

ORDINANCE NO. 07-08-6/O

PARK DISTRICT OF FRANKLIN PARK

AN ORDINANCE REPEALING CHAPTERS 8 THROUGH 11, INCLUSIVE, OF “AN ORDINANCE PRESCRIBING RULES FOR THE CONDUCT OF BUSINESS OF THE PARK DISTRICT OF FRANKLIN PARK” ADOPTED ON AUGUST 13, 1964 AND AS HERETOFORE AMENDED, AND AMENDING AND RESTATING THE RULES AND REGULATIONS FOR THE GOVERNANCE AND PROTECTION OF PARKS AND PROVIDING FOR PENALTIES AND FINES FOR THE VIOLATION THEREOF

WHEREAS, the Park District of Franklin Park (District”) and the Board of Park Commissioners thereof have heretofore adopted “AN ORDINANCE PRESCRIBING RULES FOR THE CONDUCT OF BUSINESS OF THE PARK DISTRICT OF FRANKLIN PARK” AND AS HERETOFORE AMENDED (THE “Ordinance Code”); and

WHEREAS, it is necessary and desirable that Chapters 8 through 11, inclusive, of the Ordinance Code and that this Ordinance shall replace the repealed Sections aforesaid.

NOW, THEREFORE, BE IT AND THE SAME HEREBY IS ORDAINED by the Board of Park Commissioners of the Park District of Franklin Park, Cook County, Illinois, Sections 8 through 11, inclusive, of the Ordinance Code are hereby repealed and the following are hereby adopted as regulations for the governance and protection of all of the parks, roadways, parking lots, structures and other property of every kind owned or within the jurisdiction of the District, now or hereafter, whether within or outside of its boundaries (collectively, the “Park System”):

CHAPTER I

USE OF PARKS

A. (Non-Vehicle Rules and Regulations)

Section 1

Terms

For purposes of this Ordinance, the following terms shall have the definitions given herein:

- A. “District” is the Park District of Franklin Park, Cook County, Illinois.
- B. “Board” is the Board of Park Commissioners of the District.
- C. “Director” is the District’s Director of Parks and Recreation, the chief administrative officer of the District.
- D. “Park” is any playfield, playground, swimming pool, ice skating rink, open area, building, other facility, or any part thereof and the materials and equipment therein, owned, leased, operated or used by the District or under the supervision and control of the District.
- E. “Person” is an individual, firm, partnership, group, association, corporation, governmental unit, company or organization of any kind, except the District, its employees and Board members, while said employees and Board members are engaged in the performance of the District duties.
- F. “Vehicle” is any conveyance, whether motor powered or self-propelled, except baby carriages and conveyances in use by the District or patron.
- G. “Employee” is any employee or volunteer of the District.
- H. “Designated Director” is a Director of a Division within the District.

Section 2

Activities as Prohibited

No person shall engage in any sport, game, amusement or exercise in any Park wherein same has been posted by the Director as prohibited. No person shall refuse to deposit or provide a valid identification card or identify oneself when in the Park System and when requested to do so by a District employee; or present a false identification; or violate any posted Park District of Franklin Park rule in any Parks; or continue to violate non-posted rules not contained in a park district ordinance, after being instructed by a Park District of Franklin Park employee, either orally or in writing, that such conduct is in violation of said rule.

“Posted” shall mean any brochure, privilege pass, or sign either written or illustrated, and mounted in a conspicuous place and adjacent to or within the area of regulation.

Section 3

Entry Prohibited

No person shall enter a Park or part thereof posted as “Closed to the Public,” nor shall any person use or promote the use of any such Park or part thereof in violation of any posted notice.

Section 4

Intimidation

No person shall hinder, threaten or verbally abuse, interfere with or cause or threaten to do bodily harm to any person and/or to any employee of the District while such employee is engaged in performing his duties on behalf of the District. No person shall threaten, interfere with or cause or threaten to do harm to any personal property of any person or of any employee of the District while such employee is engaged in performing his duties on behalf of the District.

Section 5

Sales

No person shall expose or offer for sale any article or thing, nor shall any person station or place any stand, cart or vehicle for the transportation, sale, or display of any such article or thing in the Park System, nor shall any person within the Park System announce, advertise, or call the public's attention in any way to any article, or service for sale or hire except a regularly licensed concessionaire or other person acting under an official permit issued by the Director in accordance with the applicable Ordinance of the District governing the issuance of permits.

Section 6

Advertising

No person shall display any placard or advertisement of any kind in the Park System, nor shall any person distribute, cast, throw or place any handbill, pamphlet, circular, advertisement or notice of any kind, nor post, stencil, or otherwise affix any notice, or bills, advertisement or other papers, upon any structure or thing in, on or about the Park System except a person acting under an official permit issued by the Director in accordance with the applicable Ordinance of the District governing the issuance of permits.

