

ARLINGTON HEIGHTS PARK DISTRICT
AMENDED AND RESTATED ORDINANCE NO. 260
DEFINING MISDEMEANORS AND PROVIDING PENALTIES
FOR SUCH MISDEMEANORS

WHEREAS, on April 8, 1969 the Board of Commissioners of the Arlington Heights Park District adopted Ordinance No. 260, "An Ordinance Defining Misdemeanors and Providing Penalties For Such Misdemeanors", and

WHEREAS, Ordinance No. 260 has been amended on a number of occasions since its adoption, and

WHEREAS, the Board wishes to make further amendments to the ordinance and believes it is best to pass a new ordinance amending and restating the original ordinance, as amended;

BE IT ORDAINED by the Board of Commissioners of the Arlington Heights Park District, Cook County, Illinois that Ordinance No. 260 is amended and restated to read as follows:

Section 1. For the purpose of this ordinance, the following terms shall have the definitions given herein:

A. "District" is the Arlington Heights Park District, Cook and Lake Counties, Illinois.

B. "Board" is the Board of Commissioners of the Arlington Heights Park District.

C. "Executive Director" is the chief administrative officer of the District.

D. "Park" is any playfield, playground, swimming pool, ice skating rink, open area, building or parts thereof or other facility and the materials and equipment therein owned, leased or in use by 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 District duties.

F. "Vehicle" is any conveyance, whether motor powered or self-propelled, except baby carriages, and conveyances in use by the District.

Section 2. No person shall engage in any sport, game, amusement or exercise in any Park, except in such parts thereof as are designated for that purpose by the Executive Director.

Section 3. (a) No person shall enter a Park, or part thereof, posted as "Closed to the public," nor shall any person use or abet the use of any such Park, or part thereof, in violation of posted notices.

Section 3. (b) No person shall enter, be or remain in any fieldhouse, clubhouse, building or other structure owned or operated by the District when closed to the public, nor in an open space area owned or operated by the District between the hours of 11 p.m. and 5 a.m. the following day except that this restriction shall not apply to persons that are entering or leaving an open space area for the purpose of either ingress to or egress from a

park fieldhouse, clubhouse, building or other structure that is open to the public nor to authorized Park or police personnel, and shall not apply during the hours of operation, as approved by the Board on an annual basis, of the Frontier Days Fourth of July Festival at Recreation Park. However, the Executive Director shall be authorized to designate different hours for any one or more park properties with reasonable notice to the public by signs and/or posting.

Section 4. No person shall hinder, interfere with or cause or threaten to do bodily harm to any employee of the District while such employee is engaged in performing his duties in and on behalf of the District.

Section 5. No person shall expose or offer for sale any service, 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 any Park, except a regularly licensed concessionaire or other person acting under an official permit of the Executive Director; nor shall any person within any Park or on its borders announce, advertise, or call the public attention in any way to any article, or service for sale or hire.

Section 6. No person shall paste, glue, tack or otherwise affix or post any sign, placard, advertisement, or inscription whatever, nor erect or cause to be erected any sign whatever on any structure or thing in a Park, except as authorized by the Executive Director.

Section 7. No person shall bring or have in his possession, or set off or otherwise cause to explode or discharge any gun, pistol, revolver, cracker, torpedo, rocket, squib, or other fireworks or explosives of inflammable materials, including any substance, compound, mixture, or article that in conjunction with any other substance or compound could cause injury to human or animal life, in any Park.

Section 8. No person shall light, build or attempt to light or build a fire in any Park except in such areas of a Park and under such regulations as may be designated by the Executive Director.

Section 9. No person shall throw any stone, brick or other missile in any Park. Nor shall any person hit a golf ball in any Park except Arlington Lakes Golf Club, Nickol Knoll, Sunset Meadows Driving Range and Golf Learning Center, or such portions of any Park as is designated for such purpose by the Executive Director.

Section 10. No person shall deface, disfigure, break, cut, tamper with, displace, remove from any Park building or part thereof, any table, bench, fireplace, coping, lamp post, fence, wall, paving or paving material, water line or other public utility or parts or appurtenances 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 11. No person shall damage, cut, carve, uproot or injure, any tree or injure the 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 contrivance to any tree or plant, in any Park. Nor shall any person dig in or otherwise disturb grass areas, or in any other way injure or impair the beauty or usefulness of any park.

