



# **Use of Parks, Rules, and Regulations**

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Urbana Park District  
303 E. University Ave.  
Urbana, IL 61801  
217-367-1536  
[urbanaparks.org](http://urbanaparks.org)

## USE OF PARKS, RULES, AND REGULATIONS

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## USE OF PARKS, RULES, AND REGULATIONS

### **6.01 Contract for Police Services**

The District will contract for police services with other units of government whose personnel meet police training requirements. Persons contracted by the District to perform police duties for the District, including city of Urbana police officers, will be conservators of the peace within and upon the Parks, Boulevards, driveways, and property controlled by the District and will have the power to issue Notices to Appear and make arrests for violation of any kind of penal ordinance of the District and for any breach of the peace in the same manner as the police of cities organized and existing under the general laws of the state of Illinois.

### **6.02 Hours of Use**

Except as otherwise provided in these rules and regulations, District Parks, including all boulevards and driveways therein, and other property controlled by the District will be closed from sunset every evening until sunrise the following morning. All persons, except authorized District employees and representatives, will leave the Parks promptly at sunset and will not return before sunrise the following morning. No person shall be allowed on Park Property between sunset and sunrise, unless otherwise authorized by the Director or designee or when attending an authorized meeting or activity being held in a District Park or Facility. Facilities where lighting is available may remain open after sunset in accordance with hours posted at such facilities. Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.03 Extended Use**

Applications for extended use will normally be submitted to the Director not less than five (5) business days prior to the date upon which the applicant plans to make extended use of the Parks in the manner provided for in Section 6.05 of this chapter.

A permit for extended use of the Parks may be granted by the Director or designee if the following conditions have been met:

- a. The planned extended use will be for the purpose of recreational activities and that such activities cannot otherwise take place between the hours sunrise and sunset;
- b. The person, group of persons, association, or corporation applying for extended use will assume responsibility for the acts of all persons participating in the planned activity and will assume responsibility for any injury sustained by any person participating in the planned activity, except to the extent the District caused the injury;
- c. The person or group applying for extended use will assume responsibility for any damage done to any District property, except to the extent the District caused the damage;
- d. All activities will be properly controlled and supervised; and
- e. Whenever persons participating in the planned activity are under 18 years of age, adequate adult chaperones will be provided.

Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.04 Public Assemblage and Meetings**

No person, group of persons, association or corporation will call or hold any public meeting or assemblage or any private meeting or assemblage involving more than twenty-five (25) people or give or conduct any concert, performance, public exhibition, or entertainment of any kind in any of the Parks or public places of the District unless permission for such activity will have been obtained from the Director. Application for

permission should normally be submitted to the Director not less than ten (10) business days prior to the date of the event. Failure to submit an application for permission (ten) 10 days before the event can be grounds for refusal of permission.

A permit to hold such meeting, assemblage, concert, performance, exhibition, or entertainment may be granted by the Director if he or she is satisfied that the following conditions have been met:

- a. The person, group, association, or corporation planning to hold the event will, to the extent the Director determines necessary, assume responsibility for the acts of all persons participating in the event and will assume responsibility for any injury sustained by any person participating in the event, except to the extent the District caused the damage;
- b. The applicant will, to the extent the Director determines necessary, assume responsibility for any damage done to any District property, except to the extent the District caused the damage;
- c. The event will not interfere with the right of others to make use of the Parks; and
- d. The Parks are a suitable place for the event.

Persons found in violation of this section are subject to the penalties as hereinafter provided.

#### **6.05 Application for Permit**

Any person, group of persons, association, or corporation applying for a permit under Sections 6.02, 6.03, or 6.04 of this chapter will submit a written application to the Director within the time period prescribed by the specific section. Such written application will contain:

- a. A detailed description of the activity planned and an estimate of the number of people who will attend;
- b. The date and time when the planned activity will commence and the date and time when the activity will end;
- c. Assurances that each and every condition set forth in the section or sections dealing with the requested permit has been or will be complied with; and
- d. Any additional information which the Director may request.

It will also be a condition to the granting of any permit that the applicant will pay a reasonable fee and that the applicant will, should the Director find it necessary, furnish an indemnifying bond with acceptable sureties in an amount sufficient to indemnify the District against any loss, damage, expense, or litigation it may incur or sustain by reason of the holding of the activity covered by the permit. Any application not in compliance with the conditions set forth above will be denied. Persons found in violation of this section are subject to the penalties as hereinafter provided.

