



Code of Ordinances
of the
Rockford Park District
Rockford, Winnebago County, Illinois

LAWS, ORDINANCES, AND REGULATIONS
as established by the authority of the
Rockford Park District Board of Commissioners

Adopted October 9, 2007;
as last revised and approved in whole
by the Board of Commissioners November 20, 2023

TABLE OF CONTENTS

Section	Description	Page
CHAPTER 1.	<u>SCOPE</u>	
1.01	Designation	7
1.02	Scope.....	7
1.03	Declaration of Control	7
1.04	Definitions.....	7-9
1.05	Statutory Control.....	9
CHAPTER 2.	<u>ORGANIZATION</u>	
2.01	Government.....	9
2.02	Annual Meetings.....	9
2.03	Regular Meetings.....	9
2.04	Special Meetings.....	9
2.05	Place of Meeting	10
2.06	Quorum	10
2.07	Order of Business.....	10
2.08	Ordinance in Writing	10
2.09	Voting	10
2.10	Rules of Order.....	10
2.11	Procedures.....	10
CHAPTER 3.	<u>OFFICERS AND EMPLOYEES</u>	
3.01	Number	11
3.02	Election and Term of Office	11
3.03	Removal	11
3.04	Board President.....	11
3.05	Board Vice-President	11
3.06	Board Secretary.....	11
3.06	Recording Secretary.....	12
3.07	Treasurer	12
3.07	Assistant Treasurer.....	12
3.08	Executive Director of the Rockford Park District.....	12
3.09	Executive Leadership Team.....	12-13
3.10	Attorney	13
3.11	Additional Duties of Officers and Employees	13
3.12	Compensation of Officers and Employees	13
3.13	Bonds	13
3.14-1	Prohibited Agency and Employee Political Activities.....	13

Section	Description	Page
3.14-2-10	Gift Ban.....	13
3.14-2-15	Gift Ban Exceptions.....	13-15
3.14-2-30	Gift Ban Disposition of Gifts.....	15
CHAPTER 4.	<u>COMMITTEES</u>	
4.01	Committees.....	15
CHAPTER 5.	<u>CONTRACTS AND DISBURSEMENTS</u>	
5.01	Contracts.....	15
5.02	Financial Liability.....	15
5.03	Monthly List of Bills.....	15
CHAPTER 6.	<u>FISCAL AFFAIRS</u>	
6.01	Fiscal Year.....	16
6.02	Appropriations.....	16
6.03	Publication of Ordinance.....	16
6.04	Tax Levy.....	16
6.05.1.1	Publication of Receipts and Disbursements.....	16
CHAPTER 7.	<u>CORPORATE SEAL</u>	
7.01	Form of Seal.....	16
CHAPTER 8.	<u>PARK POLICE</u>	
8.01	Police Force.....	16
8.02	Duties.....	17
8.03	Powers.....	17
8.04	Qualifications.....	17
CHAPTER 9.	<u>PARK RULES REGULATING THE ADMINISTRATION OF PARKS AND PARK FACILITIES</u>	
9.01	Advertising, Solicitation, and Expressive Activities.....	17
9.01-1	Posted Advertising.....	17
9.01-2	Solicitation.....	18
9.01-3	Expressive Activities.....	18-19
9.02	Fights and Disorderly Conduct.....	19
9.03	Movable Soccer Goal Safety Act.....	19
9.04	Use of Boats on Park Waters.....	19-20
9.05	Opening and Closing Hours.....	20
9.06	Contracted Vendors.....	20
9.07	Special Events.....	20-21
9.08	Play Classes and Camps.....	21
9.09	Camping.....	21
9.10	Weapons, Missiles and Fireworks.....	21-22
9.11	Park and Recreation Fees.....	22
9.12	ATV/Off Road Vehicles.....	22
9.13	Trucks.....	22
9.14	Parking Lots.....	22

9.15	Prevailing Laws or Ordinances	22-23
9.16	Gambling.....	23
9.17	Unmanned Aerial Vehicles	23-24
9.18	Clean Air Ordinance	24
9.19	Panning for Gold.....	24
9.20	Use of “Sun Singer” Service Mark	25
9.21	Metal Detecting.....	25

CHAPTER 10. PARK RULES REGULATING THE USE OF PARKS AND PARK FACILITIES

10.01	Animals	25-26
10.02	Fires.....	26
10.03	Sound Amplification	26-27
10.04	Alcoholic Beverages	27-28
10.05	Refuse	28
10.06	Restricted and Intended-Use Areas.....	28-29
10.07	Trees - Shrubs - Structures.....	29
10.08	Keep to Drives	29
10.09	Winter Recreation	29-30
10.10	Speed Restrictions.....	30
10.11	Parking Rules	30-32
10.12	Impounding of Vehicles.....	32
10.13	Obstructing Traffic.....	32
10.14	Reckless Driving	32
10.15	Fleeing or Attempting to Elude Police Officer	32
10.16	Drag Racing	32-33
10.17	Vehicle Registration.....	33
10.18	Valid Driver’s License - Driving after Suspension or Revocation	33
10.19	Driver’s License on Person - Failure to Display.....	33
10.20	Authority for Traffic Signals	33-34
10.21	Obedience to Traffic Control Devices	34
10.22	Obedience to Stop and Yield Signs	34
10.23	Driving on Right Side of Roadway.....	34-35
10.24	One-Way Roadways and Rotary Traffic Islands	35
10.25	Starting a Parked Vehicle.....	35
10.26	Opening Vehicle Doors.....	35
10.27	Coasting Prohibited.....	35
10.28	Driving Upon Sidewalk	35
10.29	Illegal Transportation of Alcoholic Liquor.....	35
10.30	Negligent Driving	36
10.31	Unlawful Use of License or Permit	36
10.32	Right-of-Way Rules	36-37
10.33	Prevention of Unnecessary Noise	37

Section	Description	Page
10.34	Suspension System.....	37
10.35	Lights and Lamps.....	37
10.36	Brakes	37-38
10.37	Unattended Motor Vehicles	38
10.38	Limitations on Backing.....	38
10.39	Traffic Laws Applied to Persons Riding Bicycles or Animals or Driving Animal-Drawn Vehicle	38
10.40	Bicycle Safety	38
10.41	Use of District Roadways	39
10.42	Use of District Recreation Paths	39
10.43	Permitting Unauthorized Person to Drive.....	39
10.44	Use of Park Facilities or Premises for Swimming or Diving Prohibited...39	39
10.45	Motor Vehicle Registration.....	39
10.46	OPEN	40
10.47	Motor Vehicle Insurance.....	40
10.48	Driver and Passenger Required to Use Safety Belts.....	40
10.49	Possession of Drug Paraphernalia.....	40
10.50	OPEN	40
10.51	Possession of Cannabis or Controlled or Illegal Substances	40
10.52	Geo-caching, Terra-caching, Letterboxing	40-41
10.53	Easement Ordinance	42-50
10.54	OPEN	50
CHAPTER 11.	<u>ENFORCEMENT</u>	
11.01	Permits	50
11.02	Rules to be Obeyed	51
11.03	Penalties	51
CHAPTER 12.	<u>CONSTRUCTION AND REPEAL</u>	
12.01	Owner Liability	51
12.02	Partial Invalidity.....	51
12.03	Repeal of Prior Ordinances - Effective Date of Ordinance	51
CHAPTER 13.	<u>PUBLICATION IN BOOK FORM</u>	
13.01	Publication in Book Form.....	52
13.02	Effective Date	52

Resolution
LAWS AND ORDINANCES PROVIDING FOR
THE REGULATIONS AND RESTRICTIONS
GOVERNING THE USE OF THE PARK SYSTEM
OF THE ROCKFORD PARK DISTRICT,
WINNEBAGO COUNTY, ILLINOIS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

WHEREAS, the Rockford Park District is a municipal corporation duly organized with citizen approval by special election held on March 29, 1909, and affirmed by the General Assembly of the State of Illinois in the “Park District Code” (as last amended.)

WHEREAS, it is deemed advisable to collect the various ordinances and regulations of the Rockford Park District in one ordinance to provide a single compilation for the government of the business operation of the Park District, the use of parks and the policing of them and other facilities of the District, and rules affecting personal conduct of patrons and employees of the District, and revising the same as previously published.

WHEREAS, certain provisions of the Rockford Park District Code of Ordinances have been outdated;

WHEREAS, it is desirable that such provisions be amended;

NOW THEREFORE, BE IT ORDAINED, by the Rockford Park District Board, that the Rockford Park District Code of Ordinances is repealed and recreated to read as follows.

Adopted by the Rockford Park District Board of Commissioners October 9, 2007; last revised November 20, 2023.

CHAPTER 1. SCOPE

31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74

Section 1.01 Designation

This publication shall be known as the “Rockford Park District Code of Ordinances, Winnebago County, Illinois,” and the same may be so cited and referred to for purposes of identification.

Section 1.02 Scope

This ordinance shall apply to and be enforced in all of the territory originally embraced in, heretofore added to, and which may hereafter be embraced within the boundaries of said Rockford Park District (“the District”), and in all parks, public places, and other property and facilities of every kind owned by, possessed or controlled by, or within the jurisdiction of the District, whether within or outside the boundaries of said District.

Section 1.03 Declaration of Control

Whenever, in this Ordinance, places of the District are referred to, such words shall be deemed to refer to and include all places and facilities owned, operated, possessed, leased, or controlled by the District.

Section 1.04 Definitions

Whenever in this ordinance the following terms are used, they shall have the meanings respectively ascribed to them in this section:

- A. Board - Board of Park Commissioners
- B. District - Rockford Park District, Winnebago County, Illinois
- C. Drivers - every person who drives or is in actual physical control of a vehicle
- D. Ordinances - Rockford Park District Code of Ordinances
- E. Owner - person who holds the legal title to a vehicle, or other property of any kind, or in the event that a vehicle or other property is the subject of an agreement for the conditional sale or lease thereof, with the right of purchase upon performance of the conditions stated in the agreement, and with an immediate right of possession vested in the conditional vendee or lessee, or in the event mortgagor of the vehicle or other property is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purposes of this ordinance
- F. Park - when prohibited, means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading and unloading
- G. Park System - all of the parks, roadways, parking lots, waters, structures and other property of every kind owned, possessed, leased or controlled by the District, now or hereafter, whether within or without its boundaries
- H. Person - every natural person, firm, co-partnership, association, corporation, or organization of any kind
- I. Vehicle - every device in, upon, or by which any person or property is, or may be transported, or drawn upon a roadway
- J. Neighborhood or Community Recreation Center - those buildings which have been constructed for the purpose of conducting supervised recreation activity or which are rented to organizations for their use to conduct programs of their choosing

- 75 K. Bathhouse - that portion of swimming pools which is used to pay admission and change
76 clothes prior to entering the swimming area
- 77 L. Pool Area - that portion of the swimming pool, exclusive of the bathhouse and enclosed
78 inside chain-link fencing
- 79 M. Golf Course - any portion of a park specifically designated as golf links
- 80 N. They - a natural person whether male or female
- 81 O. Responsible bidder -(as amended April 5, 2013) for: a) all construction contracts in excess of
82 \$10,000, and; b) for all contracts (regardless of their dollar amount) for electrical work,
83 and/or for fire protection work, and/or for HVAC work and/or for plumbing work, (as
84 defined by the Rockford Park District, in its discretion), means a bidder who, for
85 construction contracts of new facilities, renovation of current facilities, or road construction
86 projects over \$10,000 or who, related to the performance of maintenance involving,
87 electrical, and/or for fire protection work, HVAC and/or plumbing work (as defined by the
88 Rockford Park District in its discretion) on facilities and/or projects meets all of the job
89 specifications, the following applicable criteria, and submits evidence of such compliance:
- 90 1. All applicable laws prerequisite to doing business in Illinois
 - 91 2. Evidence of compliance with:
 - 92 a. Federal employer tax identification number or social security number (for
93 individuals)
 - 94 b. Provision of Section 2000(e) of Chapter 21, Title 42 of the United States
95 Code and Federal Executive Order No. 11246 as amended by Executive
96 Order 11375 (known as the Equal Opportunity Employer provisions)
 - 97 c. Documents evidencing current registration with the Illinois Department of
98 Revenue (i.e. UI account number)
 - 99 d. Disclosure of any federal, state or local tax liens or tax delinquencies against
100 the contractor or any officers of the contractor in the last five (5) years
 - 101 3. Certificates of insurance indicating the following coverages: general liability,
102 workers' compensation, completed operations, automobile, hazardous occupation,
103 product liability, and professional liability
 - 104 4. Compliance with all provisions of the Illinois Prevailing Wage Act, including wages,
105 submission of certified payroll records, medical and hospitalization insurance and
106 retirement for those trades covered in the act
 - 107 5. Participation in apprenticeship and training programs applicable to the work to be
108 performed on the projects which are approved by and registered with the United
109 States Department of Labor's Office of Apprenticeship and Training
 - 110 6. Documents evidencing any professional or trade license required by law or local
111 ordinance for any trade or specialty area in which the contractor is seeking a contract
112 award. Additionally, the contract must disclose any suspension or revocation of such
113 license held by the company, or of any director, officer or manager of the company.
 - 114 7. A statement that individuals who will perform work on the public works project on
115 behalf of the contractor are properly classified as either (i) an employee or (ii) an
116 independent contractor under all applicable state and federal laws and local
117 ordinances.
 - 118 8. Compliance with all provisions of the Illinois Substance Abuse Prevention on Public
119 Works Projects Act, which compliance and evidence of same shall be required on all

- 120 Rockford Park District public works projects regardless of dollar amount of such
 121 project(s)
- 122 9. Participation in contractor’s safety and health activities and programs including: (i) a
 123 written safety policy statement signed by a company representative; and (ii) a
 124 completed Contractor Safety & Health Questionnaire.
- 125 10. Maintains a written safety manual that applies to, or will be modified to fit, the
 126 project at issue
- 127 11. Ensures all sub-contractors hired by the responsible bidder to perform duties on
 128 Rockford Park District public works projects are in compliance with all requirements
 129 of the responsible bidder ordinance for: a) all construction contracts in excess of
 130 \$10,000, and; b) for all contracts (regardless of their dollar amount) for electrical
 131 work, and/or for fire protection work, and/or for HVAC work and/or for plumbing
 132 work, (as defined by the Rockford Park District, in its discretion).
- 133 P. Written notice – standard means of business communication including print or digital
 134 messages

135 **Section 1.05 Statutory Control**

136 This code of ordinances shall be subject to and controlled by the State of Illinois Park District Code
 137 (70 ILCS 1205) and all other predominant superseding or pre-emptive laws affecting the District.
 138
 139

140 **CHAPTER 2. ORGANIZATION**

141 **Section 2.01 Government**

142 The government of the District shall be vested in the Board of Park Commissioners, duly elected as
 143 provided by law.
 144
 145

146 **Section 2.02 Annual Meetings**

147 The Annual Meeting for the election of officers of the Board shall generally be held at the first
 148 meeting in May in each year, at the regular meeting time posted in accordance with the Illinois Open
 149 Meetings Act. In those years in which there is a Commissioner election, the nomination and election
 150 of officers will occur at the meeting following the installation of the recently elected
 151 commissioner(s).
 152

153 **Section 2.03 Regular Meetings**

154 Regular meetings of the Board shall be held as specified in the annual calendar of regular meetings
 155 prepared pursuant to the provisions of the Illinois Open Meetings Act, 5 ILCS 120-1 *et. seq.*
 156

157 **Section 2.04 Special Meetings**

158 Special meetings of the Board may be called by the President whenever deemed necessary, or shall
 159 be called by the President at the request of any two commissioners. Written notice shall be given
 160 each commissioner of the time and place of the special meeting at least 48 hours prior to the time of
 161 the meeting. Except in the event of a bona fide emergency, the notice shall include the agenda to be
 162 considered at such meeting.
 163

164 **Section 2.05 Place of Meeting**

165 Meetings of the Board shall be held at the administrative offices of the District, Rockford Park
166 District Administrative Office, 401 South Main Street, Rockford, Illinois, or such other location, or
167 virtually through an online meeting service, as the Board may determine unless notice of alternate
168 location is published in accordance with the Illinois Open Meetings Act.

169

170 **Section 2.06 Quorum**

171 A majority physically present, of the duly elected and qualified commissioners shall constitute a
172 quorum for the transaction of business; provided, however, that if no quorum is present, the
173 commissioners attending may adjourn the meeting from time to time until a quorum is obtained.

