

MORTON GROVE PARK DISTRICT

ORDINANCE 2012-02

GENERAL USE REGULATIONS

“Committed to Quality Park and Recreation Services”

Subject – General Use Regulations

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The Board of Commissioners recognizes that it is reasonable, necessary and desirable to establish rules and regulations in order to provide for the safe and peaceful use of parks and facilities; for the protection and preservation of the property of the District and the flora and fauna of the parks and open spaces; and for the safety and general welfare of the public. These rules and regulations are considered to be policies of the District. Ordinance #98-5 embodies General Use Regulations consisting of revisions to Ordinance 88-3, 92-1 95-1, 98-5, 2012-1 and addendums adopted in August 2003.

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Chapter I – Definitions and Construction of Words

Section 1 – Construction of Words: Whenever any words in any ordinance or rule or regulation importing the plural number shall be used in describing or referring to any matters, parties or persons, any single matter, party or person shall be deemed to be included although distributive words may not be used and, when any subject matter, party or person shall be referred to in any ordinance by words importing the singular number only or in the masculine gender, several matters, parties or persons and female as well as males and bodies corporate shall be deemed to be included; provided, however, that these rules or construction shall not be applied to any ordinance which shall contain any express provision excluding such construction of whether the subject matter or contents of such ordinance may be repugnant thereto.

Section 2 – Definitions:

- a. “Amusement Contraptions: whenever used means any contrivance, device, gadget, machine or structure designed to test the skill or strength of the user or provide the user with any sort of ride, lift, swing or fall experience including, but not limited to, ball-throwing contest devices, pinball-type devices, animal ride devices, ball and hammer devices, trampoline devices, and the like.
- b. “Area(s)” wherever used means a specified place within a park.
- c. “Authorized Agent” wherever used means individuals granted authority by the Director.
- d. “Board” whenever used means the Board of Park Commissioners of the District.
- e. “Contraband” wherever used means illegal or prohibited goods or merchandise.
- f. “District” wherever used means the Morton Grove Park District.
- g. “Employee” wherever used means any person hired for a definite or indefinite time period by the District in an established job classification and receiving pay for work performed or entitled to pay under established policies for paid absence.

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- h. “Exclusion of Others” wherever used refers to prohibiting use or behavior by others which disrupts or prevents the authorized and lawful use of designated areas or structures in a park by a person or persons holding a valid permit for such area or structure and activity.
- i. “Legal Adult” wherever used means one who has reached the age of maturity as defined by the laws of the State of Illinois.
- j. “Director” wherever used means the Director of the Park District or anyone designated by the Park District.
- k. “Overnight” wherever used means the time when the park or facility is officially closed until it opens the following day.
- l. “Park” wherever used means lands or property holdings of the District, whether in fee or as leasehold or management agreement.
- m. “Permit” wherever used means the written permission that must be obtained from the District to carry out a given activity.
- n. “Person or Person” wherever used means individuals, firms, corporation, societies or any group or gathering whatsoever.
- o. “Police Officer” wherever used means an individual trained in the methods of law enforcement and given authority to maintain peace, safety and order.
- p. “Posted” wherever used means that a notice is posted, either by a sign in a park, at the entrance to a park, at the Administrative Office, field house or other park building, the location being at the discretion of the Director.
- q. “Property” wherever used means any lands, facilities, or possessions of the District, whether in fee or as leasehold or management agreement.
- r. “Sound and Energy Amplification” wherever used means music, speech, or any sound or noise transmitted by artificial means including, but not limited to, amplifiers.
- s. “Vehicle” wherever used means any device or conveyance on the land using wheels or belt-type track or tracks, skids, or skis, and propelled by a motor of any kind.

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- t. “Written Permission of the Director” wherever used is intended to permit written permission being granted by authorized agents of the Director.

Chapter II – Public Use

Section I – Public Use and Purpose of the District: Parks are for use by the general public. One of the functions of the District is to acquire, protect, restore, restock, develop and interpret a well-balanced system of parks and open space with scenic, ecological, recreational and historic values for the inspiration, education, use and enjoyment by the public. This ordinance is intended to assist the Park District in performing this function by regulating access to and use of Park District property and by controlling the personal conduct and behavior of individuals while on Park District property.

Section 2 – Hours of Use:

- a. Parks shall be open to the public from dawn to dusk unless the District posts different hours.
- b. No person shall remain in the parks when the park is not open to the public without a permit from the District.
- c. No person, shall sleep in or upon a tent, car, trailer, hammock, bench or other recreational property without a camping permit as provided in Section 3(a) (3) herein
- d. Parks with lighted athletic facilities, pools and neighborhood fieldhouses or the community center will have the closing hour of 10 p.m. or as otherwise designated when the facility is in operation.

Section 3 – Permits:

- a. No person shall conduct, operate, present, manage or take part in any way in the following activities in a park unless a permit is obtained from the Director prior to the start of the activity:

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1. Any contest, show, exhibit, dramatic performance, play act, motion picture, acrobatic feat, bazaar, sporting event, ceremony, children’s day camp or any public meeting, assembly or parade including, but not limited to, drills and maneuvers, rallies, picketing, speeches and addresses, marches or political meetings.
 2. Any use of any park or facility by a certain person or group of persons to the exclusion of others.
 3. Camping or otherwise utilizing lands of the district or inhabiting any structure or facility overnight.
 4. No person or organization shall bring or cause to be brought onto the park system any play class, day camp, sports activity or other organized group of any kind, organized for profit or non-profit without the written permission of the Director.
- b. Persons desiring to engage in any of the above activities may apply to the Director for a written permit under policies established by the Board and subject to fees set by the Board.
- c. Permits in General – Permits are not transferable and fees paid are not refundable. Permits must be applied for at least two weeks in advance of event. Minor changes in the permit may be made upon written permission of the Director for no additional fee providing that the specific park or area designates is not changed, the date or dates involved are not changed, the number of designated persons is not increased, and the request for change is made at least 72 hours prior to the event. Permits may also be required for other activities as determined by the Director. (See chapter VII, Section 9).
- d. The district reserves the right to establish fees for the use of facilities.