#### **6.06 Revocation of Permit**

The Board or the Director or their designee may revoke any permit previously granted at any time if it is determined that the application for permit contained any misrepresentation or false statement, that any condition set forth in the section or sections governing the permit requested is not being complied with, that the safety of the participants in the activities of the applicant or other visitors to the Parks is endangered by the continuation of such activity, that there is significant risk of damage to public property or that the event will interfere with the public's use of the Parks. Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.07 Misrepresentation by Applicant**

Any person, group of persons, association, or corporation applying for a permit under the provisions of Sections 6.03, 6.04, and 6.05 of this chapter who intentionally makes any false or misleading statements or suppresses any material fact in connection with any application for a permit or who otherwise procures a permit by fraud or misrepresentation will be deemed guilty of violating the provisions of this section. Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.08 Disorderly Conduct**

Any person who, while on any District property, does any act in such an unreasonable manner as to alarm or disturb another and to provoke a breach of the peace will be guilty of disorderly conduct. Actions which will be deemed to constitute disorderly conduct will include, but not be limited to:

- a. Doing any act in such manner as to cause another to reasonably fear that he, she or a third party may be injured;
- b. Fighting;
- c. Making or causing to be made loud and disturbing noises;
- d. Threatening Park employees or patrons; and/or
- e. Intentionally interfering with the work of any employee or concessionaire of the District.

Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.09 Assault of Park Employees**

A person may not engage in conduct which places a District employee, instructor or volunteer who is on District property or any building or land used for Park purposes in reasonable apprehension of receiving a battery. Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.10 Battery of Park Employees**

A person may not intentionally or knowingly by any means cause bodily harm or make physical contact of an insulting or provoking nature with an individual who is a District employee, instructor, or volunteer while the District employee, instructor, or volunteer is on District property or any building or land used for Park purposes. Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.11 Defacing Property**

No collection or removal of plant materials, living or dead, or soil or rock materials is to be done in a Park without written authorization from the District. No person will pick any flower or fruit, either wild or cultivated, or break, cut down, tramp upon, remove, or in any manner deface, mar, injure or mutilate any flower, fruit, vegetable, garden, tree, shrub, flower bed, fallen timber, turf, fence, bridge, bench, table, statue, ornament, gate, building, structure, tool, implement, vehicle, boat, car, light standard, sign or any other District property located within any Park, Boulevard, or public place of the District. No person will take foods or vegetables from community garden plots, other than a plot rented by them, from the District. Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.12 Firearms**

No person will carry or have in his or her possession any firearm, air pistol, air rifle, pellet gun, explosive device of any nature or any other instrument capable of launching or firing any projectile, rocket or noxious substance, whether propelled by gunpowder, gas, air, spring, or any other means while within any Park, Boulevard, driveway, or other public place of the District, except that this section will not apply to any law

enforcement officer authorized by law to carry a weapon within the District and except in a District organized, authorized, and supervised recreational program. Persons found in violation of this section are subject to the penalties as hereinafter provided.

**6.13 Bows and Arrows and other Missiles**

No person will carry or have in his or her possession darts, bow and arrows, or other missiles, including fireworks, rockets, bottle launchers, slingshots, or boomerangs, within any of the Parks of the District, except in conjunction with a District organized, authorized and supervised recreational program. Persons found in violation of this section are subject to the penalties as hereinafter provided.

**6.14 Solicitation, Offering for Sale, or Sell**

No person will solicit alms or contributions for any purpose whatsoever, whether public or private, within any of the Parks of the District, except by permission of the Director or the Board when such sales or solicitations are of direct benefit to the District's purposes and programs, nor will any person offer to sell or exchange any article or thing, or do any hawking, peddling, or soliciting of sales, or buy or offer to buy any article or thing in any of the Parks of the District, except when acting pursuant to a concession contract entered into with the Board. Persons found in violation of this section are subject to the penalties as hereinafter provided.

**6.15 Intoxication**

No person will enter any of the Parks or public places of the District while in an intoxicated condition or remain therein while in an intoxicated condition, whether intoxicated at the time of entering the Parks or becoming intoxicated after entering. Persons found in violation of this section are subject to the penalties as hereinafter provided.

**6.16 Alcoholic Beverages**

Except as permitted in the following part of this section, no person will bring into the Parks or other public places of the District any alcoholic beverages. Furthermore, except as permitted in the following part of this section, no person will possess or drink any alcoholic beverages in any Park or public place under the jurisdiction of the District

Before permission to serve beer and/or wine is granted by the Director, an applicant must submit a written application form specifying the date, times, and specific Park structures or areas where the service of the beverage will occur, submit an acceptable certificate of insurance for host liquor providing coverage to the applicant and naming the District as an additional insured, pay the permit fee and any fee for use of any structure involved, and agree to comply with the following conditions during the event:

- a. Limit service to the date, times, and places described in the permit with no permit to exceed six hours in duration;
- b. Not allow any consumption directly from a glass container during the event; and
- c. Not sell, give, or allow to be sold or given any alcoholic beverage for any consideration whatsoever.