174

175 **Section 2.07 Order of Business**

176 The order of business at all meetings of the Board shall be as determined by the Board.

177

178 **Section 2.08 Ordinance in Writing**

179 All ordinances, resolutions, and other proceedings of the Board shall be in writing and kept
180 indefinitely, in a regular book of records, and open to public inspection at all reasonable and proper
181 times, as prescribed by law.

182

183 **Section 2.09 Voting**

184 The yeas and nays shall be taken upon the passage of all ordinances, and upon all propositions to
185 create any liability, or for the expenditure or for the appropriation of money, and in all cases at the
186 request of any commissioner and shall be entered upon the minutes of the proceedings. The act of
187 the majority of the commissioners present at a meeting at which a quorum is present shall be the act
188 of the Board.

189

190 **Section 2.10 Rules of Order**

191 The most recent edition of Robert's Rules of Order shall govern all questions of procedure not
192 otherwise provided for herein.

193

194 **Section 2.11 Procedures**

195 The Board shall adopt all necessary governance procedures and policies, as well as those
196 required by law or third-party, to be Board-approved. The Board may at its pleasure from time
197 to time amend, repeal, or recreate the same.

198

CHAPTER 3. OFFICERS AND EMPLOYEES

199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240

Section 3.01 Number

The officers of the Board shall be President, Vice-President, Secretary, and Treasurer, as prescribed by law, and such assistants as may be appointed. Commissioners having served at least one complete year are eligible for the offices of President and Vice President.

Section 3.02 Election and Term of Office

The Board officers shall be elected annually by the Board at the Annual Meeting generally held the first meeting in May of each year. In those years in which there is a Commissioner election, the nomination and election may not occur until the meeting following the installation of the recently elected commissioner(s). If the officers are not being elected at such meeting, they shall be elected at another Board meeting as soon thereafter as possible. Each officer shall hold office until the Annual Meeting in May of the succeeding year, and until their successor is duly elected and has qualified, or until their death, or until they shall resign, or shall have been removed in the manner hereinafter prescribed. Vacancies may be filled by the Board at any of its meetings. In case of temporary absence or inability of any officer to act as such, the Board may fill the office *pro tempore*.

Section 3.03 Removal

Any officer or employee chosen or employed by the Board may be removed by the Board whenever in its judgment the best interests of the District would be served thereby.

Section 3.04 President

The President shall be the executive officer of the Board. It shall be their duty to preside at all meetings when present, to sign all contracts and other papers authorized by the Board, to see that all ordinances of the Board are enforced, that all orders of the Board are faithfully executed, and to exercise general supervision of all officers and employees, and over the business and property of the District, all subject however, to the direction and approval of the Board.

Section 3.05 Vice-President

The Vice-President, in the absence of the President or in the event of their refusal or inability to act, shall be vested with the powers to perform the duties of the President.

Section 3.06 Board Secretary

The Board shall appoint a Board Secretary who shall keep the corporate seal and all books and records pertaining to the District, shall attest and affix the corporate seal to all instruments requiring such action when authorized by ordinance or vote of the Board, and shall cause all ordinances, resolutions, and other actions of the Board requiring publication to be duly publicized. They shall give notice of and attend all meetings of the Board, and keep a full and true record of its proceedings, including all ordinances passed.

241 **Section 3.06 (a) Recording Secretary**

242 The Recording Secretary shall exercise all of the powers and functions of the Board Secretary in the
 243 absence of the Board Secretary. The Executive Director shall be responsible for ensuring the
 244 assignment and completion of Recording Secretary duties.

245

246 **Section 3.07 Treasurer**

247 The Treasurer shall be appointed by the Board, which shall prescribe their duties and term of office.
 248 The Treasurer shall furnish such bond as the Board deems necessary. The Secretary and the
 249 Treasurer need not be members of the Board; in such case, the Board may fix their compensation,
 250 and both offices may be held by the same person. The Treasurer shall receive and safely keep all
 251 money belonging to the District, depositing, in the name of the District, all moneys belonging to the
 252 District and received by them, in the bank or banks approved and designated by the Board. They
 253 shall disburse the same only upon the authority of the Board together with properly documented
 254 invoices.

255

256 Acting under the supervision of the Board, the Executive Director of the Rockford Park District shall
 257 serve as Treasurer, and the Assistant Treasurer shall have charge of the bookkeeping and system of
 258 accounts. They shall make monthly reports to the Board of all revenues and expenditures. By July,
 259 the Treasurer shall submit complete financial statements for the preceding year, which have been
 260 audited by an external certified public accountant (CPA), to the Board and the general public. They
 261 shall furnish to any commissioner or officer information as to any matter relating to this office,
 262 requested by same, including copies of records of receipts and disbursements, statements of account,
 263 audits and other records of the District under his control and supervision.

264

265 **Section 3.07 (a) Assistant Treasurer**

266 The Assistant Treasurer shall exercise all of the powers and functions of the Treasurer in the absence
 267 of the Treasurer. The Executive Director shall be responsible for ensuring the assignment and
 268 completion of Assistant Treasurer duties.

269

270 **Section 3.08 Executive Director of the Rockford Park District**

271 The Executive Director of the Rockford Park District shall be the chief administrative officer of the
 272 District, and is directly responsible to the Board for the total administration of the District, and shall
 273 appoint and direct the functions of the Attorney, Assistant Secretary, and Assistant Treasurer. The
 274 Executive Director shall have charge of the operation, maintenance, construction, and repair of all
 275 park facilities and property, and all recreation facilities and activities. They shall have charge of the
 276 employment of such employees as are required to operate the Park District and its facilities, subject
 277 to the employment policies and salary schedules as established by the Board. The Executive Director
 278 is subject to the policies and direction of the Board. The Executive Director shall keep the Park
 279 Board advised of all the activities of the District, and aid the Board in the formulation of new
 280 policies.

281

282 **Section 3.09 Executive Leadership Team**

283 Two or more members of the Executive Leadership Team shall serve as the deputies to the
 284 Executive Director, and in their absence shall be vested with the powers to perform as Acting

285 Executive Director the duties of the Executive Director, and shall perform all duties required by the
 286 Executive Director or by the Board.

287

288 **Section 3.10 Attorney**

289 The Attorney shall have charge of all legal matters and of the prosecution and defense of all
 290 litigation in which the District is interested. They shall draft ordinances, resolutions and other
 291 instruments required by the Board, and shall give opinions on all questions referred to them.

292

293 **Section 3.11 Additional Duties of Officers and Employees**

294 In addition to the duties hereinabove specified, each officer and the employee shall perform other
 295 such duties as may be required of them by the Board or by law.

296

297 **Section 3.12 Compensation of Officers and Employees**

298 Officers not members of the Board and all employees shall receive such compensation for their
 299 services as the Board shall from time to time determine, pursuant to law.

300

301 **Section 3.13 Bonds**

302 Before entering upon their respective duties, all officers and employees may be required to give a
 303 bond in such penal sum and with such conditions and security as may be determined by the Board.

304

305 **Section 3.14-1 Prohibited Agency and Employee Political Activities** (*revised DATE*)

306 All terms in this section shall be interpreted to be consistent with definitions provided by the State of
 307 Illinois [5 ILCS 430/5-15](#) and the Illinois Governmental Ethics Act [420/1 101](#) and Public Act [99-](#)
 308 [0604](#) Local Government Travel Expense Control Act.

309

310 **3.14-2-10 Gift Ban**

311 Except as otherwise provided in this Article, no officer, member, or District employee shall
 312 intentionally solicit or accept any gift from any prohibited source, as the same is defined in the
 313 State Officials and Employees Ethics Act 5ILCS 430/1-1 and following, or in violation of any
 314 federal or state statute, rule, or regulation. This ban applies to and includes the spouse of the
 315 immediate family living with the officer, member, or District employee. No prohibited source
 316 shall intentionally offer or make a gift that violates this Section.

317

318 **Section 3.14-2-15 Gift Ban Exceptions**

319 Each of the exceptions listed in this Section is mutually exclusive and independent of one
 320 another.

- 321 A. Opportunities, benefits and services that are available on the same conditions as for the
 322 general public.
- 323 B. Anything for which the officer, member, or District employee pays the market value.
- 324 C. Any (i) contribution that is lawfully made under the Election Code or under this Act or
 325 (ii) activities associated with a fundraising event in support of a political organization or
 326 candidate.
- 327 D. Educational materials and admissions - this exception may be further defined by rules
 328 adopted by the appropriate ethics commission or by the Auditor General for the Auditor
 329 General and employees of the Office of the Auditor General.

- 330 E. Travel expenses for a meeting to discuss District business; this exception may be further
 331 defined by rules adopted by the appropriate ethics commission or by the Auditor General
 332 for the Auditor General and employees of the Office of the Auditor General.
- 333 F. A gift from a relative, meaning those people related to the individual as father, mother,
 334 son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew,
 335 niece; husband wife, grandfather, grandmother, grandson, granddaughter, father-in-law,
 336 mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather,
 337 stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, and
 338 including the father, mother, grandfather, or grandmother of the individual's spouse and
 339 the individual's fiancé or fiancée.
- 340 G. Anything provided by an individual on the basis of a personal friendship unless the
 341 member, officer, or employee has reason to believe that, under the circumstances, the gift
 342 was provided because of the official position or employment of the member, officer, or
 343 employee, and not because of the personal friendship.

344
 345 In determining whether a gift is provided on the basis of personal friendship, the member,
 346 officer, or employee shall consider the circumstances under which the gift was offered,
 347 such as:

- 348 1. The history of the relationship between the individual giving the gift and the
 349 recipient of the gift, including any previous exchange of gifts between those
 350 individuals;
 - 351 2. Whether to the actual knowledge of the member, officer or employee the
 352 individual who gave the gift personally paid for the gift or sought a tax deduction
 353 or business reimbursement for the gift; and
 - 354 3. Whether to the actual knowledge of the member, officer or employee the
 355 individual who gave the gift also at the same time gave the same or similar gifts to
 356 other members, officers, or employees.
- 357 H. Food or refreshments not exceeding \$75 per person in value on a single calendar day;
 358 provided that the food or refreshments are (i) consumed on the premises from which they
 359 were purchased or prepared or (ii) catered. For the purposes of this Section, "catered"
 360 means food or refreshments that are purchased ready to eat and delivered by any means.
- 361 I. Food, refreshments, lodging, transportation, and other benefits resulting from the outside
 362 business or employment activities (or outside activities that are not connected to the
 363 duties of the officer, member, or employee as an officeholder or employee) of the officer,
 364 member, or employee, or the spouse of the officer, member, or employee if the benefits
 365 have not been offered or enhanced because of the official position or employment of the
 366 officer, member, or employee, and are customarily provided to others in similar
 367 circumstances.
- 368 J. Intra-governmental and inter-governmental gifts; for the purpose of this Act,
 369 "intra-governmental gift" means any gift given to a member, officer, or employee of the
 370 District from another member, officer, or employee of the District; and "inter-
 371 governmental gift" means any gift given to a member, officer, or employee of the District
 372 by a member, officer, or employee of a State agency, a federal agency, or of any
 373 governmental entity.
- 374 K. Bequests, inheritances, and other transfers at death.

375 L. Any item or items from any one prohibited source during any calendar year having a total
 376 cumulative value of less than \$100.

377

378 **Section 3.14-2-30 Gift Ban Disposition of Gifts**

379 A member, officer, or employee does not violate this Act if the member, officer, or employee
 380 promptly takes reasonable action to return the prohibited gift to its source or gives the gift or an
 381 amount equal to its value to an appropriate charity that is exempt from income taxation under
 382 Section 501 (c) (3) of the Internal Revenue Code of 1986, as now or hereafter amended,
 383 renumbered, or succeeded.

384

385 **CHAPTER 4. COMMITTEES**

386

387 **Section 4.01 Committees**

388 The Board may establish such standing, and special committees as may be necessary from time to
 389 time, and fix the duties of the same. Committees subject to the Illinois Open Meetings Act, 5 ILCS
 390 120-1 *et. seq.* shall comply with the mandates of the law.

391

392

393 **CHAPTER 5. CONTRACTS AND DISBURSEMENTS**

394

395 **Section 5.01 Contracts** (*Section Revised 4/14/09*)

396 All contracts exceeding in amount the sum of \$50,000 for work, materials, or supplies, or other
 397 public improvements of any kind, shall be let by the commissioners to the lowest responsible bidder,
 398 (as defined in Chapter One Section 1.04.O) after due advertisement.

399

400 All contracts required by Section 8-1(c) of the Illinois Park District Code are to be competitively
 401 bid, shall be let by the Commissioners to the lowest responsible bidder, after compliance with the
 402 Park District Code.

403

404 **Section 5.02 Financial Liability**

405 No commissioner, officer, or employee shall be authorized to create any financial liability on behalf
 406 of the Board, provided, however, that the Executive Director is authorized to make any necessary
 407 purchase which does not exceed \$75,000.00. The Executive Director shall report such purchases to
 408 the Board as it may require.

409

410 **Section 5.03 Monthly List of Bills**

411 The Treasurer shall submit to the Board each month, a written statement of total expenditures from
 412 the funds of the District. A list of invoices to be paid shall be created monthly, and reviewed and
 413 approved for payment by the Executive Director and the Executive Leadership Team.

414

415

416

417

CHAPTER 6. FISCAL AFFAIRS

418

Section 6.01 Fiscal Year

419 The fiscal year of the District shall begin on the first day of January of each year, and shall end on
420 the thirty-first day of December of each year.

422

Section 6.02 Appropriations

424 Within or before the first quarter of the fiscal year, the Board shall adopt the annual budget and
425 appropriation ordinance for that fiscal year.

426

Section 6.03 Publication of Ordinance

428 Within thirty (30) days after the passage of the annual appropriation ordinance, or of such other time
429 as may be required by law, the appropriation ordinance shall be published at least once in a
430 newspaper published in the District. Notice and public hearing shall be held as required by law prior
431 to the adoption of the ordinance.

432

Section 6.04 Tax Levy

434 Within such time as required by law, the Board shall adopt the annual tax levy ordinance and special
435 levy ordinance for special taxes, now or hereafter authorized to be levied, which said ordinance shall
436 be duly certified by the Secretary and a certified copy thereof filed with the County Clerks of
437 Winnebago, Boone, and Ogle counties, not later than the last Tuesday in December or such other
438 date as may be required by law.

439

Section 6.05 Publication of Receipts and Disbursements

441 The Treasurer of the District shall file and publish statements of the receipts and disbursements
442 thereof, as required by law.

443

CHAPTER 7. CORPORATE SEAL

444

Section 7.01 Form of Seal

446 The Corporate Seal of the District shall be circular in form with the words "Rockford Park
447 District, Rockford, Illinois," between concentric rings upon the margin, and the words "Corporate
448 Seal" within the inner circle.

449

CHAPTER 8. PARK POLICE

450

451

Section 8.01 Police Force

453 The police force of the District shall consist of the Chief of Police and other such deputies or officers
454 and special deputies with such rank, title, and compensation as may be employed and determined by
455 the Board. The Chief of Police and their deputies shall be subordinate to the immediate control and
456 direction of the Executive Director of the District.

457

458

459

460

461 **Section 8.02 Duties**

462 The Park Police shall be conservators of the peace within the park system, and shall be responsible
463 for the enforcement of the laws of the State of Illinois, and ordinances and rules of the Rockford
464 Park District.

465

466 **Section 8.03 Powers**

467 The members of the Park Police force shall have the power to make arrests in view of an offense, or
468 upon warrants for violation of the law, or for any breach of the peace, in the same manner as the
469 police in the cities organized and existing under the general laws of the state pursuant to law, in
470 parks and places of the District, and elsewhere as provided by law.

471

472 **Section 8.04 Qualifications**

473 The District shall appoint the Chief of Police and all other deputies. They shall be a law-abiding
474 person of good moral character, and not addicted to the excessive use of either intoxicating
475 beverages or habit forming drugs.

476

477

478 **CHAPTER 9. PARK RULES REGULATING THE**
479 **ADMINISTRATION OF PARKS AND PARK FACILITIES**

480

481 **Section 9.01 Advertising, Solicitation, and Expressive Activities**

482

483 **Section 9.01-1 – Posted Advertising** (*Section Revised 2/14/17*)

484 Definition.

485 **Posted advertising** includes methods such as posting, placing, or otherwise affixing any notice
486 or bills, advertisements, yard signs, posters, or other papers upon any structure or thing in or
487 about any park, amenity, or grounds.

