.

Section 5.04. Other Authority.

1. 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. Police/Security Force.

1. The local and county police shall be the conservators of the peace on District property and shall be responsible for the enforcement of all federal, state, local, and District laws, rules, and regulations on District property.
2. The members of local and county police shall have the authority to eject from District property, arrest, or issue citations to any person who violates any applicable federal, state, local law or District Conduct ordinances on District property.
3. District employees, park commissioners and such other persons as may be designated from time to time by the District shall have authority to inform users of District property of the requirements or prohibitions contained in this ordinance or any other District ordinance but shall have no authority to cite or arrest any person for the violation of any ordinance.

Section 6.02. Rules to be Obeyed.

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

Section 6.03. Parties to Ordinance Violation.

1. 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.
2. 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.
3. 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.

CHAPTER VII - PENALTIES

Section 7.01. Revocation of Privileges; Fine.

1. Any Person violating or disobeying any section or part of this Ordinance, or any other District ordinance, policy, rule, or regulation, may be forthwith evicted from District Property, may have his admission rights to District Property terminated, revoked, forfeited or suspended for up to one (1) year, and/or may be fined by local state, or county police in accordance with local, state or county or federal regulations.

Section 7.02. Restitution

1. Any Person violating or disobeying any section or part of this Ordinance, or any other federal, state, local, or District law, rule, or regulation, shall be required to make restitution to the District for damage resulting from such violation(s). 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 7.03. Seizure/Removal/Impoundment of Property

1. Any property, substance, or thing brought into, utilized, placed, or left on District Property in violation of this Ordinance, or any other District ordinance, rule, or regulation may be removed, seized, and destroyed in the case of property and substances referred to in this Ordinance, or seized and impounded in the case of any other property, substance or thing (including without limitation to Vehicles and bicycles). Any motor Vehicles towed and/or impounded shall be disposed of according to the applicable laws of the State of Illinois.

Section 7.04. Non-Exclusivity of Penalties

1. The penalties provided for are in addition to and not exclusive of any other remedies available to the District as provided by applicable law. The penalties provided for in Ordinance may be imposed or assessed in addition to and not necessarily in lieu of the penalties provided for in Ordinance, and vice versa

CHAPTER VIII - REPEAL

Section 8.01

1. All District ordinances, resolutions, policies, rules and regulations or parts thereof in conflict or inconsistent with any of the provisions of this Ordinance are hereby repealed.

CHAPTER IX - SEVERABILITY

Section 9.01 Provisions of this Ordinance Shall Be Deemed to be Severable.

1. 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

Section 10.01. Publication in Book Form.

1. 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.

1. 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.