

## IAPD/IPRA Soaring to New Heights Conference Not in My Park! Regulating Controversial Park Activities

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January 20, 2018 – 3:30 p.m. to 4:45 p.m.  
Hilton, Room Boulevard B, Second Floor, Chicago, Illinois

### Action Items on Important Park Topics

1. **E-Cigarettes.** Park districts are authorized to regulate the use of e-cigarettes and vaping by the public and by employees on park district property, but these regulations must be supported by a rational basis. Work with your attorney to craft enforceable regulations.
2. **Panhandling.** Panhandling ordinances are being challenged around the country as content-based restrictions on free speech. While park districts may enact time, place, and manner restrictions on panhandling, any panhandling policies should be carefully reviewed with your attorney.
3. **Sex Offenders.** A recent court ruling found a statute prohibiting sex offenders from entering public parks or park district buildings unconstitutional because it criminalizes many of the innocent activities that individuals engage in while on park district property. Depending on the ruling of the Illinois Supreme Court in that case, park districts may need to revisit any blanket prohibition on sex offenders in parks.
4. **Protests/Parades.** Reasonable time, place, and manner restrictions may be enforceable. Collaborate with your attorney and staff on content-neutral regulations and permit requirements. Also, it is important to provide consistency with enforcement of your content-neutral regulations.
5. **Religious Displays.** Determine which of your public spaces are traditional or designated forums, and craft content-neutral rules before the holiday season.
6. **Public Monuments.** Lately, some public monuments have caused controversy and spurred debate across the country. Monuments on public land may be considered government speech, so it is important to select monuments that represent the community's local esthetics, history, and culture.
7. **Drones.** Identify areas where public drone use should be permitted and prohibited in your parks, and adopt appropriate regulations consistent with federal laws and scaled to your administrative and enforcement capacity. Adopt a policy governing park district drone use, including requirements for employee pilots to have proper FAA approvals.
8. **Guns.** Review your park's weapons regulations to confirm they are consistent with the Firearm Concealed Carry Act. Identify the "prohibited areas" you own or operate, and confirm the required sign is visibly posted at the entrance. Make sure your personnel policy addresses firearms possession, consistent with the Act and the Second Amendment.

This handout is available for download from the Resource Center at [ancelglink.com](http://ancelglink.com). If you have questions about today's presentation, feel free to email to Daniel J. Bolin ([dbolin@ancelglink.com](mailto:dbolin@ancelglink.com)), Erin Pell ([epell@ancelglink.com](mailto:epell@ancelglink.com)), or Kurt S. Asprooth ([kasprooth@ancelglink.com](mailto:kasprooth@ancelglink.com)).