488

489 Limitations.

490 To ensure the uninterrupted use and maintenance of parks, facilities, and amenities, the manner
491 of posted advertising (*defined above*) is prohibited, except for on designated public information
492 bulletin boards provided for such purposes. Postings on public information bulletins shall not
493 exceed 8.5” x 11” in size, and are subject to removal due to expiration, deterioration, or content
494 not protected by the First Amendment (e.g. illegal, defamatory, obscene, threatening, etc.)

495

496 The promotion of direct and indirect District programs and services, and as provided by the
497 District’s foundation, marketing, and corporate sponsorship and sales programs, facility
498 contracts, and contracted vendor or partner agreements are permitted by authorization of the
499 Executive Director.

500

501

502

503

504 **Section 9.01-2 – Solicitation** (*Section Revised 2/14/17*)

505 Definition.

506 **Solicitation** includes hawking, peddling, selling, asking, begging, or attempting to hawk, peddle,
507 or sell any goods, wares, services, or merchandise of any kind or nature on District property.
508 This includes approaching persons for the purpose of distributing any handbill, pamphlet,
509 circular, publications, or notice of any kind.

510

511 Limitations.

512 To ensure the uninterrupted use and maintenance of parks, facilities and amenities, the manner of
513 solicitation (*defined above*) is prohibited, except for the promotion of direct and indirect District
514 programs and services, and as provided by the District’s foundation, marketing, facility
515 contracts, and corporate sponsorship and sales programs, or contracted vendor agreements
516 approved by the Executive Director. Under no circumstance shall materials be cast or distributed
517 in a fashion which litters, disturbs, or prevents the peaceful enjoyment of parks and facilities.

518

519 **Section 9.01-3 – Expressive Activities** (*Section Revised 2/14/17*)

520 Definition.

521 **Expressive activities** means speech or conduct for the purpose of expression, promotion,
522 pursuit, and defense of the actor’s ideas by means of dissemination or communication by verbal,
523 visual, literary, or auditory means of political, religious, or ideological opinions, views, ideas, or
524 positions including peaceful assembly, meetings, parades, booths, exhibits and the like.

525 **Commercial** activity is defined as promotion or sale of goods or services to solicit (*defined*
526 *above*) a customer, potential customer, or other financial transaction.

527 **Noncommercial** activity is the promotion of an idea, belief, or position, exclusive of commercial
528 purposes.

529

530 Limitations.

531 Commercial (*defined above*) activities are prohibited except for the promotion of direct and
532 indirect District programs and services, and as provided by the District’s foundation, marketing,
533 facility contracts, and corporate sponsorship and sales programs, or contracted vendor
534 agreements approved by the Executive Director.

535 To ensure the uninterrupted use, safety, and maintenance of parks, facilities and amenities, no person
536 or persons shall hold or participate in any procession, public meeting, gathering, demonstration,
537 parade, booth, stand or exhibit within the park system without having first obtained a District-issued
538 special use permit which designates the reasonable time, place, and manner for such activities.

539 (*Cross-reference 10.03 Sound Amplification; Rules & Regulations for Use of Park Property – see*
540 *Customer Service desk*)

541

542 No person or persons may interfere with the intended use, enjoyment, peace, good order, or
543 condition of the park, facility, or amenity intended for a specific purpose (*defined above*), nor
544 inhibit the free, uninterrupted passage or use of public or private assets by persons or vehicles.
545 This includes approaching, harassing, or physically contacting or using persistent demands of
546 persons for the purpose of distributing any handbill, pamphlet, circular, publications, or notice of
547 any kind. Materials may be made available to interested parties upon mutual accord. Under no

548 circumstance shall materials be cast or distributed in a fashion which litters, disturbs, or prevents
549 the peaceful enjoyment of parks and facilities.

550 *(Cross-reference 9.02 Fights and Disorderly Conduct; 10.13 Obstructing Traffic)*

551

552 The District may, at its discretion, from time to time choose to support expressive activities in
553 cooperation with community partners and/or public or private agencies, in an effort to foster
554 unity and community support for individuals, families, and children. Any support of said
555 expressive activities that is provided by the Rockford Park District will foster achievement of the
556 Board's Priorities, will occur at a customary level of support for all community partners, and will
557 be appropriately aligned to prevailing budget conditions.

558 *(Cross-reference 9.02 Fights and Disorderly Conduct; 10.13 Obstructing Traffic)*

559

560

561 **Section 9.02 - Fights and Disorderly Conduct**

562 A. Definition. For purposes of this Section, "loiter" means to remain in any one place for no
563 apparent reason.

564 B. No person within the limits of the District or its playgrounds, parks, or facilities:

565 1. Shall engage in, instigate, cause or procure any prize fight, dog fight, cock fight or any
566 public or private fighting,

567 2. Shall do any act in such unreasonable manner as to alarm or disturb another and to
568 provoke a breach of the peace,

569 3. Shall loiter in or about an area frequented by, designed for, or provided primarily for the
570 use or enjoyment of minor children, in such a manner or at such a time or times as may
571 reasonably be expected to frighten or intimidate such minor children.

572 4. Shall use any vile, abusive, profane, indecent, or obscene speech or conduct within any
573 park calculated to, or which might reasonably result in a breach of the peace or interfere
574 with the peaceable enjoyment of park facilities by others.

575

576 **Section 9.03 Moveable Soccer Goal Safety Act** *(effective November 16, 2011)*

577 The Movable Soccer Goal Safety Act is adopted effective November 16, 2011, pursuant to the
578 Illinois Movable Soccer Goal Safety Act, also known as Zach's Law, ILCS Public Act 097-0234,
579 HB 1130 (the "Act"). The Act requires the Rockford Park District to implement an operations
580 policy and procedures that outline the safety issues associated with movable soccer goals. A
581 copy of this policy shall be provided to all organizations using the property for soccer-related
582 activity. Prior to using property for soccer-related activity, each organization shall provide each
583 of its permitted users with a copy of this policy and shall require that each of its permitted users
584 comply with all applicable provisions of this policy.

585

586 **Section 9.04 Use of Boats on Park Waters** *(Section Revised 2/14/17)*

587 No person shall launch, operate, manage, use, or place a motorized boat or vessel (regardless of size,
588 whether unmanned or suitable for the carrying or transporting of a person or persons) upon any body
589 of water under the jurisdiction or control of the District without the consent of the Executive
590 Director. Any boat, as above defined, found on any body of water under jurisdiction and control of
591 the Rockford Park District, without permission required by the above paragraph of this ordinance,
592 may be confiscated by the Rockford Park District.

593 Exception. This section shall not be deemed to apply to non-motorized watercraft having U. S. Coast
 594 Guard approval for recreational use upon Levings Lake and Kishwaukee and Rock Rivers under the
 595 jurisdiction of the [Illinois Department of Natural Resources](#).

596

597 **Section 9.05 Opening and Closing Hours** (*Section Revised 2/14/17*)

598 Parks open for use at daybreak and close at 10:00 p.m. prevailing time. No person or property of any
 599 kind shall remain on park property before opening or after closing time except for those listed below.

600 Exception. The following parks, facilities, and amenities may operate at time deviating from the
 601 standardized hours above:

- 602 A. parks having lighted athletic facilities or lighted recreation paths,
- 603 B. neighborhood or community recreation centers,
- 604 C. museums,
- 605 D. neighborhood parks or parks without designated parking lots posted closed at sunset,
- 606 E. Symbol lot to remain open 24/7 for access to recreation path
- 607 F. other locations and amenities given the express consent of the Executive Director or by
 608 District-issued special use permit.

609

610 No person shall operate, park, or allow to be operated or parked, any vehicle on park land prior
 611 to opening or after closing of said land. No person shall knowingly or unknowingly allow a
 612 vehicle owned by them to be operated or parked on park land prior to opening or after closing of
 613 said land. An owner of a vehicle shall be conclusively deemed to have allowed any vehicle so
 614 operated and parked to have been so operated and parked. A person convicted of violating this
 615 Section shall be fined not less than \$250.00.

616

617 **Section 9.06 Contracted Vendors**

618 The Executive Director may engage competent people to take charge of sales in parks so designated.
 619 The Executive Director shall enter into a contract with vendors, describing in detail the terms of this
 620 agreement. (*Cross Reference: 9.01-1 Posted Advertising; 9.01-2 Solicitation*)

621

622 **Section 9.07 Special Events**

623 (*Cross-reference: Rules & Regulations for Use of Park Property – see Customer Service*)

- 624 A. The Board of Commissioners of the Rockford Park District shall have the power to make and
 625 enforce charges for the use of District facilities.
- 626 B. No public meeting or organized activities shall be held in any of the parks under the
 627 jurisdiction of the District unless a District-issued special use permit is first granted for the
 628 intended and actual use.
- 629 C. Large groups shall be allowed to reserve areas in certain parks if a special use permit for that
 630 purpose is issued by the District. Not-for-profit 503(c)(3) organizations, government
 631 agencies, and recreational partners may operate their own concession stands compliant with
 632 City and County ordinances. Certain entertainment features may also be provided by said
 633 organizations if no admission fees are charged. (*Cross Reference: 9.01-3 Expressive
 634 Activities; Cross-reference: 10.03 Sound Amplification, 10.13 Obstructing Traffic*)

- 635 D. There shall be no sale, collection, or punching of admission tickets to any of the shelters,
 636 pavilions, or other facilities provided in the parks under the jurisdiction of the District, and
 637 no soliciting or collection of money for the use of any of said facilities.
- 638 E. In case of bad weather, shelters, pavilions, and other facilities shall be open to the public,
 639 despite special permit reservations. There shall be no advertising, either printed or otherwise,
 640 to the effect that any group has the exclusive use of shelters, pavilions, or other facilities,
 641 without a District issued permit for such use. (*Cross-reference: 9.01-2 Solicitation*)
- 642 F. Special events may be held in such parts of the parks as shall be designated for that purpose,
 643 and portions of the parks may be set apart as memorial sites or for tennis, golf, ball, croquet,
 644 and other games, subject to such regulations as may be made by the Board.
- 645 G. No person shall join any such picnics or games without the consent of the persons of whom
 646 they are composed, nor in any manner disturb or interfere with the same. However, in case
 647 of severe weather or emergency, the public shall be permitted to seek shelter in reserved
 648 areas.
- 649 H. Certain uses, activities, and equipment may be restricted to limit damage or risk to users,
 650 grounds, and assets (e.g. dunk tanks, pools, bounce houses with water features.)

651

652 **Section 9.08 Play Classes and Camps**

653 No person or organization shall bring or cause to be brought into any District park any play class,
 654 day camp, or other organized group of any kind, organized for profit, except into facilities of the
 655 District where each person entering must pay a daily admission commensurate with the admission
 656 charged to individuals of that age, and with express permission of the Director.

657

658 Not-for-profit agency day-camps, play classes, or organized groups may use facilities of the District
 659 when not in conflict with District recreational programs by applying for a special use permit.
 660 (*Cross-reference 9.01-3 Expressive Activities; Rules & Regulations for Use of Park Property – see*
 661 *Customer Service*)

662

663 A person or organization requesting to bring group activities with instruction that are organized for
 664 profit into parks or facilities of the District, when not in conflict with District recreational programs,
 665 are subject to an application and approval process which includes fees and charges commensurate
 666 with the scope of the activities being offered.

667

668 **Section 9.09 Camping**

669 Camping is prohibited, and no person shall be permitted to stop and camp in District parks.
 670 Primitive camping areas may be used through a reservation and application process. These primitive
 671 camping areas include a few designated sites along the Rock River Trail accessible by canoe or
 672 kayak, and may include additional sites at Atwood Park, which sites are to be determined by the
 673 District. A District-issued special use permit pertaining to camping for specific special events may
 674 be granted for camping in other areas

675

676 **Section 9.10 Weapons, Missiles, and Fireworks**

677 Except as otherwise provided or required by 430/ILCS 66.01et seq., no person or organization shall
 678 bring, carry, or use in any way, knives, firearms, or other weapons of any kind, or any fireworks or
 679 other explosive substance of any kind within any District park without the permission of the
 Code of Ordinances 11/09/2021

680 Director. No person shall throw, cast, or shoot arrows, stones, or other missiles of any kind within
681 any District park except at such places and times as the District may designate for such purposes.

682
683 Consistent with the Concealed Carry Act, no licensee shall knowingly carry a firearm on or into any
684 park, trail, or pathway totally contained within a park, athletic area, or any athletic facility, building,
685 portion of a building, or real property under the control of the District.

686
687 **Section 9.11 Park and Recreation Fees**
688 Definition. "A "resident user" is an individual user of a park facility or facilities who either resides or
689 owns real estate within the Rockford Park District service boundary.

690 The Board of Commissioners may fix and collect reasonable fees for the use of park facilities. Such
691 fees may be fixed at a uniform rate to all users of such facility or facilities, or the Board may in its
692 discretion fix such fees at a lower rate for resident users than the rate charged for the use of the same
693 facility or facilities to non-residents. The District may from time to time require proof of resident
694 status in connection with an assessment of charges and fees.

695
696 **Section 9.12 ATV/Off-Road Vehicles**
697 No ATV or off-road vehicle shall be permitted on or operated on District property, unless given the
698 express consent of the Executive Director or by District-issued special use permit.

699
700 **Section 9.13 Trucks**
701 No person shall drive any vehicle having a gross weight of 10,000 lbs. or more upon any of the
702 driveways of any District parks, unless engaged in business with the District so requiring, without
703 first having obtained the consent of the Executive Director. (*Cross-reference: 10.08 Keep to Drives*)

704
705 **Section 9.14 Parking Lots**
706 No person shall park or leave any vehicle in District parking lots beyond the normal closing hour of
707 the park system (10:00 p.m.), except where an individual is attending a function where permission
708 has been granted for a later closing hour by District-issued special use permit or District sponsored
709 event or program and specified therein. (*Cross-reference: 9.05 Closing Hours*)

710
711 **Section 9.15 Prevailing Laws or Ordinances**
712 Local municipalities. All public ordinances of all municipalities within which any part of the District
713 is located are hereby adopted by Rockford Park District insofar as the same are applicable to, and not
714 in conflict with, these ordinances, for the regulation of the use of that portion of District parks and
715 facilities located within the territorial limits of such respective municipalities. Said municipal
716 ordinances within that portion of the District located within said respective municipalities shall be
717 deemed to be in addition to the provisions of these ordinances, and violations thereof shall constitute
718 violations of this section, and shall subject the violator to the penalties provided in Chapter XI of the
719 Rockford Park District Code.

720 The State of Illinois. All statutes and validly adopted and promulgated rules of the State of Illinois
721 are hereby adopted by Rockford Park District insofar as the same are applicable to and not in conflict
722 with these ordinances, for the regulation of the use of that portion of District parks and facilities.
723 Said state laws, rules and regulations shall be deemed to be in addition to the provisions of these
724 ordinances. No person while within District or upon property under the control of Rockford Park
Code of Ordinances 11/09/2021

725 District shall violate any state statute or rule or regulation so hereby adopted. Violations thereof shall
 726 constitute violations of this section, and shall subject the violator to the penalties provided in Chapter
 727 XI of the Rockford Park District Code.

728

729 **Section 9.16 Gambling** (*Section Revised 12/12/17*)

730 Definition. Gambling includes the following:

731 A. A game of chance or skill for money or for another thing of value, unless otherwise declared
 732 legal by the laws of the State of Illinois.

733 B. Wagering upon the result of any game, contest, or political nomination, appointment, or
 734 election.

735 C. Operating, keeping, owning, using, purchasing, exhibiting, renting, selling, bargaining for the
 736 sale or lease of, manufacturing, or distributing any gambling device.

737 D. Knowingly owning or possessing any book, instrument, application, or apparatus by means of
 738 which bets or wagers have been or are recorded or registered, or knowingly possessing any
 739 money which has been received in the course of a bet or wager.

740 E. Selling pools upon the result of any game or contest of skill or chance, political nomination,
 741 appointment, or election.

742 F. Setting up or promoting any lottery or selling, offering to sell or transferring any ticket or
 743 share for any lottery, unless specifically authorized by the laws of the State of Illinois.

744 G. Setting up or promoting any policy game or selling, offering to sell or knowingly possessing
 745 or transferring any policy ticket, slip, record, document or another similar device.