Any party to whom a permit has been issued will, by the acceptance thereof, be deemed to have unconditionally agreed with all of the following terms:

- a. To abide by all terms, provisions, conditions and limitations of this Ordinance;
- b. To abide by all the rules and regulations of the District, the city of Urbana, and the state of Illinois;

- c. To pay, when due, all charges deemed necessary by reason of the nature of the particular function in question;
- d. To not sell or give or allow to be sold or given any alcoholic beverage for any consideration whatsoever so as to give rise to a cause of action on the part of any person, either directly or indirectly, under the provision of "An Act Relating to Alcoholic Liquors," and particularly that part thereof commonly known as the Illinois Dram Shop Act and all amendments thereto; and
- e. To submit an acceptable certificate of insurance for host liquor providing insurance coverage to the applicant and naming the District as an additional insured.

A permit to serve beer and/or wine is nontransferable and, for good cause, in the sole opinion of the Board, the Director, or any designated personnel, any permit issued may be terminated either prior to or during the event. Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.17 Refuse**

No person will litter or cause to be littered any of the grounds, driveways, waterways, swimming pools, fountains, buildings or other structures of the District by scattering, dumping or leaving paper, garbage, bottles, cans, boxes, or other refuse therein, except in receptacles provided therefore. No person will use Park trash receptacles for deposit of garbage or other refuse brought from their place of work or residence. Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.18 Animals**

Additional rules for users of the Dog Park are set forth in another section.

Except as part of an organized, authorized, or supervised District program, no person will bring any animal of any type into or allow any animal of any type to enter the Parks and Facilities of the District except on a leash and when accompanied and controlled by the animal's owner. Animals off a leash within the Parks or public places of the District may be apprehended and removed from the Parks to an animal shelter, public pound, or other place in or in the vicinity of the District provided for that purpose. Neither will any person run any animal behind any motor vehicle, bicycle, or any other vehicle, whether on a leash or not.

No person will ride or otherwise bring any horse, mule, pony, or other such riding animal in any of the Parks of the District, except as part of an organized, authorized, and supervised District program.

If any animal deposits excrement in the Park, the person bringing the animal into the Park will immediately pick up the excrement and remove it from the Park or deposit it into a trash receptacle.

The word "owner" when used in this section will mean any person having a right of property in an animal, who keeps or harbors an animal or has it in his or her care, who acts as its custodian, or who knowingly permits an animal to remain on or about any premises occupied by him or her. Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.19 Dog Park Rules and Conditions of Use**

The following additional rules apply to the Dog Park:

- a. The dog owner agrees to assume the full risk of any injuries, damages or loss connected with or associated with the use of the Dog Park. Owners are responsible for the actions of their dogs and are subject to any state laws and local ordinances concerning dangerous or vicious dogs.



- b. Current annual membership or a daily pass is required to enter the Dog Park.
- c. All dogs must be current with required vaccinations and be registered with the county. Registered member dogs must wear both the UPD membership tag and county registration tag when in the Park. Members must carry a photo ID with them and present it upon request.
- d. Dogs must be leashed while entering and exiting the Park. Members must carry a leash at all times for their dog(s). While inside the Park, pinch (prong) collars or spike collars may not be used.
- e. Dogs may not be left unattended or out of sign range or voice command. A member age sixteen (16) or older must be present at all times and be responsible for the actions of their dog(s).
- f. Children must be at least six (6) years of age and accompanied by a parent or guardian to enter the Dog Park.
- g. Dogs known to exhibit vicious, fierce, aggressive, or dangerous behavior are not permitted in the Dog Park. Members must immediately leash and exit the enclosure if their dog(s) becomes unruly or aggressive. Excessive barking is strongly discouraged.
- h. Female dogs in heat are not permitted in the Dog Park.
- i. Dogs less than four (4) months old are not permitted in the Dog Park.
- j. Cooperation between members is expected and required.
- k. Members must immediately pick up after their dog(s).
- l. Food (of any kind, both human and animal) and rawhide are not allowed in the Dog Park.
- m. Smoking is not permitted inside the Dog Park.
- n. Members are limited to three (3) dogs per visit.
- o. Dogs, members, owners, and users creating a disturbance or violating posted rules must leave the Dog Park if requested by a District staff member, a city of Urbana police officer, or a city of Urbana animal control officer. Dogs, members, owners and users must leave the Dog Park if requested by a District staff member, a city of Urbana police officer, or their designated agents for maintenance activities.
- p. Infraction of any of these rules can result in temporary or permanent loss of Dog Park privileges.
- q. An aggressive dog is defined as a dog:
  - i. That without provocation inflicts a bite or attacks a human being or another dog;
  - ii. With a known propensity, tendency, or disposition to attack without provocation, to cause injury or to otherwise endanger the safety of human beings or domestic animals;
  - iii. That has as a trait or characteristic and a generally known reputation for viciousness, dangerousness or unprovoked attacks upon human beings or other domestic animals; or
  - iv. That when un-muzzled, unleashed or unattended by its owner in a vicious or terrorizing manner has approached any person in an apparent attitude of attack at a Park on three (3) or more separate occasions.