Section 4. Fees: The District will establish fees and charges for programs.

- a. Resident: All resident rates will be reviewed quarterly by the Board of Commissioners.
- b. Non-Resident: The resident rate plus a standard 35% increase will be charged. Programs will be individually reviewed and the fee may be altered/waived.

Chapter III – Protection of Property, Structures, and Natural Resources

Section 1 – Destruction of Misuse of Property and Structures: No person shall upon or in connection with any property of the District:

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- a. Destroy, deface, paint, alter, change or remove any monument, stone marker, bench mark, stake, post or blaze marking designating any boundary line, survey line or reference point.
- b. Cut, break, mark upon or otherwise damage, destroy or remove any post, building, shelter, picnic table, drain, well, foundation, pump, telephone, lamp post, fence, gate, refuse container, exhibit, display, tool or equipment, storage box, utility outlet, movie screen, flagpole, or any other structure or parts thereof, without written permission of the Director.
- c. Deface, destroy, cover, damage or remove any placard, notice, or sign or parts thereof, whether permanent or temporary, posted or exhibited by the District to announce the rules, regulations and warnings, or any other information to the public necessary or desirable to the proper use of the park.
- d. Take, appropriate, excavate, injure, destroy or remove any historic or prehistoric ruin or parts thereof, or any object of antiquity, without written permission of the district.
- e. Throw, carry, move, cast, drag, push or deport any refuse container, picnic table, barricade or any other movable or non-movable property into a pool or otherwise move, stack, or hide such property in such a way as to render it unavailable to the general public for its intended use, to cause a hazard to public safety or to damage or destroy such property.
- f. Occupy, inhabit, or cause to be occupied or inhabited, any shed or other structure, or use for storage or cause to be used for the storage of any goods, any shed or other structure without written permission of the Director.
- g. Enter into or upon any park or pool or area thereof or structure closed or posted against trespass, without written permission of the Director. These structures or areas may be, but are not limited to, construction areas, work safety zones, equipment or material storage structures or areas, workshops or stations, areas undergoing intensive reforestation or other soil or vegetative treatment or areas (s) hazardous to public safety or health.
- h. Tamper in any way with, enter or climb upon, weaken, destroy, damage, or remove anything from any park vehicle, machine, implement or playground.

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- i. Misuse any refuse container or receptacle by depositing into it any hot coals or other hot or burning substances, or by depositing into it any garbage, trash, refuse or other unwanted material that was not gathered on the site in the course of normal, lawful use of park facilities.
- j. Bring into, leave behind, or dump any material of any kind, whether waste or otherwise, in the park, except refuse, ashes, garbage and other material arising from the normal use and enjoyment of a picnic or other permitted activity provided such material is deposited in receptacles or pits provided for such purposes. Nor shall any material of any kind be left or deposited within or near the parks so as to pollute the land, waters or air coursing through or over the parks or otherwise to interfere with proper use and enjoyment of the park.
- k. Bring or carry a glass container or bottle of any kind into the parks.

Section 2 – Destruction or Misuse of Natural Resources: No person shall upon or in connection with any property of the District:

- a. Cut, remove, uproot or destroy any tree sapling, seedling, bush, shrub, flower or plant whether alive or dead or chip, blaze, box, girdle, trim or otherwise deface or injure any tree, shrub or bush or break or remove any branch or foliage thereof or pick or gather any seed of any tree or other plant unless necessitated by the performance of restorative, maintenance, or construction work pursuant to contract with the District.
- b. Remove or cause to be removed any sod, earth, humus, downed timber, wood chips, peat, rock, sand or gravel or remove or cause to be removed any other natural material of the forest floor or earth unless necessitated by the performance of restorative, maintenance, or construction work pursuant to contract with the District.
- c. Hunt, pursue, trap, catch, capture, molest, poison, wound or kill or attempt to hunt, trap, catch, capture, molest, poison, wound or kill any invertebrate animal, mammal, bird, reptile, or amphibian; disturb, molest, or rob the nest of any mammal, bird, insect, reptile, or amphibian or the lair, den or burrow of any mammal, bird, reptile or amphibian, without written permission of the Director.

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- d. Release or cause to be released any wild, domestic, or pet animal, bird or reptile or bring in or plant or distribute the seeds or spores of any flowering or non-flowering plant brought into or upon park lands or pools from any outside source whatsoever, without written permission of the Director.
- e. Use or cause to be used any chemical or biological pesticide or any other substance, measure or process designed to alter the anatomy or physiology of any organism for the purpose of directly manipulating their populations, without written permission of the Director and then only in compliance with all applicable laws of the State of Illinois and the United States.
- f. Deposit, dump, throw, cast, lay or place or cause to be deposited, dumped, thrown, cast, laid or placed any ashes, trash, rubbish, paper, glass, garbage, refuse, debris, landscape/yard waste, or junk or abandoned vehicles or parts of vehicles.
- g. Climb upon any plants, fence structure, utility device or property of any kind in the District except such recreational equipment as may be installed by the District for such purposes.
- h. Feed any non-domesticated invertebrate animal, mammal, bird, reptile or amphibian without the written permission of the Director.

Section 3 – Contraband: All animals, plants, birds or reptiles or parts thereof, killed, captured, trapped, or taken or bought, sold or bartered or had in possession contrary to any provisions of this ordinance or applicable laws of the State of Illinois or the United States shall be and are hereby declared contraband and as such, shall be subject to seizure by any police officer, caretaker or employee of the District.

