

**WARREN TOWNSHIP
GENERAL USE ORDINANCE**

WHEREAS, Warren Township, Lake County, Illinois (the “Township”), has previously adopted and periodically updated rules and regulations for the governance of the parks and facilities of the Township; and

WHEREAS, the Township has previously adopted an integrated Regulation of Personal Conduct and Behavior Ordinance addressing both public use and operational regulations; and

WHEREAS, in order to provide more user-friendly regulations, the general use regulations shall be separate and apart from all other ordinances and regulations; and

WHEREAS, the Township is authorized by the Township Code to adopt a General Use Ordinance for the regulation of Township property.

NOW, THEREFORE be it and it is hereby ordained by the electors of Warren Township, Lake County, Illinois, as follows:

Section 1. General Provisions

1.1 Designation and Citation of Ordinance

This Ordinance shall constitute and be designated as “the General Use Ordinance of Warren Township” and may be so cited.

1.2 Definitions

When used in this Ordinance, the following terms shall have the meaning set forth in these sections.

“Board”

Means the Town Board of Warren Township.

“Court”

Means the Circuit Court of Lake County, which has jurisdiction of Township legal disputes.

“Electors”

Means the Electors of Warren Township.

“Township”

Means Warren Township, Lake County, Illinois.

“Township Property”

Means all of the property, real and personal, of every kind and description located within the jurisdiction of, or owned, administered, leased or licensed by, or otherwise in the possession or under the control of the Township, including without limitation every building, shelter, street, sidewalk, trail, path, beach, park, playground, wilderness or open space, or other public place or facility and all Township waters located on or adjacent to or flowing over property located within the jurisdiction of, or owned, administered, leased or licensed by, or otherwise in the possession or under the control of the Township.

“Supervisor”

Means the Township Supervisor of Warren Township.

“Employee”

Means one who is working for compensation in the service of this Township.

“Ordinance”

Means the General Use Ordinance of Warren Township approved by the electors of Warren Township and all amendments and supplements thereto.

“Permit”

Means the written authorization issued by or under the authority of the Township, by a Township officer, or employee empowered to grant said authorization, to a person to do or engage in a particular act or acts on Township property. Said authorization is subject to the terms and conditions specified in the permit as well as all applicable federal, state, local, and Township laws, ordinances, rules, and regulations.

“Person”

Means any individual, natural person, firm, partnership, association, corporation, company, trust, organization or any other group activity as a unit or the manager, lessee, agent, servant, partner, member, director, officer or employee, or any of them including executive administrator, treasurer, receiver or other representative appointed according to law.

“State”

Means the State of Illinois.

1.3

Rules of Construction

In construction of this Ordinance, the following rules of construction shall be observed.

And/Or

“And” may be read “or” and “or” may be read “and” if the sense requires it.

Gender

Words in any section importing the masculine gender shall include the feminine and neuter as well as the masculine.

May

The word “may” is permissible and discretionary.

Shall

The word “shall” is mandatory.

1.4 Ordinance to be Liberally Construed

All general provisions, terms, phrases and expressions contained in this Ordinance shall be liberally construed in order that the true intent of the Township is to be fully carried out.

1.5 Designations and Headings; Construction

All designations and headings of chapters, articles, divisions and sections are intended only for convenience in arrangement and as mere catchwords to indicate the contents of such chapters, articles, divisions or sections, whether printed in boldface type or italics.

1.6 Ordinance Provisions as Continuance of Existing Ordinances

The provisions appearing in this Ordinance, insofar as they relate to the same subject matter and are substantially the same as those ordinance provisions previously adopted by the Township and existing at the effective date of this Ordinance shall be considered as restatements and continuations thereof and not as new enactments.

1.7 Effect of Repeal of Ordinances; Revival

- a) Neither the adoption of this Ordinance nor the repeal hereby of any ordinance of the Township shall in any manner affect the prosecution for violations of such ordinance, which violations were committed prior to the effective date hereof, nor be construed as affecting any of the provisions of such ordinance relating to the collection of any such license or penalty or the penal provisions applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof, required to be posted, filed or deposited pursuant to any ordinance, and all rights and obligations thereof appertaining shall continue in full force and effect.

- b) Whenever any ordinance repealing a former ordinance, clause or provisions is repealed, such repeal shall not be construed as reviving such former ordinance, clause or provision, unless expressly provided therein.

1.8 Conflicting Provisions

If the provisions of different chapters, articles, divisions or sections of this Ordinance conflict with or contravene each other, the provisions of each chapter, article, division or section shall prevail as to all matters and questions growing out of the subject matter of that chapter, article, division or section.

1.9 References Include Amendments; Construction

- a) Any reference in this Ordinance to a provision of this Ordinance shall mean such provision as may now exist or is hereafter amended.
- b) Any references in this Ordinance to articles, divisions or sections shall be to the articles, divisions and sections of this Ordinance unless otherwise specified.

1.10 Amendments and References to Ordinance

Any additions or amendments to this Ordinance when passed in such form as to indicate the intention of the electors to make the same part of this Ordinance shall be deemed to be incorporated in this Ordinance so that a reference to the General Use Ordinance of Warren Township shall be understood to include them.

1.11 Severability

It is declared to be the intention of the electors that the sections, subsections, paragraphs, sentences, clauses and words of this Ordinance are severable. If any sections, subsections, paragraph, sentences, clause or word is declared unconstitutional or otherwise invalid by the lawful judgment or decree of any court or competent jurisdiction, its unconstitutionality or invalidity shall not affect the validity of any of the remaining sections, subsections, paragraphs, sentences, clauses and words of this Ordinance, since the sections or parts of sections would have been enacted by the electors without and irrespective of any unconstitutional or otherwise invalid section, paragraph, sentence, clause or word being incorporated into this Ordinance.

Section 2. Protection and Use of Township Property

2.1 Public Use; Hours

a) Regular Hours

Township property shall be open to the public during the hours established by the Township Board. The Township Board may revise these hours, as deemed advisable and in the best interest of the public and the Township. No Person or property of any kind shall remain in the parks after closing time without written authorization from the Township.

b) Special Closings

The Township may close one (1) or more Township parks, buildings, and facilities or any part thereof to the public at any time and for any interval of time, either temporarily or at regular intervals, and either entirely or merely to certain uses, as deemed advisable and in the best interest of the public and the Township.

2.2 Schedules, Fees, Rules and Regulations

Time schedules for the operation of, and the activities to be conducted on, Township Property and the amount of facility, Permit and program fees, may be reviewed and approved periodically by the Board. As permitted by law, fees charged nonresidents of the Township need not be the same as fees charged residents of the Township. The Board may otherwise establish policies, rules and regulations for proper conduct by Persons using Township Property. Specific policies, rules and regulations pertaining to Township Property and programs may be posted at or on the applicable Township Property and/or published in Township program guides or otherwise made available to the users of Township Property, who shall be charged with actual knowledge thereof and shall obey or comply with all such policies, rules and regulations. All Persons shall abide by all Township policies, rules and regulations and with the direct orders or requests of Employees and agents of the Township when using Township Property.

2.3 Bringing Plants, Shrubs or Trees Prohibited

No person shall bring into or upon Township property any tree, shrub, or plant, or portion thereof, except by written authorization of the Township.

2.4 Camping

No person shall place, erect, or use any hammock, swing, tent, shelter or any other type of temporary or permanent camping equipment or otherwise camp in any manner, on Township property unless a Permit has first been obtained from the Township.

