

General Use Regulation Ordinance



P.O. Box 5000
Wheaton, IL 60189-5000
(630) 933-7200
www.dupageforest.org

**GENERAL USE
REGULATION ORDINANCE
#09-332**

**PUBLISHED BY
FOREST PRESERVE DISTRICT OF
DUPAGE COUNTY, ILLINOIS**

TABLE OF CONTENTS

CHAPTER I CONSTRUCTION OF WORDS AND DEFINITIONS

- Section 1 Construction of Words
- Section 2 Definitions
- Section 3 General Provisions

CHAPTER II PUBLIC USE

- Section 1 Public Use and Purpose of the District
- Section 2 Hours of Use
- Section 3 Permits

CHAPTER III PROTECTION OF PROPERTY, STRUCTURES AND NATURAL RESOURCES

- Section 1 Destruction or Misuses of Property and Structures
- Section 2 Destruction or Misuse of Natural Resources
- Section 3 Contraband
- Section 4 Destruction by or Misuse of Fire

CHAPTER IV REGULATION OF SPORTS AND GAMES

- Section 1 Swimming
- Section 2 Watercraft
- Section 3 Engine Powered Radio Controlled Models or Toys
- Section 4 Horseback Riding
- Section 5 Bicycling
- Section 6 Sound or Energy Amplification
- Section 7 Winter Sports
- Section 8 Field and Team Sports
- Section 9 Amusement Contraptions
- Section 10 Aviation
- Section 11 Gambling
- Section 12 Metal Detectors

CHAPTER V REGULATION OF VEHICLES, TRAFFIC AND PARKING

- Section 1 Adoption of the Illinois Vehicle Code by Reference; Penalties
- Section 2 District Specific Vehicle, Traffic and Parking Regulations

CHAPTER VI REGULATION OF PERSONAL CONDUCT AND BEHAVIOR

- Section 1 Vending and Advertising
- Section 2 Unlawful Obstructions
- Section 3 Unlawful Construction, Maintenance, or Encroachment

- Section 4 Controlled Substance, Alcohol or Tobacco Possession/Use
- Section 5 Weapons and Harmful Substances
- Section 6 Disorderly Conduct
- Section 7 Disobeying a Lawful Order
- Section 8 Hindering or Bribing Employees
- Section 9 Control and Treatment of Animals
- Section 10 Commercial Photography
- Section 11 Honoring Permits
- Section 12 Theft of Labor or Service, or Use of Property
- Section 13 Pyrotechnics
- Section 14 Unlawful Contact with Streetgang Members
- Section 15 Suspension from District Property; Violation

CHAPTER VII ENFORCEMENT

- Section 1 Ranger Police
- Section 2 Judgment
- Section 3 Penalties
- Section 4 Authority of Other Agencies
- Section 5 Civil Suits
- Section 6 State, United States and Local Laws

CHAPTER VIII MISCELLANEOUS:

- Section 1 Enactment
- Section 2 Captions and Headings
- Section 3 Severability
- Section 4 Copies and Publication
- Section 5 Annulment of Previous Ordinance

**GENERAL USE REGULATION ORDINANCE
FOREST PRESERVE DISTRICT OF DUPAGE COUNTY**

WHEREAS, it is reasonable, necessary and desirable for the FOREST PRESERVE DISTRICT OF DUPAGE COUNTY, hereinafter the "District," to establish a General Use Ordinance governing the use of the District; and

WHEREAS, Section 7 of the Downstate Forest Preserve District Act, 70 ILCS 805/7 (hereinafter the "Act"), provides:

"The board of any forest preserve district organized hereunder may by ordinance regulate and control the speed of travel on all paths, driveways and roadways within forest preserves, and prohibit the use of such paths, drive ways and roadways for racing or speeding purposes, and may exclude there from traffic, teams and vehicles, and may by ordinance prescribe such fines and penalties for the violation of their ordinances as cities and villages are allowed to prescribe for the violation of their ordinances"; and

WHEREAS, Section 7a of the Act, 70 ILCS 805/7a, provides: "The board of any forest preserve district organized hereunder may by ordinance regulate, control and license all modes of travel within the forest preserve district"; and

WHEREAS, Section 8(a) of the Act, 70 ILCS 805/8(a), provides in part: "The board shall be the corporate authority of such forest preserve district and shall have power to pass and enforce all necessary ordinances, rules and regulations for the management of the property and conduct of the business of such district"; and

WHEREAS, Section 8a of the Act, 70 ILCS 805/8a, provides as follows: "The board shall have the right and power to appoint and maintain a sufficient police force, the members of which shall be peace officers certified and trained under the provisions of the Illinois Police Training Act. The members of the police force shall have and exercise police powers over the territory owned, leased or licensed by the District and property over which the District has easement rights for the preservation of the public peace, and the observance and enforcement of the ordinances and laws, such as are conferred upon and exercised by the police of organized cities and villages; but such police force, when acting within the limits of any city or village, but outside the territory owned, leased, or licensed by the District and property over which the District has easement rights, shall act in aid of the regular police force of such city or village and shall then be subject to the direction of its chief of police, city or village marshals, or other head thereof"; and

WHEREAS, the Board of Commissioners hereby finds and declares that it is reasonable, necessary and desirable to establish rules and regulations in order to provide for the safe and peaceful use of the Forest Preserves for the education and recreation of the public; for the protection and preservation of the property, facilities, flora and fauna of the Forest Preserves; and for the safety

and general welfare of the public; and

WHEREAS, the Board of Commissioners has the authority and the power to establish this General Use Regulation Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Forest Preserve District of DuPage County as follows:

The preambles set forth above are incorporated herein and made a part of this Ordinance. Pursuant to the authority cited above, the Board of Commissioners hereby establishes the following as the General Use Regulations of the District.

CHAPTER I CONSTRUCTION OF WORDS AND DEFINITIONS

Section 1--Construction of Words.

Words importing the singular number may extend and be applied to several persons or things, and words importing the plural number may include the singular, and words importing gender may be applied to both male and female.

Section 2--Definitions.

