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COUNTY CLERK
WILL COUNTY, ILLINOIS

WHEATLAND TOWNSHIP COMMUNITY PARK RULES AND REGULATIONS

Comprehensive list of Rules and Regulations established by the Board of Trustees of Wheatland Township, Will County, Illinois, pertaining to activities at the Wheatland Township Community Park.

Effective Date: October 9, 2014.

ORDINANCE NO. 14-11-O

The Board of Trustees of Wheatland Township, Will County, Illinois, has established a comprehensive list of Park Rules and Regulations.

Ordinance No. 14-11-O, defines the rules and regulations that pertain to activities at the Wheatland Township Community Park. The rules and regulations are not meant to stifle enjoyment or use of the Township's park; rather, the rules and regulations will help the Township to effectively manage the park for everyone's use and enjoyment.

1 DEFINITIONS

For the purposes of this Ordinance, the following words, terms, phrases and their derivatives shall have the meanings set forth in this Section. When not inconsistent with the context, the present tense shall include the future tense; the plural shall include the singular number and the singular number shall include the plural number. Additionally, this Ordinance shall be called and may be cited as the "Ordinance Regulating Conduct in Township Park" and is referred to herein as the Ordinance.

"Commercial Solicitation." Any one or more of the following activities, not done for charitable purposes, by a person on Township Park Property: (a) The sale of, or seeking to obtain, orders for or the purchase of, goods, wares, merchandise, foodstuff or services of any kind, character or description, for any kind or consideration whatsoever; (b) The sale of, or seeking to obtain prospective customers for, any application or purchase of insurance of any type, kind or character; and (c) The sale of, or seeking to obtain, subscriptions to books, magazines, periodicals, newspapers of any type, kind, or publication.

"ILCS." Illinois Compiled Statutes.

"Parade." Any march or other organized movement of persons from place to place, or about a place.

"Permit." Written authorization issued by, or under the authority of, the Township to a person or persons to engage in a particular act or acts on Township Park Property.

"Person." Any natural person and every firm, partnership, limited liability company, association, corporation or entity of any kind or any employee, agent, or officer thereof, except the Township and any authorized officer, employee (full or part-time, regular or temporary) or agent of the Township when acting within the scope of his authority. When person is used in conjunction with a restriction on age, it means a natural person.

"Public Assembly." Any meeting, demonstration, picket line, or congregation of persons on the public right-of-way or on Township Park Property for a common purpose. This does not include picnics, athletic or sporting events.

“Religious Solicitation” or “Charitable Solicitation.” A request by a person on Township Park Property, directly or indirectly, of money, credit, property, financial assistance, or any other thing of value to be used for a religious or charitable purpose, including, but not limited to: (a) Any oral or written request; (b) The distribution, circulation, mailing, posting or publishing of any handbill, written advertisement or publication; (c) The public making of any announcement concerning an appeal, assemblage, athletic event, bazaar, benefit, campaign, contest, dance, drive, entertainment, exhibition, exposition, party, performance, picnic, sale, or social gathering to be held within Township Park Property, to which the public is requested to patronize, or to which the public is requested to make a contribution for any religious or charitable purpose connected therewith; or (d) The sale of, or attempt to sell, any advertisement, advertising space, book, card, chance, coupon, device, magazine, membership, merchandise, subscription, ticket or any other thing in connection with any religious or charitable purpose.

“Service Dog.” Any dog that has successfully completed commonly recognized training to assist a physically disabled or handicapped person.

“Smoking.” The lighting of cigarettes, cigars, or pipes, the carrying of lighted cigarettes, cigars or pipes, or the intentional and direct inhalation of smoke from cigarettes, cigars or pipes.

“Supervisor.” The Supervisor of the Township.

“Township.” Wheatland Township, an Illinois Township organized and existing under and by virtue of the laws of the State of Illinois.

“Township Board.” The duly elected or appointed Trustees and Supervisor of Wheatland Township, Will County, Illinois.

“Township Park Property” or “Township Park.” Any property within the boundaries of Wheatland Township designated as a municipal park by the Township Board.

“Township Property.” All the property, real and personal, of every kind and description owned, leased or licensed by, or otherwise in possession or under the control of the Township.

“Vehicle.” Any device or instrumentality used or designed for the transportation of people, animals, plants or inanimate objects, whether motor powered or not, including, any tractor of any size, kind or description. This does not include baby carriages or bicycles when properly used on walks, nor does it include vehicles in the service of the Township.

“Work Permit.” The written authorization issued by or under the authority of the Township to a person or persons to engage in work on Township Park Property, subject to the terms and conditions specified in the work permit.