2.5 Criminal Trespass of Property

No person shall:

- a) Enter or remain in any building or portion of Township property where persons are prohibited by the Township from entering by sign or other notice including where use is restricted to persons of the opposite sex except as otherwise specifically provided in these Ordinances;
- b) Enter or remain in any Township property when it is closed to the public;
- c) Climb, walk or sit upon any sign, wall or fence under the control of the Township;
- d) Go upon any lawn, grass plot, planted area, tree, shrub, monument, fountain, sculpture or structure where access is prohibited by signs or other notice or where access is restricted by fence or other physical barrier;
- e) Enter any Township property that is reserved or scheduled for a specific group or activity, unless such person is invited by the individual or group responsible for such activity unless such person has paid any applicable admission and/or registration fees.
- f) Enter or remain in any Township property whose admission privileges to all or any part of Township Property has been suspended by the Township unless such person has a valid appointment with a Township official or employee for services.

2.6 Damage to Township Property

Unless authorized by a written agreement with the Township or otherwise expressly permitted by the Township, no person shall while in or on Township property:

- a) Deface, disfigure, break, cut, tamper with or displace or remove in or from any Township property or building or other part thereof, any table, bench, fireplace, coping, lamp post, fence, wall, paving

or paving material, water line or other public utility or parts or appurtenances thereof, or sign, notice or placard whether temporary or permanent, equipment, facilities or other Township property or appurtenances whatsoever, either real or personal;

- b) Destroy, cut, break, injure, disturb, sever from the ground or remove any sod, soil, earth, rock, stone, timber, wood, material, or growing thing including, but not limited to, any plant, flower, flower bed, shrub, tree, growth, or any branch, stem, fruit, or leaf thereof; bring into or have in his/her possession in or on Township property any tool or instrument intended to be used for the cutting thereof, or any garden or agricultural implements or tools which could be used for the removal thereof;
- c) Set fire to any trees, shrubs, plants, flowers, grass, plant growth or living timber, or allow any fire upon land to extend into Township property;
- d) Cut, break or in any way injure, deface, destroy or alter any building, fence, monument, sculpture, bridge, or other structure or property contained therein;
- e) Operate or drive any vehicle, including any automobile, truck, motorcycle, motor bike, motor scooter, or vehicle of any kind in or on Township property in places other than roadways or in such a manner as to cause the same to collide with, run against, strike or cause to strike, injure, deface or damage any Township property or appurtenance of any kind. For purposes of this Section, single-person, motorized wheelchairs and other power-driven mobility devices shall not be considered motorized vehicles, and are expressly permitted in all areas open to the public. The foregoing devices may be referenced as Electronic Personal Assistive Mobility Devices (EPAMDs) in other Township policies. The provisions of this Section shall be interpreted in each instance as broadly as may be necessary to comply with the regulations of the Americans with Disabilities Act;
- f) Fasten any animal or attach any rope, sign, handbill or other things to any tree or shrub or to any protective device around any tree or shrub growing in or on the Township property;
- g) Allow any animal under the person's ownership or temporary care to injure or deface any tree, plant, shrub, lawn or grassplot in any manner whatsoever. An animal is under a person's

temporary care if the animal was brought upon Township property by the person or by a minor under the person's temporary or permanent care;

- h) Fasten any bicycle, motorcycle, moped or other vehicle to or leave the same standing so as to injure any tree, shrub, lawn or grass plot;
- i) Move, deface, destroy, cover or otherwise make unreadable any traffic warning or prohibitory sign or symbol in or on Township property;
- j) Mark, carve, bend, cut, paint, deface, breakdown, destroy, damage, alter, change, sever, uproot, excavate or otherwise remove, or attach or suspend any rope, wire or other material or contrivance to or from any Township property;
- k) Fail to maintain Township property in a neat and sanitary condition.
- l) Fail to use Township property in the safe and proper manner for which it was designed and intended.

2.7 Use of Township Facilities

No league, team, club association, affiliated group or other organized enterprises shall use, play on, conduct activities on or otherwise engage in any athletic activity or sport on any field or on or in any facility owned or controlled by the Township, without first having obtained a valid Permit from the Township. Permits shall be issued and permission granted only upon the payment of such fees as may be established from time to time by the Township. All terms for the issuance of the Permit must be strictly adhered to and the violation thereof or of any other applicable law, ordinance, rule or regulation of the Township, shall be grounds for revocation of the Permit. Failure to obtain a Permit as provided hereunder shall result in a fine of \$250 for each offense plus any damages incurred by the Township as the result of such offense(s).

2.8 Public Assemblies

- a) No person shall do any of the following on Township property without first obtaining a Permit from the Township:
 - 1. Call or hold a public assembly, exhibition or entertainment of any description;

2. Conduct any musical concert, play any amplified instrument, or set up or use any communication system;
 3. Hold or attempt to hold any meeting, assembly, demonstration, celebration, parade, rally, religious worship, or any sponsored entertainment, social, recreational or athletic event.
- b) Any person issued a Permit by the Township shall produce the Permit and exhibit it upon request of any Township employee or agent.
 - c) No person other than a Township employee or agent shall disturb or interfere with any person occupying Township property under the authority of a Permit.

2.9

Use of Restrooms, Washrooms, and Locker Rooms

- a) Every person shall cooperate in maintaining restrooms, washrooms and locker rooms in a neat and sanitary condition.
- b) No person shall deposit objects of any kind other than toilet paper in the toilets or plumbing fixtures of a restroom, washroom facility or locker room.
- c) Except as otherwise permitted in this section for children under the age of (6), enter into or remain in any restroom, restroom washroom, or locker room designated for the opposite sex.
- d) Children six (6) years of age and under may use restrooms, washrooms and locker rooms designated for the opposite sex when a family facility is unavailable.
- e) Individuals may not use restrooms, washrooms and locker rooms designated for families.
- f) No person shall use any camera, video recorder, or other device to record or transmit visual image(s) in or from any restroom, washroom, or locker room of the Township.

2.10 Dress Code

Individuals over the age of six (6) years of age are required to wear appropriate apparel while on Township property. This includes top and bottom garments, and footwear. Additionally, Warren Township reserves the right to determine the suitability or lack of garments, and may deny the use of the facilities to the individual.

2.11 No Smoking Policy

It shall be unlawful to smoke tobacco within any Park or other Warren Township property. "Smoking" means the act of inhaling the smoke from, or possessing, a lighted cigarette, cigar, pipe, or any other form of tobacco or similar substance used for smoking.

2.12 Persons with qualifying disabilities under state and/or federal law that require reasonable accommodations to enjoy Township property should contact the Supervisor's office.

2.13 Alternative Nicotine Products

It shall be unlawful to possess within any Park or Warren Township property alternative nicotine products. When used in this Ordinance, "alternative nicotine products" means a product or device not consisting of or containing tobacco that provides for the ingestion into the body of nicotine, whether by chewing, smoking, absorbing, dissolving, inhaling, snorting, sniffing, or by any other means. "Alternative nicotine product" excludes cigarettes, smokeless tobacco, or other tobacco products as these terms are defined in 720 ILCS 675/1 and any product approved by the United States Food and Drug Administration as a non-tobacco product for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for that approved purpose.

Section 3. Animals

3.1 Domesticated Animals and Pets

- a) No owner or person having control of any domesticated dog, cat, or any other domesticated animal shall cause or permit such animal to be on Township property except (i) in conjunction with an activity or event conducted or sponsored by the Township, or (ii) dogs or other domesticated animals specially trained to assist the visually impaired or other persons with disabilities when they are accompanying the persons with disabilities for purposes of providing such assistance.
- b) Any animal found on Township property in violation of subsection (a) may be apprehended, removed to an animal shelter, public pound, or other place provided for that purpose, and, unless the owner claims the animal and is financially responsible for violations of this Ordinance, disposed of pursuant to the applicable laws or ordinances of the State of Illinois and County of Lake. The owner or person responsible for such animal shall be responsible for all costs and expenses incurred or encumbered in the removal and boarding of such animal and such charge shall be in addition to, and not in lieu of, any other penalties provided for in this section and any other applicable federal, state, local or Township laws, ordinances, rules or regulations.