Section 4 – Destruction by Misuse of Fire: No person shall upon or in connection with any property of the District:

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- a. Set fire, or cause to be set on fire, any tree, forest, brush land, grassland, meadow, prairie, marsh, refuse container or structure.
- b. Build a fire anywhere, for any purpose, except as authorized by the Director of the District.
- c. Drop, throw away or scatter any burning, lighted or hot coals, ashes, firecracker, firework, sparkler or match except as defined in Chapter 6 Section 14.
- d. Build any fire whatsoever, for any purpose in or out of a receptacle or fireplace and leave it unattended, unless such fire is properly extinguished. For the purpose of this ordinance, a fire shall be deemed properly extinguished when its ashes, residue, coals, and unburned substance is cold to the human touch.
- e. Cause, suffer, or allow the burning of any garbage, refuse, landscape/yard waste, waste material, trash, motor vehicle (or any part thereof) or other combustibles within or adjacent to the park so as to cause smoke, haze, odor, sparks, dust, dirt, or other type matter or gaseous substance to come upon or pass through or over the park which would cause an air pollution nuisance or damage to persons or property.
- f. Grill in any park without permission from Director.

Chapter IV – Regulation of Sports and Games

No person shall upon or in connection with any property of the District:

Section 1 – Swimming: Swim or bathe in any of the pools except at such place or places as may be designated by the Director and then only in accordance with the rules, regulations, and restrictions promulgated and posted.

Section 2 – Engine Powered Models or Toys: Start, fly or use any fuel-powered engine or jet-type or electric-powered model aircraft, rocket or like powered toy or model, except at those areas designated by the Director for such use and then only in accordance with such rules, regulations and restrictions promulgated and posted by the Director.

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Section 3 – Bicycling:

- a. Ride a bicycle on any path, trail, roadway or other area posted prohibiting bicycles.
- b. Fail to ride a bicycle as closely as possible to the right hand side of any road, trail or path, as conditions shall permit.
- c. Carry another person on the handlebars, frame or fender or so ride on a bicycle except on a suitable seat attached to such bicycle for such purpose or operate a bicycle in a reckless manner so as to endanger pedestrians or the rider or riders thereon.
- d. Ride a bicycle on any path or trail more than two abreast or on any roadway or road used by the public for regular motor vehicle access in any other manner than single file.

Section 4 – Sound or Energy Amplification: Play or operate any sound amplification devices including radios, television sets, public address systems, musical instruments and the like, or operate any other energy amplification device in such a way as to be audible beyond the immediate vicinity of such device or musical instrument without a permit from the Director, and no such permit shall be issued or maintained where sound produced by such devices is judged by the Director to be a public annoyance.

Section 5 – Winter Sports: Enter on or upon any frozen waters for any purpose whatsoever other than in areas designed by the Director for such and then only in compliance with the rules and regulations posted. Further, no person shall skate, sled, toboggan, ski, slide, snowmobile or carry on other similar activity in the District except at such places and times as the district may designate for the purpose.

Section 6 – Field and Team Sports: Play or engage in any not-for-profit or for profit organized team sport or game such as, but not limited to, baseball, basketball, football, soccer, field hockey, volleyball, lacrosse, or horseshoes in such a manner as to interfere with other persons lawfully using said areas. 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.

Section 7 – Golfing in Parks: Play golf, or hit or putt golf balls within or into the parks.

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Section 8 – Amusement Contraptions: Bring in, set up, construct, manage or operate any amusement or entertainment contraption, metal detector, device or gadget, without a permit.

Section 9 – Aviation: Make any ascent in a balloon, airplane, glider, hang glider or any descent in or from any balloon, aircraft, airplane, glider, hang glider or parachute without a permit therefore.

Section 10 – Fortune Telling Gambling:

- a. Tell fortunes.
- b. Manage, operate, or engage in gambling of any form.

Section 11 – Official Baseball – Use of official hard league baseballs are restricted to parks with fields designated for baseball play.

Section 12 – In-Line Skating and Skateboards: No person shall in-line skate, use any type of skateboard, or engage in similar activities on Park District property except at such places and at such times as the district may designate for that purpose. No person shall engage in such activity in areas specifically designated for other uses including but not limited to playgrounds, tennis courts, and basketball courts, associated ramps to buildings, playgrounds, park amenities and similar structures. No person shall engage in any such activity, when such activity is in direct conflict with pedestrians, vehicle traffic or done so in a reckless manner, or at such speed greater than is safe and proper under the circumstances within the park district property. No person shall use any type of a motorized skateboard (gas or electric powered) on park district property.

Chapter V – Regulation of Vehicles, Traffic and Parking

No person shall in connection with any property of the District:

Section 1 – Vehicle Operation and Equipment: Operate, or cause to be operated, any motorized vehicle that does not comply with or in a manner that does not comply with the Vehicle Code of the State of Illinois or other law or laws, of the State of Illinois or ordinance of the Village of

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Morton Grove, Illinois where applicable, together with such regulations as are contained in this ordinance and as from time to time amended, having to do with the equipment, control, licensing, registering and use of motorized vehicles and/or the licensing of operators of such vehicles.

Section 2 – Vehicle Types and Access Allowed:

- a. Operate, or cause to be operated, any vehicle anywhere except on the roads, drives and parking areas provided, without a permit from the Director and then only in compliance with the directions and restrictions of a police officer.
- b. Operate, or cause to be operated, any motor vehicle anywhere that is not licensed or permitted to be operated on the roads, streets, and highways of the State of Illinois without a permit from the Director and then only in those areas specified and in accordance with the rules and restrictions duly set forth. Vehicles not so licensed and, therefore, subject to the provisions of this sub-section include, but are not limited to, snowmobiles, go-carts, trail bikes, mini-bikes, and other such all-terrain, off-the-road vehicles.
- c. Operate a vehicle on any road, drive or parking area posted, gated or barricaded as closed to public traffic.

Section 3 – Right-of-Way: Operate a vehicle in such a manner as to fail to yield the right-of-way to pedestrians and bikers, or to deprive or unreasonably interfere with the equal rights of any other person to use the property of the District.

Section 4 – Parking:

- a. Park a vehicle overnight or in excess of the time permitted without permission from the Director or his/her designee.
- b. Park a vehicle in such a way as to block another parked vehicle.
- c. Park a vehicle in such a way as to block, restrict or impede the normal flow of traffic.
- d. Park a vehicle in a zone or area posted prohibiting parking.