Section 7

Firearms/ Weapons/ Missiles

No person shall bring, carry or use in any way, any knife, firearm, or other weapon of any kind, or any fireworks or other explosive substances of any kind in the Park System. No person shall throw, cast, hit or shoot, stones, arrows, golf balls or other missiles of any kind within the Park System, except at such places and times as the District may designate for such purposes.

Section 8

Fires

No person shall light or make use of any fire in the Park System, except at such places as may be provided for such purpose and then only under such rules as may be prescribed therefor. Every fire shall be continuously under the care and direction of a competent person from the time it is kindled until it is completely extinguished.

Section 9

Vandalism

No person shall deface, disfigure, break, cut, tamper with or displace or remove in or from any Park building or part thereof, table, bench, fireplace, coping, lamp post, fence, wall, paving or paving material, water line or other public utility or parts or appurtenance thereof, or any sign, notice or placard whether temporary or permanent, equipment, facilities or other Park property or appurtenances whatsoever, either real or personal.

Section 10

Foliage

No person shall damage, cut, carve, uproot or injure, any tree or bark or pick the flowers or seeds of any tree or plant in any Park, nor shall any person attach any rope, wire, or other contrivances to any tree or plant, in any Park. Nor shall any person dig in or otherwise disturb any grass area, or in any other way injure or impair the beauty or usefulness of any Park.

Section 11

Misuse of Park Property

No person shall use Park property for any purpose, other than its intended or designated purpose.

Section 12

Removal and Excavation

No person shall remove any soil, rock, stones, trees, shrubs or plants, down timber or other wood or materials from the Park System, nor make any excavation by tool, equipment, blasting or other means or agency within the Park system except pursuant to contract with the district or under the direction of the Director.

Section 13

Pollution of Waters

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

Section 14

Garbage and Glass

No person shall bring in or dump, deposit or leave any cans, dirt, paper, ashes, manure, rubbish, waste, garbage, refuse, trash or litter in the Park System except to deposit same in receptacles provided therefor. No person shall bring any glass, including but not limited to any glass bottle or glass container, into the Park System under any circumstances for any reason whatsoever except in conjunction with the provision of emergency medical care or treatment. No person shall bring in, dump, deposit or leave any landscape waste, yard waste, grass clippings, leaves, trees, bushes, shrubbery, or clippings from same in the Park System.

Section 15

Hunting

No person shall hunt, molest, harm, frighten, kill, trap, chase, shoot or throw stones, rocks or other missiles at any animal, or bird in the Park System, nor shall any person remove or have in his possession a bird or wild animal or the eggs or nest of any bird or wild animal in the Park System.

Section 16

Dogs

[Language to be determined].

Section 17

Animals Other than Dogs

No person shall lead or allow to be loose any animal in or upon the Park System. Any animal found within the Park System in violation of this section, may be apprehended, removed to an animal shelter, public pound, or any other place provided for that purpose, and impounded, all at the expense of the owner.

Section 18

Alcohol

No person shall bring within, sell, give away or drink alcoholic beverages at any time in the Park System, except to the extent, if at all, otherwise permitted by ordinance duly adopted by the Board. No person shall be under the influence of intoxicating liquor while in the Park System.

Section 19

Gambling

No person shall tell fortunes, gamble or participate in or promote any game of chance or use any gambling device in the Park System, except to the extent conducted by the District in accordance with State law.

Section 20

Gender Distinctions

No person [except for children under seven (7) years of age when accompanied by an adult parent or guardian] shall enter into or use any toilet, restrooms, bathhouse, pavilion or structure or section thereof of the Park System which has been designated for the use of the opposite sex.

Section 21

Indecent Behavior and Lewd Behavior

No person shall expose any part of the body to the public or District employee in an indecent or lewd manner, nor speak or make advances in a profane or obscene way, or make any indecent gesture nor exhibit, possess or transfer indecent or obscene pictures, writings or articles of any kind within the Park System. Nor shall any person take, or attempt to take any immoral, improper, or indecent liberties with any child or adult of either sex in the Park System.

Section 22

Assault/Battery

No person shall willfully assault another or be engaged in, aid, or abet in any fight or assault and battery with any person in the Park System or any part thereof.

Section 23

Disorderly Conduct

No person shall make, aid or condone or assist in making loud or raucous noise, threat, fight, disturbance, nuisance, riot or disturbance tending to a breach of the peace in the Park System, or be guilty of any disorderly conduct therein or thereon, or collect, with other persons, in bodies or crowds for unlawful purposes.

Section 24

Indecent and Obscene Language

No person shall speak or make advances in a profane or obscene way, or make any obscene gestures in the Park System. No person shall use abusive, insulting, derogatory or obscene language calculated to occasion a breach of the peace, in the Park System.

