

**Part III: Section I  
CONDUCT ORDINANCE**

## SECTION I. CONDUCT ORDINANCE

### 1.00 SHORT TITLE

- .01 - This Ordinance regulating conduct in the Pleasure Driveway and Park District of Peoria, Illinois, providing for enforcement and providing penalties for the violation of its provisions, shall be known and may be cited as the *Conduct Ordinance of the Peoria Park District*.

### 2.00 DEFINITIONS

- .01 - For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future; words in the plural number include the singular number; and words in the singular number include the plural number. The word "*Shall*" is always mandatory and not merely directory.
- (A) "*Park District*" is The Pleasure Driveway and Park District of Peoria, Illinois.
  - (B) "*Park Board*" is the Board of Trustees of The Pleasure Driveway and Park District of Peoria, by whom all policy matters are established pertaining to the Park District.
  - (C) "*Executive Director*" is the person designated by the Board to administer policies established by the Park Board.
  - (D) "*Supervisor*" is the person immediately in charge of any park area or department and its activities and to whom all park attendants of such area or department are responsible.
  - (E) "*Park*" is a park, playfield, playground, pool, golf course, recreation center, or any other area or facility in the Park district, owned or used by the Park District, and devoted to active or passive recreation.
  - (F) "*Person*" is any person, firm, partnership, association, corporation, governmental unit, company or organization of any kind.
  - (A) "*Police Officer*" is a duly appointed and acting Law Enforcement Officer of the Park District or other governmental unit acting under the authority and provisions of an intergovernmental agreement with the Park District.
  - (H) "*Vehicle*" is any wheeled conveyance, whether motor-powered or self-propelled. The term shall include any trailer in tow of any size, kind or description. Exception is made for baby carriages and vehicles in the service of the Park District.

### 3.00 GENERAL PARK DISTRICT POWERS

- .01 - State-Enabling Laws for Park District Apply
- (A) No person in a park shall fail to comply with penal ordinances of Park Districts as empowered by the *PARK DISTRICT CODE* which states that the members of the Park Board and all police officers appointed by them shall be conservators of the peace within and upon such parks, boulevards, driveways, and property controlled by such park district, and shall have power to make arrests in view of the offense, the same manner as the police in cities organized and existing under the general laws of the State.

.02 - Auxiliary Police Officers

- (A) The Peoria Park District has established a police department as authorized by Section 4-7 of the Park District Code, and is authorized to have auxiliary police officers as prescribed by state statute.

As required by the Illinois Law Enforcement Training and Standards Board, the Peoria Park District must specify the duties and powers of the Park District's auxiliary police unit.

The Peoria Park District has created an auxiliary police unit for the purposes of assisting park officers with traffic control within the Park District, to aid in control of natural or man-made disasters, and to aid in case of civil disorder as directed by the Chief of Park Police. Such auxiliary police officers do not possess and shall not exercise "conservator of the peace powers." Auxiliary police officers will be appointed by the Chief of Park Police and shall be under the direction and control of the Chief of Park Police.

4.00 PARK PROPERTY

.01 - Buildings and Other Property

- (A) Disfiguration and Removal:

- (1) No person in a park shall willfully deface, disfigure, tamper with or displace or remove any buildings, bridges, tables, benches, barricades, fireplaces, paving or paving material, water lines or other public utilities or parts or appurtenances thereof, signs, notices or placards whether temporary or permanent, equipment, facilities on park property or appurtenances whatsoever, either real or personal.

- (B) Restrooms and Washrooms:

- (1) No person in a park shall fail to cooperate in maintaining restrooms and washrooms in a neat and sanitary condition. No person over the age of four (4) years shall use the restrooms and washrooms designated for the opposite sex.

- (C) Smoking Restrictions for Park Facilities

- (1) In compliance with the Smoke Free Illinois Act (410 ILCS 82/1, *et seq.*) (the "Act"), no person shall smoke in any indoor public place or within 15 feet of any entrance, exit, window that opens, or ventilation intake that serves an enclosed area where smoking is prohibited under the Act so as to ensure that tobacco smoke and electronic cigarette emission does not enter the area through entrances, exits, open windows, or other means.

- (2) In addition to indoor public places, this smoking restriction applies to:

- a) Enclosed or partially enclosed sports arenas, or other similar places where members of the general public assemble to engage in physical exercise or participate in athletic competitions or recreational activities or to witness sports, cultural, recreational, or other events; and
- b) Any vehicle owned, leased or operated by the Peoria Park District; and
- c) Peoria Park District playgrounds; and
- d) Peoria Park District shelters

- (3) As used herein, the following terms shall be defined as follows:
- a) "Smoke" or "smoking" shall have the meaning ascribed to those terms in the Smoke Free Illinois Act, and shall also include the use of any electronic cigarette.
  - b) "Electronic Cigarette" means any electronically actuated device which in operation causes the user to exhale any smoke, vapor, or other substance other than those produced by unenhanced human exhalation. "Electronic cigarette" includes any such device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or under any other product name or descriptor. "Electronic cigarette" does not include any asthma inhaler or other device that has been specifically approved by the United States Food and Drug Administration.
  - c) "Playground" means an area used for outdoor play or recreation especially by children and containing recreational equipment.

(D) Removal of Natural Resources:

- (1) No unauthorized person shall dig or remove any beach sand, whether submerged or not, or any soil, rock, stones, trees, shrubs or plants, down-timber or other wood or materials, or make any excavation by tool, equipment, blasting, or other means or agency.

(E) Erection of Structures:

- (1) No unauthorized person shall construct or erect any building or structure of whatever kind, whether permanent or temporary in character, or run or string any public service utility into, upon, or across such lands, except on special written permit issued hereunder.

.02 - Trees, Shrubbery, Lawns

(A) Injury and Removal:

- (1) No unauthorized person shall damage, cut, carve, transplant, or remove any tree or plant or injure the bark, or pick the flowers or seeds of any tree or plant. Nor shall any unauthorized person attach any rope, wire, or other contrivance to any tree or plant. An unauthorized person shall not dig in or otherwise disturb grass areas, or in any other way injure or impair the natural beauty or usefulness of any area.

(B) Climbing Trees, Etc.:

- (1) No person in a park shall climb any tree or walk, stand or sit upon monuments, vases, fountains, railing fences or gun carriages or upon any other property not designated or customarily used for such purposes.

(C) Spray or Disseminate Toxic Substances:

- (1) No unauthorized person shall spray or disseminate any toxic substance for pest control or any other purpose.

.03 - Encroachments

(A) Encroachments Prohibited:

- (1) No unauthorized person shall erect any structure, make any improvement, injure, disturb or alter, park or store any vehicles or place any property of any kind for storage or otherwise, or use park property as a means of gaining access to or from private property without obtaining written permission and complying with the requirements of Section 18.00, et seq. of this Conduct Ordinance.

.04 - Wild Animals, Birds, Etc.

(A) Hunting:

- (1) No person while on park property shall hunt, molest, feed, harm, frighten, kill, trap, chase, tease, shoot, throw missiles, destroy, capture, gig, spear, lure or release any animal, bird, fish, reptile, amphibian, crayfish or mussels nor shall any person remove or have in their possession the young of any wild animal or the eggs, nest or young of any bird, fish, reptile, amphibian, crayfish or mussel.
- (2) Except as part of normal Park District operation, it shall be unlawful to sell or barter or offer to sell or barter, buy or barter, or offer to buy or barter, or ship in any way any animal, reptile, bird, fish, amphibian, crayfish or mussel.
- (3) No person shall fish in any body of water owned or under control of the Peoria Park District, where fishing is permitted, without the proper license required by the State of Illinois.
- (4) No person in a park shall hunt, trap or pursue wildlife at any time. No person shall use, carry or possess firearms of any description, or air rifles, spring guns, bow and arrows, slings or other forms of weapons potentially inimical to wildlife and dangerous to human safety, or any instrument that can be loaded with fire blank cartridges, or any kind of trapping device. Shooting into park areas from beyond park boundaries is forbidden. Exceptions are at designated ranges set aside for such purposes under strict regulations set forth for that particular activity.

5.00 SANITATION

.01 - Pollution of Waters

- (A) No person in a park shall throw, discharge, or otherwise place or cause to be placed in the waters of any 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 of said waters.

.02 - Refuse or Trash

- (A) No person in a park shall have brought in or dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, or refuse or other trash. No such refuse or trash shall be placed in any waters in or contiguous to any park, or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where they are provided; where receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.

.03 - Dispensing Liquids

- (A) No person in a park shall dispense liquids in glass containers to groups or individuals.

6.00 TRAFFIC

.01 - State Motor Vehicle Laws Apply

- (A) No person in a park shall fail to comply with all applicable provisions of the State Motor Vehicles Traffic Laws in regard to equipment and operation of vehicles together with such regulations as are contained in this and other ordinances.
- (B) It shall be a Park District ordinance violation to violate any section of the Illinois Vehicle Code, 625 ILCS 5/1-100 et seq. Any violation of the Illinois Vehicle Code shall be prosecuted in accordance with said Code.

