

CHAPTER 1: GENERAL PROVISIONS

6-1-1 Short Title – Revised March 2010

This ordinance shall be known and may be cited as the Conduct Code of the Fon du Lac Park District, Tazewell County, Illinois. As applicable, the related Illinois Compiled Statutes provided with the specific ordinance Violation may be used in lieu of the ordinance.

6-1-2 Civil Remedies Preserved

This Code does not bar, suspend or otherwise affect any right or liabilities to damages, penalty, forfeiture, or other remedy authorized by law to be recovered or enforced in a civil action for any conduct, which this chapter makes punishable; and the civil injury is not merged in the offense.

6-1-3 Definitions

For the purposes of this ordinance, the following terms shall have the meaning given herein:

- (A) “Act” includes any action or failure or omission to take action.
- (B) “Board of Commissioners” is the Board of Commissioners of the Fon du Lac Park District.
- (C) “Director of Parks and Recreation” is that person designated by the Board of Commissioners as being responsible for the administration of the Park System and Recreation programs.
- (D) “Park System” includes all parks, playgrounds, pools, golf courses, harbors, campgrounds, recreation centers, nature areas or facilities owned or used by the Fon du Lac Park District for recreational purposes of any kind.
- (E) “Person” means any individual, public or Private Corporation, government, partnership, or unincorporated association. The masculine gender shall include the feminine and the singular shall include the plural.
- (F) “Police Officer” means any person who by virtue of his or her office or public employment is vested by law with a duty to maintain public order or to make arrests for offenses, whether that duty extends to all offenses or is limited to specific offenses.
- (G) “Vehicle” means every device, in, upon or by which any person or property is or may be transported (including snowmobiles and mini-bikes) except devices moved by human power.

6-1-4 Savings Clause

If any park, section or subdivision of this Code shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remaining provisions of this Chapter, which shall continue in full force and effect notwithstanding such holding.

CHAPTER 2: SPECIFIC RESTRICTIONS ON CONDUCT AND BEHAVIOR

6-2-1 Advertisements –Revised May 2006

No persons shall display any placard or advertisement of any kind including any political advertisement, in the park system, nor shall any person distribute, cast, throw or place any handbill, pamphlet, circular, advertisement or notice of any kind, nor post, stencil or otherwise affix any notice or bills, advertisement, including any political advertisement, or other papers, upon any structure or thing in or about the park premises.

6-2-2 Alcoholic Liquors; Intoxication – Revised March 2010

No intoxicated person shall enter, be or remain in the park system, nor shall any person bring within, sell, give away or consume any alcoholic liquor in the park system.

(A) 235 ILCS 5/6-16 (a) (iii) Unlawful Possession of an Alcoholic Beverage by a Minor.

(B) 235 ILCS 5/6-16(c) Unlawfully Permitting a Minor to become intoxicated.

(C) 235 ILCS 5/6-20 Unlawful Consumption of Alcoholic Liquor.

6-2-3 Animals (modified and adopted June 2007)

No person shall allow any animal to be loose on park property. Horses may be ridden, lead or driven on any portion of the park property designated and posted for such riding or hitching of horses.

6-2-4 Assault, Battery, and Affray: - Revised March 2010

No person shall knowingly start a fight or fight or commit any assault or assault and battery in the Park System. A person commits an assault when, without lawful authority, he engages in conduct which places another in reasonable apprehension of receiving a battery. A person commits a battery if he intentionally or knowingly, without legal justification and by any means (1) causes bodily harm to an individual or (2) makes physical contact of an insulting or provoking nature with an individual.

(A) 720 ILCS 5/12-1 Assault

(B) 720 ILCS 5/12-2 Aggravated Assault

(C) 720 ILCS 5/12-3 Battery

6-2-5 Begging or Soliciting Contributions

No persons shall beg or solicit alms, money or other things of value in the Park System.

6-2-6 Bringing Plants, Shrubs or Trees Prohibited

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

6-2-7 Cannabis, Controlled Substances, Synthetic Alternative Drugs, Look-alike Substances, and Drug Paraphernalia - Revised November 2013

1. No person shall bring within the park system cannabis, a controlled substances, a synthetic alternative drug, a look-alike substance, or drug paraphernalia and no person shall, while within the Park System, possess, sell, deliver to another person, or use cannabis, a controlled substance, a synthetic alternative drug, a look-alike substance, or drug paraphernalia.

2. "Cannabis" means any substance so defined in the "Cannabis Control Act," (720 ILCS 550/1 et seq.), as heretofore or hereafter amended.

3. "Controlled Substance" means any substance which is enumerated in the schedules of Article II of the "Controlled Substances Act," (720 ILCS 570/100 et seq.), as heretofore or hereafter amended.