Section 25

Park Hours

The parks of the District shall be open for public use from dawn to dusk throughout the year, unless posted otherwise, except for Birch Park and North Park where hours shall be regulated according to the requirements of park programs. No person or property shall remain in the parks after closing time unless permission has been granted by the Director for later hours in writing.

All persons (except employees of the District whose duties require their presence or activities pursuant to a permit prescribing different hours or for emergency situations) shall observe the posted hours.

Section 26

Solicitation

No person shall beg or solicit alms or contributions of any kind for any purpose within the Park System except a person acting under an official permit issued by the Director in accordance with the applicable Ordinance of the District governing the issuance of permits.

Section 27

Construction

No person shall construct or erect any building, tent or structure of whatever kind in any Park, whether permanent or temporary in character, or run or string any public service utility into, upon or across any Park, except a person acting under an official permit issued by the Director in accordance with the applicable Ordinance of the District governing the issuance of permits.

Section 28

Loudspeakers

No person shall conduct any musical concert, play upon any amplified instrument nor set up or use any loudspeaker or amplified communication system in the Park System except a person acting under an official permit issued by the Director in accordance with the applicable Ordinance of the District governing the issuance of permits.

Section 29

Assemblies

No person shall hold or attempt to hold any meeting, assembly, demonstration, celebration, parade, rally, religious workshop, or any sponsored entertainment except persons acting under an official permit issued by the Director in accordance with the applicable Ordinance of the District governing the issuance of permits.

Section 30

Disturbing Others

No person shall disturb or interfere with any person or party occupying any Park, under the authority of an official permit of the Board.

Section 31

Obstruction of Justice

No person shall resist any police officer of the District in the discharge of any officer's duty, nor fail or refuse to obey any lawful command of any police officer, or in any way hinder or prevent such police officer from discharging his duty, or offer or endeavor to do so, or in any manner assist any person in custody to escape or attempt to escape from such custody, or rescue any person in custody.

Section 32

Golf Clubs

No person shall use any golf club on any property which is owned or controlled by the District unless such person does so under the immediate supervision and direction of a golf instructor engaged by the District.

Section 33

Loitering

No person shall loiter at entrances, in lobbies, walkways, restroom, parking lots and other non-recreational areas of the Park System. Prolonged or chronic sleeping in recreational facilities, parking lots and park grounds is prohibited. Using the parking lot for purposes unrelated to District business or services is prohibited.

Section 34

Barbecue Grills

No person shall barbecue on the grounds owned or possessed by the Park District. Any person desiring to barbecue on the grounds owned or possessed by the Park District shall first apply, in writing, to the Director for a permit.

Section 35

Bicycles, Roller Blades, Skateboards and Roller Skates

Persons bringing bicycles onto District property shall be responsible for seeing that their bicycles, while on District property, shall not cause injury or damage to persons and property within the Park System. Bicycles are not to be left unattended, or left in areas that block use and passage by park patrons. Bicycles shall be placed in bicycle parking racks where provided. No person shall leave any bicycles parked or standing within the Park System in violation of this section and if so left same are hereby declared to be a public nuisance, and such bicycle may be removed and impounded by the Park District. Impounded bicycles will be returned to their owners at such times and places as the Director may determine. Owners of impounded bicycles shall pay a \$20.00 service charge to the Park District for the return of their bicycles by the Park District. No person shall ride a bicycle, a skateboard, roller blades, or roller skates or similar equipment (collectively "Devices") at in or on any part of the Park System where the use of such Devices is posted as prohibited. No person shall use any such Device in any manner that interferes with or threatens any other Park District patron. Each person who uses such a Device shall yield the right of way to pedestrians at all times.

Section 36

Bringing Plants, Shrubs or Trees Prohibited

No person shall bring into or upon the Park System any tree, shrub or plant or any newly plucked branch or portion of a tree, shrub or plant.

Section 37

Camping / Sleeping

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

Section 38

Hindering Employees

No person shall interfere with, or in any manner hinder any employee of the Park District while engaged in constructing, repairing or caring for any Park Property.

Section 39

Drugs and Tobacco Products Prohibited.

(a) No person, at or in any Park Facility, shall bring within, sell, give away, drink, consume, or use any narcotics or drugs not therapeutically administered. (b) No person shall smoke cigarettes, cigars, pipes, or other tobacco products by any means indoors in any Park facility.

Section 40

Impersonation of Officers

No person shall falsely represent or impersonate any Police Officer or pretend to be a Police Officer on District property.

Section 41

Metal Detectors

No person shall operate any device which is designed for the detection of metal objects on or below property which is owned or possessed by the Park District.