The terms set forth below shall have the following meanings unless the context of a specific section clearly indicates otherwise.

a. "Adult" means one who has reached the age of majority as defined by the laws of the State of Illinois.

b. "Agent" means any director, officer, employee, or other person who is authorized to act on behalf of another person or corporation.

c. "Area" means a specified place within a Forest Preserve.

d. "Amusement contraption" means any mechanical 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 and trampoline devices.

e. "Board" means the Board of Commissioners of the District.

f. "Cannabis" shall have the meaning ascribed to it in the Illinois Cannabis Control Act.

g. "Controlled substance" shall have the meaning ascribed to it in the Illinois Controlled Substance Act.

h. "Corporation" means any corporation, business, firm, company, enterprise, agency, organization, partnership, governmental body, or political subdivision.

i. "District" means the Forest Preserve District of DuPage County.

j. "Drug paraphernalia" means all items, equipment, products and materials of any kind, which may be used unlawfully in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body cannabis or a controlled substance in violation of the Cannabis Control Act or the Illinois Controlled Substances Act. It includes, but is not limited to, pipes, bongs, rolling papers and any other item converted for the uses set forth above.

k. "Dumping" means depositing, abandoning or discarding any solid waste, garbage, rubbish or refuse including, but not limited to, construction or demolition material, household or landscape trash, dirt, or rocks.

l. "Employee" means any full or part time, regular or temporary worker in the employ of the District under the supervision of the Executive Director.

m. "Exclusion of others" means prohibiting use or behavior by others that disrupts or prevents the authorized and lawful use of a designated area or structure in a preserve by a person or persons holding a valid permit for such area or structure and activity.

n. "Executive Director" means the Executive Director of the District or such persons charged with or delegated such authority by the Executive Director.

o. "Littering" means depositing, abandoning or discarding small quantities of waste including, but not limited to, beverage containers, food wrappers, cigarette butts, or other similarly sized items of refuse.

p. "Permit" means the written permission that must be obtained from the Executive Director to carry out a given activity.

q. "Person" means an individual, firm, corporation, society or any other entity, group or gathering.

r. "Posted" means notification, either by a sign in a Forest Preserve at the entrance to a Forest Preserve or at the District's administrative offices, the specific location being at the discretion of the Executive Director.

s. "Preserve" or "Forest Preserve" means the lands and waters, or the property owned, leased, or licensed by the District and property over which the District has easement rights.

t. "President" means the President of the District Board of Commissioners.

u. "Property" means any lands, waters, buildings, improvements, facilities or possessions of the District.

v. "Ranger" means any employee of the District charged with the control, protection, or management of District property.

w. "Ranger Police" mean those Rangers who have been certified as peace officers by the State of Illinois.

x. "Sound and energy amplification" means music, speech or any sound or noise transmitted by artificial means, including, but not limited to, bullhorns, amplifiers, loudspeakers, radios or any similar devices, or lights, rays, lenses, mirrors or laser beams.

y. "Vehicle" means any device in, upon or by which any person or property may be transported, in addition to any device or conveyance on the land using wheels or belt type track or tracks, skids or skis and propelled by an engine or motor and includes such land conveyances that are able to float and operate on water, except devices moved by human power alone.

z. "Watercraft" means any device of conveyance on the water, whether propelled by motor, engine, wind or human power.

aa. "Waters" or "Waterway" means the lakes, ponds, sloughs, streams, lagoons, marshes, or rivers within the jurisdiction of the District.

bb. "Written Permission" means permission granted in writing by the Executive Director or by an authorized agent or employee of the District acting within the scope of their agency or employment.

Section 3--General Provisions.

a. Absolute liability. A person may be found guilty of an offense or violation without having a mental state unless the statute or ordinance defining the offense clearly indicates a mental state is required.

b. Accountability. A person is legally accountable for the conduct of another when: either before or during the commission of an offense, and with the intent to promote or facilitate such commission, he solicits, aids, abets, agrees or attempts to aid, such other person in the planning or commission of the offense. Where two or more persons engage in a common design or agreement, any acts in the furtherance thereof committed by one party are considered to be the acts of all parties to the common design and all are equally responsible for the consequences of such further acts.

c. Solicitation. A person commits solicitation when, with intent or knowledge that an offense be committed, he or she commands, encourages or requests another to commit that offense.

d. Conspiracy. A person commits conspiracy when, with intent or knowledge that an offense be committed, he or she agrees with another to the commission of that offense and any party to the agreement commits an act in furtherance of that agreement.

e. Attempt. A person commits an attempt when, with intent or knowledge that a specific offense be committed, he or she does any act which constitutes a substantial step toward the commission of that offense.

CHAPTER II PUBLIC USE

Section 1--Public Use and Purpose of the District.

Forest Preserves are for use by the general public. One of the functions of the District is to acquire, protect, restore, restock and develop a well balanced system of areas with scenic, ecological, recreational and historic values for the inspiration, education, use and enjoyment by the public. This Ordinance is intended to help carry out this function and to provide reasonable regulations governing the public use of the forest preserves.

Section 2--Hours of Use.

a. Forest preserves shall be open to the public from one hour after sunrise to one hour after sunset, local time, as published in the U.S. Naval Observatory Time Charts for the Chicago, Illinois, area unless different hours are posted by the Executive Director.

b. No person shall enter or remain in the forest preserves when the preserves are not open to the public without the prior written permission of the Executive Director.

Section 3--Permits.

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

1. Any contest, training program or exercise, show, exhibit, dramatic performance, play, act, motion picture, acrobatic feat, bazaar, sporting event, musical event, ceremony, children's day camp or any public meeting, assembly, demonstration, or parade, including, but not limited to, drills or maneuvers, rallies, picketing, speeches or addresses, marches or political meetings.

2. Any use of any preserve area or facility by a certain person or group of persons to the exclusion of others.

3. Camp or inhabit any structure or facility overnight.

b. Persons desiring the above activities may apply to the Executive Director for a permit under the following categories and subject to established fees:

1. Picnic Permits: No permit is required to have a picnic; however, if a person desires to reserve a designated area to the exclusion of others or desires to conduct, in conjunction with the picnic, related activities, such as those described in Section 3 a 1 of this ordinance, or which impair or limit the use and enjoyment of the preserve or area by others, such as, but not limited to, sound amplification or special vehicle access a picnic permit (valid for one day) is required.

2. Camping Permits: A permit is required for camping. Applicants for overnight camping must be at least 21 years of age. A permit reserves a designated area to the exclusion of others and allows the permit holder to remain in the designated area overnight. The permit may provide permission for other permit controlled activities.

