

CHAPTER 1:SCOPE & DEFINITIONS**6.1.1 SCOPE:**

- A. This Ordinance is in addition and supplemental to all applicable state, federal, local, and District laws, ordinances, rules, and regulations, including without limitation, the Park District Code (70 ILCS 1205/1-1, et seq.).
- B. This Ordinance shall apply to and be enforceable within and upon all District property and regulates the use thereof by all Persons; however, no provision shall make unlawful any act performed by any officer, employee, or agent of the District when performing his District duties.
- C. Section headings are included for convenience and shall not affect the meaning or construction of any provision of this Ordinance.

6.1.2 DEFINITIONS:

For the purpose of this ordinance, the following terms shall have the definitions given herein:

- A. "Board" is the Board of Commissioners of the Washington Park District.
- B. "Director" is the chief administrative officer of the Washington Park District appointed by the Board of Commissioners.
- C. "District" is the Washington Park District.
- D. "Litter" is any uncontainerized man-made or man-used waste which, if deposited within the Park System otherwise than in a litter receptacle, tends to create a danger to public health, safety, and welfare, or to impair the environment of the people of the city. Litter may include, but is not limited to, any garbage, trash, refuse, confetti, debris, grass clippings or other lawn or garden wastes, newspaper, magazines, glass, metal, plastic or paper container or other construction material, motor vehicle parts, furniture, oil, carcass of a dead animal, or nauseous or offensive matter of any kind, or any object likely to injure any person or create a traffic hazard.
- E. "Permit" is the written authorization issued by or under the authority of the District, by a District officer or employee empowered to grant such authorization, to a Person, allowing them to engage in a particular act or acts within the Park System. Said authorization is subject to the terms and conditions specified in the Permit as well as all applicable federal, state, local, and District laws, ordinances, rules, and regulations.

- F. "Person" is an individual, firm, partnership, group, association, corporation, governmental unit, company or organization of any kind, or any employee, agent, or officer thereof. This term does not include the District, its employees, the Board, or Director when they are engaged in the performance of District duties.
- G. "Park System" is all property owned, leased or otherwise in the possession or control of the Washington Park District.
- H. "Regulation" is any rule, resolution, regulation or ordinance adopted by the Board of Commissioners of the District.
- I. "Vehicle" is any conveyance, whether motor powered or self-propelled, except baby carriages, and conveyances in use by the District.
- J. "Vicious Animal" is any individual animal that, when unprovoked, bites or attacks a human being or other animal either on public or private property or that, after a hearing, has been found to have a known propensity, tendency, or disposition to attack without provocation, to cause injury, or to otherwise endanger the safety of human beings or domestic animals; or, is owned or harbored primarily or in part of the purpose of fighting or is trained to fight; or, is reported to be a dangerous animal upon two separate occasions, but a "Vicious Animal" is not one that bites, attacks, or menaces a trespasser on the property of its owner, anyone assaulting its owner, anyone who has tormented or abused it, or is a professionally trained dog used for law enforcement or guard duties.
- K. "Volunteer" is any person appointed by the Executive Director or Board of Commissioners to assist with Park District functions.

The meaning of any word or phrase not otherwise defined in this Ordinance shall be construed as having the meaning as it is used or defined in any applicable federal, state, local, or District laws, ordinances, rules, or regulations.

CHAPTER 2: RULES, REGULATIONS AND CONDUCT

6.2.1 ADVERTISEMENTS

No Person shall display any placard or advertisement of any kind in the Park System, 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 bills, advertisement or other papers upon any structure or thing in the Park System, unless authorized by Permit or placed in an area designated by the District for advertisements, such as the community bulletin board.

6.2.2 ALCOHOLIC BEVERAGES

Unless otherwise authorized by Permit, no Person shall possess, transfer, use, or consume any type of alcoholic beverages within the Park System. No person who is under the influence of alcohol, shall enter, be in, or remain in the Park System.