.02 - Enforcement of Traffic Regulations

- (A) No person in a park shall fail to obey all traffic officers and park employees who are authorized and instructed to direct traffic whenever and wherever needed in the parks in accordance with the provisions of these regulations and such supplementary regulations as may be issued subsequently by the Executive Director.

.03 - Obey Traffic Signs

- (A) No person in a park shall fail to observe carefully all traffic signs indicating speed, direction, caution, stopping, parking, cross walk lanes, traffic lane markers, and all other signs approved by the Executive Director, for proper control for safeguarding life and property.

.04 - Speed of Vehicles

- (A) No person in a Park shall ride or drive a vehicle in excess of the posted speed limit. Speed limits in Parks shall be designated by posted signs, but in the absence of a posted sign, no person in a Park shall ride or drive a vehicle in excess of 20 miles per hour. Subject to paragraph (B) below, the Executive Director may designate faster or slower speeds by posted signs on certain streets.
- (B) The Board of Trustees may, from time to time, specifically designate Park Zone Streets, as defined in and in accordance with Section 11-605.3 of the Illinois Vehicle Code, 625 ILCS 5/11-605.3.

.05 - Operation Confined to Roads

- (A) No unauthorized person shall drive any vehicle on any area except the paved park roads or parking areas, or such other areas as may on occasion be specifically designated as temporary parking areas by the Executive Director.

.06 - Reckless Driving

- (A) No person in a park shall drive any vehicle in a reckless manner.

.07 - Parking

- (A) Designated Areas:
  - (1) No unauthorized person shall park a vehicle in other than an established or designated parking area, and such shall be in accordance with the posted directions, markings, or directions of any attendant present.
  - (2) No unauthorized person shall park a vehicle in a designated handicapped parking zone, which shall be in accordance with the posted directions, markings, or directions of any attendance present.
- (B) Congesting Driveway:
  - (1) No unauthorized person shall park a vehicle upon a driveway in such a manner or under such conditions as to leave available less than 20 feet of the width of the driveway for free movement of vehicular traffic, except any one-way driveway such limitations shall be 10 feet.
- (C) Double Parking:
  - (1) No unauthorized person shall double park any vehicle on any driveway unless directed by a park official or temporarily discharging passengers.
- (D) Parking Time Limitations:
  - (1) No unauthorized person shall park longer than the specified time designated by signs or by verbal instruction by an attendant present.
- (E) All Night Parking:
  - (1) No unauthorized person shall park on any driveway or in any parking area between the hours of 11:00 P.M. and 6:00 A.M. of any day.
- (F) Immovable Objects:
  - (1) No person shall leave any vehicle anywhere in the park more than 24 hours due to a mechanical failure. (At the end of this period the vehicle will be towed away at the owner's expense.)
- (G) Stopping in Specific Places:
  - (1) No unauthorized person shall stop, stand, or park a vehicle in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or authorized traffic sign or signal:
    - (a) In an intersection.
    - (b) In a cross walk.
    - (c) Upon a bridge.
    - (d) Within twenty (20) feet of an authorized traffic signal or boulevard stop sign, or curb line on the approaching side.
    - (e) At any curb within fifteen (15) feet of a fire hydrant.

- (f) At any place where the standing of any vehicle will block the use of any driveway.
- (g) On any sidewalk.
- (h) Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic.
- (i) On the driveway side of any vehicle, stopped or parked at the edge or curb of a driveway.
- (j) At any place where authorized traffic signs have been erected prohibiting stopping, standing, or parking.
- (k) Parking lights must be lighted when vehicle is parked and is occupied.

.08 - Muffler Required

- (A) No person in a park shall fail to use a muffler adequate to deaden the sound of the engine in a motor vehicle.

.09 - Gas and Smoke

- (A) No person in a park shall operate a vehicle which emits excessive noxious fumes or dense smoke.

.10 - Pedestrian Right-of-Way

- (A) No person in a park shall fail to yield right-of-way to a pedestrian crossing the driveway within any cross walk as defined herein, except where movement of traffic is being regulated by police officers or authorized traffic signals.
- (B) No person in a park shall fail to stop behind such a vehicle that has stopped to permit a pedestrian to cross a driveway.
- (C) No person in a park shall fail to yield right-of-way to a vehicle moving across driveway which is not marked for cross walk.

.11 - Pedestrian Rights and Duties at Controlled Intersection

- (A) No person in a park shall fail to yield right-of-way to pedestrians crossing or who have started crossing on a green, or "Go," signal, or on such special signs or signals as designate pedestrian right-of-way.

.12 - Turning Around Limitations

- (A) No unauthorized person shall turn a vehicle so as to proceed in the opposite direction in any driveway in the parks except at an intersection street, and then only when such turns are not prohibited by appropriate signs.

.13 - Operator Signals

- (A) No person in a park shall abruptly stop or attempt to turn without first giving a suitable signal indicating his/her intention to do so.



.14 - Operation of Certain Vehicles

- (A) No unauthorized person shall enter or pass along the park driveway with a pleasure vehicle, truck or other vehicle carrying building materials, merchandise, or other materials except when delivering such materials or supplies for the use of the owners or occupants of the property fronting thereon and then shall enter and leave the park driveway at the nearest point to the property where such supplies and materials are to be delivered.

.15 - Gross Weight of Vehicles

- (A) No vehicle exceeding four (4) tons gross weight shall enter or pass along the park driveways and roads without proper authorization.

.16 - Soliciting Persons for Immoral Purposes

- (A) No operator of a motor vehicle shall solicit persons in the parks for immoral purposes

.17 - Sirens and Sound Signaling Devices

- (A) No operator of a motor vehicle shall fail to equip his vehicle with a good and sufficiently audible signaling device in efficient working condition, however, the use of siren sounding devices or other types of signaling devices in violation of Subsection 7.01(3)(A) is prohibited.

.18 - Driver Age Limit

- (A) No person in a park shall operate or drive a vehicle who is under sixteen (16) years of age, unless they have an instruction permit, are enrolled in an approved driver education course, are under the supervision of a parent or adult age 21 or older with a valid driver's license, and are not driving within the nighttime driving restriction period as outlined in the State of Illinois Graduated Driver License Program.

.19 - Drivers and Passengers - Under the Influence or Possession

- (A) No person in a park shall operate or attempt to operate a motor vehicle while under the influence of alcohol or any other illegal drug or combination thereof.
- (B) No person in a park operating a vehicle shall permit a passenger in the vehicle to use or possess any alcoholic beverage or any controlled substance, as defined by Illinois law.

.20 - Duty of Operator in Accidents

- (A) No operator of a motor vehicle in a park shall leave the scene of collision with another vehicle, person or property without ascertaining the extent of such injury or damage; leave the scene without rendering such assistance as may be needed; without giving his/her true name and residential address to the police officer requesting the same. (In the event there is no police officer present, the individual must immediately report the occurrence to the nearest police station or police headquarters.)

.21 - Towing of Disabled Vehicles

- (A) No operator of a motor vehicle in a park shall tow any motor vehicle upon any driveway if the connection is so arranged that the towing vehicle and the vehicle being towed are separated by more than eight (8) feet or tow the disabled vehicle at a rate of speed in excess of fifteen (15) miles an hour. (If the vehicle is being towed at night, warning lights must be attached to such disabled vehicle so as to be visible to anyone approaching such vehicle from either side or the rear thereof.)

.22 - Brakes

- (A) No person shall operate any motor vehicle in the park system unless said vehicle is equipped with good and sufficient brakes in efficient working condition, or to operate any vehicle which is so loaded that the operator does not have access to all the mechanisms operating the brakes of said vehicle.

.23 - Anti-Skid and Non-Slip Devices

- (A) No person shall operate a motor vehicle in the parks with chains or studs which will damage the pavement.

.24 - Width of Vehicle Load

- (A) No person shall operate a motor vehicle in the parks to exceed eight (8) feet and six (6) inches in width.

.25 - Warning Signal on Projecting Loads

- (A) No person shall operate a motor vehicle in the parks between the hour of sunrise and one hour after sunset having a load projecting more than four (4) feet beyond the rear of the body of said vehicle, unless a red cloth not less than eighteen (18) inches square be firmly attached to the extreme end of the projecting load, in such a way as to be seen by persons approaching from either side at the rear of said vehicle. During the period from one hour after sunset to the hour of sunrise of the next day, any such vehicle must have a red light firmly attached to the rear end of such projecting load. Such red light shall be in addition to any other requirements of this Ordinance.

.26 - Riding Outside Vehicles

- (A) No person in a park shall ride upon, or hang onto, the fenders or any other outside part of any vehicle.

.27 - Repairs to Vehicles

- (A) No person in a park shall change any parts or make repairs of any kind to any vehicle, except such emergency repairs necessary to remove such vehicle therefrom. (Such emergency repairs shall be made only at the right-hand of the driveway.)

.28 - Light Maintenance to Vehicles

- (A) No person in a park shall change the oil, grease or wash a vehicle.
- (B) A person in a park may polish his vehicle, provided all debris and litter is disposed of properly.

.29 - Bicycles

- (A) Bicycle operators and the operation of bicycles are subject to the State of Illinois Vehicle Code.

