

APPENDIX III (Revised 6/28/2010)

AMENDED ATHLETIC CLUB PROHIBITED CONDUCT AND SANCTIONS

SECTION 1: SCOPE.

These rules and regulations shall govern members, guests and non-member participants in all athletic and physical activity programs of the Park District's Centre Court Athletic Club (alternatively "CCAC" or the "Athletic Club"). These rules and regulations shall be administered by the Director of Parks and Recreation (the "Director") and the Athletic Club Manager, or either of them, or may be alternatively assigned to such other member of the Park District staff as designated by the Director at his or her discretion.

SECTION 2: PROHIBITED ACTIONS AND BEHAVIOR.

No member, guest or non-member participant shall, in connection with his or her use of the Athletic Club:

A. Behave in any manner which is abusive, profane, insulting, physically intimidating, potentially or actually physically harmful, or which involves physical contact outside of the scope of the athletic event in which the member, guest or non-member participant is engaged, toward any other member, guest or non-member participant. The Athletic Club Manager shall determine whether a member, guest or non-member participant has violated the aforesaid standard of conduct after investigating the facts and circumstances related thereto, including, but not limited to, having heard the said member, guest or non-member participant's version of the occurrence. Upon determination that the aforesaid standard of conduct has been violated, the Athletic Club Manager may impose any sanction hereinafter provided, subject to appeal as hereinafter set forth.

B. Consume, possess or be under the influence of any type of alcoholic beverage, cannabis, narcotic, illegal drug or controlled substance.

C. Use abusive, profane or other provoking language to other players, officials, spectators or Park District employees or volunteers.

D. Commit any crime or aid or abet another person(s) in the commission of any crime in the Athletic Club and/or on Park property.

E. Conduct, teach or give a Tennis Lesson without having first procured a tennis lesson permit and comply with the provisions of Section 3.

F. Violate any Park District ordinance, rule or regulation.

SECTION 3. NO UNAUTHORIZED TENNIS LESSONS WITHOUT A TENNIS LESSON PERMIT.

A. Definitions:

- (1) "Tennis Lesson" means the act or instance of instructing, training, coaching or teaching of tennis stroke techniques and fundamentals where the instructing player feeds or tosses five (5) or more tennis balls, to two or more players on the other side of the net in conducting or directing one or more tennis drills or in conjunction with tennis instruction.
- (2) "Immediate Family Member" means a person related by blood, marriage or adoption who is that person's parent, child or sibling, or who is that person's step-father, step-mother, step-child, grandchild, or grandparent.
- (3) "School team coach" means the head coach and/or any assistant coach of any high school tennis team or college tennis team providing a Tennis Lesson during any scheduled practice upon any CCAC tennis court to two or more players on that high school tennis team roster or college tennis team roster.

B. Requirement of a Tennis Lesson Permit. No person, other than CCAC employees, immediate family members or school team coaches, shall conduct, teach or give a Tennis Lesson to two or more persons on any CCAC tennis court without having first:

- (1) Applied for a tennis lesson permit at least seven (7) days before the scheduled Tennis Lesson on forms supplied by the District which shall include the names, addresses, phone numbers, ages of the instructor and each participant.
- (2) Paid a free lance tennis lesson surcharge fee to the Park District of \$75.00 per hour for two (2) to three (3) other participants, and \$150.00 per hour for four (4) or more other participants per Tennis Lesson calculated without including the tennis instructor and paid at the time the tennis lesson permit application is submitted.
- (3) The issuance of a tennis lesson permit by the CCAC Director of Tennis, or his or her designee, shall be issued within 72 hours after receipt of a fully completed permit application form as provided in subparagraph (1) and payment of the applicable free lance tennis lesson surcharge fee as required by subparagraph (2).

SECTION 4. MEMBER PENALTIES AND SANCTIONS.

The Athletic Club Manager, in his or her reasonable discretion, may sanction members who violate the aforesaid prohibited actions and behavior and/or requirements, as follows:

A. Any member who commits physical intimidation and/or physical harm shall be suspended by the Athletic Club Manager from participation in Park District athletic or physical activity programs for a minimum of two (2) weeks up to a maximum of two (2) years. On a second or subsequent similar violation (or a first violation depending on the severity of the violation), the member must petition the Director for reinstatement after serving the suspension period in order to again participate in Park District programs and to use the Athletic Club facilities, and the Director may bar that member from any future participation if he or she determines that it is likely such conduct will reoccur or otherwise that reinstatement of that member would not promote the safety and welfare of other members or staff.