Whether a Person is “under the influence” may be established by a profession opinion, a scientifically valid test, a layperson’s opinion, the statement of a witness, or circumstantial evidence.

6.2.3 ANIMALS

(A) Every owner, keeper, or Person having custody or control of any dog, cat, or other animal in the Park System shall maintain control of such animal by use of a chain or leash, not greater than six feet, or by confinement within a vehicle. Any such owner, keeper, or Person who does not maintain such control shall be deemed to have allowed the animal to run at large, and each such animal shall constitute a separate offense.

The owner or keeper of any such domestic animal or fowl who shall permit the same to run at large upon or within any district park shall be guilty of a separate violation for each and every animal or fowl so suffered to run at large. Excepting that horses may be ridden or lead on portions of the Park System so designated for such purpose.

(B) No person shall keep any domestic animal confined or tied in any park which by howling, bawling, or any other noises or activity shall disturb the peace and tranquility of the patrons of any park or of any family, individual, or neighborhood adjoining, adjacent, or in proximity of any park.

(C) No Person shall kill, wound, or be cruel to any animal or bird within the Park System. A person commits the offense of cruelty where he or she does any of the following:

1. Overloads, overdrives, overworks, beats, tortures, abuses, torments, knowingly poisons, knowingly attempts to poison, mutilates, or kills any animal or bird, or causes or knowingly permits the same to be done.
2. Works any old, lame, infirm, sick, or disabled animal or bird, or causes or knowingly permits the same to be done.

3. Unnecessarily fails to provide an animal or bird in one's charge or custody, as owner or otherwise, with proper food, drink, and/or proper sanitary shelter.
 4. Abandons any old, lame, infirm, sick, or disabled animal or bird by leaving such animal or bird on any highway or public way or in any other place where it may suffer injury, hunger, exposure, or become a public charge.
- (D) The owner, keeper, or Person having custody or control of any animal in the Park System shall be responsible for the removal and sanitary disposition of excreta deposited by his animal anywhere in the park system. When accompanying the animal onto the park system, the owner shall have on his person suitable means for the removal of such excreta which will then be placed in a refuse container for sanitary removal.
- (E) No Person shall bring, possess, carry, keep, or cause to enter a Vicious Animal on or into the Park System.

6.2.4 ASSAULT, BATTERY AND AFFRAY

- (A) No person, without lawful authority, shall knowingly start a fight or fight in the Park System. No person shall commit assault and or battery in the Park System.
- (B) A person shall be considered to have committed assault when, without lawful authority places another person in reasonable apprehension of receiving a battery.
- (C) A person shall be considered to have committed battery if intentionally or knowingly, without legal justification and by any means causes bodily harm, or, makes physical contact with another person of an insulting or provoking nature.

6.2.5 BEGGING OR SOLICITATION

No person shall beg or solicit alms in the Park System. Unless otherwise authorized by Permit, no person shall solicit money in the Park System, excepting that a charge may be made, subject to the approval of the Board, for various athletic games and tournaments.

6.2.6 CANNABIS AND ILLEGAL DRUGS

No person shall bring within, possess, sell, use, consume, or deliver while in the park system cannabis or any other illegal drug. No person who is under the influence of any illegal drug shall enter, be in, or remain in the Park System. As used in this section, "illegal drugs" includes all substances listed in the Cannabis Control Act (720 ILCS 550/1, et seq.) or

the Illinois Controlled Substances Act (720 ILCS 570/1, et seq.) and intoxicating compounds under the Use of Intoxicating Compounds Act (720 ILCS 690/0.01, et seq.), as may be amended from time-to-time.

Whether a Person is “under the influence” may be established by a professional opinion, a scientifically valid test, a layperson’s opinion, the statement of a witness, or circumstantial evidence.

6.2.7 CLIMBING

No Person shall climb upon any building or structure in the Park System other than play apparatus designed for that purpose.