.30 - Motorcycles, Motorbikes, Go Carts and Other Motor Driven Vehicles, Not Including Trucks or Automobiles

- (A) Operation:
  - (1) No such vehicle shall be operated within any park except on designated roadways.

(B) Traffic Regulations:

- (1) All provisions under 6.00 Traffic shall apply to these vehicles.

.31 - Skateboards Prohibited

- (A) No person shall ride a skateboard or cause or permit same to roll or coast within any recreational area, parking lot, facility, or on any sidewalk or roadway in a park except in areas specifically designated for such activity.

.32 - Golf Carts on Park District Streets

(A) Definitions:

For purposes of this chapter, "golf cart" means a vehicle specifically designed and intended for the purposes of transporting one or more persons and their golf clubs or maintenance equipment while engaged in the playing of golf, supervising the play of golf or maintaining the condition of the grounds of a public or private golf course.

(B) Limitation on Operation:

Except as otherwise provided in this Ordinance, it shall be unlawful for any person to drive or operate a golf cart on any street or highway under the jurisdiction of the Park District. Subject to the limitations set forth in this chapter, any person with disabilities (as defined in 625 ILCS 5/1-159.1) with a valid driver's license may request the Park District to operate a golf cart on any street or highway under the jurisdiction of the Park District. Any such request will be reviewed by the Park District and based upon the volume, speed and character of the traffic on the roadway, the Park District will decide whether a golf cart can be safely operated on the roadway. Any permission granted by the Park District to operate a golf cart on a roadway of the Park District will specifically designate the portions of the roadway where the golf cart may be operated. This section shall not be construed as granting permission for any person operating a golf cart to drive upon or cross any street or highway under the jurisdiction of The City of Peoria, The Village of Peoria Heights, or Peoria County, or to drive upon or cross any street or highway under the jurisdiction of the Illinois Department of Transportation. Prior to operating the golf cart on any street or highway under the jurisdiction of the Park District, the person operating the golf cart shall provide the Park District with a written statement from a licensed physician to the effect that the operator is able to safely operate the golf cart upon the roadways of the Park District in a fashion that would not be inimical to the public safety or the safety of the operator or his/her passengers. Golf carts may not be operated on Grandview Drive south of the Upper Grand View Drive Park entrance.

(C) Safety Equipment:

No golf cart may be operated on a street or highway under the jurisdiction of the Park District unless, at a minimum, it has the following safety equipment:

- (1) Brakes;
- (2) Steering apparatus;
- (3) Tires;
- (4) Rearview mirror;
- (5) Red reflectorized warning devices on the front and rear;
- (6) A slow moving emblem (as required of other vehicles by 625 ILCS 12-709) on the rear of the golf cart;
- (7) A headlight that emits a white light visible from a distance of at least five hundred feet (500') to the front;
- (8) A taillamp that emits a red light visible from a distance of at least one hundred feet (100') from the rear;
- (9) Brake lights; and
- (10) Turn signals.

(11) Seat belts for driver and all passengers.

(A) Regulations Specifically Applicable to Golf Carts:

When on a street or highway under the jurisdiction of the Park District, a golf cart shall be operated in accordance with the following regulations:

(1) The golf cart shall have its headlights and taillamps lighted at all times.

(B) Any person operating a golf cart as authorized in this chapter shall travel on the street or highway in the same direction as traffic and as near the right side of the roadway as possible.

(C) Except as otherwise provided in this chapter, any person operating a golf cart on streets or highways under the jurisdiction of the Park District shall obey any and all traffic regulations set forth in either the Park District's Conduct Ordinance or in the Illinois Vehicle Code.

(D) The golf cart, driver and passengers shall be covered with either automobile insurance to the extent required by state law or by comprehensive general liability insurance with a combined single limit of Two Hundred Fifty Thousand Dollars (\$250,000.00).

7.00 NOISE

.01 - Making and Creation of Noise

(A) The making and creation of excessive, unnecessary or unusually loud noises within the limits of Peoria Park District, emanating from the use and operation of automobiles, motorcycles and similar vehicular devices, radios, amplifiers (e.g., loud speakers, bull horns, etc.), musical instruments and other such electronic devices, is a condition which is increasing and it is deemed necessary in the public interest to enact the provisions and prohibitions hereinafter contained and enacted. Further, it is declared as a matter of legislative determination and public policy that this Ordinance is for the purpose of securing and promoting the public health, comfort, convenience, safety, and welfare of the citizens of the Peoria Park District.

(1) Radios, Etc.

(a) No person, without the express written permission of the Executive Director of Parks and Recreation, shall allow or cause to be used or operated any radio receiving set, musical instrument, loudspeaker or other machine or device for the producing or reproducing of sound in such a manner as to disturb the peace, quiet and comfort of the public or at any time with louder volume than is necessary for convenient hearing for the person who is in the park or vehicle in which such machine or device is operated and who is a voluntary listener thereto.

(b) The operation of any such set, instrument, loudspeaker, machine or device in such a manner as to be plainly audible at a distance of 50 feet from the building, structure, vehicle or place in which it is located shall be prima facie evidence of a violation of this section.

(2) Sound Advertising Devices

(a) No person, without the express written permission of the Executive Director of Parks and Recreation, shall make or cause, permit or allow to be made any noise of any kind, by means of any radio, musical instrument, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound, for the purpose of commercial advertising or attracting the attention of the public to any building, structure or portion of Park District property..

- (b) No person shall operate or cause to be operated any motor vehicle or horse-drawn vehicle, having mounted thereon or attached thereto any machine or device for the amplification of the human voice, music or any other sound for commercial sound advertising purposes in the Park District with such sound-amplifying equipment in operation.

(3) Horns or Signaling Devices on Vehicles

- (a) No person shall allow or cause to be blown any horn or signalling device on any automobile, motorcycle, bus or other vehicle in any public park, except as a danger warning; the creation by means of any such signalling device of any unreasonably loud or harsh sound, the sounding of any such device for an unnecessary and unreasonable period of time; the use of any signalling device except one operated by hand or electricity; the use of any horn, whistle or other device operated by engine exhaust; the use of any such signalling device when traffic is for any reason held up.

(4) Motor Vehicle Mufflers

No person shall operate any motor vehicle within the Park District unless such motor vehicle is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise or annoying smoke. For the purpose of this section, if sound in excess of the sound limit set forth in this subsection shall emanate from a vehicle, such evidence shall constitute and be admitted as prima facie evidence that it was producing excessive or unusual noises. Evidence that a vehicle was emanating sound of less than the sound limit shall be relevant evidence, but not given prima facie effect, in determining whether or not such vehicle was emanating excessive or unusual noises.

(5) Noisy Operation

- (a) No person shall operate any vehicle within the Park District which makes an unusually loud or unnecessary noise.

(6) Tire Noise

- (a) No person shall operate a motor vehicle within the Park District in such a manner as to cause or allow to be emitted squealing, screeching or other such noise from the tires in contact with the ground because of rapid acceleration or deceleration, except where such acceleration or deceleration is necessary in an emergency situation to avoid imminent danger.

(B) Definitions

- (1) For the purpose of this subsection, the following words and phrases shall have the meanings respectively ascribed to them in this subsection:

- (a) "*Decibel*" means a unit of measurement of the intensity (loudness) of sound. Sound level meters which are employed to measure the intensity of sound are calibrated in decibels.

- (b) "*Muffler*" means any device used upon a motor vehicle, whose purpose is the deadening of combustion noises of any engine thereon or the deadening of any other motor noises, including but not limited to the noise of exhaust gases or any other mechanical device for the deadening of the noise and intake of gases upon a motor vehicle.

- (c) "Sound level meter" means an instrument standardized by the American Standards Association for measurement of intensity of sound, namely, Z24.3-1944.
- (d) "Sound limits" means all sound emanating from any source, measured upon the "A" weighing scale of a second level meter, in excess of the decibels measured at the distances specified shown below. The distances shall be measured from the source of the sound. With regard to motor vehicles, the distances shall be measured from the right rear wheel of the propelling unit of the vehicle in motion as it passes the sound level meter:

<u>Distance in Feet</u>	<u>Maximum Permitted Sound Level in Decibels</u>
50	85
45	86
40	87
41	

<u>Distance in Feet</u>	<u>Maximum Permitted Sound Level in Decibels</u>
35	88
30	89.5
25	91
20	93
15	95.5

8.00 BEHAVIOR

.01- Intoxicating Beverages and Controlled Substances

- (A) No person shall use, possess or be under the influence of any alcoholic beverages on any park property, unless specifically excepted by action of the Board or permission of the Executive Director, and no person shall sell, give, deliver or otherwise make available any alcoholic beverage to another person under the age of 21 years.
- (B) No person shall enter or remain on any park property under circumstances where the person knows or reasonably should know that alcoholic beverages are being or will be used, possessed or consumed on park property. For purposes of this subsection, there shall be a presumption of "reasonable knowledge" where an individual is within 25 feet of another who is using, possessing or consuming alcoholic beverages on any park property.
- (C) No person shall use, possess or be under the influence of any controlled substance, as defined in the "Controlled Substance Act" [720 ILCS 570/100 ET.SEQ.] or of cannabis, as defined in the "Cannabis Control Act" [720 ILCS 550/1 ET.SEQ.] on park property.
- (D) Any person convicted of any violation of the provisions of Sections 8.01 (A) or 8.01 (B) of this Ordinance shall be fined not less than \$200.00 nor more than \$500.00 for each violation.

