REVISED CODE
FOR THE PARK DISTRICT OF OAK PARK
County of Cook
Oak Park, Illinois 60302

CHAPTER 2

RULES AND REGULATIONS GOVERNING USES OF THE PARK FACILITIES

Section 1. General Purposes.

The parks, sports fields, buildings, and other facilities and equipment owned and managed by the Park District of Oak Park (the "Park Facilities") are held in trust by the Park District for the use and enjoyment of all of the Park District's residents and other patrons. Some park areas, buildings, and facilities such as designated play fields, courts, and the like are intended for use by individuals or small groups. Most of the Park Facilities, however, are intended and held for the use of the public generally and not for private use or commercial use. The Park District does provide for use of certain of the Park Facilities under limited and tightly regulated circumstances. At the same time, it is the Park District's policy not to authorize or allow use of parks by private persons or organizations for any assembly or event that would substantially interfere with or preempt the general public use of the Park Facilities or that would disturb or disrupt the general use of the parks or their neighbors.

The Park District is committed to providing quality recreational opportunities for all persons regardless of age, sex, sexual orientation, race, creed, social or economic status, or special ability.

Section 2. Applicability of this Chapter 2.

The rules and regulations set forth in this Chapter 2 apply to all uses of the Park Facilities. In the event of any conflict or inconsistency between any provision of this Chapter 2 and any other existing Park District rule, regulation, code, ordinance, or policy, the provision of this Chapter 2 shall apply and govern.

Section 3. Applicability of Other Regulations.

All uses of the Park Facilities shall be conducted in accordance not only with the provisions of this Chapter 2, but also with all other applicable Park District rules, regulations, codes, ordinances, and policies, including without limitation the provisions of this Revised Code.

Section 4. Priority for Oak Park Residents.

First consideration for scheduling of activities in the Park Facilities shall be given to uses proposed by and for residents of the Village of Oak Park, whose tax payments support the Park District and its programs.

Section 5. Definitions.

5.1 "Amplified Sound" means any use of microphones, amplifiers, speakers, or other devices to artificially increase sound level.

5.2 "Applicant" means any person (as that term is defined herein) applying to the Park District for a Use Permit.

5.3 "Board" means the Board of Commissioners of the Park District of Oak Park.

5.4 "Executive Director" means the Executive Director of the Park District of Oak Park or her or his duly authorized designee.

5.5 "Facility" means all indoor and outdoor recreation centers operated or maintained by the Park District, including but without limitation all recreation centers, Pleasant Home, Cheney Mansion, Dole Center, Ridgeland Common Rink and Pool, Rehm Pool, Oak Park Conservatory].

5.6 "Park District" means the Park District of Oak Park.

5.7 "Park Facilities" means all parks, sports fields, pools, and all other facilities and equipment owned or maintained by the Park District.

5.8 "Person" means any individual, group, organization, corporation, or other entity unless the context clearly reflects a narrower definition.

5.9 "Sports Field" means all fields designed or maintained for the primary purpose of playing a particular sport or sports .

5.10 "Use Permit" means the permit issued by the Park District, pursuant to this Chapter 2 and in accordance with this Revised Code, authorizing a particular use of a Park Facility, subject to this Revised Code and all conditions established by the Park District as part of the Use Permit.

Section 6. Use Permits.

6.1 Use Permit Required. Any person seeking (a) to use any Park Facility for any sports activity, picnic, public assembly, or other activity or event involving more than 12 persons or (b) to engage in any activity at or in any Park Facility creating or emitting Amplified Sound shall first obtain a Use

Permit. The Executive Director may impose conditions on any Use Permit to ensure compliance with the this Revised Code.

6.2. Authority to Issue Use Permits. Subject to any restrictions or conditions imposed by the Board, the Executive Director shall issue a Use Permit to any applicant who has demonstrated compliance with all applicable provisions of this Revised Code. Every application that does not demonstrate compliance with all restrictions or conditions imposed by the Board or all applicable provisions of this Revised Code shall be denied.

6.3 Order of Processing of Applications. Each application for a Use Permit shall be considered by the Executive Director in the order in which that application was received by the Park District.

6.4 Time Period for Decision. The Executive Director, using a pre-printed form provided by the Park District, shall either issue or deny a Use Permit within 10 business days after receipt by the Park District of a properly completed application therefor. The Executive Director may extend the 10-day time period for good cause determined by the Executive Director and with written notice of that extension to the Applicant. If the Executive Director does not act within the 10-day period, or any extension of the 10-day period, then the application for a Use Permit shall be deemed to be denied by the Executive Director as of the last day of the applicable time period for decision.

