



Peoria Park District  
CONDUCT ORDINANCE

**CHAPTER I: DEFINITIONS AND AUTHORITY**

- 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" or "Peoria 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) "Park District Driveway" is any street, road, boulevard, or other roadway within the jurisdiction of the Park District.
    - (G) "Person" is any person, firm, partnership, association, corporation, governmental unit, company or organization of any kind.
    - (H) "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.
    - (I) "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 PARK DISTRICT AUTHORITY AS CONSERVATORS OF THE PEACE
  - .01 State-Enabling Laws for Park District Apply

- (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 and support police functions as prescribed by state statute.
- (B) No person in a park shall fail to comply with penal ordinances of the Park District 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 Classification and Authority

(A) Certified Police Officers. The Peoria Park District employs both full-time and part-time police officers who are duly appointed and certified by the Illinois Law Enforcement Training and Standards Board (ILETSB). These officers, upon appointment by the Park Board, are designated as “conservators of the peace” within and upon all parks, boulevards, driveways, and property under the control of the Peoria Park District

(1) Conservator of the Peace Powers. Certified police officers, whether full-time or part-time, shall have all powers and authority granted to Park District police officers under Illinois law, including but not limited to:

- (i) The power to enforce any ordinances of a city, town, or village, the ordinances of the Park District, or any criminal law of the State of Illinois;
- (ii) The authority to make arrests for offenses committed in their presence;
- (iii) The authority to carry firearms and other law enforcement equipment as permitted by law;
- (iv) The authority to issue citations, conduct investigations, and perform all other duties necessary to maintain public safety and order within Park District property.

(2) Certification Requirement. Only those officers who have successfully completed all required training and certification by the Illinois Law Enforcement Training and Standards Board (ILETSB) shall be authorized to exercise “conservator of the peace” powers.

(B) Security Personnel

- (1) Recreation Security Personnel. Recreation security staff are non-sworn employees who assist in maintaining a safe and welcoming environment. They do not have law enforcement authority or “conservator of the peace” powers and may not make arrests or carry firearms.

(C) Application

- (1) The Peoria Park District, through its certified police officers, security personnel, and authorized representatives, is empowered to enforce this Conduct Ordinance. Any person who violates any provision of this Ordinance may be issued a citation or notice of ordinance violation and may be subject to fines or other penalties as provided herein.
- (2) If the alleged offender is a minor, notice of the violation may also be provided to the minor’s parent or legal guardian. Parents or legal guardians may be held responsible for ensuring that minors under their care comply with Park District rules and may be subject to notification or other action as allowed by law.

## CHAPTER II: RULES AND REGULATIONS

Park District personnel are authorized to enforce the following rules and regulations focused on the protection of Park District property and its patrons:

### 1.00 GENERAL PARK OPERATIONS

#### .01 Hours

- (A) Except as otherwise determined by the Executive Director, Parks shall be generally open to the public every day of the year during designated hours.
- (B) Unless otherwise posted or approved by the Executive Director, Parks shall open at sunrise and shall close at sunset. All use of Parks shall be in accordance with this Conduct Ordinance.
- (C) No person shall camp, sleep overnight, or erect temporary shelters on Park District property except in areas designated for such use and with written permission.
- (D) Closed Areas: 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.

#### .02 Permitted Items, Searches, and Inspections

- (A) As established and directed by the Executive Director or his or her designee, in consultation with the Chief of Park District Police, individuals may be subject to reasonable inspections or searches of bags, purses, backpacks, containers, packages, or personal belongings in designated safety and security areas prior to gaining entry to designated Park District facilities, venues, or events. Such inspections or searches shall be conducted in a consistent and non-discriminatory manner in accordance with all applicable laws. Notice of any such inspection or search requirement, as well as permitted and prohibited items, will be clearly posted at the entrance to the facility, venue, or event. Individuals may be required to utilize a clear or otherwise transparent bag at designated Park District facilities, venues, or events to bring in permitted items. Refusal to consent to a required inspection or search shall result in denial of entry or removal from the premises.

#### .03 Restrooms and Washrooms

- (A) All persons are entitled to use restrooms and washrooms consistent

with their gender identity. The Park District will provide family or unisex restrooms where feasible to accommodate all patrons, including those with disabilities and families with young children.

- (B) No person in a park shall fail to cooperate in maintaining restrooms and washrooms in a neat and sanitary condition.

.04 Domestic Animals

- (A) Dogs and other domestic animals are permitted in park district parks and open space, other than the specified outdoor locations listed below, but must be restrained at all times on an adequate leash not greater than six (6) feet in length or with a suitable training lead.

- (1) Once inside the gates of a specifically identified dog park located on Park District property, owners/handlers 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.

- (2) Other than service animals, dogs and other domestic animals are not permitted on golf courses, in Forest Park Nature Center Nature Preserve, and in Singing Woods Nature Preserve.

- (3) Outside of park access, and except for service animals as described below, no person shall bring any dog, cat, domestic animal, or other pet into any facility or amenity, including, without limitation, buildings or spaces/courts/fields where organized activity takes place.

