



Park Board Policy and Ordinance Manual



Approved:
March 17, 2020
Ordinance #20-02

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DES PLAINES PARK DISTRICT ORDINANCE #20-02

**AN ORDINANCE RE-ADOPTING AND APPROVING THE
BOARD POLICY & ORDINANCE MANUAL
OF THE
DES PLAINES PARK DISTRICT, COOK COUNTY, LLINOIS
RECITALS:**

WHEREAS, the Des Plaines Park District (the “District”) is an Illinois municipal corporation organized and operating under authority of the Park District Code, 70 ILCS 1205/1-1 et seq.;

WHEREAS, the District derives its rights, power and authority form various sections of the Park District Code (the “Code”);

WHEREAS, under the Code the District has the power, among other things, through its Board of Commissioners, to pass ordinances and policies needed for the proper management and conduct of business;

WHEREAS, the District has previously adopted and approved the Board Policy & Park Regulations Manual #18-06, as amended from time to time, which is attached hereto and made a part hereof with some revisions and renamed as Board Policy & Ordinance Manual; and;

WHEREAS, the Board of Commissioners now desires to re-adopt and approve that Board Policy & Ordinance Manual which was most recently revised and presented for approval on March 17, 2020.

NOW, THEREFORE, BE IT ORDAINED by the Park Board of Commissioners of the Des Plaines Park District, Cook County, Illinois, as follows:

Section 1. The foregoing Recitals are incorporated herein by reference as substantive provisions hereof.

Section 2. The Board of Commissioners hereby re-adopts and approves the Board Policy & Ordinance Manual which was most recently revised on March 17, 2020 and is attached hereto and made a part hereof.

Section 3. In the event a court of competent jurisdiction finds any provision of this Ordinance to be invalid or unenforceable, such provision shall be considered excised here from and shall not affect the validity or enforceability of the remaining provisions of this Ordinance.

Section 4. This Ordinance shall become effective immediately upon adoption and approval by the Board of Commissioners as provided by law.

PASSED this _____ day of _____, 2020.

AYES: _____

ABSENT: _____

NAYS: _____

ABSTAIN: _____

DES PLAINES PARK DISTRICT

(SEAL)

By: _____
Board President

ATTEST:

Donald J. Miletic, Secretary

DES PLAINES PARK DISTRICT CODE
REVISED CODE OF THE DES PLAINES PARK DISTRICT
COOK COUNTY, ILLINOIS

Whereas, the Des Plaines Park District is a municipal corporation duly organized on the 25th day of January, 1919, under an act of the General Assembly of the State of Illinois entitled “An Act to Provide for the Organizations of Park Districts and the transfer of Submerged Lands to those Bordering on Navigable Bodies of Water”, approved June 24, 1895, an act amendatory thereof: and

WHEREAS, it is deemed desirable to collect the various ordinances and regulations of the Des Plaines Park District in one ordinance to provide a single instrument of the government of the business operations of the Park District, the use of the parks and the policing of them and other facilities of the District and rules affecting personal conduct of patrons and employees of the District:

NOW THEREFORE, BE IT ORDAINED by the Commissioners of the Des Plaines Park District, in Cook County, Illinois, as follows:

CHAPTER I
SCOPE

Section 1.01

Designation

This ordinance shall be known as “Revised Code of the Des Plaines Park District, Cook County, Illinois,” and the same may be so cited and referred to for purposes of identification.

Section 1.02

Jurisdiction

This ordinance shall apply to and be enforced in all of the territory originally embraced heretofore added to and which may hereafter be embraced in the boundaries of said Des Plaines Park District, and in all parks, boulevards, public places, and other facilities now under or hereafter coming under the control of the District, whether within or outside the boundaries of said District.

Des Plaines residents who fall outside of the Des Plaines Park District boundaries may utilize Des Plaines Park District facilities at resident rates. They will also receive resident rates on all programs if they choose to wait till non-resident registration. This does not apply to any facility or picnic shelter rentals.

Section 1.03

Declaration of Control

All premises heretofore laid out as parks and playgrounds, and such other areas, lakes, playgrounds, playfields, historical sites, and public places as may hereafter be acquired, leased laid out, or appropriated by the appropriate corporate action of the District, are hereby declared to be in the possession and control of the Des Plaines Park District, for park district purposes.

Whenever, in this ordinance, the parks, boulevards or public places of the District are referred to, such words shall be held to refer to and include all such areas, including buildings and other structures in the possession and control of the Des Plaines Park District.

Section 1.04 “Waiver”

The failure of the Des Plaines Park District at any time or times to enforce any provision of this Board Policy and Park Regulations Manual shall in no manner affect the right at a later time to enforce such provision.

**CHAPTER II
DEFINITIONS**

Section 2.01

The District

Whenever in this ordinance the word “District” is used, without qualifying languages, such word shall apply to and be deemed to mean the Des Plaines Park District, Cook County, Illinois.

Section 2.02

Commissioners and Park Board

Whenever in this ordinance or any other ordinance hereafter adopted the words Board of Commissioners”, “Commissioners”, “Park Board” or “Board” shall appear without qualifying language, such words shall mean and will be held to mean the Commissioners of the Des Plaines Park District.

Section 2.03

Mission Statement

“Enhancing our community by providing quality recreational opportunities, facilities, parks and open space”

Vision Statement

“Enriching lives everyday”

General Goals: As outlined in the 2019 – 2024 Strategic Plan

- (1) Develop and Maintain Effective Organizational Leadership
- (2) Maximize and Expand Recreational Resources
- (3) Increase the Park District Visibility and Outreach to the Community
- (4) Financial Planning to Minimize Reliance on Taxes
- (5) Implementation of District ADA Action Plan
- (6) Technology Plans for the Future
- (7) Maintain Strong Risk Management within the District
- (8) Promote Environmental Stewardship and Sustainable Practices throughout the Park System

**CHAPTER III
BOARD ORGANIZATION**

**Section 3.01
Government**

The government of the District shall be vested in the 5 member Board of Park Commissioners, duly elected or appointed as provided by law. Commissioners will be elected for 6 year staggered terms without financial compensation.

**Section 3.02
Fiscal Year**

The fiscal year of the Des Plaines Park District shall begin on the first day of May and end on the thirtieth day of April of the succeeding year.

**Section 3.03
Annual Meeting**

The annual meeting of the Board of Commissioners shall be held on the third Tuesday in May, in each year, beginning at 7:00 p.m.

**Section 3.04
Regular Meetings**

Regular meetings of the Board shall be held on the third Tuesday of each month during the fiscal year, beginning at 7:00 p.m. in the David L. Markworth Board Room of the Administrative and Leisure Center, 2222 Birch Street, Des Plaines, Illinois.

**Section 3.05
Special Meetings**

The president shall call special meetings of his own motion or on request of two or more of the members and shall cause a notice to be mailed to all members of the board at least seventy-two (72) hours prior to the date set for said special meeting. Any commissioner may waive notice or any meeting in writing or by presence at the meeting. In the event of a bona fide emergency, notice must be sent to news media at lease forty-eight (48) hours prior to date set for special meeting provided that notice of an emergency meeting shall be given as soon as practical, but in any event prior to the holding of such meeting.

**Section 3.06
Quorum**

A quorum of the governing board of the Park District shall be a majority of the members elected or appointed to the Board of the Park District. Matters can be passed by a majority of the quorum, but for the passage of an Ordinance, it is necessary that a majority of the members of the Board of the Des Plaines Park District vote in favor of such Ordinance.

Section 3.07

Order of Business

The order of business at Regular Monthly Meetings of the Board will be as follows and items may change based on Executive Director need to add or delete:

1. CALL TO ORDER – ROLL CALL
 - Approval to allow Electronic Participation if Requested*
2. CHANGES TO THE AGENDA
3. INTRODUCTIONS/PRESENTATIONS
 - A. History Center Update
 - B. Senior Center Update
 - C. Friends of the Parks Update
4. COMMENTS FROM THE COMMUNITY
5. APPROVAL OF CONSENT AGENDA (Roll Call Approval)
 - A. Regular Minutes
 - B. Executive Minutes
Special Meeting Minutes
 - C. Voucher Bills
 - D. Payroll
6. M-NASR REPORT
7. OPERATIONS REPORTS
 - A. Executive Director
 - B. Deputy Director
 - B.1 Superintendent of Parks & Planning
 - B.2 Superintendent of Recreation
 - C. Superintendent of Business
8. UNFINISHED BUSINESS (Roll Call Approval)
9. NEW BUSINESS (Roll Call Approval)
10. CORRESPONDENCE
11. COMMISSIONER COMMENTS
12. EXECUTIVE SESSION
13. RETURN TO REGULAR SESSION – CONSIDER ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION
14. ADJOURNMENT

Board Packets will be E-Mailed no later than the Thursday preceding the Regular 3rd Tuesday Meeting

Section 3.08

Committees

Committees may be appointed from time to time by the President as necessity may require. Whenever a majority of a quorum of the Board meets to discuss Park District business, the Open meetings Act requirements are applicable. All committee appointments shall expire at the next annual meeting, unless said committees are sooner discharged by vote of the Board.

Section 3.09

Manner of Voting

A roll call vote shall be taken upon the passage of all ordinances and upon all propositions to create any liability, or for the expenditure or appropriation of money, and in all cases at the request of any commissioner, and be entered upon the journal of the proceedings.