.02 - Fireworks, Explosives or Rockets

- (A) No unauthorized person shall bring or have in his/her possession or set off or otherwise cause to explode or discharge or burn, any firecrackers, torpedo, other fireworks or explosives of inflammable materials, or any type of rocket or model rocket, or discharge, launch or throw them into any such areas from land or highway adjacent thereto. This prohibition includes any

substance, compound, mixture, or article that in conjunction with any other substance or compound would be dangerous from any of the foregoing standpoints.

.03 - Reservation of Facilities

- (A) No unauthorized person shall enter into or remain in any pavilion or park structure or section thereof which has been reserved by the Peoria Park District administrative office for a specific individual or group.

.04 - Alms

- (A) No person in a park shall solicit alms or contributions for any purpose, whether public or private, unless so authorized in writing by the Executive Director of Parks and Recreation.

.05 - Fires

- (A) No unauthorized person in a park shall build or attempt to build a fire except in such areas and under such regulations as may be designated by the Executive Director. No person shall drop, throw, or otherwise scatter lighted matches, burning cigarette or cigars, tobacco paper, charcoal briquette ashes, or other inflammable material, within any park area or on any highway, road or street abutting or contiguous thereto.

.06 - Closed Areas

- (A) No unauthorized person in a park shall enter an area posted as "Closed to the Public," nor shall any person use or abet the use of any area in violation of posted notices.

.07 - Games of Chance

- (A) No person in a park shall gamble or participate in or abet any game of chance, except for raffles with written permission of the Executive Director.

.08 - Going Onto Ice

- (A) No person in a park shall go onto the ice on any of the waters except such areas as are designated as skating areas, and provided a safety sign is displayed.

.09 - Loitering and Boisterousness

- (A) No person in a park or facility shall engage in loud, boisterous, threatening, abusive, insulting or indecent language, or engage in any disorderly conduct or behavior tending to a breach of the public peace.

.10 - Domestic Animals

- (A) No person shall bring a dog or other domestic animal into the parks, unless it be restrained at all times on an adequate leash not greater than six (6) feet in length, or suitable training lead. Once inside the gates of a specifically identified dog park located on Park District property, dogs must be unleashed and the owner/handler of such dog shall abide by and follow all posted rules of the dog park. No owner or handler of a dog using Park District dog park facilities shall allow his or her dog to show aggression toward or attack people or other dogs.
- (B) No person shall bring any dog, cat, domestic animal, or pet into the Peoria Zoo, the George L. Luthy Memorial Botanical Garden and Conservatory, the Glen Oak Bio Center and Forest Park Nature Center.

- (C) Seeing eye dogs or other service animals used by an individual with a disability or the use and enjoyment of the activity or program will be permitted, provided the use of said animal does not cause excitability in the zoo animals.
- (D) An owner or handler of a domestic animal shall immediately clean-up and dispose of his or her animal's waste. All animal waste shall be sealed in a bag and disposed of in a garbage can or other designated receptacle.

.11 - Exhibition Permits or Letter of Permission

- (A) When the Executive Director has issued a permit or a letter of permission under Section 11.04 of this Ordinance or any other section which authorizes the Executive Director to issue a permit or give permission for an activity or use, or any other section which prohibits an activity or use without the written permission of the Executive Director, the recipient of the permit or letter of permission must keep that permit or letter available for inspection and production throughout the activity or use. Failure to produce such permit or letter of permission upon the request of any authorized person or police officer who desires to inspect it for the purpose of enforcing compliance with any ordinance or rule of the District shall be a violation of this Ordinance just as if the permit were not issued or the permission had not been given.

.12 - Indecent, Lewd or Obscene Conduct

- (A) No person shall perform any of the following acts in a place where the conduct may reasonably be expected to be viewed by others:
  - (1) an act of sexual intercourse; or
  - (2) an act of deviate sexual conduct; or
  - (3) a lewd exposure of the body or any of its parts with the intent to shock another person or the intent to arouse or satisfy the sexual desires of another person; or
  - (4) a lewd touching, fondling or caressing of the body of another of either sex.
- (B) No person shall commit an "obscenity" nor solicit a sexual act from another. Where applicable, the terms in this Section shall have the meanings of those terms or defined in the Criminal Code of Illinois [720 ILCS 5/1-1 ET.SEQ.]

.13 - Carrying Dangerous Weapons

- (A) No person, except Park Police Officers or other law enforcement officers, shall possess, have or carry any pistol, switchblade, hunting knife, dagger, metal knuckles, bludgeon, karate sticks, slingshot or other dangerous weapon while in the park.

.14 - Firearms and Fireworks

- (A) No person, except Park Police or other law enforcement officers, shall carry firearms of any description, air or gas or spring gun, slingshot or missile throwing device within the park.

.15 - Use of Tobacco Products

- (A) No person under 18 years shall buy, possess or use any cigar, cigarette or tobacco in any of its forms while in the park.

.16 - Soliciting Rides

- (A) No person shall solicit a ride from the operator of any vehicles in the parks.



.17 - Use of Narcotics, Opiates and Hallucinogens

- (A) No person shall use or possess, smoke, drink or have injected into one's self, or otherwise use or possess any type of narcotic drug, opiate or hallucinogen or Controlled Substance within the parks without a valid prescription.

.18 - Possession of Narcotics, Opiate, Hallucinogenic or Controlled Substance Paraphernalia

- (A) No person shall possess instruments or paraphernalia used to smoke, drink, inject, carry or weigh any type of narcotic drug, opiate, hallucinogen or Controlled Substance within the parks without a valid prescription.

.19 - Use of Ethers, Glue or Propellant

- (A) No person shall sniff, breathe or otherwise use in any way other than the intended use by the manufacturer of any type of glue, hair spray, paint or any commercial material or product which contains ether or glue or is propellant for aerosol products.

.20 - Operation of Vehicles Off-Road

- (A) No person shall operate or park a vehicle off the paved roadway or gravel drive unless directed by a police officer or with written permission of the Executive Director of Parks and Recreation.

.21 - Criminal Acts

- (A) No person in a park shall commit any act prohibited by the Criminal Code of the State of Illinois as set forth in Chapter 38 of the Illinois Revised Statutes.

.22 - Entering Waters

- (A) Unless specifically authorized to do so as part of maintenance or construction functions, no person shall enter the waters of any fountain, pond, lake, stream or other body of water (whether natural or artificial, temporary or permanent) on or adjacent to Park District property, except for designated swimming or wading pools and water slides, but the use of such swimming or wading pools and water slides must be in accordance with the specific operating regulations thereof relating to the hours of operation, the conduct, dress, etc., of that facility.

.23 - Curfew

- (A) No person between the ages of 6 and 16 years shall be present on any Park District property between the hours of 9:00 a.m. and 2:30 p.m. on any day on which that person's public or private school is in session.
- (B) No person less than 13 years of age shall be present on any Park District Property between 9:00 p.m. and 6:00 a.m. the following day, on any day of the week.
- (C) Unless otherwise posted, no person shall be present on Park District property between 11:00 p.m. and 5:00 a.m. the following day, on any day of the week.
- (D) Any parent, guardian or other responsible adult who knowingly permits a person in his or her custody or control to violate the provisions of Section 8.23 of this Ordinance shall be found in violation of this Section (D) and, upon conviction shall be fined in accordance with Section (E) herein.

- (E) It is a defense to a violation of any provision of Sections (A), (B) and (D) of Section 8.23 if a person engaged in a prohibited conduct is:
- (1) accompanied by a parent, legal guardian or other person over the age of 18 approved by the parent or legal guardian;
  - (2) participating in, traveling to, or returning from:
    - a. a school related activity;
    - b. a religious event;
    - c. lawful employment
    - d. an emergency involving an imminent threat of serious bodily injury or substantial damage to property;
    - e. an activity protected under the First Amendment to the United States Constitution or Article I, sections 3, 4, and 5 of the Constitution of the State of Illinois;
    - f. an activity conducted by a not-for-profit agency or government entity that provides recreation, education, or training.

A citation may be issued under Section 8.23 if the officer reasonably believes that a violation has occurred and that none of the foregoing defenses apply.

- (F) Any person convicted of any violation of any provision of Section 8.23 of this Ordinance shall be fined \$50.00 for the first violation in any 12-month period; \$75.00 for a second violation alleged to occur in any 12-month period; and \$200.00 for a third or subsequent violation alleged to have occurred in any 12-month period.

