

ORDINANCE NO. 525
MT. PROSPECT PARK DISTRICT

**AN ORDINANCE AMENDING AND RESTATING THE CONTROL
ORDINANCE OF THE MT. PROSPECT PARK DISTRICT,
BEING AN ORDINANCE CONTAINING RULES AND REGULATIONS
FOR THE GOVERNMENT AND PROTECTION OF PARKS AND
PROVIDING FOR SUSPENSIONS AND FINES FOR THE VIOLATION THEREOF**

WHEREAS, the Mt. Prospect Park District and the Board of Park Commissioners thereof have heretofore adopted certain rules and regulations in ordinance form, for the governance and protection of the parks; and

WHEREAS, it is necessary and desirable that said rules and regulations be amended as more particularly provided herein.

NOW, THEREFORE, BE IT AND THE SAME HEREBY IS ORDAINED, by the Board of Park Commissioners of the Mt. Prospect Park District, Cook County, Illinois, that Ordinance No. 402, Resolution No. 476 and Resolution No. 483 of the Mt. Prospect Park District are hereby rescinded and the rules and regulations of the Park District are hereby amended and restated as follows:

CHAPTER I

DEFINITIONS

Section 1. Terms. For purposes of this Ordinance, the following terms shall have the definitions given herein.

- A. "District" is the Mt. Prospect Park District, Cook County, Illinois.
- B. "Board" is the Board of Park Commissioners of the District.
- C. "CEO" is the Chief Executive Officer, the chief administrative officer of the District.
- D. "Park" is any playfield, 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; provided, however, and notwithstanding anything to the contrary contained in this ordinance, any person who is an employee of the District and who violates any prohibition under Chapters II or III hereof while on duty, shall not be subject to the provisions of Chapters IV and V hereof, but shall be disciplined in accordance with the applicable provisions of the District's Personnel Policy Manual

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

G. "Employee" is any employee or volunteer of the District.

H. "Designated Director" is a Director of a Division within the District.

CHAPTER II

USE OF PARKS

Section 1. Activities as Prohibited. No person shall engage in any sport game, amusement or exercise in any Park if such activity has been posted as prohibited. No person shall violate any posted or duly adopted Mt. Prospect Park District rule in any Park. No person shall continue to violate any non-posted rule not contained in a Park District ordinance, after being instructed by a Mt. Prospect Park District employee, either orally or in writing, that such conduct is in violation of that rule.

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

Section 2. Refusal to Provide Identification. No person shall present a false identification or refuse to deposit or provide a valid identification card or identify oneself when requested to do so by a District employee.

Section 3. Entry Prohibited. No person shall enter a Park or part of a Park posted as "Authorized Personnel Only" nor shall any person use or promote the use of any such Park or part of a park in violation of any posted notice.

Section 4. Intimidation.

A. **Harm to Person.** No person shall hinder, threaten or verbally abuse, interfere with or cause or threaten to do bodily harm to any person in any Park.

B. **Harm to Property.** No person shall threaten, interfere with or cause or threaten to do harm to any personal property of any person in any Park.

Section 5. Sales. No person shall expose or offer for sale any article or thing, nor shall any person place any stand, cart or vehicle for the transportation, sale, or display of any such article or thing in any Park. No person shall, while in any Park, announce, advertise, or call the public's attention in any way to any article or service for sale or hire. This shall not apply to a regularly licensed concessionaire or other person acting under an official permit issued pursuant to authority of the Board.

Section 6. Signs. No person shall paste, glue, tack or otherwise affix or post any sign, placard, advertisement, election material or inscription of whatever kind, nor erect or cause to be erected any sign whatsoever on any structure or thing in a Park, except upon authorization of the CEO, which authorization shall be determined on a content-neutral basis and shall be subject only to reasonable time, place and manner restrictions.

Section 7. Dangerous Articles and Activities. The following shall be prohibited on any Park property:

A. Possession of any knife other than one typically used and clearly intended by the possessor for eating in the Park on that day.