Section 3.10

Action of the Board

The Board of Park Commissioners is the policy making corporate authority for the Des Plaines Park District.

The Board of Park Commissioners shall make and amend all policies and rules/regulations for the guidance of District operations. The Board shall hire an Executive Director who shall be directed by the Board, to implement policies and rules/regulations approved by the Board. The Board shall define the duties of the Executive Director which shall include but not be limited to, the day to day management of the District and managing all matters related to District personnel.

The act of a majority of the Commissioners present at any regular or duly called meeting at which a quorum is present shall be the act of the Board of Commissioners except where otherwise provided by law. The Executive Director shall inform all board members of hiring, resignation, termination, and retirement of all Superintendent and Supervisor positions.

An individual member of the Board has no authority to speak for or act on behalf of the Board unless so authorized. Official releases of information to the news media shall only be by the Board President, Executive Director or their authorized representative or duly authorized employee.

Section 3.11

Policy Implementation

All policies and orders set forth by the Park Board shall be administered through the Executive Director or by his/her duly appointed representative. The policies and orders shall originate from duly constituted park board meetings when a quorum of Commissioners is present.

Section 3.12

Rules of Order

Robert's Rules of Order shall govern questions of procedure in all cases not herein provided.

Section 3.12a

Electronic Remote Attendance at Park Board Meetings

The Board has adopted Resolution #13-01 permitting Des Plaines Park District Board Members to attend Park Board Meetings via electronic audio/video conferencing in compliance with regulations established in the Open Meetings Act.

Section 3.12b

Comments from the community

If members of the community wish to speak to the Park Board of Commissioners they will state their name, address and will be allocated three minutes to speak.

Section 3.13

Illinois Open Meetings Act

The Des Plaines Park District encourages citizen and press attendance at and participation in all formal and informal meetings of the Des Plaines Park District Board of Commissioners. To that end, all meetings will be conducted in accordance with the provisions of the Illinois Open Meetings Act, including proper postings, notifications, semi-annual recording of minutes, and disposal of audio recordings.

3.13 A

FREEDOM OF INFORMATION ACT (FOIA)

The Des Plaines Park District will adhere to the requirements set forth in the Freedom of Information Act. The Superintendent of Business and Human Resource & Risk Manager are the designated Freedom of Information Officer's. The Executive Director is designated as the alternate Freedom of Information Officer. Both officers are required to complete the electronic training curriculum administered by the Attorney General's Public Access Counselor.

Section 3.14

ADA Compliance

The Des Plaines Park District complies with all the Americans with Disabilities Act (ADA) guidelines. Should any participant have a disability and is interested in participating in or attending a Park District program, the Park District will make reasonable accommodations to facilitate that opportunity. The District has appointed an ADA coordinator, who when appropriate, will work with the Maine-Niles Association of Special Recreation's Integration Specialists to provide for individual needs. The Superintendent of Recreation is the designated ADA coordinator.

Section 3.15

Participant Guidelines

The District has established a policy ensuring that all persons have recreational programs and services available to them. This policy and the Participant's Code of "appropriate" Behavior are outlined in the program brochure.

Section 3.16

Safety Procedures

It is the intent of the Des Plaines Park District to provide a safe working environment for our employees as well as a safe leisure environment for the public utilizing our parks, facilities and programs. Safety will take precedence over expediency or short cuts and every attempt will be made to reduce the possibility of accident occurrence.

The Safety Committee is an ongoing committee and shall oversee the District's Risk Management Program. Appointments made to the committee (by the Executive Director) will take place on an annual basis.

Section 3.17

Primary Functions/Powers of the Board of Commissioners

- A. Legal Authority - The Board, as a body, is the legal corporate authority of the Des Plaines Park District. The Board President and the Executive Director are hereby authorized to speak to the media on behalf of the Board of Commissioners. Commissioners, (other than the President when he/she is speaking on behalf of the Board) who are speaking to the media in regard to a minority opinion have a right to express their opinion as both a private citizen and as an elected official of the Board. Care should be given to inform the media

that they will abide by the decisions of the majority of the Board of Commissioners. Commissioners shall take no private action that might compromise the Board or administration and shall respect the confidentiality of privileged information.

- B. Establishment of Policy – The Des Plaines Park District Board of Commissioners are responsible to establish organizational, executive and administrative policy to be implemented and carried out by the Executive Director and District staff. Operational policies, administrative procedures and the day-to-day affairs of District management authority are vested with the Executive Director.
- C. Salary Administration – The Des Plaines Park District Board of Commissioners establishes the District Salary Administration program and shall establish annual salary budget limits. With the exception of Board appointed employees and special consultants to the Board, annual employee salary adjustments, within Board authorized budget limits, are considered to be the responsibility of the Executive Director.
- D. Establishment of Facility Fees – The Des Plaines Park District Board of Commissioners will review all facility use fees and approve changes. Department Heads will be allowed to run promotions and specials with the approval of the Executive Director. Recreation Program fees are not subject to Board approval, if said fees are sufficient to meet the requirements established in the Board approved revenue policy.
- E. Donations/Bequests/Gifts to the District – Monetary and non-monetary donations, bequests and/or gifts to the Des Plaines Park District representing a value estimated to be over \$2,000 must receive Board approval prior to acceptance.
- F. Federal/State Grant Applications – All federal and state grant applications of any amount will be approved by the Executive Director and the Board of Commissioners.
- G. The Board of Commissioners are responsible to review and approve the following:
 - Property Tax Levy
 - Budget and Appropriation Ordinance
 - Monthly Disbursements & Payroll
 - Annual Treasurer’s Report
 - Annual Financial Statement (audit)
 - Bond Ordinances
 - Prevailing Wage Ordinance
- H. Development/Review of Operational Procedures – It is the policy of the Des Plaines Park District to delegate to the Executive Director, the authority and responsibility to establish and implement operational procedures to ensure the successful compliance with Board adopted policies.

Section 3.18

Cooperative Agreements

The Des Plaines Park District, wherever possible, will develop and maintain cooperative relationships with other units of local government, state government, federal government as well as civic organizations, non-profit organizations and the business community in an effort to economize and effectively provide quality recreational facilities, special events and programs.

Section 3.19

Community Input

The Des Plaines Park District will actively encourage and incorporate community input into the planning of programs, special events and facilities. A community needs assessment will be conducted at a minimum at least once every ten years to gather input and opinions on facilities, programs, beautification, personnel, special events and governance. Program evaluations will be distributed for all programs and special events on an annual basis. Public forums will be held for all facility or park development.

Section 3.20

Special Recreation/Inclusion

The Des Plaines Park District will participate as a member agency with the Maine Niles Association for Special Recreation. The Des Plaines Park District is committed to helping to ensure that the quality of life for individuals with disabilities is enhanced by their participation in special recreation programs or their inclusion in Park District programs and special events. On an annual basis funding will be appropriated specifically, for the needs of special recreation participants as well as funding Americans with Disabilities Act Transition Plan identified access enhancements.

Section 3.21

Comprehensive Year-Round Recreation Programs

The Des Plaines Park District (as stated in the District's Mission Statement) will enhance the community by providing quality recreational opportunities, facilities, parks and open space. The District will provide a wide variety of services, programs and facilities throughout the year for all residents within the Des Plaines Park District.

Section 3.22

Recreation Statistics and Reporting

In an effort to make certain that the Des Plaines Park District is meeting the needs of the residents of the Des Plaines Park District, staff is required to complete detailed program, special event and facility evaluation data reports to evaluate the success of achieving the outcome desired. Quarterly reports will be presented to the Department Heads, Park Board of Commissioners and the public.

Section 3.23

Comprehensive Needs Assessment

The Des Plaines Park District will complete a comprehensive Needs Assessment at least once every ten years to establish priorities for future development of parks and recreational facilities, programs and services within the Park District. The process will result in benchmarking comparisons, cross tabulation information relative to levels of satisfaction by users, participation in programs, household type etc. The survey instrument will be developed by outside consultants.

CHAPTER IV OFFICERS AND EMPLOYEES

Section 4.00

Park Board Election

Every two years the Consolidated Election is held on the first Tuesday in April. Depending on when the Commissioner was first elected or appointed, one or more Board Positions will be presented to the electorate. Each Commissioner is elected to a six-year term or an un-expired term.

The Secretary of the Board will serve as the Park District Local Election Official. His/her duties will include receipt of nomination papers, conducting lottery for ballot position if simultaneous filing occurred and filing election materials with the County Clerk.

The Secretary will prepare and distribute a "Prospective New Board Member Orientation" packet to any person filing for Park District Commissioner.

Section 4.01

Officers

The officers of the District shall be a President, a Vice President, a Secretary, and a Treasurer.

The Board shall elect the President and Vice President from among its members and shall prescribe their powers and duties,

The Board shall also appoint a Secretary and Treasurer and shall prescribe their duties. These officers need not be members of the Board, but may be paid employees, in which case the Board may fix their compensation.

The Board shall also appoint an Attorney and Executive Director, who shall not be members of the Board, and representatives to the Maine-Niles Association of Special Recreation, the Park District Risk Management Agency, the Des Plaines Community Senior Center and the Des Plaines Historical Society.

Said elections and appointments shall be done during the board's annual meeting, as the first item of New Business and at such other times as a vacancy shall occur, and such elected and appointed persons shall serve until their successors are duly elected or appointed.

In case of temporary absence or inability of any officer to act as such, the Board may fill the office pro tempore.