## 9.00 USE OF RESTRICTED AREAS

### .01 - Use of Restricted Areas: Golf Courses

- (A) Every player must have individual golf playing equipment. All players shall abide by the rules and regulations posted at each golf course. No person, except Park employees, shall be permitted on a golf course between the times of one-half hour after sunset and one-half hour before sunrise.
- (B) Non-Golfing Persons on Golf Courses
- (1) Non-playing persons are not permitted on Peoria Park District golf courses without the consent of the Park District's Superintendent of Golf or his/her designee. In rendering a decision, the Superintendent of Golf or his/her designee will take into consideration the age and physical ability of the non-player, course conditions, and playing conditions on the course at the time.
- (C) Under Junior Age (3-11 Years of Age) Golfers
- (1) Under junior age golfers will be permitted to play all golf courses in the Peoria Park District if they become certified. To be certified, the under junior age golfer will be required to play a minimum of three (3) holes or maximum of six (6) holes with the Certifying Professional. During this time, the junior golfer will be expected to display his/her knowledge and understanding of the following:
    - (a) Good conduct and ability to keep up with the regular flow of play.
    - (b) Know where to pay his/her green fee.

- (A) Understand that his/her register receipt and validated score card must be presented to the starter and have his/her name entered on the starting sheet.
- (B) Realize when his/her group is behind one full hole that the following group should be invited to play through.
  - (e) Bunkers should be raked when leaving them.
  - (f) Know the rules of play well enough to keep up with the flow of play.
  - (g) To replace divots and repair ball marks on the greens.
- (2) If his/her certification is approved, he/she will be issued an identification card to present when paying green fees as well as having a bag tag issued to identify him/her as a Peoria Park District Under Junior Age Certified Golfer. This will entitle the junior to play during the normal junior hours and at the regular junior green fee, but he/she must be accompanied by a playing adult.
- (3) The above procedures do not apply to Detweiller Golf Course & the Golf Learning Center.

.03 - Use of Restricted Areas: George L. Luthy Memorial Botanical Garden

- (A) The fenced area bounded by Prospect Road on the West, Gift Avenue on the North, Park road on the East and the Glen Oak tennis courts on the South will be known as the George L. Luthy Memorial Botanical Garden. Special restrictions shall apply:
  - (1) No bicycle riding
  - (2) No pets
  - (3) No Frisbee, baseball, football or other sports shall be played.
  - (4) No commercial photography without consent of Luthy Botanical Garden Manager.

10.00 MERCHANDISING, ADVERTISING AND SIGNS

.01 - Vending and Peddling

- (A) No person in a park shall expose or offer for sale any article or thing, nor shall he/she station or place any stand, cart, or vehicle for the transportation, sale or display of any such article or thing. Exception is herein made as to any regularly licensed concessionaire or others, acting by and under the authority and regulation of the Executive Director of Parks and Recreation.

.02 - Advertising

- (A) No person in a park shall announce, advertise, or call the public attention in any way to any article, or service for sale or hire, except when prior authorization in writing is given by the Executive Director of Parks and Recreation or his/her designee.

.03 - Signs

- (A) No person in a park shall paste, glue, tack or otherwise post any sign, placard, advertisement, or inscription whatever, nor shall any person erect or cause to be erected any sign whatever on any public lands or highways or roads adjacent to a park, except when prior authorization in writing is given by the Executive Director of Parks and Recreation or his/her designee.

11.00 PARK OPERATIONS

.01 - Hours

- (A) Except for unusual and unforeseen emergencies, parks shall be open to the public every day of the year during designated hours.
- (B) Unless otherwise posted, hours for general park use shall be from sunrise until 11:00 P.M. The opening and closing hours for each individual park shall be posted therein for public information.

.02 - Closed Areas

- (A) Any section or part of any park may be declared closed to the public by the Executive Director of Parks and Recreation, or his/her designated authority, at any time and for any interval of time, either temporarily or at regular intervals and stated intervals (daily or otherwise) and either entirely or merely certain uses as the Executive Director of Parks and Recreation shall find reasonably necessary.

.03 - Lost and Found Articles

- (A) All park attendants shall report all recovered articles to the Park Police. The Park Police shall make every reasonable effort to find articles reported as lost and locate owners of recovered property (ref. 12.02).

.04 - Permit

- (A) A permit shall be obtained from the Executive Director of Parks and Recreation or a designated authority before reserving park areas or facilities:

(1) Application:

A person seeking issuance of a permit hereunder shall file an application with the Executive Director. The application shall state:

- (a) The name and address of the applicant.
- (b) The name and address of the person or persons, corporation or association sponsoring the activity, if any.
- (c) The day and hours for which the permit is desired.
- (d) The part or portion thereof for which such permit is desired.
- (e) Any other information which the Executive Director shall find reasonably necessary to make a fair determination as to whether a permit should be issued hereunder.

(2) Standards of Issuance:

The Executive Director or the designated authority shall issue a permit when:

- (a) The proposed activity or use of the park shall not reasonably interfere with or detract from the general public enjoyment of the park.
- (b) The proposed activity and use will not reasonably interfere with or detract from the promotion of public health, welfare, safety and other recreation.

- (c) The proposed activity or use is not reasonably anticipated to incite violence, crime or disorderly conduct.
  - (d) The proposed activity will not entail unusual, extraordinary or burdensome expense or police operation by the Park district.
  - (e) The facilities desired have not been reserved for other use at the day and hour required in the application.
  - (f) The required permit reservation and use fee for the area or facility desired has been paid.
- (3) Appeal:
- (a) Within five (5) days after receipt of an application, the Executive Director shall apprise the applicant in writing of the reasons for refusing a permit, and any aggrieved person shall have the right to appeal in writing within five (5) days to the Park Board, which shall consider the application under the standards set forth in subsection (2) hereof and sustain or overrule the Executive Director's decision, at the next regular Park Board meeting. The decision of the Park Board shall be final.
- (4) Effect of Permit:
- (a) A permittee shall be bound by all park rules and regulations and all applicable ordinances fully as though the same were inserted in said permits.
- (5) Liability of Permittee:
- (a) The person or persons to whom a permit is issued shall be liable for any loss, damage or injury sustained by any person of reserving group whatever by reason of the negligence of the person or persons to whom such permit shall have been issued.
- (6) Revocation
- (a) The Executive Director shall have the authority to revoke a permit upon a finding of violation of any rule or ordinance, or upon good cause shown.

.05 - Permit With Liquor Approval

- (A) A permit to dispense alcoholic beverages shall be obtained from the Executive Director of Parks and Recreation or the designated authority before participating in the activities, otherwise permitted under the previous section, when alcoholic beverages are to be dispensed. A permit under this section is required in addition to compliance with the provisions of 11.04, which are applicable in their entirety. The following requirements must be met:

- (1) Location:

The application must be for a specified location previously approved by the Park Board. Approved locations are: The Bonnie W. Noble Center for Park District Administration; Kellogg Golf Course; Madison Golf Course; Newman Golf Course; Detweiller Golf Course; Golf Learning Center; W.H. Sommer Park and Camp Wokanda by Rules and Regulations; Franciscan Recreation Complex, Peoria Zoo, Peoria

PlayHouse Children's Museum, and George L. Luthy Memorial Botanical Garden for private rental events after operating hours.

(2) Permit Fee and Deposit:

In addition to the permit reservation and use fee required by 11.04(A) (2) (f), a fee is required in the amount specified by the Executive Director or his or her designated authority for authorization and approval to dispense alcoholic beverages. The fee will cover the cost of the police and/or auxiliary service required for security purposes and other park costs. A deposit is also required which will be held as security for any and all unpaid fees, any additional cleanup if needed, or any damages to property or facilities.

(3) Application:

In addition to the requirements of 11.04(A) (1), regarding application, any person seeking issuance of a permit with liquor approval hereunder shall state in their application to the Executive Director:

- (a) the estimated number of attendees;
- (b) the type and quantity of beverages to be dispensed;
- (c) the number, if any, of persons of non-age (i.e., under 21 years of age) who might be in attendance; and
- (d) the cost to or consideration from attendees, in whatever manner derived, for their attendance.

(4) Standards of Issuance:

The Executive Director or designated authority may issue a permit with liquor approval hereunder when, in addition to the findings under 11.04 (A)(2):

- (a) the proposed activity and use will not entail any likelihood of alcohol use by persons of non-age (i.e., under 21 years of age) who might be in attendance;
- (b) adequate arrangements have been made for security, insurance (both dram shop and liability), and protection from damage or injury; and
- (c) no sale of alcohol will be made, in the absence of approval by the Pleasure Driveway and Park District of Peoria Board of Trustees of the specified location and proper licensing by the State of Illinois.

(B) Notwithstanding the issuance of a permit pursuant to this Ordinance, no permittee shall sell, give, deliver or otherwise make available any alcoholic beverage to another person under the age of 21 years.

- (1) No person under the age of 21 years shall attempt to or actually purchase, accept delivery, have in his or her possession, or consume any alcoholic beverage.
- (2) Any person convicted of any violation of the provisions of Section 11.05 of this Ordinance shall be fined not less than \$200.00 nor more than \$500.00 for each violation.

.06 - Public Meetings

- (A) Public meetings such as, but not limited to, fundraisers, religious worship, and political gatherings, parades and demonstrations, must be held in a designated place authorized by the Park Board.
- (B) Written requests for such meetings must be addressed to the Park Board and include name of organization, contact person, date and time of meeting, requested location for meeting, purpose of meeting, and any other pertinent information deemed necessary by the Board.