3.2 Protections of Non-Domesticated Animals, Birds, Fish, and Other Non-Domesticated Animals

For purposes of this section, “wildlife” means any bird, fish, or other non-domesticated animal including without limitation any animal, the capture or killing of which is authorized by the fish and game laws of the State of Illinois.

- a) No person shall bring or release any wildlife onto Township property; provided, however, that the Township may bring or release, or permit another person to bring or release, such proscribed animals onto Township property in conjunction with an activity or event conducted or sponsored by the Township or in conjunction with a zoo, museum, nature center, or similar facility maintained by the Township.
- b) No person shall feed any wildlife on Township property, except when specifically allowed under supervision of Township staff.

- c) No person shall hunt, pursue, hurt, molest, wound, kill, trap, catch, poison, abuse, chase, shoot, touch, throw or propel objects at, endanger in any way, remove or cause to be removed, treat cruelly, or have in possession, any wildlife upon, over, or under Township property, except catch and release fishing is permitted, so long as such fishing is done with barbless fishing hooks, and except as otherwise expressly authorized and approved by the Township.
- d) No person shall give or offer any harmful, poisonous, or noxious substance to any wildlife on Township property.
- e) No person shall touch, tease, frighten, disturb, or otherwise intentionally interfere with any wildlife while feeding, nesting, breeding, sleeping, resting, flying or engaging in any other activity on, upon, over or under Township property, except as expressly authorized and approved by the Township.
- f) No person shall molest, touch, throw or propel an object at, destroy, dig up, crush, shake, rob or disturb, in any way tamper with or damage the nest, lair, den, burrow, or home of any wildlife found on, upon, over or under Township property.
- g) No Person shall have in his possession or take or attempt to take any fish in any waters of the Township, except in designated areas and subject to such rules as authorized by the fish and game laws of the State of Illinois or as may be promulgated by the Township. Every Person fishing on Township Property shall comply with all applicable federal, state, local and Township laws, ordinances and regulations including without limitation, conservation laws and licensing requirements.

Section 4. Personal Conduct

4.1 **Abandonment of Property**

- a) It is unlawful for any person to abandon any personal property on Township property, including, but not limited to, cars, boats, appliances, garbage, furniture, or refuse.
- b) Property left unattended for longer than twenty-four (24) hours or unattended property that interferes with any park visitors' safety, orderly management of the park area, or presents a threat to park resources may be impounded or removed by the Township at any time. The owner of such property shall be responsible and liable for all costs and expenses associated with the impounding, removal, storage or other disposal of the property.
- c) Any Person finding lost or unattended property on Township Property shall report such finding to the Township as soon as is practicable. Whenever a Township Employee or agent finds lost or unattended property on Township Property he shall report said finding to his immediate supervisor. The Township will attempt to make every reasonable effort to locate the property's owner(s).
- d) Unattended property that has been impounded or property that has been found shall be stored for a minimum period of thirty (30) days. Thereafter, if not claimed by the owner or an authorized agent thereof, the property may be claimed by the finder of such property unless the finder is an Employee, Officer or agent of the Township or Board. All property not claimed shall be disposed of as the Township deems appropriate.

4.2 **Advertisement, Peddling, and Solicitation**

The purpose of this section is to control commercial enterprises or sales on Township property to ensure the public unimpeded use and enjoyment of the parks and facilities without being subjected to purely commercial exploitation.

- a) No person shall offer for sale any articles or things, or conduct or solicit any business, trade, occupation, or profession (i.e., tennis lessons, personal training / boot camp, ice cream peddling, etc.) on Township property without a Permit from the Township.

- b) No person shall fix any placard, sign, handbill, pamphlet, circular, or any other writing or printed material or objects containing advertising matter or announcements of any kind whatsoever on any Township tree, shrub, post, building, gate, sign, or other Township property unless:
 - 1. The person or organization has obtained a Permit from the Township;
 - 2. The Township has expressly designated the area for such use or;
 - 3. The person holds a valid picnic, camping, or special event Permit in which case the person may display signs to identify their location or direct others to such location, provided that such signs are temporary and are removed by the permittee at the termination of the activity and provided that such signs are no larger than 24" x 30" and are not attached to any tree, shrub, post, building, gate, Township sign, or other structure located on Township property.
- c) No person shall distribute, display, post, or fix any sign, handbill, pamphlet, circular or any other writing or printed material or objects within any Township building except in areas expressly designated for such use.

4.3 Aircraft/Unmanned Aircraft, Model Engines and Toys

- a) No person shall fly, cause to be flown or permit or authorize the flying of an aircraft of any kind at any time over Township property at an elevation lower than the minimum safety requirements established by the Federal Aviation Administration or other governmental authority, at an elevation which is lower than is reasonably safe under the circumstances, or in a manner which endangers the safety of any person on Township property.
- b) No person shall land, cause to be landed, or permit or authorize the landing of any aircraft, drone, balloon, glider, hand glider, or parachute on Township property unless a Permit therefore has first been obtained from the Township, except when necessitated by unavoidable emergency.

- c) Unless otherwise authorized by law, no person upon, over, or in connection with any property of the Township shall start, fly or cause to be flown or permit or authorize the flying of any fuel-powered engine, jet-type or electric-powered model aircraft, drone, car, truck, boat, or rocket, or similarly powered toy or model, unless a Permit has first been obtained from the Township, and then only in accordance with the rules, regulations, and restrictions promulgated and posted.
- d) No person shall parachute or otherwise descend from an aircraft into or onto Township property or cause, permit or authorize another person to parachute or otherwise descend from any aircraft into or onto Township property unless a Permit has first been obtained from the Township, except when necessitated by unavoidable emergency.

4.4 Alcoholic Liquors/Intoxication

The following terms shall have the following meanings for purposes of this section:

“Alcoholic liquor” shall have the meaning set forth in the Illinois Liquor Code, 235 ILCS 5/1-1 *et seq.*

- a) No person under the influence of alcoholic liquor shall enter into, be, or remain on Township property
- b) No person, other than the Township or its authorized agents, shall sell or deliver any alcoholic liquor on Township property, unless said person has first obtained all applicable state and local liquor licenses, provides proof of dram shop liability insurance in sufficient insurance coverage limits as determined by the Township, and obtains a Permit therefore from the Township.
- c) No person shall bring into, possess, consume, use, or transfer any alcoholic liquor on Township property without having first obtained a Permit therefore from the Township unless he is in or on Township property where the possession or consumption of alcoholic liquor is allowed without a Permit, or unless the alcoholic liquor is legally possessed in an unopened container stored in the trunk of a motor vehicle. Every person possessing, using, consuming, or transferring alcoholic liquor pursuant to this section shall be subject to and shall comply with all applicable federal, state, local, and Township laws, ordinances, rules, and

regulations regarding the possession, use, consumption, or transfer of alcoholic liquor.

4.5 Assault, Battery, Fighting, and Reckless Conduct

No person shall knowingly start a fight or fight or commit any assault, battery, or reckless conduct on Township property.

For purposes of this section:

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 person commits reckless conduct when he causes bodily harm to, or endangers the bodily state of an individual by any means if such person performs recklessly the acts which cause the harm or endangers safety regardless whether the acts are otherwise lawful or unlawful.

4.6 Begging and Panhandling

- a) No person shall beg or panhandle in Township buildings, facilities or playgrounds or the entrances or stairways of such buildings or facilities.
- b) No person begging or panhandling on Township property shall obstruct or impede pedestrians or vehicles; harass park visitors with physical contact or persistent demands; misrepresent his affiliations; misrepresent what the solicited funds will be used for; or interfere, interrupt, or engage in conduct incompatible with the purpose of any program, activity, function, and/or special event conducted, sponsored, licensed or otherwise permitted by the Township; or coerce or intimidate another person into giving money, goods or services.