**FON DU LAC PARK DISTRICT: POLICY MANUAL
TITLE 6: ORDINANCES**

Revised and Adopted March 2010

4. "Synthetic alternative drug" means a product or substance that contains a synthetic cannabinoid, anesthetic, stimulant, or hallucinogen as those terms are defined herein, including, but not limited to, products having the brand name or identifiers like or similar to those listed in Table 6-2-7-A below:
 - i. Synthetic cannabinoid means any laboratory-created or otherwise man-made compound that functions similar to or mimics the effect of the active ingredient in marijuana, tetrahydrocannabinol (THC), including, but not limited to, any quantity of a natural or synthetic material, compound, mixture, preparation, substance and their analog (including isomers, esters, ethers, salts, and salts of isomers) containing a cannabinoid receptor agonist.
 - ii. Synthetic stimulant means any laboratory-created or otherwise man-made substance that functions similar to or mimics the effects of any federally controlled Schedule I substance such as cathinone, methcathinone, MDMA and MDMA, including, but not limited to, any such quantity of a natural or synthetic material, compound, mixture, preparation, substance and their analog (including isomers, esters, ethers, salts, and salts of isomers) which have a stimulant effect on the central nervous and/or cardiovascular system.
 - iii. Synthetic hallucinogen means any laboratory-created or otherwise man-made substance that functions similar to or mimics the effects of any federally controlled Schedule I substance that has a psychedelic/hallucinogenic effect on the central nervous system and/or brain, or any other substance having such an effect, including, but not limited to, any such quantity of a natural or synthetic material, compound, mixture, preparation, substance and their analog (including isomers, esters, ethers, salts, and salts of isomers).
5. "Look-alike substance" means a substance which 1) by overall dosage unit appearance, including shape, color, size, markings or lack thereof, taste, consistency or any other identifying physical characteristic of the substance would lead a reasonable person to believe that the substance is cannabis, a controlled substance, or a synthetic alternative drug; or 2) is expressly or impliedly represented to be cannabis, a controlled substance, or a synthetic alternative drug, or distributed under circumstances which would lead a reasonable person to believe that the substance is cannabis, a controlled substance, or a synthetic alternative drug. For the purpose of determining whether the representations made or the circumstances of the distribution would lead a reasonable person to believe the substance to be cannabis or a controlled substance under this clause 2, the court or other authority may consider the following factors in addition to any other factor that may be relevant: a) statements made by the owner or person in control of the substance concerning its nature, use or effect; b) statements made to the buyer or recipient that the substance may be resold for profit; c) whether the substance is packaged in the manner normally used for the illegal distribution of controlled substances; d) whether the distribution or attempted distribution included an exchange of or demand for money or other property as consideration and whether the amount of the consideration was substantially greater than the reasonable retail market value of the substance.
6. "Drug paraphernalia" includes all equipment, products and materials of any kind, other than methamphetamine manufacturing materials as defined in Section 10 of the "Methamphetamine Control and Community Protection Act" (720 ILCS 646/10), which are (i) possessed or intended for use, (ii) being or have been used, or (iii) peculiar to and marketed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing,

**FON DU LAC PARK DISTRICT: POLICY MANUAL
TITLE 6: ORDINANCES**

Revised and Adopted March 2010

analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body look-alike substances, synthetic alternative drugs, cannabis or a controlled substance in violation of this ordinance, the "Cannabis Control Act" (720 ILCS 550/1 et seq.), the "Illinois Controlled Substances Act" (720 ILCS 570/100 et seq.), or the "Methamphetamine Control and Community Protection Act" (720 ILCS 646/1 et seq.). This includes, but is not limited to, the following:

- i. Kits that are (i) possessed or intended for use, (ii) being used or have been used, or (iii) peculiar to and marketed for use, in manufacturing, compounding, converting, producing, processing or preparing cannabis, controlled substances, look-alike substances, or synthetic alternative drugs;
- ii. Isomerization devices that are (i) possessed or intended for use, (ii) being used or have been used, or (iii) peculiar to and marketed for use, to increase the potency of any species of plant which is cannabis or a controlled substances, look-alike substances, or synthetic alternative drugs;
- iii. Testing equipment that is (i) possessed or intended for use, (ii) being or has been used, or (iii) peculiar to and marketed, for private home use in identifying or in analyzing the strength, effectiveness or purity of cannabis or controlled substances, look-alike substances, or synthetic alternative drugs;
- iv. Diluents and adulterants that are (i) possessed or intended for use, (ii) being used or have been used, or (iii) peculiar to and marketed, for cutting cannabis, controlled substance, look-alike substances, or synthetic alternative drugs by private persons;
- v. Objects that are (i) possessed or intended for use, (ii) being used or have been used, or (iii) peculiar to and marketed for use, in injecting, ingesting, inhaling, or otherwise introducing look-alike substances, cannabis, cocaine, hashish, hashish oil, or any controlled substance, look-alike substances, or synthetic alternative drugs into the human body including, where applicable, the following items:
 1. water pipes;
 2. carburetion tubes and devices;
 3. smoking and carburetion masks;
 4. miniature cocaine spoons and cocaine vials;
 5. carburetor pipes;
 6. electric pipes;
 7. air-driven pipes;
 8. chillums;
 9. bongs;
 10. ice pipes or chillers
- vi. any item whose purpose, as announced or described by the seller, is for use in violation of this section or the "Drug Paraphernalia Control Act" (720 ILCS 600/1 et seq.).

**FON DU LAC PARK DISTRICT: POLICY MANUAL
TITLE 6: ORDINANCES**

Revised and Adopted March 2010

7. It shall be an affirmative defense to a charge under this Section that the accused had authority to possess, keep for sale, offer for sale, sell, or deliver any item or substance prohibited in this Section pursuant to the Illinois Controlled Substances Act (720 ILCS 570/101, *et seq.*), or that the accused is legally authorized to possess hypodermic syringes or needles under the Hypodermic Syringes and Needles Act (720 ILCS 635/0.01, *et seq.*).
8. Notwithstanding the foregoing, it shall not be unlawful for any individual who is a registered qualifying patient or a registered designated caregiver, as those terms are defined in the Compassionate Use of Medical Cannabis Pilot Program Act ("Act") (410 ILCS 130/1 *et seq.*), to possess cannabis or drug paraphernalia for the purpose of engaging or assisting in the medical use of cannabis in accordance with the provisions of the Act. An individual is presumed to be acting lawfully and in compliance with this Section and the terms of the Act where such individual is in possession of 1) a valid registry identification card, and 2) no more than 2.5 ounces of cannabis (or such other amount as authorized by the Act).