746

747 No person or organization shall engage in gambling or any gambling-related activity within the
 748 District. A person found guilty of gambling within the Rockford Park District shall be fined in an
 749 amount not less than \$ \$50.00, but not greater than \$500.00.

750

751 9. Exception: Direct and indirect District programs, not-for-profit 501(c)(3) organizations, may
 752 with special use permit and license issued by Winnebago County under the County
 753 Raffle Ordinance may conduct raffles.

754

755 B. This section shall not prevent gambling as defined herein with the use of gaming
 756 machines provided for entertainment by the Rockford Park District within designated
 757 controlled areas at the following facilities:

758 1. Mercyhealth Sportscore Two;

759 2. UWHealth Sports Factory; and/or

760 3. Any other area designated by staff following Board policies and ensuring applicable
 761 insurance and license requirements are met.

762

763 **Section 9.17 Unmanned Aerial Vehicles** (*Section Revised 2/14/17*)

764 Unmanned aerial vehicles (UAV) such as radio- or remote-controlled motor driven airplanes, drones,
 765 or other flying objects, shall not be operated, managed, or used by any person on any ground or in
 766 the airspace of any District properties without a District-issued Special Use permit. Violation of this
 767 ordinance shall subject the violator to the penalties provided in Chapter XI of the Rockford Park
 768 District Code. Use of UAVs is also subject to the authority of the [Federal Aviation Administration](#).

769

770 Exception. The Executive Director may designate certain locations and hours for UAV operation
 771 without requiring operator permits. Public notice of the authorized locations and times shall be given
 772 by posting at or near such areas signs of sufficient size and frequency to advise the public as to the
 773 areas wherein UAVs are permitted to operate.

774

775 **Section 9.18 Clean Air Ordinance** (*Section Revised 6/13/17*)

776 Definitions.

777 All terms in this section shall be interpreted to consistent with definitions provide by the State of
 778 Illinois General Assembly Act [410 ILCS 82/10](#).

779 A. Smoking in public places, places of employment, and District-owned or -operated vehicles is
 780 prohibited.

781 B. Smoking is prohibited in all Park District facilities and in all parks or other areas owned or
 782 operated by or otherwise under the jurisdiction of the Park District. A special use permit may
 783 occur only when/if recommended by staff and approved by the Executive Director in connection
 784 with certain activities to be conducted amongst consenting adults, in open air spaces, away from
 785 assemblies of the general public.

786

787 **Exceptions:** Adult smoking is permitted beyond 50 feet of enclosed/partially-enclosed spaces on
 788 golf course playing fields in the company of consenting adults and absent assembly by the general
 789 public, and is permitted in connection with historical reenactment camping and activities at Midway
 790 Village Museum on occasion through their regular programming, and under the guidance provided
 791 by the Museum regarding allowable areas for this activity

792

793 C. Consistent with the prohibition of smoking as described above:

794 1. "No Smoking" signs with the universal symbol (consisting of a pictorial representation of a
 795 burning cigarette enclosed in a red circle with a red bar across it,) shall be clearly and
 796 conspicuously posted by the operator, manager, or other person in control of that place, in
 797 each public place and place of employment where smoking is prohibited.

798 2. At every entrance a conspicuous sign shall be posted clearly stating that smoking is
 799 prohibited.

800 3. All ashtrays shall be removed from any area where smoking is prohibited by this Section 9.18
 801 by the operator, manager, or other persons having control of the area.

802 D. Any person or entity that violates this Section 9.18 shall be liable to punishment by a fine as

803 1. below provide1. For a first offense in any 12-month period, the fine for violation of this
 804 Section 9.18 shall be
 805 \$ \$150.00.

806 2. For a second offense, within one year of the date of conviction for a prior violation hereof,
 807 the fine for violation of this Section 9.18 shall be \$250.00.

808 3. For each succeeding violation within one year from the date of such first conviction, the fine
 809 for violation of this Section 9.18 shall be \$500.

810 No minor person shall be permitted at any time or place within any area owned or operated
 811 by or otherwise under the jurisdiction of the District, to smoke, chew, or otherwise consume
 812 or use or possess tobacco, medicinal or recreational marijuana, cigarette, electronic smoking
 813 device (e-cigarette), cigar, pipe, smokeless, or chewing tobacco, vapors, or other form of
 814 tobacco or tobacco product, nor to smoke any other materials.

815 **Section 9.19 Panning for Gold**

816 Panning for gold is not permitted on Park District property in accordance with Illinois Department of
817 Natural Resources land management guidelines which prohibits the practice on State land, including
818 in public parks.

819

820 **Section 9.20 Use of “Sun Singer” Service Mark**

821 No person, firm, group or organization may use the “Sun Singer” service mark, registered June
822 2, 1998, with the United States Patent and Trademark Office, Reg. No. 2,161,965, or any other
823 service mark or trademark belonging to Rockford Park District, nor infringe upon any rights of
824 the District therein, except as otherwise provided herein.

825 The Executive Director may adopt rules and regulations pursuant to which permission for the
826 non-commercial use of such service mark may be granted and may adopt rules and regulations
827 pursuant to which permission for the commercial use of such service mark may be granted upon
828 the payment to the District of a reasonable licensing fee.

829

830 **Section 9.21 Metal Detecting**

831 To maintain Park District grounds and facilities and to ensure citizen safety, metal detecting is
832 permitted at non-prohibited sites of Park District property (see prohibited list below) by permit
833 only. The permit must be obtained through the Customer Service Office of the Rockford Park
834 District. Individuals who are engaged in metal detecting must do so within the guidelines
835 prescribed through the permit related to removal of found items, JULIE guidelines, tools allowed
836 and replacement of earth/non-disturbance of existing shrubs, trees or flowers. Metal detecting
837 activities may not interfere with the enjoyment of the park’s activities or use by other
838 individuals.

839

840 The required metal detecting permit must be on the metal detector’s person when they are
841 utilizing RPD parks and facilities for metal hunting and must be shown upon request by
842 Rockford Park District personnel or Park District Police.

843

844

845 **Metal detecting is prohibited at:**

846 Aldeen Golf Course, Atwood Park, Beattie Park, Burpee Museum, Ekberg-Pine Park, Ingersoll
847 Golf Course, Manor Park, Mercyhealth Sportscore One, Mercyhealth Sportscore Two,
848 Midway Village, Riverfront Museum Park, Sandy Hollow Golf Course, Sinnissippi Golf
849 Courses, Tinker Swiss Cottage, and Rockford Park District leased property such as Alpine
850 Hills Adventure Park, Harlem Community Center Sports Complex, and Standfield Beach.

851

852 **CHAPTER 10. PARK RULES REGULATING THE**
853 **USE OF PARKS AND PARK FACILITIES**

854

855 **Section 10.01 Animals**

856 A. No person shall hunt, trap, catch, wound or kill, or treat cruelly, or attempt to hunt, trap, catch,
857 wound, kill, or release any bird or animal in any park.

858 B. Animals are not allowed inside Rockford Park District facilities unless lawfully allowed or as
859 designated.

860 C. Dogs are not allowed at any outdoor maintained sports fields, stadiums, arenas, or spectator areas
861 located at Mercyhealth Sportscore One, Mercyhealth Sportscore Two, or Clarence Hicks Memorial
862 Sports Park.

863 D. Dogs are not allowed on golf courses, putting greens or practice areas during the operational
864 season at any Golf Courses (Aldeen Golf Club, Ingersoll Golf Course, Sand Hollow Golf Course,
865 Sinnissippi Golf Course).

866 E. No person shall bring a dog or cat within the outdoor park system controlled by the District unless
867 properly leashed and under control at all times. Notwithstanding the preceding, dogs may be allowed
868 to run unleashed at park sites officially designated for such purposes, and which sites are plainly
869 marked by signs indicating their availability for such use.

870 F. Service animals are welcome at all District properties in accordance with guidelines set forth by
871 the Americans with Disabilities Act (ADA).

872 G. No person shall ride, drive or lead any farm or domestic animal over or through any park or
873 playground in the District or haul, drag, or ride any agricultural vehicle therein or any vehicle except
874 on the roads or areas provided for such purposes.

875 H. No person shall lead, ride or allow loose upon District property any horse, pony, or another riding
876 animal except in areas officially designated for riding and by express consent of the Director.

877 I. Any animal found within the park system in violation of this section may be apprehended,
878 removed to the animal shelter, public pound, or any other place provided for that purpose and
879 impounded, all at the expense of the owner.

880 J. No person shall fish or in any way attempt to catch or take any of the fish or animal life in the
881 lagoon located in Sinnissippi Park.

882 K. Petting zoos or other rental or display of live animals are not permitted except for the purposes of
883 direct or indirect District programs unless with the express consent of the Executive Director or by
884 District-issued special use permit.

885

886 **Section 10.02 Fires**

887 No person shall light or make use of any fire in the park system except at such places as may be
888 established for such purposes, and then only under such rules as may be prescribed through a special
889 use permit. Every fire shall be contained and continuously under the care, direction, and supervision
890 of a competent person from the time it is kindled until it is completely extinguished.

891

892

893

894

895 **Section 10.03 Sound Amplification**

896 Sound amplification requires a special-use permit. Sound amplification must comply with City
897 "Noise" Ordinances, must not occur before 8:00 a.m. or after 10:00 p.m., and is not permitted within
898 600 feet of any building used for residential or hospital purposes.

899

900 This includes:

901 A. power-operated devices such as model automobiles, boats, and aircraft,

902 (*Cross-reference: 9.17 Remote-Controlled Flying Objects*)

- 903 B. loudspeakers, megaphones, microphones, amplifiers, and public address systems
 904 C. soundtracks or other recordings
 905 D. musical instruments
 906 E. radios, televisions, phonographs, boom boxes, phones, and
 907 F. church bells and carillons, or
 908 G. other sound projecting devices or methods

909
 910 No person within the District system shall at any time play or operate any sound amplification
 911 device causing or creating unnecessary or unusual noise which annoys, injures, or endangers the
 912 comfort, repose, health, or safety of others unless such noise is necessary for the protection and
 913 preservation of property, health, safety, or life. Lyrics designated by Recording Industry Association
 914 of America's (RIAA) Parental Advisory Label Program designated as not suitable for young
 915 audiences, such as those with strong or explicit language, depictions of violence, sex, or substance
 916 abuse are prohibited. Sound amplification must comply with prevailing noise ordinances. A
 917 violation of these restrictions shall result in the revocation of the special use permit.

918

919 **Section 10.04 Alcoholic Beverages**

920 No person shall sell, consume, or possess any alcoholic beverage upon any property of the
 921 District, except as hereinafter provided.

922

923 Exceptions.

- 924 A. This section shall not apply to wine intended for use and used by a properly organized
 925 church or religious organization for sacramental purposes.
 926 B. This section shall not prevent the sale, possession, or consumption of malt beverages,
 927 beer, and wine:
 928 1. At Blackhawk Park:
 929 a. within the fenced stadium area of Marinelli Field;
 930 b. during and immediately before and after the performance of professional
 931 baseball games by a professional baseball team having a current stadium use
 932 agreement with the Rockford Park District;
 933 c. with respect to sale-only: prior to the first pitch of the home half of the seventh
 934 inning of such professional baseball game, or the first pitch of the home half
 935 of the fifth inning of the second such game in case of double headers;
 936 d. in areas other than the discrete seating area, publicly identified as such, in
 937 which alcoholic beverages are not permitted;
 938 e. within the physical limits of offices and clubhouses occupied by professional
 939 baseball teams, one of which shall have a current stadium use agreement with
 940 Rockford Park District, on days on which such teams play professional
 941 baseball games at Marinelli Field;
 942 f. in connection with special events, promotions, concerts, exhibitions, and
 943 celebrations held in Marinelli Field, but not more than five (5)
 944 nonprofessional events in each calendar year, with approval from Park District
 945 staff, and at each event such program shall terminate by 10:30 p.m.
 946 2. In the clubhouses and on the golf courses at Aldeen Golf Club and Elliot, Ingersoll,
 947 Sinnissippi, and Sandy Hollow golf courses;

- 948 3. At Mercyhealth Sportscore One in the non-playing areas of the softball complexes;
 949 4. Within designated controlled areas at Mercyhealth Sportscore Two;
 950 5. Within designated controlled areas as UWHealth Sports Factory
 951 6. At the Sinnissippi Music Shell during special events;
 952 7. Within designated areas at Carlson Ice Arena and Riverview Ice House;
 953 8. At the Harlem Community Center during adult leagues and adult tournaments;
 954 9. At Shorewood Park within a designated fenced area during events hosted by the Ski
 955 Broncs;
 956 10. Within the public lobby of the Webbs Norman Center during special events;
 957 11. Within Beyer Park in the immediate vicinity of Beyer Stadium in which proceeds
 958 from the sale of alcohol are designated to benefit Beyer Park improvements, repair,
 959 and maintenance; on days on which such teams play adult baseball games at Beyer
 960 Park Stadium. Each event, not to exceed three (3) annually, shall require approval by
 961 the Executive Director, and require receipt of applicable insurance and licensure
 962 requirements.
- 963 C. This section shall not prevent the sale, possession, or consumption of alcoholic
 964 beverages:
- 965 1. At any Rockford Park District facility designated as a museum, when the occupant
 966 thereof shall have a current museum use agreement which specifies conditions
 967 precedent to the dates and times where permitted alcoholic beverages may be sold or
 968 distributed and consumed thereon;
- 969 2. Within the Indoor Sports Center restaurant;
- 970 3. Within the Aldeen Golf Club clubhouse.
- 971 4. Within the Sinnissippi Gardens to include the Rose and Perennial Gardens, the
 972 Nicholas Conservatory including terraces, Lagoon area, and designated secure/fenced
 973 areas.
- 974 D. Another alcohol service may occur only when/if recommended by staff and approved by
 975 the Executive Director or his designated staff following Board policies and ensuring
 976 applicable insurance and license requirements are met.
 977

978 **Section 10.05 Refuse**

979 No person shall deposit or leave any garbage, tree, shrub, or grass trimmings or clippings, refuse, or
 980 other material of any kind on the park grounds or waters. Paper, glass, cans, garbage, and other
 981 refuse of any kind resulting from picnics or other proper use of the park system shall be deposited in
 982 receptacles provided for that purpose, and no person shall litter, suffer, or cause the park system to
 983 be littered in any way. Recyclable materials shall be deposited in the appropriate containers when
 984 provided within a reasonable distance. To prevent unintended litter piñatas, confetti, water balloons,
 985 or other bursting or spraying devices and activities are not permitted.
 986

987 **Section 10.06 Restricted and Intended Use Areas**

988 All persons and groups shall comply with all applicable environmental laws and regulations, apply
 989 responsible practices where laws and regulations do not exist, and are encouraged to use recyclable
 990 or biodegradable products. **Section 10.06 Restricted and Intended-Use Areas**

991 Definition. **Intended for a specific use or purpose** means parks and facilities that are open
 992 spaces designated for uses *other than* general recreational relaxation or nature appreciation.

993 Examples include areas that may be spacious but are reserved for certain activities or uses such
 994 as driveways, sports fields or courts, golf courses, gardens, shelters, gardens, and other special
 995 areas.

996
 997 No person shall enter upon any portion of the park system where persons are prohibited by the
 998 District as indicated by sign or notice. No person shall enter or attempt to enter any building or area
 999 of the District when it is closed to the public or scheduled for a specific group or activity unless
 1000 invited by same. No person shall loiter or remain without a purpose for being present on the
 1001 premises of a Park District facility.

1002 No person shall use spaces intended for a specific use or purpose without a special use permit which
 1003 authorizes the time, place, and manner appropriate to that location.

1004
 1005 All persons are hereby prohibited from practicing and playing golf upon District playgrounds or
 1006 parks, except upon the public golf links and courses, or in other areas as may be designated by
 1007 the Director of the District.

1008
 1009 **Section 10.07 Trees, Shrubs, and Structures**

- 1010 1. No person shall cut, break, or in any way injure or deface any tree, shrub, plant, flower, turf, or
 1011 any of the buildings or other structures and properties, or dig into the soil or into any road, park,
 1012 parkway or playground within the District without permission of the Director.
- 1013 2. No person shall trespass, stand, walk, ride, or write upon any place laid out and appropriated for
 1014 shrubbery or grass when there shall have been placed thereon a sign forbidding same.
- 1015 3. No person shall cut, quarter, or remove any dying, dead, or downed trees or shrubs from District
 1016 property without permission of the Executive Director.