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- e. Park a vehicle on turf, meadow, prairie, marsh, field, in a woodland or on the exposed roots of any tree or shrub, except in an emergency or as allowed or when directed to do so by the police or as a matter of public safety.
- f. Park a vehicle in such a way that it occupies more than one designated parking space.
- g. Park a vehicle in a zone or area designated and posted for handicap parking without a properly displayed and/or valid permit.

Section 5 – Speed Limits: 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 limited, in excess of 10 miles per hour.

Section 6 – Signs: Fail to observe all traffic signs and control devices erected and maintained by the District indicating speed, direction, restrictions as to vehicular use, caution, stopping or parking.

Section 7 – Negligent or Careless Driving: Operate any motor vehicle in the park in a reckless or wanton manner, or carelessly so as to endanger life or property.

Section 8 – Overweight: Operate any motor vehicle having a gross weight capacity, including vehicle and maximum load in excess of 8,000 lbs. or any vehicle bearing a Class C or heavier license plate pursuant to 625 ILCS 5/3-815, except emergency vehicles as defined in the Illinois Motor Vehicle Code (625 ILCS 5/1-105,15-101), without a permit from the Director.

Section 9 – Improper Vehicle Operation:

- a. Operate a motor vehicle at a rate of speed or in any manner that is unreasonable or imprudent not having regard to the traffic and use of the way, condition of the weather, visibility, condition of the roadway and other surrounding conditions, so as to endanger the life and limb or injure the property of any person.
- b. Operate a vehicle in such a manner as to deprive or unreasonably interfere with the equal rights of any person to the use of such public street or highway.

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- c. Operate a vehicle in such a manner as to cause or produce unnecessary loud, raucous, excessive or unusual noise by any means, including but not limited to, the racing of the motor, by lack of a muffler or use of a muffler cutout, by tire friction upon rapid turning or weaving, by spinning of the wheels from standing or slow moving position produced by sudden unnecessary motor acceleration, or by continuous unnecessary sounding of a horn or other signal device.
- d. Operate a vehicle in disregard of any sign, signal, marking or device erected, constructed or created by the Village or any public body or official having jurisdiction for the purpose of regulating, warning or guiding traffic, or contrary to the order or direction of any police officer or other person duly authorized to direct or regulate traffic.
- e. Operate a vehicle and intentionally accelerate causing the tires to spin, mark and deface the park or roadway surface.
- f. Persons with disabilities may operate “Other Power-Driven Mobility Devices” in accordance with the District’s Mobility Device Use Policy.

Section 10 – Driving While Under the Influence of Intoxicating Liquor or Drugs: No person shall drive, operate, or be in possession or control of, or attempt to drive or operate, any vehicle on any Park District property while under the influence of intoxicating liquor or drugs or a controlled substance.

Chapter VI – Regulation of Personal Conduct and Behavior

No person shall upon or in connection with any property of the District:

Section 1 – Vending and Advertising

- a. Expose or offer for sale any articles or things, or conduct or solicit any business, trade or occupation of profession without a written agreement approved by the Director or his/her designee and then only in accordance with the terms and conditions thereof, it being the intention to control commercial enterprises or sales on District lands.

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- b. Display, distribute, post or fix any placard, sign, handbill, pamphlet, campaign material, poster, circular, or any other written or printed material or objects containing advertising matter or announcements of any kind whatsoever except that groups holding a valid picnic, camping, or special event permit may display signs to identify their location or direct others to it, providing such signs are temporary and are removed by the permittee at the termination of the activity and providing that such signs are no larger than 24" x30"; and are not attached to any tree or shrub or any post, building, district sign, gate or other structure.
- c. Beg, solicit alms, or engage in bickering in any manner on district lands.

Section 2 – Unlawful Obstructions

- a. Set or place or cause to be set or placed any goods, wares, or merchandise or any stand, cart or vehicle for the transportation or vending of any such goods, wares or merchandise or any other article upon any property of the district to the obstruction of use of any park or to the detriment of the appearance of the park.
- b. By force, threat, intimidation or by any unlawful fencing or enclosing or any other unlawful means prevent or obstruct or combine and confederate with others to prevent or obstruct any person from peacefully entering upon any property of the district or preventing or obstructing free passage or transit over or through any lands of the district or obstruct the entrance into any enclosure within the district, except that nothing in this section shall be construed to deny lawful enforcement of a valid permit granting a certain person or persons use to the exclusion of others as defined and provided for in this ordinance.
- c. Enter, without invitation or having paid appropriate admission fee, any area, building, or place which has been rented or otherwise reserved for any purpose; nor shall anyone enter any concession in any of the parks of the district without the consent of the duly authorized agent or employee; nor shall any person disturb any patron of such concession, any participant in any dance, game, picnic or a public assemblage authorized by the Board; nor shall any person loiter in the immediate area of any such concession as to impede free access to such concession by other park patrons or the flow of pedestrian traffic in and about the area of such concessions.

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Section 3 – Unlawful Construction or Maintenance: Erect, construct, install or perform any maintenance on, below, over or across a park except by proper authorization of the District authorizing such activity and then only in accordance with written permission of the Director specifying in detail the work to be done and the conditions to be fulfilled pursuant to the terms of such authorization.

Section 4 – Alcohol or Drug Abuse:

Section 4 - Alcoholic Liquor

- a. No person under the influence of Alcoholic Liquor shall enter into, be, or remain on District Property. For purposes of this Section, “under the influence” means affected by Alcoholic Liquor in any determinable manner. A determination of “under the influence” can be established by a professional opinion, a scientifically valid test, a lay person’s opinion, or the statement of a witness.
- b. No person, other than the District or its agent, shall sell or deliver any Alcoholic Liquor on District Property, unless said person has first obtained a Permit, license, or contract therefor from the District.
- c. No person shall distribute, provide, or allow any person under 21 years old to possess or consume Alcoholic Liquor on District Property. No person under 21 years old shall possess or consume Alcoholic Liquor on District Property.
- d. No person shall bring into, possess, consume, take, use or transfer any Alcoholic Liquor on District Property without having first obtained a Permit therefore from the District unless he is in or on District Property where the possession, consumption, use, or transfer of Alcoholic Liquor is permitted, or unless the Alcoholic Liquor is legally possessed in an unopened container stored in the trunk of a motor vehicle.
- e. Every person possessing, using, consuming, or transferring Alcoholic Liquor pursuant to this section shall be subject to and shall comply with the Liquor Control Act of 1934 and all other state, local, and District laws, ordinances, rules, and regulations regarding the possession, use consumption, or transfer of Alcoholic Liquor.