Nothing in this paragraph shall be construed to permit possession or use of cannabis or paraphernalia in a manner prohibited or otherwise inconsistent with the provisions of the Act, including, but not limited to, possession of an amount of cannabis in excess of 2.5 ounces (or such other amount as authorized by the Act), or the non-medical use or unlawful sharing of cannabis. No medical cannabis cardholder may possess medical cannabis within the passenger area of any motor vehicle except in a sealed, tamper-evident medical cannabis container that is reasonably inaccessible while the vehicle is moving. Notwithstanding the Act, the use of cannabis, including medical cannabis, on Park District property is prohibited.

**FON DU LAC PARK DISTRICT: POLICY MANUAL
TITLE 6: ORDINANCES**

Revised and Adopted March 2010

TABLE 6-2-7-A

2010	Forest Humus	K2 Pink Panties
8-Bali	Freedom	K2 Sex
Aztec Gold	Fully Loaded	K2 Silver
Aztec Midnight Wind Tezcatlipoca	Funky Monkey	K2 Solid Sex on the Mountain
Back Draft	Funky Monkey XXXX	K2 Standard
Bad 2 the Bone	G Four	K2 Strawberry
Banana Cream Nuke	G Greenies Caramel Crunch	K2 Summit
Bayou Blaster	Genie	K2 Summit Coffee Wonk
Black Diamond	Gold Spirit Spice	K2 Thai Dream
Black Magic Salvia	Green Monkey Chronic Salvia	K2 Ultra
Black Mamba	Greenies Strawberry	K2 Watermelon
Blueberry Hayze	Heaven Improved	K3
Bombay Blue	Heavenscent Suave	K3 Blueberry
Buzz	Humboldt Gold	K3 Cosmic Blend
C3	Jamaican Gold	K3 Dusk
C4 Herbal Incense	Jamaican Gold K Royal	K3 Grape
Caneff	K1 Gravity	K3 Heaven Improved
Cherry Bomb	K1 Orbit	K3 Heaven Legal
Chill Out	K2	K3 Kryptonite
Chill X	K2 (unknown variety)	K3 Legal
Chronic Spice	K2 Amazonian Shelter	K3 Legal-Earth (silver)
Citrus	K2 Blonde	K3 Legal-Original (Black)
Colorado Chronic	K2 Blue	K3 Legal-Sea (silver)
DaBlock	K2 Blueberry	K3 Legal-Sun (Black)
Dark Night II	K2 Citron	K3 Mango
Demon	K2 Cloud 9	K3 Original
Diamond Spirit	K2 Kryptonite	K3 Original Improved
Dragon Spice	K2 Latte	K3 Strawberry
D-Rail	K2 Mellon	K3 Sun
Dream	K2 Mint	K3 Sun Improved
Earthquake	K2 Orisha Black Magic Max	K3 Sun Legal
Eruption Spice	K2 Orisha Max	K3 XXX
Euphoria	K2 Orisha Regular	K4 Bubble Bubble
EX-SES	K2 Orisha Super	K4 Gold
EX-SES Platinum	K2 Orisha White Magic Super	K4Purple Haze
EX-SES Platinum Blueberry	K2 Peach	K4 Silver
EX-SES Platinum Cherry	K2 Pina Colada	K4 Summit
EX-SES Platinum Strawberry	K2 Pineapple	K4 Summit Remix
EX-SES Platinum Vanilla	K2 Pineapple Express	Kind Spice
Fire Bird Ultimate Strength Cinnamon	K2 Pink	
Legal Eagle	Potpourri Gold	Stinger
Legal Eagle Apple Pie	Pulse	Summer Skyy
Love Potion 69	Rasta Citrus Spice	Super Kush
Love Strawberry	Rebel Spice	Super Summit
Magic Dragon Platinum	Red Bird	Swagger Grape
Magic Gold	Sl. S Werve	SYN Chill
Magic Silver	Samurai Spirit	SYN Incense LemonLime
Magic Spice	Sativah	SYN Incense Smooth
Mega Bomb	Scope Vanilla	SYN Incense Spearmint
Mid-Atlantic Exemplar	Scope Wildbeny	SYN Lemon Lime