B. Any member who commits abusive, profane, insulting or potentially physically harmful acts shall be suspended for a minimum of one (1) day up to a maximum of six (6) months. On a second or subsequent similar violation, the member must petition the Director for reinstatement after serving the suspension period, in order to again participate in Park District programs, and the Director shall reinstate said member upon a showing that similar violations by the member will not reoccur.

C. The membership of any member who commits any crime, or aids or abets another in the commission of a crime on park property, or who violates any Park District ordinance, rule or regulation, may be suspended for a period of up to one (1) year and subject to the reinstatement provisions hereinafter set forth depending on the severity of the violation.

D. The membership of any member who commits a violation of Section 3 by conducting a Tennis Lesson without having first (1) filed a true and complete application for a tennis lesson permit required pursuant to Section 3.b.(1); (2) paid the free lance tennis lesson surcharge fee required pursuant to Section 3.B.(2); and/or (3) procured a tennis lesson permit required pursuant to Section 3.B.(3), shall be suspended by the Athletic Club Manager for a minimum of two (2) weeks up to a maximum of four (4) weeks for a first violation, and during the suspension period may not use any CCAC tennis courts. On a second or similar violation of Section 3 by the same member occurring more than twenty-four hours after the first violation thereof occurred, said member shall be suspended for a minimum of four (4) weeks up to a maximum of six (6) months, but the member must petition the Director for reinstatement after serving the second suspension period in order to again use any CCAC tennis court, and the Director shall reinstate said member upon a sufficient showing that a similar violation by the member will not reoccur.

E. Upon imposition of any sanction hereunder, the Athletic Club Manager shall advise the member in writing of the sanction via certified mail, return receipt requested, and by regular mail, and report the same in writing to the Director and the Board of Park Commissioners.

SECTION 5. MEMBER APPEALS.

Any member who is sanctioned hereunder shall have the right to appeal the Athletic Club Manager's finding that a member committed any prohibited actions and behavior,

or gave an unauthorized tennis lesson, and the decision of imposition of the sanction, suspension, banishment of a member and/or the forfeiture of the membership fee by filing a written notice of appeal with the Director within fourteen (14) days of the mailing of the decision by the Athletic Club Manager. Failure to appeal the decision of the Athletic Club Manager within said fourteen (14) days waives the member's right to appeal the decision. Upon receipt of a timely Notice of Appeal, the Director shall thereupon schedule a meeting with the member within five (5) days of receipt of said Notice of Appeal, and at such meeting the Director shall have the authority to request any employees of the District who observed any prohibited conducted or unauthorized tennis lesson to be present, and the member shall be entitled to present his or her version of the facts and present such evidence as the member may see fit. Said meeting shall be informal in nature and formal rules of evidence shall not apply, however hearsay evidence shall be admissible only and to the extent it is the type commonly relied upon by a reasonably prudent person in the conduct of their affairs. Within ten (10) days of the conclusion of said meeting, the Director shall notify the member of his or her decision in writing (the "Director's Sanction Decision"). The Director's Sanction Decision shall be made with due regard for the best interests of the District and its operations and/or the safety and welfare of the Park District's participants and facility users who may come into contact with the participant, and all evidence presented and the statements and/or testimony, if applicable, of the witnesses and participants, including that of the member and any other witnesses he or she may have. The Director's Sanction Decision shall be given by the Director to the Board of Park Commissioners. In the event the Athletic Club Manager's decision to suspend or banish an individual or participant is over-turned by the Director, the member shall be refunded the pro-rated amount of user fees paid for the period of such suspension and/or banishment, if any, prior to the Director's decision to over-turn such suspension and/or banishment.

SECTION 6. MEMBER REINSTATEMENT.

Upon the completion of the period of suspension or banishment of any individual who is required to seek permission of the Director to be allowed to resume participation in the programs of the District or use of its facilities as provided herein, such individual must apply to the Director for reinstatement. The Director shall thereupon schedule a meeting with the participant regarding the proposed reinstatement and at such meeting the participant shall be entitled to present his or her reasons for the proposed reinstatement and such evidence as the participant sees fit, and the Director shall notify the participant in writing of the Director's decision within ten (10) days of said meeting. The final determination by the Director shall be absolute and shall be made with due regard for the best interests of the District and its operations and/or the safety and welfare of the Park District's participants and facility users who may come into contact with the participant, the likelihood that future violations of the same or similar nature will cease in the future, and all evidence and recommendation of its staff, witnesses and participants including that of the participant seeking reinstatement in making his/her final determination.

SECTION 7. GUEST AND NON-MEMBER PARTICIPANT PENALTIES AND SANCTIONS.