3. Special Use Permits: A special use permit shall be required for activities listed in Chapter II, Section 3a of this Ordinance and for the collection of admission fees or cover charges, or the sale of raffle tickets, articles, items or other things by an organization, company or other entity for the purpose of fundraising for a charitable, humanitarian or benevolent cause. The special use permit may provide for use of an area to the exclusion of others and for other permit controlled activities pursuant to this Ordinance. The Executive Director, with the assistance of District staff, shall specify written conditions regulating the issuance of, and may impose any special conditions, which may be related to the issuance of a special use permit. The criteria and/or special conditions shall be specified and applied to be consistent with the Downstate Forest Preserve District Act and this Ordinance. They shall be specified and applied in a content neutral fashion and shall not discriminate based on race, religion, creed, age, gender, national origin, disability or the content of speech that may be exercised.

4. Permit Applications: All permit applications shall include the name, address, telephone number and driver 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 and any other information required by the Executive Director related to the permit application, but excluding information related to race, religion, creed, age, gender, national origin or disability or the content of any speech which may be exercised at the event.

5. Permit Denial: The Executive Director shall not issue a permit where:

(A) The activities associated with non special use and overnight permits would be conducted outside the District's "Hours of Use" as specified in Section 2 of this Chapter.

(B) The permit application request would allow commercial or for profit activities other than at District sponsored events or where the District leases or licenses District buildings for a fee, except as otherwise authorized by Section 1 of Chapter VI; or

(C) Where such permits would have a significant negative impact on environmentally sensitive areas or would otherwise be inconsistent with any other requirement of this Ordinance or the District's authority and purpose as set forth in the Downstate Forest Preserve District Act. For purposes of this Ordinance, environmentally sensitive areas include areas containing endangered or threatened species; sensitive ecosystems and restoration areas which would be negatively impacted by the proposed permit activity.

6. Permit Conditions: All Regular and Special Use Permits may be limited by reasonable written conditions related to:

(i) the date and time of the event;

(ii) the duration of the event;

(iii) the location of the event;

(iv) the anticipated size of the group based on the activity which would be authorized by the permit;

(v) the impact the group's activity may have on environmentally sensitive areas, including flora and fauna;

(vi) whether any special law enforcement services will be required;

(vii) whether a permit use conflicts with routine use by the general public of District Property;

(viii) whether the unique character of a use proposed in a permit application places an atypical or unreasonable burden on District resources or increases the District's liability exposure;

(ix) the availability of parking;

(x) the availability of refuse and sanitation;

(xi) post permit remediation of conditions which may be created by the permittees' activities.

(xii) restricting the open dates for reserved area use;

- (xiii) restricting the length of time an area will be held for reserved use;
- (xiv) restricting the use of ground fires;
- (xv) restricting and prohibiting sound and energy amplification devices and amusement devices;
- (xvi) prohibiting or restricting all off the road vehicle access;
- (xvii) restricting the number of persons present;
- (xviii) restricting the location and type of any tents, bandstands, stages or temporary structures;
- (xix) restricting the use of domestic or trained animals;
- (xx) restricting the use of shelters or structures;
- (xxi) restricting the collecting for any purpose of any water, soils, minerals, flora or fauna;
- (xxii) restricting the type and location of sports and games or any other activity which appears likely to unreasonably interfere with the use and enjoyment of the Preserve by others or cause damage to District property.
- (xxiii) requiring the name, address, telephone number and driver license number of a legal adult

7. Additional Fees and Insurance: In the case of permits for events which may require special law enforcement services, or which would place an atypical burden on District resources, or which increase the District's liability exposure, the Executive Director may impose additional fees on the permit applicant to (i) pay for the special law enforcement services; or (ii) pay the costs of addressing the atypical burden. If a proposed event is determined by the Executive Director to increase the District's liability exposure, the Executive Director shall require the permit applicant to provide liability insurance naming the District as an additional insured with coverage limits reasonably necessary to protect the District.

8. Proof of Insurance and Hold Harmless: In the circumstance described in subsection 8 of this Section, the Executive Director shall require proof of the liability insurance as a condition of granting the permit. In addition, the Executive Director shall require the permit applicant to provide an acceptable hold harmless and indemnification agreement.

9. Permits in General: Permits are not transferable, and fees paid are not refundable. Permits must be applied for at least three (3) business days in advance of the event. Minor changes in the permit may be made upon the written permission of the Executive Director for no additional fee, provided that the specific forest preserve designated is not changed, the date or dates involved are not changed, the number of designated areas is not increased, and the request for change is made at least three (3) business days prior to the event. Any person in possession of a District permit must comply with all terms and conditions of the permit. A permit may be cancelled or revoked if (a) the permit holder violates the terms or conditions of the permit; (b) the permit holder violates any District ordinance; or (c) the permit holder violate any State or Fed

eral law, rule or regulation while on District property. All permits required by this Ordinance and issued by the Executive Director shall be issued at the District Administrative Offices 3 S 580 Naperville Road, Wheaton, Illinois, on a first come, first serve basis. Permits shall not be obtained any earlier than one year in advance of the requested date. The Executive Director may waive the three (3) business day time period in the interest of public health or safety or for such events that are of a significant civic nature.

10. The Executive 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. No person shall misrepresent, falsify or withhold such required information.

11. 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. No person shall obtain or use any Permit without first having paid the established fee.

12. The Executive Director may propose alternative areas to a permit applicant. All designated areas, waters or facilities and all permit restrictions, rules, regulations or conditions are subject to review at any time by the Board. Any aggrieved person shall have the right to petition the District, in writing, regarding denial or restriction of use or activity and be properly heard by the District, as the President shall direct.

CHAPTER III PROTECTION OF PROPERTY, STRUCTURES AND NATURAL RESOURCES

Section 1--Destruction or Misuse of Property and Structures.