**FON DU LAC PARK DISTRICT: POLICY MANUAL
TITLE 6: ORDINANCES**

Revised and Adopted March 2010

Mid-Atlantic Summit)	Exemplar (K2)	Sence	SYN Lemon Lime #2
Midnight Chill		Shanti Spice	SYN Smooth
MNGB Almond/Vanilla		Shanti Spice Blueberry	SYN Spearmint
MNGB Peppermint		Silent Black	SYN Spearmint #2
MNGB Pinata Colada		Skunk	SYN Suave
MNGB Spearmint		Smoke	SYN Swagg
MNGB Tropical Thunder		Smoke Plus	SYN Vanilla
Moe Joe Fire		Space	SYN Vanilla #2
Mojo		Spice Artic Synergy	Texas Gold
Mr. Smiley's		Spice Diamond	Time Warp
MTh-787		Spice Gold	Tribal Warrior
Mystery		Spice Silver	Ultra Cloud 10
Naughty Nights		Spice Tropical Synergy	Unknown cigarette
New Improved K3		Spicey Regular XXX Blueberry	Utopia
New Improved K3 Cosmic Blend		Spicey Regular XXX Strawberry	Utopia-Blue Berry
New Improved K3 Dynamite		Spicey Ultra Strong XXX Strawberry	Voo Doo Remix (black package)
New Improved K3 Kryptonite		Spicey Ultra Strong XXX Vanilla	Voo Doo Remix (orange package)
New K3 Earth		Spicey XXX	Voodoo Child
New K3 Heaven		Spicy Ultra Strong XXX Vanilla	Voodoo Magic
New K3 Improved		Spicylicious	Voodoo Remix
New K3 Sea Improved		Spike 99	Who Dat
New - on Bomb Nitro		Spike 99 Ultra	Who Dat Herbal Incense
Ocean Blue		Spike 99 Ultra Blueberry	Wicked X
POW		Spike 99 Ultra Cherry	Winter Boost Wood Stock
p.e.p. pourri Love Strawberry		Spike 99 Ultra Strawberry	XTREME Spice
p.e.p. pourri Original Spearmint		Spike Diamond	Yucatan Fire
p.e.p. pourri Twisted Vanilla		Spike Gold	Yucatan Fire
p.e.p. pourri X Blueberry		Spike M x	Zombie World
Paradise		Spike Silver	Stinger
Pink Tiger		Spike99	Summer Skyy
Potpourri			Super Kush

6-2-8 Unlawful Possession of Drug Paraphernalia – Adopted March 2010

No person shall bring within the park system any item of drug paraphernalia used for ingesting or otherwise introducing a controlled substance into his/her body.

720 ILCS 600/3.5(a) Unlawful Possession of Drug Paraphernalia

6-2-9 Disorderly Conduct – Revised March 2010

No person shall engage in any violent, tumultuous, offensive or disorderly conduct; by threatening, traducing, quarrelling, challenging to fight or fighting; or by using obscene, offensive, profane or unseemly language to the annoyance, disturbance or vexation of another; or by making any improper noise, riot, disturbance, breach of the peace in the Park System; or to be guilty of any conduct calculated to breach the peace.

720 ILCS 5/26-1(a)(1) Disorderly Conduct

6-2-10 Damage to Park Property – Revised March 2010

No person shall cut, break, climb, chop, tear, carve on or in any way deface or mar or damage any trees, shrub, plant, turf, sign, poster, notice, wall, or any building, fences, bridges, lamp or lamp post, planter, garden or other property or structures in the Park System.

(A) 720 ILCS 5/21-1(1)(a) Criminal Damage to Property

(B) 720 ILCS 5/21-1.3(a) Criminal Defacement of Property

(C) 720 ILCS 5/21-4(a) Criminal Damage to Government Supported Property

6-2-11 Dumping, Polluting and Littering

No person shall deposit, dump, throw or place any coal, ashes, dust, manure or rubbish in or upon any part of the Park System. Paper, garbage or refuse matter shall not be so deposited except in receptacles for that purpose.

6-2-12 Fires – Revised March 2010

No person shall light or make use of any fire in the park system, except such portions thereof as may be designated by the director, and then only under such regulations as are prescribed by him/her.

720 ILCS 5/21-1(1)(c) Criminal Damage to Property,

6-2-13 FIREARMS AND EXPLOSIVES PROHIBITED

a. No person shall carry, possess, transport or discharge on Park District Property any firearm, B.B. or pellet gun, sling shot, stun gun, any object of explosive nature, including but not limited to fireworks or other objects or devices designed to discharge or propel an object.

b. No person shall possess, have or carry any bow and arrow, switchblade, hunting knife, dagger, metal knuckles, bludgeon, karate sticks, slingshot or other dangerous weapon while on Park District property.

No person shall carry or discharge firearms, or discharge or set off any rocket, cracker, torpedo, squib or other fireworks or things containing any substance of an explosive nature in the park system, except when authorized to do so by permit from or contract with the Board of Commissioners.

(A) 720 ILCS 5/24-1(a)(4) Unlawful Use of Weapons (Handgun, pistol, rifle, shotgun)

(B) 720 ILCS 5/24-1.2(a)(1) Aggravated Discharge of a Firearm

6-2-14 Gambling – Revised March 2010

No person shall gamble, make any bet, lottery, wager or gambling hazard, or buy or sell any chance or ticket in any gambling game, arrangement, lottery, chance or device.

720 ILCS 5/28-1(a)(1) Gambling

6-2-15 Games and Sports

No person shall engage in any sport, game or amusement in the Park System except such portions thereof as may be designated by the Director, and then only under such rules and regulations as may be prescribed by him/her.

6-2-16 Hindering Employees

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

6-2-17 Indecent Conduct: - Revised March 2010

No person shall commit any indecent, lewd or lascivious act in the Park System, or utter any lewd or offensive words within the hearing or another person.

720 ILCS 5/11-9(a)(2) and 720 ILCS 5/11-9(b) Public Indecency

No person shall appear in any public place within the Park System in a state of nudity or make any indecent exposure of his person or be guilty of any other lewd or indecent act or behavior.

6-2-18 Impersonating an Officer or Official – Revised March 2010

It shall be unlawful for any person to unlawfully represent or impersonate any police officer or official of the Park System or pretend to be such officer or official.