Section 4.02

President

The President shall be the executive officer of the Board. It shall be his/her duty to preside at all meetings, when present; to sign all contracts and other papers authorized by the Board; to see that all ordinances of the Board are enforced and all orders of the Board faithfully executed. The President shall have the right to vote on all matters coming before the Board.

Section 4.03

Vice President

The Vice President shall be vested with the powers to perform the duties of the President in the absence of the President or in the event of his/her refusal or inability to act.

Section 4.04

Secretary

The Secretary, in conjunction with the Executive Director, shall have the custody of the corporate seal and of all books and papers pertaining to his/her office. He/she shall attest and affix the corporate seal to all instruments requiring such action when authorized by ordinance or vote of the Board, and shall cause all ordinances, resolutions and other actions of the Board requiring publication, to be duly published. He/she shall attend all meetings of the Board and keep a full and true record of its proceedings. The Secretary need not be a member of the Board, but may be a paid employee, and shall act under the general supervision of the President and the Board.

Section 4.05

Treasurer

The Treasurer shall be responsible that all monies belonging to the Park District are properly received, kept, deposited, invested, disbursed, and reported.

The Executive Director, Superintendent of Business, or other appointed staff, are hereby authorized to act for the Treasurer in all matters set forth above, disbursing monies and reporting as specified in Section 6.02 and 6.04, respectively, of this ordinance.

The Treasurer shall request the designation of one or more banks or savings and loan associations or approved pools in which the funds of this district may be deposited, in which case the Board shall approve such designations. All such designated depositories shall comply with appropriate sections of the Illinois Revised Code.

Section 4.06

Executive Director

The Executive Director is the chief executive officer of the Park District and is directly responsible to the Park Board of Commissioners.

The Executive Director is responsible for the day-to-day operations of the Park District. The Executive Director serves as technical advisor and consultant to the Park Board and administers the policies approved by the Board. The Executive Director is responsible for the development and implementation of administrative procedures to facilitate the efficient operation of the District within these policy guidelines. The Executive Director shall be responsible for the administration and management of a comprehensive recreation program and a system of public parks, playgrounds, and other recreation facilities and all support services, for the entire Park District.

Section 4.07

Attorney

The Attorney shall review all ordinances, resolutions and other instruments as required by the Board or any committee thereof, and shall give opinions on all questions referred to him and perform such other duties as directed by the Board or any committee or the President of the Board.

Section 4.08

Maine-Niles Association of Special Recreation Representative

The M-NASR representative shall attend all meetings of the Association and shall act and vote on behalf of the Des Plaines Park District's interests in activities and policies undertaken by the Association. The Executive Director is the M-NSAR representative and the Superintendent of Recreation is the alternative representative.

Section 4.09

Additional Duties of Officers

In addition to the duties herein before specified, each elected and appointed officer shall perform such other duties as may be required of him/her by law or by ordinances or resolutions of the Board.

Section 4.10

Compensation of Officers and Employees

The officers, who are not Board members, shall receive such compensation for their services, as the Board shall from time to time determine, pursuant to law. The Board shall direct the Executive Director and his/her appointed staff to determine the non-officer, employee salaries based on the established guidelines of the Board approved salary ranges and the Board approved Budget and Appropriation Ordinance.

In the interest of retaining and attracting qualified staff members, the Board of Commissioners will offer a fair and competitive compensation package. As part of the Park Board of Commissioners responsibility as a board member, infrequent use of a facility is suggested to provide input on programs/facilities to the Executive Director. It is recommended as part of Park Board of

Commissioners' duties to participate in programs/facilities, to send an email or call the Executive Director if there are issues that need to be addressed. The Park Board of Commissioners/family member may participate in programs/facilities as long as it does not displace a resident or cause loss of income to the Park District. There should be no additional costs incurred to the Park District by the Park Board of Commissioner participating in program/facility. If there is an additional cost, the Park Board of Commissioner would pay for those services at a 20% discount.

Section 4.10.01

Board and Staff Training

The Des Plaines Park District Board of Commissioner recognizes the importance of proper on-going training for District Employees and also recognizes the importance of Board training and making funds available for both. Board Members are encouraged to attend workshops, seminars and conferences offered by IAPD and NRPA among others.

Section 4.11

Vacancies Declared

Whenever any member of the Board of Commissioners shall (1) die, (2) resign, (3) become insane, (4) cease to be a legal voter in the Park District, (5) convicted of any infamous crime, (6) refuse or neglect to take his oath of office, or (7) neglect to attend the duties of his office or neglect to attend regular and special meetings of the Board for a period of three consecutive calendar months, or neglect to attend a minimum of 6 regular or special meetings in any 12-month period, said office may be declared vacant by the Board and may be filled by appointment by a majority of the remaining members of the board.

Section 4.12

Bonds

Before entering upon their respective duties, certain officers and employees may be required to be bonded, and with such conditions and security, as may be determined by the Board. This coverage is provided as standard coverage by Park District Risk Management Agency.

Section 4.13

Indemnification of Officers and Employees as Individuals

To the fullest extent of the constitution of the State of Illinois of 1970 and applicable laws, each of the following officers and employees of the Park District, namely each Commissioner, Board Secretary, Board Treasurer, Board Attorney, Executive Director, department heads and their personnel, and each citizen volunteer shall be indemnified, defended and held harmless against civil rights damage claims and suits, constitutional rights damage claims and suits, death and bodily injury damage claims and suits, and property damage claims and suits when damages are sought for negligent or wrongful acts alleged to have been committed within the scope of employment, contract work or volunteering or under the direction of the Board. Such indemnification and protection shall extend to persons who are members of the Park Board, employees or volunteers of the District at the time of the incident from which a claim arises.

Section 4.14

Nepotism

The purpose of this policy is to instill confidence in the Park District as an organization that works for and on behalf of the community at large, rather than for the interests of “insiders.”

This policy is intended to minimize concerns and practical problems in the following areas:

1. Residents may tend to believe that a family member was employed on the basis of the relationship with a current employee or elected official rather than on a merit basis;
2. Other members of the Park District staff may feel pressured to act with favoritism out of loyalty and the need to work with the family member, rather than on the merits of the employee or applicant;
3. Those who have supervisory authority over family member may feel reluctant to objectively evaluate or discipline a family member-employee;
4. The related person may be privy to confidential information that they would not typically or otherwise have access to, which could create the appearance of a conflict of interest, bias or other impropriety; and
5. The related employee’s job performance and attitude may diminish out of loyalty to a family member who is suffering an adverse employment action;

No family member* of the Executive Director, any Department Head or any Commissioner may be employed by the Park District. Family members related to any supervisor or manager may be employed by the Des Plaines District so long as they do not work in the same department as the supervisor or manager. This policy will not affect the status of any family member employed by the Park District as of 06/28/2017. These employees, however, are not eligible for transfer or promotion into a position where a situation described in paragraphs a-h, below, would result. Under no circumstances shall the Executive Director, Department Head or Commissioner participate in employment decisions concerning a family member, including but not limited to decisions regarding hiring, employment status, reappointment, placement, evaluation, pay rate, salary increases, promotion, and tenure.

The Park District will not employ, transfer, or promote the family member of a current employee or Commissioner in which:

- a. One of the parties would have the implied or actual authority (or practical power) to supervise, appoint, remove, or discipline the other;
- b. One party would handle confidential material that creates improper or inappropriate access to that material by the other;
- c. One party would be responsible for auditing, supervising, or approving the work of the other;
- d. Work involves potential conflicts of interest, due to the relationship;
- e. Work involves potential severe safety risk to both employees;
- f. The respective positions would require the performance of joint duties;

- g. The respective positions would share responsibility or authority; or
- h. Both parties function directly in the same chain of command, work the same shift at the same work site, or work for the same department.

* For purposes of this policy “family member” shall be defined as a [spouse, party to a civil union¹], brother, sister, parent, child, stepchild, father or mother-in-law, sister or brother-in-law, son or daughter-in-law, aunt, uncle, niece, nephew, grandparent, or grandchild. Employees who become family members may continue employment as long as it does not result in a situation describe in paragraphs a-h, above. If one of the conditions should result, reasonable attempts will be made to find a suitable position within the Park District to which one of the employees will be transferred. If employees become family members, the District will make reasonable efforts to assign job duties so as to eliminate the issues identified in paragraphs a-h. However, if accommodations of this nature are not feasible, the employees will ordinarily be permitted to determine which one of them will resign. If the employees cannot make a decision, the Executive Director (or his/her designee) will make the final decision at his/her sole discretion.

¹ The Illinois Human Rights Act probably prohibits the inclusion of spouse and “party to a civil union” from the list. Section 5/2-102 of the Act describes “Unlawful discrimination” to mean discrimination against a person because of his or her race, color, religion, national origin, ancestry, age, sex, marital status, order of protection status, disability, military status, sexual orientation, pregnancy, or unfavorable discharge from military service as those terms are defined in this Section. 775 ILCS 5/2-102. We found a court case which held that a school district could not require a husband-principal and his wife, a teacher, from working in the same school after determining such would be discrimination based on marital status.

Section 4.15

Travel Ordinance #16-10

Board approved Ordinance 16-10 on December 20, 2016 according to the Illinois General Assembly recently enacted Public Act 99-0604, known as the “Local Government Travel Expense Control Act”, which Act becomes effective on January 1, 2017. As required by the Act, it is Des Plaines Park District policy to regulate the reimbursement of all Board member, management, and employee travel expenses.