No person shall upon or in connection with any property of the District commit or attempt to commit any of the following acts:

a. Destroy, deface, paint, alter, change or remove any monument, stone marker, bench mark, stake, post, sign, or other marking which designates any boundary line, survey line, reference point, or trail. A person who commits a violation of this subsection, in addition to any other penalty imposed, shall pay a fine of not less than two hundred and fifty dollars (\$250.00) and not more than five hundred dollars (\$500.00).

b. Cut, break, mark upon, attach to or otherwise damage, destroy, vandalize or remove any post, building, shelter, picnic table, bridge, pier, drain, well, fountain, pump, telephone, lamp post, fence, gate, container or receptacle, exhibit, display, tool storage box, utility outlet, movie screen, flagpole or any other structure, facility, equipment, apparatus or parts thereof. A person who commits a violation of this subsection, in addition to any other penalty imposed, shall pay a fine of not less than two hundred and fifty dollars (\$250.00) and not more than five hundred dollars (\$500.00).

c. Climb, stand, sit or walk on any structure, building, shelter, fence, gate, post, flagpole, picnic table, wall, refuse container or parts thereof, or any equipment, object or apparatus which is not designed or intended for such use.

d. 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 forest preserve. A person who commits a violation of this subsection, in addition to any other penalty imposed, shall pay a fine of not less than two hundred and fifty dollars (\$250.00) and not more than five hundred dollars (\$500.00).

e. Take, appropriate, excavate, injure, destroy or remove any historical or prehistorical ruin, or parts thereof, or any object of antiquity, without prior written permission of the Executive Director. A person who commits a violation of this subsection, in addition to any other penalty imposed, shall pay a fine of not less than two hundred and fifty dollars (\$250.00) and not more than five hundred dollars (\$500.00).

f. Throw, carry, cast, drag, push or deposit any container or receptacle, picnic table, barricade or any other District property into any waterway or upon the frozen waters 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. A person who commits a violation of this subsection, in addition to any other penalty imposed, shall pay a fine of not less than two hundred and fifty dollars (\$250.00) and not more than five hundred dollars (\$500.00).

g. Occupy or inhabit, or cause to be occupied or inhabited, any house, barn, shelter, shed or other structure, or use for storage, or cause to be used for the storage of any goods, any house, barn, shelter, shed or other structure without approval of the board.

h. Enter into or upon any forest preserve or waters or areas thereof or structure closed or posted against trespass without the prior written permission of the Executive Director. These structures or areas may be, but are not limited to, equipment, construction areas, or material storage structures or areas, work shops or stations, tree nurseries, critical habitats, wildlife nesting areas, or areas undergoing reforestation or restoration of soil or vegetation or areas deemed hazardous to public safety or health.

i. Enter into or upon any forest preserve, golf course or areas thereof for the purpose of collecting, gathering, acquiring or scavenging lost, misplaced or abandoned personal property, including, but not limited to, golf clubs, balls, tees, clothing or any other objects or items of personal property without the prior written permission of the Executive Director, and then only in accordance with the terms and conditions thereof.

j. Tamper with in any way, enter or climb upon, damage or remove anything from any District vehicle, watercraft, cart, trailer, machine or equipment.

k. Misuse any refuse container or receptacle by depositing into it any hot

or burning substances, unless such container has been clearly identified for such use. A person who commits a violation of this subsection, in addition to any other penalty imposed, shall pay a fine of not less than two hundred and fifty dollars (\$250.00) and not more than five hundred dollars (\$500.00).

Section 2--Destruction or Misuse of Natural Resources.

No person shall upon or in connection with any property of the District commit or attempt to commit any of the following acts:

a. Possess, cut, remove, uproot, damage or destroy by any means or method, any sod, earth, tree, sapling, seedling, bush, shrub, flower or plant, whether alive or dead, or chip, blaze, box, girdle, trim or otherwise possess, deface or injure any tree, shrub or bush or break or remove any branch or foliage thereof or possess, pick or gather any seed, berry or fruit of any tree or plant without the prior written permission of the Executive Director. A person who commits a violation of this subsection, in addition to any other penalty imposed, shall pay a fine of not less than two hundred and fifty dollars (\$250.00) and not more than five hundred dollars (\$500.00).

b. Possess, remove or cause to be removed any sod, earth, humus, downed timber, wood chips, peat, rock, sand, gravel or any other natural material of the forest floor or earth without the prior written permission of the Executive Director. A person who commits a violation of this subsection, in addition to any other penalty imposed, shall pay a fine of not less than two hundred and fifty dollars (\$250.00) and not more than five hundred dollars (\$500.00).

c. Hunt, trap, shoot, capture, molest, poison, wound, feed, bait or kill any invertebrate animal, mammal, bird, reptile or amphibian, or disturb, molest or rob any nest, lair, den or burrow without prior Written Permission of the Executive Director. A person who commits a violation of this subsection, in addition to any other penalty imposed, shall pay a fine of not less than two hundred and fifty dollars (\$250.00) and not more than five hundred dollars (\$500.00).

d. Fish in any waters of the District posted against fishing, or fish in any District waters by using a bow and arrow, spear or slingshot, or any device using more than two hooks per line, or any net, seine or trap, or with unattended lines, as defined by provisions of this Ordinance, or in violation of any applicable laws, rules and regulations of the State of Illinois as administered by the Department of Natural Resources, or in violation of any rule or regulation or restriction posted by the Executive Director controlling the size, species and number of fish that can be taken from a designated body of water. Each fish possessed by an offender in excess of the fishing limit shall constitute a separate violation.

e. Release or cause to be released any wild, domestic or pet animal, bird, fish or reptile, or bring in, plant or distribute the seeds or spores of any flowering or non flowering plant, without the prior written permission of the Executive Director.

f. Use or cause to be used any chemical or biological pesticides or other substance, procedure or process designed to alter the anatomy or physiology of any organism for the purpose of directly manipulating their populations, without the prior written permission of the Executive Director, and then only in compliance with all applicable laws, rules and regulations of the State of Illinois and the United States. A person who commits a violation of this subsection, in addition to any other penalty imposed, shall pay a fine of not less than two hundred and fifty dollars (\$250.00) and not more than five hundred dollars (\$500.00).

g. Permit or allow any cattle, horses, sheep, goats, swine or other live stock to graze, feed or browse in any preserve.

h. Dumping on any District property. A person who commits a violation of this subsection, in addition to any other penalty imposed, shall pay a fine of not less than two hundred and fifty dollars (\$250.00) and not more than five hundred dollars (\$500.00).

i. Littering on any District property. A person who commits a violation of this subsection, in addition to any other penalty imposed, shall pay a fine of not less than seventy five dollars (\$75.00) and not more than five hundred dollars (\$500.00).

Section 3--Contraband.

All animals, plants, birds, fish or reptiles, or parts thereof, killed, captured, trapped, taken, bought, sold or possessed contrary to any provision of this Ordinance or any other applicable State or Federal laws shall be contraband and, as such, shall be subject to seizure by any agent of the District. A person who commits a violation of this Section, in addition to any other penalty imposed, shall pay a fine of not less than two hundred and fifty dollars (\$250.00) and not more than five hundred dollars (\$500.00).

Section 4 Destruction by or Misuse of Fire.