6.2.8 DAMAGE TO PROPERTY

No Person shall cut, break, chop, tear, or carve on or in any way deface, mar, damage, injure, or break any property of the District including, but not limited to; plant material, turf, buildings and structures; equipment; facilities; roads and parking lots.

6.2.9 DISORDERLY CONDUCT

No Person shall engage in any conduct that is violent, tumultuous, offensive, or disorderly, by threatening, quarrelling, or using obscene, offensive, profane, or unseemly language to the annoyance, disturbance, or vexation of another. Neither shall anyone make any improper noise, disturbance, or breach of the peace or diversion leading to be a breach of the peace in the Park System. No Person shall make, continue, or cause to be made or continued, any loud, unnecessary or unusual noise which either annoys, disturbs, injures, or endangers the comfort, repose, convenience, health, peace, or safety of others, within the Park System, where such loud, unnecessary, or unusual noise can be heard from 100 feet of the area in which the sound is produced or reproduced. The making or causing of such noise by mechanical means, including radio transmission or receiving sets, shall be considered prohibited by this Section.

6.2.10 DISPLAY OF PERMIT

Every Person shall produce or display a Permit when requested to do so by any authorized Person or employee, agent, or officer of the District for the purpose of enforcing compliance with any federal, state, local, or District law, ordinance, rule or regulation, when such Permit or pass is required to engage in an activity within the Park System or on District property.

6.2.11 DUMPING

No Person shall deposit, dump, throw, place or otherwise dispose of trash or refuse upon any part of the Park System other than trash and refuse generated by typical and customary park activities in containers designated for that purposes.

6.2.12 FIRES

Unless otherwise authorized by Permit, no Person shall start or allow to burn any fire in the Park System excepting in cooking grills. All fires shall be attended to, under the continuous care and direction of a competent Person 18 years of age or older from the time it is kindled until it is completely extinguished. Any person starting a fire in the Park System is responsible for removing the remaining ash prior to departing the Park System.

6.2.13 FIREARMS, FIREWORKS, and WEAPONS

No Person shall bring onto, possess, carry, use, explode, discharge, burn, or throw while in the Park System, the following:

- (A) Firearms, which include, but are not limited to:
air gun, spring gun, pistol, revolver or any other similar device which is calculated or intended to propel or project a bullet, arrow or other projectile;
- (B) Fireworks or firecrackers, unless otherwise authorized by Permit;
- (C) Any explosive substance or device, or other incendiary substance, compound, or mixture;
- (D) Any weapon, such as a black-jack, billy club, metal knuckles, throwing star, switchblade knife, razor, tazer, or any other object whose use is as a weapon.

6.2.14 GAMBLING

No Person shall gamble, make any bet or wager, conduct any game of chance or lottery, sell or buy any chance or ticket for the same anywhere in the Park System without a Permit. Any Person holding such a Permit must conduct such activities in accordance with all relevant laws.

6.2.15 GAMES AND SPORTS

No Person shall engage in any sport, game or amusement in the Park System except such portions thereof as may be designated by the Director, and then only under such rules and regulations as may be designated by

him. No person shall swing or make use of any golf club, nor play golf, nor hit or putt golf balls within the Park System.

6.2.16 HINDERING OF EMPLOYEES

No Person shall interfere with, threaten, or cause bodily harm or in any manner hinder any employee or volunteer of the District while they are engaged in performing his or her District duties.

6.2.17 HUNTING

No Person shall hunt, kill, molest, harm, frighten, trap, chase, tease, shoot, throw objects at any animal or bird in the Park System, nor shall any person remove or have in his possession any bird, animal or any egg or nest of any animal from any park.