4.7 Bicycling

- a) When two or more persons in a group are operating bicycles, they shall not ride abreast, but shall ride in single file.
- b) No person shall cling or attach himself or his bicycle to any other moving vehicle.

- c) The operator of a bicycle emerging from an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians and vehicles approaching on said roadway.
- d) No person operating a bicycle shall carry another person on the same bicycle. This restriction does not apply to tandem bicycles, or age- and size- appropriate child seats and child trailers.
- e) No person shall operate a bicycle on Township property between thirty (30) minutes after sunset and thirty (30) minutes before sunrise, without a clear, white, properly lighted headlight, visible under normal atmospheric conditions from the front thereof for not less than five hundred (500) feet, and firmly attached to the bicycle, or without a red reflector firmly attached to the bicycle, which is clearly visible in the headlight beam of an automobile for a distance of five hundred (500) feet to the rear of the bicycle.
- f) No person may operate a bicycle on playgrounds, ball fields, tennis courts, or sidewalks except that small children riding three- or more-wheeled cycles may operate such cycles on sidewalks while under the supervision and control of an adult.
- g) No person shall ride a bicycle on any street or path where signs are posted prohibiting riding bicycles on those streets or paths.
- h) Bicycles shall not, at any time, in any place, be indiscriminately parked by anyone in such manner as to actually or possibly interfere with pedestrians or automobiles. No person shall leave a bicycle lying on the ground or paving or set against trees or otherwise in a place other than a bicycle rack when such is provided and there is space available. No person shall move or in any manner interfere with, any bicycle which is properly parked, nor shall any person interfere with, or, in any manner, hinder any person from properly parking a bicycle.
- i) All bicycles, when operated on roadways, shall be kept to the right and shall be operated as nearly practicable at the right-hand edge of the roadway or sidewalk.
- j) No person shall operate a bicycle faster than is reasonable and proper, and every bicycle shall be operated with reasonable

regard for the safety of the rider and of other persons and property.

- k) Every person operating a bicycle on Township property shall observe all traffic and Illinois Vehicle Code rules and regulations applicable to motor vehicles under this chapter, except those provisions of this chapter which by their nature can have no application and except as otherwise provided by this section.

4.8 Bribing Employees

No person shall give or offer any money, gift, privilege, or article of value to any Township employee, officer, or agent in order to violate the provisions of the Ordinance or any other Township ordinance, contract, permit or statute of the State of Illinois and the United States or in order to gain or receive special consideration in applying for any use or privilege, or treatment in the use of Township property. This section shall apply both on and off Township property.

4.9 Commercial Activities

No person shall do any of the following on Township property without first obtaining a Permit from the Township:

- a) Use any Township property for commercial activities, including, but not limited to, filming an advertisement, television program, or movie without obtaining a permit from the Township.
- b) Take, or cause to be taken, any still or motion pictures (including video tapes), make sketches or paintings for commercial purposes or for use in commercial advertising, without first obtaining a Permit from the Township.

4.10 Disorderly Conduct

- a) No person shall commit any act in such unreasonable manner as to alarm or disturb another and to provoke a breach of the peace.
- b) No person shall engage in violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance.
- c) No person shall commit any other act which may be defined as disorderly conduct under the Illinois Criminal Code, 720 ILCS 5/26-1,2,3, or 4.

4.11 Reporting Incidents

A person involved in an accident on Township property resulting in personal injury or property damage, or other accident, shall report the incident to the Township within twenty-four (24) hours after the incident.

4.12 Drugs/Cannabis/Controlled Substances

For purposes of this section, the following words will have the following meanings:

“cannabis” means any substance so defined in the Cannabis Control Act, 720 ILCS 550/1 *et seq.*;

“controlled substance” means any substance so defined in the Illinois Controlled Substances Act, 720 ILCS 570/100 *et seq.*;

“intoxicating compounds” shall include all substances listed in the Use of Intoxicating Compounds Act, 720 ILCS 690/0.01 *et seq.*;

“under the influence” means affected by cannabis, any controlled substance, or any intoxicating compound in any determinable manner. A determination of being “under the influence” can be established by a professional opinion, a scientifically valid test, a layperson’s opinion or the statement of a witness.

- a) Unless such act complies with the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1, *et. seq.*), no person shall bring, possess, sell, deliver to another person, or use cannabis, or any controlled substance, upon Township property.
- b) Unless such person is in compliance with the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1, *et. seq.*), no person under the influence of cannabis shall enter into, be, or remain on Township property. No person under the influence of any intoxicating compound, controlled substance, or any combination thereof, shall enter into, be, or remain on Township property.

4.13 Dumping, Polluting, and Littering

- a) No person shall litter, cast, throw, drop, leave, scatter, place, pile, or otherwise dump, or deposit in any manner any kind of dirt, rubbish, placard, handbill, pamphlet, circular, book, notice, flyer, other promotional material, paper of any kind, ashes, garbage, waste material, snow, ice, or other substance, whether liquid or solid, or any other refuse in or upon Township property except as

specifically permitted by the Township. Provided, however, that paper, glass, cans, garbage and other refuse resulting from picnics or other lawful use of Township property shall be deposited in receptacles provided by the Township for that purpose. Where receptacles are not provided, are missing, or are full to capacity, all such garbage, refuse, or other material shall be carried away from the area of use by the person responsible for its creation and presence, and properly disposed of elsewhere.

- b) No person shall urinate or defecate on Township property other than in toilets in restroom facilities expressly provided for such purposes.
- c) No person shall drain refuse from a trailer or other vehicle on Township property.
- d) No person shall bathe or wash themselves or food, clothing, dishes, or other property at water outlets, or fixtures on Township property, except at those areas designated by the Township for such use.
- e) No person shall pollute or contaminate Township property.
- f) No person shall dispose of fish remains on Township property, except as expressly permitted by the Township.
- g) No person shall dispose of human or animal waste on Township property except at designated locations or in fixtures provided for that purpose.
- h) Any person violating this section shall be assessed the cost of removing any such improperly deposited substance or material and such charge shall be in addition to and not in lieu of any other penalties provided for in these Ordinances or applicable federal, state, local, and/or Township laws, ordinances, rules, and regulations.

4.14 **Fires**

- a) No person shall light, maintain, or make use of any fire on Township property, except at such places and at such times as the Township may designate for such purpose and under such rules as may be prescribed by the Township. In the event the Township permits a person to use such a fire, the person shall comply with

the following requirements in addition to any other rules as may be prescribed by the Township:

1. No fire shall ever be left unattended. Every fire shall be under the continuous care and direction of a competent adult from the time it is kindled until the time it is completely extinguished.
2. All fires must be properly and completely extinguished prior to any person leaving the site of the fire.
3. Dumping of ashes from grills is strictly prohibited.
4. No person shall drop, throw, or scatter any burning, lighted or smoldering material, cigarette, cigar, or match in any manner that threatens, causes damage to, or results in the burning of Township property or other Township resources, or creates a safety hazard.

4.15 Pyrotechnics

No person shall offer for sale, expose for sale, sell, possess, use, or explode any firecracker, smoke bombs, torpedoes, skyrockets, roman candles, bombs, sparklers, rocket, squib or other fireworks of like construction, or anything containing any explosive or inflammable compound or any tablets or other device commonly used and sold as fireworks, on Township property without first obtaining a Permit from the Township, or unless authorized to do so by contract with the Township.

4.16 Gambling/Fortune Telling

No person shall play or engage in selling fortunes or futures, games of chance or in any other device or game of chance, hazard or skill, either as bookmaker, dealer, player or otherwise, for the purpose of gaming or gambling for money or other valuable things on Township property, except at a fair, carnival or other organized event conducted and permitted by the Township, and except as otherwise permitted by state law and with prior written permission of the Township.