Section 42

Minors

Every parent, guardian or custodian of a minor shall not permit or allow a minor under their authority to do any act in the Park System in violation of any law, ordinance or rule of the District, and they shall use their best efforts to prevent any such violation.

Section 43

Obstructing Travel

No person shall place one's body, or any property of any kind in such a way to block sidewalks, doorways, roadways, parking areas and obstruct travel in the Park System. No person shall set or place, or cause to be set or placed, any goods, wares, or merchandise or property of any kind at or in any Park Facility in any manner that would inhibit or obstruct proper pedestrian or vehicular movement.

Section 44

Playground Equipment: Use of by Adults Prohibited

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

Section 45

Private Instruction, Retail and Commercial Uses Prohibited

No person shall (a) conduct or engage in any private instruction, lesson, class, or similar activity or undertaking or (b) engage in any retail or commercial use at or in any Park Facility at or in any Park Facility at any time except pursuant to a permit issued by the Director pursuant to the applicable ordinance of the District.

Section 46

Restricted Areas

No person shall enter upon any portion of the Park System where persons are prohibited by the District as indicated by sign or notice. No person shall enter or attempt to enter any building or area in the Park System when it is closed to the public, or scheduled for a specific group or activity unless invited by same and where an admission fee is charged, without payment of the admission fee.

Section 47

Skating and Sledding

No person shall ice skate, sled, toboggan, ski, slide or carry on other similar activity in the Park System except at such places and times as the District may designate for that purpose. No person, while engaged in such activity, shall conduct himself in such a manner as to annoy others or to endanger, injure or damage persons or property in any way.

Section 48

Smoking

No person shall smoke any tobacco items such as cigarettes, cigars and /or pipe tobacco in any building owned or possessed by the Park District, with the exception of the Banquet Hall in the Center at North Park, which has been designated a smoking area.

Section 49

Tools

No person shall bring onto park property any hammer, wrench, pliers, screwdrivers, wire cutters, or other tools that could be used to damage or disassemble park equipment or property. Park employees and contractors hired by the Park District are excluded from this regulation when such tools are needed in the performance of their job.

Section 50

Uses of Park Facility Without Proper Permit Prohibited

No person shall call, hold, or conduct any assembly, private or public meeting, concert, entertainment, or other activity that is prohibited or for which a permit is required under any other ordinance of the District unless such permit has been properly applied for and approved and issued by the director.

Section 51

Vehicles Prohibited

No person shall operate any vehicle at or in any Park Facility except only on driveways and within parking lots or as specifically authorized in writing in advance by the Park District.

Section 52

Snowmobiles

No person shall operate any type of snowmobile within the Park System without a written permit from the District, and then only at such times and places as the District may from time to time designate for that purpose.

B. (Regulation of vehicles, traffic and parking).

Section 1

Vehicle Operation and Equipment

No person shall on any property of the District operate, or cause to be operated, any motorized vehicle that does not comply with or in a manner that does not comply with the Vehicle Code of the State of Illinois or other law(s) of the State of Illinois or ordinance of the villages within the Township where applicable, together with such regulations as are contained in this ordinance and as from time to time amended, having to do with the equipment, control, licensing, registering and use of motorized vehicles and/or the licensing of operators of such vehicles.

Section 2

Vehicle Types and Access Allowed

No person shall on any property of the District:

- a. Operate, or cause to be operated, any vehicle anywhere except on the roads, drives, and parking areas provided, without permit therefor from the Director and then only in compliance with the directions and restrictions of the police;
- b. Operate, or cause to be operated, any motor vehicle anywhere in the Park System which is not licensed or permitted to be operated on the roads, streets, and highways of the State of Illinois without a written permit from the Director and then only in those areas specified and in accordance with the rules and restrictions duly set forth. Vehicles not so licensed and, therefore, subject to the provisions of this sub-section include, but are not limited to, snowmobiles, go-carts, trail bikes, mini-bikes, and such other all-terrain, off-the-road vehicles;
- c. Operate or move, or cause to be operated or moved, any vehicle closed in as a result of the closing of the park at the proper posted time, without written permission of the Director or until such time that the park is officially opened; or
- d. Operate a vehicle on any road, drive or parking area posted, gated or barricaded as closed to public traffic.

Section 3

Right-of-Way

No person shall on any property of the District operate a motor vehicle in such a manner as to fail to yield the right-of-way to pedestrians or to deprive or unreasonably interfere with the equal rights of any other person to use the property of the District.

Section 4

Parking

No person shall on any property of the District:

- a. Park a vehicle overnight without a written permit from the Director.
- b. Park a vehicle in such a way as to block in another parked vehicle.
- c. Park a vehicle in such a way as to block, restrict or impede the normal flow of traffic.
- d. Park a vehicle in a zone or area posted prohibiting parking.
- e. Park a vehicle on lawn areas and grounds without a written permit from the Director.
- f. Park a vehicle and leave it within the Park System, unless using part of the Park system for a lawful purpose, involved in a park district activity or program, or unless a spectator of such activity or program.