6.2.18 INDECENT CONDUCT

- A. No Person shall commit any indecent, lewd or lascivious act in the Park System or utter any lewd or offensive words within the hearing distance of another person. No Person shall appear in a public place within the Park System in a state of nudity or make any indecent exposure of his or her person or commit any lewd or indecent act or behavior.
- B. A Person also commits the offense of Public Indecency within the Park System when he or she knowingly or intentionally:
1. Engages in sexual intercourse;
 2. Engages in deviate sexual conduct;
 3. Appears in a state of nudity; or,
 4. Fondles the genitals of himself, herself, or another person.
- For purposes of this section, “nudity” means the showing of the human male or female genitals, pubic area, vulva, anus, anal cleft or cleavage with less than a fully opaque covering, the showing of the female breast with less than a fully opaque covering of any part of the nipple, or the showing of the covered male genitals in a discernibly turgid state.

6.2.19 INTRODUCTION AND REMOVAL OF PLANTS, SHRUBS AND TREES

No Person shall bring into or remove from the Park System any tree, shrub, or plant material or any portion thereof except where authorized by Permit.

6.2.20 IMPERSONATION OF A POLICE OFFICER OR OFFICIAL

No Person shall misrepresent himself or herself as a police officer, the Director, an employee or volunteer of the District, or a member of the Board.

6.2.21 LITTER

No Person shall cause, create, throw, discard, leave or by similar means allow Litter within the Park System. No Person within the Park System shall deposit or otherwise allow any article of Litter, trash, refuse, garbage, or any other unwanted item to be thrown, dropped, or otherwise discarded anywhere in the Park System except in public trash receptacles. Where a receptacle is not provided, is missing, or is full, a Person who is responsible for the presence or creation of Litter, trash, refuse, and the like shall remove the same from the Park System and properly dispose of it elsewhere

6.2.22 LOITERING AND OBSTRUCTING TRAVEL

No Person shall set or cause to be set or placed any object or thing, including his or her self, so as to obstruct or restrict the movement of or access to people or vehicles anywhere in the Park System.

6.2.23 PUBLIC ASSEMBLIES

Unless otherwise authorized by Permit, no Person shall call or hold any public meeting or give any concert or public entertainment of any kind.

6.2.24 POLLUTION

No Person shall throw, discharge, or otherwise place or cause to be placed in the Park System's waters in or adjacent to any park or tributary, stream, storm sewer, or drain which flows into such waters, any substance, thing, liquid or solid which would result in the hindrance of the use or pollution of such waters.

6.2.25 RESTRICTED AREAS

No Person shall enter upon any portion of the Park System where entry is prohibited by any posted signage, barricade, fencing, or other barriers. No person, except for children under eight (8) years of age, shall enter into, loiter or remain in any toilet, restroom, bathhouse, pavilion, or structure or

section thereof, anywhere in the Park System that has been designated for the use of the opposite sex.

6.2.26 SELLING, PEDDELING AND SOLICITING

No Person shall offer for exchange or sale any article or thing, hawk, peddle, or solicit or collect or receive contributions of monetary value except where otherwise authorized by Permit.

6.2.27 SLEEPING IN PARKS

No Person shall sleep in the Park System between 10:00 p.m. and 6:00 a.m., except where otherwise authorized by Permit.

6.2.28 SNOWMOBILES AND ALL TERRAIN VEHICLES

No Person shall operate a snowmobile, All-Terrain Vehicles (“ATV”) or other similar conveyances in the Park System except in such areas designated by the Director and approved by the Board.

For purposes of this section, ATV means: any motorized, off-highway device 50 inches or less in width, having a manufacturer’s dry weight of 600 pounds or less, traveling on three (3) or more low-pressure tires, designed with a seat or saddle for operator use, and handlebars or steering wheel for steering control. This section shall not apply to persons operating vehicles or conveyances owned by the Park District or to duly sworn law enforcement officers in furtherance of their duties.

6.2.29 TENTS, COVERS AND TEMPORARY SERVICE

Unless otherwise authorized by Permit, no Person shall construct a tent cover or other structure of any kind whether temporary or permanent anywhere in the Park System, or run any utility into or across any portion of the Park System.