No person shall upon or in connection with any property of the District commit or attempt to commit any of the following acts:

a. Knowingly or unknowingly set fire, or cause to be set on fire, any tree, forest, brush land, grassland, meadow, prairie, or marsh, or any other natural resource or property of the District.

b. Build a fire anywhere, for any purpose, except in District or privately owned fire receptacles.

c. Build a fire or cause a fire to start in or out of a receptacle close to or in any structure whatsoever or close to any tree or plant in such a way as to deface, damage or destroy that structure or scar, injure or destroy the tree or plant or its foliage.

d. Drop, throw away or scatter any burning, lighted or hot coals, ashes, cigarette, cigar, or match, except in those receptacles provided for such disposal.

e. Build any fire whatsoever for any purpose in or out of a receptacle or

fireplace and leave it unattended, until such fire is properly extinguished. For the purpose of this Section, a fire shall be deemed properly extinguished when its ashes, residue, coals and unburned substance is cold to the human touch.

f. A person who commits a violation of this Section, in addition to any other penalty imposed, shall pay a fine of not less than two hundred and fifty dollars (\$250.00) and not more than five hundred dollars (\$500.00).

CHAPTER IV REGULATION OF SPORTS AND GAMES

Section 1--Swimming.

No person shall upon or in connection with any property of the District: Swim, wade or bathe at any time in any of the waters or waterways, except wading is permitted in streams and rivers.

Section 2--Watercraft.

No person shall upon or in connection with any property of the District: Bring into, attempt to launch, use, or navigate any boat, yacht, canoe, raft or other watercraft upon the waters or waterways, except at such place or places as may be designated by the Executive Director and then only after obtaining a boat permit where required from the Executive Director. Where allowed, watercraft shall be used in accordance with District rules, regulations and restrictions duly set forth as part of such permit or as posted, as well as all applicable laws, rules and regulations of the State of Illinois and the United States.

Section 3--Engine-Powered or Radio Controlled Models or Toys.

No person shall upon or in connection with any property of the District: Start, fly or use any fuel powered, air propulsioned or electric powered model or toy or any radio controlled model car, aircraft, boat or rocket or any like controlled or powered toy or model, except at those areas or waters designated by the Executive Director.

Section 4--Horseback Riding.

No person shall upon or in connection with any property of the District: Bring into, unload, use or ride any horse, in a picnic area or any other area designated or posted as prohibiting horses.

Section 5--Bicycling.

No person shall upon or in connection with any property of the District: Ride a bicycle on any path, trail, roadway or other area or access that is (1) designated and posted as prohibiting bicycles; or (2) that is less than eight feet in width.

Section 6--Sound or Energy Amplification.

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

mediate vicinity of such device or in such a manner as to disturb the quiet and peaceful enjoyment of camps, picnic areas or other preserve areas without the prior written permission of the Executive Director.

Section 7--Winter Sports.

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

a. Sled, toboggan, snowboard, ski or slide on any area posted by the Executive Director as being unsafe or hazardous, or as being closed due to inadequate snow covering or other environmental conditions, or when notified of such condition by any Ranger or Ranger Police of the District.

b. Enter upon any frozen waters to skate, fish, slide or walk or for any purpose whatsoever when such waters are posted as closed or unsafe or hazardous by the Executive Director, or when notified of such condition by any Ranger or Ranger Police of the District.

c. Bring onto the frozen waters of any lake, pond or waterway any race boat or wind driven like device or other vehicle without the prior written permission of the Executive Director.

Section 8--Field and Team Sports.

No person shall upon or in connection with any property of the District: Play or engage in any team sport, athletic sporting event, outdoor or lawn games, or any such endeavor which by its nature requires open areas or fields, except in those areas designated by the Executive Director as athletic fields or, if none are available, only in those areas and for such period of time determined by a Ranger or Ranger Police in order to ensure the safe and equal use of the preserve by others.

Section 9--Amusement Contraptions.

No person shall upon or in connection with any property of the District: Bring in, set up, construct, manage or operate any amusement contraption without the prior written permission of the Executive Director.

Section 10--Aviation.

No person shall upon or in connection with any property of the District: Make any ascent or descent in a balloon, helicopter, airplane, ultra light, glider, hang glider, kite or parachute or any similar aviation device without the prior written permission of the Executive Director.

Section 11--Gambling.

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

a. Manage, operate or engage in gambling of any form.

b. Have in their possession any clock, wheel, tape machine, slot machine, pin machine or other machine or device for the reception of money or other thing of value on chance or skill or upon the action of which money is staked, bet, hazarded, won or lost. Any such machine or device shall be subject to seizure and forfeiture.

Section 12--Metal Detectors.

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

Bring in or use any device or instrument used to detect metallic objects without the prior written permission of the Executive Director.

CHAPTER V REGULATION OF VEHICLES, TRAFFIC AND PARKING

Section 1--Adoption of the Illinois Vehicle Code by Reference; Penalties.

a. Pursuant to Section 20 204 of the Illinois Vehicle Code, 625 ILCS 5/20 204, and the authority conferred by Section 7 of the Downstate Forest Preserve Act, 70 ILCS 805/7, the District hereby adopts in its entirety the Illinois Vehicle Code, 625 ILCS 5/1 101 et seq., hereinafter the "Vehicle Code," as said Vehicle Code may be amended from time to time. The Vehicle Code shall be applied and enforced within the corporate limits of the District to the extent permitted by law. Any and all violations of the Vehicle Code shall be violations of this Chapter, and if prosecuted hereunder, each violation shall subject the violator to the penalty provisions established under this Chapter.

b. Any references to any state employee or official shall be to the corresponding District employee or official where reference is applicable or necessary.

c. Definitions of words and phrases. Whenever any words or phrases used in this Chapter V are not defined, but are defined in the Vehicle Code, such definition in the Vehicle Code shall be deemed to apply to such words and phrases, except where the context clearly requires otherwise.

d. Penalties for "business" and "petty" offenses. The penalty for a violation of any business or petty offense under the Vehicle Code shall be a fine of not less than seventy five dollars (\$75.00) and not more than one thousand dollars (\$1,000.00). The penalty for a second or subsequent violation within any twelve (12) month period shall be a fine of not less than two hundred and fifty dollars (\$250.00) and not more than one thousand dollars (\$1,000.00).

e. Penalty for Driving Under the Influence of Alcohol and/or Drugs. The penalty for a violation of Driving Under the Influence of Alcohol and/or Drugs, Section 11 501 of the Vehicle Code, 625 ILCS 5/11 501, in addition to any sentencing alternative imposed by the Court, shall be a fine of not less than one thousand dollars (\$1,000.00) and not more than two thousand five hundred dollars (\$2,500.00) for each offense.

f. Penalty for Driving While License Suspended or Revoked. The penalty for a violation of Driving While License Suspended or Revoked, Section 5 303 of the Vehicle Code, 625 ILCS 5/6 303, in addition to any sentencing alternative imposed by the Court, shall be a fine of not less than two hundred and fifty dollars (\$250.00) and not more than two thousand five hundred dollars (\$2,500.00) for each offense.