12.00 RECREATIONAL ACTIVITIES

.01 - Area and Facility Use

- (A) No person in a park shall picnic, lunch, golf, skate, swim, boat, ride a horse, camp, fish, take part or abet the playing of any games which interfere with or create a nuisance to others in the area except in areas or facilities set apart for such forms of recreation and under such rules and regulations and upon payment of all fees as designated.
- (B) No person shall operate a powered model airplane (either tethered, free-flight, or radio controlled) or unmanned aircraft system on any park property except at designated places. Designated flying sites may have special restrictions imposed upon use of the area. Commercial unmanned aircraft systems are not recreational and may be used only in accordance with a permit issued by the Park District .

13.00 ENFORCEMENT

.01 - Officials

- (A) The Board of Trustees, Executive Director, Park District employees designated by the Executive Director, Board Secretary, Police Officers, and Supervisors shall, in connection with their duties imposed by law, diligently enforce the provisions of this Ordinance.

.02 - Ejection, Suspension, and Banishment

- (A) The Board of Trustees authorizes the Executive Director, with consultation from the Chief of Park Police, to specifically designate authority to Park District employees to eject or suspend from any Park any person acting in violation of this Ordinance for a period up to and including 30 days. Designated employees making such ejection or suspension must promptly notify the Executive Director of any suspension lasting more than 24 hours.
- (B) The Board of Trustees further authorizes the Executive Director to suspend or banish from any Park any person acting in violation of this Ordinance for a period exceeding 30 days.
- (C) A No Trespass Notice shall be issued to any individual suspended or banished for a period exceeding 24 hours, exclusive of any investigatory period during which the Park District is promptly investigating such violation. The No Trespass Notice shall either be personally served on the individual or sent via U.S. Mail to the individual's last known address.
- (D) Any suspension or banishment where a No Trespass Notice is issued may be appealed as set forth in Section 14.04(B).

.03 - Seizure of Property

- (A) The Trustees, Executive Director, Secretary, Police Officers and Supervisors shall have the authority to seize and confiscate any property, thing or device in or used in the parks in violation of this Ordinance.

14.00 PENALTY

.01 - General

- (A) Unless a specific penalty is otherwise provided for, the violation of any provision of this Conduct Ordinance shall be punishable by a fine of not less than \$50.00 and not more than \$500.00 for each offense. Each day any violation of any provision of this Conduct Ordinance continues shall constitute a separate offense.
- (B) In addition to, or in the alternative to, the assessment of a fine as set forth in paragraph (A) above, the Park District may seek restitution for the violation of any provision of this Conduct Ordinance pursuant to 70 ILCS 1205/8-1(e).
- (C) In addition to, or in the alternative to, the assessment of a fine as set forth in paragraph (A) above and/or restitution as set forth in paragraph (B) above, the violation of any provision of this Conduct Ordinance may be punishable by ejection, suspension, and/or banishment in accordance with Section 13.02. Any suspension or banishment where a No Trespass Notice is issued in accordance Section 13.02 may be appealed as set forth in Section 14.04(B).

.02 - Vehicular Parking Violations

Upon issuance of citation for the violation of Ordinances included in paragraphs 6.07, 6.07-A, 6.07-A1, 6.07-B, 6.07-C and 6.07-D the fine shall be \$10.00 (effective August 12, 1987) if paid within 10 days and upon failure to pay such penalty within 10 days, the penalty shall be \$16.00, and for the violation of Ordinances in paragraph 6.07-A2 the fine shall be \$200.00 (effective February 28, 1996) if paid within 10 days and upon failure to pay such penalty within 10 days, the penalty shall be \$225.00. The fine shall be paid to a person designated by the Executive Director of Parks and Recreation at the Park District office.

.03 - Other Non-Moving Vehicular Violations

- (A) Upon issuance of citation for the violation of Ordinances included in paragraph 6.07-E the fine shall be \$20.00 (effective August 12, 1987), if paid within 10 days and upon failure to pay such penalty within 10 days the penalty shall be \$30.00, and for violation of Ordinances included in paragraphs 6.07-F, 6.07-G, 6.07-H, 6.27 and 6.28 the fine shall be \$10.00 (effective August 12, 1987), provided it is the first violation of the particular Ordinance by the person seeking to pay such fine; that the Chief of Park District Police consent to the acceptance of such minimum fine, do so to the person designated by the Executive Director of Parks and Recreation at the Park District office and within 48 hours of the time the individual was given a ticket for such violation.

.04 - Processing of Violations

- (A) All violations must be processed in a Court of Law except violations solely resulting in ejection, suspension, and/or banishment as set forth in Sections 13.02 and 14.01(C), and those non-moving vehicular violations designated in Sections 14.02 and 14.03.
- (B) A person who, in accordance with Sections 13.02 and 14.01(C), is issued a No Trespass Notice shall have the right to appeal his or her suspension and/or banishment as follows:
  - (1) The individual subject to the No Trespass Notice, or his or her authorized representative, must file a written request for appeal with the Board Secretary setting forth the individual's



name, current address, telephone number, and the reason(s) why the individual believes the No Trespass Notice should be rescinded. Said request for appeal must be delivered to the Board Secretary, postmarked by the U.S. Postal Service, or deposited with a third-party commercial carrier within 14 days from the date the No Trespass Notice is either personally served on the individual or postmarked by the U.S. Postal Service. All appeals pursuant to this Section will be heard by a Hearing Officer appointed by the Executive Director. The appealing party, or his or her authorized representative, and the Executive Director, or the Executive Director's designee, shall appear before the Hearing Officer at an established time, date, and location to present evidence as to why the No Trespass Notice should be enforced or rescinded. Both parties shall receive notice of the time, date, and location of the appeal hearing no less than 10 days before said hearing is to occur. The rules of evidence and procedure shall not apply to said hearing. The decision of the Hearing Officer on the appeal will be the final, binding decision of the Park District and shall be subject to the Administrative Review Law.

15.00 PARENTAL RESPONSIBILITY

.01 - Definitions

- (A) Definitions as used in this Ordinance, unless the context otherwise requires, the terms specified have the meanings ascribed in them:
  - (1) "*Legal Guardian*" means a person appointed guardian, or given custody, of a minor by a Circuit Court of the State, but does not include a person appointed guardian, or given custody, of a minor under the Juvenile Court Act.
  - (2) "*Minor*" means a person who is above the age of seven (7) years, but not yet seventeen (17) years of age.

.02 - The parent or legal guardian of an emancipated minor residing with such parent or legal guardian shall be presumed, in the absence of evidence to the contrary, to have failed to exercise proper parental responsibility and said minor shall be deemed to have committed the acts described below with the knowledge and permission of the parent or guardian, in violation of this Ordinance, upon the concurrence of the events described in (A), (B) and (C) below.

- (A) An emancipated minor residing with said parent or legal guardian shall either be adjudicated to be in violation of any ordinance, law or statute prohibiting willful and malicious acts causing injury to a person or property, or shall have incurred non-judicial sanctions from another official agency resulting from an admission of guilt or violation of any ordinance, law or statute prohibiting willful and malicious acts causing injury to a person or property; and
- (B) said parent or legal guardian shall have received a written notice thereof, either by certified or registered mail, return receipt requested, or by personal service return, from the Peoria Park District Police Department, following adjudication or non-judicial sanction; and
- (C) if at any time within one (1) year following receipt of the notice set forth in (B) above, said minor is either adjudicated to be in violation of any ordinance, law or statute as described in (A) above, or shall have incurred non-judicial sanctions from another official agency resulting from an admission of guilt of violation of any ordinance, law or statute as described in (A) above.

.03 - Any person convicted of any violation of the provisions of this Ordinance shall be fined not less than twenty-five (\$25.00) dollars, nor more than five hundred (\$500.00) dollars for each offense.

16.00 INJURING OR DESTROYING PROPERTY

.01 - It shall be unlawful for any person to willfully, maliciously or negligently break, deface, injure or destroy any property within the boundaries of any park or recreation facility, whether such property is owned by the Peoria Pleasure Driveway and Park District, state, county, city, or any other governmental body, or owned by any private person.

.02 - Snowmobiling

(A) No person shall snowmobile on any park property except at designated places and only with proper license. All snowmobiles must be in accordance with the Snowmobile Registration and Safety Act, [625 ILCS 40/1-1 ET.SEQ].

.03 - Boating

(A) No person while boating on any body of water owned or under control of the Peoria Park District shall be without proper license and be in accordance with the Boat Registration and Safety Act, [ 625 ILCS 45/1-1 ET.SEQ].

17.00 ANTI-LITTERING ORDINANCE

.01 - Definitions

(A) As used in this regulation, unless the context otherwise requires: "*Litter*" means any discarded, used or unconsumed substance or waste. "*Litter*" may include, but is not limited to, any garbage, trash, refuse, debris, any nauseous or offensive matter of any kind, any object likely to injure any person or create a traffic hazard or anything else of an unsightly or unsanitary nature, which has been discarded, abandoned or otherwise disposed of improperly.