B. Bringing, possessing or setting off or otherwise causing to explode or discharge any torpedo, rocket, squib or other fireworks or explosives or inflammable materials, including any substance, compound, mixture, or article that is easily ignited or subject to explosion.

C. Bringing, possessing or discharging any firearms of whatever kind or nature including BB guns or pellet guns.

D. Bringing, possessing or discharging any kind of slingshot.

E. Use of any items to injure any person.

F. Endangerment of human or animal life.

Section 8. Fires. No person shall light, build or attempt to light or build a fire in any Park except in areas dictated by a park permit.

Section 9. Throwing. No person shall throw any stone, brick or other hard object except balls, frisbees or other such objects as are generally used as part of a recognized leisure or recreational activity in or upon any Park.

Section 10. Vandalism. No person shall deface, disfigure, break, cut, tamper with, displace or remove any part of any table, bench, fireplace, coping, lamp post, fence, wall, paving or paving material, water line or other public utility, or any sign, notice or placard whether temporary or permanent, equipment, facilities or other Park property or appurtenances whatsoever, whether real or personal.

Section 11. Foliage. No person shall damage, cut, carve, uproot or injure any tree or pick the flowers or seeds of any tree or other plant in any Park, nor shall any person attach any rope, wire or other contrivances to any tree or other plant in any Park. Nor shall any person dig in any Park or in any way injure or impair the beauty or usefulness of any Park.

Section 12. Misuse of Park Property. The intended purpose of each Park is as a public recreational facility or such other purpose as the Board may officially designate. No person shall use Park property for any purpose, other than such intended purpose.

Section 13. Removal and Excavation. No person shall remove any soil, rock, stones, trees, shrubs or plants, downed timber or other wood or materials from any Park. Neither shall any person use any excavation tool, equipment or blasting materials within any Park except under the direction of the CEO or designated Director.

Section 14. 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 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, obstruction or hindrance of the use of those waters.

Section 15. Garbage and Glass. No person shall bring in, dump, deposit or leave any cans, dirt, paper, ashes, manure, rubbish, waste, garbage, refuse, trash or litter in any Park. No person shall bring any glass, including but not limited to any glass bottle or glass container, into any Park 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 plant clippings in any Park.

Section 16. 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 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 or from any Park.

Section 17. Dogs. No person shall bring, permit or allow a dog or other domesticated animal in or on any Park, except when under the control of the person and on a leash that does not exceed fifteen (15') feet in length. No person shall permit any dog or other domesticated animal, when brought into any Park, to disturb, interfere with, bite or assault any person or animal in the Park. No person shall bring a dog or other domesticated animal into any Park unless such person shall be carrying with him or her a visible means for removal of that animal's excrement and unless such person shall immediately remove such excrement from the Park or dispose of it in an appropriate trash receptacle. Dogs are not allowed in any playground area or athletic field.

Section 18. Prohibited Vehicles. No person shall bring, drive, use or ride any motor vehicle (except a Park District vehicle) in any Park other than on designated parking areas.

Section 19. Traffic. No person shall drive any vehicle whether motorized or not, 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. In the absence of posted signs as to speed, the movement of any vehicle within the District shall not exceed the speed of 10 miles per hour.

Section 20. Parking Hours. No person, other than an authorized employee, shall park any vehicle in any Park, driveway or parking area of a Park between the hours of 11:00 p.m. to 5:00 a.m. each day or when such Park is closed or as designated by park management. No person shall fail to notify and obtain the services of a tow truck for any vehicle that has failed to function within ten (10) hours of such failure. No person shall park a motor vehicle in a Park unless using that Park. The CEO may direct the posting of any other parking restriction within any Park that the CEO deems appropriate for proper operation of the Park. No person shall park a vehicle in violation of such posting.