The Athletic Club Manager, in his or her reasonable discretion, may sanction guests and non-member participants who violate the aforesaid prohibited actions and behavior and/or requirements, as follows:

A. Any guest or non-member participant who commits physical intimidation and/or physical harm shall be banned by the Athletic Club Manager from participation in Park District athletic or physical activity programs and use of the CCAC tennis courts for a minimum of two (2) weeks up to a maximum of two (2) years, depending upon the severity of the violation.

B. Any guest or non-member participant who commits abusive, profane, insulting or potentially physically harmful acts shall be banned for a minimum of one (1) day up to a maximum of six (6) months.

C. Any guest or non-member participant who commits any crime, or aids or abets another in the commission of a crime on park property, or who violates any Park District ordinance, rule or regulation, may be banned for a period of up to two (2) years depending on the severity of the violation.

D. Any guest or non-member participant who commits a violation of Section 3 by conducting a Tennis Lesson without having first (1) filed a true and complete application for a tennis lesson permit required pursuant to Section 3.b.(1); (2) paid the free lance tennis lesson surcharge fee required pursuant to Section 3.B.(2); and/or (3) procured a tennis lesson permit required pursuant to Section 3.B.(3), shall be banned from the use of the CCAC tennis courts and the CCAC by the Athletic Club Manager for a minimum of two (2) weeks up to a maximum of four (4) weeks for a first violation. On a second or similar violation of Section 3 by the same guest or non-member participant occurring more than twenty-four hours after the first violation thereof occurred, said guest or non-member participant shall be banned from the use of any CCAC tennis courts and the CCAC for up to one (1) year.

Upon imposition of any sanction hereunder, the Athletic Club Manager shall endeavor to advise the guest or non-member participant, as the case may be, in writing of the sanction via certified mail, and report the same in writing to the Director and the Board of Park Commissioners, provided the guest or non-member participant furnished the Park District with an accurate address.

SECTION 8. GUEST AND NON-MEMBER PARTICIPANT APPEALS.

Any guest or non-member participant who is sanctioned hereunder shall have the right to appeal the Athletic Club Manager's finding that a member committed any prohibited actions and behavior, or gave an unauthorized tennis lesson, and the decision of imposition of the sanction, banishment and/or the forfeiture of any fee by filing a written notice of appeal with the Director within fourteen (14) days of the mailing of the decision

by the Athletic Club Manager, provided the guest or non-member participant furnished the District with an accurate name and address, otherwise the time period within which said guest or non-member participant may appeal shall be within fourteen (14) days of the decision of the Athletic Club Manager. Failure to appeal the decision of the Athletic Club Manager within said fourteen (14) days waives the member's right to appeal the decision. Upon receipt of a timely Notice of Appeal, the Director shall thereupon schedule a meeting with the member within five (5) days of receipt of said Notice of Appeal, and at such meeting the Director shall have the authority to request any employees of the District who observed any prohibited conducted or unauthorized tennis lesson to be present, and the sanctioned guest or non-member participant shall be entitled to present his or her version of the facts and present such evidence as the member may see fit. Said meeting shall be informal in nature and formal rules of evidence shall not apply, however hearsay evidence shall be admissible only and to the extent it is the type commonly relied upon by a reasonably prudent person in the conduct of their affairs. Within ten (10) days of the conclusion of said meeting, the Director shall notify the guest or non-member participant of his or her decision in writing (the "Director's Sanction Decision"). The Director's Sanction Decision shall be made with due regard for the best interests of the District and its operations and/or the safety and welfare of the Park District's participants and facility users who may come into contact with the participant, and all evidence presented and the statements and/or testimony, if applicable, of the witnesses and participants, including that of the guest or non-member participant and any other witnesses he or she may have. The Director's Sanction Decision shall be given by the Director to the Board of Park Commissioners. In the event the Athletic Club Manager's decision to banish an individual or participant is over-turned by the Director, the guest or non-member participant shall be refunded the pro-rated amount of any prepaid user fees.

HANOVER PARK PARK DISTRICT

Centre Court Athletic Club - Rules Agreement (updated 6/28/2010)