Section 2--District Specific Vehicle, Traffic and Parking Regulations.

In addition to the Vehicle Code offenses adopted by reference in Chapter V, Section 1, the following are District specific regulations.

a. Vehicle Types and Access Allowed. No person shall upon or in connection with any property of the District:

i. Park, operate, or cause to be operated or parked, any vehicle anywhere except on the roads, drives and parking areas provided, and then only in compliance with the direction and restrictions posted on regulatory signs, issued permits, or at the direction of any Ranger or Ranger Police.

ii. Park, operate, or cause to be operated or parked, any motorized vehicle without the prior written permission of the Executive Director and then only in those areas specified in the written permission and in accord with the rules and restrictions set forth in the written permission.

iii. Operate or move, or cause to be operated or moved, any vehicle locked in as a result of the closing of the forest preserves at the designated time, until such time that the forest preserve is officially opened.

iv. Park, operate or cause to be operated or parked, any vehicle on any road, drive or parking area posted, gated or barricaded as being closed to public traffic.

b. Right of Way. No person shall upon or in connection with any property of the District: Operate a vehicle in such a manner as to fail to yield the right of way to pedestrians and equestrians.

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

i. Park or abandon a vehicle outside the hours the District is open with out prior written permission of the Executive Director.

ii. Park a vehicle in such a way as to block in another parked vehicle or block, restrict or impede the normal flow of traffic.

iii. Park or stop a vehicle (A) in a zone or area posted as prohibiting parking; (B) on any turf, grass, meadow, prairie, marsh, field, woodland or on the exposed roots of any tree or shrub, except when directed to do so by any Ranger or Ranger Police for the purpose of traffic control or special event parking; (C) for the purpose of washing or waxing it or for the making of any repairs or alterations, except those of an emergency nature; or (D) in such a way as to occupy more than one parking stall or space unless directed to do so by any Ranger or Ranger Police. The owner of any vehicle in violation of this subsection is liable for that violation.

d. Speed Limit: No person shall upon or in connection with any property of the District: operate or propel any vehicle or cause any vehicle to be propelled 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 twenty (20) miles per hour.

e. Special Speed and Operating Restrictions: No person shall upon or in connection with any property of the District: operate or cause to be operated any vehicle upon any road, path, drive or parking area in any manner which endangers the safety of persons or property, or at a speed which is greater than

is reasonable and proper for the safe operation of the vehicle, with regard to traffic conditions and special hazards, such as trail crossings, entrances to parking areas or campgrounds, narrow or winding roads, hills, curves, weather or road conditions, and pedestrian, equestrian or bicycle traffic.

f. Penalty. The penalty for a violation of this Chapter V, Section 2, shall be a fine of not less than seventy five dollars (\$75.00) and not more than five hundred dollars (\$500.00). The penalty for a second or subsequent violation of this Chapter V, Section 2 within any twelve (12) month period, shall be a fine of not less than one hundred and fifty dollars (\$150.00) and not more than five hundred dollars (\$500.00).

CHAPTER VI REGULATION OF PERSONAL CONDUCT AND BEHAVIOR

Section 1--Vending and Advertising.

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

a. Collect fees, admission or cover charges, or display or offer for sale any articles, items or things, or conduct or solicit any business, trade, occupation or profession without a valid concession contract or license agreement approved by the Board, and then only in accordance with the terms and conditions thereof, it being the intention of the District to control commercial enterprises or sales on District lands.

b. Display, distribute, post or fix any placard, sign, handbill, pamphlet, circular or any other written or printed material or objects containing advertising matter or announcements of any kind whatsoever, without the prior written permission of the Executive Director, and then only in compliance with the terms of such written permission or in compliance with the terms of a valid concession contract approved by the Board, except those groups holding a valid picnic, camping or special event permit may display signs to identify their location or direct others to it, provided that such signs are temporary and are removed by the permit holder at the termination of the activity and provided that such signs are no larger than 24"x30" and are not attached to any tree, shrub, post, building, sign, gate or other structure.

Nothing in this Section 1 shall preclude the collection of admission fees or cover charges, or the sale of raffle tickets, articles, items or other things by an organization, company or other entity for the purpose of fundraising for a charitable, humanitarian or benevolent cause if the organization, company or other entity has obtained a special use permit for the event. The special use permit shall be subject to the rules and regulations established by the Executive Director pursuant to Chapter II, Section 3(b)(3) of this Ordinance.

Section 2--Unlawful Obstructions.

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

By force, threat, intimidation or by fencing or enclosing or any other means (1) prevent or obstruct (a) any person from peacefully entering upon any property of the District; (b) transit over or through any property or waters of the District; or (2) obstruct the entrance into any facility within the District without a valid permit granting use to the exclusion of others as defined and provided for in this Ordinance.

Section 3--Unlawful Construction, Maintenance or Encroachment.

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

a. Erect, construct, install, or place any structure, building, improvement, shed, fence, machinery, equipment, or apparatus of any type, or stock pile, store or place any organic or inorganic material used for the construction of such items on, below, over or across a preserve without the prior written authorization from the District, and then only in accordance with the terms and conditions set forth in a license agreement, easement, or other written agreement. Corporations may be prosecuted for a violation of this Section when an agent of the corporation performs the conduct that is prohibited.

b. Perform or cause any mowing, trimming, cutting, or grooming of District property, or perform any similar grounds maintenance for any purpose, or in any like manner encroach onto District property from privately or publicly owned lands.

c. Place, stockpile or store any gravel, stone, dirt, sand, wood, lumber or any other organic or inorganic material on District property.

d. Plant vegetation of any kind.

Section 4--Controlled Substance, Alcohol or Tobacco Possession/ Use.