6.5 Grounds for Denial. The Executive Director shall deny any application for a Use Permit if any one of the following grounds is established:

a. The applicant, or the person on whose behalf the application is made, has made any material misrepresentation on any previous occasion regarding the nature or scope of an event or activity.

b. The applicant, or the person on whose behalf the application is made, has violated the terms of a prior Use Permit.

c. The applicant has not properly completed and executed the Use Permit application, including all required attachments and submissions.

d. The applicant has not tendered the required application fee with the application or has not tendered the required user fee, indemnification agreement, insurance certificate, or security deposit within the times prescribed by the Executive Director.

e. The applicant has submitted an application for a Use Permit with a material falsehood or misrepresentation.

f. The applicant is legally incompetent to contract or to sue and be sued.

g. The Park District previously has received an application for a Use Permit for the same time and place requested by the applicant, and a Use Permit has been or will be granted to that prior applicant.

h. The time and place of the proposed use conflicts with a program or event scheduled by the District.

i. The time and place of the proposed use coincides with a time of traditionally, or expected, heavy park use by the general public, such as a federal or local holiday, a regularly occurring local event, the commemoration of a significant anniversary or event, or a previously announced special event.

j. The applicant's requested use is prohibited by, or substantially inconsistent with, the provisions and policies in Chapter 3 of this Revised Code.

k. The applicant's requested use would present an unreasonable danger to the health or safety of the applicant, of other users, of neighboring property owners, of the public, or of Park District employees.

l. The applicant's requested use would present an unreasonable danger to Park District property.

m. The applicant has not, or cannot, comply with requirements of the Revised Code or any other applicable Park District rule, regulation, code, ordinance, or policy.

n. The applicant has not, or cannot, comply with requirements of any federal, State of Illinois, or Village of Oak Park statute, law, rule, regulation, code, ordinance, or policy.

o. The applicant's proposed use is prohibited by law.

p. The applicant, or the person on whose behalf the application is made, previously has damaged Park District property and has not paid for such damage, or the applicant, or the person on whose behalf the application is made, has other outstanding debts to the Park District.

q. The Park Facility requested by the applicant is not in use because of repairs, remodeling, or rehabilitation.

r. The application is one of a series of requests for the same Park Facility that cumulatively would unreasonably interfere with the use of that location by Park District patrons.

6.6 Appeal Process. If the Executive Director denies an application, then the applicant may appeal that denial to the Board in writing. The applicant shall request the appeal in writing within five business days after notice of the denial has been issued by the Executive Director. The Board shall consider the applicant's appeal at the next regularly scheduled meeting of the Board or at a special meeting called for that purpose. The Board shall render its decision in writing to the applicant within five business days after that meeting. If the Board denies the appeal, then the decision shall state the reasons for such denial. The decision of the Board shall be final. The applicant may seek review of the Board's decision in the Circuit Court of Cook County, Illinois, in accordance with the Illinois Administrative Review Law.

Section 7. General Regulations.

7.1 Compliance with Law Required. Each person using any Park Facility shall comply with all federal, State of Illinois, Village of Oak Park, and Park District statutes, laws, codes, ordinances, and regulations.

7.2 Exception for Park District Uses and Programs: The regulations of this Chapter 2 shall not be applied or construed to limit or prohibit any program hosted or sponsored by the Park District, or any Park Facility use specifically authorized in writing in advance by the Park District, or any Park District policy or regulation concerning the management and use of any Park Facility.

7.3 Operational and Closing Hours: The following operational and closing times shall apply to Park Facilities. The Park District Board of Commissioners or Executive Director may change the times stated in this Section 7.3 at any time and from time to time:

a. General Closing Time: All parks shall be closed between the hours of 10:00 p.m. and 6:00 a.m. every day, except only as specifically otherwise posted or authorized in writing in advance by the Park District.

b. Outdoor Apparatus Play Centers. All outdoor apparatus play centers shall be closed every day between sunset and either 6:00 a.m. or sunrise, whichever is later.

c. Dog Parks and Temporary Off-Leash Facilities: Dog parks shall be operational during the following times:

(i) Dog parks: From sunrise to sunset, unless otherwise posted.