In addition, any expense reimbursed to an elected official will require board approval regardless of the amount. This will happen through the normal voucher approval process.

The District has set maximum expenses that use guidelines of the IRS that will assist the employee in offsetting the cost and allowing the District to be fiscally responsible. Details are included in the attached ordinance.

Section 4.16

Sexual and other Harassment Ordinance #20-01

It is the responsibility of every employee, officer, official park commissioner, agent, volunteer, and vendor of the Park District; as well as, anyone using the Park District’s facilities, to refrain from sexual, discriminatory, physical or any other form of harassment. The Park District will not tolerate discriminatory; physical or any other type of harassment; and prohibits any form of sexual harassment of or by any of its employees and elected officials. Refer to Ordinance #20-01, Park Board approved January 21, 2020.

If there is any claim against a commissioner the Executive Director should be notified and an investigation by the Superintendent of Business & Human Resources & Risk Manager should be completed as soon as possible. An Administrative Procedure will be in place to document actual steps.

**CHAPTER V
CORPORATE SEAL**

Section 5.01

Form of Seal

The corporate seal of the Des Plaines Park District shall be circular in form with the words Des Plaines Park District, Des Plaines, Illinois in the outer circle, and the words Corporate Seal and the year 1919 in the inner circle.

**CHAPTER VI
CONTRACT, FINANCES AND DISBURSEMENTS**

Section 6.01

No Creation of Debt without Prior Approval

No commissioner, committee, officer or any other person whether in the employ of the Park District or not shall be authorized to create any financial liability on behalf of the District except that said liability shall first be approved in nature and amount by the Board in the tentative and/or regular budget and duly recorded in the record of proceedings and/or in accordance with this Ordinance.

Section 6.02

Disbursement of Funds

Checks for payment of authorized salaries and wages for officers and employees, and for payment of authorized interest and principal on bonded indebtedness and installment contracts, and for payment for goods and services purchased for normal operations of the District may be drawn by the Executive Director or duly appointed staff, and issued as the same become due and payable, subject to the provisions of Section 6.05 and other applicable Sections of this Ordinance.

All payments of goods and services and summaries of salaries and wages shall be reported, in writing, to the Executive Director as made, and to the Park Commissioners at their next regular meeting for their review, as provided in Section 6.04 of this Ordinance.

Purchases shall be made in compliance with the "Local Government Prompt Payment Act" approved by the Eighty-Fourth General Assembly.

Section 6.03

Petty Cash Funds

The Executive Director and the Business Manager shall each have a petty cash account in the amount of \$250.00 for the Executive Director and \$150.00 for the Business Manager, or such amount as the Board shall, from time to time, formally approve and record in its proceedings, to pay such demands as may be presented to him or her for payment in cash, and there is hereby established said petty cash account to be recorded as an asset of the General Corporate and Recreation Funds. Expenditures paid for with petty cash should not exceed \$50.00 per expenditure.

Section 6.04

Payroll and Voucher Registers

The Superintendent of Business shall submit written registers of paid vouchers and summaries of wages and salaries as specified in Section 6.02 above. Said voucher lists shall set forth the name of the payee, the amount being paid, the description of what was purchased and the budget cost center to which said payment was charged. Said salary and wage summaries shall include the date of the payroll and the gross total in wages paid.

Section 6.05

General Corporate Powers

In accordance with the Illinois Compiled Statutes, the Park Board may acquire by gift, legacy or purchase any personal property necessary for its corporate purposes provided that all contracts for supplies, materials or work involving an expenditure in excess of \$25,000 shall be let to the lowest responsible bidder, after due advertisement, excepting contracts which by their nature are not adapted to award by competitive bidding, such as the services of individuals possessing a high degree of professional skill, where the ability of fitness of the individual play an important part, contracts for the printing or engraving of bonds, tax warrants and other evidence of indebtedness, contracts for utility services, such as water, light, heat, telephone or telegraph and contracts for the purchase of telecommunications, computers, computer systems, telephone systems, and copiers, and excepting where funds are expended in an emergency and such emergency is approved by three-fourths of the members of the Board.

Any and all bids received may be rejected by the Board if the bidder is not determined responsible or the character or quality of the services, supplies, materials, equipment or labor do not conform to the requirements or if the Board deems the acceptance to be contrary to the best interests of the District.

The provisions of this Section shall not be avoided or any attempt made to avoid them by splitting said contracts into parts.

Each bidder for said contracts shall be required to affirm that all provisions of the Illinois Compiled Statutes and all ordinances of this District relating to wages paid in public works will be adhered to. Any and all public works contracts (including those contracts under \$25,000), shall include specifications related to Prevailing Wage requirements.

Section 6.06

Purchasing Procedures

All purchases of real and personal property shall first be approved by the responsible Department Head and/or the Executive Director.

The Executive Director shall authorize certain employees to purchase personal property. These employees shall follow the administrative procedures set forth in the Administrative Procedures Manual, (C203) completing a purchase requisition for approvals as set forth above.

Section 6.07

Emergency Disbursements

The Executive Director, after consultation and approval from the President of the Board of Commissioners, is authorized to take immediate action to secure material or services necessary to protect the health or safety of park users and employees or to repair/replace damage to park property, facilities or equipment with the express authority of the Board conferred at a meeting and recorded in its proceedings.

Section 6.08

Bond Rating

The Des Plaines Park Board of Commissioners will make a determination as to whether or not a proposed bond sale will go thru the Bond Rating process on a case by case basis, based on the recommendation of the Des Plaines Park District's financial consultant and or if the financial institutions involved require a rating on the issue. The Board of Commissioners and staff recognize that bond rating help to maintain and stabilize investor confidence, especially during periods of market stress or economic uncertainty.

Section 6.09

Economy of Resources/Cooperative Purchasing

The Des Plaines Park District recognizes the importance of the joint purchasing and cooperative agreements with agencies such as the State of Illinois, City of Des Plaines and local school districts. The Des Plaines Park District will investigate and enter into agreements to purchase bulk utilities, purchase fleet vehicles and equipment thru the State of Illinois Central Management Services procurement program.

The Des Plaines Park District will cooperate with local and neighboring recreation agencies to offer programs and facilities jointly at resident rates to maximize resources and avoid duplication of services whenever practical.

Section 6.10

Payment Card Industry Security Standards (PCI)

The Des Plaines Park District recognizes the importance of creating a uniform set of security standards to follow when processing credit card transactions. Resolution #09-02 was passed on April 21, 2009 requiring the Des Plaines Park District to comply with the PCI standards for the protection of payment card information.

CHAPTER VII PARK SECURITY

Section 7.01

Appointment and Suspension

The Board may enter into an intergovernmental agreement with the City of Des Plaines or otherwise appoint the number of police officers and special park security police officers as may be deemed necessary, who shall provide Park District Security Services at the pleasure of the Board and the Board may, by resolution, fix the pay of the members of the park security police force; and, in case of emergency, the President of the Board may appoint additional special police officers as needed. The President and or the Executive Director (and the City of Des Plaines representative, if a City of Des Plaines Intergovernmental Agreement is in force) may suspend any Park District Security officer for insubordination, neglect of duty, drunkenness, or an act unbecoming a police officer, which suspension shall be reported, in writing, to the Board at its next regular meeting; and it shall be the duty of the Board (and the City of Des Plaines if an intergovernmental agreement is in place) to take immediate action in the matter, and as soon as practicable, to either reinstate or dismiss the offending officers from the Park District Security Patrol.

The Board of Commissioners, may at their discretion, appoint additional security officers as needed. Each Police Officer and Park District Security Officer shall enforce the provisions of this Ordinance, and shall have authority to eject from any park any person acting in violation of this Ordinance.

Section 7.02

Duties

It shall be the duty of the Park Security Officers of the Des Plaines Park District to preserve order, peace and quiet and enforce the laws and ordinances and to act as a public relations officer throughout the District. They may arrest and/or issue a citation to all persons found by them in the act of violating any ordinance of said District and shall make a complaint against such persons so arrested or cited and prosecute them.

Section 7.03

Contracted Service

The Board may contract with the city of Des Plaines and the Village of Mount Prospect and/or private security service to provide additional park security and police protection. This contract may be based upon any terms and conditions that the Board determines appropriate and necessary. The contracted Police and/or private security service shall then be authorized to enforce all park ordinances and regulations and to maintain proper conduct of and protection to users of the park facilities.

Section 7.04

Impersonation of Officers

No person shall falsely represent or impersonate any park security officer of the District, or pretend to be an official or employee of the District.

CHAPTER VIII

USE OF THE PARKS

Section 8.01

Advertisements

No person shall display any placard or advertisement of any kind in any park, nor shall any person distribute, cast, throw or place any handbill, pamphlet circular, advertisement or notice of any kind, nor post, stencil or otherwise affix any notice, or bills, advertisement or any other papers upon any structure or thing in or about any park without the written approval of the Executive Director or his/her designee.

If a park site or facility is an official State of Illinois polling place, election, referendum, political signs may be placed at or near any entrance, within State of Illinois election requirements, on Election Day only. Those parties placing the signs on District property will be responsible to remove them immediately after the polls close for the day.

Section 8.01A

Digital Message Boards

In order to promote Des Plaines Park District events and to inform the general public of other events, services and activities, the District owns and operates a digital message board, located at the driveway entrance to Prairie Lakes Park. The Message Board will be used to display announcements of District programs, facilities, meetings, information and special events, including those sponsored by affiliated organizations and other community based non-profit organizations subject to space and time constraints.