- (B) Service animals:

- (1) Service animals, as defined by the Americans with Disabilities Act, relied upon by an individual with a disability for the use and enjoyment of the activity or program will be permitted:

- (a) at Peoria Zoo, but only in designated areas, and provided that the use of said animal does not cause excitability in the zoo animals; and

- (b) at all other District indoor and outdoor facilities in accordance with the provisions of this ordinance.

- (C) 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.

.05 ACCESS TO PARK DISTRICT ROCK ISLAND GREENWAY

- (A) Motorized vehicle access to the Peoria Park District Rock Island Greenway operated by the Park District is prohibited, except in the following cases:

- (1) Park District crews and Park District contracted projects at the discretion of the Executive Director, the Superintendent of Parks, or the Superintendent of Planning, Design, and Construction.
- (2) Use of accessibility devices designated as "wheelchairs", or that fit the criteria of the Other Power-Driven Mobility Devices (OPDMD) administrative policy.
- (3) Emergency vehicles during an emergency response.
- (4) The City of Peoria and Village of Peoria Heights equipment and crews during the performance of their respective public maintenance duties.
- (5) Utilities during bona fide emergency operations requiring immediate action to prevent imminent loss of property or life.
- (6) Entities that have applied for and received a permit pursuant to Park District policy. Such access shall be expressly limited by and subject to the terms of this Section 1.05 and the terms of the permit.

- (B) PERMIT REQUIREMENTS

- (1) An applicant seeking a motor vehicle access permit to access the Peoria Park District Rock Island Greenway must submit the following:
  - (a) A permit fee in the amount of \$100.00.
  - (b) A fully completed Park District Vehicle Access Permit Form, which shall include, without limitation:
    - (i) a description of the reason for using the pathway;
    - (ii) the location of the pathway to be used;
    - (iii) a description of each vehicle, including the type and weight of the



with this Section 1.05 and in accordance with the terms of a permit shall be subject to ejection and a fine not less than \$100.00 and not more than \$500.00 for each vehicle in violation. Each day a violation occurs is a separate offense. The foregoing ejection and fines shall be independent and in addition to the obligations to repair damage as set forth in Section 2.01 of this Chapter of the Conduct Ordinance.

.06 Penalties

- (A) Penalties for violations of this Section and other sections in this Chapter are listed in Chapter III of the Conduct Ordinance.
- (B) 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.

2.00 PROTECTION AND PRESERVATION OF PARK PROPERTY

.01 DAMAGE TO PARK DISTRICT PROPERTY.

- (A) Any person or entity who shall damage Park District property, including, without limitation, Park District streets, pathways or rights-of-way, shall be responsible for the prompt repair of such damage.
- (B) Penalties
  - (1) If a permit holder or its contractor fails to promptly repair such damage, the Park District may suspend any applicable permit until the repairs are made to the satisfaction of the Park District.
  - (2) Further, in the case of pathways where a bond or other security has been posted pursuant to Section 1.05 of this Chapter of the Conduct Ordinance, such security may be used to perform such repairs. In the event such security is insufficient to cover the cost to repair the damage, the permit holder and its contractor shall be jointly and severally liable for the balance of such costs.

.02 Injuring or Destroying Property. Generally, 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.

.03 Buildings and Other Property

- (A) Smoking Restrictions for Park Facilities

- (1) In compliance with the Smoke Free Illinois Act (410 ILCS 82/), no person shall smoke, use an electronic cigarette, or carry a lighted cigarette, cigar, pipe, or other lighted smoking device in any indoor public place or within 15 feet of any entrance, exit, operable window, or ventilation intake to an enclosed area where smoking is prohibited under the Act. This includes vaping or aerosol-emitting devices such as e-cigarettes, vape pens, or similar products.
- (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) "Shelter" means an open air, covered, public use structure located within a park or recreation area that serves as a gathering space for visitors.

(B) Disfiguration and Removal. 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.

(C) Removal of Natural Resources. 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.

(D) Erection of Structures. 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.

(E) Trees, Shrubbery, Lawns.

(1) Injury and Removal: 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.

(2) Climbing Trees, Etc.: No person in a park shall climb any tree, nor walk, stand, or sit upon monuments, vases, fountains, railings, fences, or gun carriages nor upon any other property not designated or customarily used for such purposes.

(F) Spray or Disseminate Toxic Substances. No unauthorized person shall spray or disseminate any toxic substance for pest control or any other purpose.

.04 Encroachments

(A) 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 from the Executive Director or his/her designee and complying with Park District policy.

.05 Wild Animals, Including Birds

(A) Hunting. 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.

(B) Conservation:

(1) 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.

(2) 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.

(3) 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.

(a) Exceptions are at designated ranges set aside for such purposes under strict regulations set forth for that particular activity.

.06 ANTI-LITTERING ORDINANCE

(A) Definitions

(1) As used in this Chapter, 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.

(B) Dumping, Depositing, Etc. of Litter Prohibited

(1) 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.

(C) Violations:

(1) Penalties for violations of this Section and other Sections in this Chapter are listed in Chapter III of the Conduct Ordinance.

(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.

3.00 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.

.04 Penalties

- (A) Penalties for violations of this Section and other sections in this Chapter are listed in Chapter III of the Conduct Ordinance.
  - (1) 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.
  - (2) 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.