Section 21. Alcohol. No person shall sell, give away, drink or otherwise possess alcoholic beverages at any time in any Park except to the extent otherwise permitted by an ordinance duly adopted by the Board. No person shall be under the influence of intoxicating liquor while in any Park.

Section 22. Gambling. No person shall tell fortunes, gamble or participate in or promote any game of chance or use any gambling device in any Park.

Section 23. Gender Distinctions. No person, except for children under the age of seven (7) years of age, shall enter into or use any toilet, restroom, bathhouse, pavilion or structure or section of any Park which has been designated by the CEO for the use of the opposite sex except for a family changing room where available.

Section 24. Indecent Behavior and Lewd Behavior. No person shall expose any part of the body to the public in any indecent or lewd manner, nor speak or make advances in a profane or obscene way or make any indecent gesture in any Park.

Section 25. Indecent Liberties. No person shall take, or attempt to take any immoral, improper or indecent liberties with any child or adult of either sex in any Park.

Section 26. Disorderly Conduct/Acts of Violence. No person shall willfully assault another or be engaged in, aid, or abet any fight with any person in any Park nor engage in any disorderly conduct as defined by the ordinances of the municipality or county in which the Park is located.

Section 27. Breach of Peace. No person shall, in any Park, make, aid, condone or assist in making loud or raucous noise, riot or disturbance tending to a breach of the peace. No person shall gather or collect with other persons in bodies or crowds for any unlawful purpose.

Section 28. Indecent and Obscene Language. No person shall speak or make advances in a profane or obscene way, or make any obscene gestures in any Park. No person shall use abusive, insulting, derogatory or obscene language calculated to occasion a breach of the peace, in any Park.

Section 29. Park Hours. The Parks of this District will be open to the public according to the following schedule:

Facilities:

5:00 a.m. to 12:30 a.m.	Central Community Center
5:00 a.m. to 11:00 p.m.	Golf Course Community Center Lions Recreation Center including Big Surf RecPlex Studio in Melas Park, Melas Park
5:00 a.m. to 10:00 p.m. (4/1 to 10/31)	Friendship Park Conservatory Golf Course Garage
7:00 a.m. to 6:00 p.m. (11/1 to 3/31)	Lions Garage Veterans Memorial Bandshell at Lions Park

Parks:

5:00 a.m. to 11:00 p.m.	Rosemary S. Argus Friendship Park High Lines West High Ridge Knolls Kopp Park Lions Memorial Park Majewski Athletic Complex Meadows Park Melas Park
5:00 a.m. to 10:00 p.m. (4/1 to 10/31)	Brentwood Park Busse Park
7:00 a.m. to 6:00 p.m. (11/1 to 3/31)	Robert T. Jackson Clearwater Park Countryside Park Devonshire Park Einstein Park Emerson Park Fairview Park Golf Course Gregory Hill Street Nature Center O'Hare Cup Site

Owen Park
Prospect Meadows Park
Robert Frost Park
Sunrise Park
Sunset Park
We Go Park
Weller Creek
Westbrook

No person (except employees of the District whose duties require their presence or activities pursuant to a permit prescribing different hours or for emergency situations shall be on any Park property except during the hours permitted above or as designated by park management.

Section 30. 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, without first having obtained an official permit from the District.

Section 31. Loudspeakers. No person required by Ordinance No. 79, as amended by Ordinance No. 183, in the District to obtain an official permit 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 District.

Section 32. Assemblies. No person required by Ordinance No. 79, as amended by Ordinance No. 183, in the District to obtain an official permit shall hold or attempt to hold any meeting, assembly, demonstration, celebration, parade, rally, religious workshop, or any sponsored entertainment or social, recreational or athletic function involving more than 25 persons without first obtaining an official permit from the District. Any person issued an official permit as aforesaid shall produce same and exhibit it as requested by the CEO, a Board member, employee or a police officer.

Section 33. Disturbing Others. No person shall disturb or interfere with any person or party occupying any Park which is under the authority of an official permit from the District.