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

a. Possess, bring into, or use any Controlled Substance or Cannabis or any derivative thereof. The penalty for a violation of this subsection shall be a fine of not less than two hundred and fifty dollars (\$250.00) and not more than five hundred dollars (\$500.00).

b. Possess, produce, plant, cultivate, tend or harvest the Cannabis plant. The penalty for a violation of this subsection shall be a fine of not less than two hundred and fifty dollars (\$250.00) and not more than five hundred dollars (\$500.00).

c. Possess or consume any alcoholic beverages on District property or any building, structure or other facility, except that alcoholic liquor may be possessed or consumed in buildings or on golf courses owned by the District, subject to the approval of the Board and in compliance with the Liquor Control Act of 1934 and all other applicable laws, rules and regulations and District ordinances.

d. Possess, bring into or use Drug paraphernalia. The penalty for a violation of this subsection is a fine of not less than five hundred dollars (\$500.00).

e. Possess, sell, deliver, bring into or use any tobacco product if the person is under 18 years of age, except in the performance of religious or tribal ceremonies.

emonies taking place at a District facility with prior written permission of the Executive Director.

f. Distribute, provide or allow any person under 21 years old to possess or consume alcohol.

Section 5--Weapons and Harmful Substances.

No person shall upon or in connection with any property of the District: Possess on or about their person, vehicle or any other conveyance, concealed or otherwise, any firearm, stun gun, taser, bow and arrow, slingshot, cross bow, spear or spear gun, switch blade knife, stiletto, sword, blackjack, billy club, martial arts weapon or any air rifle, paint gun or device capable of discharging a projectile or harmful chemical substance, or any weapon, instrument, or substance of like character or design, except at those ranges or areas designated for their use by the Executive Director and then only in accordance with the rules and restrictions duly set forth for the proper use of such ranges or areas. Nothing contained herein shall be construed to prevent any Ranger Police, or any other duly sworn peace officer, 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 any such officer to assist in making arrests or preserving the peace while such person is engaged in assisting.

Section 6--Disorderly Conduct.

No person shall upon or in connection with any property of the District: Engage in behavior or speech that provokes a breach of the peace or disrupts, alarms, disturbs, intimidates, or unreasonably interferes with others in the use of the forest preserves or any facility thereof. Such prohibited conduct includes, but is not limited to, public urination, public intoxication, any sexual contact and any sexual conduct.

Section 7--Disobeying a Lawful Order.

No person shall upon or in connection with any property of the District: Disobey, ignore, or in any manner fail to comply with any request, direction, or order given by any Ranger or Ranger Police charged with the control, management, or protection of District property or resources when such request, direction or order is given in the lawful performance of his or her duties.

Section 8--Hindering or Bribing Employees.

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

a. Interfere with, unreasonably disrupt, delay, or in any manner hinder any District employee engaged in the performance of his or her duties.

b. Give or offer to give any District 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, contractor 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.

c. Provide false information to any District employee engaged in the performance of his or her duties.

Section 9--Control and Treatment of Animals.

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

a. Bring, lead or carry any dog that is unleashed or on a leash longer than ten feet, except at those areas designated by the Executive Director as an off leash dog area and only after obtaining an annual permit from the District, and only in accordance with the rules, regulations and restrictions duly set forth as part of such permit or as publicly posted at the off leash area. Where posted, persons bringing a dog into a preserve or areas thereof shall be responsible for immediate clean up and removal of the animal's excrement. All persons with a dog inside an area designated by the District as an off leash dog area shall have a valid permit to be in that area and shall possess the valid permit whenever they are in an off leash dog area.

b. Willfully or neglectfully cause or allow any wild or domestic animal to run or remain at large, or release any wild or domestic animal, for any purpose, except within those areas designated by the Executive Director and then only in accord with the rules and restrictions duly promulgated for the control of such areas.

c. Torture, whip, beat or cruelly treat or neglect any animal.

d. Bring in, drive, ride or lead in any animal, except that horses, sled dogs and other draft animals may be ridden or lead, or driven ahead of Vehicles or sleds attached thereto on such portions of the Forest Preserves as may be designated by the Executive Director.

e. Hitch or tie any horse or other animal to any tree, bush, shrub or structure not expressly designated for hitching or tying horses or other animals.

f. Bring in, lead, drive, ride or carry any wild or domestic predator animal or bird, leashed or unleashed, into or upon any forest preserve, or part thereof, designated as a nature preserve, nature area or historic site without the written permission of the Executive Director, unless such animal is kept confined within a closed vehicle or trailer.

g. Nothing in this Ordinance shall be construed to prohibit the controlled use of certain animals approved by the Executive Director for purposes of public safety, such as, but not limited to, the protection of District property or the protection of District employees in the performance of their duties or in the performance of search and rescue operations;

h. Lose control of a dog or allow aggressive behavior by the dog to occur, reoccur or continue without taking immediate action to control the dog or its aggressive behavior or both. For the purpose of this subsection, a dog is considered under control when the owner or handler is aware of the dogs conduct and when it will return to the owner or handler on command. Dogs are presumed to be out of control when the dog (1) displays threatening behavior; (2) physically harms people or another domestic or wild animal directly or indirectly by its actions; (3) touches or jumps on others who have not invited or engaged

in interaction with that dog; or (4) has any history of attacking or biting other dogs or people and is not on a leash.

i. Bring any dangerous animal into or on District property. A dangerous animal is any animal which is declared a dangerous animal by any county or city, or an animal which demonstrates any of the following behavior: (1) an attack which requires a defensive action by any person to prevent bodily injury and/or property damage; (2) an attack on another animal, domestic or wild; (3) an attack that results in the injury to another person; and (4) any action that constitutes a physical threat of bodily harm to a person. A person who brings a dangerous animal into or on District property, in addition to other penalties, may have any District dog permit in their possession revoked.

Section 10--Commercial Photography.

No person shall upon or in connection with any property of the District: Take or cause to be taken any still or motion pictures or make sketches or paintings for commercial purposes without the prior written permission of the Executive Director and then only in accordance with the rules and restrictions duly set forth as part of such Permit.

Section 11--Honoring Permits.

No person shall upon or in connection with any property of the District: By act or speech willfully or unreasonably hinder, interrupt or interfere with any duly permitted activity or unreasonably or willfully intrude on any area or into any structure designated for the use of a certain person or persons to the exclusion of others by written permission of the Executive Director.

Section 12--Theft of Labor or Service, or Use of Property.

No person shall upon or in connection with any property of the District: Enter into any Preserve or facility, or partake in any activity, program, or service for which a user fee has been established without first making payment in the amount required. Failure to produce a proper receipt, registration or Permit when requested shall be prima facie evidence of the intent to obtain unauthorized use of such Preserve, facility, activity, program or service.