1017
 1018 **Section 10.08 Keep to Drives**

1019 No person shall drive any automobile, truck, motorcycle, or other motorized vehicle within any of
 1020 the parks of the District except upon the parking lots and roadways provided for driving or parking
 1021 the same, except District employees in the performance of their duties. (*Cross-reference: 9.13*
 1022 *Trucks*)

1023
 1024 **Section 10.09 Winter Recreation Activities**

1025 Powered snow sleds or powered ice boats or any like vehicle shall not be operated, managed, or used
 1026 by any person on any body of water or in any park or golf course under the jurisdiction or control of
 1027 the Rockford Park District without the express consent of the Director. Other winter sports activities,
 1028 such as skating, sledding, or tobogganing shall be prohibited in areas not operated/programmed for
 1029 or designated and marked by signs for such use. Any violation of this ordinance shall subject the
 1030 violator to the penalties provided in Chapter XI of the Rockford Park District Code.

1031
 1032 The District may from time to time permit the driving or operation of snowmobiles or other like
 1033 motor driven vehicles on District property as shall, from time to time, be determined by the
 1034 Executive Director.

- 1035 A. Public notice of such permission shall be given by posting at or near such areas signs of
 1036 sufficient size and frequency to advise the public as to the area or areas wherein

1037 snowmobiles are permitted to operate; however, this does not authorize snowmobiles or
 1038 other like motor vehicles to be operated in any other area of any park within the District.

1039 B. No snowmobile or other vehicle shall be operated anywhere within the District unless the
 1040 snow cover at the point of operation is at least four inches in depth, as certified by the
 1041 Director or his designee.

1042 C. Vehicle operators shall be held to the same responsibility for safety precautions as described
 1043 in 10.10 Speed Restrictions. No person shall drive any snowmobile or other like vehicle
 1044 within the park system at a speed greater than 35 miles per hour or greater than is reasonable
 1045 and proper with regard to conditions which prevail at the time, or at a speed that endangers
 1046 the safety of any person or property. (*Cross-reference 10.10 Speed Restrictions*)

1047

1048 Access to ice for ice fishing for any reason is prohibited unless designated.

1049

1050 **Section 10.10 Speed Restrictions**

1051 No vehicle may be driven upon any roadway within the District at a speed which is greater than is
 1052 reasonable and proper with regard to traffic conditions and the use of the highway, or which
 1053 endangers the safety of any person or property.

1054 1. The fact that the speed of the vehicle does not exceed the applicable maximum speed limit
 1055 does not relieve the driver from the duty to decrease speed when approaching and crossing
 1056 an intersection, when approaching and going around a curve, when approaching a hill crest,
 1057 when traveling upon any narrow or winding roadway, or when any special hazard exists with
 1058 respect to pedestrians or other traffic, or by reason of weather or highway conditions.

1059 2. Speed must be decreased as may be necessary to avoid colliding with any person or vehicle
 1060 on or entering the roadway in compliance with legal requirements and the duty of all persons
 1061 to use due care.

1062 3. No person may drive a vehicle upon any roadway of the District system at a speed which is
 1063 greater than 20 miles per hour. (*Cross-reference 10.09 Winter Recreation Activities*)

1064 4. In every charge of violation of this section by failure to observe an applicable speed limit,
 1065 the complaint shall specify the speed at which the defendant is alleged to have driven, and
 1066 the speed limit which is applicable at the place of the alleged violation.

1067 5. No person may operate a bicycle or other manually powered vehicle upon any recreational
 1068 pathway of the District at a speed which is greater than is reasonable and proper with regard
 1069 to pedestrian and user conditions and the use of the recreational pathway, or which endangers
 1070 the safety of any person or property; nor shall any person operate such a vehicle upon
 1071 recreational pathways of the District at a speed greater than publicly posted speed limits
 1072 upon such recreational pathway.

1073 6. Violations of this section shall result in a fine of \$150.00.

1074 **Section 10.11 Parking Rules**

1075 A vehicle may be legally parked in designated parking areas and unless otherwise prohibited, along
 1076 all roadways provided that the parked vehicle is parallel with the roadway and no more than five (5)
 1077 feet distant therefrom, measured from the edge of blacktop if roadway is blacktopped.

1078

1079 A. Parking, Standing or Stopping Illegally. No person shall park, stand, or otherwise stop a
 1080 vehicle within any park of the District, except when necessary to avoid conflict with other

1081 traffic or in compliance with the directions of a police officer or traffic-control device, in any
 1082 of the following places:

- 1083 1. On lawn areas and grounds.
- 1084 2. In front of public or private driveways or loading zones.
- 1085 3. In any position to block another car legally parked.
- 1086 4. At any place where official signs prohibiting parking entirely or prohibiting parking for
 1087 more than a specified period have been posted by the District.
- 1088 5. In any park beyond the normal closing hour of 10: 00 p.m.
- 1089 6. In any position which obstructs or interferes with the travel of other vehicles on a
 1090 roadway or the use of any park facility within the District
- 1091 7. Within fifteen (15) feet of a fire hydrant, or traffic control signal or sign.
- 1092 8. On any roadway, alongside a curb painted or otherwise colored red, such that all or any
 1093 portion of the vehicle is parked or stands directly opposite any portion of the curbway so
 1094 marked in red.
- 1095 9. In any extra-length parking stall where signs or markings prohibiting parking other than
 1096 of boat trailers have been posted or installed by the District, unless the vehicle has
 1097 attached to it a boat trailer.
- 1098 10. It shall be prohibited to park any motor vehicle which is not bearing registration plates
 1099 or decals issued to a handicapped person, as defined by Section 1-159.1 of the Illinois
 1100 Motor Vehicle Code, pursuant to Sections 3-616 or 11-1301 to 11-1302, of the Illinois
 1101 Motor Vehicle Code, or to a disabled veteran pursuant to Section 3-609 of the Illinois
 1102 Motor Vehicle Code, as evidence that the vehicle is operated by or for a handicapped
 1103 person or disabled veteran, in any parking place within the Rockford Park District
 1104 specifically reserved by the posting of an official sign or other marking for motor
 1105 vehicles bearing such registration plates.

1106 B. Penalty for Violation - Manner of Payment of Fines.

- 1107 1. The owner or driver of any vehicle which is parked or permitted to stand in violation of
 1108 the provisions of Section 10.11(a) may avoid prosecution for violating same by paying to
 1109 the District official as may be designated by the Board, the sums designated below and by
 1110 surrendering to such designated person the traffic ticket delivered to him or placed upon
 1111 such vehicle after indicating thereon his name and address; such designated person shall
 1112 give the person paying such sum a receipt, therefore, bearing his signature and the date of
 1113 the payment. The duplicate of the receipt, together with the money paid to such
 1114 designated person, shall be delivered to the Park District Business Administrator.
- 1115 2. The amounts to be paid such designated person shall be \$50.00 for all violations of
 1116 Section 10.11(a), except as otherwise provided below. Whenever the above violations are
 1117 not paid within five (5) days after the date of the citation or other charge, the sum shall be
 1118 not less than \$50.00 nor more than \$100.00
- 1119 3. The amount to be paid for violation of Section 10.11(a)(10) shall not be less than \$50.00
 1120 nor more than \$500.00 for any single violation thereof.
- 1121 4. Notice to Offender for Paying Violation. Each park police officer shall attach to every
 1122 vehicle parking in violation of any provisions of Section 10.11(a) a notice that such
 1123 vehicle has been so illegally parked, and which instructs the operator or owner that he or
 1124 she, in five (5) days, has the right to a hearing on the violation or that he or she may
 1125 voluntarily waive the right to a hearing and plead guilty as charged to such violation. Each

1126 such person may, within five (5) days of the time when such notice was attached to such
 1127 vehicle, pay as the penalty for and in full satisfaction of such violation the sum provided
 1128 by Section 10.11(b)(2). The failure of such person to pay such payment within five (5)
 1129 days shall render such person subject to the penalty provided in Section 10.11(b) and
 1130 10.11(d).

1131 **5. Penalty for Failure to Appear and Non-Payment of Parking Fine.**

- 1132 a. Any person who, after given written notice that he or she is in violation of Section
 1133 10.11(a), fails to appear, plead guilty and waive right to a hearing or plead not guilty
 1134 and request a hearing, will be subject to the issuance of a warrant for his or her arrest.
 1135 b. Any such person so arrested by a warrant after failing to appear will be allowed to
 1136 post a bond in the sum equal to each individual parking violation penalty, penalties
 1137 for late payment, plus any other penalties as provided by this Code.
 1138

1139 **Section 10.12 Impounding of Vehicles**

1140 Any vehicle parking or standing within the park system in violation of any law, ordinance, or rule is
 1141 hereby declared to be a public nuisance. Such vehicle may be removed and impounded, and the
 1142 owner or person entitled to possession of the vehicle shall pay all charges and expenses arising out of
 1143 any action taken hereunder.
 1144

1145 **Section 10.13 Obstructing Traffic**

1146 No person shall park or place any vehicle or other property of any kind within the District so as to
 1147 obstruct or interfere with traffic or travel of other vehicles or pedestrians or endanger the public
 1148 safety. A person found guilty of violating this provision shall be fined \$150.00. (*Cross-reference:*
 1149 *9.03 Special Events; Rules & Regulations for Use of Park Property – see Customer Service*)
 1150

1151 **Section 10.14 Reckless Driving**

1152 Any person who drives any vehicle within the District with a willful or wanton disregard for the
 1153 safety of persons or property is guilty of reckless driving. A person who is found guilty of reckless
 1154 driving shall be fined \$175.00 (*Cross-reference 10.15 Fleeing or Attempting to Elude Police Officer*)
 1155

1156 **Section 10.15 Fleeing or Attempting to Elude Police Officer**

1157 No person who is a driver or operator of a motor vehicle within the District who, having been given
 1158 a visual or audible signal by a peace officer directing such driver or operator to bring his vehicle to a
 1159 stop, may willfully fail or refuse to obey such direction, increase his speed, extinguish his lights or
 1160 otherwise flee or attempt to elude the officer. The signal given by the police officer may be by hand,
 1161 voice, siren or red light, provided the officer giving such signal shall be in police uniform and, if
 1162 driving a vehicle, such vehicle shall be marked showing it to be an official police vehicle. A person
 1163 found guilty of fleeing or attempting to elude a police officer shall be fined \$ 175.00. (*Cross-*
 1164 *reference 10.14 Reckless Driving*)
 1165

1166 **Section 10.16 Drag Racing**

1167 No person who is an operator of a motor vehicle within the District may be a participant in the act of
 1168 drag racing or other motor vehicle racing. A person found guilty of drag racing shall be fined
 1169 \$ 175.00.

1170 Definition. "Drag Racing" means the act of two or more individuals competing or racing in the
 1171 District in a situation in which one of the motor vehicles is beside or to the rear of a motor vehicle
 1172 operated by a competing driver, and the one driver attempts to prevent the competing driver from
 1173 passing or overtaking him, either by acceleration or maneuver, or one or more individuals competing
 1174 in a race against time on any street or roadway within the District. (*Cross-reference 10.10 Speed*
 1175 *Restrictions*)

1176

1177 **Section 10.17 Vehicle Registration**

1178 Every motor vehicle, operated over District streets and roadways, which is subject to registration
 1179 under the laws of the State of Illinois shall have attached thereto license plates or a valid temporary
 1180 permit issued by the Illinois Secretary of State evidencing payment to the State of proper license fees
 1181 provided for in the motor vehicle laws of the State of Illinois. A person found guilty of operating a
 1182 motor vehicle within the District without proper license plates or a valid temporary permit attached
 1183 thereto shall be fined \$150.00.

1184

1185 **Section 10.18 Valid, Suspended and Revoked Driver's License**

1186 No person shall operate or drive a motor vehicle within the District who is not licensed to do so
 1187 under the laws of the State of Illinois. A person who is not licensed to drive under the laws of the
 1188 State of Illinois shall include those persons who have never been issued a valid driver's license or
 1189 permit or whose driver's license or permit has been suspended or revoked by the Secretary of State
 1190 of Illinois and who operate or drive a motor vehicle during the period of that suspension or
 1191 revocation before their privilege to drive has been reinstated by the Secretary of State. A person
 1192 found guilty of operating or driving a motor vehicle without a valid driver's license, or permit shall
 1193 be fined \$150.00.

1194

1195 **Section 10.19 Driver's License on Person; Failure to Display**

1196 Definition. For the purposes of this section, "Display" means the manual surrender of the license
 1197 certificate or permit into the hands of the demanding officer for inspection thereof.

1198

1199 Every person shall have his or her driver's license or permit in his or her immediate possession at all
 1200 times when operating a motor vehicle in the District, and for the purpose of indicating compliance
 1201 with this requirement, shall display such license or permit if in possession, upon demand made when
 1202 in uniform or displaying a badge or other sign of authority by a member of the District Police Force,
 1203 or any other duly authorized peace officer. However, no person charged with violating this section
 1204 shall be convicted if he or she produces in court satisfactory evidence that a driver's license was
 1205 theretofore issued and was valid at the time of the ticket and/or arrest. A person who is convicted of
 1206 this section shall be fined \$150.00

1207

1208 **Section 10.20 Authority for Traffic Signals**

1209 The District, through its designated officers with reference to the streets and roadways within the
 1210 District, may designate through-streets and roadways, direct stop signs or yield signs at specified
 1211 entrances thereto, may designate any intersection as a stop intersection or as a yield intersection, and
 1212 direct stop signs or yield signs at one or more entrances to such intersections.

- 1213 A. Every stop sign and yield sign shall be located as near as practicable to the nearest line of the
 1214 crosswalk on the near side of the intersection, or if there is no crosswalk then as close as
 1215 practicable to the nearest line of the intersecting roadway.
 1216 B. The District shall place and maintain such traffic control devices and signs as it may deem
 1217 necessary on all roadways and streets under its jurisdiction in order to indicate and carry out
 1218 the provisions of this chapter or otherwise regulate, warn, or guide traffic.

1219

1220 **Section 10.21 Obedience to Traffic Control Devices**

1221 Every person operating a motor vehicle in the District shall obey the instructions of any traffic
 1222 control device applicable thereto placed in accordance with this chapter, unless otherwise directed by
 1223 a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle
 1224 defined in the traffic laws of the State of Illinois.

- 1225 A. It is unlawful for any person to leave a roadway and travel across private property or District
 1226 property to avoid an official traffic control device.
 1227 B. Any person found guilty of violating any of the provisions of this section shall be fined
 1228 \$175.00.
 1229 C. Provisions of this chapter for which official traffic-control devices are required shall be in
 1230 force against an alleged violator if at the time and place of the alleged violation an official
 1231 device is not in proper position and sufficiently legible to be seen by an ordinarily observant
 1232 person.

1233

1234 **Section 10.22 Obedience to Stop and Yield Signs**

1235 Preferential right of way at an intersection within the District may be indicated by stop signs or yield
 1236 signs as authorized under this Code.

- 1237 A. Except when directed to proceed by a police officer or traffic control signal, every driver of a
 1238 motor vehicle approaching a stop intersection indicated by a stop sign shall stop before
 1239 entering the crosswalk on the near side of the intersection, or in the event there is no
 1240 crosswalk, shall stop at a clearly marked stop line but if none, then at the point nearest the
 1241 intersecting roadway where the driver has a view of the approaching traffic on the
 1242 intersecting roadway before entering the intersection.
 1243 B. The driver of a vehicle approaching a yield sign if required for safety to stop, shall stop
 1244 before entering the crosswalk on the near side of the intersection or in the event there is no
 1245 crosswalk, the intersecting roadway where the driver has a view of approaching traffic upon
 1246 the intersecting roadway.
 1247 C. A person found guilty of violating any of the provisions of this section shall be fined
 1248 \$175.00.

1249

1250 **Section 10.23 Driving on Right Side of Roadway**

1251 A person driving or operating a motor vehicle within the District upon any roadway or streets of
 1252 sufficient width shall drive his vehicle upon the right half of the roadway except as follows.

- 1253 A. When an obstruction exists making it necessary to drive to the left of the center of the
 1254 roadway, provided any person so doing shall yield the right of way to all vehicles traveling
 1255 in the proper direction upon the unobstructed portion of the roadway within such distance as
 1256 to constitute an immediate hazard, or
 1257 B. Upon a roadway restricted to one-way traffic.