(A) 720 ILCS 5/32-5(c) False Personation of a Public Officer

(B) 720 ILCS 5/32-5.1 False Personation of a Peace Officer

6-2-19 Obstructing Travel

No person shall set or cause to be set or placed, any goods, wares or merchandise or property of any kind so as to obstruct travel in the Park System.

6-2-20 Protection of Birds and Animals – Revised March 2010

No person shall trap, catch, wound, kill or mistreat or be cruel to any bird or animal, or molest, chase, rob any nest of a bird or animal, or otherwise disturb such wildlife in the Park System.

510 ILCS 70/3.03(a) Animal Torture

6-2-21 Public Assemblies

No person shall call or hold any public meeting, or give any concert or public entertainment of any kind in the Park System without first obtaining a written permit from the Board of commissioners. No person shall participate in any group picnic, or other recreational activity of any kind within the park system involving one hundred (100) or more persons without first obtaining a written permit from the Board of Commissioners.

6-2-22 Resisting, Obstructing or Interfering with Officer – Revised March 2010

No person shall resist the Director, any commissioner or police officer of the District in the discharge of his/her duty, or fail or refuse to obey any lawful command or any way interfere with or hinder or prevent any such Director, commissioner or police officer from discharging his duty, 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 in such custody.

720 ILCS 5/31-1 Resisting and/or Obstructing a Peace Officer

6-2-23 Restricted Areas of Park – Revised March 2010

No person shall enter upon any portion of the Park System where persons are prohibited as indicated by sign or notice.

720 ILCS 5/21-5(a) Criminal Trespass to State Supported Land

6-2-24 The Selling of Articles and Services

No person shall offer for exchange or sale any article or thing, or due 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 in the Park System, except when authorized to do so by permit from a contract with the Board of Commissioners.

6-2-25 Skateboarding.

No person may use or operate a motorized or non-motorized skateboard or scooter within the Park System except in such areas as are specifically designated by the Director of Parks and Recreation.

FON DU LAC PARK DISTRICT: POLICY MANUAL

TITLE 6: ORDINANCES

Revised and Adopted March 2010

6-2-26 Sleeping in Parks

No person shall sleep in the Park System between 10:00 p.m., and 6:00 a.m., or place or use any hammock or tent thereon, except within the confines of Spindler Campground, or when authorized to do so by a permit from the Board of Commissioners.

6-2-27 Throwing Missiles

No person shall throw or cast any stones or other missiles within the Park System, except where such throwing or casting is involved in a recognized game or recreational activity, and then only upon such portions of the Park System as may be designated.

6-2-28 Unlawful Assemblies

It shall be unlawful to collect, gather or be a member of any disorderly crowd, or any crowd gathered together for any unlawful purpose, or for any person to join in or stay with or near any such gathering.

6-2-29 Playground Equipment Restrictions

It shall be unlawful for any persons over the age of 16 years to use, occupy or play on any apparatus or device meant or designed for use by small children.

6-2-30 Operation of ATVS, snowmobiles, motorized scooters, and Off-highway motorcycles. – Revised March 2010

No person shall drive or operate any all-terrain vehicle (ATV), snowmobiles, motorized scooters, or off-highway motorcycle within the Park System, except under the following circumstances:

1. In such areas and at such times as are specifically designated by the Director of Parks and Recreation;
2. When such vehicles are used by law enforcement officers or Park District personnel for law enforcement or Park District purposes; or
3. In the case of an emergency.

For purposes of this section, the terms “all-terrain vehicle” and “off-highway motorcycle” shall have the meaning ascribed to those terms by the Illinois Vehicle Code.

CHAPTER 3: PARK HOURS

6-3-1 Hours of Park System:

- (A) Except as set forth herein, no person shall be or remain in any parks between the hours of Dusk and 6:00 a.m.
- (B) Non-Lighted Park - No person shall be or remain in any part of a non-lighted park between one hour after sunset and sunrise on the following day.
- (C) Lighted Park - No person shall be or remain in any part of an artificially lighted park between the hours of 11:00 p.m. and sunrise.
- (D) The Director shall determine the days and hours of operation of the golf courses, aquatic center, Administration Building, Farm Park and Spindler Campground and Marina and Fon du Lac Drive.
- (E) Fon du Lac Park West - No person shall be or remain in any part of park between the hours of 10 p.m. to Sunrise.

6-3-2 Entry Prohibited When Closed

No person shall enter any pool area, building, bathhouse, maintenance area or other building after hours or when conditions indicate that such is not open to the public.

CHAPTER 4: MOTOR VEHICLES, PARKING AND TRAFFIC CONTROL

6-4-1 Driving Areas:

- (A) No person shall use or operate any vehicle (except any bicycle) upon any portion of the Park System other than designated roadways and parking areas, except when authorized to do so by permit from or contract with the Board of Commissioners.
- (B) All vehicles shall drive on the right-hand half of the road or to the right of the center line, when such is marked excepting:
 - (i) When overtaking or passing another vehicle when traveling in the same direction;
 - (ii) When the roadway is closed to traffic in such lane;
 - (iii) When the road or drive is designated and marked for one-way traffic;
 - (iv) When directed by a duly authorized officer or personnel of the Park District.
- (C) It shall be unlawful for any person to drive upon any freshly oiled road surface or over or across any freshly painted traffic lines.