4.00 NOISE

.01 Definitions

- (A) For the purpose of this subsection, the following words and phrases shall have the meanings respectively ascribed to them in this subsection:
  - (1) *"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.
  - (2) *"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.
  - (3) *"Sound level meter"* means an instrument standardized by the American Standards Association for measurement of intensity of sound, namely, Z24.3- 1944.
  - (4) *"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:

Maximum Permitted Sound

Distance in Feet	Level in Decibels
50	85
45	86
40	87
35	88
30	89.5
25	91
20	93
15	95.5

.02 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 signaling 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 signaling 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 signaling 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 signaling device when traffic is for any reason held up.

(4) Motor Vehicle Mufflers

- (a) 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.

.03 Penalties

- (A) Penalties for violations of this Section and other sections in this Chapter are listed in Chapter III of the Conduct Ordinance.
- (B) 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.

5.00 BEHAVIOR

.01 Definitions

- (A) For the purposes of this section:
  - (1) "public place" includes all Park District property, buildings, recreation areas, playgrounds, and any place where a person could reasonably be observed by others, but does not include a private residence unless used to provide licensed child care or similar services.

.02 Prohibited Activities

- (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.
- (B) Unless otherwise posted or approved by the Executive Director, no unauthorized person shall be present on Park

District property between sunset and sunrise the following day.

- (C) No person in a Park shall engage in any activity or perform any action which interferes with or creates a nuisance to others in the area or damages Park District property, unless authorized by the Park District and occurring in the area or facility set apart for such activity under all applicable rules and regulations.
- (D) Unlawful Concealing of Identity
  - (1) No person shall wear or otherwise use a mask, disguise, face mask, face covering, hood, or similar garment or item (hereinafter "Face Covering") on Park property with the intent to conceal their identity or avoid recognition.
  - (2) Upon reasonable suspicion, any individual on Park property may be ordered to temporarily remove a Face Covering for identification purposes by the Executive Director or his or her designee. An individual refusing or failing to comply with such an order, in accordance with this Section, may be fined and/or removed, suspended, ejected, or banished from Park property in accordance with this Code.
  - (3) An individual shall not be in violation of Subparagraph (A) above if a Face Covering is worn lawfully in the following circumstances:
    - (a) A Face Covering worn with approval from the Park District or during an approved Park District event;
    - (b) A Face Covering worn for medical reasons;
    - (c) A Face Covering worn in inclement weather;
    - (d) A Face Covering worn in accordance with religious beliefs;
    - (e) A Face Covering worn during a pandemic, disaster proclamation, or other health or environmental emergency declared by the federal, state, or local government;
    - (f) A Face Covering worn for employment purposes while performing employment-related duties; and
    - (g) A Face Covering worn lawfully in accordance with, and as permitted by, state or federal law.
- (E) Area and Facility Use.
  - (1) Each Peoria Park District facility, program, or venue may establish additional rules and regulations for

patron conduct, access, or use, as appropriate to the services and activities offered at that location. These facility-specific rules are designed to ensure the safety, enjoyment, and orderly operation of District properties and programs. All such rules and regulations will be clearly posted at the facility or otherwise made readily available to patrons. Patrons are responsible for reviewing and complying with all posted or published rules in addition to this Conduct Ordinance.

- (2) No person in a Park shall picnic, lunch, golf, skate, swim, boat, ride a horse, camp, fish, conduct a water balloon fight or balloon release, create or use a slip-n-slide or similar device, take part in or abet the playing of any games, or perform any action which interferes with or creates a nuisance to others in the area or damages Park property, unless authorized by the Park District and occurring in the area or facility set apart for such activity under all applicable rules and regulations.

.03 Tobacco, Intoxicating Beverages and Controlled Substances

- (A) Tobacco Products. No person under 18 years shall buy, possess or use any cigar, cigarette or tobacco in any of its forms including vape or e-cigarettes while in the park.
- (B) Alcoholic Beverages. No person shall use, possess, or be under the influence of any alcoholic beverage on Park District property, except as expressly permitted by the Park Board or Executive Director. Alcohol service must comply with the Illinois Liquor Control Act (235 ILCS 5/) and may require proof of dram shop insurance. No person shall sell, give, or provide alcohol to anyone under 21 years of age.
- (C) Controlled Substances. No person shall use, possess, or be under the influence of any controlled substance, as defined by the Illinois Controlled Substances Act (720 ILCS 570/), on Park District property.
- (D) Cannabis.
  - (1) The possession, use, or consumption of cannabis or cannabis-infused products is prohibited on all Park District property, in accordance with the Cannabis Regulation and Tax Act (410 ILCS 705/) and the Compassionate Use of Medical Cannabis Program Act (410 ILCS 130/), except as specifically allowed by law for qualified patients and caregivers.