4.17 Games and Sports

No person shall engage in any sport, game, or amusement on Township property where prohibited by the Township. Nor shall any person walk, remain, or go upon any portion of Township property designated for any particular game, sport, or amusement in such a way as to interfere with the use of that portion of Township property by persons who are using the same for the particular sport, game or amusement for which it has

been designated. No person shall engage in any permitted activity in a rough or reckless manner so as to endanger, injure or damage any person or property in any way.

No person shall use a golf club, baseball bat, tennis racket, or other device to strike, hit, propel or otherwise throw any object, such as balls or rocks, on Township property, except in designated areas, and only as such device is intended to be used.

No Person shall golf or practice golf on any property owned or controlled by the Township, except in conjunction with organized, authorized or supervised recreation programs approved by the Sports Director, or his or her designee.

Township fields are available for use by organized groups by Permit only during times of the year determined by the Township.

4.18 Hindering Employees

- a) No person shall interfere with, unreasonably disrupt, delay, or in any manner hinder any employee of the Township engaged in the performance of his or her duties.
- b) No person shall falsely represent that he is, or otherwise pretend to be, a Township employee, or an agent or other representative of the Township.

4.19 Hitchhiking

No person shall solicit a ride, nor stand in or near a roadway on Township property for the purpose of soliciting a ride from the operator of any vehicle.

4.20 Impersonating an Officer

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

4.21 Indecent Conduct

- a) No person shall commit any indecent, lewd or lascivious act on Township property, or utter any lewd or offensive words within the hearing of another person.
- b) No person shall appear on Township property 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.

4.22 Loitering

No person shall loiter or remain on Township property, either alone or in consort with other persons, in such a manner that: (1) unreasonably obstructs the usual use of entrances, hallways, corridors, stairways, or rooms designated for specific purposes; (2) impedes or disrupts the performance of official duties by Township employees; (3) prevents the general public from obtaining the administrative or recreational services provided on Township property in a timely manner; (4) restrict vehicular or pedestrian traffic or restrict free ingress to and egress from Township property; after being requested to leave, move, or disperse by any employee or agent of the Township, or where the Township has posted a sign or signs that prohibit loitering.

4.23 Metal Detectors

No person shall operate any device which is designed for the detection of metal objects on or below Township property.

4.24 Minors

- a) No parent, guardian, or custodian of a minor shall knowingly assist, or allow such minor to do, any acts on Township property in violation of any law, ordinance or rule of the Township. A minor is defined herein as any person who is under the age of eighteen (18) years.

- b) The parent or legal guardian of an unemancipated minor who resides with such parent or legal guardian shall be liable for damages caused by the willful or malicious acts of such minor as provided in the Illinois Parental Responsibility Act, 740 ILCS 115/1, *et seq.* This section shall not affect the recovery of damages in any other course of action where the liability of the parent or legal guardian is predicated on a common law basis.

4.25 Mob Action

No person shall engage in mob action.

Mob action consists of any of the following:

- (i) the use of force or violence disturbing the public peace by two (2) or more persons acting together without authority of law; or

- (ii) the assembly of two (2) or more persons to do an unlawful act; or

- (iii) the assembly of two (2) or more persons, without authority of law, for the purpose of doing violence to the person or property of any one supposed to have been guilty of a violation of the law or for

the purpose of exercising correctional powers or regulative powers over any person by violence.

4.26 Obstructing Travel

No person shall set, or cause to be set or placed, any goods, wares, merchandise, or property of any kind so as to obstruct travel on Township property.

4.27 Group Amenities and Facilities

- a) No person shall use, infringe upon or disturb a group in possession of a valid Permit, except under permission by the group possessing such permit.
- b) No person may bring in, setup, construct, manage, or operate any amusement or entertainment contraption, device, or gadget without written permission of Warren Township. Examples include, but are not limited to, inflatable jumpers and bouncers, tents, and water slides.
- c) The Township shall provide for the issuance of Permits for the use of Township amenities and facilities, when required. A Permit is required to use Township amenities and/or facilities for groups consisting of five (5) or more persons when such group consists, in whole or in part, of clients, members, customers, or guests of a for-profit or not-for-profit corporation, club, association, school, daycare, or other entity. Groups of less than five (5) persons do not require a Permit unless the group desires to reserve a designated area or shelter to the exclusion of others. Any person or group to whom a Permit is issued shall agree to indemnify and hold the Township, its employees and agents, harmless from any liability for loss, damage, claim or costs, including attorneys' fees. Additional requirements, including a Certificate of Insurance naming Warren Township as an additional insured, may be required.

4.28 Resisting or Interfering With Employees or Agents

No person shall:

- a) Interfere with any township employee or designated agent in the discharge of his/her duties; or
- b) In any way interfere with or hinder or prevent him/her from discharging his/her duty, or offer or endeavor to do so.

4.29

Skateboarding

No person using roller skates, in-line skates, skateboards, roller skis, coasting vehicles, or similar devices (“skateboards”) on Township property shall interfere with pedestrian use of sidewalks, or use of the streets by vehicles, or otherwise act negligently, recklessly or without due caution or in any manner so as to endanger any person or property. No person shall use such devices on any Township property where such use has been posted as prohibited.

No person shall cling or attach himself or his skateboard to any other moving vehicle.

The operator of a skateboard emerging from an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians and vehicles approaching on said roadway.

No person may operate a skateboard, or similar device, on playgrounds, ball fields, tennis courts, or where signs are posted prohibiting riding skateboards.

No person shall operate a skateboard faster than is reasonable and proper, and every skateboard shall be operated with reasonable regard for the safety of the rider and of other persons and property.

4.30

Motorized Skateboard

No person shall drive, ride, or otherwise operate, any motorized skateboard on Township property. A “motorized skateboard” shall mean any device consisting of a deck or riding surface of any design upon which a person may stand or sit, having any number of wheels, and is propelled by any type of motorized power, including any hoverboard, go-ped, pocket motorcycle, motorized skateboard, motorized scooter and the like. Provided, however, that a device designed and used for the transport of disabled persons shall not be considered a motorized skateboard within the meaning of this Section, and an Electric Personal Assistive Mobility Device as defined in this Ordinance shall not be considered a motorized skateboard within the meaning of this Ordinance.

4.31

Sleeping in Parks/Vagrancy

- a) No person shall sleep on Township property, except when authorized to do so by a Permit from the Township.

- b) No person shall use Township property in a manner designed or calculated to act as a substitute for a residence or means of support.

4.32 Winter Sports

- a) No person shall ice skate, sled, toboggan, inner tube, ski, snowboard, slide, or engage in similar activities on Township property except at such times and places as the Township may designate for such purposes.
- b) No person shall engage in any such activity in a reckless manner that endangers that person or others, or at a speed greater than is safe and proper under the circumstances.
- c) No person shall tow, push, pull, or otherwise propel another person on skis, sled, or other sliding device by use of any vehicle on Township property.
- d) No person shall fish through the ice on any frozen waters unless otherwise posted as expressly permitted;
- e) No person shall bring onto or upon the frozen waters of any lake, pond, or watercourse any iceboat or wind-driven-like device or other vehicle without written permission.

4.33 Sound and Energy Amplification

No person shall play or operate any sound amplification devices, including public address systems, musical instruments and the like, or operate any other energy amplification device or musical instrument without a Permit from the Township, and no such permit shall be issued or maintained where sound produced by such devices is judged by the Supervisor or his or her designee to be a public annoyance.

No person shall make, or cause to be made, any excessively loud or unreasonable noise which disturbs the peace. For purposes of this subsection, excessively loud or unreasonable noise is defined as noise inconsistent with or not reasonably attendant to appropriate and customary park and recreational activities, considering the nature and purpose of the actor's conduct, location, time of day or night, and other factors that would govern the conduct of a reasonably prudent person under the circumstances. This section shall include, without limitation, the loud or amplified playing of any type of audio equipment, radio or stereo, noisemaker, musical instrument, or sound equipment. This section shall not apply to the playing of any musical instrument, public

speaking, or the amplification thereof, in conjunction with activities conducted, sponsored, licensed or otherwise permitted by the Township.