2 CONSTRUCTION, SCOPE AND SEVERABILITY

2.1 CONSTRUCTION

In the interpretation of this Ordinance, its provisions shall be construed as listed below:

- (a) Where context permits, words in the masculine gender shall include the feminine and neuter genders. Words in the singular number shall include the plural number.
- (b) The word “shall” is always mandatory.
- (c) No provision hereof shall make unlawful any act necessarily performed by an officer, employee or agent (including any police officer) of the Township, when acting within the scope of his authority or in his line of duty or work as such or any other person summoned by any such person to assist him in such endeavor.
- (d) This Ordinance is in addition to and supplemental to all applicable local, state and federal laws and Ordinances including, and without limitation to, “The Illinois Township Code.” 65 ILCS 1/1-1 *et seq.* The meaning of any term, phrase or word not otherwise defined in this Ordinance shall be construed and interpreted to mean the same as said term, phrase or word as otherwise defined, construed or interpreted in such applicable local, state, and/or federal law or ordinance.
- (e) The descriptive headings of the various sections or parts of this Ordinance are for convenience only and shall not affect the meaning, construction, or interpretation of any of the provisions of this Ordinance.
- (f) An attempt to commit an act or engage in an activity that is prohibited herein, shall be treated in the same manner as the commission of such act and subject to the same penalties, unless otherwise required by local, state, or federal law.

2.2 SCOPE

This Ordinance shall apply to and be enforceable within and upon all Township Park Property and shall regulate the use thereof by all persons.

2.3 SEVERABILITY

If any provision of this Ordinance or application thereof to any person or circumstance is held to be invalid by a court of competent jurisdiction, the remainder of this Ordinance and the application of such provision to other persons or circumstances shall not be affected thereby. The Township reserves the power to amend or repeal this Ordinance at any time, and all rights, privileges and immunities conferred by this Ordinance, or by acts done pursuant hereto, shall exist subject to such power.

2.4 REPEALER AND EFFECTIVE DATE

Ordinance No. 02-1, as amended by Ordinance 14-11-O, are hereby expressly repealed and any other ordinance or resolution which is in conflict with or inconsistent with any other provision hereof to the extent of such conflict or inconsistency, is hereby expressly repealed.

This Ordinance shall be in effect October 9, 2014.

3 GENERAL RULES

3.1 VIOLATION OF LOCAL, STATE OR FEDERAL LAWS

No person shall commit a violation of local, state, or federal laws or regulations while on Township Park Property.

3.2 PARK HOURS

3.2.1 Hours of Operations

The Township Park shall open at dawn and shall close at dusk except lighted athletic fields that remain open until 10:30 p.m. The Supervisor is authorized to make extension to these hours as necessary to the daily operation of the Township Park.

3.2.2 Special Closings

The Supervisor may close Township Park Property or any parts thereof to the public at any time and for any interval of time, entirely or merely for certain uses, as deemed reasonably necessary and in the best interest of the Township.

3.3 RESTRICTED AREAS

3.3.1 Entering Prohibited Areas

No person shall enter upon any portion of the Township Park Property where persons are prohibited from going by direction of the Township Board or Supervisor, as indicated by sign or notice.

3.3.2 Entering Areas Under Construction or Repair

No person, except as is authorized by the Township, shall enter upon any part of the Township Park Property that is under construction or closed for the purpose of repair or maintenance.

3.3.3 Entering Building or Areas Closed to Public or Scheduled for Specific Group or Activity

No Person shall enter any building or area of Township Park Property when it is closed to the public. No person shall enter any building or area in any Township Park which is reserved or scheduled for a specific group or activity, unless such person is invited by the person responsible for such activity, and if application such person has paid all appropriate admission fees.

3.3.4 Playgrounds Designed for Persons Under Twelve Years of Age

No person over the age of twelve years or older shall use playground equipment designed for persons under the age of twelve years.

3.4 INTERFERENCE WITH OTHER USERS

No person shall walk, act, or behave on any portion of Township Park Property designated for a particular game, sport, event, activity, or amusement in such a way as to interfere with the use of such portion by other persons who are properly using the same portion for the particular sport, event, activity, game or amusement for which it has been designated, nor shall any person unreasonably disturb or interfere with any person occupying any area or participating in any activity under the authority of a permit. No person shall limit or block access to Township Park Property. No person shall engage in any activity on Township Park Property in a manner intended or likely to endanger, injure, or damage persons or property in any way.

3.5 INJURY TO OR DESTRUCTION OF PARK PROPERTY

Unless authorized by a Township Board contract, or by Supervisor authorization, no person shall enter in or on Township Park Property to engage in any activity listed below:

- (a) Destroy, kill, cut, break, deface, mutilate, injure, disturb, sever from the ground or remove any sod, earth, stone, mineral, fossil, or growing thing, whether living or dead, including but not limited to any plant, flower bed, shrub, tree, turf, grass, growth, or any branch, stem, fruit, or leaf thereof; or bring into or have in his possession in or on Township Property any tool, instrument or chemical intended to be used for the foregoing, or any garden or agricultural implements or tools which could be used for the foregoing.
- (b) Burn any trees, shrubs, plants, flowers, grass, turf, plant growth or timber, on Township Park Property.
- (c) Go upon any lawn, grass plot, planted area, tree, shrub, monument, fountain, sculpture, or structure where access is prohibited by signs or symbols which are posted, displayed, or where access is restricted by fence or other physical barrier.
- (d) Cut, break, injure, damage, deface, destroy or alter any building, fence, monument, sculpture, bridge or other structure, or property contained therein.
- (e) Operate or drive any vehicle of any kind in or on Township Park Property in places other than roadways or in such a manner as to cause the same to collide with, run against, strike or cause to strike, injure, deface, or damage any appurtenance of any kind on Township Park Property.
- (f) Fasten any animal, or attach any rope, sign, handbill or other thing to any structure, tree, or shrub, or to any protective device around any tree or shrub growing in the Township Park Property.