- (2) It is unlawful to:
    - (a) Use or possess cannabis in any public place, including all Park District property.
    - (b) Use or possess cannabis in a vehicle, unless it is in a sealed, inaccessible container.
    - (c) Use or possess cannabis in any area where prohibited by state law, including school buses, school grounds, correctional facilities, or any residence providing licensed child care or similar services.
    - (d) Operate, navigate, or be in physical control of any motor vehicle, watercraft, aircraft, or snowmobile while under the influence of cannabis.
    - (e) Provide or transfer cannabis to any person not authorized by law.
    - (f) Use cannabis in violation of the Smoke Free Illinois Act or in close proximity to anyone under 21 years old who is not a registered medical cannabis patient.
  - (E) Use of Narcotics, Opiates and Hallucinogens. 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.
  - (F) Possession of Narcotics, Opiate, Hallucinogenic or Controlled Substance Paraphernalia. 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.
  - (G) Use of Ethers, Glue or Propellant. 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.
- .04 Games of Chance
- (A) No person in a park shall gamble or participate in or abet any game of chance, except with written permission of the Executive Director.
- .05 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.

.06 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.]

.07 Firearms, Weapons, and Fireworks

(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.

(B) 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.

(C) 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.

.08 Reservation of Spaces

(A) Where spaces are available for rented use that limits the access of the public, when that space has been reserved through the Peoria

Park District Administrative Offices, no other person shall enter or remain in any pavilion, park structure, or section thereof that has been reserved by that specific individual or group, unless that person is an authorized participant or has received permission from the Park District.

- (B) Use of park space that would limit the public's access and enjoyment of the space requires advance approval of the Peoria Park District. Failure to secure that access in advance will result in ejection and appropriate fines.

.09 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.
- (B) No person shall drop, throw, or otherwise scatter lit 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.

.10 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.

.11 Entering Waters

- (A) 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, unless:
  - (1) entering designated swimming or wading pools, water slides, splash pads, or other designated bodies of water;
  - (2) specifically authorized to do so as part of maintenance or construction functions; or
  - (3) authorized by the Executive Director or his/her designee.

Any entry into waters must be in accordance with the specific operating regulations thereof relating to the hours of operation, the conduct, dress, etc. of that facility.

.12 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.

.13 Penalties

- (A) Penalties for violations of this Section and other sections in this Chapter are listed in Chapter III of the Conduct Ordinance.
- (B) 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.

6.00 VEHICLE USE AND 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 Vehicle Maintenance and Use/Size

- (A) Muffler Required: No person in a park shall fail to use a muffler adequate to deaden the sound of the engine in a motor vehicle.
- (B) Gas and Smoke: No person in a park shall operate a vehicle which emits excessive noxious fumes or dense smoke.
- (C) Brakes: 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.
- (D) Anti-Skid and Non-Slip Devices: No person shall operate a motor vehicle in the parks with chains or studs which will damage the pavement.
- (E) Width of Vehicle Load: No person shall operate a motor vehicle in the parks to exceed eight (8) feet and six (6) inches in width.
- (F) No unauthorized person shall enter or pass along Park District Driveways 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 District Driveway at the nearest point to the property

where such supplies and materials are to be delivered.

(G) Gross Weight of Vehicles: No vehicle exceeding four (4) tons gross weight shall enter or pass along Park District Driveways without proper authorization.

(H) 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.

.03 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.

.04 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.

.05 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 15 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.

.06 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.

.07 Reckless Driving

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

.08 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 Park District Driveway:

- (1) No unauthorized person shall park a vehicle upon a Park District Driveway in such a manner or under such conditions as to leave available less than 20 feet of the width of the Park District Driveway for free movement of vehicular traffic, except for any one-way Park District Driveway such limitations shall be 10 feet.

(C) Double Parking:

- (1) No unauthorized person shall double park any vehicle on any Park District 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.
- (2) All Night Parking:
  - (a) Unless otherwise posted, no unauthorized person shall park a motor vehicle on Peoria Park District property between sunset and sunrise the following day.
- (3) Immovable Objects:
  - (a) 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.)

(4) Stopping in Specific Places:

- (a) 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:
  - (i) In an intersection.
  - (ii) In a cross walk.
  - (iii) Upon a bridge.
  - (iv) Within twenty (20) feet of an authorized traffic signal or boulevard stop sign, or curb line on the approaching side.
  - (v) At any curb within fifteen (15) feet of a fire hydrant.
  - (vi) At any place where the standing of any vehicle will block the use of any driveway.
  - (vii) On any sidewalk.
  - (viii) Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic.
  - (ix) On the driveway side of any vehicle, stopped or parked at the edge or curb of a driveway.
  - (x) At any place where authorized traffic signs have been erected prohibiting stopping, standing, or parking.

Parking lights must be lighted when vehicle is parked and is occupied.

.09 Pedestrian Right-of-Way

- (A) No person in a park shall fail to yield right-of-way to a pedestrian crossing a Park District 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 Park District Driveway.

(C) No person in a park shall fail to yield right-of-way to a vehicle moving across a Park District Driveway which is not marked for cross walk.

(D) Pedestrian Rights and Duties at Controlled Intersection

(1) 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.

.10 Turning Around Limitations. No unauthorized person shall turn a vehicle so as to proceed in the opposite direction in any Park District Driveway in the Parks except at an intersection street, and then only when such turns are not prohibited by appropriate signs.

.11 Operator Signals. 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.

.12 Soliciting Persons for Immoral Purposes. No operator of a motor vehicle shall solicit persons in the parks for immoral purposes

.13 Sirens and Sound Signaling Devices. 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 4.02(A)(3) of this Chapter of the Conduct Ordinance is prohibited.