Section 4 - Controlled Substances and Cannabis

- a. Except in connection with a valid prescription, no person under the influence of any Controlled Substance or Cannabis shall enter into, be, or remain on District Property.
- b. Except in connection with a valid prescription, no person shall bring into, possess, consume, take, use, sell, or transfer any Controlled Substance or Cannabis on District Property.
- c. No person shall possess, produce, plant, cultivate, tend or harvest the Cannabis plant on or in connection with any District Property.
- d. Except in connection with a valid prescription, no person shall possess, bring into or use drug paraphernalia on or in connection with any District Property, with the intent to use it in ingesting, inhaling, or otherwise introducing cannabis or a controlled substance into the human body, or in preparing Cannabis or a controlled substance for that use.
- e. If any portion of this Section conflicts with the Medical Marijuana Section of the Park District's Personnel Policies, then that Section of the Personnel Policies shall govern as applicable to Morton Grove Park District employees.

Section 5 – Weapons and Harmful Substances: At any time have in his possession or on or about his person, concealed or otherwise, any firearm, club, any device capable of discharging a projectile by air, spirit, gas or explosive, any explosive substance or harmful solid, liquid or gaseous substance or dangerous knives or any other dangerous weapon, or throw or cast any stones or other missiles. Nothing contained herein shall be construed to prevent duly sworn peace officers from carrying such weapons as may be authorized and necessary in the discharge of their duties nor shall it apply to any person summoned by such officer to assist in making arrests or preserving the peace while such person is engaged in assisting.

Section 6 – Hindering or Bribing Employees:

- a. Interfere with, unreasonably disrupt, delay or hinder performance of the duties of district employees.
- b. Give or offer to give an employee any money, gift, privilege, or article of value on or off district property in order to violate the provisions of this ordinance or any other district ordinance, contract, or permit or statute of the State of Illinois or the United States or in order to gain or receive special consideration in applying for any use or privilege or to gain special consideration and treatment in the use of any district property or facility.

Section 7 – Use of Facilities Restricted as to Sex: Except for children under the age of 5, enter into or remain in any toilet, restroom, bathroom, pavilion or structure or section thereof, which has been reserved and designated for use by individual of the opposite gender or gender identity.

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Section 8 – Disorderly Conduct: Engage in conduct that is disorderly, Persons shall be deemed to have engaged in disorderly conduct when they knowingly:

- a. Act in such manner as to provoke, make or aid in making a breach of peace.
- b. Make any offensive act, utterance, gesture or display which, under the circumstances, is likely to incite imminent lawless action or creates a clear and present danger of a breach of peace or imminent threat of violence.
- c. Refuse or fail to cease and desist any conduct or activity likely to produce a breach of peace where there is imminent threat of violence, and where the police have made all reasonable efforts to protect the otherwise peaceful conduct and activity, and have requested that said conduct and activity be stopped and have explained the request if there be time.
- d. Fail to obey a lawful order of dispersal by a person known by him to be a peace officer.
- e. Assemble with other persons for the purpose of using force or violence to disturb the public peace.
- f. Use, display, or wear colors, emblems or insignia on or about their person in public with the intent of communicating membership or support of, affiliation, association or identification with, or insult toward any street gang.
- g. Do or make any act, use any words or gestures with the intent of communicating membership or support of, affiliation, association, or identification with, or insult toward any street gang or with actual knowledge that the subject act, use of words or gestures are used and recognized as a means of communicating street gang membership, affiliation, association, support, identification or insult.
- h. No person shall commit any other act which violates the Illinois Streetgang Terrorism Omnibus Prevention Act, 740 ILCS 147/1 et seq.
- i. Contribute to the delinquency of a minor while within the park system.
- j. No person shall commit an assault and/or battery upon a person in the park system.

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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.

- k. No person shall beg or solicit alms or contributions of any kind for any purpose within the park system.

Section 9 – Public Indecency: Engage in conduct that is publicly indecent. Persons shall be deemed to have committed an act of public indecency when they perform any of the following acts:

- a. An act of sexual intercourse or deviate sexual conduct.
- b. A lewd exposure of the body done with intent to arouse or to satisfy the sexual desire of the person or any other person.
- c. A lewd fondling or caress of the body of another person of either sex.

Section 10 – Obscene or Indecent Books and Pamphlets: Exhibit, sell, or offer to sell or give away any obscene or indecent book, pamphlet, paper, drawing, movie film, video tape, picture, photograph, or any other obscene or indecent article of any kind according to the common perception of the community.

Section 11 – Control and Treatment of Animals: (Nothing in this section shall be construed to prohibit the controlled use of certain animals approved by the Director for purpose of public safety, such as but not limited to, the protection of District property or the protection of employees in the performance of their duties or search and rescue.) Further, nothing in this section is intended to apply to “Service Animals” as that term is defined in the Park District’s Service Animal Policy.

- a. Bring in, lead or carry any dog, cat or other domesticated animal, except that dogs are allowed in parks under the following conditions:
 1. Any dog in a Park District park must be on a leash that is less than eight (8) feet long.
 2. Any dog in a Park District park must be under the control of the owner at all times.
 3. Any dog in a Park District park must have a pet license tag issued by the Village of Morton Grove or another municipality.
 4. Owners of dogs in a Park District park must pick up and dispose of any waste product by the dog.
 5. Dogs are not allowed on ballfields, sport courts, in shelters or within playgrounds.
 6. Any dog in a Park District park that displays aggressive behavior toward or causes injury to another dog, wildlife, or any person shall be removed from the park.
 7. The Park District may prohibit individual dogs from being present in any Park District park if the dog causes serious injury to another dog, wildlife, or any person.