For violations of provisions of the rules and conditions of use of the Dog Park, staff can issue suspensions of a dog's Dog Park membership for a defined time or permanently and can issue "No Trespass" notices to the owner of the dog(s). Persons found in violation of this section are also subject to the penalties as hereinafter provided.

## **6.20 Natural Areas**

The following additional rules apply to the following "natural areas" in the District's Parks and Park sites: all of Busey Woods; the tallgrass prairie, the savanna, and the stream corridors at Meadowbrook Park; the lower level wet prairie, tallgrass prairie and stream corridor at Perkins Road Park site; the grove and wetland at Weaver Park, and any other area posted as a "natural area" by the District:

- a. No motorized vehicles are to be used, except motorized wheelchairs, other power driven mobility devices (OPDMD) that meet accessibility requirements of Section 6.34, and vehicles of the District used for maintenance and protection of the areas;
- b. No bicycles are to be in a natural area, except in designated areas;
- c. No domesticated animals or pets are to be in a natural area;
- d. No hunting or trapping or other collecting of birds, animals, or other wildlife is to be done in a natural area;
- e. No collection or removal of native plant materials, living or dead, or soil or rock materials is to be done in a natural area without written authorization from the District;
- f. No picnics, camping, or similar recreational outings are to be held in a natural area;
- g. No cooking and campfires will be in a natural area; and
- h. Visitors to natural areas are to stay on designated trails.

Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.21 Fishing**

No fishing will be done in any lagoon or other waterway of the District, except from rental boats or places along the banks of such lagoons or waterways duly designated by the Board. Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.22 Skating**

No person will skate upon any lagoon or other waterway of the District, except during specified times and at specified places designated for that purpose. Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.23 Fires**

No person will build any fire in any of the Parks or public places of the District, except in such places as have been or may hereafter be designated for such purpose, and no person who has built any fire in such designated area will leave the place where the fire was built without first completely extinguishing the fire, except that a fire built in a stove or grill provided by the District may be left unextinguished. Coals from a fire built in a stove or grill must be disposed of in park district designated containers or removed from the park by the user. Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.24 Boats**

Except on boats used by Park employees, no motor will be attached or used upon boats or other watercraft in Crystal Lake. Use of all boats or other watercraft in Crystal Lake will be in accordance with the rules and regulations approved by the Board. Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.25 Boat Rentals**

The Director, the Superintendents of Recreation and Operations, or the employee in charge of District boats may refuse to rent any such boat to any applicant if, in his or her opinion, the safety of the public or the applicant and the interests of the District would be best served by refusing to do so or if the rental fee is not tendered in advance.

The Board will prescribe the fees for the rental of District boats and will prescribe rules and regulations governing the use of the boats. A fee schedule and a list of such regulations will be posted in a conspicuous

place at or near the boat docks. Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.26 Swimming**

No person will wade, bathe, swim, or enter any water in any place in any of the Parks of the District, except in designated areas provided by the District, and then only at times as such areas will be open to the public. Neither will any person enter the enclosed area around any pool, except through an entrance way provided by the District, during times when the pool is open to the public. Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.27 Swimming Pool**

The Director, Superintendents of Recreation and Operations, the District employee in charge of the swimming or wading pool, or any District employee at the pool may refuse to grant entrance to any swimming or wading pool to any child under eleven (11) years of age unless accompanied by a parent or a person of the age of sixteen (16) or over who will assume responsibility for the safety of the child or to any person suffering from a disease or skin infection transmittable by air or water.