.14 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.

(B) No person under the age of eighteen (18) shall rent golf carts for use on Park District property.

.15 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.

.16 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:
  - (i) ascertaining the extent of such injury or damage;
  - (ii) rendering such assistance as may be needed; and
  - (iii) 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.)

.17 Towing of Disabled Vehicles.

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.)

.18 Riding Outside Vehicles.

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

.19 Operation of Vehicles Off-Road.

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.

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

.21 Other Modes of Transportation:

- (A) Bicycle operators and the operation of bicycles are subject to the State of Illinois Vehicle Code.
- (B) Motorcycles, Motorbikes, Go Carts and Other Motor Driven Vehicles,

Not Including Trucks or Automobiles:

- (1) Operation: No such vehicle shall be operated within any park except on designated roadways.
- (2) Traffic Regulations: All provisions in this Section shall apply to these vehicles.

(C) E-Bikes

a. Definition: “Electric Bicycle” or “E-Bike” means a bicycle equipped with fully operable pedals and an electric motor of less than 750 watts as defined in the Illinois Vehicle Code (625 ILCS 5/1-140.10). E-Bikes are classified as follows:

- i. Class 1: Provides assistance only when the rider is pedaling, and ceases to provide assistance when the bicycle reaches 15 miles per hour.
- ii. Class 2: May be used to propel the bicycle without pedaling, but ceases to provide assistance when the bicycle reaches 15 miles per hour.
- iii. Class 3: Provides assistance only when the rider is pedaling, and ceases to provide assistance when the bicycle reaches 28 miles per hour.

b. Regulations:

- i. E-Bikes may only be operated on Park District Driveways, designated multi-use paths, and parking areas unless otherwise posted or permitted by the Executive Director. E-Bikes may not be used on sidewalks.
- ii. E-Bikes are subject to the same speed limits as other vehicles in the park. In the absence of a posted speed, E-Bikes may not exceed 15 miles per hour on any path or trails.
- iii. E-Bikes must yield the right-of-way to pedestrians at all times and must be operated in a safe and courteous manner.
- iv. No person under the age of 16 may operate a Class 3 E-Bike on Park District property.
- v. E-Bikes are prohibited from natural-surface trails, playgrounds, sports fields, and other areas not designated for bicycle use, except as permitted for persons with disabilities or as part of a Park District program.

- vi. E-Bikes must be parked only in areas designated for bicycle parking and may not block pedestrian walkways, entrances, or emergency access routes.
  - vii. All E-Bike operators must comply with applicable provisions of the Illinois Vehicle Code and this Conduct Ordinance.
- (D) Skateboards Prohibited: 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.
- (E) Snowmobiling. 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].
- (F) Boating. Please see Section 5.11 of this Chapter of the Conduct Ordinance for rules related to Entering Waters.
- (G) Golf Carts on Park District Streets
- (1) 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.
  - (2) Limitation on Operation:
    - a. 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.
    - b. 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.

- c. 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.
- d. Golf carts may not be operated on Grandview Drive south of the Upper Grand View Drive Park entrance.
- e. 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:
  - i. Brakes;
  - ii. Steering apparatus;
  - iii. Tires;
  - iv. Rearview mirror;
  - v. Red reflectorized warning devices on the front and rear;
  - vi. A slow-moving emblem (as required of other vehicles by 625 ILCS 12-709) on the rear of the golf cart;

- vii. A headlight that emits a white light visible from a distance of at least five hundred feet (500') to the front;
- viii. A taillamp that emits a red light visible from a distance of at least one hundred feet (100') from the rear;
- ix. Brake lights;
- x. Turn signals. and
- xi. Seat belts for driver and all passengers.

(3) 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:

- (a) 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).

(E) Pedicabs

(1) Definitions. For purposes of this chapter,

- (a) "Pedicab" is defined as a bicycle that has three (3) or more wheels that transports, or is capable of transporting, passengers on seats attached to the bicycle that is operated by an individual, and that is used for transporting passengers for receipt of any

form of consideration; or a bicycle with a singular unarticulated frame, that pulls a device that transports, or is capable of transporting, passengers on seats attached to a passenger cab or similar device, that is operated by an individual, and that is used for transporting passengers for receipt of any form of consideration.

- (b) "Pedicab business" is defined as the business of operating a pedicab for the recreational or physical transportation of the general public as agreed by pre-arranged contract.
- (c) "Operator" is the owner or manager of a business that provides pedicab services.

(2) Limitations on Operation:

- (a) Where pedicabs are to be used in the course of operation of pedicab business, the operator must apply for and be granted a facility use agreement that provides for the specific facility/park location where the operation will be facilitated, as well as dates and times of operation of the pedicab business. Without that agreement, the operator will be deemed to be in violation of a District ordinance and be subject to a trespass fine as designated by this Conduct Ordinance.
- (b) Applicable facility use agreements will provide for indemnification language and require proof of insurance or bond at levels required by the Park District to include coverage naming the park district as an additional insured.
- (c) All requests for facility use agreements will be reviewed and approved by the Park District Executive Director or her/his designee and will be reviewed to determine whether the pedicab business can be safely operated on the park property requested without negative impact on park usage. This evaluation will include, but not be limited to, number of pedicabs authorized to use a specific park property and the volume of pedestrian and/or vehicular

traffic in the requested park that may be negatively impacted. Appeals to decisions made herein are subject to the process as outlined within this conduct ordinance.