- (g) Allow any animal to injure or deface any Township Park Property.
- (h) Fasten any bicycle, motorcycle, moped, or other vehicle to any Township Park Property or leave the same standing so as to injure any Township Park Property, including, but not limited to, any tree, shrub, lawn or grass plot, or on any property or any appurtenance of any kind.
- (i) Deface, destroy, cover over or otherwise make unreadable, any warning or prohibitory sign or symbol located on Township Park Property.
- (j) Mark, carve, bend, cut, paint, deface, breakdown, destroy, damage, alter, change, sever, uproot, excavate, remove, attach or suspend any rope, wire or other material or contrivance to or from any Township Park Property.
- (k) Climb upon, hang from, stand or sit on any plant, fence, structure or other Township Park Property of any kind except such benches or property designed or customarily used for such purpose
- (l) Plant any plant or fungus on Township Park Property.
- (m) Bury, affix or place on, in or under Township Park Property boxes, tables, cans or other storage containers (the phrase "place on" shall not mean a momentary or temporary locating of an object where the person so placing the object remains in the vicinity and clearly intends to remove the object).

3.6 OBSTRUCTING OR SOLICITING OFFICERS, AGENTS, EMPLOYEES OR CONTRACTORS

No person shall interfere with or obstruct any officer, agent, employee or contractor of the Township while engaged in constructing, repairing or maintaining any Township Park Property; nor shall any person solicit any officer, agent, employee or contractor of the Township while such person is on duty.

3.7 ALCOHOLIC BEVERAGES

No alcoholic beverages shall be sold, possessed, given away, delivered, or consumed on Township Park Property.

3.8 WEAPONS, FIREWORKS, EXPLOSIVES, ROCKETS

No person shall at any time bring onto, carry, have in his actual or constructive possession, or on or about his person, or use, fire, set off, cause to explode, discharge, burn, or throw onto Township Park Property, any knife, firearm, pistol, revolver, rifle, air gun, pellet gun, bow and arrow, slingshot, blackjack, billy club, any weapon capable of discharging a projectile by air, spirit gas, or explosive substance, rocket, firecracker or other firework, missile, liquid or gaseous substance or any other dangerous weapon.

3.9 SMOKING

Smoking or any use of any tobacco product is prohibited in all facilities owned, administered, leased, licensed by, or otherwise in the possession or control of the Township. Smoking is prohibited in all vehicles, equipment, and property owned, leased or otherwise in the possession or under the control of the Township. Smoking is prohibited in all areas on Township Park Property, and in or at all other locations where signs are posted prohibiting smoking. Smoking in any area not prohibited by this Section shall, in all respects, comply with Illinois state law.

3.10 PUBLIC INDECENCY

No person on Township Park Property shall commit an act of public indecency as defined in the Illinois Criminal Code of 2012.

3.11 DISORDERLY CONDUCT

No person on Township Park Property shall commit disorderly conduct as defined in the Illinois Criminal Code of 2012.

3.12 GAMBLING

No persons on Township Park Property shall commit gambling as defined in the Illinois Criminal Code of 2012.

3.13 CONTROLLED SUBSTANCES

No persons on Township Park Property shall commit a violation of the "Illinois Controlled Substance Act".

3.14 BATTERY

No persons on Township Park Property shall commit a battery against another person, as defined in the Illinois Criminal Code of 2012.

3.15 DEVICES FOR RECORDING AND/OR TRANSMITTING VIDEO

Consistent with state law and at the approval of the Township Board or Supervisor, the Township may authorize the placement of video cameras, video monitoring equipment and recording devices for the purpose of protecting Township Park Property. To the extent required by state law, signs will be present and posted at these sites notifying the general public of this policy.

3.16 POSTED PRINTED OR WRITTEN MATERIAL ON PUBLIC PLACES AND OBJECTS

- (a) No printed or written words, symbols, materials or other marks may be placed upon Township Park Property, or any object located on Township Park Property, unless a permit has first been obtained from the Township Board or Supervisor.
- (b) No person may erect or place any sign on Township Park Property unless a permit has first been obtained from the Township. This prohibition shall apply, without

limitation, to signs promoting or opposing any candidate for public office or any public question, and signs advertising real or personal property for sale or employment opportunities.

- (c) The Township may remove any printed or written word, symbol, material, sign or other mark found posted or otherwise affixed upon any Township Park Property or any object located on Township Park Property in violation of the provisions of this Section. Any item removed by the Township will be considered abandoned property and will be disposed of immediately by the Township. The person responsible for any such defacing, writing or posting shall be liable for the cost incurred in the removal thereof, in addition to and including any fines levied for the offense.