4.34 Swimming

No person shall bath, swim, wade, float, splash, or otherwise enter Township waters other than at a designated swimming area. Users of designated swimming areas shall comply with all policies, rules and regulations as the Township may designate for such activities, including those pertaining to swimming pools.

4.35 Watercraft

No person shall, upon or in connection with any property of the Township, bring into, attempt to launch or use, or navigate any boat, yacht, canoe, raft, or other watercraft upon the waters or any other watercourse, lagoon, lake, pond, or slough, except at such place or places as may be designed.

4.36 Throwing Projectiles

No person shall throw or cast any stones or other projectiles on Township property, except where such throwing or casting is involved in a recognized game or recreational activity, and then only upon such portions of Township property as may be designated.

4.37 Weapons and Firearms

- a) No Person shall use, fire, set-off or otherwise cause to explode, discharge or burn, or throw onto or while on Township Property any weapon or Firearm, including but not limited to those weapons and Firearms described in 720 ILCS 5/24-1 *et seq.*
- b) No Person shall carry or have in his possession any weapon or Firearm on Township Property, except as otherwise preempted by the Firearm Owners Identification Card Act (430 ILCS 65/13.1) and the Firearm Concealed Carry Act (P.A. 98-0063) as set forth in this Ordinance.
- c) Except as provided herein, no Person may knowingly carry any Firearm in the following locations:
 - 1. **Township Building:** All Firearms are prohibited in any building or portion of a building under the control of the Township.
 - 2. **Gathering Requiring Permit:** Except as provided herein, all Firearms are prohibited at any public gathering or special

event conducted on Township Property that is open to the public, but requires the issuance of a Permit from the Township or other body. A Licensee is exempted from this Section if the Licensee is carrying a Firearm through a public gathering in order to access his or her residence, place of business or vehicle, and there is no other way for Licensee to access his or her residence, place of business, or vehicle except through said gathering or special event.

3. **Playgrounds:** All Firearms are prohibited on all Township playgrounds.
4. **Public Parks, Athletic Fields/Facilities:** All Firearms are prohibited in any public park, athletic field, real property or athletic facility owned or under the control of the Township.
 - i. **Trail/Bikeway:** A Licensee is exempted from this Section if the Person is carrying a Concealed Firearm while on a Township trail or bikeway except in only those portions of the trail or bikeway that includes a public park.
 - ii. **School Property:** Firearms are prohibited in Township-sponsored programs or activities occurring at a building, real property and parking areas owned or under the control of a public or private elementary or secondary school, community college or university.
 - iii. **Transportation:** Firearms are prohibited on any bus, train, or other form of transportation paid for in whole or in part with Township funds, and any building, real property, and parking area under the control of a public transportation facility paid for in whole or in part with public funds.
 - iv. **Parking Lots:** Except as provided herein, a Person is prohibited from carrying a Firearm in any Township parking lot. A Licensee may carry a Concealed Firearm on or about his or her Person within a vehicle into a parking area on Township Property and may store a Concealed Firearm or ammunition concealed in a case within a locked vehicle or locked container out of plain view within the vehicle in the

parking area. A Licensee may carry a Concealed Firearm in the immediate area surrounding his or her vehicle within a prohibited parking lot area on Township Property only for the limited purpose of storing or retrieving a Concealed Firearm within the vehicle's trunk. The term "case" as used above includes a glove compartment or console that completely encloses the Concealed Firearm or ammunition, the trunk of the vehicle, or a Firearm carrying box, shipping box or other container.

- d) A Licensee is also permitted to carry a Concealed Firearm upon his or her Person while he or she is traveling along a public right of way that touches or crosses any Township owned or controlled premises, if the Concealed Firearm is carried on his or her Person in accordance with the provisions of the Firearm Concealed Carry Act.
- e) No person shall bring, attempt to bring, carry, or have in his vehicle, or use in any way any knife having a blade longer than three (3) inches, any air gun, pellet gun, or sling shot on Township property.
- f) No person shall bring, attempt to bring, carry, have in his vehicle, or use in any way, any device capable of discharging a projectile by air, explosives, ammunition, or bottles of gasoline with a rag attached.
- g) No person shall bring, attempt to bring, carry or use in any way, any bow or arrow upon Township property, except as approved by the Township as part of a directly supervised park program.
- h) No person shall use or explode any toy pistol, toy cannon, toy cane, or toy gun in which explosives are used, or use or explode any blank cartridge, on Township property except that starter pistols may be used for sporting or athletic events authorized by the Township.

Section 5. Vehicles

Except insofar as the application thereof is clearly impractical or inappropriate, in view of the context or purposes thereof, all of the definitions, requirements, regulations, prohibitions, provisions and sections of the Illinois Motor Vehicle Code, as amended, (625 ILCS 5/1-100, *et seq.*) are by reference adopted as definitions, requirements, regulations, prohibitions, provisions and sections of this General Use Ordinance. Any and all violations of the Illinois Motor Vehicle Code, as amended, (625 ILCS 5/1-100, *et seq.*), shall be considered violations of this General Use Ordinance and each such violation shall subject the violator thereof to the penalty provisions of this General Use Ordinance, and the section numbers of the Illinois Motor Vehicle Code, as amended, (625 ILCS 5/1-100, *et seq.*), are adopted as section numbers of this General Use Ordinance and may be cited as such.

5.1 ATVs and Off-Highway Motorcycles

No person shall drive or operate any ATV or off-highway motorcycle on Township property, except under the following circumstances:

- a) In such areas and at such times as are specifically designated by the Township;
- b) When such vehicles are used by law enforcement officers or Township employees or agents for law enforcement or Township purposes; or
- c) In the case of an emergency.

For purposes of this section, an all-terrain vehicle shall be defined as any motorized off-highway device five inches (50") or less in width, having a manufacturer's dry weight of 600 pounds or less, travelling on three (3) or more low-pressure tires, designed with a seat or saddle for operator use, and handlebars or steering when for steering control.

5.2 Minibikes, Trailbikes and Go-Carts

No person shall drive, ride, or otherwise operate, any minibike, trailbike or go-cart on Township property. For purposes of this section, every motor vehicle, which is self-propelled by power obtained by the combustion of gasoline or electric, which is designed with a seat or a saddle for the use of the rider, and is designed to travel mostly off-road on not more than three (3) wheels, shall be a minibike, trailbike, or go-cart.

5.3 Driving Under the Influence

No person shall drive or otherwise operate, nor attempt to drive or otherwise operate, a vehicle on Township property while under the influence of alcoholic liquor, cannabis, controlled substance, or any other intoxicating compound, drugs, or any combination thereof.

5.4 Negligent Driving

No Person shall drive or otherwise operate a vehicle on Township Property negligently, recklessly or without due caution, or in any manner so as to endanger any Person or property. All vehicles shall be driven or otherwise operated on the right side of any roadway open to travel, except when passing other vehicles.

5.5 Driving Upon Sidewalk

No person shall drive any motor vehicle upon a sidewalk or sidewalk area located on Township property except upon a permanent or duly authorized temporary driveway or for routine maintenance, utility or emergency service, or for special delivery or pickup involving goods or customer services.

5.6 Mufflers

No person shall operate a motor vehicle on Township property which is not equipped with a muffler adequate to deaden the sound of the engine.