In addition to the removal and prohibition penalties stated above, violation of this policy may result in a fine of \$50 for the first occurrence, \$100 for the second occurrence and \$500 for every occurrence thereafter.

- b. Willfully or neglectfully cause or allow or release any animal or fowl, wild, domestic or pet to run or remain at large.
- c. Torture, whip, beat or cruelly treat or neglect any animal.
- d. Bring in, drive, ride or lead in any animal, except horses and other beasts of burden and draft animals may be ridden or led, or driven ahead of vehicles attached thereto on such portions of the park as may be designated by the Director and then only in accordance with the provisions of this ordinance and the rules and restrictions duly promulgated for the control of such area or areas.
- e. Bring in drive, ride or carry any wild, domestic or pet predator animal or bird, leashed or unleashed, into the district property.
- f. Permit to remain any offal or manure produced or deposited by any animal.

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Section 12 – Commercial Photography: Take or cause to be taken any still or motion pictures or video recordings, for commercial purposes or for use in commercial advertising, without written permission of the Director and then only in accordance with the rules and restrictions duly set forth as part of such permit.

Section 13 – Honoring Permits: By act or speech willfully or unreasonably hinder, interrupt or interfere with any duly permitted activity or unreasonably or willfully intrude on any areas or into any structures designated for the use of a certain person or persons to the exclusion of others by written permission of the Director.

Section 14 – Pyrotechnics: Set off or attempt to set off or ignite any firecracker, fireworks, sparklers, smoke bombs, rockets, black powder devices, or other pyrotechnics, except in accordance with written contract approved by the Board.

Section 15 – Smoke Free Environment: In accordance with the Smoke Free Illinois Act, 410 ILCS 82/1 et seq. smoking is strictly prohibited within all Park District owned or leased vehicles and

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buildings, including: offices, hallways, waiting rooms, restrooms, lunchrooms, elevators, meeting rooms, maintenance areas and all community areas.

Section 16 – Criminal Trespass to Property:

No person shall:

- 1) Enter or remain in any building or portion of District property where persons are prohibited by District from entering by sign or other notice.
- 2) Enter or remain in any district property when it is closed to the public;
- 3) Climb, walk or sit upon any sign, wall or fence under the control of the District;

- 4) 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;
- 5) Enter any District 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.

Chapter VII – Enforcement

Section 1 – Police: All sworn peace officers have the power and are authorized to arrest any persons found in the act of violating any ordinance of the district or rule or regulation thereof or law of the State of Illinois or ordinance of the Village of Morton Grove where applicable and to eject said person from any park or portion thereof for violation of any such ordinance, rule, regulation, or statute.

Section 2 – Resisting or Interfering: No person shall resist any Commissioner or employee of the district or sworn police officer in the discharge of his duty, or fail or refuse to obey any lawful command of any such commissioner or employee or police officer or in any way interfere with or hinder or prevent any such commissioner or employee 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.

Section 3 – Impersonation of Officers: No person shall falsely represent or impersonate any police officer or pretend to be a police officer.

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Section 4 – Two Penalties, One Judgment: In all cases where the same offense shall be made punishable or shall be created by different clauses or sections of this or any other ordinance or statute, the police or other duly sworn peace officer or person prosecuting may elect under which to proceed but not more than one judgment shall be had against the same person for the same offense.

Section 5 – Fines and Penalties:

- a. Any person found guilty of violating any provision of this ordinance, shall be fined in accordance to the Village of Morton Groves Citation Fine Schedule except as outlined in b of this section.

- b. Persons found guilty of violating the provisions of Chapter III of this ordinance may, in lieu of a fine, be assigned to manual labor on district property under district supervision, such labor time not to exceed the fine considered appropriate divided by the prevailing minimum hourly wage.

Section 6 – Payment of Violations Without Court Action: In case of any violations of a minor offence the police officer issuing the violation has the discretion not to issue a court date. The violation can be paid by fine without appearance in court within 10 days from the date of issuance of the said violation.

Payment as described above shall be made to the Village of Morton Grove. In case of failure to make payments as herein provided, the officer issuing the complaint shall forthwith transmit the complaint to the Clerk of the Circuit Court of Cook County as appropriate. All monies received from issued citations will be retained by the Village of Morton Grove.

Section 7 – Parental Responsibility: In the enforcement of any violation of this ordinance, the parent or legal guardian of a minor shall be liable for the actual damages caused by the willful or malicious acts of the minor. The maximum liability of the parent or guardian shall be the greatest of \$1,000 or the then existing maximum amount allowable under the Parent Responsibility Law of the State of Illinois.

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Section 8 – Rules and Regulations: The Board shall from time to time promulgate and make reasonable rules and regulations governing the use of the various areas, facilities, devices and vehicles within the parks, and such rules and regulations shall become binding and effective upon their being posted at the entrance to the facility or areas governed by them and shall be enforced with the same force and effect as the other provisions of this ordinance.

Section 9 – Authority of Other Agencies: Nothing in this ordinance shall be construed to prevent other officers from carrying out their own duties within the territories of the District as defined by applicable laws of the State of Illinois and United States or ordinances of Cook County, Illinois, or in accord with any other Policing Agreement approved by the Board.

Section 10 - Police Reports: A copy of all pages of park police reports written by members of the park district police department will be kept at the Morton Grove Park District to be available to the Park Police Superior and FOIA Office.

Section 11 – Permits and Designated Areas – Authority: To carry out the terms of this ordinance, the Director or his/her designee is hereby given authority to issue the permits, post notices or take other action as called for herein, subject to the guidelines herein set forth.