Section 34. Obstruction of Justice. No person shall resist any police officer or employee of the District in the discharge of any officer's or employee's duty, nor fail or refuse to obey any lawful command of any police officer or employee, or in any way hinder or prevent such police officer from discharging his or her duty, or in any manner assist any person in custody to escape or attempt to escape from such custody.

Section 35. Hitting Golf Balls. No person shall hit a golf ball into, in or from any Park nor play golf in any Park, nor bring any golf ball or golf club into any Park, except at a golf course owned and operated by the District.

Section 36. Trespass/Loitering. No person shall loiter at entrances, in lobbies, walkways, restrooms, parking lots or other non-recreational areas. Prolonged or chronic sleeping in any Park, parking lots and Park grounds is prohibited. Using the parking lot for purposes unrelated to District business or services is prohibited. Any person who has been notified of suspension from any Park and is observed in Park shall be subject to arrest for trespass and subject to additional suspensions set forth in this Ordinance.

Section 37. Theft of Property/Services. No person shall remove, without authorization, any furniture, equipment, supplies, materials or other property from any Park. Nonpayment of any fee or charge required to be paid to the District for use of any Park, program or class of the District or for services rendered is prohibited. No person shall transfer, misuse or tamper with any District privilege pass or any other authorized identification, pass or document issued by the District.

CHAPTER III

MT. PROSPECT PARK DISTRICT GOLF COURSE

In addition to the provisions of Chapter II hereof, the following provisions shall be applicable to conduct at the Mt. Prospect Park District Golf Course.

Section 1. Willful and Deliberate Violation of Golf Course Rules. No person shall violate any rule or regulation of the District posted at the Mt. Prospect Park District Golf Course. "Posted" shall mean any brochure, privilege pass, or sign either written or illustrated, and mounted in a conspicuous place adjacent to or within the area of regulation.

No person shall continue to violate any non-posted rule not contained in a Park District ordinance, after being instructed by a Mt. Prospect Park District employee, either orally or in writing, that such conduct is in violation of that rule.

Section 2: Theft of Services at the Golf Course. No person shall use the Mt. Prospect Park District Golf Course without paying green or cart fee, sneak onto course, play without scanning pass, scan for 9-holes but continuing for 18.

Section 3: Threatening or Verbally Abusing a Park District Employee. No person shall threaten or verbally abuse a Park District Employee.

CHAPTER IV

SUSPENSION PENALTIES

- A. (1) **SUSPENSION GENERALLY.** Whenever a person is charged by a member of the District's staff with violating any prohibition(s) contained in Chapter II or Chapter III of this Ordinance as from time to time amended, such person's presence in, at or upon any Park shall be prohibited for the period(s) of time stated for each such violation in Sections F. (1) and (2) of this Chapter, in accordance with the following procedure: The person who allegedly committed the violation(s) shall be given verbal instructions by the CEO, a Designated Director, a District security guard, appointed police, or a District staff member of the District, to leave the Park in question and to refrain from being present at, in, on or upon all Parks, except to attend a Patron Meeting held in accordance with Section C. (1) of this Chapter.
- (2) **EMPLOYEE TO INFORM THE CEO.** It shall be the responsibility of the supervisor on duty or the department manager directly involved to inform the CEO 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 the incident whenever possible.
- B. (1) **FIRST LETTER TO PATRON.** Within seventy-two (72) business hours (Monday through Friday), the patron (or in the case of a patron who is believed by the Designated Director to be under the age of 18 years, then the patron and his/her parent or legal guardian) will be sent a certified letter, return receipt requested, signed by the Designated Director or the CEO, informing the patron of:
- a. The nature of the offense
 - b. The penalty or suspension period for the offense
 - c. His/her right within 10 days to make a written request for a meeting with the administrative staff involved if an appeal is desired (Patron Meeting)
 - d. That he/she is not to return to any Mount Prospect Park District Park until such a meeting as set forth in A (1) above occurs, AND if found in any Park he/she may be arrested and/or prosecuted for "trespass"
 - e. Refunds will not be issued to any suspended patron with respect to any program, activity, membership or the like in which such patron is enrolled.

f. Appeal to the Board for any violation which carries a suspension of 2 months or less is not allowed.