6-4-2 Speeding:

- (A) No person shall drive any motor vehicle within the Park System at a speed, which is greater than the applicable maximum speed limit.
- (B) Unless some other speed restriction is established by the Board of Commissioners or other governmental entity, and duly posted, the maximum speed limit in the Park System for all vehicles is 15 miles per hour.

6-4-3 Incorporation of the Vehicle Code – Revised November 2013

No person shall, within the Park System, fail to comply with all applicable provisions of the (625 ILCS 5/) Illinois Vehicle Code amended from time to time in regard to equipment and operation of vehicles.

RESTRICTIONS TO VEHICLE PARKING

- a. Any vehicle parked or standing on Park District property in violation of any law, ordinance or rule is hereby declared to be a public nuisance. Such vehicle may be removed and the owner or person entitled to possession of the vehicle shall be liable for all towing, storage and other charges arising out of any action taken.
- b. No person shall park or drive any vehicle on Park District property on any area covered by sod, dirt or other areas not designed for such traffic or usage unless instructed to do so by a park official.
- c. No person shall drive or park any vehicle in any area which is posted to prohibit or restrict such.
- d. No vehicle may be left unattended on any roadway on Park District property or obstruct a boat landing or traffic.
- e. No person shall park a vehicle on Park District property in a handicapped reserved space unless such vehicle is clearly marked by a handicap sign or license plate duly issued by the State of Illinois or local government body.
- f. No person shall park any vehicle adjacent to a curb painted yellow which shall constitute a prohibited parking area.
- g. No person shall drive a vehicle or, ride a bicycle on any sidewalk on Park District property.
- h. No person shall allow a vehicle to be parked on Park District property while the operator or occupants are not currently using the facilities of the Park District or participating in its programs or during the hours the facility is closed to the public.

**FON DU LAC PARK DISTRICT: POLICY MANUAL
TITLE 6: ORDINANCES**

Revised and Adopted March 2010

i. Parking violations shall be paid within 7 days of issuance, at a fine set by the District. All fines unpaid after 10 days shall be subject to a penalty and/or processed within the court system or other measures of collection as approved by the District.

j. It shall be the responsibility of the registered owner of any vehicle parked in violation of this section to comply with the payment of the prescribed fines, and it shall not be an affirmative defense that the vehicle was not under his/her control at the time of violation. Vehicle parking is allowed in designated spaces.

(A) The following violations pertaining to stopping, standing, and parking shall be punishable by a fine in the following amounts if said fine is paid within seven (7) days of a receipt of the parking ticket:

- (1) \$350.00 parked in area designated for handicapped persons only;
- (2) \$20.00-all other parking violations within the park system unless otherwise specified herein.

(B) If the above stated fines are not paid within seven (7) days of the receipt of the parking ticket, an addition penalty for violations listed above shall be as follows:

An additional \$15.00 penalty will be assessed for any other parking violation, which would be punishable by a fine of \$250.00 if paid within seven (7) days.

(C) Any fine mentioned in this section may be paid in person at the Fon du Lac Park District Administrative Office, 201 Veterans Drive, East Peoria, Illinois 61611, or by mailing a check or money order to the Fon du Lac Park District at the above address.

6-4-5 Impoundment of Motor Vehicles Used in Connection with Illegal Activities.

(A) *Impoundment.*

A motor vehicle, operated with the express or implied permission of the owner of record, that is used in connection with any of the following violations, or which may jeopardize the public's safety and safe vehicular movement and in furtherance of public safety or in the exercise by the police department of its community caretaker functions, may be subject to tow and impoundment by the Fon du Lac Park District, and the owner of record of said vehicle shall be liable to the Fon du Lac Park District for an administrative and processing fee of five hundred dollars (\$500.00) in addition to any towing and storage fees.

(B) *Violations.*

(1) Operation or use of a motor vehicle in the commission or attempted commission of any offense for which a motor vehicle may be seized and forfeited pursuant to 720 ILCS 5/36-1 et seq.; or

(2) Driving under the influence of alcohol, other drug or drugs, or intoxicating compounds, in violation of 625 ILCS 5/11-501 or a similar provision of the Fon du Lac Park District Code; or

(3) Operation or use of a motor vehicle in connection with the commission or attempted commission of any offense in violation of the provisions of the Illinois Cannabis Control Act, 720 ILCS 550/1 et seq., provided, however, that no vehicle shall be subject to impound or forfeiture for the possession of medical cannabis by a registered qualifying patient or registered designated caregiver, as those terms are defined in the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.), where such possession is in compliance with the provisions of that Act; or

(4) Operation or use of a motor vehicle in connection with the commission or attempted commission of any offense in violation of the Illinois Controlled Substances Act, 720 ILCS 570/100, et seq.; or