- a. The Director shall have the authority to designate areas, or facilities, suitable for various activities or use, to close parks or parts thereof in the interest of public health, safety, or general welfare or in order to protect the natural resources from unreasonable harm; and to promulgate and issue permits where required by this ordinance and collect such fees as established by the District in accordance with the following guidelines:
 - 1) That no person be discriminated against because of race, sex, creed, color, religion or national origin.
 - 2) That the proposed use or activity will not reasonably interfere with or detract from general public use and enjoyment of the park and surrounding property or facilities.
 - 3) That the proposed use or activity is not reasonably likely to result in violence or in serious harm to property or persons.
 - 4) That the proposed activity or use will not entail extraordinary expense or operational costs by the district or expose it to unusual or extreme liability.
 - 5) That the area desired has not been reserved for another activity at the same time.

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- 6) That the proposed activity is not reasonably expected to detract from the preservation of public health or safety.
 - 7) That the proposed activity is reasonably compatible with the type of park, size and character of the area involved and the facilities available and that it is not reasonably expected to cause damage to the natural environment of the park.
- b. The Director may impose reasonable restrictions on the granting of a permit including, but not limited to, any of the following:
 - 1) Restricting the open dates for reserved area use, the length of time an area will be held for reserved use, the use of ground fires, sound and energy

- 2) amplification devices, amusement devices, off-the-road vehicles access, the number of persons present, location and type of any tents, bandstands, stages or temporary structures, the use of domestic, pet or trained animals, the use of shelters or structures, the collecting for any purpose of any water, soils, minerals, flora and fauna, the type and location of sports and games or any other activity which appears likely to create a risk of unreasonable harm to the use and enjoyment of the park by others or of damage to district property.
 - 3) Requiring proof of and establishing the amount of liability insurance required, and/or requiring a Hold Harmless Agreement, or requiring a Certificate of Insurance naming the district as an additional insured when the activity is deemed by the Director to require such.
 - 4) Requiring the name, address, telephone number and driver's license number of a legal adult responsible for the use or activity requested, as well as the name, address and telephone number of the group represented by the applicant.
 - 5) Requiring that the applicant furnish additional approved security forces at the applicant's expense, such forces to act under district supervision.
- c. All permits required by this ordinance and issued by the Director shall be issued at the district administration offices on a first-come, first-served basis beginning the first working day of each calendar year for open dates or for such total number allowed during that calendar year. All applications for permits shall be submitted at least two weeks in advance of the earliest requested date, provided that the Director may waive the two week period in the interest of public health or safety or for such events that are of a significant civic nature.

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- d. The Director is authorized to seek reasonable information regarding any proposed use, activity or privilege and require a record of such information on a permit application.
- e. No person shall misrepresent, falsify or withhold such required information.
- f. The Director shall, in the event a request for a permit is denied, provide requesting party(s) the reasons, in writing, for the denial. Any aggrieved person shall then have the right to petition the Board, in writing, regarding the denial or restriction of use or activity and shall be properly heard by the Board as the President shall direct.

- g. No person granted a permit shall violate the requirements, terms, conditions, restrictions or rules duly set forth under the authority of this ordinance as part of any granted permit or registration.
- h. The Board of Commissioners of the District may set forth in other ordinances, policy statements or administrative regulations such permit or registration fees as it deems proper and may change them from time to time.
- i. No person shall obtain or use any permit without first having paid the fee established.
- j. All designated areas, or facilities and all permit restrictions, rules and regulations or conditions are subject to review at any time by the Board of Commissioners of the Park District.

Section II – Civil Suits: Nothing in this ordinance shall be construed to prevent or preclude the lawful use by the District of civil remedy at law, to correct an abuse or loss suffered by the District as a result of violation of this ordinance or any law of the State.

Section 12 – State, United States and Local Laws: All persons within the parks of the Morton Grove Park District are subject to all ordinances, rules and regulations of the district, as well as all applicable laws of the United States, State of Illinois and local ordinances of the Village of Morton Grove, Illinois as amended and changed from time to time. These laws include, but are

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not limited to, the Illinois Vehicle Code, the Criminal Code of the State of Illinois and Game and Fish Codes of the State of Illinois, as amended and changed from time to time.

Chapter VIII – Miscellaneous

Section 1 – Conflict: All District ordinances and parts of ordinances and all resolutions and orders, or any parts thereof, in conflict with this ordinance, or any parts thereof, are hereby repealed.

Section 2 – Enactment: This ordinance shall be in full force and effect from and after its passage, approval and publication, as by Statute in such cases made and provided.

Section 3 – Captions and Headings: The captions and headings used herein are for convenience of reference only and do not define or limit the contents of each paragraph.

Section 4 – Severability: The provisions of this ordinance shall be deemed to be severable and the invalidity or unenforceability of any provisions shall not affect the validity and enforceability of the other provisions hereof.

Section 5 – Aiding or Abetting Violations: Every person who commits, attempts to commit, conspires to commit or aids and abets any acts or omission prohibited in this ordinance or any rules or regulations of the District, whether individually or in consort with one or more other persons as principal, agent or accessory shall be deemed accountable for the act or omission prohibited by this ordinance or rule or regulation of the District.

Chapter IX – Policy and Administrative Regulation

The Board of Commissioners is hereby empowered to make and enforce policies and administrative regulations necessary to make effective the provisions of this ordinance and to make and enforce temporary rules and regulations to cover emergencies or special conditions.

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Chapter X – Amendments

This ordinance may be amended from time to time by the District and such amendment may be shown by filling the below schedule of information.

<u>DATE</u>	<u>CHAPTER</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
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7/21/88	III	1	Addition of (k)
1/23/99	II	2	(d) changed closing time for field houses to 10:00 p.m.
1/23/92	III	2	(g) addition of phase "utility device".
1/23/92	IV	6	Addition of basketball to list of sports therein.
1/23/92	IV	11	Addition of Section 11
1/23/92	VII	5	Fine amounts changed for violation other than parking to not less than \$25 nor more \$1,000. Fine amounts for parking violation changed to not less than \$25 nor more than \$200.
1/23/92	VII	6	Minimum penalty for violation without appearance in court changed to \$25.
1/23/92	X		Deleted two means of amendment.