Section 5

Speed Limits

No person shall operate a vehicle on any property of the District or cause same to be propelled on any road, driveway, or parking area that is part of the Park System at a speed greater than the speed limit posted along the right-of-way or, in the absence of such posted limit, at a speed in excess of 10 mph.

Section 6

Signs

No person on any property of the District shall fail to observe all traffic signs, and control devices erected and maintained by the District indicating speed, direction, restrictions as to vehicular use, caution, stopping or parking.

Section 7

Negligent or Careless Driving

No person shall operate any motor vehicle in the Park System in a reckless or wanton manner, or carelessly so as to endanger life or property.

Section 8

Overweight

No person shall operate any motor vehicle having a gross weight, (including vehicle and maximum load) in excess of 8,000 pounds, or any vehicle bearing a Class C or heavier license plate pursuant to 625 ILCS 3-815, except emergency vehicles, without a written permit from the Director.

Section 9

Improper Vehicle Operation

No person shall on any property of the District:

- a. Operate a motor vehicle at a rate of speed or in any manner that is unreasonable or imprudent not having regard to the traffic and use of the way, condition of the weather, visibility, condition of the roadway and other surrounding conditions, so as to endanger life or limb or injure the property of any persons;
- b. Operate a vehicle in such a manner as to deprive or unreasonably interfere with the equal rights of any other person to the use of any public street or highway in the Park System;
- c. Operate a vehicle in such a manner as to cause or produce unnecessary loud, excessive or unusual noise by the racing of the motor, by lack of a muffler or use of a muffler cutout, by tire friction upon rapid turning or weaving, by spinning of the wheels from standing or slow moving position produced by sudden unnecessary motor acceleration, or by continuous unnecessary sounding of a horn or other signal device;
- d. Operate a vehicle in disregard of any sign, signal, marking or device erected, constructed or created by the village or any public body or official having jurisdiction for the purposes of regulating, warning or guiding traffic, or contrary to the order or direction of any police officer or other person duly authorized to direct or regulate traffic.

Section 10

Driving While Under the Influence of Intoxicating Liquor or Drugs

No person who is a habitual user of narcotic drugs or who is under the influence of intoxicating liquor or drugs or a controlled substance shall drive, operate, or be in possession or control of, or attempt to drive or operate, any vehicle on any Park District property.

Section 11

Impounding of Vehicles

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

CHAPTER II

SUSPENSION

- A. (1) **SUSPENSION GENERALLY:** Upon serious infraction of any rule, regulation, or ordinance or of the Park District of Franklin Park, including but not limited to any section or sections of Chapter I, A. of this ordinance as from time to time amended, the patron may be suspended from the use of the Park System for the applicable period provided in subsection E. of this Chapter II. In such event the patron shall be given verbal instructions by the Director, a superintendent, a security guard, a Village of Franklin Park Police, or a designated staff member, to leave the Park District of Franklin Park facility or park in question, to refrain from use of all District parks and facilities until such time as he/she makes arrangements for an interview to discuss the infraction(s) with either the Director of the Park District of Franklin Park, or a superintendent of the Park District of Franklin Park. If possible at the time of eviction, the patron will be given a letter advising of the disciplinary action and procedure to follow as set forth in Chapter 2B, (1), below.
- (2) **EMPLOYEE TO INFORM:** It is the responsibility of the superintendent on duty to inform the Director of the removal of the patron and the reason(s) for such removal through the use of an Incident Report Form within 24 hours of said incident.
- B. (1) **LETTER TO PATRON:** Within 72 business hours, the patron will be sent a letter by registered or certified mail and which is signed by the designated superintendent or the Director, informing the patron of:
- a. The nature of the offense
 - b. The penalty or suspension period for the offense
 - c. Instructions for setting a date and time for a meeting with the administrative staff involved if an appeal is desired by the patron
 - d. That he/she is not to return to any Park District of Franklin Park facility until such a meeting as listed in B.1. c. above occurs, OR if found doing so, he/she may be arrested and/or prosecuted for "trespass."
- (2) **INFORM EMPLOYEES:** It shall be the responsibility of the designated superintendent or Director to inform appropriate District representatives of the name of the patron to insure that all levels of supervision know that such patron is not to use park facilities until further notice.
- (3) **TRESPASS:** If a patron who has been notified in accordance with Paragraph B.(1) d. is observed on District property, the patron may be subject to arrest for trespass.
- C. (1) **PATRON MEETING:** Upon meeting with the designated superintendent or Director the issues involving the patron will be discussed. The specific offense(s), evidence, and penalty, if any, will also be discussed.