1258 A person found guilty of violating this section shall be fined \$ 175.00.
1259

1260 **Section 10.24 One-Way Roadways and Rotary Traffic Islands**

1261 The District, through its designated officers with respect to the roadways and streets under its
1262 control, may designate any roadway or street upon which vehicular traffic shall proceed in one
1263 direction at all or such times as shall be indicated by official traffic control devices.

1264 A. Upon a roadway so designated for one-way traffic, a vehicle shall be driven only in the
1265 direction designated at all or such times as shall be indicated by official traffic control
1266 devices.

1267 B. A vehicle passing around a rotary traffic island must be driven only to the right of such
1268 island.

1269 C. A person found guilty of violating any of the provisions of this section shall be fined
1270 \$175.00

1271

1272 **Section 10.25 Starting a Parked Vehicle**

1273 No person within the District shall start movement of a vehicle which is stopped, standing, or parked
1274 unless and until such movement can be made with reasonable safety. A person found guilty of
1275 violating this section in an amount no less than \$50.00 but no greater than \$200.00

1276

1277 **Section 10.26 Opening Vehicle Doors**

1278 No person within the District shall open the door of a vehicle on the side available to moving traffic
1279 unless and until it is reasonably safe to do so and can be done without interfering with the movement
1280 of other traffic, nor shall any person leave a door open on the side of a vehicle available to moving
1281 traffic for a period of time longer than necessary to load or unload passengers. A person found guilty
1282 of violating this section shall be fined \$175.00. (*Cross-reference Section 10.13 Obstructing Traffic*)

1283

1284 **Section 10.27 Coasting Prohibited**

1285 The driver of any motor vehicle within the District, which is traveling upon a downgrade, shall not
1286 coast with the gears or transmission of such vehicle in neutral or unengaged. A person found guilty
1287 of violating this section shall be fined in an amount no less than \$50.00 but no greater than \$200.00

1288

1289 **Section 10.28 Driving upon Sidewalk**

1290 No person shall drive any motor driven vehicle within the District upon a sidewalk or sidewalk area
1291 except upon a permanent or duly authorized temporary driveway or for routine maintenance, utility,
1292 or emergency service or for special delivery or pickup involving goods or customer services. A
1293 person found guilty of violating this section shall be fined in an amount no less than \$ 50.00 but no
1294 greater than \$200.00

1295

1296

1297

1298 **Section 10.29 Illegal Transportation of Alcoholic Liquor**

1299 No person within the District shall transport, carry, possess, or have any alcoholic liquor in the
1300 passenger area of any motor vehicle except in the original package and with the seal unbroken. A
1301 person convicted of violating this section shall be fined in an amount no less than \$50.00 and no
1302 greater than \$500.00.

1303
 1304
 1305
 1306
 1307
 1308
 1309
 1310
 1311
 1312
 1313
 1314
 1315
 1316
 1317
 1318
 1319
 1320
 1321
 1322
 1323
 1324
 1325
 1326
 1327
 1328
 1329
 1330
 1331
 1332
 1333
 1334
 1335
 1336
 1337
 1338
 1339
 1340
 1341
 1342
 1343
 1344
 1345
 1346
 1347

Section 10.30 Negligent Driving

Definition. For the purpose of this section, to "operate in a negligent manner" means the operation of a vehicle in such a manner as to endanger or be likely to endanger the safety of any persons or property.

It shall be unlawful for any person to operate a motor vehicle in a negligent manner within the District. A person convicted of this offense shall be fined in an amount no less than \$50.00 and no greater than \$500.00. (*Cross-reference 10.14 Reckless Driving*)

Section 10.31 Unlawful Use of License or Permit

It is unlawful within the Rockford Park District for any person:

1. To display or cause or permit to be displayed or have in one's possession any canceled, revoked, suspended, fictitious, or fraudulently altered license or permit;
2. To lend one's license or permit to any other person or knowingly allow the use thereof by another;
3. To display or represent as one's own any license or permit not issued to him or her;
4. To permit any unlawful use of a license or permit issued to him or her.

A person convicted of any of the above provisions shall be fined in an amount no less than \$50.00 and no greater than \$500.00.

Section 10.32 Right-of-Way Rules

The following right-of-way rules shall apply to any person driving a vehicle within the District.

- A. When two vehicles approach or enter an intersection not otherwise controlled by a traffic signal from different roadways at approximately the same time, the driver of the vehicle on the left must yield the right of way to the vehicle on the right.
- B. The driver of a vehicle intending to turn to the left within an intersection or into an alley, private roadway, or driveway shall yield the right of way to any vehicle approaching from the opposite direction which is so close as to constitute an immediate hazard but said driver having so yielded may proceed at such time as a safe interval occurs. (*Cross-reference: 10.24 One-Way Roadways and Rotary Traffic Islands*)
- C. Except when directed to proceed by a police officer or traffic control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. After having stopped, the driver shall yield the right of way to any vehicle which has entered the intersection from another roadway or which is approaching so closely on the roadway as to constitute an immediate hazard during the time when the driver is moving across or within the intersection but said driver having so yielded may proceed at such time as a safe interval occurs.
- D. The driver of a vehicle approaching a yield sign shall in obedience to such sign slow down to a speed reasonable for the existing conditions and, if required for safety to stop, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver

1348 has a view of approaching traffic on the intersecting roadway. After slowing or stopping, the
 1349 driver shall yield the right of way to any vehicle in the intersection or approaching on
 1350 another roadway so closely as to constitute an immediate hazard during the time such driver
 1351 is moving across or within the intersection.

1352 A person found guilty of violating any of the above paragraphs of this section shall be fined in an
 1353 amount no less than \$50.00 but no greater than \$500.00.

1354

1355 **Section 10.33 Prevention of Unnecessary Noise**

1356 It shall be unlawful to operate within the parks system vehicles which cause excessive noise.

1357 A. Every motor vehicle driven or operated within the District shall at all times be equipped with
 1358 an adequate muffler or exhaust system in constant operation and properly maintained to
 1359 prevent any excessive or unusual noise.

1360 B. No person shall operate a motor vehicle within the District in a manner which will cause
 1361 loud and unnecessary squealing of that vehicle's tires upon acceleration from a stopped
 1362 position or upon that vehicle negotiating any turn, stop, or like maneuver.

1363 C. A person found guilty of violating this section shall be fined in an amount no less than
 1364 \$50.00 but no greater than \$200.00.

1365

1366 **Section 10.34 Suspension System**

1367 It shall be unlawful to operate a motor vehicle within the District when the suspension system has
 1368 been modified from the original manufactured design by lifting the body from the chassis in excess
 1369 of three inches or to cause the horizontal line from the front to the rear bumper to vary over three
 1370 inches in height when measured from a level surface of the highway to the lower edge of the
 1371 bumper. A person found violating this section shall be fined in an amount no less than \$50.00 and no
 1372 greater than \$200.00.

1373

1374 **Section 10.35 Lights and Lamps**

1375 All motor vehicles driven within the District during the period from sunset to sunrise or at any other
 1376 time when visibility is so limited as to require the use of lights for safety shall exhibit:

1377 A. Two such lighted driving lamps showing white lights or light of a yellow or amber tint
 1378 visible for at least 500 feet in the direction the motor vehicle is proceeding, except a
 1379 motorcycle need be equipped with only one such lamp.

1380 B. At least two light lamps commonly known as tail lamps which shall be mounted on the left
 1381 rear and right rear of the vehicle so as to throw a red light visible for at least 500 feet in the
 1382 reverse direction, except that a motorcycle need be equipped with only one such lamp.

1383 C. Either a tail lamp or a separate lamp shall be so constructed and placed as to illuminate with
 1384 a white light a rear registration plate when required and render it clearly legible from a
 1385 distance of 50 feet to the rear.

1386 Any person found guilty of violating any of the provisions of this section shall be fined in an amount
 1387 no less than \$ 50.00 and no greater than \$200.00. (*Cross-reference: 9.05 Closing Hours*)

1388

1389 **Section 10.36 Brakes**

1390 Every motor vehicle operated within the District shall be equipped with brakes adequate to control
 1391 the movement of and to stop and hold such vehicle, and all such brakes shall be maintained in good
 1392 working order and shall be so adjusted as to operate as evenly as practicable with respect to the
 Code of Ordinances 11/09/2021

1393 wheels on opposite sides of the vehicle. A person found guilty of violating this section shall be fined
1394 in an amount no less than \$50.00 but no greater than \$500.00.

1395

1396 **Section 10.37 Unattended Motor Vehicles**

1397 No person driving or in charge of a motor vehicle within the Rockford Park District shall permit it to
1398 stand unattended without first stopping the engine and removing the ignition key, and when standing
1399 upon any perceptible grade without effectively setting the brake and turning the front vehicle wheels
1400 to the curb or side of the road. A person found guilty of violating this section shall be fined in an
1401 amount no less than \$50.00 but no greater than \$500.00. (*Cross-reference 10.12 Impounding*
1402 *Vehicles*)

1403

1404 **Section 10.38 Limitations on Backing**

1405 The driver of a vehicle within the District shall not back the same unless such movement can be
1406 made with safety and without interfering with other traffic. A person found guilty of violating this
1407 section shall be fined in an amount no less than \$ 50.00 but no greater than \$500.00.

1408

1409 **Section 10.39 Traffic Laws Applied to Persons Riding Bicycles or Animals or Driving Animal-**
1410 **Drawn Vehicle**

1411 Every person riding a bicycle or an animal or driving any animal drawing a vehicle upon a roadway
1412 or street within the District shall be subject to the provisions of Chapter 10 of the Rockford Park
1413 District Code of Ordinances applicable to the driver of a vehicle, except those provisions of Chapter
1414 10, which by their nature can have no application.

1415

1416 **Section 10.40 Bicycle Safety**

1417 Every person operating a bicycle within the District shall keep said bicycle in a safe mechanical
1418 condition and equipped as follows:

1419 A. On the front shall be installed a lamp which emits a white light visible from a distance of at
1420 least 500 feet to the front and also shall be installed a clear reflex reflector or reflective
1421 material at least 3/16 inch wide visible to the front, and said lamp installed in front shall be
1422 used during the period from sunset to sunrise or at any other time when visibility is so
1423 limited as to require the use of the light for safety. No lamp shall be required if such bicycle
1424 is intended to be and is in fact used only during daylight hours when a lamp is clearly
1425 unnecessary.

1426 B. On the rear shall be installed a red reflex reflector or red reflective material at least 3/16 inch
1427 wide visible to the rear. A lamp emitting a red light visible to the rear may also be used.

1428 C. Every bicycle shall be equipped with a brake or brakes which will enable the operator to
1429 make the braked wheels skid on dry, level, clean pavement.

1430 Any person found guilty of violating any of the provisions of this section shall be fined in an amount
1431 no less than \$ 50.00 and no greater than \$200.00.

1432

1433 **Section 10.41 Use of District Roadways**

1434 The use of roadways situated within the District is limited to the operators of motor vehicles licensed
1435 under the laws of the State of Illinois.

- 1436 A. The use of Park District roadways is further limited to those persons who operate non-
 1437 motorized vehicles, which includes but is not specifically limited to bicycles, or those cycles
 1438 which bear three wheels and are specially constructed for use by people with disabilities.
 1439 B. The use of Park District roadways is specifically forbidden to those persons operating non-
 1440 motorized objects or vehicles referred to as skateboards, push wagons, unicycles, tricycles,
 1441 minibikes or any other non-motorized object or vehicle which is not specifically allowed by
 1442 paragraphs (a) and (b) of this section.

1443 Persons found guilty of violating any of the provisions of this section shall be fined in an amount no
 1444 less than \$50.00 and no greater than \$500.00.

1445
 1446 **Section 10.42 Use of District Recreation Paths**

1447 The use of recreation paths situated within the District is limited to pedestrians and the operators of
 1448 non-motorized cycles.

- 1449 A. The use of District recreation paths is strictly prohibited to those persons using any type of
 1450 motorized vehicle, whether or not the motor is in operation.
 1451 B. Neither pedestrians nor those persons operating a cycle on a recreation path shall engage in
 1452 such conduct or act in such a manner as to endanger or be likely to endanger the safety of
 1453 any persons or property.
 1454 C. Exception. Adaptive equipment such as wheelchairs, that enable citizens with disabilities to
 1455 participate in the use of the path, are not subject to exclusion.
 1456 D. A person convicted of violating any of the provisions of this section shall be fined in an
 1457 amount no less than \$50.00 and no greater than \$500.00.

1458
 1459 **Section 10.43 Permitting Unauthorized Person to Drive**

1460 No person shall cause, authorize, or knowingly permit a motor vehicle owned by him or her or under
 1461 his or her control to be driven within the District by any person who is not authorized or licensed by
 1462 the laws of the State of Illinois. A person found guilty of violating this section shall be fined in an
 1463 amount no less than \$50.00 and no greater than \$500.00.

1464
 1465 **Section 10.44 Use of Park Facilities or Premises for Swimming or Diving Prohibited**

1466 No person shall use any facilities or premises in the District for swimming or diving without a
 1467 District-issued special permit.

1468
 1469 Exception: This provision shall not apply to the swimming pool facilities at Harkins, Sand and
 1470 Alpine parks.

1471
 1472 **Section 10.45 Motor Vehicle Registration**

1473 All motor vehicles operated within the park system shall comply with the State of Illinois
 1474 registration requirements. No person shall operate a vehicle, nor permit the operation of a vehicle,
 1475 upon the streets or roadways of the District:

- 1476 A. Upon which vehicle is displayed an expired registration plate, plates, or registration stickers,
 1477 or,
 1478 B. Of which the registration of which has been canceled, suspended, or revoked. A person
 1479 found guilty of violating this Section shall be fined in an amount not less than \$250.00 but
 1480 not greater than \$500.00.

1481 **Section 10.46 OPEN**

1482

1483 **Section 10.47 Motor Vehicle Insurance**

1484 All motor vehicles operated within the park system shall comply with the State of Illinois insurance
1485 requirements. No person shall operate a vehicle, nor permit the operation of a vehicle, upon the
1486 streets or roadways of the District:

1487

1488 A. Unless such vehicle is covered by an insurance policy in accordance with the requirements of
1489 the Illinois Vehicle Code. A person who is convicted of violating this Sub-Section shall be
1490 fined not less than \$500.00

1491 No person charged with the violation of this Sub-Section A shall be convicted if such person
1492 produces in court satisfactory evidence that at the time of the arrest, the motor vehicle was
1493 covered by a liability insurance policy in accordance with the Illinois Vehicle Code.

1494 B. Of which the registration is at the time of arrest suspended for failure to maintain a
1495 liability insurance policy. A person found guilty of a violation of this Section shall be
1496 fined not less than \$250.00 but not more than \$500.00

1497

1498 **Section 10.48 Driver and Passenger Required to Use Safety Belts**

1499 Each driver and front seat passenger of a motor vehicle operated on a roadway of the District shall
1500 wear a properly adjusted and fastened seat safety belt, except as may otherwise be excused under the
1501 laws of the State of Illinois. A violation of this Section shall be subject to a fine of not more than
1502 \$55.00

1503

1504 **Section 10.49 Possession of Drug Paraphernalia**

1505 No person or organization shall knowingly bring or cause to be brought into any park or other area
1506 owned or operated by or otherwise under the jurisdiction of the District, any drug paraphernalia with
1507 the intent to use it in ingesting, inhaling, or otherwise introducing cannabis or a controlled or illegal
1508 substance into the human body or in preparing cannabis or a controlled or illegal substance for that
1509 use.

1510 A. In determining intent under subsection (a) of this Section, the trier of fact may take into
1511 consideration the proximity of the cannabis or controlled substances to the drug
1512 paraphernalia or the presence of the cannabis or a controlled substance on the drug
1513 paraphernalia.