CHAPTER 3: HOURS AND CLOSING

6.3.1 TIMES OF OPERATION

- (A) **Generally.** Except as otherwise provided in this section, or by Permit, no Person shall be in or remain in any portion of the Park System one half hour after sunset and one half hour before sunrise of the following day.
- (B) **Artificial Lighting.** Those properties owned, leased or otherwise controlled by the District for which the District has provided an

artificial lighting system (Washington Pool Park & Washington Park section east of Lincoln Street) shall remain open to the public until one half hour after sunset, unless the artificial lighting is lit, in which case, such area shall remain open to the public until the earlier of either 11:00 p.m. or when the artificial lighting is no longer lit.

- (C) No Person shall enter any part of the Park System when such are closed, nor enter the pool or any building after hours when closed to the public, unless otherwise authorized by Permit.

CHAPTER 4: MOTOR VEHICLES

6.4.1. DRIVING AREAS

No Person shall use or operate any vehicle upon any portion of the Park System other than designated roadways and parking areas except when otherwise authorized by Permit.

6.4.2 SPEED LIMITS

No Person shall drive any motor vehicle within the Park System at a speed greater than 10 M.P.H. unless otherwise posted.

6.4.3 PARKING

No Person shall park a vehicle within the Park System in any of the following places:

- (A) Sidewalks;
- (B) On the grass or any area not established or designated as a parking area;
- (C) In front of a driveway or entrance;
- (D) Within an intersection;
- (E) Within twenty (20) feet of a fire hydrant;
- (F) On a crosswalk;
- (G) Within twenty (20) feet of a crosswalk at an intersection;
- (H) Within thirty (30) feet upon approach to any flashing beacon, stop sign, or traffic control device located at the side of the roadway;
- (I) on the roadway side of any vehicle parked at the edge or curb of a street;
- (J) At any place where no parking signage is posted;
- (K) In a manner that obstructs or interferes with traffic;
- (L) Upon any portion of the Park System after the close of the park to the public;

- (M) In any space designated for Handicapped parking, unless such vehicle is identified by displaying a valid permit, placard, or plate.

6.4.4 PARKING PENALTIES

- (A) Whenever any vehicle shall have been parked in violation of any section of this Ordinance prohibiting or restricting vehicular standing or parking, the Person in whose name the Vehicle is registered with the Secretary of State of Illinois shall be prima facie responsible for the violation and subject to the penalty therefore.
- (B) Whenever any Vehicle is parked in violation of any parking provision of this Ordinance, the Director, a member of the Board, an employee of the District, or any law enforcement officer observing such violation may issue a parking violation notice, and serve the notice on the owner of the Vehicle by handing it to the operator of the Vehicle, if he is present, or by affixing it to the Vehicle in a conspicuous place. The issuer of the notice shall specify on the notice the issuers identification, the particular parking regulation violated, the make and state registration number of the cited Vehicle, and the date, time, and place of the violation. The issuer shall also sign the notice.
- (C) Any person, firm or corporation violating any provision of this chapter for which another penalty is not provided shall be fined not less than \$75.00 nor more than \$750.00 for each offense. Each day a violation of this chapter shall continue shall constitute a separate offense.
- (D) Any person, firm or corporation accused of a violation of this chapter may settle and compromise the claim against him or her for such illegal parking by paying in person, or by mail, to the City of Washington, Illinois the following amount prior to the filing of a Complaint in the Circuit Court: within seven (7) days of the date of the offense, the sum of \$20.00; after seven (7) days but within fourteen (14) days of the date of the offense, the sum of \$40.00; after fourteen (14) days but prior to the filing of a Complaint in the Circuit Court, the sum of \$60.00; and after the filing of a Complaint in the Circuit Court, such sum as otherwise provided herein. Such payment may be made at the office of the City Clerk of the City of Washington, Illinois. A receipt shall be issued for all monies so received, and such monies shall be promptly turned over to the City Treasurer. Members of the Police Department are authorized to refrain from instituting prosecution for the alleged defenses involved where the person accused of the violation referred to above in this Section has settled and compromised a claim against him or her in accordance with this Section.