The Board will prescribe fees for admission to the swimming and wading pools and will also prescribe rules and regulations governing the conduct of all persons using any such pools. The amount of such fee and such rules and regulations will be posted at the entrance to any swimming pools. Any person failing to pay the prescribed fee or who violates any of the rules or regulations will be evicted from such pools and are subject to the penalties as hereinafter provided.

### **6.28 Metal Detectors**

No person will use a metal detector or similar device in any of the District's Parks. Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.29 Golfing**

No person will golf or practice golf in any of the District's Parks except in conjunction with a District organized, authorized, or supervised recreation program as approved by the Director. Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.30 Airplanes**

Except as approved by the Director, no person will use any motorized, non-motorized, remoted controlled or free-flying/gliding airplanes, helicopters, rockets, drones or other unmanned aircraft in any of the District's Parks. Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.31 Loud Noises**

No person will violate any provisions of the Noise and Vibrations Ordinance and any amendments thereto of the Code of Ordinances of the city of Urbana while in any of the District's Parks. Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.32 Posted Rules**

Park staff is authorized to develop additional rules of use for specific Parks and those rules that staff posts on signs in Parks are additional rules and regulations of the District. Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.33 No Trespass Notices**

A District staff member, a city of Urbana police officer, or a city of Urbana animal control officer can issue a “No Trespass” notice to an individual observed to be violating provisions of this Ordinance. The notices can be for a defined time or permanently and can be for a specific Park or Park Facility or for all Parks and Facilities. Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.34 Other Power Driven Mobility Device**

An “Other Power Driven Mobility Device (OPDMD)” is defined as any mobility device powered by batteries, fuel, or other engines—whether or not designed primarily for use by individuals with mobility disabilities—that is used by individuals with mobility disabilities for the purpose of locomotion. This definition includes golf carts, Electronic Personal Assistive Mobility Devices (EPAMDs), such as the Segway® Personal Transporter, or any mobility device designed to operate in areas without defined pedestrian routes, but that is not a wheelchair within the meaning of this section.

The District authorizes persons with mobility impairments to use OPDMDs in District Facilities and sites subject to the following restrictions:

- a. The operator of the device must be a person with mobility impairment and, upon request by District officials, will produce proof of such within twenty-four (24) hours. Acceptable proof of impairment includes:
  - i. presentation of a valid, state-issued, disability parking placard or card or other state-issued proof of disability; or
  - ii. a verbal representation, not contradicted by observable fact, that the OPDMD is being used for a mobility disability.
- b. A person who falsely represents himself as disabled in order to operate an OPDMD will be subject to penalties and/or removal from the Park or Facility.
- c. The device, if used in a Facility or in a Park, is allowed in any area of the Facility or Park in which the general public is allowed, with the exception of employee only spaces, stairways, and identified hazardous areas.
- d. The device, if used in a Facility, must be controlled by the operator. It:
  - i. May not be powered by fuel or any other type of combustion engine since exhaust fumes inside a Facility create a substantial risk of serious harm to others. A Facility is considered any structure that is enclosed by walls and/or covered by a roof;
  - ii. May not exceed the normal dimensions of wheelchair clear floor space (30”x48”) as defined in Section 305 of the Americans with Disabilities Act (ADA);
  - iii. May not exceed six hundred (600) pounds when occupied;
  - iv. May not exceed four (4) mph. Devices capable of exceeding speeds of 4 mph will not be prohibited from use, but the individuals observed exceeding the speed limit will be subject to penalties and/or removal from the Facility;
  - v. Will be driven on the right side of the circulation route;
  - vi. Is prohibited from carrying another person on the frame or any object on the frame that may make the OPDMD less stable; and
  - vii. Must not be operated in a dangerous or reckless manner that jeopardizes the safety of the operator, District employees, District participants, or the general public.
- e. The device, if used in a Park or outside, must be controlled by the operator. It:

- i. May not be operated between sunset and sunrise, unless otherwise posted or during program activities. If operated after sunset or before sunrise, it must be equipped with headlights that are visible at three hundred (300) feet;
  - ii. Will not exceed the trail width on any pedestrian paths or trails;
  - iii. May not exceed six (6) mph or posted speed limit. Devices capable of exceeding speeds of six (6) mph will not be prohibited from use, but the individuals observed exceeding the speed limit will be subject to penalties, including citations and/or removal from the Park;
  - iv. May not produce noise levels in excess of seventy (70) decibels;
  - v. Will not be driven into wet, snow covered, frozen, or ecologically sensitive areas which are posted as such;
  - vi. Will be driven on the right side of the circulation route;
  - vii. Is prohibited from carrying another person on the frame or any object on the frame that may make the OPDMD less stable;
  - viii. Must not be operated in a dangerous or reckless manner that jeopardizes operator safety, District employees, or District participants.
- f. The District accepts no responsibility for storage of the device.
  - g. The District accepts no liability for damage to the device or injury to the operator, whether caused by the operator, another visitor to a District Facility or site, or any other circumstance.
  - h. The District accepts no liability for damage caused by the operator of the device or injury to others caused by the operator of the device.
  - i. The District reserves the right to suspend the use of Facilities or sites by the operator if doing so is in the best interests of the District and its participants.
  - j. The District reserves the right to change, modify, or amend this policy at any time, as it would any other policy.
  - k. A participant, authorized user, or visitor who does not agree with this policy or the use of OPDMDs in the District may file an accessibility complaint. Contact the District's administration office at 217-367-1536 to receive a copy of the District's ADA complaint process or go to <http://www.urbanaparks.org/about-us/ada-policies-and-procedures>.

Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.35 Service Animals**

The District, through these policies, intends to address compliance with the Americans with Disabilities Act (the "ADA") and Section 504 of the Rehabilitation Act (Section 504). The following procedures implement this policy with regard to the use of service animals by persons with disabilities who are registered participants in District programs or authorized users of the District's Parks and Facilities and by visitors with disabilities in the District's Parks and Facilities.

The purpose of these procedures is to ensure that participants and authorized users and visitors with disabilities who have service animals can participate in and benefit from the District services, programs, and activities and to ensure that the District does not discriminate on the basis of disability as identified in Titles I and II of the ADA. Questions and concerns about these policies can be directed to the District's ADA Coordinator or the Director.

Visitors may be accompanied by a service animal when observing programs and activities or enjoying the District's Parks and Facilities without making a request for a reasonable modification. Persons with disabilities are invited to contact the District's ADA Coordinator or the Director for any questions about this policy.

- a. Definitions
  - i. Service Animal: Any dog that has been individually trained to perform tasks for the benefit of a person with a disability. Exceptions may be made by the District on a case-by-case basis in accordance with the law. Tasks may include, but are not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to sounds, alerting an individual to the presence of allergens, pulling a wheelchair, or retrieving dropped items. Dogs that are not trained to perform tasks that mitigate the effects of a disability, including dogs that are used purely for emotional support, are not considered service animals.
  - ii. Partner/Handler: A person with a disability who uses a service animal as a reasonable modification or a trainer.
  - iii. Team: A partner/handler and a service animal. The two (2) work as a cohesive team in accomplishing the tasks of daily living.
  - iv. Trainee: A dog being trained to become a service animal has the same rights as a fully-trained service animal when accompanied by a partner/handler and identified as such.
- b. As a general rule, the District will modify policies, practices, and procedures to permit the use of a service animal by an individual with a disability.
- c. The District may impose some restrictions on service animals for safety or site sensitivity reasons. Restrictions are considered individually to determine if the animal poses a danger to others at District sites or could be in danger itself, and to determine if other reasonable modifications can be provided to assure that the individual enjoys access to the Park, Facility, or program. Questions about restrictions on service animals should be directed to the District's ADA Coordinator or Director.
- d. Responsibilities of an individual with a service animal:
  - i. Responding truthfully to the limited and appropriate inquiries that may be made by employees regarding the service animal.
  - ii. Ensuring that the animal meets any local licensing requirements, including maintenance of required immunizations for that type of animal.
  - iii. Requiring the service animal to wear a dog license tag at all times.
  - iv. Ensuring that the animal is in a harness or on a leash or tether at all times. Exceptions may be considered individually.
  - v. Ensuring that the animal is under control and behaves properly at all times. The supervision of the animal is solely the responsibility of its partner/handler. If the animal's behavior becomes a hygiene problem or the animal acts in a threatening manner, the District may require that the partner/handler remove the service animal from the site.
  - vi. Ensuring that all local ordinances or other laws regarding cleaning up after the animal defecates are strictly adhered to. Individuals with disabilities who physically cannot clean up after their own animals are not required to pick up and dispose of feces; however, these individuals should use marked service animal toileting areas where provided.
  - vii. Keeping the service animal in good health. If the service animal becomes ill, the partner/handler must remove it from the area. If such action does not occur, the District staff may require it to leave.
- e. Responsibilities of members of the District staff, participants and authorized users, and visitors in the District's Parks and recreation sites are responsible for the following:
  - i. Allowing service animals to accompany the partner/handler at all times and anywhere at a site except where animals are specifically prohibited.