5.7 Parking, Standing, or Stopping

- a) No person driving, or in charge of, a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, and removing the keys, and when standing upon any perceptible grade, without effectively setting the brake thereon and turning the front wheels to the curb or side of the roadway.
- b) No person shall park a vehicle on Township property except in established or designated parking areas, in accordance with the posted directions and markings or with the directions of any attendant who may be present.
- c) No person shall park any vehicle or allow any vehicle to remain parked on Township property beyond the normal closing hour of the Township, except when a different closing hour has been designated by the Township for that area or unless express written permission therefore has first been obtained from the Township.

- d) Except where otherwise designated, or when necessary to avoid conflict with other traffic, or when in compliance with the directions of a Township Employee, no person shall stop, stand, or park any vehicle on Township property so as to obstruct or interfere with traffic or travel or endanger the public safety, and no person shall stop, stand, or park any vehicle:
 - 1. At any place or time where a Permit or sticker is required by the Township for parking, unless the required Permit or sticker has been obtained and is displayed on the vehicle; or
 - 2. As otherwise set forth in 625 ILCS 5/11-1303.
- e) No person shall park a vehicle upon any roadway or in any public off street parking facility on Township property for any of the following purposes:
 - 1. To display such vehicle for sale; or
 - 2. To perform maintenance or repair of such vehicle, except for repairs necessitated by an emergency; or
 - 3. To sell goods or services from such vehicle.
- f) Notwithstanding any contrary provision contained in this section the operator of an authorized emergency vehicle may park or stand irrespective of the provisions of this Ordinance.
- g) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful.
- h) Except as otherwise provided, every vehicle stopped or parked upon a one-way roadway on Township property shall be so stopped or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement, with its right-hand wheels within twelve (12) inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder or, where permitted, with its left-hand wheels within twelve (12) inches of the left-hand curb or as close as practicable to the left edge of the left-hand shoulder.

- i) No person shall park a vehicle on Township property unless such person engages in Township business or activities while such vehicle remains on Township property.

5.8 Riding Outside Vehicles

- a) No person shall ride upon the fenders, running boards, bumpers, hood, or any other exterior part of any vehicle on Township property.
- b) No person shall cling or attach himself, his vehicle, or any other object, to any other vehicle on Township property.

5.9 Right-of-Way

- a) Every operator of a vehicle shall yield the right-of-way to a pedestrian at any marked crosswalk, or within any unmarked crosswalk at any intersection on Township property.
- b) Every operator of a vehicle shall exercise due care to avoid colliding with pedestrians upon any roadway on Township property, shall give warning to any pedestrian in the roadway by sounding the horn when necessary, and shall exercise proper precaution upon observing any child, confused person, or disabled person upon a roadway.
- c) Every pedestrian crossing at a roadway on Township property at any point other than within a marked crosswalk or within an unmarked crosswalk at any intersection shall yield the right of way to vehicles upon the roadway.
- d) Except as otherwise provided herein, the operator of a vehicle approaching an intersection on Township property shall yield the right-of-way to a vehicle that has already entered the intersection from a different roadway. When two (2) vehicles approach an unmarked intersection from different roadways at approximately the same time, the operator of the vehicle on the left shall yield the right-of-way to the vehicle on the right.

5.10 Snowmobiles

For purposes of this section, a “snowmobile” shall be defined as any self-propelled vehicle intended for travel primarily on snow, driven by a track or tracks in contact with the snow, and steered by ski or skis in contact with the snow.

No person shall drive, ride, or otherwise operate a snowmobile on Township property.

5.11 Speed Limit

No person shall operate, propel or cause to be propelled a vehicle on any road, drive, or parking area at a speed greater than the speed limit posted along the right-of-way or, in the absence of such posted limit, at a speed in excess of ten (10) miles per hour.

5.12 Electronic Personal Assistive Mobility Devices

An electronic personal assistive mobility device (EPAMD) is a device used by a person with mobility impairment for ambulation. This definition does *not* include golf carts, ATVs, or riding lawnmower, nor does it include any device designed to carry more than one (1) person. Warren Township authorizes persons with mobility impairments to use EPAMDs in Township facilities and sites subject to the following restrictions:

- a) The operator of the device must be a person with a mobility impairment, and upon request by Township officials, shall provide assurance of such status in accordance with the requirements under Title II of the Americans with Disabilities Act;
- b) The device, if used in a facility or in a park, is allowed in any area of the facility or park in which the general public is allowed, with the exception of employee only spaces, stairways, and identified hazardous areas;
- c) The device, if used in a facility, must be controlled by the operator. It:
 1. May not be gasoline/fuel powered;
 2. May not exceed 4 MPH;
 3. Shall be drive on the right side of the circulation route;

4. Is prohibited from carrying another person on the frame, or any object on the frame that may make the EPAMD less stable;
 5. Must not be operated in a dangerous or reckless manner that jeopardizes the safety of the operator or other persons.
- d) The device, if used outdoors, must be controlled by the operator. It:
1. May not be operated between dusk and dawn;
 2. May not exceed 6 MPH;
 3. May not exceed 38" in width;
 4. May not drive into wet or ecologically sensitive areas, which are posted as prohibited areas by the Township;
 5. Shall be driven on the right side of the circulation route;
 6. Be prohibited from carrying another person on the frame, or any object on the frame that may make the EPAMD less stable;
 7. Must not be operated in a dangerous or reckless manner that jeopardizes the safety of the operator or other persons.
- e) The Township accepts no responsibility for storage of the device.
- f) The Township accepts no liability for damage to the device, or injury to the operator, whether caused by the operator, another visitor to a Township facility or site, or any other circumstance.
- g) The Township accepts no liability for damage to property caused by the operator of the device, or injury to others caused by the operator of the device. In each instance, the operator shall remain fully responsible for the safe operation of the EPAMD and to avoid harm to property and others.
- h) The Township reserves the right to suspend the use of facilities or sites by the operator if doing so is in the best interests of the Township and its participants.

- i) The Township reserves the right to change, modify, or amend this policy at any time, as it would any other policy.
- j) The Township has considered several assessment factors in compiling the foregoing restrictions and limitations on mobility aids, generally, including the following:
 - 1. The type, size, weight, dimensions, and speed of the possible devices;
 - 2. The Township's facilities' volume of pedestrian traffic (which may vary at different times of the day, week, month, or year);
 - 3. The Township facilities' designs and operational characteristics, specifically considering the extent of outdoor preserves and related facilities, and limitations and safety concerns associated with the same;
 - 4. The extent of legitimate safety concerns necessary to permit the safe operation of mobility devices within the Township's facilities, preserves, and areas;
 - 5. The extent to which the use of mobility devices creates a substantial risk of serious harm to the immediate environment or natural or cultural resources, or poses a conflict with other lawfully mandated limitations.

5.13

Towing

Any unattended vehicle in violation of any provision of this ordinance may be towed at owner's expense.

Section 6. Permits

6.1 Permit Process

For purposes of this section, the term “exercise of First Amendment rights” shall include, without limitation, parades, marches, demonstrations, rallies, religious services, speeches, solicitation of votes, petition signatures or contributions, picketing and leafleting.