Fitness Center Rules

1. All cardiovascular equipment has a 30-minute time limit.
2. Use disinfectant spray to wipe down equipment after each use.
3. Do not bring your gym bag onto the fitness floor.
4. Be courteous when using the drinking fountain; do not spit in the drinking fountain.
5. Ask for assistance if you do not know how to use the equipment.
6. When lifting weights, ask if you may "work in", and allow others to "work in" with you.
7. When "working in" with someone, return the seat and weight to the last user's setup.
8. Avoid making loud sounds (banging weights, yelling, grunting, dropping dumbbells).
9. Collars on weight bars are mandatory at all times.
10. Always use a spotter when attempting to lift maximum weight.
11. Do not sit on machines and tie up the piece of equipment when you are between sets.
12. Be patient when waiting for equipment, and be efficient when using equipment while others are waiting for you.
13. Be aware of others around you.
14. Re-rack weights and return all other accessories to their proper locations.
15. Limit perfume and cologne use; body heat exacerbates the scent.
16. Wear proper athletic shoes and clothing. No open-toe shoes allowed.
17. No food is allowed in the Fitness Center.
18. Make sure drinking bottles have closeable tops.
19. Please bring your own personal workout towel as these are not provided.
20. Refrain from using loud, foul, or slanderous language.
21. Work out at your own fitness level.
22. No one under the age of 11 is allowed in the Fitness Center at any time.
23. **YOUTH FITNESS** – The Fitness Center will **only** be open to youths ages 11-15 at the following times: **Weekdays: 2-6 p.m.; Weekends: 12-6 p.m.** Youths ages 11-15 must be supervised by a parent or legal guardian and are not allowed to use the free weight area.

Facility Conduct Policy

1. You must be involved in a program or activity to remain in this building; no loitering.
2. Children ages 12 and under may not be left unsupervised in this facility.
3. Foul language is prohibited at all times.
4. Show respect to participants and staff.
5. Show good citizenship by respecting equipment, supplies and the facility.
6. Be responsible by exercising self-control and/or refrain from acting in a threatening manner and/or causing bodily harm to other participants and staff.
7. Facility users who do not conduct themselves in a proper manner, or do not follow the Facility Conduct Policy, will be removed from the facility and grounds. Repeated improper conduct will result in loss of facility privileges.
8. Only CCAC employees are permitted to instruct fitness or conduct tennis lessons without a tennis lesson permit issued by the Director of Tennis or his or her designee, unless exempt.
9. Only CCAC employees are permitted to use CCAC equipment and supplies other than exercise equipment in the Fitness Center.
10. Photography and videos are taken for Park District use. By registering for a program or utilizing a Park District facility or park, you have granted us permission to use your image.

Prohibited Conduct and Sanctions

The Amended Athletic Club Prohibited Conduct and Sanctions approved June 28, 2010 (the "Prohibited Conduct and Sanctions") by Ordinance _____ of the Hanover Park Park District Board of Park Commissioners is hereby expressly incorporated herein. The Prohibited Conduct and Sanctions are posted on the bulletin board adjacent to the CCAC check-in desk, are posted on the Park District's web site, hpparks.org/centrecourt/rules, and copies are available upon request at the CCAC check-in desk.

I have read the preceding Fitness Center Rules, Facility Conduct Policy, and Prohibited Conduct and Sanctions and I agree to follow the rules and policy at all times, and I agree to refrain from any prohibited actions and behavior. Failure to follow the above stated Fitness Center Rules, Facility Conduct Policy and/or the Prohibited Conduct and Sanctions will result in suspension of membership and even termination of membership for members, and a temporary or permanent ban from the CCAC for guests and other non-member participants.

I further acknowledge that I have read and understand the Waiver and Release of all Claims on the reverse side of this form, and hereby agree to be bound to all of the terms and conditions of said Waiver and Release of Claims.

Print Name

Participant's Signature
(If under 18, signature of parent/guardian)

Date

WAIVER AND RELEASE OF ALL CLAIMS

Please read this form carefully and be aware that in signing this waiver form you will be waiving and releasing all claims for injuries you might sustain while participating at Centre Court Athletic Club (CCAC).

As a participant at the CCAC, I recognize and acknowledge that there are certain risks of physical injury and I agree to assume the full risk of any injuries, damages or loss which I may sustain as a result of participating in any and all activities connected with or associated with such program.

I agree to waive and relinquish all claims I may have as a result of participating in the program against the Park District and its officers, agents, servants and employees.

I do hereby fully release and discharge the Park District and its officers, agents, servants and employees from any and all claims from injuries, including death, damage or loss which I may have or which may accrue to me on account of my participating at the Centre Court Athletic Club.

I further agree to indemnify and hold harmless and defend the Park District and its officers, agents, servants and employees from any and all claims resulting from injuries, including death, damages or losses which are sustained by me and arising out of, connected with, or in any way associated with the activities of the CCAC.

I understand that only CCAC employees are permitted to instruct fitness or conduct tennis lessons without a tennis lesson permit issued by the HPPD Director of Tennis or his or her designee, unless exempt under the Amended Athletic Club Prohibited Conduct and Sanctions dated 6/28/2010.

I understand that only CCAC employees are permitted to use CCAC equipment and supplies other than exercise equipment in the Fitness Center.

I understand that photography and vides are taken for Park District use and that by registering for a program and/or utilizing a Park District facility or park, I have granted the Park District permission to use my image.