3.17 ABANDONMENT OF PROPERTY

It is unlawful for any person to abandon any personal property on Township Park Property, including, but not limited to, cars, boats, appliances, garbage, furniture, or refuse. In addition to all fines and other penalties for violation of this Section of the Ordinance, the Township may remove and destroy such property and assess the costs for such removal to the person abandoning the property.

3.18 GAMES AND SPORTS

No person shall engage in any sport, game, or amusement on Township Park Property where prohibited by the Township. Nor shall any person walk, remain, or go upon any portion of Township Park Property designated for any particular game, sport, or amusement in such a way as to interfere with the use of that portion of Township Park Property by persons who are using the same for the particular sport, game or amusement for which it has been designated. No person shall engage in any permitted activity in a rough or reckless manner so as to endanger, injure or damage any person or property in any way.

3.18.1 Power Models, Toys and Model Rocketry

No person or persons shall launch, fly or sail any rocket, model airplane, missile or any other flying object in or over Township Park Property; provided, however, tethered flights of model airplanes, rockets and other flying objects shall be permitted if done in such a manner and place so as not to endanger the safety and property of any person.

3.18.2 Bicycles, Skateboards and Roller Skates/Blades

- (a) No person shall ride a bicycle or skateboard on any path, trail, roadway, athletic field, spectator area, public areas or other area designated and posted as prohibiting bicycles and/or skateboards.
- (b) No person shall carry another person on the handlebars, frame, fender, or so ride a bicycle except on a suitable seat attached thereto for such a purpose, or operate a bicycle in a reckless manner so as to endanger pedestrians, the rider, or riders or skateboard therein.

- (c) No person shall park or leave unattended any type of bicycle in a manner that totally or partially impedes or blocks any pedestrian or vehicular traffic or access ways.
- (d) No person shall be permitted to roller skate or roller blade on any athletic courts, except those areas designated for such use.

3.18.3 Sledding/Snowboarding/Ice Skating

- (a) No person shall ice skate, sled, toboggan, snowboard, slide, or engage in similar activities on Township Park Property except at such times and places as the Township may designate for such purposes.
- (b) No person shall engage in any such activity in a reckless manner that endangers that person or others, or at a speed greater is safe and proper under the circumstances.
- (c) No person shall tow, push, pull, or otherwise propel another person on skis, sled, or other sliding device by use of any vehicle on Township Park Property.

3.18.4 Snowmobiling

For purposes of this subsection, a “snowmobile” shall be defined as any self-propelled vehicle intended for travel primarily on snow, driven by a rack or tracks in contact with the snow, and steered by ski or skis in contact with the snow. No person shall drive, ride, or otherwise operate a snowmobile on Township Park Property.

3.18.5 Field and Team Sports

- (a) No person shall play or engage in any team sport or game such as, but not limited to, baseball, football, soccer, volleyball, horseshoes and softball, except in those park areas designated for use as athletic fields, and only in such a manner as to not interfere with other persons using said athletic areas.
- (b) No person shall use lighted athletic fields or courts past the hours of 10:30 p.m. unless engaged in a Township Park sponsored activity.

3.18.6 Golfing

No person shall possess, swing or make use of any golf club to hit or putt golf balls within or into Township Park Property.

3.19 FIRES

No person shall light, maintain, or make use of any fire on Township Park Property, except at such places and at such times as the Township may designate for such purpose and under such rules as may be prescribed by the Township. In the event the Township permits a person to use such a fire, the person shall comply with the following requirements in addition to any other rules as may be prescribed by the Township:

- (a) No fire shall ever be left unattended. Every fire shall be under the continuous care and direction of a competent adult from the time it is kindled until the time it is completely extinguished.
- (b) All fires must be properly and completely extinguished prior to any person leaving the site of the fire.

- (c) Dumping of ashes from grills is strictly prohibited.
- (d) No person shall throw or otherwise discard lighted or smoldering material in any manner that threatens, causes damage to, or results in the burning of Township Park Property or other Township resources, or creates a safety hazard.

3.20 ANIMALS AND PETS

No person shall bring in, lead or carry any dog, other animals or fowl, wild, domestic, or pet, onto Township Park Property. Nothing in this Ordinance shall prohibit a Service Dog assisting a physically disabled or handicapped person from entering or remaining at any location in or on Township Park Property. It is expected that sight-impaired individuals will make every effort to immediately clean up after their Service Dog; however, the failure to do so shall not be deemed a violation of this Ordinance, unless such sight-impaired individual is accompanied by a non-impaired person. In such event, the person accompanying the sight-impaired person shall be liable under the provisions of this Section. The Supervisor is authorized to waive these requirements, at his discretion.

3.21 OBSTRUCT PUBLIC WAYS AND PLACES

It shall be unlawful for any person to stand or remain idle either alone or in consort with others on Township Park Property in such a manner as to:

- (a) Obstruct or block any driveway, public sidewalk, trail, or access to any other public place or building by interfering with or impeding the free and uninterrupted passage of vehicles, traffic or pedestrians; or
- (b) Commit any act or place any object in or upon any driveway, public sidewalk, trail, or access to any other public place or building which is an obstruction or interference to the free and uninterrupted use of property or ingress and egress to such driveway, public sidewalk, trail, or access to any other public place or building.