(2) **SECOND LETTER TO PATRON:** Before said meeting is culminated, the patron will receive a form letter stating (i) the instructions to be followed for the patron to regain the privilege of usage of facilities and, (ii) the appeal rights regarding suspension.

(3) **CHANGE IN LENGTH OF SUSPENSION:** Should there be a change in length of suspension, it shall be the responsibility of the designated superintendent or Director to inform appropriate District representatives of the results of the meeting concerning the patron.

D. (1) **APPEAL MEETING:** If the suspension of the patron is for a period of 2 months or more and patron is of the opinion that the penalty is too severe for the offense committed, or there are extenuating circumstances that were not taken into consideration by the designated superintendent or Director *OR* that he/she definitely is not guilty of the offense as charged, the patron may request a hearing before the Board of Park Commissioners. Such request must be in writing within 10 days of the date the results of the meeting with the designated superintendent or the Director are communicated to the patron.

(2) **BOARD HEARING WITHIN TEN (10) DAYS OF REQUEST:** The Board of Park Commissioners shall meet within 10 days of the date on which such appeal notice is given to the Secretary of the Board. The patron will be notified in writing as to the date and time set for his/her meeting with the Board.

(3) **BOARD DETERMINATION:** At said meeting, the Board shall hear testimony presented by all interested parties and shall within 10 days of the conclusion thereof render a fair and impartial determination.

E. (1) **PENALTIES FOR VIOLATION OF A PROVISION OF CHAPTER I, A. OF THIS CONTROL ORDINANCE:** Penalties for infraction of the various sections of Chapter I, A. of this ordinance shall be as follows:

- (a) Violation of Section 2: Activities as prohibited.
 - First offense: Two (2) week suspension
 - Second offense: Three (3) week suspension
 - Third offense: One (1) month suspension
- (b) Violation of Section 3: Entry Prohibited.
 - First offense: Two (2) month suspension
 - Second offense: Six (6) month suspension
 - Third offense: One (1) year suspension
- (c) Violation of Section 4: Intimidation
 - First offense: Three (3) month suspension
 - Second offense: Six (6) month suspension
 - Third offense: One (1) year suspension
- (d) Violation of Section 5: Sales
 - First offense: Three (3) month suspension
 - Second offense: Six (6) month suspension
 - Third offense: One (1) year suspension

- (e) Violation of Section 6: Advertising
 - First offense: Three (3) month suspension
 - Second offense: Six (6) month suspension
 - Third offense: One (1) year suspension

- (f) Violation of Section 7: Firearms/ Weapons/ Missiles
 - Each offense: One (1) year suspension.

- (g) Violation of Section 8: Fires
 - Each offense: One (1) year suspension.

- (g) Violation of Section 9: Vandalism
 - First offense: Two (2) month suspension
 - Second offense: Six (6) month suspension
 - Third offense: One (1) year suspension

- (i) Violation of Section 10: Foliage
 - First offense: Two (2) month suspension
 - Second offense: Six (6) month suspension
 - Third offense: One (1) year suspension

- (j) Violation of Section 11: Misuse of Park Property
 - First offense: Two (2) month suspension
 - Second offense: Six (6) month suspension
 - Third offense: One (1) year suspension

- (k) Violation of Section 12: Removal and Excavation
 - First offense: Two (2) month suspension
 - Second offense: Six (6) month suspension
 - Third offense: One (1) year suspension

- (l) Violation of Section 13: Pollution of Waters
 - First offense: Two (2) month suspension
 - Second offense: Six (6) month suspension
 - Third offense: One (1) year suspension

- (m) Violation of Section 14: Garbage and Glass
 - First offense: Two (2) month suspension
 - Second offense: Six (6) month suspension
 - Third offense: One (1) year suspension

- (n) Violation of Section 15: Hunting
 - First offense: Two (2) month suspension
 - Second offense: Six (6) month suspension
 - Third offense: One (1) year suspension

- (o) Violation of Section 16: Dogs
 - First offense: One (1) month suspension
 - Second offense: Three (3) month suspension
 - Third offense: Nine (9) month suspension

- (p) Violation of Section 17: Animals other than Dogs
 - First offense: One (1) month suspension
 - Second offense: Three (3) month suspension
 - Third offense: Nine (9) month suspension

- (q) Violation of Section 18: Alcohol
 - First offense: Two (2) month suspension
 - Second offense: Six (6) month suspension
 - Third offense: One (1) year suspension

- (r) Violation of Section 19: Gambling
 - First offense: Two (2) week suspension
 - Second offense: One (1) month suspension
 - Third offense: Two (2) month suspension

- (s) Violation of Section 20: Gender Distinctions
 - Each offense: One (1) year suspension

- (t) Violation of Section 21: Indecent Behavior and Lewd Behavior
 - Each offense: One (1) year suspension