(ii) Other temporary off-leash facilities: On weekends and national holidays only, from 6:00 a.m. to 8:00 a.m. for the time period April 1 through October 31 and from 7:00 a.m. to 9:00 a.m. for the time period November 1 through March 31, unless otherwise posted.

7.4 Improper Speech and Conduct Prohibited: No person shall use abusive, threatening, insulting, indecent, profane, or obscene language, or any language intended to incite a breach of the peace, at any time in any Park Facility.

7.5 Disorderly Conduct and Breach of Peace Prohibited: No person shall make, countenance, or assist in making of any improper noise, riot, disturbance, or breach of peace in any Park Facility at any time. No person shall commit a breach of the peace in any Park Facility at any time.

7.6 Damage to Property Prohibited: No person shall cut, break, remove, injure, deface, or in any other way or form damage any Park District property, including without limitation any tree, shrub, plant, turf, building, fence, ridges, lamp, or any other property.

7.7 Refuse Disposal Prohibited: No person shall deposit or dispose of any refuse in any Park Facility or in or on any Park District property except only in approved containers.

7.8 Bicycle, Skateboards, Roller Blades, Roller Skates Restricted: No person shall ride a bicycle, a skateboard, roller blades, or roller skates or similar equipment (collectively "Devices") at or in any Park Facility where the use of such Devices is posted as prohibited. No person shall use any such Device in any manner that interferes with or threatens any other Park District patron. Each person who uses such a Device shall yield the right of way to pedestrians at all times.

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

7.10 Items Prohibited in all Parks: No person shall bring into, possess in, or use in any Park Facility at any time any of the following items: model airplanes, cars, rockets, and similar devices; firearms, bows and arrows, stones, or any similar object or any missiles or weapons; chemicals; explosives or fireworks of any kind; golf equipment; any item that poses an immediate threat to the health or safety of any person; or trees, shrubs, or other landscaping materials.

7.11 Uses of Park Facility Without Proper Permit Prohibited: No person shall call, hold, or conduct any assembly, private or public meeting, concert, entertainment, or other activity that is prohibited or for which a Use Permit is required unless such Use Permit has been properly applied for and approved and issued by the Park District.

7.12 Limitations on Animals in Parks: Except as provided in this Section 7.12 and for dog parks in Section 8 of this chapter, no person shall bring any animal into any Park Facility. Notwithstanding this prohibition, dogs and cats only may be taken into a park if, but only if, the animals are securely held by suitable lines, chains, or straps no more than eight feet in length, except that it shall be unlawful for any dog or cat, even though on a leash, to go upon or be upon any premise or upon any path or sidewalk extending through any of the following playground apparatus areas: Anderson, Barrie, Carroll, Field, Fox, Longfellow, Stevenson, Randolph Tot Lot, Wenonah Tot Lot, Rehm, Taylor, Scoville, Maple, Lindberg, and Euclid. The limitation on locations set forth in the previous sentence shall not apply to dogs used to accommodate blind persons and shall not apply to pets that are enrolled and participating in a Park District program for dog obedience.

7.13 Approval Required for Games and Sports: No person shall engage in any sport, game, or amusement at or in any Park Facility, except as previously approved by the Park District or where designated in a Use Permit.

7.14 Hindering Employees Prohibited: No person shall interfere with, or in any manner hinder, any employee of the Park District while that employee is engaged in the performance of her or his duties.

7.15 Purchase, Sales, Peddling, Solicitation Prohibited: No person shall offer or exchange for sale any article or thing, or do any hawking, peddling, or soliciting or buy or offer to buy any article or thing, or take up any collection, or solicit or receive contributions of money or anything of value at or in any Park Facility, except when authorized to do so by a Use Permit.

7.16 Private Instruction, Retail and Commercial Uses Prohibited: No person shall (a) conduct or engage in any private instruction, lesson, class, or similar activity or undertaking or (b) engage in any retail or commercial use at or in any Park Facility at or in any Park Facility at any time except as previously approved by the Park District or where designated in a Use Permit.

7.17 Sleeping Prohibited after Hours: No person shall sleep at or in any Park Facility between the hours of 10:00 p.m. and 6:00 a.m. on any day.

7.18 Shelters Prohibited: No person shall place a hammock, swing, tent, or of any kind shelter at or in any Park facility at any time, except as part of a supervised Park District program.