3.22 SLEEPING ON/OR INSIDE TOWNSHIP PARK PROPERTY

- (a) No person shall sleep on benches, sidewalks, parking lots, tables, playgrounds or playground equipment, or other Township Park Property, in a manner which unreasonably obstructs, interferes with or impedes the movement of other persons or their access to or use of any such location, equipment or facility.
- (b) No person shall remain overnight on Township Park Property unless a permit has first been obtained from the Township.

3.23 DUMPING OR LITTERING

- (a) No person shall litter, cast, throw, drop, place, lay or otherwise deposit, leave or scatter any placard, handbill, pamphlet, circular, book, notice or paper of any kind, or place, pile or otherwise dump, leave or deposit in any manner any kind of dirt,

rubbish, refuse, ashes, garbage, waste material, snow, ice, or other substance or material of any kind, whether liquid, solid or gas, on, over or in any Township Park Property except as specifically permitted by the Township. Nor shall any person spit upon or otherwise defile Township Park Property, except that paper, glass, cans, garbage and other refuse resulting from picnics or other lawful use of Township Park Property may and shall be deposited in receptacles provided by the Township for that purpose. Where receptacles are not so provided, are missing, or are full to capacity, all such garbage, refuse or other material shall be carried away from the Township Property by the person or persons responsible for the presence of such material and properly disposed of elsewhere.

- (b) Any person violating this Section may be assessed the cost to the Township of removing any such improperly deposited substance or material and such charge shall be in addition to and not in lieu of any other penalties provided for violation of this Ordinance.

3.24 ENCROACHMENTS

No building or other structure, landscape or planting, or any part thereof shall extend into, upon or over any part of any Township Park Property.

3.25 MOTORIZED VEHICLES

The provisions of this Section shall not be construed to apply to emergency, police or fire vehicles or any vehicle owned by the Township or a Township employee displaying proper identification where the employee is duly authorized to operate such vehicle at such location.

3.25.1 Unattended Vehicles

No person shall leave a motor vehicle unattended on any Township Park Property while the motor of such vehicle is running.

3.25.2 Repairs and Cleaning of Vehicles

No person shall change any parts, change oil, repair, wash, grease or clean a vehicle on any parking area in or on Township Park Property except when such repairing or cleaning is necessary to insure good vision, or emergency repairs are necessary to remove such vehicle from the parking area.

3.25.3 Negligent Driving

- (a) No person shall drive or operate any vehicle on Township Park Property negligently, recklessly or without due caution, or in any other manner so as to endanger any person or property.
- (b) All vehicles shall be driven or operated on the right side of any roadway open to travel, except when passing other vehicles.
- (c) It shall be unlawful to race or drive any vehicle in excess of the posted speed or, in the absence of posting, in excess of twenty (20) miles per hour on any roadway within the Township Park system.

- (d) No person shall fail to observe any traffic signs indicating speed, direction, caution, stopping, parking, crosswalk lanes, traffic lane markers and other signs posted by the Township for safeguarding life and property.
- (e) Every driver of a vehicle shall yield the right-of-way to a pedestrian at any marked crosswalk or within any unmarked crosswalk at any intersection. Any pedestrian crossing at a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at any intersection shall yield the right-of-way to vehicles upon the roadway. However, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrians upon any roadway, shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any person upon a roadway.

3.25.4 Driving Areas

No motor vehicles shall be managed, controlled or operated upon Township Park Property except over and upon such roadways, parking lots or other areas designated or marked for use by motor driven vehicles, unless permitted by the Supervisor or his designee.

3.25.5 Parking

No person shall upon or in connection with Township Park Property:

- (a) Park a vehicle on Township Park Property anywhere except in specific areas posted or designed for the parking of vehicles as determined by the Township Board.
- (b) Park a vehicle on Township Park Property so as to partially or totally obstruct block, restrict or impede another parked vehicle, obstruct normal traffic control, or which in any way may endanger the public, except when in compliance with the instructions of a police officer or agent of the Township
- (c) Park any vehicle or allow any vehicle to remain parked on Township Park Property beyond the normal closing hour except when a different closing hour has been designated by the Village for that area, or unless permission has first been obtained from the Township. In no event shall any vehicle, except Township vehicles, be parked on Township Park Property after 10:30 p.m., except with the approval of the Township, which approval shall automatically be deemed given in connection with activities conducted by the Township.

Whenever any vehicle is parked in violation of the provisions of this Section prohibiting or restricting parking, and there is no person in attendance upon such parked vehicle to be served immediately with a notice to appear in court to answer the charge of such violation, any police officer observing such violation may attach to the vehicle used in such violation, a notification ticket, so that the person in whose name such vehicle is registered may appear in court on a day certain, and at a designated court room to be named in such notice, and answer to the charge of

such violation. It shall be unlawful for any person other than the driver of the vehicle to which said notice is attached to remove the notification ticket from said vehicle.