- (u) Violation of Section 22: Assault/ Battery
 - First offense: Two (2) month suspension
 - Second offense: Four (4) month suspension
 - Third offense: One (1) year suspension

- (v) Violation of Section 23: Disorderly Conduct
 - First offense: Two (2) month suspension
 - Second offense: Four (4) month suspension
 - Third offense: One (1) year suspension

- (w) Violation of Section 24: Indecent and Abusive Language
 - First offense: Two (2) month suspension
 - Second offense: Four (4) month suspension
 - Third offense: Nine (9) month suspension

- (x) Violation of Section 25: Park Hours
 - First offense: Two (2) month suspension
 - Second offense: Four (4) month suspension
 - Third offense: Nine (9) month suspension

- (y) Violation of Section 26: Solicitation
 - First offense: Two (2) month suspension
 - Second offense: Four (4) month suspension
 - Third offense: Nine (9) month suspension

- (z) Violation of Section 27: Construction
 - First offense: Two (2) month suspension
 - Second offense: Four (4) month suspension
 - Third offense: Nine (9) month suspension

- (aa) Violation of Section 28: Park Hours
 - First offense: Two (2) week suspension
 - Second offense: One (1) month suspension
 - Third offense: Two (2) month suspension

- (bb) Violation of Section 29: Assemblies
 - First offense: Two (2) month suspension
 - Second offense: Four (4) month suspension
 - Third offense: One (1) year suspension

- (cc) Violation of Section 30: Disturbing Others
 - First offense: One (1) month suspension
 - Second offense: Two (2) month suspension
 - Third offense: Three (3) month suspension

- (dd) Violation of Section 31: Obstruction of Justice
 - First offense: Two (2) month suspension
 - Second offense: Six (6) month suspension
 - Third offense: One (1) year suspension

- (ee) Violation of Section 32: Golf Clubs
 - First offense: One (1) month suspension
 - Second offense: Two (2) month suspension
 - Third offense: Three (3) month suspension

- (ff) Violation of Section 33: Loitering
 - First offense: One (1) week suspension
 - Second offense: Two (2) week suspension
 - Third offense: One (1) month suspension

- (gg) Violation of Section 34: Barbecue Grills
 - First offense: One (1) week suspension
 - Second offense: Two (2) week suspension
 - Third offense: One (1) month suspension

- (hh) Violation of Section 35: Bicycles, Rollerblades, Skateboards and Roller Skates
 - First offense: One (1) week suspension
 - Second offense: Two (2) week suspension
 - Third offense: Two (2) month suspension

- (ii) Violation of Section 36: Bringing Plants, Shrubs or Trees Prohibited
 - First offense: One (1) week suspension
 - Second offense: Two (2) week suspension
 - Third offense: One (1) month suspension

- (jj) Violation of Section 37: Camping/ Sleeping
 - First offense: One (1) week suspension
 - Second offense: One (1) month suspension
 - Third: Six (6) month suspension

- (kk) Violation of Section 38: Hindering Employees
 - First offense: Two (2) week suspension
 - Second offense: One (1) month suspension
 - Third offense: Two (2) month suspension

- (ll) Violation of Section 39(a):
 - Each offense: One (1) year suspension
 - Violation of Section 39 (b):
 - First offense: One (1) week suspension
 - Second offense: One (1) month suspension
 - Third offense: Six (6) month suspension

- (mm) Violation of Section 40: Impersonation of Officer
 - Each offense: One (1) year suspension

- (nn) Violation of Section 41: Metal Detectors
 - First offense: One (1) week suspension
 - Second offense: Two (2) week suspension
 - Third offense: One (1) month suspension

- (oo) Violation of Section 42: Minors
 - First offense: One (1) week suspension
 - Second offense: Two (2) week suspension
 - Third offense: One (1) month suspension

- (pp) Violation of Section 43: Obstructing Travel
 - First offense: One (1) month suspension
 - Second offense: Two (2) month suspension
 - Third offense: Three (3) month suspension

- (qq) Violation of Section 44: Playground Equipment: Use by Adult
 - First offense: One (1) week suspension
 - Second offense: One (1) month suspension
 - Third offense: Three (3) month suspension

- (rr) Violation of Section 45: Private Instruction etc.
 - First offense: Two (2) month suspension
 - Second offense: Four (4) month suspension
 - Third offense: One (1) year suspension

- (ss) Violation of Section 46: Restricted Area
 - First offense: One (1) month suspension
 - Second offense: Three (3) month suspension
 - Third offense: Nine (9) month suspension

- (tt) Violation of Section 47: Ice Skating and Sledding
 - First offense: One (1) month suspension
 - Second offense: Three (3) month suspension
 - Third offense: Nine (9) month suspension