(2) **INFORM EMPLOYEES.** It shall be the responsibility of the Designated Director and/or the CEO 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 any Park until further notice.

(3) **TRESPASS.** If a patron who has been notified in accordance with Paragraph B(1) is observed in a Park, the patron may be subject to arrest for trespass.

C. (1) **PATRON MEETING.** Upon the patron's written request (or in the case of a patron who is believed by the Designated Director to be under the age of 18 years, then only upon the written request of the patron's parent or legal guardian) received by the District within 10 days of the patron's receipt of the letter provided for in Section B (1) above, a meeting will be held with the Designated Director and/or the CEO. This meeting will be held within ten (10) business days of the District's timely receipt of the patron's written request for a meeting to discuss issues involving the patron. The specific offense(s), evidence, and penalty, if any, will also be discussed. If a patron is under eighteen (18) years of age, a parent or legal guardian must attend the meeting with the patron. Should there be a change in length of suspension, it shall be the responsibility of the Designated Director and/or the CEO to inform appropriate District representatives of the results of such change.

(2) **SECOND LETTER TO PATRON.** Within seventy (72) business hours (Monday through Friday) following the Patron Meeting, the patron will be sent a certified letter, return receipt requested, stating (i) the instructions to be followed for the patron to regain the privilege of usage of Parks and (ii) the appeal rights regarding suspension, including the statement that appeal to the Board for any violation which carries a suspension of 2 months or less is not allowed.

D. (1) **APPEAL MEETING.** If the suspension imposed is for more than two (2) months and if after the Patron Meeting the patron feels that the penalty is too severe for the offense committed, or there are extenuating circumstances that were not taken into consideration by the Designated Director and/or the CEO or that he/she is not guilty of the offense as charged, the patron may request a hearing before the Board. Such request must be made in writing within fourteen (14) days of mailing the second letter to the patron and shall be addressed to the Secretary of the Board.

(2) **BOARD HEARING WITHIN TEN (10) BUSINESS DAYS OF REQUEST.**

The Board of Park Commissioners shall meet within ten (10) business days (Monday through Friday) of the date 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 the Board hearing the District shall have the burden of proving by a preponderance of the evidence all charges then pending against the patron for violations of Chapter II or III of this Ordinance. At the hearing the patron shall have the right to counsel, to call witnesses and present evidence in his/her behalf and to cross-examine opposing witnesses. The Board shall not be bound by technical rules of evidence but may consider such evidence as is commonly relied upon by reasonably prudent persons in the conduct of their affairs. The Board shall consider all evidence presented and testimony presented and shall render a fair and impartial determination. The decision of a majority of the members of the Board whether to uphold the suspension(s) shall be taken by roll call vote as to each separate violation.

E. (1) **ACCUMULATED SUSPENSIONS.** Once a patron has accumulated more than two (2) suspensions as a result of violations of any of the rules, regulations, policies or ordinance of the Mt. Prospect Park District within a 12-month period from the date of the 1st violation, all penalties for violations thereafter will be the most severe penalty provided for in the applicable subsection of F (1), F (2).

(2) **VIOLATION CHARGED IN COURT.** Any violation of the rules and regulations contained in this ordinance may be presented in court in addition to or in lieu of suspension hereunder.

(3) **PENALTIES TO RUN CONSECUTIVELY.** If two or more penalties are imposed at any one time, the penalties for each violation will run consecutively.

(4) **REFUNDS.** Refunds will not be issued to any suspended patron with respect to any program, activity, membership or the like in which such patron is enrolled.