- (d) This section shall not be construed as granting permission for any operator to operate a pedicab business generally on 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.
  - (e) Use of pedicabs on Park District roads is subject to the traffic rules included herein.
  - (f) The Park District Executive Director shall have the authority to suspend or revoke the permission granted in a pedicab facility use agreement upon finding that public safety is at risk, or the operator has violated the facility use agreement, the regulations in subsection (C) below, or any other Park District ordinance, regulation or policy. Appeals of any such suspension or revocation are subject to the process as outlined within this conduct ordinance.
- (3) Regulations specific to Pedicabs
- (a) When on a street or highway under the jurisdiction of the Park District, approved pedicab usage shall be operated in accordance with the following requirements:
  - (b) Pedicab business operations shall only operate during hours that the designated park property is open to the public.
  - (c) The park district reserves the right to limit streets or park areas where pedicabs may operate.
  - (d) All drivers of pedicabs shall obey all traffic rules established by statute or ordinance.
  - (e) No driver or other employee of a pedicab business shall imitate the name, colors, or

emblems, previously adopted and in use by any another pedicab business or represent him/herself as an employee of any other pedicab business or the Park District.

- (f) No person shall knowingly permit any pedicab to be used in the perpetration of a crime.
- (g) Every driver of a pedicab shall obey all traffic rules established by statute or ordinance.
- (h) No pedicab driver shall exceed the rated seating capacity of the pedicab.
- (i) No passenger shall be allowed to ride the pedicab except in the designated seating area.
- (j) Pedicabs licensed under this chapter shall not operate or permit the operation of any sound amplification system that creates noise that is audible more than twenty (20) feet from the pedicab.
- (k) Alcoholic beverages may not be consumed on a pedicab.

.22 ADA Accommodation for Mobility Devices

- (A) In accordance with the Americans with Disabilities Act (ADA) and the U.S. Department of Justice regulations (28 CFR 35.137), individuals with mobility disabilities may use wheelchairs and manually-powered mobility aids in any areas open to pedestrian use. In addition, individuals with mobility disabilities may use Other Power-Driven Mobility Devices (OPDMDs), including but not limited to electric wheelchairs, mobility scooters, and certain powered devices (such as e-bikes or Segways), in areas where such devices can be operated safely and without causing substantial harm to the environment or natural or cultural resources, or posing a safety risk to other park users.
- (B) The Park District may impose reasonable restrictions on the type, size, speed, or other features of OPDMDs, and may require that individuals using such devices operate them in a safe and courteous manner, yield to pedestrians, and comply with posted rules. Any restrictions must be based on actual risks or documented safety concerns, not on stereotypes or generalizations.
- (C) Persons with disabilities who require the use of an OPDMD for

mobility are encouraged to contact the Park District in advance to discuss reasonable accommodations or to obtain information about accessible routes and permitted devices.

7.00 MERCHANDISING, ADVERTISING AND SIGNS

- .01 Vending and Peddling. 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. 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. 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.
- .04 Penalties
  - (A) Penalties for violations of this Section and other sections in this Chapter are listed in Chapter III of the Conduct Ordinance.
  - (B) 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.

## CHAPTER III: ENFORCEMENT

### 1.00 OFFICIALS

- .01 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 Conduct Ordinance.

### 2.00 PENALTY

#### .01 General

- (A) Unless otherwise specified, any person found guilty of violating any provision of this Conduct Ordinance shall be fined not less than \$100 and not more than \$1,000 for each offense.
- (B) For violations where a specific fine is provided elsewhere in this Ordinance, that specific fine shall apply.
- (C) Each day a violation continues shall constitute a separate offense. In addition to fines, violators may be subject to removal from Park District property, restitution for damages, or other remedies as provided by law.
- (D) In addition to, or in the alternative to, the assessment of a fine as set forth in the paragraph 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).
- (E) Further, in addition to, or in the alternative to, the assessment of a fine and/or restitution as set forth in the paragraphs above, the violation of any provision of this Conduct Ordinance may be punishable by ejectment, suspension, and/or banishment in accordance with Section 2.04 of this Chapter of the Conduct Ordinance. Any suspension or banishment where a No Trespass Notice is issued in accordance with Section 2.04 may be appealed as set forth in Section 5.02 of this Chapter of the Conduct Ordinance.