- a) Permits may be granted upon proper application and approval where the applicable section of these Ordinances or any other Township ordinance, policy, rule, or regulation requires a Permit in order to engage in a particular use or activity.
- b) Every person requesting a Permit shall complete and file a written application with the Supervisor or his or her designee on forms provided by the Township and pay applicable application fees at the Township’s administrative offices located at 17801 West Washington Street, Gurnee, Illinois. The application shall be dated and stamped when received and a receipt shall be issued to the applicant.
- c) Unless otherwise provided in another section of these Ordinances or Township ordinance, rule, or regulation, all applications for Permits not involving the exercise of First Amendment rights must be received by the Township at least twenty-one (21) calendar days prior to the use for which a Permit is sought. Applications for Permits involving the exercise of First Amendment rights must be received by the Township at least three (3) working days prior to the event requested.
- d) Except for applications for Permits involving a commercial activity or for the sale or delivery of alcoholic beverages, the Township shall issue the requested Permit without unreasonable delay unless:
 1. The proposed activity violates any federal, state, local, or Township law, rule, or regulation;
 2. A prior application for a Permit for the same date, time, and location has been or will be granted, and the use authorized by that Permit does not reasonably allow multiple occupancy of that particular location by more than one permittee;

3. The proposed use is of such a nature that it cannot reasonably be accommodated in the particular location applied for, considering, without limitation, the likelihood of such things as damage to Township resources or facilities, damage to an environmentally sensitive or protected area's ecosystem, impairment of a protected area's atmosphere of peace and tranquility, unreasonable interference with Township functions, buildings, facilities, operations, programs or activities, or unreasonable interference with the use or purpose of the Township property applied for;
 4. The proposed use would substantially impair the operation or use of facilities or services of Township concessionaires or contractors; or
 5. The proposed use would so dominate the use of Township property as to preclude other persons from using and enjoying them.
- e) If the application is approved, the Township shall issue a written Permit to the applicant. If the application is denied, the Township shall issue the applicant written reasons for denying the application, if requested.
- f) If an application is denied on the basis of a scheduling conflict or inappropriateness of the location, duration, or time of the activity, the Township will make a reasonable effort to arrange an alternative location, duration, or time that is acceptable to the applicant. If the Township denies an application, or the applicant is dissatisfied with such Permit as issued, he may appeal the decision to the Board. If the Board rejects the appeal after full review, or if time for full review is not available, the applicant may appeal the decision to the appropriate state or federal court. All other decisions on the issuance of Permits by the Township are final.
- g) Any Permit granted by the Township shall contain lawful prerequisites to the issuing of the Permit and restrictions on the conduct of the permitted use including without limitation: payment of a reasonable fee; general liability insurance coverage; an agreement to fully indemnify and hold the Township harmless from any liability or costs resulting from the use; a requirement that the persons involved in the use observe all federal, state, local, and Township laws, ordinances, rules, and regulations; time,

duration, and location restrictions; restoration deposit; a written agreement by the applicant to fully restore any Township property soiled or damaged by the use; and, any reasonable restriction necessary for the efficient and orderly contemporaneous administration of the use, other activities with a Permit and regular Township uses, functions, programs, and activities.

- h) Any person holding a valid Permit issued by the Township for use of Township property may use that Township property to the exclusion of any other person except the Township and its employees and authorized agents.
- i) The Township may make necessary changes or place necessary additional restrictions on any Permit after it has been issued.
- j) Violation of the terms, restrictions and conditions contained in the Permit may result in the suspension or revocation of the Permit.
- k) Unless as specifically provided elsewhere in the Ordinances, no Permit shall be issued for a period in excess of seven (7) consecutive calendar days. A Permit may be extended for like periods of time pursuant to a new application, unless another person has requested use of the same location and use of that location by more than one permittee is not reasonably possible.
- l) For uses involving the exercise of First Amendment rights, the Township may waive any application or Permit fees if the applicant demonstrates that the cost of such fees is prohibitive. An applicant must request such a waiver in writing.
- m) A security and restoration deposit may be required for any Permit. The Township shall refund the deposit if the Person responsible for the activity cleans all refuse caused or left by the activity or the activity's participants and restores Township Property to the condition it was in prior to the activity to the Township's satisfaction. If the Township is required to clean up or restore Township Property after the activity, the Person responsible for the activity shall reimburse the Township for all costs and expenses associated with the clean-up and restoration. The cost of the clean-up and restoration shall be taken from the restoration deposit. If there are any funds remaining after the clean-up and restoration costs have been subtracted, they shall

be returned to the appropriate Person. If the costs and expenses for the clean-up and restoration exceed the amount of the restoration deposit, the Township reserves the right to pursue any and all legal options.

- n) If the restoration deposit would create a financial hardship for the applicant which the applicant can so demonstrate, the Township may accept a written agreement to clean up and restore Township Property after the activity. If the applicant does not satisfactorily perform according to the agreement, the Township reserves the right to pursue any and all legal options.
- o) Activities otherwise prohibited under this Ordinance, or any other Township ordinance, policy, rule or regulation may be conducted or engaged in by a Person, his agents and/or employees, if done in strict conformance with the provisions of an agreement with the Township which has been duly authorized by the Board.

Section 7. Offenses Affecting Park Functions

7.1 Police/Security Force

The Board, or their designee, may require the permittee to hire an off-duty police officer or security personnel to patrol the assigned area during any scheduled event of any such permittee.

The Township Security force shall be the conservators of the peace on Township property, and shall be responsible for the enforcement of all federal, state, local, and Township laws, ordinances, rules, and regulations on Township property.

All city, county, state and other law enforcement authorities shall be authorized to enforce all laws and regulations, including Township ordinances, on Township property.

7.2 General Penalty

- a) Any person found violating the provisions of this ordinance may be immediately expelled by Township employees or designated agents. Upon recommendation of a Township employee, the Township Supervisor may ban an individual from Township property, events, and services for a period not to exceed thirty (30) days. A notice banning an individual shall be sent to the person at their last known address. Upon recommendation of the Township Supervisor or his or her designee, the Township Board may ban an individual from Township property, events, and services for a period exceeding thirty (30) days.
- b) In all cases where the same offense is made punishable or is created by different clauses or sections of these Ordinances, the prosecuting officer may elect under which to proceed, but not more than one recovery shall be had against the same person for the same offense; provided that the revocation of a license or Permit or fine imposed in an administrative hearing shall not be considered a recovery or penalty so as to bar any other penalty being enforced.
- c) Where an act or omission is prohibited or declared unlawful and no penalty or fine or imprisonment is otherwise provided, the offending person shall be fined not less than \$100.00 nor more than the maximum amount allowed by law. Each day that a

violation continues shall be deemed a separate offense. In addition to any fine, the Township may revoke the privilege to use all or some of the facilities of the Township for such length of time as is determined appropriate by the Township.

- d) In case of amendment of any section of these Ordinances containing the provisions for which a penalty is provided in another section, the penalty so provided in such other section shall relate to the section so amended or the amending section, whether re-enacted in the amendatory ordinance or not unless such penalty is specifically repealed therein.
- e) Whenever a finding of guilty is entered by the Court or a plea of guilty is entered by a defendant, the Court may, in addition to fine imposed, enter an order to pay restitution with restitution to be in an amount not to exceed actual out-of-pocket expenses or loss proximately caused by the conduct of the defendant. The Court shall determine the amount and conditions of payments.
- f) Whenever the Court finds any person guilty of failing to pay a fine assessed for violation of a municipal ordinance, and such person is subsequently incarcerated for contempt of court based on such violation, there shall be allowed a credit of twenty dollars (\$20.00) for each day of incarceration to be applied to that person's outstanding fine.
- g) No provisions of these Ordinances designating the duties of any officer or employee shall be construed as to make such officer or employee liable for any fine or penalty provided in these Ordinances for a failure to perform such duty, unless the intention of the Board to impose such a fine or penalty on such officer or employee is specifically and clearly expressed in the section creating the duty.

Section 8. Scope

The General Use Ordinance shall apply to and shall be enforced throughout all of the property of every kind owned by or under the jurisdiction of the Township.

Section 9. Effect

This Ordinance shall become effective upon its passage and approval as provided by law.

Section 10. Repealer

All ordinances and parts of ordinances in conflict or inconsistent with any of the provisions of this ordinance are hereby repealed to the extent they are inconsistent with this ordinance.

Section 11. Publication

In lieu of other publications, the General Use Ordinance shall be published in book or pamphlet form, and when so published shall become effective with the same force and effect as if otherwise published. Such book or pamphlet shall be evidence of the passage and legal publication of this ordinance in all courts without further proof, as provided by law.

Revised 4/11/17