Section 12. No person shall climb any tree nor climb, walk, stand or sit upon any wall, building, fountain, fence, railing in any Park nor upon any other Park property not designated or customarily used for such purposes.

Section 13. No person shall remove any soil, rock, stones, trees, shrubs, or plants, downed timber or other wood or materials from any Park, nor make any excavation by tool, equipment, blasting, or other means or agency within any Park, except under the direction of the Executive Director.

Section 14. 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 any Park or any tributary, stream, storm sewer, or drain flowing into such waters, any substance, matter or thing, liquid or solid, which will or may result in the pollution or the hindrance of the use of said water.

Section 15. No person shall bring in, dump, deposit or leave any bottles, broken glass, ashes, paper, fill, boxes, manure, cans, dirt, rubbish, waste, garbage or refuse, yard waste such as grass clippings, weeds, tree limbs, other landscaping waste, or other trash or litter in any Park. Persons using any park for a specific recreational activity shall dispose of any trash or litter from such activity in the receptacles provided on the premises.

Section 16. No person shall hunt, molest, harm, frighten, kill, trap, chase, tease, shoot, or throw stones, rocks or other missiles at any animal or bird in any Park, 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 any Park.

Section 17. No person shall bring a dog or other domestic animal into any Park, with the exception of Melas Park, where dogs are allowed. Should a dog be brought to Melas Park the dog must be on a leash and under control of its owner at all times. Dogs must remain on the paved path system in the park. The dog owner must be equipped to clean up after their dog and must clean up when the dog's action requires such. Dog owners with a Dog Park pass may unleash the dog once they are inside the fenced perimeter of Canine Commons.

Section 18. No person shall bring, drive, use or ride a snowmobile, go-cart or any other motorized vehicle in any Park without the consent of the Executive Director.

Section 19. No person within any Park shall ride another person on a bicycle nor leave any bicycle unattended without first locking it, nor park any bicycle in any place within a Park except in a bicycle rack.

Section 20. No person shall drive any vehicle in any Park, except upon paved roads or parking areas designated for such purposes and only then in accordance

with posted signs as to speed, direction, parking, stopping, lane markings and traffic controls.

Section 21. (a) No person shall park any vehicle in any Park, driveway, parking area of a Park between the hours of 11 p.m. and 5 a.m. the following day, except that this restriction shall not apply to a vehicle parked by a person who is lawfully in a fieldhouse, clubhouse, building or other structure adjacent to such driveway or parking area while said Park facility is open to the public nor shall said restriction apply to vehicles of authorized Park and Police personnel.

Section 21. (b) No person shall leave any vehicle anywhere in a Park more than 24 hours because of mechanical failure nor shall any person fail to notify and attempt to obtain the services of a mechanic for any vehicle that has failed to function within one hour of such failure.

Section 22. (a) No alcoholic liquors shall be sold, delivered, given away, or consumed by anyone or at any time in any Park except as provided in this Section. Alcoholic liquors may be delivered and consumed (i) at the Arlington Lakes Golf Club, Nickol Knoll Clubhouse, and at the Heritage Tennis Club when sold by the District, (ii) in specific areas of other Parks when authorized by written resolution approved by a majority of the Board setting forth the terms and conditions of the use of said alcoholic liquors, (iii) beer and wine may be delivered and consumed at the Administration Center and the Forest View Racquet and Fitness Club when a permit has been approved and issued by the Executive Director of the District, and alcoholic liquors, other than beer and wine, may be delivered and consumed when a permit has been approved and issued by the Board. The sale of alcoholic liquors shall not be allowed at the Administration Center or the Forest View Racquet and Fitness Club at any time.

Section 22. (b) No person shall be under the influence of intoxicating alcoholic liquors at any time in any Park.

Section 22. (c) No narcotic drugs or controlled substances shall be sold, delivered, given away or used by anyone at any time in any Park.