#### .02 Vehicular Parking Violations

- (A) Upon issuance of citation for the violation of Ordinances included in Chapter II paragraphs 6.07, 6.07-A, 6.07-A1, 6.07-B, 6.07-C and 6.07-D the fine shall be \$30.00 if paid within 10 days and upon failure to pay such penalty within 10 days, the penalty shall be \$40.00, and for the violation of Ordinances in Chapter II paragraph 6.07-A2 the fine shall be \$350.00. 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 a citation for the violation of Ordinance 6.08(D) of Chapter II of this Conduct Ordinance, the fine shall be \$30.00 if paid within 10 days and upon failure to pay such penalty within 10 days the penalty shall be \$40.00. For violations of the Ordinances included in 6.08(D)(3), 6.08(D)(4), or 6.20 of Chapter II of this Conduct Ordinance the fine shall be \$30.00 if paid within 10 days and upon failure to pay such penalty within 10 days, the penalty shall be \$40.00.
  - .04 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 or Park District property 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 or Park District property 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 5.02 of this Chapter of the Conduct Ordinance.
  - .05 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.
- 3.00 PROCESSING OF VIOLATIONS
- .01 All violations must be processed in a Court of Law except violations solely resulting in ejection, suspension, and/or banishment as set forth in

Chapter III Sections 2.01(E) and 2.04, and those non- moving vehicular violations designated in Chapter III Sections 2.02 and 2.03.

- .02 Towing of Motor Vehicles. Any vessel, watercraft, vehicle, or aircraft (hereinafter collectively referred to as "Vehicle"), stopped, standing, parked, or occupying any portion of any street, roadway, or Park property, whether operable or inoperable, in violation of any provision of this Conduct Ordinance, the Illinois Vehicle Code, or any applicable state or federal law is hereby declared a public nuisance. An officer of the Peoria Park District Police Department may tow, or cause to be towed, a public nuisance Vehicle in accordance with the following procedures:
- (A) The owner, operator, or person in physical control of the Vehicle shall be notified that a violation of this Section exists prior to, or at the time of, towing the Vehicle, if reasonably practical. Said notice shall be provided in writing by the Police Chief, a law enforcement officer, or a designee of the Police Chief. However, if circumstances do not permit notice prior to, or at the time of, towing, the owner of record shall be notified within five (5) business days of the violation and subsequent towing.
  - (B) The notice referred to in Paragraph A above shall either be personally served by the Police Chief, a law enforcement officer, a designee of the Police Chief, or any person authorized by law to make personal service, or the notice may be sent via certified mail to the owner of record's last known address. Such notice shall include the following:
    - (1) The location of the Vehicle prior to towing;
    - (2) The violation of the Park District Code, Illinois Vehicle Code, or law giving rise to the towing;
    - (3) The name of the towing or wrecking company;
    - (4) The location of the towing or wrecking company or towing yard where the Vehicle is located;
    - (5) The process for recovering the towed Vehicle, including the administrative and/or processing fee required for release of the Vehicle and the location where said fee may be paid;  
and
    - (6) The right to an administrative hearing as set forth in subsection 5.01.
  - (C) Release:
    - (1) The owner of record of the towed Vehicle may secure the release of said Vehicle by appearing in-person at the Peoria Park District Police Department, located at 1125 W Lake

Avenue, Peoria, IL 61614, during regular business hours from 8:00 a.m. to 4:00 p.m. Monday through Friday, excluding designated holidays, to obtain a Release.

- (2) Alternatively, the owner of record of the towed Vehicle may secure the release of said Vehicle outside of regular business hours by appearing in-person before a designee of the Peoria Park District Police Department as set forth in the towing notice. In order to obtain a Release, the owner of record shall pay an administrative and processing fee in the amount of \$25.00, if paid directly to the Peoria Park District Police Department during regular business hours, or an administrative and processing fee in the amount of \$50.00, if paid to a designee of the Peoria Park District Police Department outside of regular business hours.
- (3) The owner of record shall also be separately responsible for any accrued towing and storage fees. In the sole discretion of the Peoria Park District Police Department, the owner of record may be required to present sufficient documentation evidencing ownership to obtain a Release. The Park District Police Department shall hold the administrative fee in escrow until such time as a request for hearing would be untimely, or if a hearing has been timely requested in accordance with Chapter III subsection 5.01(D), until said hearing is completed.

(D) Payment of Fees and Costs; Disposal of Vehicles.

- (1) All fines and administrative and processing fees imposed pursuant to this Section shall constitute a debt due and owed to the Peoria Park District. Said debt may be satisfied by full payment to the Peoria Park District Police Department.
- (2) If the fine, administrative and processing fee, applicable towing and impoundment fees, and/or other fees and costs awarded by a Hearing Officer or court of law, are not paid within thirty (30) days after the expiration of time for filing a written request for hearing or, alternatively, within thirty (30) days after the expiration of time for administrative review of the Hearing Officer's determination, or, alternatively, within thirty (30) days after an action seeking administrative review has been resolved and in favor of the Peoria Park District, whichever is applicable, the Vehicle shall be deemed unclaimed and shall be disposed of in the manner provided for the disposition of unclaimed vehicles under the Illinois Vehicle Code.

- (E) Vehicle Possession.
  - (1) Except as otherwise provided by law, no owner of record, lien holder, individual, or entity shall be legally entitled to take possession of a Vehicle impounded under this Section until all applicable fines, fees, and costs are paid, in full.
  - (2) Whenever an individual or entity with a lien of record against an impounded Vehicle has commenced proceedings to repossess said Vehicle, possession of the Vehicle shall be given only if the individual or entity agrees, in writing, to pay to the Peoria Park District or other applicable party all fines, fees, and costs provided herein from the proceeds of the sale of the Vehicle.