- ii. Refraining from distracting a service animal in any way, including petting, feeding, or interacting with the animal without the partner/handler's invitation to do so.
- f. The District may take action against any individual who fails to abide by these guidelines.
- g. The District may exclude a service animal from all parts of its property if a partner/handler fails to comply with these restrictions and, in failing to do so, fundamentally alters the nature of programs, services or activities offered by the District. The District may exclude a service animal from all parts of its property if a partner/handler fails to control the behavior of a service animal and it poses a threat to the health or safety of others.
- h. A participant or authorized user, employee, or visitor may report a concern regarding a service animal to District staff.
- i. Temporary Exclusion of a Service Animal Used by a Participant or Visitor:
  - i. In response to an immediate concern, the District staff may determine that a service animal must be temporarily removed from Parks, sites, or Facilities. The employee authorized to make such decisions at that site, Park, or Facility will notify the participant or visitor of this decision and that the incident will be reported immediately to the District's ADA Coordinator.
  - ii. The ADA Coordinator (or designee) will investigate all reported concerns and incidents where service animals have been temporarily removed from sites, Parks, and Facilities. The ADA Coordinator (or designee) will consult with appropriate District personnel and determine whether or not the animal should be excluded from sites, Parks, and Facilities for an extended period of time, or permanently. The ADA Coordinator (or designee) will notify the participant, authorized user, or visitor of his or her decision.
  - iii. If it is appropriate for the service animal to be excluded from sites, Parks, or Facilities permanently, the ADA Coordinator (or designee) will work with other District staff to ensure the participant, authorized user, or visitor receives appropriate reasonable modifications in place of the use of a service animal.
  - iv. A participant, authorized user, or visitor who does not agree with the decision regarding removal from the premises may file an accessibility complaint. Contact the District's administration office at 217-367-1536 to receive a copy of the District's ADA complaint process or go to <http://www.urbanaparks.org/about-us/ada-policies-and-procedures>.
  - v. It may be easy to discern whether or not an animal is a service animal by observing the animal's harness, cape, or backpack, or the partner/handler's disability. However, in other cases, an animal may only have a leash and, in still other situations, the partner/handler's disability is not apparent. Therefore, it may be appropriate for designated District staff such as Facility managers, coordinators, area supervisors, or administrative staff to ask (1) whether the animal is required because of a disability and (2) what work or task the animal has been trained to perform.
- j. Emergency Responders (ERs) are trained to recognize service animals and to be aware that animals may try to communicate the need for help. Also, an animal may become disoriented from the smell of smoke in a fire or Facility emergency or from sirens, wind noise, or shaking and moving ground. A partner/handler, service animal, and team may be confused in any stressful situation. ERs will remember that an animal may be trying to be protective and, in its confusion, should not be considered harmful. ERs should make every effort to keep a service animal with its partner/handler; however, the ER's first effort should be toward the partner/handler, which may result in the animal being left behind in some emergency evacuation situations.

Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.36 Regulation of Hours**

District Parks, including boulevards and driveways therein, and other property controlled by the District may be closed at any time upon order of the Director or police when in his/her/their opinion it is necessary or reasonable to do so in order to protect District Parks or other property, or the person or property of Park patrons. Persons refusing to leave any such closed areas will be subject to penalties provided for in these rules and regulations.

### **6.37 Removal of Vehicles**

All motor vehicles will be removed from the drives of the Parks before the drives are closed in the evenings and will not be returned to the drives of the Parks until after the drives of the Parks are opened in the morning. All motor vehicles on the drives of the Parks at any time such drives are closed to vehicle traffic, as provided by ordinance, may be removed from the drives in such Parks on the instruction of the Director at the owner's expense. Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.38 Speed Limits**

No person will drive any motor vehicle on any driveway, boulevard, street, road, or other public way located in any of the Parks of the District at any speed over twenty (20) miles per hour. Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.39 Traffic Control Devices**

It will be unlawful for any persons driving a motor vehicle to operate such vehicle in contravention of any traffic control device, such as a "stop" sign, "no turn" sign, or other traffic control device located in any of the Parks of the District. Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.40 Parking**

No person will park any motor vehicle in any of the Parks of the District, except in areas specifically designated for the parking of such vehicles. No person will park a motor vehicle in a Park when the Park is closed. No person will park a motor vehicle in a Park or on property of the District unless the person is using the Park or Park Facility. Parked motor vehicles which violate this ordinance may be removed from the Park on instruction of the Director at the owner's expense. Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.41 Keep to Drive**

No person will drive any motor vehicle in any of the Parks of the District, except upon the driveways and other places provided for driving or parking motor vehicles. Persons found in violation of this section are subject to the penalties as hereinafter provided.