Section 23. No person shall tell fortunes, gamble, participate in or abet any game of chance or use any gambling device in any Park without the consent of the Board, and without compliance with all rules, regulations, ordinances and statutes governing such activities.

Section 24. No person, except for children under five (5) years of age, shall enter into, loiter or remain in any toilet, restroom, bathhouse, pavilion, or structure or section thereof, of any Park which has been designated by the Executive Director for the use of the opposite sex.

Section 25. No person shall expose any part of the body to the public in an indecent or lewd manner, nor speak or make advances in a profane or obscene way, or make any indecent or obscene gestures in any Park. Nor shall any person take, or attempt to take any immoral, improper or indecent liberties with any child or adult of either sex in any Park.

Section 26. No person shall make use of the Park as a place to sleep at any time of any day nor shall any person swing, occupy or use any hammock in any Park,

except such portions thereof as is designated for such purpose by the Executive Director.

Section 27. No person shall make, aid, countenance or assist in making any loud or raucous noise, riot or disturbance tending to a breach of the peace in any Park, or be guilty of any disorderly conduct therein or thereon, or collect, with other persons, in bodies or crowds for unlawful purposes, or for any purpose to the annoyance or disturbance of the other persons using a Park or residents adjacent to a Park.

Section 28. No person shall use abusive, insulting or obscene language, or language calculated to occasion a breach of the peace, in any Park.

Section 29. No person shall commit in any Park any act prohibited by the Criminal code of the State of Illinois as set forth in the Illinois Criminal Code of 1961, 720 ILCS.

Section 30. No person shall beg or solicit any alms or any contribution in any Park. Nor shall any person solicit, collect any donations or charge any fees for any service, whether private or public, except fees as charged by the Park and approved by the Board, without first having obtained a written permit from the Executive Director.

Section 31. 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, without first having obtained an official permit from the Executive Director.

Section 32. No person shall conduct any musical concert, play upon any amplified instrument, nor set up or use any communication system in a Park without first obtaining an official permit from the Executive Director.

Section 33. No person shall hold, or attempt to hold, any meeting, assembly, demonstration, celebration, parade, rally, religious worship, or any sponsored entertainment, social, recreational or athletic event without first obtaining an official permit from the Executive Director.

Section 34. No person issued an official permit by the Board shall fail to produce the permit and exhibit it upon request of the Executive Director or Park employee, or Board member or police officer.

Section 35. No person shall disturb or interfere with any person or party occupying any Park, under the authority of an official permit of the Board or the Executive Director.

Section 36. No person shall resist any police officer of the District in the discharge of the said officer's duty, or 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 so to do, 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 37. The President of the Board shall be the ex-officio Police Commissioner and, in his/her discretion, may appoint, with the approval of the Board, one or more of the Park Commissioners to serve for the fiscal year as the Police Commission, with full police power for the purpose of formulating or making such additional rules and regulations as an emergency or emergencies and the public interest

may from time to time require for the orderly regulation of the District, in the care and protection of the property of the District and for the preservation of public health and peace in and about the District.

Section 38. (a) Any person who shall violate any of the provisions of this Ordinance shall be fined not less than Fifty Dollars (\$50) nor more than Five Hundred dollars (\$500) for each such offense; provided, however, that any person charged with such a violation may, within the time after the date of the citation alleging the violation set forth below, settle and compromise such charge by paying to the Village of Arlington Heights the penalty set forth below.

Within ten (10) days ----- \$15.00

After ten (10) days but within
twenty-one days ----- \$25.00

(b) In each case in which such compromise payment is made, the District shall waive further prosecution of the alleged violation. After twenty-one days from the date of the citation alleging the violation, any person who has not settled and compromised the charge shall be given a notice of date for a court appearance.

Section 39. Each member of the Board, the Executive Director, and the Police Officers of the Village of Arlington Heights, Village of Mt. Prospect, and City of Prospect Heights, Cook County, Illinois, are hereby appointed Police Officers of the District. Each Police Officer shall enforce the provisions of this Ordinance on Park property, both owned and leased, within their respective jurisdictions, and shall have authority to eject from any Park any person acting in violation of the ordinance and may confiscate any property, thing, or device used in any Park in violation of this ordinance.