- (uu) Violation of Section 48: Smoking
 - First offense: One (1) month suspension
 - Second offense: Six (6) month suspension
 - Third offense: One (1) year suspension

- (vv) Violation of Section 49: Tools
 - First offense: Two (2) month suspension
 - Second offense: Six (6) month suspension
 - Third offense: One (1) year suspension

- (ww) Violation of Section 50: Use of Park Facility Without Proper Permit
 - First offense: Three (3) month suspension
 - Second offense: Six (6) month suspension
 - Third offense: One (1) year suspension

- (xx) Violation of Section 51: Vehicles Prohibited
 - First offense: Six (6) month suspension
 - Second offense: Nine (9) month suspension
 - Third offense: One (1) year suspension

- (yy) Violation of Section 52:
 - First offense: Six (6) month suspension
 - Second offense: Nine (9) month suspension
 - Third offense: One (1) year suspension

- F. (1) Once a patron has accumulated three (3) or more suspensions as a result of violations of any of the rules, regulations, or ordinances of the Park District of Franklin Park within a 12-month period, all penalties for violations thereafter will be assigned as a third offense violation.

CHAPTER III

FINES AND ARREST

Any person violating or disobeying any provision of this Ordinance may be suspended from the use of the parks and facilities of the Park District of Franklin Park as provided in Chapter II hereof, and in addition may be ticketed (or in the event that the offense also constitutes an offense under the criminal laws of the State of Illinois, may be arrested by any police officer authorized by the District in this Ordinance or by State law) and may be fined upon conviction of an offense under this Ordinance, not less than TWENTY DOLLARS (\$20) nor more than ONE THOUSAND DOLLARS (\$1,000) for each provision violated, which fines may be recovered by an action in the name of the Park District of Franklin Park in the Circuit Court of Cook County, Illinois. The District may also seek in the action, in addition to fines, an order that the offender be required to make restitution for damage resulting from violations. For all purposes of this Ordinance, a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

CHAPTER IV

PARK POLICE OFFICERS

Each Police Officer of the Village of Franklin Park, Illinois, and the Sheriff of Cook County, Illinois (as to those parks and properties of the Park District of Franklin Park within their respective jurisdictions) shall be a conservator of the peace within and upon the Parks, boulevards, driveways, and property controlled by the District, and shall have power to cite any person for violation of any of the foregoing penal ordinances of

such District, or for any breach of the peace, in the same manner as the police in cities organized and existing under the general laws of the State. In addition, any such police officer shall be authorized to make an arrest of any person where the offense constitutes a violation of a criminal law of the State of Illinois.

CHAPTER V

HEADINGS

The headings used in this Ordinance are for convenience of reference purposes only and shall not add to nor subtract from the meaning of the substantive text of this Ordinance.

CHAPTER VI

EFFECTIVE DATE

This ordinance shall be in effect upon passage and approval.

ADOPTED: This 28 day of August, 2007.

VOTES: Ayes:

Nays:

Absent:

President

ATTEST:

Secretary

STATE OF ILLINOIS)
) SS.
COUNTY OF C O O K)

I, MARK J. CWIK, DO HEREBY CERTIFY that I am the duly elected, qualified and acting Secretary of the Park District of Franklin Park and of the Board of Park Commissioners of the Park District of Franklin Park; and that I have access to and am custodian of the official Minutes of the Meetings of the Board of Park Commissioners and of the Park District of Franklin Park.

I DO FURTHER CERTIFY that the above and foregoing is a true and correct copy (duplicate) of a certain Ordinance entitled:

ORDINANCE NO. 07-08-6/O

PARK DISTRICT OF FRANKLIN PARK

AN ORDINANCE REPEALING CHAPTERS 8 THROUGH 11, INCLUSIVE, OF “AN ORDINANCE PRESCRIBING RULES FOR THE CONDUCT OF BUSINESS OF THE PARK DISTRICT OF FRANKLIN PARK” ADOPTED ON AUGUST 13, 1964 AND AS HERETOFORE AMENDED, AND AMENDING AND RESTATING THE RULES AND REGULATIONS FOR THE GOVERNANCE AND PROTECTION OF PARKS AND PROVIDING FOR PENALTIES AND FINES FOR THE VIOLATION THEREOF

That the foregoing was passed by the Board of Park Commissioners of said Park District of Franklin Park on the 28 day of August, 2007, and was on the same day approved by the Secretary of the Park District of Franklin Park; that it was filed and recorded in the office of the Secretary of the Park District of Franklin Park of which the foregoing is a true copy (duplicate) and is now on file in the office of such Secretary.

GIVEN under my hand and seal of the Park District of Franklin Park this 28 day of August, 2007.

Secretary
Park District of Franklin Park
Cook County, Illinois

(SEAL)