3.25.6 Incorporation of State Statute

In addition to the provisions of this Ordinance, and to the extent not inconsistent therewith, no person shall operate a vehicle or perform any act in any manner on Township Park Property in violation of Chapter 11 of the Illinois Vehicle Code (625 ILCS 5/11-100, *et seq.*) which provisions are specifically incorporated in this Ordinance by reference.

3.26 PERMITS

No person shall fail to produce or display any permit or pass required in order to engage in any activity on Township Park Property that requires said permit, upon request of any authorized person who shall desire to inspect the same for the purpose of enforcing compliance with this Ordinance.

3.27 REVOCATION OF PRIVILEGES

Any person violating or disobeying any Section or part thereof of this Ordinance, or any other Ordinance rule or regulation of the Township, may be forthwith evicted from Township Park Property, and may have admission rights to Township Park Property terminated, revoked, forfeited or suspended for any reasonable period of time including, but not limited to, the remainder of the relevant program or playing season (days, weeks, months or years) as determined by the Supervisor or the Supervisor's designee.

No person shall, without a permit:

- (a) Conduct a public assembly or parade;
- (b) Circulate or distribute any leaflets, handbills, notices, pamphlets, books, documents or papers of any kind in any outdoor facility or parking lot;
- (c) Conduct any exhibit, music or dramatic performance, fair, circus, concert, play, radio, or television broadcast, other than a news transmission;
- (d) Exhibit or display any motion picture, television program or similar event;
- (e) Create or emit any amplified sound, except from a radio, recorder or other device possessed and used by an individual for his own enjoyment and operated in such a manner so as not to interfere with the use and enjoyment by any other person;
- (f) Place, station, or erect any building, stand, bandstand, stage, tower, scaffold, sound stage, platform, rostrum, hammock, swing, tent, shelter or other structure or camping equipment;
- (g) Station or use any electrical or electronic device or equipment that would require outdoor auxiliary power;

- (h) Sell, lease, advertise, or offer for sale or lease any goods or services;
- (i) Display, post, or distribute any placard, handbill, pamphlet, circular, book, or other writing containing commercial advertising matter on Township Property;
- (j) Bring, land, or cause to ascend or descend or light on Township Property, any airplane, helicopter, flying machine, piloted balloon, parachute, motorized model aircraft, model rocket or other motorized apparatus for aviation;
- (k) Use Township Property for day camps, instructional classes or organized groups not sponsored by the Township;
- (l) Create, light, or make use of a fire, including fires in fireplaces, stoves and pits;
- (m) Sell, bring within, give away, deliver, or consume alcoholic beverages on Township Property; or
- (n) Construct, maintain or use any canopy or tent upon Township Property.

3.28 APPLICATION FOR PERMITS

This Section of the Ordinance shall be in full force and effect as of January 1, 2015.

3.28.1 Filing Written Application

Any person seeking the issuance of a permit shall apply for a permit by filing a written application for permit on a form that shall be prescribed by the Supervisor. Except as otherwise provided, applications for permits shall be filed with the Supervisor, or designated alternate, at the Wheatland Township Administrative Building. *(Effective January 1, 2015.)*

3.28.2 Application Fee

For any activity requiring a permit, no permit shall be granted unless the applicant shall have paid, at the time of filing an application for a permit, the required application fee in an amount in accordance with the schedule of fees established by the Township Board. As permitted by law, fees that are charged to residents of the Township need not be the same as fees charged to non-residents of the Township. *(Effective January 1, 2015.)*

3.28.3 Security Deposit

For any activity requiring a permit, no application for such permit shall be granted unless the same shall be accompanied by the deposit of a sum of money equal to the estimated cost of policing, cleaning up and restoring the Township Property upon the conclusion of the use or activity, as set by the schedule of fees established by the Township Board. Promptly after the conclusion of a permit activity, the Township shall inspect the premises and equipment used by the permittee. If it is determined by such inspection, that the permitted event proximately caused damage to Township Property in excess of normal wear and tear and which requires repairs in excess of routine maintenance, or determined that fines may be assessed against the permittee pursuant to this Ordinance, the Township shall retain the security deposit, or any portion thereof, necessary to pay for the cost of any fines that may be assessed against the permittee. The Supervisor or his designee shall give written notice of the assessment of damages or fine that

may be assessed and retention of the security deposit to the permittee by personal delivery or by deposit via the United States mail, with proper postage prepaid to the name and address set forth in the application for permit. *(Effective January 1, 2015.)*

3.28.4 Indemnification and Reimbursement Agreement

If required by the Township, no application for permit shall be granted unless the applicant shall have executed an agreement with the Township, on a form to be prescribed by the Supervisor, in which the applicant shall promise to indemnify the Township and hold the Township harmless from any liability to any person resulting from any damage or injury occurring in connection with the permitted event proximately caused by the action of the permittee, the sponsoring organization, its officers, employees or agents or any person under their control in so far as permitted by law. *(Effective January 1, 2015.)*