7.19 Use of Playground Equipment by Adults Prohibited: No person 16 years and older shall use, in any manner, any playground apparatus or device meant exclusively for the use of the children.

7.20 Obstructing Travel Prohibited: No person shall set or place, or cause to be set or placed, any goods, wares, or merchandise or property of any kind at or in any Park Facility in any manner that would inhibit or obstruct proper pedestrian or vehicular movement.

7.21 Fires Prohibited: No person shall light or make use of fire at or in any Park Facility, except such portions thereof as may be specifically designated in writing in advance by the Executive Director for such purposes and then only in compliance with such regulations as are prescribed by the Executive Director.

7.22 Intoxicating Liquors, Drugs, Tobacco Products Prohibited: No intoxicated person shall enter, be, or remain at or in any Park Facility. No person, at or in any Park Facility, shall bring within, sell, give away, drink, consume, or use any alcoholic liquor, intoxicating substance, or narcotics or drugs not therapeutically administered, unless authorized in advance by a Use Permit. No person shall smoke cigarettes, cigars, pipes, or other tobacco products by any means in any Park Facility.

7.23 Dumping Articles Prohibited: No person shall deposit, dump, throw, or place any coal, ashes, dust, manure, or rubbish at or in any Park Facility. Paper, garbage, or refuse matter shall be deposited only in receptacles provided for that purpose.

7.24 Advertisements Restricted: No person other than the Park District shall display any placard or advertisement of any kind at or in any Park Facility. No person other than the Park District shall distribute, cast, throw, or place any handbill, pamphlet, circular, advertisement, or notice of any kind, nor write, draw, paste, stencil, or otherwise affix any notice or bills, advertisement, or other papers on any structure or thing at or in any Park Facility.

7.25 Gambling Prohibited: No person shall play illegal games of chance or use any gambling device at or in any Park Facility.

7.26 Begging Prohibited: No person shall beg or solicit alms at or in the Park Facility unless authorized in advance by a Use Permit.

7.27 Protection of Birds and Animals: No person shall trap, catch, wound, or kill any bird or animal, or molest or rob any nest of any bird or animal at any Park Facility.

7.28 Resisting or Interfering with Officer Prohibited: No person shall resist any commissioner, police officer, or park patrolman of the Park District in the discharge of her or his duties, or fail or refuse to obey any lawful command of such person, or in any manner assist or give aid to any person in custody to escape or to attempt to escape from custody, or rescue or attempt to rescue any person when that person is in such custody.

Section 8. Dog Parks.

The Park District maintains rules and regulations governing dog parks and temporary off-leash facilities within the Park District, titled Guidelines and Operations Plan for Dog Facilities (the "Guidelines"). Every dog owner and dog handler shall abide by the rules and regulations set forth in the Guidelines, as they may be amended from time to time. The Guidelines shall provide, among other rules and regulations, all of the following rules and regulations:

8.1 Residents Only: Park District dog parks and temporary off-leash facilities are for Oak Park residents only.

8.2 Permit and Pass Required: Every dog owner or dog handler shall secure a dog park permit and pass prior to any use of any dog park or temporary off-leash facility. Access to dog parks and temporary off-leash facilities shall be limited only to persons with valid, current dog park permits and passes.

8.3 Permit and Pass Application: Each application for a dog park permit and pass shall be submitted to the Park District on forms provided by the Park District, which shall include, among other information, all of the following:

a. Proof of the applicant's residency in Oak Park.

b. Waiver, release, and indemnification provisions that shall be signed by the applicant. All applicants must assume all risk of, and responsibility for, injury, damage, and loss relating to use of any dog facility.

c. Written proof of an examination of the dog by a certified Doctor of Veterinary Medicine including information and vaccinations as provided on the application.

d. Proof of a properly issued Oak Park dog license and rabies tag.

8.4 Compliance with Posted Rules and Regulations Required: Every dog owner or dog handler shall abide by posted rules and responsibilities.

8.5 Young Children Prohibited: No child under the age of 11 years shall be permitted within a dog park or temporary off-leash facility at any time.

8.6 Adult Supervision of Youth Required: Children between the ages of 11 and 17 years shall not be permitted within a dog park or temporary off-leash facility unless accompanied by an adult.

8.7 Collars, Wearing of Tags Required: Every dog must wear a collar at all times while within any Park District facility and must wear on that collar a current Village of Oak Park dog license tag and a rabies tag.