Specific guidelines for submitting a Digital Message Board Message are located in the shared drive for staff and on the Des Plaines Park District Website for the general public.

Section 8.02

Aircraft Control

No person shall fly, cause to be flown, or permit any aircraft including gas powered radio controlled aircraft of any kind to be flown over the Park System at any time at an elevation less than the minimum safety requirements established by the Federal Aviation Administration or other governmental authority or less than is reasonable and proper, or so as to endanger the safety of any person or property. No person shall land, or cause to be landed, or permit any aircraft to land in the Park System, except when required by unavoidable emergency.

No person shall fly, cause to be flown or permit any model gas powered aircraft or rocketry of any kind to be flown in the Park System without a permit and then only at such places and times as the District may, from time to time designate for the purpose.

Section 8.03

Alcoholic Liquors

No person under the influence of alcohol shall enter, be, or remain in, the Park System. No one shall sell any alcohol in the Park System except as approved by the Park District, and no person shall bring within, sell, possess, drink, take, use or transfer any alcohol in the Park System except as specifically authorized by Board ordinance. Lake Park Golf Course Club House is allowed to sell beer and wine to customers and for group outings. All alcohol must be kept within club house, adjacent patio, or golf course only.

Section 8.03A

Wrist Bands

At the Des Plaines Park District Fall Festival where alcohol is sold and/or served, all patrons purchasing and/or consuming alcohol are required to prove with proper identification that they are 21 years of age or older and will be required to wear a wrist band provided by the District.

Section 8.04

Animals

- (a) Birds and Animals: No person shall trap, catch, wound or kill, or treat cruelly, or attempt to trap, catch, wound or kill, any bird, or animal, or molest or rob any nests of any bird or animal in any park. The Executive Director shall have the authority to work within the guidelines established by the Illinois Department of Agriculture to control the Canadian Geese population and reducing Black Birds within the corporate authority of the Des Plaines Park District. In addition, the Des Plaines Park District may utilize trained animals as needed to periodically chase geese as a means of keeping them off of athletic surfaces, landscaped areas and golf courses.
- (b) Dogs on Leash* and under control are permitted in Des Plaines Park District owned parks, including general open space non-athletic areas, pathways and parking lots.

Dogs are restricted from all playgrounds and athletic/sports fields and facilities including but not limited to:

Ball field Infields and Outfields Soccer Fields Skate/Bike Parks Tennis Courts Volleyball Courts Basketball Courts Golf Facilities Picnic Shelters Ponds and Lakes

Dog owners/handlers are required to abide by the City of Des Plaines Ordinance Section 6 Chapter 1A. (Including but not limited to: inoculations, licensing, collars, tags, disturbing the peace, cleaning up after the dog)

No owner/handler will permit their dog to drink from a Park District water fountain unless the fountain is designed as “dog friendly” and includes a surface mount bowl.

No owner/handler will tie or tether their dog to any post, tree, bench, fence, Park District structure or other stationary object.

At any time the Park District may impose restrictions due to special events,

Construction, or special circumstances in the interest of public safety.

*Leash not to exceed 6 feet in length

(c) Wildlife Feeding: No person may feed any wildlife including ducks, geese, squirrels or any other wildlife where the feeding is prohibited by Park District policy.

(d) No person may deliver, deposit or abandon any pets or wildlife on Park District property.

Section 8.05

Assault and Battery

No person shall commit an assault or an assault and battery upon another person in the Park System.

Section 8.06

Athletic Fields

Athletic fields under the jurisdiction of the Park District are for the use of park District programs, affiliates and the general public. The Park District has a permit system in place to determine the priority use, and suitability of the site, for Ball Diamonds, Soccer Fields and other athletic areas. Any group that has a Park District issued permit will be allowed priority use. If the site is not reserved under the permitting process, the site is available on a “first come – first served basis”, as long as the proposed use is compatible * with the intended use. All organized groups need a permit. If the specific general public use of the site is determined to NOT be compatible with the site, (as determined by the Executive Director), the participants will be denied use of the site. Any and all public address systems utilized must be authorized by the Des Plaines Park District. Any organized group will be required to obtain a permit for use of such field. Organized group is one that meets regularly or causes the Executive Director to review the definition of Criteria listed in 8.06.

*Criteria to be used to determine whether the site is “compatible” with the intended use include, but are not limited to:

Parking Availability

Restrooms

Size of the site

Impact on Neighborhood Proposed Use Hours Number of Participants

Section 8.07

Damage to Private Property/Personal Injuries

Any person(s) engaging in any activity in or on a park property or facility is responsible for any damage to private property caused by the activity (excluding normal wear and tear). The Des Plaines Park District is not responsible for personal injury to an individual using a park or facility. In the event a park user causes personal injury to another individual while in one of the Des Plaines Park District park sites or facilities, the park user is responsible for the personal injury. The Des Plaines Park District DOES NOT provide medical insurance for park/facility users. In addition, any park patron transported by medical personnel assumes the responsibility for the related transportation costs.

All golfers are responsible for injuries or death to persons or damage to property, in any way arising out of, or occasioned by, or alleged to have been caused by such golfer or such golfer’s acts or omissions

Section 8.08

Begging

No person shall beg or solicit alms (something of value) or any contribution in any park without the written approval of the Executive Director

Section 8.09

Camping

No person shall place, erect, or use any hammock, swing, tent or shelter or otherwise camp or sleep in the Park System except such organizations who may have received permission from the Executive Director to do the same.

Section 8.10

Closing Hours

- A. All parks shall be closed to the public from sunset to dawn, except as otherwise posted or in those cases where a permit is received from the Executive Director. Parks that have lighted athletic facilities including: Chippewa Park, Arndt Park and West Park shall remain open from Memorial Day until October 15 until 10:00 p.m., after which time the facility is closed.
- B. Special facilities such as Prairie Lakes Community Center, Mountain View Adventure Center, Golf Center Des Plaines, Rand Park, Mystic Waters Aquatic Center, West-Arndt and Cumberland Terrace field houses have set, year-round and seasonal hours which are posted and may vary as determined by Park District staff.
- C. The Administrative & Leisure Center and Prairie Lakes Community Center may be opened before or after normal hours if a Building Supervisor or a Full Time Employee is present to supervise the building. The individual on duty will be responsible in securing and locking up the building before leaving.

Section 8.11

Concerts

No person shall conduct any musical concert, play upon any amplified instrument nor set up or use any communication system without first obtaining a permit from the Executive Director. No such permit shall be issued if the sound produced by an amplified instrument or communication system is judged by the Executive Director or his/her designee to be a public annoyance. No person shall make or cause to be made any excessively loud or unreasonable noise which disturbs the peace. For purposes of this section, excessively loud noise is defined as noise inconsistent with or not reasonably attendant to appropriate and customary park and recreation activities, considering the nature and purposes of the person'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, radio or stereo, noisemaker, musical instrument, or sound equipment. This section shall not apply to the playing of any musical instrument, public speaking, or the amplification thereof, in conjunction with activities conducted, sponsored, licensed or otherwise permitted by the Des Plaines Park District.

Section 8.12

Construction

No person shall construct or erect any building, tent or structure of whatever kind in any park, whether permanent or temporary in character, or run or string any public service utility into, upon or across any Park without first having obtained a permit.

Section 8.13

Cooperation with Authorities

(a) No person shall hinder, interfere with, disobey or otherwise not cooperate with employees of the District in the performance of their duties, including lawful enforcement of any and all Des Plaines Park District policy, procedure, rules/regulation and official ordinances.

(b) No provision of this Code shall make unlawful any act necessarily performed by any member of the District in the carrying out of his duties and responsibilities.

Section 8.14

Disorderly Conduct

No person shall make countenance or assist in making any improper noise, riot, disturbance, breach of the peace, or diversion tending toward breach of the peace, nor be guilty of any indecent or obscene act or behavior in any park. No person shall enter or remain in any park unless properly and decently clothed.

Section 8.15

Drugs and Other Illegal Substances

No person shall bring within, sell, possess, consume, take, use or transfer any illegal drug or other illegal substance in the Park System. No person under the influence of an illegal drug or other illegal substance shall enter, be, or remain in the Park System.

Section 8.16

Excavation

No person shall excavate or take soil or other property of any kind from the Park System under the jurisdiction of the Park District without having first obtained a written permit from the Executive Director defining the scope of such activity. Geocaching is permitted without disturbing any and all natural areas or habitats. (Geocaching is a real-world outdoor treasure hunting game that uses a GPS to locate hidden containers with the experience shared online) Metal Detectors are permitted in the parks, however, no digging or probing of the soil is permitted.

Section 8.17

Exceptions

Restrictions outlined in this chapter may be waived by action of the Board; and a statement to this effect shall be issued in writing on such occasions.

Section 8.18

Fires

No person shall light or make use of any fire in any park except at Lake Park, West Park and Arndt Park in the area or areas designated by the Park Board without written authorization of the Executive Director.

Section 8.19

Gambling

No person shall gamble for money or any other valuable thing in any park.

Section 8.20

Games and Sports

No person shall engage in any athletic sport, game, exercise or amusement in close proximity to any playground, building, or facility which could potentially cause physical harm or damage to an

individual, physical object or building. Activities include but are not limited to: baseball/softball, football, hockey, basketball, skateboarding, and soccer.