### **6.42 Trucks**

No person will drive any truck or commercial vehicle having a gross vehicle weight of over eight thousand (8,000) pounds upon any of the driveways of any of the Parks of the District without first having obtained the written consent of the Director or the Superintendent of Operations. Before giving such consent, it will be first determined that the granting of the same is reasonably necessary and that no harm will be done to such driveways. No consent will be given for more than one (1) trip and will specify the time of entry and the time of departure, and a failure to depart at the time specified will be construed as a violation of this section. Persons found in violation of this section are subject to the penalties as hereinafter provided.



#### **6.43 Prohibited Vehicles**

Any motor vehicle not licensable by the state of Illinois is not allowed in any area of the Parks. Specifically, but not exclusively, mini-bikes; off-road vehicles; all-terrain vehicles, including four-wheelers; and snow mobiles are prohibited. Persons found in violation of this section are subject to the penalties as hereinafter provided.

#### **6.44 Security Cameras**

The District may use security cameras to enhance the safety and security of District users, staff, and property while protecting individuals' rights to privacy. Video monitoring for security purposes will be conducted in an ethical and legal manner. Dedicated security cameras will be utilized to provide real-time surveillance. The primary use of security cameras is to discourage inappropriate and illegal behavior and to enhance the opportunity to apprehend offenders. Information obtained through video monitoring will be used exclusively for security and law enforcement purposes.

The District will post signs at public entrances/exits and adjacent to Facilities being monitored alerting Park users to the use of security cameras for monitoring and recording on District property.

Video data is recorded and stored digitally. The recorded data are considered confidential and secure. Recorders and recorded data are housed in a limited-access, controlled environment.

The Director will designate individuals authorized to access the recorders and recorded archival data. Authorized individuals may access the recorded data for review in order to ascertain security concerns related to a specific incident.

Occasional spot checks of the recorded data will be made by an authorized individual to assure proper operation of the system and to review access procedures. The frequency of viewing and the amount of viewing at one time will be limited to the minimum needed to give assurance that the system is working.

Recordings will be kept for approximately 30 days unless required as a part of an ongoing investigation. The storage media will be kept in a secure area.

Authorized individuals may use a still shot or selected portions of recorded data to request law enforcement review for assessing the security risk of a specific individual or investigating a crime on District property. For investigations initiated by law enforcement agencies, recorded data will be made available to law enforcement.

#### **6.45 Penalties**

A person who violates any section of Chapter 6 may be penalized in one or more of the following ways:

- a. Fined not less than \$50 and not more than \$1,000 for each offense and assessed court costs;
- b. Required to make restitution for damage done;
- c. Suspended, expelled, or banned from Park athletic programs for a defined time or permanently; and/or
- d. Expelled or banned from any Park or Facility or from Parks and Facilities of the District for a defined time or permanently.

#### **6.46 Appeal Process**

A person who is suspended, expelled, or banned by the District will have the right to appeal the penalty as follows:

- a. Recreational Program: A person who is suspended, expelled, or banned from a recreational program will have the right to appeal the penalty by sending to the Superintendent of Recreation a written request setting forth why the person believes the penalty should be rescinded. The appeal must be sent within ten (10) days from the date the person receives the penalty. The decision of the Superintendent of Recreation on the appeal will be the final decision.
- b. Park Facility: A person who is expelled or banned from a Park Facility will have the right to appeal the issuance of a No Trespass Notice by sending to the Director a written request setting forth why the person believes the notice should be rescinded. The appeal must be sent within ten (10) days from the date the person receives the No Trespass Notice. The decision of the Director on the appeal will be the final decision. (Approved 8/12/08)

#### **6.47 Provisions Not Applicable to Employees**

The provisions of this chapter will not be applicable to District or city police department employees while actually engaged in their official duties, nor will the provisions of this chapter be applicable to Commissioners while attending to District business.

**CERTIFICATION**

I, TIMOTHY A. BARTLETT, Secretary of Urbana Park District, in Champaign County, Illinois, do hereby certify that the above and foregoing is a true and exact copy of the Use of Parks, Rules, and Regulations of the Urbana Park District as REVISED by Ordinance No. 2016-08 on July 12, 2016, and available thereafter to the public in pamphlet form at the main office of the District.

Certified this 19th day of July, 2016.

Timothy A. Bartlett  
Secretary, Urbana Park District