However, this Paragraph (D) shall not apply to persons parking a vehicle so as to obstruct the entrance or exit to any place where police or fire department apparatus or other emergency equipment is kept or housed, or so as to block an emergency entrance to a hospital. Nor shall this Paragraph (D) apply to any person charged with parking a vehicle so as to entirely obstruct traffic in any street or alley, or parking in such a way as to reduce traffic on an arterial street to one-way traffic only; or to any person who refuses to move a vehicle illegally parked at the request of any duly sworn law enforcement officer.

6.4.5 ENFORCEMENT OF TRAFFIC REGULATIONS

No Person shall fail to obey law enforcement, a member of the Board, Director, District employee or volunteer who is directing traffic or enforcing sections of this Chapter within the Park System.

CHAPTER 5: PENALTIES AND FINES

6.5.1 RULES, REGULATIONS AND CONDUCT

Each actor, instance, or thing in violation of this Ordinance shall constitute a separate offense. Where such an act, instance, or thing is ongoing, each day any violation shall continue shall also constitute a separate offense. Any Person violating any clause or provision of this Ordinance shall be fined in an amount not less than Twenty Five Dollars (\$25.00) nor more than Seven Hundred Fifty Dollars (\$750.00) for each offense.

Any Person violating any clause or provision of Chapter Four Title Six of this code shall be fined in accordance with Chapter 11 of the Illinois Vehicle Code as may be from time to time amended.

Any duly sworn member of law enforcement for the City of Washington, Tazewell County, or the Illinois State Police may enforce the provisions Illinois law anywhere within the Park System where authorized by the relevant law to do so. Any duly sworn member of law enforcement for the City of Washington may enforce the provisions of the City of Washington's ordinances in any section of the Park System located within the corporate limits of the City of Washington.

CHAPTER 6: PERMITS**6.6.1 APPLICATION FOR PERMIT**

- (A) A permit may be granted by the District upon proper application and approval where an applicable section of this Ordinance or any other policy, rule, or regulation provides for the issuing of a Permit in order to engage in a particular activity.
- (B) Every Person requesting a Permit shall complete and file a written application with the Director or his designee at least four weeks before the activity for which the Permit is sought. Applications shall be made at the District's Administrative Office, 105 South Spruce Street, Washington, Illinois 61571. Such application shall state:
 - 1. The name, address, and phone number of the Person seeking a Permit;
 - 2. The section(s) a Person seeks exception from through the requested Permit;
 - 3. The number of Persons the Permit shall apply to;
 - 4. Where within the Park System the Permit shall apply; and,
 - 5. The date and time for which the Permit is sought.
- (C) The District may, but need not, consider applications for a Permit that are not timely filed.

6.6.2 GRANT & USE OF A PERMIT

- (A) Generally, the District shall review and decide upon a request for Permit within seven business days of the request. However, where the District requires additional time to review an application, it will notify the applicant within seven business days of the request.
- (B) The District may decide whether to deny an application for any reason, some of which include:
 - 1. The proposed activity violates any federal, state, local, or District law, rule, or regulation;
 - 2. The proposed activity cannot reasonably be accommodated;
 - 3. The proposed activity would substantially impair the operation or use of facilities or services of the District; or
 - 4. The proposed activity is prohibited by, or inconsistent with, the classifications or permitted uses of the Park System.
- (C) If the application is granted, the District shall issue a written Permit to the applicant; if denied, the District shall issue the applicant a written notice stating briefly the reasons why.

- (D) Any Permit granted by the District may contain prerequisites to the issuing of the Permit and restrictions on the conduct of the permitted activity, including, without limitation: general liability insurance coverage; an agreement to fully indemnify and hold the District harmless from any liability or costs resulting from the activity; time, duration, and location restrictions; and a restoration deposit.
- (E) The District may make necessary changes or place necessary additional restrictions on a Permit after it has been issued.
- (F) Violation of a Permit's terms and conditions may result in its suspension or revocation.