No person(s) shall interfere or engage in any conduct upon such portion of the Park District designated for any particular activity in such a way as to interfere with the use of such portion by persons who are using the facility for the particular sport, game, exercise, or amusement for which it has been designated.

Section 8.21

Golf

No person shall play golf or practice in the Park System except when said golf is in an established golf class or under the supervision and direction of the Park District or when said golf is played or practiced at Lake Park Golf Course or the Golf Center Des Plaines, in accordance with the current rules and regulations established for play at said Lake Park Golf Course and Golf Center Des Plaines.

Section 8.22

Improper Behavior

No person shall use any abusive, threatening, or profane, indecent or obscene language, or language calculated to occasion a breach of the peace, nor induce, commit or perform any indecent or obscene act or behavior, nor exhibit, possess or transfer indecent or obscene pictures, writings or articles of any kind within the Park System.

There will be a ZERO Tolerance to any persons that use our facilities, athletic fields, or programs. All parents, coaches, volunteers at our sporting events are required to uphold the highest standard and should never raise their voices, use foul language, or display any aggressive behavior. Any altercations physically or verbally brought to the Des Plaines Park District's attention will result in the individual or party being immediately suspended from using our facilities and/or be on Park District grounds for a minimum of 3 months to a maximum of 1 year, based on the situation. The Executive Director will decide the length of such suspension. This ZERO Tolerance Policy will need to be incorporated in any group's bylaws in order for them to receive a permit to use our facility or athletic fields.

Section 8.23

Improper Use of the Park

No person shall climb any tree nor climb, walk, stand or sit upon any wall, building, fountain, fence, railing in any place within the Park System nor upon any other Park District property not designated or customarily used for such purposes. The use of skate boards and inline skates are prohibited from being used anywhere except in designated areas including the Mt View Adventure Center Skate Park. "Grinding" * is prohibited on any park structure, equipment or building except at the Mt View Adventure Center Skate Park.

* Grinding is the term used by skaters to describe the act of gliding their skateboard or inline skates along an edge in a mostly perpendicular fashion.

Section 8.24

Indecent Exposure

No person shall expose any part of the body to the public in an indecent or lewd manner, nor speak or make advances in a profane or obscene way, or make any indecent or obscene gestures in any part of the Park System. Nor shall any person take, or attempt to take any immoral, improper or indecent liberties with any child or adult of either sex in any part of the Park System.

Section 8.25

Lake Park Rules

Lake Park will be open for certain recreational activities during the period between April 1 through October 31, from 8:00 a.m. to sunset, or when conditions permit and the park is posted that it is open.

A. GENERAL PARK RULES

All persons planning to boat must check in and out with the Lake Park receptionist, who will be stationed at the pro shop desk. They must be boat owners or have passed a skipper's test.

- (1) No persons under six years of age shall be allowed to enter the park unless accompanied by an adult eighteen years of age or older.
- (2) Under No circumstances shall any person be permitted to walk, run, drive, ice skate, sled, slide, ice fish, and ice sail or otherwise enter onto the ice surface on Lake Opeka.
(www.desplainsparks.org).

B. HEALTH REGULATIONS

- (1) Swimming and wading shall not be allowed in the lake.
- (2) No sewage from areas outside of the park or within the park shall be allowed to drain into the lake or park.
- (3) Water drainage into the lake will be permitted only by permission of the Park Board and then only when same is free from sewage, oil or any other material that is harmful to fish, animal or plant life.

C. FISHING REGULATIONS

- (1) Lake Opeka is a Des Plaines Park District owned lake.
- (2) Fishing shall be permitted from 6:00 a.m. (Saturdays and Sundays) and from 7:00 a.m. (weekdays) until 15 minutes prior to sunset.
- (3) Minnows will not be permitted as bait in the lake. Worms and artificial bait shall be the only bait permitted.
- (4) Waders and hip boots will not be permitted.
- (5) There shall be no limit on the size and number of fish caught in the lake, except by state law as defined by the Illinois Department of Natural resources, and local limit of five (5) trout and 12" size limit on Northern Pike.
- (6) No one shall stock or attempt to feed fish at the lake.
- (7) Fishing from boats shall be permitted, and not from canoes, sail boats, kayaks, or paddle boats.
- (8) Fisherman in boats will not moor to buoys or anchor within approximately fifty feet of buoys.

D. BOATING REGULATIONS

General boating shall be permitted on the lake as outlined:

April: EVERY DAY 8am – Dusk,

May: EVERY DAY 8am – Dusk

June thru August: EVERYDAY 7:00 a.m. until Dusk

September & October: EVERY DAY 8am - Dusk

Boating shall be subject to the following rules:

- (1) The following types of boats shall be permitted on the lake:
 - (a) rowboats (private or Park District owned)
 - (b) sailboats (private or Park District owned)
 - (c) canoes (private or Park District owned)
 - (d) kayaks (private or Park District owned)
 - (e) paddle boats (Park District owned)

- (2) No motorboats, except electric trolling motors, shall be permitted on the Lake, except for the Park District emergency craft and the Yacht Club's race boat.
- (3) Each private boat that is to be used at the Lake Park must be registered with the Des Plaines Park District.
- (4) No person under fourteen (14) years of age shall be permitted to take paddle boats or (18) years of age for fishing boats out on the lake without a duly qualified adult.
- (5) All persons using sailboats, rowboats, canoes, kayaks, Des Plaines Park District fishing boat and paddle boats must properly wear a U.S. Coast Guard approved life vest.
- (6) Utmost safety precautions shall be adhered to at all times.
 - a) A craft adrift, or at anchor shall have the right of way over a craft that is underway.
 - b) When two craft are underway and approaching each other from opposite directions, each should change course to starboard (to the right) so that when passing abeam, at least 25' of water shall be between them.
 - c) When two craft are underway and on a collision course, the craft on the right shall have the right of way and the craft on the left shall pass astern of the craft on the right with a 25' clearance.
 - d) Boats may proceed anywhere on the lake provided that all safety rules are adhered to. Sailboats shall not come within 25' of shore except at the Marina, or launching ramps. Care shall be taken to set said boat course or canoe course away from fishing craft.
 - e) No parking shall be allowed anytime on the launching ramp. Trailers and cars must be parked in the lot provided for boaters.
 - f) Launching of all boats shall be done at boat launching piers only.
 - g) Boat passenger capacities shall not exceed their designated limits. Five inches (5") of freeboard must prevail at all times.
 - h) Rules of racing will apply to sailboats during officially sanctioned regattas only.
 - i) Moorings will be permitted by appropriate application on a first come, first serve signed basis, subject to available harbor space.

E. MEMORIAL PAVILLION

(1) Use will require a rental agreement and will be authorized and approved by the Executive Director. The rentals will be first come first serve in this order:

- a) Des Plaines Park District programs
- b) City of Des Plaines Veterans Organizations
- c) Veterans Organizations Outside of the City of Des Plaines
- d) Des Plaines Park District Affiliate Groups

Section 8.26

Littering and Dumping

No person shall deposit, dump, throw or place any ashes, dust, manure, rubbish, grass clippings, leaves or tree branches in or upon any part of any park. Paper, garbage or refuse matter shall be deposited only in receptacles provided for that purpose. Refuse containers and dumpsters shall not be used for personal or commercial disposal of material of any kind without authorization from the Executive Director or his/her designee.

Section 8.27

Loitering

No person or group of persons shall loiter in or near any Park District owned building, toilet, swimming pool, golf course or other Park District structure, or loiter in or near a vehicle or vehicles within the Park District.

Section 8.28

Motorized Vehicles

Only licensed motor vehicles may be driven on Park District roads, driveways and parking areas, and only by licensed operators, unless otherwise authorized by the Executive Director. Only Park District owned vehicles operating on official Park District Business, are permitted to drive on turf areas, athletic surfaces, walkways and special facilities unless otherwise specifically authorized by the Superintendent of Parks, Superintendent of Recreation, Deputy Director or Executive Director.

Section 8.29

Obscene Language

No person shall use abusive, insulting or obscene language calculated to occasion a breach of peace in any part of the Park System.

Section 8.30

Penalties

- (a) Eviction: Any person violating any of the provisions of this chapter may be forthwith evicted from the parks and other places under the control of the Board.
- (b) Penalties: Any person violating any of the provisions of this Chapter shall, upon conviction, pay a fine of not less than \$15.00 or more than \$500.00 to be recovered in any manner and form as provided by law.

Section 8.31

Permit Holders

- (a) No person issued a permit by the Board shall fail to produce the permit and exhibit it upon request of the Executive Director, Park District employee, member of the Board or Park Security Officer.
- (b) It shall be unlawful for any permit holder to not abide by all Park District rules and regulations and all applicable ordinances fully as though the same were inserted in said permits.
- (c) It shall be unlawful to use recreation areas for commercial purposes, public meetings or assemblies, without first obtaining a written permit from the Executive Director. Such permit will be issued if the location can safely be occupied and not disrupt the area residents or the park/facility users.

Section 8.32

Picnics

- (a) No person without a permit shall hold a picnic at the picnic pavilion when said pavilion has been reserved on a specific date at a specific time by a group with a permit.
- (b) Picnics requiring fires may only be held in those areas where fireplaces, stoves or pits have been provided by the Park District and upon issuance of a permit.
- (c) The Park District will issue permits for these areas upon request. Permit holder would be entitled to use of the designated area for the time as listed on the permit. All other use is on a first come basis.