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<u>DATE</u>	<u>CHAPTER</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
4/15/93	III	2	Addition of (h).
3/16/95	II	3	3) addition of "sports activity"
3/16/95	III	4	(c) addition of "sparkler"

3/16/95	IV	6	Addition of not-for-profit or for profit.
3/16/95	VI	11	(a) addition of "domesticated".
3/16/95	VI	15	Addition of Section 15
3/16/95	VII	5	(a) increase in minimum fine (\$50)
3/16/95	VII	6	Increase in violation without appearance in court fines (\$50) and (\$70)
3/16/95	VII	7	Addition of <i>Parental Responsibility</i> section.
8/19/96	VI	16	Addition of Section 16
8/20/98	III	2	(f) addition of <i>landscape/yard waste</i>
8/20/98	III	4	(e) addition of <i>landscape/yard waste</i>

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<u>DATE</u>	<u>CHAPTER</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
8/20/98	IV	12	Addition of Section 12
8/20/98	V	4	Addition of (g)

8/20/98	VI	1	Addition of "campaign material, posters"
8/20/98	VI	17	Addition of Section 17
8/21/03	III	4	Addition of (f)
8/21/03	IV	12	Addition of "No person shall use any type of a motorized skateboard (gas or electric powered) on district property".
3/15/12	I	2	Deleted "Manager" and "Administrative Manager " added "Director" and Director of the Park District" (J)
3/15/12	I	2	Deleted "or property holdings" (I)

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3/15/12	I	2	Addition of "field house or other park building." (p)
3/15/12	I	2	Addition of "motor" deleted "energy" (S)
3/15/12	II	2	Added "in or upon a tent, car, trailer, hammock, bench or other" Deleted "in

the parks or place, swing, or use any hammock therein” Deleted “otherwise occupy or utilize the parks or place, swing, or” (c)

3/15/12 II 3 Deleted except into swimming pools of the district where each person entering must pay-admission and with the” Added “without” (a) (4)

3/15/12 II 3 Deleted “Not for profit agency day camps, play classes or organized groups may use facilities of the park system with the written permission of the Director” (a) (5)

3/15/12 III 4 Deleted “Manager” added “Director” (b)

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3/15/12 IV 5 Deleted “Manager” added “Director”

3/15/12 IV 6 Addition “No person shall engage in any permitted activity in rough or reckless manner so as to endanger, injure or damage any person or property in any way.

3/15/12	V	2	Deleted "Manager" added "Director" (a)
3/15/12	V	4	Deleted "a permit" added "permission" "or his/her designee"(a)
3/15/12	V	9	Added (f)"Person with disabilities may operate "Other Power-Driven Mobility Device: in accordance with the District Mobility Device Use Policy."
3/15/12	V	10	Deleted "or a" look alike" (10)
3/15/12	VI	1	Added "or his/her designee" Deleted "manager" (1) (a)

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3/15/12	VI	4	Deleted "or a" look alike" (a)
3/15/12	VI	7	Deleted "young" added "under the age of 5"
3/15/12	VI	8	Added section f, g, h, and 2 & 3 paragraph of j.

3/15/12	VI	11	Added section (g) "Persons with disabilities may use service animals in accordance with the District's Service Animal Policy."
3/15/12	VI	15	Added "In accordance with the Smoke Free Illinois Act, 410 ILCS 82/1 et seq. " "is" "vehicles and " Deleted "No Smoking" signs were posted at all building entrances and throughout buildings effective at 6:30 a.m. on Monday, September 19, 1994. Individuals who violate this policy will be subject to the same disciplinary actions that accompany infractions of other park district policies."
3/15/12	VI	16	Deleted section (16) Zero Tolerance Policy.

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3/15/12	VI	16	Deleted section (17)(a)(b) added section (1-5) renumbered to 16.
3/15/12	VII	5	Deleted "other than those in Section 4 of Chapter V. Added shall be fined in accordance to the Village of Morton Groves Citation Fine Schedule. (5)(a)an amount not less

than \$50 but not more than \$1,000 for each offense, and any person found guilty of violating any provision of Section 4 of Chapter V of the ordinance shall be fined an amount no less than \$25 nor more than \$200 for each offense.”

3/15/12

VII

6

Added “of a minor offence the police officer issuing the violation has the discretion not to issue a court date and the violation can be paid by fine without appearance in court within 10 days from the date of issuance of the said violation”

Deleted” the provisions of Chapter II, and Section or Chapter III-Section 1, if such violation in the opinion of the police officer detecting such violation is of such a nature or kind that it does not tend to immediately endanger the public safety,

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such police officer may indicate on the Complaint and Notice to Appear the payment of the minimum penalty as herein provided. The minimum penalty for such violation without appearance in court is payment shall be in accordance to the Village of Morton Groves Citation Fine Schedule. The sum of FIFTY DOLLARS (\$50) within 5 days from the date of issuance. of the said violation is

sent to the violator or in cases of unattended vehicle offenses, to the person to whom the state license for such vehicle has been issued, the payment shall be SEVENTY DOLLARS (\$70).

In case of any violation of the provision of Section 4 of Chapter V of this ordinance, the minimum penalty without appearance in court is payment of the sum of FIFTY DOLLARS (\$50) within five (5) days from the date of the issuance of the said complaint or notice of violation. After written notice by mail of such violation is sent to the violator in cases of unattended vehicle offenses, to the person to whom the state license for such vehicle has been issued, the payment shall be SEVENTY DOLLARS (\$70).”

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Deleted “Business Department of the District” Added “Village of Morton Grove”

3/15/12

VII

6

Added “of a minor offence the police officer issuing the violation has the desecration not to issue a court dat. The

violation can be paid by fine without appearance in court within 10 days from the date of issuance of the said violation.
(6)

3/15/12	VII	10	Added
3/15/12	VII	11	Added "or/his/her designee"
4/17/14			The Parks and Facility Program Committee move that the Board of Commissioners approve a 35% non-resident fee structure over the resident rate to all applicable Morton Grove Park District programs and that the new non-resident rate policy become part of the General Use Regulations policy.
11/3/14	VI	4	Alcohol and Drug Abuse – was expanded