4.00 ALTERNATIVE PENALTY: COMMUNITY SERVICE AND WORKFORCE DEVELOPMENT

- .01 Alternative to Monetary Fines. In lieu of paying a monetary fine for a violation of this Ordinance, an offender may, with the approval of the Park District or the court of jurisdiction, elect to perform community service hours for the benefit of the Park District or the community. The number of service hours required shall be determined by the Park District or the court, based on the nature and severity of the violation.
- .02 Special Requirement for Minors. If the offender is under the age of 18, the community service option shall also require successful completion of a workforce development training program approved or provided by the Park District as part of the alternative penalty.
- .03 Additional Provisions
  - (A) The availability of this alternative penalty is subject to the approval of the Park District or the court, and may be denied in cases involving repeat or serious violations.
  - (B) Failure to complete the required community service hours and, for minors, the workforce development training, within the time specified may result in reinstatement of the original monetary fine and/or other penalties as provided by this Ordinance.

5.00 APPEAL PROCESS FOR ALL CIVIL VIOLATIONS INCLUDING IMPOUNDMENT AND EJECTMENT

- .01 Impoundment Hearings and Hearing Procedure.
  - (A) The owner of record of a towed and/or impounded Vehicle may seek a preliminary probable cause hearing by filing a written request with the Peoria Park District Police Department within twenty-four (24) hours of the towing or impoundment or within twenty-four (24) of service of a towing or impoundment notice, whichever is later.

- (1) This twenty-four (24) hour period shall not include Saturdays, Sundays, holidays, or days Park District offices are closed.
- (B) The preliminary probable cause hearing shall be conducted by a Hearing Officer appointed by the Executive Director of the Park District within five (5) business days, unless agreed upon by the parties or good cause exists for an extension of time. However, unless agreed by the parties, an extension of time for good cause shall not exceed five (5) additional business days.
- (C) All interested persons shall be given a reasonable opportunity to be heard at the preliminary probable cause hearing. The formal rules of evidence will not apply at said hearing and hearsay evidence shall be admissible. If, after the hearing, the Hearing Officer determines there is probable cause to believe the Vehicle, is subject to towing and/or impoundment under this Section, the Hearing Officer shall order the continued impoundment of the Vehicle, unless the owner obtains a Release as provided for in this Section. If the hearing officer determines there is no probable cause for towing and/or impoundment, the Vehicle shall be returned to the owner without penalty or other fees.
- (D) Within ten (10) business days of the towing or impoundment or ten (10) business days of personal service of a towing or impoundment notice or preliminary probable cause hearing decision, whichever is later, the owner of record of a towed and/or impounded Vehicle may seek an administrative hearing by filing a written request with the Peoria Park District Police Department.
- (E) The administrative hearing shall be conducted by a Hearing Officer appointed by the Executive Director of the Peoria Park District.
- (F) Unless continued by the Hearing Officer, the administrative hearing shall be held no later than forty-five (45) days after the written request for hearing was delivered to the Peoria Park District Police Department.
- (G) The Hearing Officer shall notify the owner of record, by mail, of the date, time, and location of the administrative hearing no less than ten (10) days prior to the hearing date.
- (H) At any time prior to the hearing, the Hearing Officer may, at the request of the Peoria Park District or owner of record, direct witnesses to appear and give testimony at the hearing.
- (I) All interested parties shall be given an opportunity to be heard at the administrative hearing. The formal rules of evidence will not apply at the hearing, but hearsay evidence shall be admissible only

if determined credible by the Hearing Officer.

- (J) If the owner of record fails to appear at the administrative hearing scheduled in accordance with this Section, the Hearing Officer shall find the owner is in default and enter an order in favor of the Peoria Park District.
- (K) If, after considering all relevant, admissible evidence presented at the administrative hearing, the Hearing Officer determines, by a preponderance of the evidence, that the Vehicle was used in connection with the commission or attempted commission of any offense set forth in subsection (A), the Hearing Officer shall enter an order finding the owner of the Vehicle civilly liable to the Peoria Park District for fine of \$500.00, the applicable administrative and processing fee, and any other costs deemed reasonable under the circumstances. The owner of record shall be separately responsible for any accrued towing, impoundment, and/or storage fees. The owner, operator, or individual in possession of the Vehicle impounded under this Section shall also be subject to all fees, fines, and penalties that may be assessed by a court of law for the underlying violations.
- (L) If the Hearing Officer enters an order finding the owner of record liable to the Peoria Park District for the administrative fee, any Vehicle still impounded shall continue to be impounded until the owner pays all applicable fines, costs, and fees, or until disposal of the Vehicle pursuant to Chapter III Subsection 3.02(D)(2).
- (M) If the Hearing Officer finds, by a preponderance of the evidence, that the vehicle was not used in the commission or attempted commission of any offense set forth in the notice required by subsection (A), the Hearing Officer shall order the immediate return of the owner's Vehicle and of any fines or fees paid by the owner to the Park District.

.02 Ejectment Appeal Process

- (A) A person who, in accordance with Chapter III Sections 2.01(E) and 2.04, 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.

.03 Administrative Review.

A final order entered by a Hearing Officer under this Section is subject to review under the Administrative Review Act, 735 ILCS 5/3-101 et seq.