.02 - Dumping, Depositing, Etc. of Litter Prohibited

(A) No person shall dump, discard, leave, cause or permit the dumping, discarding, or leaving of litter upon any property in this park district, or upon or into any stream or body of water in this Park District.

.03 - Violations: Penalty

(A) Persons who violate the above provision are subject to the penalties set out in this section.

(1) Any person guilty of violating Section 2 shall be fined for the first conviction not less than \$25.00 nor more than \$200.00 plus costs for the second conviction or subsequent convictions, not less than \$100.00 nor more than \$200.00 plus costs.

(2) In addition to any fine imposed under this regulation, a Court may order that the person convicted of such violation remove and properly dispose of the litter, may employ special bailiffs to supervise such removal and disposal, and may tax the cost of such supervision as costs against the person so convicted.

(3) The penalties prescribed in this regulation are in addition to, and not in lieu of, any penalties, rights, remedies, duties or liabilities otherwise imposed or conferred by law.

18.00 AUTHORIZED PRIVATE ROADWAY, CURBS AND GUTTERS, DRIVEWAY AND SITE IMPROVEMENT ON PARK DISTRICT PROPERTY. PROCEDURES FOR OBTAINING PERMISSION OF PARK DISTRICT

- .01 - The following policy shall be applicable to any modifications to roadways, curb and gutter, driveway and site improvements along Peoria Park District owned rights-of-way.
- .02 - All sidewalk replacement and/or original installation is the entire responsibility of the property owner subject to the following requirements:
  - (A) Payment of a \$200.00 permit fee.
  - (B) Construction standards shall conform to those established by the Pleasure Driveway and Park District's Planning, Design and Construction Department.
  - (C) An engineering plan and profile of the proposed improvement shall be submitted by the owner to the Pleasure Driveway and Park District's Planning, Design and Construction Department.
  - (D) No construction will proceed without approval of plans by the Pleasure Driveway and Park District's Planning, Design and Construction Department.
  - (E) The property owner shall sign a license agreement provided by the Park District that describes the property owner's rights and obligations concerning the use of the Park District's property.
  - (F) Contractor performing the work shall be approved by the Pleasure Driveway and Park District's Planning, Design and Construction Department.
  - (G) Pleasure Driveway and Park District's Planning, Design and Construction Department shall be notified in writing 48 hours prior to when the improvement work is started.
- (B) Any landscape features damaged or removed shall be replaced at a location and in a manner designated by the Pleasure Driveway and Park District's Planning, Design and Construction Department.
- .03 - Curb or Curb and Gutter Replacement and/or Original Installation Requirements
  - (A) If an improvement is scheduled within five years by the Pleasure Driveway and Park District, the District will not participate and the owner shall bear the entire cost.
  - (B) If no improvement is scheduled and if funding is available, the Pleasure Driveway and Park District may participate to a maximum of one-half the cost.
  - (C) Payment of a \$200.00 permit fee.
  - (D) Construction standards shall conform to those of the City of Peoria or as established by the Pleasure Driveway and Park District's Planning, Design and Construction Department.
  - (E) The property owner shall sign a license agreement provided by the Park District that describes the property owner's rights and obligations concerning the use of the Park district's property.
  - (F) An engineering plan and profile of the proposed improvement shall be submitted by the owner to the Pleasure Driveway and Park District's Planning, Design and Construction Department.
  - (G) No construction will proceed without approval of plans by the Pleasure Driveway and Park District's Planning, Design and Construction Department.

- (H) Contractor performing the work shall be approved by the Pleasure Driveway and Park District's Planning, Design and Construction Department.
- (I) Pleasure Driveway and Park District's Planning, Design and Construction Department shall be notified in writing 48 hours prior to when the improvement work is started.
- (J) Any landscape features damaged or removed shall be replaced at a location and in a manner designated by the Pleasure Driveway and Park District's Planning, Design and Construction Department.

.04 - Driveway Replacement or Installation Requirements

- (A) Payment of a \$200.00 permit fee.
- (B) Construction standards shall conform to those of the City of Peoria or as established by the Pleasure Driveway and Park District's Planning, Design and Construction Department.
- (C) An engineering plan and profile of the proposed improvement shall be submitted by the owner to the Pleasure Driveway and Park District's Planning, Design and Construction Department.
- (D) No construction will proceed without approval of plans by the Pleasure Driveway and Park District's Planning, Design and Construction Department.
- (E) The property owner shall sign a license agreement provided by the Park District that describes the property owner's rights and obligations concerning the use of the Park District's property.
- (F) Contractor performing the work shall be approved by the Pleasure Driveway and Park District's Planning, Design and Construction Department.
- (G) Pleasure Driveway and Park District's Planning, Design and Construction Department shall be notified in writing 48 hours prior to when the improvement work is started.
- (H) Any landscape features damaged or removed shall be replaced at a location and in a manner designated by the Pleasure Driveway and Park District's Planning, Design and Construction Department.

.05 - Yard or Site Improvements Where Installed on Park Property Requirements

- (A) Payment of a \$200.00 permit fee.
- (B) An engineering or landscape plan (to include elevations) of the proposed improvement shall be submitted by the owner to the Pleasure Driveway and Park District's Planning, Design and Construction Department.
- (C) No construction will proceed without approval of plans by the Pleasure Driveway and Park District's Planning, Design and Construction Department.
- (D) Contractor performing the work shall be approved by the Pleasure Driveway and Park District's Planning, Design and Construction Department.
- (E) The property owner shall sign a license agreement provided by the Park District that describes the property owner's rights and obligations concerning the use of the Park District's property.
- (F) Pleasure Driveway and Park District's Planning, Design and Construction Department shall be notified in writing 48 hours prior to when the improvement work is started.

- (G) The owner shall guarantee that plantings will be replaced if they do not survive through the next full growing season.
- (H) Any landscape features damaged or removed shall be replaced at a location and in a manner designated by the Pleasure Driveway and Park District's Planning, Design and Construction Department.

.06 - Other Improvements or Uses of Park Property Requirements

- (A) A written plan of the proposed use shall be submitted by the owner to the Pleasure Driveway and Park District's Planning, Design and Construction Department.
- (B) The use or improvement construction may not proceed without approval of the plans by the Pleasure Driveway and Park District's Planning, Design and Construction Department.,
- (B) The persons performing any work related to the use or improvements shall be approved by the Pleasure Driveway and Park District's Planning, Design and Construction Department.
- (D) The property owner shall sign the license agreement provided by the Park District that describes the property owner's rights and obligations concerning the use of the Park District's property.
- (E) Pleasure Driveway and Park District's Planning, Design and Construction Department shall be notified in writing 48 hours prior to when the use or improvement work is started.
- (F) If plantings are part of the proposed use or improvement, the owner shall guarantee that plantings will be replaced if they do not survive through the next full growing season.
- (G) Any landscape features damaged or removed shall be replaced at a location and in a manner designed by the Pleasure Dr Driveway and Park District's Planning, Design and Construction Department.

.07 - Park District staff shall develop the license agreements to be sent to the property owners as required by this Ordinance.

.08 - Authorization shall be obtained from the Executive Director or his/her designee for all vehicles over 8,000 lbs. gross weight for each day when using any roadway under the control of the Peoria Park District.

.09 - When more than one type of improvement is planned for construction and when permits are applied for concurrently, the maximum permit fee shall be \$200.00.

19.00 EASEMENTS

.01 - When a request is received for an easement on or across Park District property by a private or non-tax supported party or agency, which easement can be feasibly accommodated and allowed, but is not for the purpose of directly serving the Park District property or facility, the required expense for the production and/or review of the documentation and time expended by the Park District Attorney and Administrative Staff submitting said request for Park Board approval is to be reimbursed at actual cost by the requesting party or agency.

20.00 SCENIC VIEWS

.01 - General Statement

- (A) It is the responsibility of the Peoria Park District to assure the public that surroundings are safe, healthy, productive, and aesthetically and culturally pleasing. Existing and potential scenic views shall be identified, inventoried and analyzed. Methods and procedures shall be adopted to conserve valuable environmental amenities. Previously unidentified characteristics shall be given appropriate consideration. A systematic approach shall be adopted, utilizing staff resources in the process of implementing the purposeful management of scenic views for the benefit of the general public.

.02 - Specific Guidelines for Grand View Drive Scenic View

- (A) The goal of the Grand View Drive scenic view policy is to provide maximum scenic views of the Illinois River valley while keeping hillside erosion to a minimum.
- (B) The objective of the Grand View Drive scenic view policy are:
  - (1) Determine how much of the scenic view provided is adequate to satisfy the primary purpose of Grand View Drive Park.
  - (2) Determine which trees need to be removed to increase the scenic view and/or maintain the existing scenic view.
  - (3) Determine a long-range management plan on how to establish and maintain the hillside meadow plant community necessary to provide the scenic view, central woody vegetation and minimize soil erosion.