3.28.5 Insurance

If required by the Township, the applicant shall procure and maintain at all times during its use of Township Property, insurance in such amounts and with such coverage as shall reasonably be required by the Township and shall name the Township as an additional insured there under. The amounts and type of insurance requested shall be determined by the Supervisor, based upon the nature of the activity and the risk involved. Applicant shall provide the Township with a certificate from its insurer evidencing such coverage prior to applicant's use of Township Property. *(Effective January 1, 2015.)*

3.29 PROCESSING OF APPLICATION OF PERMITS

3.29.1 Order

Applications for permits shall be processed and scheduled giving preference in the following order to the following activities and groups, regardless of the order of receipt of fully executed applications:

- 1st. Township sponsored and supervised programs and activities;
- 2nd. Wheatland Athletic Association sponsored and supervised programs and activities;
- 3rd. Other Township resident-based not-for-profit community, athletic and social organizations;
- 4th. Other units of local government located in Will County;
- 5th. Township approved activities sponsored by an individual or group of Township residents; and
- 6th. All others in the order the applications were received.

(Effective January 1, 2015.)

3.29.2 Preliminary Approval

Applications for permits for activities or events which require insurance, approval or permits from other governmental entities, or compliance with other terms or conditions, will be reviewed and, if the application otherwise conforms to all other requirements, a preliminary approval will be issued. *(Effective January 1, 2015.)*

3.29.3 Written Denials

Except for applications for permits for which preliminary approvals have been issued, applications for permits shall be deemed approved subject to insurance requirements as provided in this Ordinance. If no written denial is issued within twenty-one (21) days of the date on which the application is fully completed, executed and filed with the Manager or designated alternate, the Township may extend the period of review for an additional twenty-one (21) days by issuance of a written notice of extension. If, prior to the expiration of the extended review period, no written denial is issued, the application for permit shall be deemed approved. (*Effective January 1, 2015.*)

3.29.4 Notice of Extended Review or Denial or Issuance of Permit

Written notice of denial or notice of extension shall be served on the applicant by personal delivery, or by deposit in United States mail, with proper postage prepaid, to the name and address set forth on the application for permit. (*Effective January 1, 2015.*)

3.29.5 Contents of Notice; Grounds for Denial

Notice of denial of an application for permit shall clearly set forth the grounds upon which the permit was denied and, where feasible, shall contain a proposal by the Township for measures by which the applicant may cure any defects in the application for permit or otherwise procure a permit. Where an application for permit has been denied because a fully executed prior application for the same time and place has been received, and a permit has been or will be granted to the prior applicant authorizing uses or activities which do not reasonably permit multiple occupancy of the particular area, the Township shall propose an alternate place, if available for the same time, or an alternate time, if available for the same place. The Township may deny an application for permit on any of the following grounds:

- (a) The application for permit is not fully completed and executed;
- (b) The applicant has not tendered the application fee, user fee, indemnification agreement or security deposit has not been tendered in a timely manner;
- (c) The application for permit contains a material falsehood or misrepresentation;
- (d) The applicant or the person on whose behalf the application for permit was made has, on prior occasions, damaged Township Property and has not paid in full for such damage, or has other outstanding and unpaid debts to the Township;
- (e) A fully executed prior application for permit for the same time and place has been received, and a permit has been or will be granted to a prior applicant authorizing uses or activities which do not reasonably permit multiple occupancy of the particular park or part thereof;
- (f) The use or activity intended by the applicant would conflict with previously planned programs organized and conducted by the Township;
- (g) The proposed use or activity is prohibited by or inconsistent with the recognized and accepted uses of park or part thereof;

- (h) The applicant has not complied or cannot comply with applicable licensure requirements, ordinances or regulations of the Township concerning the sale or offering for sale of any goods or services;
- (i) The use or activity intended by the applicant is prohibited by law, by this Ordinance, or by another ordinance of the Township establishing park rules and regulations;
- (j) The applicant has not secured the requisite insurance;
- (k) The applicant or the person on whose behalf the application for permit was made, has on prior occasions made material misrepresentations regarding the nature or scope of the event or activity previously permitted or has violated the terms of prior permits issued to the applicant; or
- (l) The use of Township Park Property by applicant would conflict with the use of the Township Park Property by a person or persons given a higher priority pursuant to this Ordinance.

(Effective January 1, 2015.)

3.29.6 Amendment or Revision of Applications

Any amendment or revision of an application for permit shall, for purposes of determining the priority of the application for permit, relate back to the original filing thereof, but the time in which the Township shall grant or deny the application for permit and serve notice of such granting or denial shall be computed from the date of the amendment or revision. *(Effective January 1, 2015.)*

3.30 PROCEDURES FOR REVIEW; WAIVERS

3.30.1 Review by Supervisor and Township Board

Any applicant who is denied a permit or a permittee who is assessed damages or a fine pursuant to this Ordinance may, within seven (7) days of the service of notice of such determination, file a written appeal from such determination with the Supervisor. The Supervisor shall provide the permittee said notice regarding the date on which the appeal was reviewed by the Supervisor and the Township Board shall provide the applicant or permittee a notice that the Supervisor has affirmed, modified, or reversed the denial. Such notice shall be deemed served upon the applicant or permittee when it is personally delivered or when it is sent via United States mail, with proper postage prepaid, to the name and address set forth on the application for permit. *(Effective January 1, 2015.)*