1514 B. A person convicted of violating this Section shall be fined not less than \$500.00

1515

1516 **Section 10.50 OPEN**

1517

1518 **Section 10.51 Possession of Cannabis, Controlled, or Illegal Substances**

1519 No person shall knowingly possess medicinal or recreational cannabis, or controlled and illegal
1520 substances, within the territory of or upon the property subject to the jurisdiction of the District. Any
1521 person violating this Section possessing not more than 2.5 grams of a substance containing cannabis
1522 or controlled or illegal substance shall be fined not less than \$200.00

1523

1524

1525 **Section 10.52 Geo-caching, Terra-caching, Letterboxing**

Code of Ordinances 11/09/2021

- 1526 A. Definitions.
- 1527 1. Geo-caching, terra-caching or letterboxing shall constitute the activity of placing one or
- 1528 more containers, located by means of GPS devices, to be found by participants to GPS
- 1529 coordinates.
- 1530 2. A "letterbox" "terra-cache" or "geo-cache" or "cache" shall mean the container so placed.
- 1531
- 1532 B. Restrictions and Penalty. Participants in Geo-caching activities shall not be required to
- 1533 obtain a permit or other permission from the District; however, the following rules apply.
- 1534 1. Participants are requested to consider the sensitivity of the area, the classification of the
- 1535 land (i.e., recreational, restoration, sanctuary, dedicated nature preserve, land or water
- 1536 reserve), the potential impact to habitat of land, threatened or endangered species, current
- 1537 development or restoration efforts at the park or facility, cultural or historic site
- 1538 compatibility, public safety, and similar issues.
- 1539 2. If ammunition boxes are used as caches, all sides should bear District-issued stickers.
- 1540 3. Participants should become familiar with District policies and rules applicable to the
- 1541 location used.
- 1542 4. The District is not responsible for caches, and participants should be aware of the risk of
- 1543 removal by third parties. Participation is at the sole risk of the participant.
- 1544 5. No caches may be placed in the following parks or areas:
- 1545 a. Within any building
- 1546 b. Parks: Beattie Park, Ekberg Pine Manor Park, Sand Park, Atwood Park
- 1547 c. Pools: Alpine Park, Sand Park, or Harkins,
- 1548 d. Golf Courses: Sinnissippi, Ingersoll, Sandy Hollow, and Aldeen golf courses,
- 1549 Aldeen Golf Practice Centre
- 1550 e. Ice Rinks: Riverview Ice House, Carlson Ice Arena
- 1551 f. Athletic venues: playing fields, spectator areas, paths, and concession areas of
- 1552 Mercyhealth Sportscore facilities; anywhere within the Mercyhealth Sportscore
- 1553 buildings, or the UWHealth Sports Factory.
- 1554 g. Facilities: Washington Park Community Center
- 1555 h. Other: Areas designated as prairie or nature preserve
- 1556 6. No caches larger than 4" x 8" x 12" may be utilized.
- 1557 7. No placed cache may contain perishable foodstuffs, offensive material, hazardous material, or
- 1558 waste material or refuse.
- 1559 8. No pipe with capped ends or other devices resembling a bomb or other dangerous device may
- 1560 be utilized.
- 1561 9. No cache may be attached to trees or shrubs, buildings or other structures, nor may any cache
- 1562 be buried by digging, nor may any cache be hidden or concealed by cutting, breaking, or
- 1563 other disturbances of vegetation.
- 1564 10. Geo-caching activities may not unreasonably interfere with other planned or customary park
- 1565 usage.
- 1566 11. A person found guilty of violating this Section shall be fined in an amount no less than
- 1567 \$200.00 and no more than \$500.00 for each offense.
- 1568
- 1569

1570 **Section 10.53 Easements Located Within District Property**

Code of Ordinances 11/09/2021

1571
1572 **WHEREAS**, pursuant to Section 6 of the Park District Code, 70 ILCS 1205/8-11, the Rockford Park
1573 District (the “District”) has the “power to grant easements for the construction, operation and
1574 maintenance upon, under or across any property of the District of facilities for public or private
1575 utilities, infrastructure, pedestrian or vehicular access, subject to such terms and conditions as may
1576 be determined by the District; and

1577
1578 **WHEREAS**, pursuant to Section 8 of the Park District Code, 70 ILCS 1205/8-1(d), the District may
1579 enact such rules and regulations for the management and conduct of its operations and business as it
1580 deems appropriate; and

1581
1582 **WHEREAS**, it is reasonable, necessary, and desirable for the District to adopt this ordinance
1583 (“Ordinance”) to provide the rules, regulations, and conditions applicable to the Districts issuance of
1584 easements and for such rules, regulations, and conditions to provide for the protection and
1585 preservation of the property, facilities, flora, fauna, and scenic beauties of the District and for the
1586 general safety of the public; and

1587
1588 **WHEREAS**, pursuant to the authorities cited above; the District has the authority and the power to
1589 adopt this Ordinance.

1590
1591 **NOW THEREFORE BE IT ORDAINED** by the Board of Commissioners of the Rockford Park
1592 District, THAT:

1593
1594 **Sub-Section 1. Recitals.** The recitals set forth above are incorporated as part of this Ordinance by
1595 this reference.

1596
1597 **Sub-Section 2. Applicability of Ordinance.** This Ordinance shall apply to requests from any
1598 person, partnership, corporation, public or private utility, federal, state, or local government entity,
1599 or other entity (an “Applicant”) to use District property for the installation, operation, maintenance,
1600 repair, relocation, replacement, or removal (“Work”) of any facilities or structures to be owned or
1601 controlled by such Applicant (“Facilities”) for the placement of utilities, infrastructure or pedestrian
1602 or vehicular access across, over, under, in, or upon any real property owned by the District. It shall
1603 be unlawful for any Applicant to perform any Work on or relating to any Facilities on any District
1604 property unless the District has first granted an easement to such Applicant in accordance with this
1605 Ordinance.

1606
1607 This Ordinance shall not relate to easements existing as of the date hereof. The Board may, by
1608 adopting a resolution in accordance with its general rules, waive compliance with this Ordinance in
1609 the event of an emergency or under circumstances in which compliance herewith is impractical or
1610 would cause undue hardship for the District. In applying this Ordinance, the District and its staff
1611 shall consider the nature and extent of the easement and the effect that granting such easement may
1612 have upon the District property and facilities in and around such area in which the easement is to be
1613 located, together with the encumbrances and limitations on use to the District or its successors and
1614 assigns that would be caused by the granting of same, and the hardship or other effect upon the
1615 general public that would be caused by any denial of same.

1616
 1617
 1618
 1619
 1620
 1621
 1622
 1623
 1624
 1625
 1626
 1627
 1628
 1629
 1630
 1631
 1632
 1633
 1634
 1635
 1636
 1637
 1638
 1639
 1640
 1641
 1642
 1643
 1644
 1645
 1646
 1647
 1648
 1649
 1650
 1651
 1652
 1653
 1654
 1655
 1656
 1657
 1658
 1659
 1660

Sub-Section 3. Application for Easement Agreement.

- A. Each Applicant that desires an easement, either temporary or permanent, shall submit an application for the same to the District (the “Application”). The Application submittal shall include some or all of the following as determined by the District (i) a Certificate of Insurance (as described herein); (ii) plans of the easement area and legal description of the easement area (the “Subject Property”); (iii) a draft easement agreement ; (iv) photographs of the easement location; (v) a narrative of the proposed project (including the proposed benefit to the District); (vi) include the required Application Fee provided for under this Ordinance; (vii) include a “Site Preservation and Restoration Plan” (as defined herein); (viii) include an “Environmental Assessment Report” (as defined herein) and (vi) additional attachments deemed appropriate by the Applicant or District for submittal.

Acceptance of a complete application submittal does not guarantee approval of said easement request. The District reserves the right to refuse any application packet deemed incomplete for processing.

- B. **Initial Determination and Policy Determination.** The District’s Executive Director or his or her designee (the “Executive Director”) shall (i) conduct a pre-application meeting with the Applicant prior to application submittal to discuss the merits, feasibility, and location (to determine a location with the least disruption to the Rockford Park District) of said easement request, and determine whether compensation in exchange of granting said easement is appropriate based on Board Policy Section 2.4.5; and (ii) present the Application to the District’s Board of Commissioners (the “Board”) with a recommendation to approve or deny the easement.

Sub-Section 4. Terms of Easements. A permanent easement shall run to perpetuity unless said easement is abandoned and vacated at a later date. The term of a temporary easement shall be a period of time deemed mutually agreeable by the Applicant and the Board.

Sub-Section 5. Agreement and Authority. An easement shall be effective only if is granted pursuant to an agreement that has first been approved by an ordinance or resolution of the Board. Policy direction by the Board is not sufficient to grant any easement.

Sub-Section 6. Authority to Deny Easement Request. Notwithstanding any other provisions of this Ordinance, the Board may determine not to approve for any reason, including without limitation, in their sole and absolute discretion, that the Work, Facilities, or Utility Services (i) may destroy or limit the present or future function, purpose, or utility of District property; (ii) may impede the present or future operation of any District property or programs; (iii) may destroy, threaten, or disturb unique or high quality natural, cultural, and historic areas as identified by the District or any other governmental agency; (iv) may substantially interfere with the scenic beauties of the District property; (v) would occur on District property encumbered by conservation easements or other use restrictions intended to preserve the property free from the effects of the intended easement use; or (ix) are not in the best interest of the District.

1661
1662 **Sub-Section 7. Fees, Services in Kind, and Easement Site Assessment.**

1663 **A. Application Fee.** An application fee for an easement, in the amount of \$250, shall be paid to
1664 the District upon submittal of an application packet.

1665
1666 **B. Monetary Fees.**

1667 **1. Fair Market Value.** For each easement, the Applicant shall pay to the District a fee
1668 (a “Monetary Fee”). The Monetary Fee shall not be less than the fair market value of
1669 the Subject Property as determined by (i) an appraisal (at the sole expense of the
1670 Applicant) of the Subject Property; (ii) a current or recent purchase price of the
1671 Subject Property; (iii) sales of comparable properties, or (iv) such other information
1672 as will provide the best indication of the current fair market value (the “Fair Market
1673 Value”). The Fair Market Value shall be determined as if the Subject Property were
1674 unencumbered and shall not take into consideration the nature of the easement
1675 granted or the fact that the District may have granted another easement within the
1676 Subject Property. The Monetary Fee may be waived at the discretion of the Board if
1677 it is deemed in the best interest of the District, or other acceptable reasons shall be
1678 determined to apply.

1679 **2. Calculation of Easement Area.** As an alternative to use of the property’s Fair
1680 Market Value, the District and Applicant may negotiate a fee (on linear feet or square
1681 feet basis) to determine the monetary fee for the easement. A base fee of \$500 is
1682 required of any negotiated fee for a temporary easement. The negotiated fee is
1683 subject to final review and approval by the Board.

1684 **3. Area of Subject Property.** The area of the Subject Property, for purposes of
1685 determining the Fair Market Value shall be determined by multiplying the length of
1686 the Subject Property by the width of the Subject Property; provided, however, that
1687 neither the length nor the width shall be deemed less than 20 feet for purposes of
1688 calculating the Fair Market Value.

1689 **4. Additional Consideration.** The District reserves the right to require from a Tax-
1690 Supported Organization, as part of the Monetary Fee, and in addition to or in lieu of
1691 the Fair Market Value, or any portion thereof, any tangible or intangible
1692 compensation, item of value, or other consideration in an amount and form
1693 determined by the District (“Additional Consideration”) without limiting the
1694 previous provisions of this Section. The District may require Additional
1695 Consideration (i) for an above ground Facility that will alter the scenic beauty of
1696 District property, as determined solely by the District; or (ii) in the form of a waiver
1697 of any tap-on, connection, recapture, or similar fee otherwise applicable to said
1698 utility service.

1699 **5. Replacement Fee.**

1700 **a. Amount of Replacement Fee.** For every easement, the Applicant shall replace
1701 trees, shrubs, and plants within the Site Preservation and Restoration Area
1702 (defined in Sub-Section 7.C.) that are removed, damaged, or impacted by any
1703 work or facilities. Determination of removal, damage, or impact shall be at
1704 the sole discretion and judgment of the District. Contrary claims of existing
1705 conditions and such shall be the responsibility of the applicant in the form of

1706 pre-construction activity photographs and video submitted prior to the
1707 approval of any construction or site activity.

- 1708 i. Restorative plantings may be placed at an alternate location as
1709 deemed appropriate by the District.
- 1710 ii. Trees and shrubs shall be replaced on a per caliper inch basis.
- 1711 iii. Habitat is measured on a square-foot valuation (which may be
1712 adjusted from time to time).

- 1713 **6. Fines.** The Executive Director may impose fines for negligence in the prevention of
1714 damage to trees and habitat. Fines shall be in addition to restoration costs and paid
1715 within seven (7) days of notice. Notice of such fines may be delivered by mail, e-
1716 mail, or other written notice. Unpaid fines will incur a \$500 per day fee for each
1717 additional day beyond the seven-day period.
1718

1719 C. Site Preservation and Restoration Plan.

- 1720 **1. General Requirements.** To determine the plants and areas designated for
1721 preservation and restoration, the Applicant shall submit as part of the Application a
1722 botanic survey (the “Site Preservation and Restoration Plan”) identifying all trees and
1723 shrubs by genus and species (by species if possible) and significant herbaceous plants
1724 by genus and species (by species if possible), as well as turf and ecological
1725 conditions within an area that includes the Subject Property and an additional 20-foot
1726 perimeter around the Subject Property or additional area if there is a potential for
1727 impact beyond this perimeter due to construction activities. Such areas may include
1728 waterways, migration corridors, view sheds, and the like (“Site Preservation and
1729 Restoration Survey Area”).

1730 The information entered in the plan shall be presented in a report format describing
1731 all direct and indirect impacts to trees, shrubs, plants, and ecological conditions
1732 within the survey area. Before initiating the Site Preservation and Restoration Plan,
1733 the Applicant shall meet with the Executive Director or his or her designee to (i)
1734 notify him or her of the person or entity proposed by the Applicant to perform the
1735 botanic survey; and (ii) discuss the conduct and scope of the survey.

1736 All components of Site Preservation and Restoration Planning must be approved by
1737 the Executive Director or his or her designee (i.e., District Landscape Architect) prior
1738 to commencing.

- 1739 **2. Trees.** For each tree in the Survey Area, (i) the scaled survey shall identify (a) the
1740 location of the tree; (b) the genus and species (by species if possible) of the tree; and
1741 (c) the diameter of the tree, measured at four (4') feet six (6) inches above the ground
1742 level. If this survey is computer generated, the computer file shall be submitted in a
1743 computer aided drafting (CAD) format acceptable to the District.

- 1744 **3. Shrubs.** For each shrub of significant importance or size in the survey area, (i) the
1745 scaled survey shall identify (a) the location of the shrub; (b) the genus and species
1746 (by species if possible); and (c) the height and width of the shrub.

- 1747 **4. Ecologically Significant Areas.** For all areas of ecological significance (as defined
1748 in the RPD Natural Areas Inventory, Winnebago Natural Resources Inventory,
1749 Boone and Winnebago County Greenways Plan, or determined by the District), such
1750 as woodlands, wetlands, riparian areas, prairies, and the like in the survey area, the

1751 scaled survey shall identify (a) the genus and species of all native flora that will be
 1752 impacted (b) the distribution of those native species, and (c) a quantitative measure
 1753 like the *Floristic Quality Index* (FQI) to express the "quality" of a natural area.

1754 **5. Restoration.** All areas disturbed by approved construction shall be restored to their
 1755 original condition, if possible, or to a condition acceptable to the District.

1756 a. Such a situation may include restoration to the turf after the approved
 1757 removal of woodland in the project area.

1758 b. Another situation may include earth moving and grading, or activities that
 1759 alter the original grade such that additional topsoil is required to be imported
 1760 in addition to planting new trees, shrubs, perennials, and turf such that the
 1761 altered conditions are remediated to blend into the surrounding landscape and
 1762 pre-construction uses of the park land.

1763 c. For areas that are infested with non-native invasive species (for example reed
 1764 canary grass (*Phalaris arundinaceous*), the area will be restored with a mix of
 1765 native plants acceptable to the District.

1766 d. For all ecologically significant areas, such as woodlands, wetlands, riparian
 1767 areas, prairies, and the like, the restoration of these areas will be done using
 1768 native local ecotype seeds, plants, shrubs, and trees. The seeds or plants will
 1769 meet or exceed the FQI identified in the initial botanical survey after the
 1770 establishment period (two growing seasons, the start date to commence from
 1771 the date of acceptance). The applicant is responsible for all maintenance
 1772 (mowing, spraying, reseeding, etc.) during the establishment period. If after
 1773 the establishment period the area does not meet or exceed the initial FQI, as
 1774 determined by the District, the applicant will be responsible for replanting,
 1775 over-seeding the area with native local ecotype plants/seeds, or other method
 1776 approved by the District, and continue maintenance for an additional two
 1777 growing season period.