Section 13--Pyrotechnics.

No person shall upon or in connection with any property of the District: Possess, set off or ignite any firecracker, fireworks, smoke bombs, rockets, black powder guns or other pyrotechnics.

Section 14--Unlawful Contact with Street Gang Members.

No person shall upon or in connection with any property of the District: Have direct or indirect contact with a street gang member as defined in Section 10 of the Illinois Street Gang Terrorism Omnibus Prevention Act, 740 ILCS 147/10, (1) after having been sentenced to probation, conditional discharge, or supervision for a criminal offense with a condition of such sentence being to refrain from direct or indirect contact with a street gang member or members; (2) after having been released on bond for any criminal offense with a condition of such bond being to refrain from direct or indirect contact with a street gang

member or members; (3) after having been ordered by a judge in any non criminal proceeding to refrain from direct or indirect contact with a street gang member or members; or (4) after having been released from the Illinois Department of Corrections on a condition of parole or mandatory supervised release that he or she refrain from direct or indirect contact with a street gang member or members. This Section does not apply to a person when the only street gang member or members he or she is with is a family or household member or members as defined in subparagraph (3) of Section 112A.3 of the Code of Criminal Procedure of 1963, 725 ILCS 5/112A.3(a), and the street gang members are not engaged in any street gang related activity. The penalty for a violation of this Section shall be a fine of not less than two hundred and fifty dollars (\$250.00) and not more than five hundred dollars (\$500.00).

Section 15--Suspension from District Property; Violation.

A person engaged in any of the following District ordinance violations or Illinois state criminal offenses, including any misdemeanor or felony, on District property may be suspended from District property, including all forest preserves, for a period of not less than 90 days: (1) disorderly conduct; (2) any gang related offense or violation; (3) possession of any controlled substances, cannabis, alcohol or other intoxicating compounds or drug paraphernalia; (4) destruction or damage to District property or natural resources; (5) possession or use of any unlawful weapon as defined by District ordinance; or (6) any other violation or offense the Executive Director deems worthy of a suspension from the District. Notice of the District Suspension shall be provided to the violator or offender in writing. Any person entering District property during a suspension period violates this Section. District suspension and notification shall be sufficient notice for any violator or offender to be charged under State statute with Criminal Trespass to State Supported Property.

CHAPTER VII ENFORCEMENT

Section 1--Ranger Police.

All members of the Ranger Police force of the District have the power and are authorized to: (a) arrest, with or without process, any person found in the act of violating this Ordinance or any other ordinance, rule or regulation of the District or any law of the State of Illinois; or (b) eject or remove from District property, with or without process, any person found in the act of violating this Ordinance or any other ordinance, rule or regulation of the District or law of the State of Illinois.

Section 2--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 Ranger Police or other duly sworn peace officer or person prose

cutting an offender may elect under which to proceed, but not more than one judgment shall be entered against the same person for the same offense.

Section 3--Penalties.

a. Fines. Except as otherwise specifically provided for herein, any person found guilty of violating any provision of this Ordinance shall be fined not less than seventy five dollars (\$75.00) and not more than five hundred dollars (\$500.00). A person found guilty of a second or subsequent violation of the same offense shall be fined not less than two hundred and fifty dollars (\$250.00) and not more than five hundred dollars (\$500.00).

b. Seizure and Forfeiture. Any property used in the commission of a violation of this Ordinance or any other applicable State or Federal laws may be subject to seizure by any agent of the District. After District seizure of property, the District may pursue the forfeiture of that property, after providing written notice to the person from whom the property was seized and allowing that person to appeal the forfeiture decision to the Executive Director. Such an appeal must be provided in writing within fourteen (14) days of receipt of written notice of forfeiture. The District may destroy, retain or sell at public auction any property seized and forfeited under this subsection.

c. Restitution and Restoration. A person who commits a violation of this Ordinance or any other applicable State or Federal laws that result in damage of any kind to District property, including but not limited to dumping or abandoning property, shall make full restitution to the District for any damage or alteration of District property or habitat caused as a result of the violation, including the restoration of District property damaged or altered as well as restitution for any District restoration.

Section 4--Authority of Other Agencies.

Nothing in this Ordinance shall be construed to prevent other officers from carrying out their sworn duties within the territory of the District as defined by the applicable laws of the State of Illinois and the United States or by the ordinances, resolutions and policies of DuPage County, Illinois, or in accord with any policing agreement approved by the Board.

Section 5--Civil Suits.

Nothing in this Ordinance shall be construed to prevent or preclude the lawful use by the District of a civil remedy at law, or correct an abuse or loss suffered by the District as a result of a violation of this Ordinance or any law of the State of Illinois.

Section 6--State, United States and Local Laws.

All persons within the forest preserves are subject to all ordinances, rules and regulations of the District, as well as all applicable laws of the United States and the State of Illinois, as amended and changed from time to time. These laws include, but are not limited to, the Downstate Forest Preserve District Act, the Illinois Vehicle Code, the Criminal Code of 1961, the Wildlife Code and the Fish Code of the State of Illinois, as amended and changed from time to time.

CHAPTER VIII MISCELLANEOUS

Section 1--Enactment.

This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by statute.

Section 2--Captions and Headings.

The captions and headings used herein are for convenience of reference only and do not define or limit the contents of any Section.

Section 3--Severability.

The provisions of this Ordinance shall be deemed to be severable, and the invalidity or unenforceability of any one provision shall not affect the validity and enforceability of any other provision hereof.

Section 4--Copies and Publication.

The Secretary of the District is directed to transmit a copy of this Ordinance to the Executive Director, Deputy Director of Natural Resources, Deputy Director of Operations, and Attorney for the District, respectively. The Secretary is further directed to publish this Ordinance in pamphlet form within 10 days after its passage and to certify the date of publication to the Executive Director.

Section 5--Annulment of Previous Ordinance.

This Ordinance shall supersede and take the place of the previous General Use Regulation Ordinances (No. 09 306 and 92 019) and amendments thereto, provided, however, that the prosecution for any violation of the previous General Use Regulation Ordinances occurring prior to the effective date of this Ordinance shall not be affected or abated.

Passed and approved by the President and Board of Commissioners of the FOREST PRESERVE DISTRICT OF DUPAGE COUNTY this 6th day of October, 2009.

Printed on Recycled Paper