F. (1) **SUSPENSION PENALTIES FOR VIOLATION OF A PROVISION OF CHAPTER II OF THIS ORDINANCE.** The penalty for violation of any prohibition contained in Chapter II of this Ordinance shall be the prohibition of such person's presence in, at, or upon any Park for the period of time stated below for each respective offense. Any suspension hereunder shall be in addition to any fine(s) which may be imposed pursuant to the provisions of Chapter V of this Ordinance.

(a) Violation of Section 1: Activities as Prohibited.

First offense: Two (2) week suspension
Second offense: Two (2) month suspension
Third offense: Four (4) month suspension

(b) Violation of Section 2: Refusal to Provide Identification

First offense: Two (2) week suspension
Second offense: Two (2) month suspension
Third offense: Four (4) month suspension

(c) Violation of Section 3: Entry Prohibited

First offense: Two (2) month suspension
Second offense: Six (6) month suspension
Third offense: One (1) year suspension

(d) Violation of Section 4: Intimidation

First offense: Three (3) month suspension
Second offense: Six (6) month suspension
Third offense: One (1) year suspension

(e) Violation of Section 5: Sales

Each offense: Removal from District Property

(f) Violation of Section 6: Signs

Each offense: Removal from District Property

(g) Violation of Section 7: Dangerous Articles

First offense: One (1) year suspension
Second offense: Two (2) year suspension

(h) Violation of Section 8: Fires

First offense: One (1) year suspension
Second offense: Two (2) year suspension

(i) Violation of Section 9: Throwing

First offense: Two (2) month suspension
Second offense: Six (6) month suspension
Third offense: One (1) year suspension

(j) Violation of Section 10: Vandalism

First offense: Two (2) month suspension
Second offense: Six (6) month suspension
Third offense: One (1) year suspension

(k) Violation of Section 11: Foliage

First offense: Two (2) month suspension
Second offense: Six (6) month suspension
Third offense: One (1) year suspension

(l) Violation of Section 12: Misuse of Park Property

First offense: Two (2) month suspension
Second offense: Six (6) month suspension
Third offense: One (1) year suspension

(m) Violation of Section 13: Removal and Excavation

First offense: Two (2) month suspension
Second offense: Six (6) month suspension
Third offense: One (1) year suspension

(n) Violation of Section 14: Pollution of Waters

First offense: Two (2) month suspension
Second offense: Six (6) month suspension
Third offense: One (1) year suspension

(o) Violation of Section 15: Garbage and Glass

First offense: Two (2) month suspension
Second offense: Six (6) month suspension
Third offense: One (1) year suspension

(p) Violation of Section 16: Hunting

First offense: Two (2) month suspension
Second offense: Six (6) month suspension
Third offense: One (1) year suspension

(q) Violation of Section 17: Dogs

First offense: One (1) month suspension
Second offense: Three (3) month suspension
Third offense: Nine (9) month suspension

(r) Violation of Section 18: Prohibited Vehicles

First offense: One (1) month suspension
Second offense: Three (3) month suspension
Third offense: Nine (9) month suspension

(s) Violation of Section 19: Traffic

First offense: Two (2) week suspension
Second offense: One (1) month suspension
Third offense: Two (2) month suspension

(t) Violation of Section 20: Parking Hours

First offense: One (1) month suspension
Second offense: Two (2) month suspension
Third offense: Three (3) month suspension

(u) Violation of Section 21: Alcohol

First offense: One (1) month suspension
Second offense: Three (3) month suspension
Third offense: Nine (9) month suspension

(v) Violation of Section 22: Gambling

First offense: Two (2) week suspension
Second offense: One (1) month suspension
Third offense: Two (2) month suspension

(w) Violation of Section 23: Gender Distinctions

First offense: Two (2) week suspension
Second offense: One (1) month suspension
Third offense: Two (2) month suspension