Section 8.33

Planting and Removal

No person shall remove any soil, rock, stones, trees, shrubs or plants, down timber or other wood or materials from any part of the Park System except under the direction of the Executive Director. No person, unless authorized by the Executive Director, shall plant, bring into or upon any part of the Park System any tree, shrub or plant or any newly plucked branch or portion thereof.

Section 8.34

Polluting

No person shall throw, discharge or otherwise place or cause to be placed in the waters of any swimming pool, fountain, pond, lake, stream or other body of water in or adjacent to any park or any tributary, stream, storm sewer or drain flowing into such waters, any substance, matter or thing, liquid or solid, which will or may result in the pollution or the hindrance of the use of said waters.

Section 8.35

Private Classes/Camps

No person shall bring or cause to be brought into the Park System any play class, day camp instruction group or other organized group of any kind without a permit from the Park District and then only upon such terms specified therein. No commercial private lessons or coaching of any kind, for which compensation is paid, shall be given in the Park System without a permit from the Park District, and then only upon such terms and condition as may be specified therein at the direction of the Director.

Section 8.36

Protection of Property

No person shall mark, deface, injure, damage, destroy, cut, pluck, or take in any way, District plants or property of any kind or any property of others in any Park.

Section 8.37

Public Meetings

No public meetings, open meeting, rally, demonstration, celebration, parade, or religious meeting shall be allowed on Park District properties without a permit from the Executive Director or his/her designee. In the event an applicant is denied a permit by the Executive Director, the applicant may appeal to the Board of Park Commissioners who may hold a special meeting and render a decision for or against the issuance of said permit based on the merits, within seven days of the denial by the Executive Director. Payment of expenses and indemnification of the Park District may be required.

Local elected officials holding an office within the boundaries of the Des Plaines Park District as well as state officials whose representation includes the Des Plaines Park District may reserve meeting spaces (free of charge) on a "space available" basis in Des Plaines Park District facilities and parks for the purpose of meeting with residents to inform them of city wide or state wide issues. This is provided as a public service from the Des Plaines Park District and at no time is any form of electioneering permitted to advance a candidate, cause, referendum, proposition or political party. No advertisements, flyers, posters or signage soliciting support for a candidate, cause, referendum, proposition or political party is permitted in any space used free of charge by any elected official, or his/her designee/representative. Information to the citizenry on the election process as prepared by the election authority may be distributed and posted if authorized by the facility manager.

Political parties, candidates, current local elected officials or advocacy groups may rent a room in District facilities or a field house/picnic shelter within a District park in support or opposition to a particular political party, candidate, cause, referendum or proposition that is subject to the electoral process. Distribution (within the rental space only) of political literature is permitted as well as the posting of political literature (within the rental space only) if authorized by the Executive Director. Political Press Conferences (held indoors in District Facilities) will only be permitted in paid rental spaces. Rental space will depend on Park Districts abilities to meet the demand of space based on staffing and size requirements.

Candidates (including incumbents) running for public office requesting petition signatures may

utilize common areas in District facilities without causing disruption to programs, facilities and special events. Candidates are not permitted to hand out any advertising or campaign literature except in a paid rental space paid for by the candidate or his/her supporters.

Candidates (including incumbents) running for public office may utilize indoor/outdoor District facilities on a “space available” basis to take campaign photographs. No photograph used in any political campaign or election will include a Des Plaines Park District logo, Des Plaines Park District park sign or Des Plaines Park District Facility Name.

On Election Day, candidates or their supporters need to be 100 feet from the entrance of polling areas when endorsing a political party, candidate, or current local elected official.

Section 8.38

Resisting or Interfering With Park District Security Patrol

No person shall resist any Commissioner or park security officer of the District in the discharge of his duty, or fail or refuse to obey any lawful command of such Commissioner or Park Security Officer or escape or attempt to escape from custody, or rescue or attempt to rescue any person while in such custody.

Section 8.39

Restricted Areas

No person shall enter upon or engage in any activity in any portion of any park where persons are prohibited by the Board as indicated by sign or notice. No person shall enter or attempt to enter any building or area on any park when it is closed to the public or when it is scheduled for a specific group unless invited by the group.

Section 8.40

Rest Rooms

No person, except for children under four (4) years of age, shall enter into, loiter or remain in any toilet, restroom, bathhouse, pavilion or structure or section thereof, of any part of the Park System, which has been reserved and designated by the Executive Director for the use of the opposite sex. The Park District will follow the Administrative Policies in regards to Transgender under General Policies A48 & A49. Cell phones are not permitted to be utilized in public restrooms or locker room areas.

Section 8.41

Selling

No person shall offer or exchange for sale any article or thing, or do any hawking, peddling or soliciting, or buy or offer to buy an article or thing or take up any collections of money or anything of value in any park except when such activity is part of an authorized Park District sponsored fund-raising effort and or an organized Park District program authorized to do so by permit form or contract with the Park District executed by the Executive Director or his/her designee.

Section 8.42

Skateboarding and Inline Skating

No skateboarding, inline skating or bicycle riding is allowed on tennis courts or other areas not specifically designed and designated for such activity. Skateboarding, Inline Skating and bicycle riding are not permitted on any Park District structure, railing, curb, bench, table, wall, shelter, steps or other Park District properties unless specifically designed and designated for such activity and located within a skate park or bike park. Bicycles/Bicycle Riders and (non- motorized) scooters are permitted users of the Mountain View Adventure Center Skate Park

The skate park and bike park are NOT supervised by District staff. All participants use the facility at their own risk. PROTECTIVE EQUIPMENT IS HIGHLY RECOMMENDED.

Section 8.43

Sledding and Ice Skating

No person shall skate, sled, toboggan, operate a snowmobile, ski, slide, or carry on other similar activity in the Park System except at such places and times as the Park District may designate for the purpose. No person, while engaged in such activity, shall conduct himself/herself in such a manner as to annoy others or to endanger, injure or damage persons or property in any way. The Arndt Park Sled Hill shall not be a supervised activity. All sledders shall sled at their own risk. No sledding shall be allowed at any time the sled hill has been closed. Signage will be posted at all designated skating facilities and the sled hill indicating that the park is closed at 10:00 PM. Ice Skating is prohibited on Lake Opeka. Refer to Section 8.25 A3.

Section 8.44

Sleeping in Parks

No person shall place, erect, or use a hammock, swing, tent or shelter or otherwise camp or sleep upon Park System premises between 10:00 P.M. and 6:00 A.M. except under complete supervision as determined by and upon authorization of the Executive Director.

Section 8.45

Smoking

All buildings within the jurisdiction of the Des Plaines Park District are “Smoke Free” at all times. **(Including E-Cigarettes and E-Cigars)** Exception: Smoking is permitted on the golf course at both Lake Park and the Golf Center.

Smoking **(including E-Cigarettes and E-Cigars)** is prohibited within 15ft of Des Plaines Park District owned playgrounds, athletic facilities, Mt View Adventure Center, aquatic facilities and the primary entrances to indoor Park District facilities.

No person shall be allowed to smoke in a park if under eighteen (18) years of age.

Section 8.46

State Statutes

No person shall commit in any part of the Park District any act prohibited by the Criminal Code of the State of Illinois as set forth in the Illinois Compiled Statutes.

Section 8.47

Swimming Pools

- (a) Eviction: If any person shall refuse to obey any orders of any lifeguard on duty, the Pool Manager, any Police Officer, or any officer or member of the Board, such patron shall immediately leave the pool and dressing room, and upon the refusal to do so, may be forthwith expelled and the future use of the facilities and privileges of the swimming pool shall be denied to the patron until restored by official action.
- (b) Decent Clothes: No person shall enter the pool or the grounds surrounding the same unless appropriately and decently clothed.
- (c) Illegal Entry: No person shall climb any fence surrounding a swimming pool or in any manner enter a swimming pool without payment of the admissions charges and the fees established by the Board, or without displaying proper season pass. All passes issued shall be non-transferable and must be individually registered. In addition to the penalties set forth in this Chapter, the Board shall the right to revoke season passes used in violation of this section.
- (d) Health Requirements: Any person, who is upon examination, found to have open sores upon

his or her body, a communicable disease or other unhealthy condition, shall be denied the use of the pool.

(e) No child under the age of ten (10) years shall be admitted to a swimming pool unless accompanied by an adult eighteen (18) years of age or older.

Section 8.48

Use of Playground Equipment by Adults

No adult person shall, in any manner, use any of the playground apparatus or devices meant exclusively for the use of children.

Section 8.49

Weapons, Missiles and Explosives

No person shall bring, carry or use in any way, knives, firearms, air guns, pellet guns, or other weapons of any kind in any park except by prior authorization of the Executive Director. No person shall throw, cast or shoot stones, arrows or other missiles of any kind in any park except at such places and times as the Executive Director Board may designate for such purposes. No person may carry into or use in any way, fireworks or any type of explosives in any park except by prior written authorization of the Executive Director.

Section 8.50

Fundraising

Any and all fundraising within the Park District must be authorized by the Executive Director and permit filed with the Park District.

Section 8.51

Buy a Brick Fundraiser:

Periodically, the Des Plaines Park District will engage (or permit others to engage in) a “Buy a Brick” fundraising program. The purpose of the program is to raise funds for a particular purpose. The engraved brick text is designed to recognize the donor. The permitted text is for donor recognition and will be “content neutral” and is not intended to express personal or public opinion. Administrative staff has developed a procedure (contained in the Administrative procedure Manual G-612) for receiving and processing applications for the Buy a Brick Program.