FON DU LAC PARK DISTRICT: POLICY MANUAL
TITLE 6: ORDINANCES

Revised and Adopted March 2010

- (5) Unlawful use of a weapon in violation of 720 ILCS 5/24-1; aggravated discharge of a firearm in violation of 720 ILCS 5/24-1.5; and unlawful possession of a firearm and firearm ammunition in violation of 720 ILCS 5/24-3.1; or
- (6) Driving while driver's license, permit or privilege to operate a motor vehicle is suspended or revoked, the violation of 625 ILCS 5/6-303; except that vehicles shall not be subject to seizure impoundment if the suspension is for an unpaid citation (parking or moving), or due to failure to comply with emission testing; or
- (7) Operation or use of a motor vehicle with an expired driver's license in violation of Section 6-101 of the Illinois Vehicle Code, 625 ILCS 5/6-101, where the period of expiration is greater than one (1) year; or
- (8) Operation or use of a motor vehicle without ever having been issued a driver's license or permit in violation of Section 6-101 of the Illinois Vehicle Code, 625 ILCS 5/6-101, or operating a motor vehicle without ever having been issued a driver's license or permit due to a person's age; or
- (9) Operation or use of a motor vehicle by a person against whom a warrant has been issued by a Circuit Clerk in Illinois for failing to answer charges that the driver violated the offenses of: driving while license is revoked or suspended, 625 ILCS 5/6-303; operating a motor vehicle without a valid driver's license, 625 ILCS 5/6-101; and/or driving under the influence of alcohol, other drugs, intoxicating compound(s), or a combination thereof, 625 ILCS 5/11-501; or
- (10) Operation or use of a motor vehicle in connection with the commission or attempted commission of any felony offense defined under Chapter 720 of the Illinois Compiled Statutes (ILCS); or
- (11) Fleeing and eluding in violation of 625 ILCS 5/11-204 or 625 ILCS 5/11-204.1 or a similar provision of the Fon du Lac Park District Code; or
- (12) Operation or use of a motor vehicle in connection with leaving the scene of an accident involving personal injury or property damage in violation of 625 ILCS 5/11-401, 625 ILCS 5/11-402 or 625 ILCS 5/11-403 or any similar provisions of the Fon du Lac Park District Code.

(C) General Regulations.

- (1) This chapter shall not replace or otherwise abrogate any existing state or federal laws or Park District Ordinances.
- (2) The owner shall be subject to all fees set forth in this chapter in addition to any penalties that may be assessed by a court of law for the underlying violations. (3) This chapter shall not apply to a vehicle which was stolen at the time of impoundment so long as the theft was reported to appropriate police authorities within twenty-four (24) hours of its discovery.
- (4) Fees for towing and storage of a vehicle under this chapter shall be those approved by the chief of police and shall be uniform for all similarly situated vehicles.

**FON DU LAC PARK DISTRICT: POLICY MANUAL
TITLE 6: ORDINANCES**

Revised and Adopted March 2010

(5) Vehicles shall not be impounded where applicable law does not specifically provide for the forfeiture and towing of the vehicle and an authorized, lawful and unimpaired driver is available to promptly remove the vehicle from the location of an arrest.

(D) Probable Cause and Notice.

Whenever a police officer has probable cause to believe that a vehicle is subject to tow and impoundment pursuant to this chapter, the officer shall provide for the towing of the vehicle by a wrecker licensed as authorized by the Fon du Lac Park District Code. Prior to towing, the officer shall notify any person identifying himself as the owner of the vehicle or any person who is found to be in control of the vehicle at the time of the alleged violation and who is physically present at the scene of the alleged violation that the vehicle will be towed and impounded. The officer shall inform any present owner and/or person in control of the vehicle of that person's right to request a hearing to be conducted under subsection (E) of this Section. An owner may secure release of an impounded vehicle pending completion of the hearings provided for in subsection (E) of this Section by posting a bond of cash, money order, certified check, or approved credit card payment service with the police department in the amount of five hundred dollars (\$500.00) and accrued towing and storage charges. The police department shall hold the cash bond, and accrued towing and storage charges in escrow until such time as a request for hearing would be untimely, or if a hearing has been timely requested, until the hearing is completed in conformance with subsection (E) of this Section.

(E) Hearing.

Within forty-eight (48) hours after a vehicle is towed/impounded pursuant to this chapter, a representative of the Fon du Lac Park District Police shall provide a written notice to the owner of record of such vehicle either by personal delivery or by certified mail, return receipt requested at the address of the owner as it appears in the records of the Secretary of State. Delivery of the notice to one (1) joint owner of the vehicle shall constitute notice to all joint owners of the vehicle. The notice shall advise the owner of his or her right to request a hearing before a hearing officer to determine whether the subject vehicle is eligible for impoundment pursuant to this section. The notice shall state the penalties that may be imposed if no hearing is requested, including that a vehicle that is not released by payment of the penalty and fees may be sold or disposed of by the Fon du Lac Park District in accordance with applicable law. The owner of record seeking a hearing must file a written request for a hearing with the Fon du Lac Park District Police Department no later than fifteen (15) days after the notice was personally delivered or mailed via certified mail. The hearing shall be conducted by a hearing officer appointed by the Park Board President. The hearing shall be scheduled and held, unless continued by order of the hearing officer, no later than forty-five (45) days after the request for a hearing has been filed. Not less than ten (10) days prior to the hearing, the hearing officer will notify the owner of record, by mail, of the date, time and location of the hearing. All interested persons shall be given an opportunity to be heard at the reconvened hearing. At any time prior to the hearing, the hearing officer may, at the request of the Fon du Lac Park District or the owner, direct witnesses to appear and give testimony at the hearing. The formal rules of evidence will not apply during the hearing, but hearsay evidence shall be admissible only if it is of the type commonly relied upon by reasonably prudent persons in the conduct of their affairs. If, after considering evidence received during the hearing, the hearing officer determines by a preponderance of the evidence that the vehicle was used in connection with the commission of an offense set forth in subsection (B) of this Section, the hearing officer shall enter an order finding the owner of the vehicle civilly liable to the city of an administrative and processing fee of five hundred dollars (\$500.00). If bond has been posted in accordance with subsection G of this Section, all sums due the Fon du Lac Park District and the tow operator for towing and impoundment fees shall be distributed to the Fon du Lac Park District and tow operator as the case may be. If the hearing officer enters an order finding the owner of record liable to the Fon du Lac Park District for the administrative fee, any vehicle still impounded shall continue to be impounded until the owner pays the administrative fee to the Fon du Lac Park District plus all applicable towing and storage charges to the tow operator or until disposal of the vehicle pursuant to subsection (G) of this Section. If the hearing officer finds by a