3.30.2 Waiver of Requirements

Any requirements for a limitation upon a permit or the requirement of permit may be waived by the Supervisor if the activity is protected by the First Amendment of the United States Constitution and the condition would be so financially burdensome that it would preclude the applicant from using Township Property for the proposed activity. Fees for equipment and

services may not be waived pursuant to this subsection. Application for a waiver shall be made on a form prescribed by the Supervisor. *(Effective January 1, 2015.)*

3.31 FINES FOR PERMIT VIOLATIONS

The violation by a permittee of the terms of a permit or the ordinances and regulations of the Township shall subject the permittee upon a finding of liability for the violation to the maximum amount of fine permitted by this Ordinance. Each day that a violation continues shall be deemed a separate violation. Such fines may be assessed against any security deposit held by the Township on behalf of the permittee pursuant to this Ordinance, and may be assessed an amount in excess of any security deposit held by the Township. The Supervisor shall provide the permittee prompt written notice of any fines to be assessed against the security deposit. Such notice shall be served on the permittee by personal delivery, or by deposit in the United States mail, with proper postage prepaid to the name and address set forth on the application for permit. *(Effective January 1, 2015.)*

4 LOST AND FOUND ARTICLES

Whenever a Township employee or agent finds lost articles on Township Property, he shall report such findings to the Supervisor. The Supervisor shall make reasonable effort to locate the owner. If the property is unclaimed by the owner or person legally entitled to possession after such reasonable efforts, the property will be transferred to the Will County Sheriff's Office for disposition in the same manner as provided in the "Law Enforcement Disposition of Property Act" (765 ILCS 1030/0.01, *et seq.*). Items such as towels, clothing, balls, gloves, shoes, chairs, cups, coolers and other general park use items may be disposed of in any manner determined to be reasonable by the Supervisor.

5 ENFORCEMENT

5.1 ORDINANCE ENFORCEMENT

Proceedings to enforce violations of this Ordinance may be initiated and conducted in accordance with the provisions of the Township ordinances providing for administrative adjudication of code violations or by any other means provided by law.

5.2 NON-EXCLUSIVITY OF PENALTIES

The penalties provided for in this Ordinance are in addition to and not exclusive of any other remedies available to the Township as provided by applicable law. The penalties provided for in any Section of this Ordinance may be imposed or assessed in addition to and not necessarily in lieu of the penalties provided for in other Sections of this Ordinance.

5.3 POLICE FORCE

Representatives from the Will County Sheriff's Department are hereby authorized to enter upon the property owned, leased, or controlled by the Township for the purpose of enforcing the ordinances of Wheatland Township, Will County, Illinois, and all laws and ordinances amendatory thereof.

5.4 PARENTAL RESPONSIBILITY

- (a) The definitions of "legal guardian" and "minor" are as follows:

"Legal guardian" means a person appointed guardian, or given custody, of a minor by a circuit court of the State, but does not include a person appointed guardian, or given custody, of a minor under the Juvenile Court Act or the Juvenile Court Act of 1987.

"Minor" means a person who is above the age of 11 years, but not yet 19 years of age.

- (b) The parent or legal guardian of an unemancipated minor who resides with such parent shall be responsible for the care, supervision, actions and conduct of such unemancipated minor when the unemancipated minor is on or using Township Park Property.
- (c) The parent or legal guardian of an unemancipated minor who resides with such parent or legal guardian is liable for actual damages for the willful or malicious acts of such minor which cause injury to a person or any Township Property.
- (d) The Township may seek to recover actual damages to Township Property caused by the willful or malicious acts of an unemancipated minor from the parent or legal guardian pursuant to the provisions of the Illinois Parental Responsibility Act, 740 ILCS 115/1 *et seq.* This remedy is non-exclusive and shall not affect the recovery of damages in any other cause of action where the liability of the parent or legal guardian is predicated on a common law basis.

5.5 EJECTMENT OR ARREST

Representatives from the Will County Sheriff's Department shall have the authority to eject or place under arrest any person acting in violation of this Ordinance.

5.6 SEIZURE OF PROPERTY

Representatives from the Will County Sheriff's Department shall have the authority to seize and confiscate any property, thing or device in or used on Township Park Property in violation of this Ordinance.

5.7 VIOLATIONS AND FINES

Any person who violates any provision of any Section of this Ordinance shall, upon a finding of liability for said violation, be subject to a fine of not less than \$50.00 and not more than \$1,000.00. Each day that a violation continues and every violation of each separate Section of this Ordinance shall be deemed a separate violation. The Township may establish a schedule of violations for which a citation may be issued and paid without requiring appearance by the violator at an administrative hearing.

ADOPTED AND APPROVED this 9th day of October, 2014.

VOTES:

Ayes: 4 Nays: 0 Abstain: 1

ATTEST:



Chuck Kern

Supervisor, Board of Trustees

Wheatland Township

Will County, Illinois

Clerk

Wheatland Township

Will County, Illinois