(x) Violation of Section 24: Indecent and Lewd Behavior

Each offense: One (1) year suspension

(y) Violation of Section 25: Indecent Liberties

Each offense: One (1) year suspension

(z) Violation of Section 26: Disorderly Conduct/Acts of Violence

First offense: One (1) year suspension
Second offense: Two (2) year suspension

(aa) Violation of Section 27: Breach of Peace

First offense: Two (2) month suspension
Second offense: Four (4) month suspension
Third offense: Nine (9) month suspension

(bb) Violation of Section 28: Indecent and Obscene Language

First offense: Two (2) month suspension
Second offense: Four (4) month suspension
Third offense: Nine (9) month suspension

(cc) Violation of Section 29: Park Hours

First offense: Two (2) week suspension
Second offense: One (1) month suspension
Third offense: Two (2) month suspension

(dd) Violation of Section 30: Construction

First offense: Two (2) week suspension
Second offense: Two (2) month suspension
Third offense: Three (3) month suspension

(ee) Violation of Section 31: Loudspeakers

First offense: Two (2) week suspension
Second offense: Four (4) month suspension
Third offense: Nine (9) month suspension

(ff) Violation of Section 32: Assemblies

First offense: One (1) month suspension
Second offense: Two (2) month suspension
Third offense: Three (3) month suspension

(gg) Violation of Section 33: Disturbing Others

First offense: One (1) month suspension
Second offense: Two (2) month suspension
Third offense: Three (3) month suspension

(hh) Violation of Section 34: Obstruction of Justice

First offense: Two (2) month suspension
Second offense: Six (6) month suspension
Third offense: One (1) year suspension

(ii) Violation of Section 35: Hitting Golf Balls

First offense: Two (2) week suspension
Second offense: Three (3) month suspension
Third offense: Nine (9) month suspension

(jj) Violation of Section 36: Trespass/Loitering

First offense: One (1) week suspension
Second offense: Three (3) month suspension
Third offense: Six (6) month suspension

(kk) Violation of Section 37: Theft of Property/Services

First offense: Two (2) week suspension
Second offense: Three (3) months suspension
Third offense: Six (6) months suspension

For purposes of the last paragraph of Chapter VI, the following violations of Chapter II shall each be considered to be an “aggravated violation”:

- 1. A third violation of Chapter II, Section 4;**
- 2. A second violation of Chapter II, Section 7;**
- 3. A second violation of Chapter II, Section 8;**
- 4. Each violation of Chapter II, Section 24;**
- 5. Each violation of Chapter II, Section 25; and**
- 6. A second violation of Chapter II, Section 26.**

- F. (2) **SUSPENSION PENALTIES FOR VIOLATION OF A PROVISION OF CHAPTER III OF THIS ORDINANCE.** The penalty for violation of any prohibition contained in Chapter III of this Ordinance shall be removal from the Golf Course for Green Fee Players and in the case of a Pass Holder the forfeiture of round(s) of golf as hereinafter provided and the prohibition of such Pass Holder’s presence in, at, or upon any Park for the period of time stated below for each respective offense. Any suspension hereunder shall be in addition to any fine(s) which may be imposed pursuant to the provisions of Chapter V of this Ordinance.

(a) Violation of Section 1: Violation of Posted Rules

<u>Player</u>	<u>Penalty</u>
Green Fee Player	Removal from course.
Pass Holder (1 st Offense)	One, 18-hole round taken off golf pass and a 2-week suspension of golf pass and from all Parks for the duration of the suspension period. (Includes all passes, memberships, classes, etc.) NO REFUND.
Pass Holder (2 nd Offense)	Two, 18-hole rounds taken off golf pass and a 3 month suspension of golf pass and from all Parks for the duration of the suspension period. (Includes all passes, memberships, classes, etc.) NO REFUND.
Pass Holder (3 rd Offense)	Suspension of golf pass and from all Parks for six months from date of violation. (Includes all passes, memberships, classes, etc.) NO REFUND.