Memorial Tree Program

Similar to the “Buy a Brick” program, the program is designed for a particular purpose, to plant new trees in the Parks at no cost to the taxpayers. The program provides an option of a plaque to be placed at the base of the donated tree. The wording on the plaque is designed to recognize the donor and will also be “content neutral” and is not intended to express personal or public opinion.

Section 8.52

Tree Management Policy

PURPOSE

- a) It is hereby declared to be policy of the Des Plaines Park District to regulate and control the planting, removal, maintenance and protection of trees in the park district to eliminate and guard against dangerous conditions which may result in injury to persons using park district parks and facilities; to promote and enhance the beauty and general welfare of the public; to protect trees and shrubs located in public areas owned and maintained by the Park District from undesirable and unsafe planting, removal, treatment and maintenance practices; and to guard all trees and shrubs on Park District

property against the spread pests and disease, it is the intent of the Park District that the provisions of this ordinance shall apply to all trees and plants growing in or upon any premises owned or controlled by the Park District.

DEFINITIONS

- a) Large Tree; those trees attaining a height of 35 feet or more.
- b) Parks; All public parks having individual names.
- c) Park Facilities; Public facilities operated by Des Plaines Park District.
- d) Small Tree; those trees attaining a height of 10 feet or less
- e) Condition; rating of a trees overall condition 1 being excellent to 5 being very poor.

AUTHORITY

The Des Plaines Park District is empowering the Superintendent of Parks and Planning and the Landscape Maintenance Supervisor to superintend and regulate the planting, preservation, protection and maintenance of trees and shrubs on all Park District property. No person shall plant any tree or plantings until Superintendent of Parks and Planning, or the Landscape Supervisor has approved such planting.

PLANTING REQUIREMENTS

- a) Spacing of all new plantings shall conform to a tree spacing of 30 feet, except where those approved have determined that the tree species planted is appropriate for the planting space available.
- b) Tree species planted must conform to a tree planting list as approved by the Park District.
- c) All plantings will be held off of property lines at a distance to allow for cutting of lawns without encroaching on neighboring property. The distance of new tree plantings shall be at a minimum of 10' from any property line and more depending upon the drip line of the tree, as measured from the trunk of the tree.
- d) Trees and plantings when planted will be free of infectious disease or insect infestation.
- e) All trees planted shall have a trunk size no less than 2" diameter at 6" above the ground. No trees shall be planted closer than 5 feet from a curb line or outer line of the sidewalk.

MAINTENANCE

- a) Spraying, injections of trees and shrubs for the prevention and elimination of disease and insect infestation shall be performed to meet the specific requirements of the species of tree and the particular disease or insect infestation which exists or threatens. It shall be the responsibility of the Landscape Supervisor to determine the need and extent of spraying, injections and pruning requirements.
- b) All trees having branches overhanging a public street or sidewalk shall have said branches trimmed to a clearance height of 14 feet on street side and 10 feet on the sidewalk side.
- c) All trees on public property designated for removal shall be completely removed from the growing site and disposed of in an authorized manner.

SPECIES, CULTIVARS, AND VARIETIES

The Superintendent of Parks and Planning, and the Landscape Maintenance Supervisor shall develop and maintain a list of desirable trees for planting within public parks. There shall also be a list of trees not suitable for planting. The planting of species, cultivars and varieties shall be managed and enforced by aforementioned staff.

CHAPTER IX TRAFFIC AND PARKING

Section 9.01

Speed

No person shall drive any vehicle within the Park System at a speed greater than fifteen (15) miles per hour or any lesser posted speed, or greater than is reasonable and proper with regard to traffic conditions and use of the roadway, or at a speed that endangers the safety of any person or property. No person shall at any time race any vehicle with the driver of any other vehicle or with any person whomsoever upon any such driveway.

Section 9.02

Keep to Drives

No person shall drive any automobile, truck, motorized vehicle within any part of the Park System except upon the parking lots and roadways provided for driving and parking the same, except for Park District employees in the performance of their duties.

Section 9.03

One Way Roadways

Every person driving a vehicle in the Park System shall travel only in the direction designated for one-way traffic.

Section 9.04

Traffic Control

No person driving any vehicle shall disobey or violate any law, ordinance, rule or traffic control sign or device of the Park District governing vehicular traffic or parking within the Park System. No person shall willfully fail or refuse to comply with any lawful order or direction of any member of the Park District Police or other City, State or Federal police officer within the Park System.

Section 9.05

Stop Intersections

Every person driving a vehicle in the Park System shall bring the vehicle to a complete stop whenever “stop signs” are posted by the Park District and such persons shall not proceed until it is safe to do so.

Section 9.06

Parking

No person shall park or place any vehicle or other property of any kind within the Park System so as to obstruct or interfere with the traffic or travel, or endanger the public safety and no person shall park any vehicle in any of the following places, except where otherwise designated:

1. On the left side of any roadway
2. On lawn areas and grounds.
3. In front of public or private driveways.
4. Within an intersection.
5. Within thirty (30) feet of any stop sign or traffic control signal.
6. In any position to block another vehicle legally parked.
7. At any place where official signs or markings prohibit parking or stopping.

No person shall perform maintenance of repairs on a vehicle in a District parking lot except in cases necessary to remove said vehicle from said lot. No person shall use a connection with a commercial business operation without written authorization of the Executive Director.

Section 9.07**Time Limits**

It shall be unlawful to park any vehicle in a Park District parking lot overnight or for a period longer than the designated operating hours of any park or facility unless authorized by the Executive Director or his/her designee. Violation of this ordinance may result in the vehicle being towed at the owner's expense.

Section 9.08**Unattended Motor Vehicle**

No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine and removing the ignition key. Park District parking areas are for park or park facility use only. Vehicles parked in a Park District parking area after closing hours may result in the vehicle being towed at the owner's expense.

Section 9.09**Parking of Vehicle for Sale**

It shall be unlawful to park any vehicle upon any District property or street adjacent thereto for the purpose of displaying it for sale, or from which merchandise is peddled.

Section 9.10**No Parking Any Time**

Except in compliance with the direction of a Park Security officer, it shall be unlawful to permit any vehicles to park in or on any unpaved District property or right-of-way.

Section 9.11**No Parking Signs Posted**

It shall be unlawful, except when directed by a Park Security Officer, to park any vehicles where no parking signs are posted, on any District property or streets adjacent thereto.

Section 9.12**Lane Straddling**

It shall be unlawful for any person to park any vehicle in such a manner as to cross any lines or markings, painted or placed on the pavement, marked as a parking place, as to take up two (2) spaces; or to park any vehicle in an area designated by diagonal lines or markings, painted or placed on the pavement, as a no parking zone.

Section 9.13**Handicapped Parking**

It shall be prohibited to park any motor vehicle which is not bearing registration plates issued to a physically handicapped person, or a special decal or device issued to a physically handicapped person in any parking place specifically reserved by the posting of an official sign, or by markings placed or painted on the pavement in blue, with the handicapped insignia, for motor vehicles bearing such registration plates, decal or devices.

Parking privileges granted by this Section are strictly limited to the person whom the special registration plates, or special decal or device, were issued and to qualified operators acting under said person's express direction while the disabled person is present.

Any person who violates this section shall be subject to fine of two hundred fifty dollars (\$250.00) for each offense in addition to any costs or charges connected with the removal and/or storage of

any motor vehicle found to be in violation of this Section.

Section 9.14

Impounding of Vehicles

Any vehicle parked or standing within the Park System in violation of any law, ordinance or rule is hereby declared to be a public nuisance. Such vehicle may be removed and impounded and the owner or person entitled to possession of the vehicle shall pay all charges and expenses arising out of any action taken hereunder.

Section 9.15

Penalties

Violations of all rules listed in this Section are defined as misdemeanors and as such are subject to penalty as outlined in section 8.30.

**CHAPTER X
REPEAL**

**Section 10.01
Repeal**

All existing ordinances, resolutions and orders in conflict herewith are hereby repealed.

**CHAPTER XI
PUBLICATION**

**Section 11.01
Publication in Pamphlet Form**

In lieu of other publications, this Ordinance may be published in pamphlet form and or in an electronic format (disc), as provided by law, and when so published shall become effective and shall have the same force and effect as if otherwise published as provided by law; and such pamphlet and/or electronic format shall be effective in all courts or places without further publication, all as provided by law.

**CHAPTER XII
INVALIDITY**

**Section 12.01
Invalidity**

If any provision of this Ordinance is held invalid, the invalidity of that provision shall not affect any of the other provisions of this Ordinance

**CHAPTER XIII
EFFECTIVE DATE**

**Section 13.01
Effective Date**

This Ordinance shall take effect and be in full force from and after its passage, approval and publication in pamphlet and/or electronic format as provided by law.

PASSED and APPROVED by the Board of Park Commissioners of the Des Plaines Park District on the 17th day of March 2019.

Jana B. Haas
President

Donald J. Miletic
Secretary

Revisions

June 21, 2011

July 19, 2011

March 20, 2012

March 19, 2013

April 16, 2013

May 20, 2013

April 15, 2014

January 20, 2015

February 16, 2016

December 20, 2016

June 28, 2017

April 17, 2018

April 16, 2019

March 17, 2020