21.00 STATUARY, ART WORK, MEMORIALS

.01 - To determine the propriety of acceptance and placement of any statuary, art work or memorial on any Park District property, and prior to placement of same, the following considerations should be resolved:

- (A) Merit
  - (1) The merit of the proposal should be established by determining what the purpose of such proposal is and if the proposal is significant enough to warrant the placement and perpetual care and maintenance by and in a public park.
  - (2) Merit may be measured in terms of historical/educational significance, national prominence, public service or other considerations as are appropriate.
- (B) Funding
  - (1) The initial capital expenditures must be accounted for and other considerations such as site alterations, annual/perpetual maintenance and refurbishing must also be resolved. An endowment for the perpetual care should be considered and appropriate arrangements made.
- (C) Site and Design
  - (1) The appropriate site for placement of a proposed project, which has been deemed significant and appropriate and all prior considerations being met, is to be selected and approved by the proper Park District authority, which would consist of the project

proponent, the Executive Director of Parks and Recreation and Planning/Design staff, the Planning and/or Finance Committee of the Park Board with the selection to be presented to the Park Board for consideration and approval or disapproval.

(D) Public Notice

All the aforementioned conditions being satisfied, the Park Board should call for a public presentation of the proposal in a manner appropriate to give full public notification and opportunity for opinions and responses prior to final approval of the proposal. Such notice and response opportunity may be at a regular Park Board meeting or at a special meeting called for this purpose, as deemed to be appropriate to the individual matter.

22.00 HISTORIC PRESERVATION (Purpose and Intent)

- .01 - The protection, enhancement, perpetuation and use of cultural resources that are reminders of past eras, events and persons important in local, state, or national history, or which provide significant examples of architectural styles of the past or are unique and irreplaceable assets of the Park District.
- .02 - Foster civic pride in accomplishments of the past or natural features that are unique to the area.
- .03 - Foster and encourage preservation, restoration, and rehabilitation of historic structures and cultural resources.

**DEFINITIONS**

- (A) "Cultural Resource" means structures, sites, scenic areas, views and vistas, places, areas, landscape, trees, or other objects of scientific, aesthetic, educational, cultural, architectural, environmental or historical significance to the citizens of the community designated and determined to be appropriate for historic preservation pursuant to the provisions of this ordinance.
- (B) "Historic District" means any delineated geographic area having historical significance, special character or aesthetic value which serves as an established neighborhood, community center, or distinct section of the Park District, possessing a significant concentration, linkage, or continuity of site, structures or objects united historically or aesthetically by plan or physical development; and which has been designated a historic district pursuant to this ordinance or other listings.
- (C) "Landmark" means any site, including significant trees or other significant permanent landscaping located on a site, place, structure, street improvements, sign, work of art, natural feature or other object representative of the historical, archaeological, cultural, architectural, community, aesthetic or artistic heritage of the Park District and which has been designated a landmark pursuant to this ordinance.
- (D) "Alteration" means any act or process which changes one (1) or more of the exterior architectural features of any structure listed in the Park District Register. Further, "alteration" means any act or process which alters a scenic area or other type of cultural resource listed in the Park District register.
- (E) "Qualified Historic Property" means a property listed on any official federal, state, city, county, or Park District register.
- (F) "Preservation" means the act or process of applying measures necessary to sustain the existing form, integrity and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focus upon the ongoing ordinary maintenance and repair of historic materials and features rather than extensive replacement and new construction.

- (G) "Reconstruction" means the act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, structure or object for the purpose of replicating its appearance at a specific period of time and in its historic location.
- (H) "Rehabilitation" means the act or process of making possible a compatible use for a property through repair, alterations and additions, while preserving those portions or features which convey its historical, cultural, or architectural values.
- (I) "Restoration" means the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of structural, mechanical, electrical and plumbing systems and other code-required work to make properties functional and safe for public display or use is appropriate within a restoration project.
- (J) "Demolition" means any act or process that destroys in part or in whole a landmark or other cultural resource.
- (K) "Scenic Area" means an area or site that, as a result of appearance or character, remains relatively unchanged from and embodies the essential appearance related to a culture from an earlier historic or prehistoric period, including but not limited to a unique location, appearance or familiar vista or visual feature associated with the heritage or culture of the Peoria Park District, the City of Peoria, State of Illinois, or the Nation.
- (L) "Landscape" means a natural feature or group of natural features including, but not limited to, forests, woods, hills, valleys and rivers.
- (M) "Structure" means anything constructed or erected, the use of which requires permanent or temporary location on or in the ground including, but not limited to, buildings, houses, bridges, pergolas, roads or statues.
- (N) "Historic Resource" means any structure, cultural resource, historic district, or landmark included in the Park District Register of Historic Resources.
- (O) "Ordinary Maintenance" means repairing any deterioration, wear or damage to a structure, or any part thereof, in order to return the structure as nearly as practicable to its condition prior to the occurrence of such deterioration, wear or damage. Ordinary maintenance shall further include replacement of exterior elements or necessary hardware, including signs, using the same materials having the same appearance.

#### **CRITERIA FOR HISTORIC DESIGNATION**

In determining whether a structure, site or district is appropriate for designation as a Park District historic resource, the Park Board shall consider whether the resource proposed for designation meets one or more of the following criteria:

- (A) It is representative of the notable work of a master designer, builder, architect, or landscape architect whose individual ability has been recognized throughout the District.
- (B) It establishes a sense of time and place unique to the Park District.
- (C) It is suitable for preservation or restoration because of its integrity of location, design, materials, and workmanship.
- (D) It exemplifies or reflects valued elements of the Park District's cultural, social, economic, political,



aesthetic or engineering history.

- (E) It embodies unique location, scenic significance, environmental importance, or singular natural features.
- (F) It embodies elements of outstanding or innovative attention to architectural or engineering design, detail, craftsmanship, or use of materials.

## **PARK BOARD DUTIES**

The Park Board will identify and actively encourage the conservation of the Park District's historic resources by initiating and maintaining the Park District Register of Historic Resources ("Register") and reviewing any proposed alteration, reconstruction, rehabilitation, restoration or demolition of historic resources listed in the Register. A proposed alteration, reconstruction, rehabilitation, restoration or demolition of a historic resource listed in the Register is referred to as a "Change."

In carrying out these responsibilities, the Park Board shall engage in the following:

1. Direct Park District staff to conduct and maintain a comprehensive inventory of Peoria Park District historic resources within the boundaries of the Peoria Park District. Public input will be solicited and reviewed for historic resources to be included in the Park District Register prior to the adoption by the Board of Trustees of the initial Park District Register. The Park District shall hold a public hearing prior to the adoption of the initial Park District Register. Notice of the public hearing shall be in accordance with the provisions of Section 3(e) of this Ordinance. An application form will be created so that a citizen can nominate a property to be included in the Park District Register. Requests for designation of an individual Park District resource may be initiated by any person or organization on application forms provided at Glen Oak Administration or on the website. Completed application forms will be submitted to the Executive Director of Parks and Recreation for staff review and brought forth to the Board with the staff's recommendations. In the event the staff recommends not including a nominated property in the Park District Register, the staff's report/recommendation will be provided to the person(s) nominating the property in advance of Board action on the staff's recommendation. In the event that the Board of Trustees denies a designation for a property nominated for inclusion on the Park District Register, no application related to the same property may be filed during the twelve (12) months following such denial by the Board of Trustees.
2. The Register shall be a compilation of structures, cultural resources, historic districts, or landmarks identified by the Park Board as having historic, aesthetic, or environmental significance worthy of recognition and protection by the Park District. Park District staff shall make an annual report to the Park Board on the status and condition of each historic resource listed in the Register.
3. Review staff proposals for a Change to an historic resource listed in the Register.
  - a. The staff shall make a report to the Park Board for a review of a proposed change to an historic resource listed in the Register.
  - b. Each report for review of a proposed Change shall be accompanied by such detailed plans or any other information the Park Board deems necessary for a proper review of the proposed project.
  - c. The Park Board shall meet with the staff and review the proposed Change according to reasonable design review criteria.
  - d. Public comment shall be sought on any proposed Change to an historic resource listed in the Register. The Park District shall compile a list of person, groups and organizations which are interested in the preservation of historical and cultural resources. Any known persons, groups, or organizations, including the person(s) who originally nominated the property included on the Park District Register for which a Change is proposed, shall be notified in writing of the date, time, place and purpose of any Park Board meeting when an historic resource is considered for a Change under the review process.

- e. The Park District shall hold a public hearing on a proposed Change to an historic resource listed in the Register. Notice of the public hearing shall be published in the principal newspaper of general circulation not less than 7 days nor more than 14 days prior to the date set for the public hearing. Notice of a hearing shall be given to the Peoria Historical Society, the Peoria Historic Preservation Commission, and to all registered neighborhood associations.
4. Park Board approval is required prior to commencement of work on a Change to a Register property excluding ordinary maintenance and repair or emergency measures. Nothing in this ordinance shall be construed to prevent the ordinary maintenance of any scenic area or landscape or to prevent the removal of such landscaping which the Superintendent of Parks certifies is required for the public safety because of unsafe or dangerous condition. Any landscape maintenance shall be done in accordance with generally acceptable horticultural practice.
5. Park District Staff shall promote and conduct public information, educational, and interpretive programs pertaining to the Park District's historic resources.