(b) Violation of Section 2: Theft of Services

<u>Player</u>	<u>Penalty</u>
Green Fee Player	Removal from course.
Pass Holder (1 st Offense)	One, 18-hole round taken off golf pass and a 2-week suspension of golf pass and from all Parks for the duration of the suspension period. (Includes all passes, memberships, classes, etc.) NO REFUND.
Pass Holder (2 nd Offense)	Two, 18-hole rounds taken off golf pass and a 3 month suspension of golf pass and from all Parks for the duration of the suspension period. (Includes all passes, memberships, classes, etc.) NO REFUND.
Pass Holder (3 rd Offense)	Suspension of golf pass and from all Parks for six months from date of violation. (Includes all passes, memberships, classes, etc.) NO REFUND.

(c) Violation of Section 3: Threaten or Verbal Abuse

<u>Player</u>	<u>Penalty</u>
Green Fee Player	Removal from course.
Pass Holder (1 st Offense)	One, 18-hole round taken off golf pass and a 3-month suspension of golf pass and from all Park for the duration of the suspension period. (Includes all passes, memberships, and classes, etc.) NO REFUND.
Pass Holder	Two, 18-hole rounds taken off golf pass and a 6 month (2 nd Offense) suspension of golf pass and from all Parks for the duration of the suspension period. (Includes all passes, memberships, and classes, etc.) NO REFUND.
Pass Holder (3 rd Offense)	Suspension of golf pass and from all Parks for one calendar year from date of violation. (Includes all passes, memberships, and classes, etc.) NO REFUND.

For purposes of the last paragraph of Chapter VI, a third violation of Chapter III, Section 3 shall be considered to be an “aggravated violation”.

CHAPTER V

FINES

The violation by a person of any prohibition of Chapter II or Chapter III of this Ordinance shall subject such person to a fine of not less than \$100 nor more than \$500 for each violation other than a violation of Chapter II, Section 7, 14, 15, 21 or 37 or a violation of Chapter III, Section 2 hereof, in which case the offender shall be subject to a fine of not less than \$250 nor more than \$1,000 for each such violation. Each day that a violation continues shall be deemed a separate violation.

The District, or the police appointed in Chapter VI, shall give such person written notice of any fines. Such notice shall be served on the violator by personal delivery, or by deposit in the United States mail, with proper postage prepaid to the name and address of such person. Such fines may be recovered in an action in the name of the District in the Circuit Court of Cook County. The District may also seek, in addition to or instead of such fines, an order that the offender be required to make restitution for damage resulting from any violation. The procedure in such actions shall be the same as that provided by law for like actions for the violation of ordinances in cities organized under the general laws of the State of Illinois, and offenders may be imprisoned for non-payment of fines and costs in the same manner as in such cities. All fines when collected shall be paid into the treasury of the District.

CHAPTER VI

PARK POLICE OFFICERS

Pursuant to the provisions of 70 ILCS 1205/ 4-7, the Police Officers of the Village of Mt. Prospect, the City of Des Plaines, the Village of Arlington Heights, the Village of Elk Grove Village, and the Sheriff of Cook County are hereby authorized to act as conservators of the peace within those Parks and properties of the District within their respective jurisdictions and may arrest or cause to be arrested subject to the provisions of the Park District Police Act (70 ILCS 1325/1) and/or fined in accordance with the foregoing provisions hereof any person who violates this Ordinance or any criminal law of the State of Illinois.

Notwithstanding anything to the contrary contained in this Ordinance, any person arrested for behavior which constitutes an "aggravated violation" of this Ordinance regardless of how the offense is charged and the criminal prosecution of which results in a felony or misdemeanor conviction under State law, the District shall request the presiding judge to enter an order permanently barring the offender from all Parks.

CHAPTER VII

REPEALER AND EFFECTIVE DATE

Ordinance No. 402, Resolution No. 476 and Resolution No. 483 are hereby expressly repealed and any other ordinance or resolution (other than Ordinance No. 79 and Ordinance No. 183) 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 JANUARY 1, 2003.

PASSED: This 27th day of November, 2002.

APPROVED: This 27th day of November, 2002.