8.8 Display of Permit and Pass Required: Every dog owner or dog handler must display the Park District dog park permit and pass at all times when in a dog facility.

8.9 Enforcement, Fines: Dog park rules and regulations may be enforced by the Oak Park Department of Animal Control, the Oak Park Police Department, and the Park District. Any person found to be in violation of any dog park rules or regulation shall be subject to a fine of up to $1,000 for each offense.

Section 9. Insurance.

It shall be the policy of the Park District to require any organized group making use of Park Facilities to provide insurance coverage at least as follows:

9.1 Commercial General and Umbrella Liability Insurance. Commercial general liability (CGL) and, if necessary, commercial umbrella insurance, with a limit of not less that $1,000,000 each occurrence.

CGL insurance shall be written on Insurance Services Office (ISO) occurrence form CG 00 01 10 93, or a substitute form providing equivalent coverage, and shall cover liability arising from premises, operations, independent contractors, products-completed operations, personal injury and advertising injury, and liability assumed under an insured contract (including the tort liability of another assumed in a business contract).

If alcoholic beverages are used, distributed, or sold, then liquor liability and Dram Shop liability coverage also shall be provided with a limit not less than $1,000,000 per occurrence.

The Park District shall be included as an insured under the CGL, using ISO additional insured endorsement CG 20 26 or a substitute providing equivalent coverage, and under the commercial umbrella, if any. This insurance shall apply as primary insurance with respect to any other insurance or self-insurance afforded to Park District.

9.2 Business Auto and Umbrella Liability Insurance. If applicable, business auto liability and, if necessary, commercial umbrella liability insurance, with a limit of not less than $1,000,000 each accident. Such insurance shall cover liability arising out of any auto including owned, hired and non-owned autos.

Business auto insurance shall be written on Insurance Services Office (ISO) form CA 00 01, CA 00 05, CA 00 12, CA 00 20, or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage equivalent to that provided in the 1990 and later editions of CA 00 01.

9.3 Workers Compensation Insurance. If applicable, workers compensation and employers liability insurance. The commercial umbrella and/or employers liability limits shall not be less than $1,000,000 each accident for bodily injury by accident or $1,000,000 each employee for bodily injury by disease.

9.4 General Insurance Provisions.

a. Evidence of Insurance. The existence of all required insurance coverage must be certified by an applicant for a Use Permit, and no Use Permit shall be issued until all required insurance coverage has been secured and proof of such coverage has been filed with the Park District. The Park District may require certificates of insurance and applicable policy endorsements reflecting required coverage. The failure of the Park District to demand any required certificate, endorsement, or other evidence of full compliance with these insurance requirements, or the failure of the Park District to identify a deficiency from evidence that is provided, shall not be construed as a waiver by the Park District of the group's obligation to maintain such insurance.

b. Right to Prohibit Use. The Park District shall have the right, but not the obligation, to prohibit a group from using any Park Facility until required certificates or other evidence of insurance are received and approved by the Park District.

c. Revocation if Noncompliance. The Park District may revoke any Use Permit or other permit or approval upon the failure to acquire and maintain the insurance required by this Section.

9.5 Waiver or Modification of Insurance Requirement. An organized group may request a waiver or modification of the insurance requirements of this Section. The Executive Director and the President of the Park District Board of Commissioners, in the exercise of their sole discretion based on all of the circumstances, may modify or waive one or more of the insurance requirements of this Section 9.5, which circumstances shall include consideration of safety issues, liability issues, and various risk factors

including without limitation the nature and duration of the proposed use and the proposed activities, the locations of the use and activities, and the risks generally associated with the activities. Under no circumstances shall any decision to modify or waive a requirement be based on any consideration of race, color, religion, national origin, or any other class or status protected by law.

9.6 Changes Without Notice. The Park District Board of Commissioners may modify any or all of the requirements of this Section at any time, in the exercise of its discretion to reflect greater or lesser limits, in consideration of the factors set forth in Subsection 9.5 of this Section.

Section 10. Storage of Equipment Belonging to Others.

Any organization requesting the use of a Park Facility to store equipment shall (a) sign a release of responsibility, indemnifying and holding harmless the Park District for any and all loss or damage to property from any cause during the time that the equipment is stored in a Park Facility and (b) provide certification of insurance for fire and theft on the equipment during the entire period that the equipment is stored in a Park Facility, in the form required by Section 8 of this Chapter 2.

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