**FON DU LAC PARK DISTRICT: POLICY MANUAL
TITLE 6: ORDINANCES**

Revised and Adopted March 2010

preponderance of the evidence that the vehicle was not used in connection with the commission of an offense set forth in subsection (B) of this subsection, the hearing officer shall order the immediate return of the owner's vehicle and of any cash bond and may order a return of towing and impoundment fees.

(F) *Administrative Review.*

A final order entered by a hearing officer under this chapter is subject to review under the Administrative Review Act found at 735 ILCS 5/3-101 et seq.

(G) *Administrative Fee; Disposal of Vehicles.*

The administrative fee as imposed pursuant to this chapter shall constitute a debt due and owing the Fon du Lac Park District. The debt may be satisfied by the bond posted pursuant to this chapter or where no bond is posted by cash, money order, certified check or approved credit card payment service. If the administrative penalty and applicable towing and impoundment fees are not paid within thirty (30) days after the expiration of time for administrative review of the hearing officer's determination or within thirty (30) days after an action seeking administrative review has been resolved and in favor of the Fon du Lac Park District, whichever is applicable, the vehicle shall be deemed unclaimed and shall be disposed of in the manner provided for the disposition of unclaimed vehicles under the Illinois Vehicle Code.

(H) *Vehicle Possession.*

Except as otherwise provided by law, no owner, lien holder or other person shall be legally entitled to take possession of a vehicle impounded under this chapter until the bond and towing and impoundment fees are paid or the administrative penalty and fees applicable under this chapter have been paid. Whenever a person with a lien of record against an impounded vehicle has commenced proceedings to repossess the vehicle, possession of the vehicle shall be given to that person if she or he agrees in writing to pay to the Fon du Lac Park District from proceeds of the sale of the vehicle the administrative fee, plus applicable towing and storage charges.

CHAPTER 5: PENALTIES

6-5-1 Penalties

Any person violating any clause or provision of any section of this code, unless the penalty shall be set forth and described within such clause or provision, shall be fined in an amount not less than \$25.00 or more than \$750.00, for each offense. Each day that an offense continues to occur shall be treated as a separate offense.

FON DU LAC PARK DISTRICT: POLICY MANUAL

TITLE 6: ORDINANCES

Revised and Adopted March 2010

Title 6	Fines and Penalties as of 2010	Fine	2nd/3rd Offense
Chapter	Offense		
6-2-1	Advertisements	\$ 25	
6-2-2	Alcoholic Liquors; Intoxication	\$ 75	
6-2-3	Loose Animals	\$ 25	
6-2-4	Assault, Battery and Affray	\$ 75	
6-2-5	Begging or Soliciting Contributions	\$ 50	
6-2-6	Bringing Plants, Shrubs or Trees	\$ 25	
6-2-7	Cannabis and Controlled Substances		
	Less than 2.5 grams	\$ 100	
	2.5 - 10 grams	\$ 200	
	10-30 grams	\$ 300	
	Over 30 grams	\$ 750	
6-2-8	Unlawful Possession of Drug Paraphernalia	\$ 100	
6-2-9	Disorderly Conduct	\$ 75	
6-2-10	Damage to Park Property	\$ 100	
6-2-11	Dumping, Polluting and Littering	\$ 75	
6-2-12	Fires	\$ 50	
6-2-13	Firearms and Explosives	\$ 75	
6-2-14	Gambling	\$ 50	\$100
6-2-15	Unauthorized Games and Sports	\$ 25	
6-2-16	Hindering Employees	\$ 50	
6-2-17	Indecent Conduct	\$ 50	
6-2-18	Impersonating and Office or Official	\$ 100	
6-2-19	Obstructing Travel	\$ 75	
6-2-20	Protection of Birds and Animals	\$ 100	\$200
6-2-21	Public Assemblies	\$ 75	
6-2-22	Resisting, Obstructing or Interfering with an Officer	\$ 125	
6-2-23	Entry into Restricted Areas of Park	\$ 50	
6-2-24	Selling of Articles and Services	\$ 50	
6-2-25	Skateboarding/Motorized Scooters	\$ 25	
6-2-26	Sleeping in Parks between 10 pm & 6 am	\$ 50	
6-2-27	Throwing Missiles	\$ 25	
6-2-28	Unlawful Assemblies	\$ 100	
6-2-29	Playground Equipment Restrictions	\$ 50	
6-2-30	ATVS, Snowmobiles, Motorized Scooters and Off-highway motorcycles	\$ 250	\$500 / \$750
6-3-1	Hours of Park System	\$ 50	
6-3-2	After Hours Entry	\$ 50	
6-4-1	Unauthorized Driving Areas	\$ 75	
6-4-2	Speeding	\$ 75	
6-4-3	Parking Restrictions	\$ 20	
	Late Fee	\$ 30	
	Additional Violations during same offense	\$ 15	
	Handicapped Zone	\$ 350	
6-4-5	Impoundment	\$ 500	+Towing & Storage