Section 40. The Secretary of the District shall notify the public of this amended and restated Ordinance No.260 by posting a copy of this Ordinance on the bulletin board at each community center of the District and shall notify the District's administrative staff of the change by making a copy of this Ordinance available to the staff.

Section 41-101. Adoption of State Gift Ban Act (a) The State Gift Ban Act (5 ILCS 425 et seq.) is hereby adopted as required by Section 83 of the Act (5 ILCS 425/83).

(b) The solicitation or the acceptance of gifts prohibited to be solicited or accepted under the Act is prohibited by any elected or appointed official or any employee of the Park District.

Section 41-102. Ethics Officer. To the extent authorized by law and to the extent required by Section 35 of the Act (5 ILCS 425/35), the park district's attorney is appointed to serve as the "ethics officer" of the Park District. The ethics officer's duties shall be as provided in Section 35 of the Act.

Section 41-103. State Legislative Ethics Commission; Complaints.

All complaints for violation of the Act and this ordinance shall be filed with the State Legislative Ethics Commission created by Section 45(a)(6) of the Act.

Section 41-104. Future Amendments to State Gift Ban Act. Any amendment to the State Gift Ban Act (5 ILCS 425/1 et seq.) that becomes effective after the passage of this Ordinance shall be incorporated into this Ordinance by reference and shall be applicable to the solicitation and acceptance of gifts. However, any amendment that makes its provisions optional for adoption by park districts shall not be incorporated into this Ordinance by reference without formal action by the corporate authorities of the Park District.

Section 41-105. Future Declaration of Unconstitutionality of State Gift Ban Act.

(a) If the Illinois Supreme Court declares the State Gift Ban Act (5 ILCS 425/1 et seq.) unconstitutional in its entirety, then this Ordinance shall be repealed as of the date that the Supreme Court's decision becomes final and not subject to any further appeals or rehearings. The ordinance shall be deemed repealed without further action by the corporate authorities of the Park District if the Act is found unconstitutional by the Illinois Supreme Court.

(b) If the Illinois Supreme Court declares part of the State Gift Ban Act (5 ILCS 425/1 et seq.) unconstitutional but upholds the constitutionality of the remainder of the Act or does not address the remainder of the Act, then the remainder of the Act as adopted by this Ordinance relating to the part of the Act found unconstitutional shall be deemed repealed without further action by the corporate authorities of the Park District.

Section 42. No person shall smoke or use any tobacco products in any facility of the Arlington Heights Park District. The term "smoke" or "smoking" means the carrying, smoking, burning, inhaling or exhaling of any kind of lighted pipe, cigar, cigarette, hookah, weed, herb or any other smoking equipment including electronic cigarettes (e-cigarettes). Facilities include all buildings and shelters of the Park District and all areas within a fence at an outdoor pool, tennis court and skating area. There shall be no smoking or use of tobacco products within 15 feet of any entrance to any Park District facility and within 50 feet of the delineated border of any playground equipment or parks when organized children's activities or organized special events are present. There shall be no smoking or use of tobacco products within 50 feet of any outdoor athletic facility including baseball/softball fields, soccer fields, football fields, ice rinks, sled hills, bocce courts, fixed baggo boards, driving range tees, basketball courts, and other fields used for athletic play on Park District property. Smoking or the use of tobacco products is prohibited in all wooded areas on Park District property. No person shall smoke or use any tobacco products, in any fashion, while in any Park District vehicle or while operating any Park District equipment.

ORDINANCE NO. 525

Amended & Restated Ordinance No. 260
APPROVED: May 3, 1995

Amended by Ordinance No. 530
APPROVED: June 27, 1995

Amended by Ordinance No. 550
APPROVED: January 13, 1998

Amended by Ordinance No. 570a
APPROVED: November 10, 1998

Amended by Ordinance No. 580
APPROVED: June 22, 1999

Amended by Ordinance No. 600
Approved July 24, 2001

Amended by Ordinance No. 656
Approved June 22, 2010

Amended by Ordinance No. 678
Approved April 22, 2014

Amended by Ordinance No. 683
Approved November 11, 2014

Chapter 70, ILL Compiled Statutes.
Act 1205, Article 8-1

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