1778 **6. Timing of Fees and Reimbursements.** All fees shall be paid to the District in a
 1779 timely manner. If the Board does not approve the easement, the Application Fee and
 1780 any costs incurred by the applicant to prepare the easement request are non-
 1781 refundable.

1782 **Sub-Section 8. General Provisions.**

1784 **A. Compliance with Laws, Permits, and Approvals.** In performing the Work, installing the
 1785 Facilities, and providing the Utility Services, the Applicant shall comply with all applicable
 1786 laws, statutes, regulations, rules, and requirements of federal, state, and local governments,
 1787 agencies, and authorities ("Requirements of Law"). In addition, no easement shall be
 1788 effective until the Applicant has obtained all required permits and approvals for the Work,
 1789 Facilities, and Utility Services that are required by Requirements of Law, including without
 1790 limitation, Requirements of Law enforced by or within the jurisdiction of the U.S. Army
 1791 Corps of Engineers, the Illinois Department of Transportation, the Illinois Environmental
 1792 Protection Agency, and the Winnebago County Storm Water Department or similar
 1793 functioning agencies or departments. It is the responsibility of the Applicant to obtain all
 1794 necessary permits, pay any fines imposed, and remediate such situations as a result of non-
 1795 compliance as well as provide copies of all such permits and approvals to the District.

1796 **B. Environmental Assessment Report.** With the Application, the Applicant shall include as
 1797 necessary an environmental report (i) delineating all ecologically sensitive conditions,
 1798 (habitats, significant species, wetlands, etc.) on the Subject Property; (ii) identifying the
 1799 boundaries, extent, function, and quality of all such ecologically sensitive conditions; and
 1800 (iii) describing the impact, if any, of the Work, Facilities, and Utility Services on the Subject
 1801 Property and any other District property. Such delineation is in addition to any ecologically
 1802 sensitive habitats identified by the District and does not assume areas identified by the
 1803 District are all-inclusive and the sole areas to be protected from Applicant's on-site activities.
 1804 Such areas not identified for their ecological significance may have aesthetic, cultural,
 1805 historical, or other significance as part of larger scale planning and value to the District. Such
 1806 areas will be considered on a case-by-case basis in addition to those areas identified in the
 1807 Environmental Assessment Report.

1808 **C. Conduct of work.**

1809 **1. Construction.** All Work by the Applicant and each contractor, subcontractor, or
 1810 third-party working on its behalf (a "Contractor"), shall be conducted in a
 1811 professional and workmanlike manner, without cost or expense to the District, and in
 1812 compliance with the Agreement and Requirements of Law. Prior to commencing any
 1813 Work, the Grantee shall first obtain the Executive Director's designee's approval of
 1814 engineering, construction, and building plans for the Work and Facilities
 1815 ("Construction Plans"), etc.

1816 **2. Restoration.** If the Work, Facilities, or Utility Services damage, destroy, or cause
 1817 any adverse impact to Subject Property or any other District property, whether inside
 1818 or outside the project limits, Applicant shall restore the Subject Property at no cost or
 1819 expense to the District to the original condition of the Subject Property prior to such
 1820 damage, destruction, or impact as determined by the District. See Sub-
 1821 Section 7.C. Site Preservation and Restoration Plan for further information.

1822 **a.** All trees, shrubs, and areas of ecological significance which are determined
 1823 by the District to be potentially impacted by construction activities, whether
 1824 within or outside the project limits, and designated for preservation, after
 1825 application, shall be protected by tree preservation fencing. No construction
 1826 activities shall commence before District approval of installation of tree and
 1827 habitat protection. The applicant shall contact the District a minimum of two
 1828 business days in advance to schedule the site visit. Such fencing shall extend
 1829 a minimum of twenty (20) feet beyond all critical habitat boundaries. Fencing
 1830 for trees shall be a minimum of one-and-one-half (1.5) times the diameter at
 1831 breast height (DBH), as measured in inches, to determine the diameter in feet
 1832 of tree protection, or to the bole of the tree, whichever is greater. This area
 1833 may be enlarged at the discretion of the District. Fencing shall be maintained
 1834 in an acceptable condition. Damage to fencing or construction activities in
 1835 fencing area, as determined by District, shall result in a fine of \$250 per
 1836 incident regardless of extent of damage if any, and cost of remediation, to
 1837 plants, habitat, soil, and wildlife in the protection area in addition to any other
 1838 fines. Claims counter to such shall be the responsibility of the Applicant and
 1839 documented by photography and video submitted prior to the approval of any
 1840 construction or site activity.

- 1841 b. Damage to fencing, habitat, drainage, structures above and below ground,
1842 and any other existing entities not designated as areas of construction and
1843 impacted by such activity, regardless of being within or outside project
1844 limits, shall be remediated, in addition to any fines, to the satisfaction of the
1845 District within no more than forty-eight (48) hours if not life-threatening or
1846 an environmental hazard (which may require immediate attention) unless
1847 given in writing by District additional time to remedy such. Damage to areas
1848 which cannot be immediately remediated to their original condition, such as
1849 sensitive habitat and the like, shall be restored to a condition acceptable to the
1850 District in addition to any fines imposed. Failure to do so may result in an
1851 order of cessation of all onsite activities until such situation is rectified.
- 1852 c. **Hazardous Materials.** The Applicant shall comply with all Requirements of
1853 Law that prohibit, restrict, or regulate any hazardous materials.
- 1854 **3. Easements are Non-Exclusive.** Easements granted pursuant to this Ordinance shall
1855 be non-exclusive, and the District may grant multiple easements within the Subject
1856 Property or any portion thereof.
- 1857 **4. No Assessments.** In each Agreement, the Applicant shall agree that (i) it shall not
1858 assess or impose against the park site in which the Subject Property is located any
1859 special assessment, special service area tax, recapture fee, or similar assessment, tax,
1860 or fee (an "Assessment"); and (ii) if any assessment has been imposed or is imposed
1861 in the future, it shall waive such Assessment or indemnify the District from and for
1862 such assessment.
- 1863 **5. District Held Harmless.** In each Agreement, the Applicant shall agree (i) that the
1864 District shall not be liable for any alleged damage or injury to any person, entity, or
1865 property as a result of or relating to the Work, the Facilities, the Public Services, or
1866 easement; and (ii) to indemnify and hold harmless the District, its Commissioners,
1867 officers, agents, and employees from and against any alleged loss, claim, expense,
1868 damage, or claim, including litigation costs and attorney fees, related to any such
1869 alleged damage or injury.
- 1870 **6. Certificate of Insurance for Grantee and Contractors.** In each Agreement, the
1871 Applicant shall obtain, or cause each Contractor to obtain, and keep in full force and
1872 effect insurance (in an amount of \$1,000,000 per occurrence or as approved by the
1873 District's risk management agency) necessary to protect and hold harmless the
1874 District, the Work, the Subject Property, and all property located at or near the
1875 Subject Property. The Certificate shall also list the District as additional insured. No
1876 work may begin without submittal of a Certificate of Insurance to the District.
- 1877 **7. Bond.** Prior to performing any Work, the Applicant may, at the discretion of the
1878 District, require its contractor to deposit with the Executive Director a bond in an
1879 amount determined by the District in the Agreement as a guarantee that the Applicant
1880 shall comply with all conditions of the Agreement including restoration of the
1881 Subject Property (the "Bond"). If Applicant fails to comply with any conditions. The
1882 District may take such action as it determines necessary or appropriate to remedy
1883 such failure and deduct any cost it incurs in taking such action from the Bond.
- 1884 **8. Recording.** All Agreements granting easements shall be recorded with the
1885 Winnebago County Recorder of Deeds (the "Recorder"), by and at the sole cost of

1886 the Applicant. The Applicant shall provide copies of the recorded easement
 1887 documents within 30 days following approval of the easement request by the Park
 1888 Board.

1889 **9. Revocation.** Each Agreement shall provide that, upon a breach of the Agreement, the
 1890 Board of Commissioners may revoke the easement granted in such Agreement. If an
 1891 easement is revoked, a certified copy of a document revoking the easement shall be
 1892 recorded with the Recorder, which shall conclusively establish the termination of
 1893 Applicant's interest in the subject property.

1894 **10. Reversion of Property.** Each Agreement shall provide that, if the easement ceases to
 1895 be used for the purpose for which it was granted, all Applicant's rights provided for
 1896 in the Agreement granting the easement shall terminate, and the Subject Property
 1897 shall thereafter be free and clear of such rights. If an easement is so terminated, a
 1898 certified copy of a document terminating the easement shall be recorded with the
 1899 Recorder at Applicant's cost, and a copy shall be delivered to the District.

1900 **11. Removal of Facilities upon Termination.** At the time an easement expires by lapse
 1901 of time, notice of revocation or termination, or any other reason, Applicant shall have
 1902 removed all Facilities from the Subject Property, and restored the Subject Property in
 1903 accordance with Sections 7.E. and 8.C., at Applicant's sole cost and at no cost or
 1904 expense to the District.

1905 **12. Captions.** The captions and headings used herein are for the convenience of
 1906 reference only and do not limit the content of this Ordinance.

1907 **13. Repealer.** All Requirements of the Law of the District that conflict with this
 1908 Ordinance are hereby repealed to the extent of such conflict.

1909 **14. Effective Date.** This Ordinance shall be in full force and effect 10 days after its
 1910 passage, approval, and publication, in the manner provided by Requirements of Law.

1911

1912 **RULES AND PROCEDURES**

1913 **FOR PROCESSING ROCKFORD PARK DISTRICT EASEMENT APPLICATIONS**

1914 **I. General Procedures**

1915 **A.** The Applicant should begin by contacting:
 1916 Rockford Park District
 1917 Attention: Capital Planning and Management
 1918 401 South Main Street
 1919 Rockford, Illinois 61101

1920 The Applicant shall arrange for a pre-application initial meeting with the Executive
 1921 Director or his or her designee from the Capital Planning and Management (CPM)
 1922 Department, to discuss the proposed easement. At this initial meeting, District staff
 1923 will discuss the process, scheduling, fees, and any other apparent issues with the
 1924 applicant.

1925 **B.** If the Applicant chooses to proceed with the proposal, the Applicant must assemble
 1926 the information required by this Ordinance, and any other information as requested
 1927 by staff. The Applicant will then provide that information and the application fee to
 1928 the District.

- 1929 C. The application packet shall be submitted to the CPM Department. The CPM
 1930 Department shall prepare a staff report and refer the easement request to the Board
 1931 for review and approval.
 1932 D. The CPM Department will inform the applicant of Board meeting schedule and other
 1933 relevant dates and deadlines.
 1934 E. The applicant should be aware that the application review and approval process is
 1935 normally expected to take a minimum of sixty (60) days.
 1936

1937 **IV. Definitions for the purpose of this section:**

- 1938 A. "*Easement*" shall refer to land in which an interest is granted to another party in a
 1939 real estate document for a specific use or purpose. Said uses may include, but are not
 1940 limited to placement of utilities, infrastructure or pedestrian or vehicular access.
 1941 B. "*Easement, Permanent*" means an easement conveyed in perpetuity to the entity
 1942 requesting said easement
 1943 C. "*Easement, Temporary*" means an easement conveyed for a specified period of
 1944 time as negotiated between the Rockford Park District and the entity requesting said
 1945 easement.
 1946 D. "*Non-tax Supported Organization*" means any organization whose primary
 1947 source of operating capital is derived from revenue collected from service
 1948 subscriptions.
 1949 E. Examples include, but are not limited to the following: service providers of
 1950 coaxial or other audio and video transmission, electrical, gas, internet, telephone
 1951 (landline and wireless telecommunications)
 1952 F. "*Tax-Supported Organization*" means any organization whose operating capital
 1953 is derived from taxes assessed to property owners, in addition, or in place of revenue
 1954 collected from service subscriptions.
 1955 G. Examples include, but are not limited to the following: local, county, and state
 1956 units of government, special taxing authorities and districts
 1957
 1958

1959 (Section 10.54 Open)
 1960
 1961
 1962
 1963

CHAPTER 11. ENFORCEMENT

1965
 1966 **Section 11.01 Permits**

1967 Any act prohibited by or under this code or any other ordinance or rule of the District, provided such
 1968 act is not otherwise prohibited by law or ordinance, shall be lawful to the extent authorized or
 1969 permitted under the provisions of a special use permit issued or permission granted by the District.
 1970

1971 Permits shall be issued and permission granted only upon the payment of such fees as may be
 1972 established from time to time by the District. All terms for the issuance of the permits and granting
 Code of Ordinances 11/09/2021

1973 of permission must be strictly complied with, and any violation of same or any other law, ordinance,
 1974 or rule of the District shall be grounds for revocation of same.

1975 *(Cross Reference: Rules & Regulations for Use of Park Property – see Customer Service)*
 1976

1977 **Section 11.02 Rules to be Obeyed**

1978 No person shall violate or disobey any rule of the District relating to the use and government of the
 1979 park system. The Executive Director of the District or his authorized representatives may issue such
 1980 rules and regulations as are necessary to ensure public health and safety in the use and enjoyment of
 1981 any and all park facilities, including but not limited to its swimming pools, golf courses, and any
 1982 other recreational facilities.

1983
 1984 **Section 11.03 Penalties**

1985 Any person violating or disobeying any clause or provision of any section of Chapters IX, X, and XI
 1986 of this ordinance or any of the other regulatory ordinances or rules of the District shall be guilty of a
 1987 misdemeanor, may be forthwith ejected from the park system, may have any permits or passes
 1988 previously issued forfeited for the season, and shall be fined upon conviction not less than one dollar
 1989 (\$1.00) and not more than five hundred dollars (\$500.00) for each offense, the fine to be recovered
 1990 in manner and form as provided by law. A separate offense shall be deemed committed upon each
 1991 day during or on which violation occurs or continues.

1992

1993 **CHAPTER 12. CONSTRUCTION AND REPEAL**

1994

1995 **Section 12.01 Owner Liability**

1996 Any person who is owner, registered owner, or in control of any animal, vehicle or other property of
 1997 any kind brought, placed, parked or remaining in the park system, or otherwise in violation of this
 1998 ordinance or other ordinance or rule of the District, shall be deemed prima facie responsible for the
 1999 violation involved, and subject to the penalty provided herein.

2000

2001 **Section 12.02 Partial Invalidity**

2002 If any provision of this Code or the application of such provision to any person, body, or
 2003 circumstance shall be held invalid, the remainder of this Code, or the application of such provision to
 2004 persons, bodies or circumstances other than those as to which it shall have been held invalid, shall
 2005 not be affected thereby.

2006

2007 **Section 12.03 Repeal of Prior Ordinances Effective Date of Ordinance**

2008 All ordinances and parts of ordinances in conflict or inconsistent with any of the provisions of this
 2009 ordinance are hereby repealed, and this ordinance shall be enforced from and after its passage and
 2010 approval.

2011

2012	PASSED.....	October 9, 2007, Rev. February 12 & 26, 2008
2013	APPROVED.....	October 9, 2007, Rev. February 12 & 26, 2008
2014	PASSED.....	October 9, 2007, Rev. April 16, 2009
2015	APPROVED.....	October 9, 2007, Rev. April 16, 2009
2016	PASSED.....	November 10, 2009 (Easement Ordinance)

2017	APPROVED.....	November 24, 2009
2018	PASSED.....	April 5, 2013 (Responsible Bidder Ordinance)
2019	APPROVED.....	April 23, 2013
2020	APPROVED	July 9, 2013
2021	APPROVED.....	August 11, 2015
2022	PASSED.....	February 14, 2017 (Clean Air Ordinance)
2023	APPROVED.....	November 7, 2017
2024	APPROVED.....	November 6, 2018
2025	APPROVED	November 5, 2019
2026	APPROVED	November 10, 2020
2027	APPROVED.....	November 9, 2021
2028	APPROVED.....	November 8, 2022
2029	APPROVED.....	<u>November 20, 2023</u>

2030
2031
2032
2033
2034
2035

Secretary Jack Armstrong

CHAPTER 13. PUBLICATION IN BOOK FORM

2036
2037

Section 13.01 Publication in Book Form

2038
2039 In lieu of other publications, this Ordinance shall be published in book or pamphlet form, and when
2040 so published, shall become effective with same force and effect as if otherwise published. Such book
2041 or pamphlet shall be received as evidence of the passage and legal publication of this Ordinance in
2042 all courts or places without further proof, all as provided by law.

2043

Section 13.02 Effective Date

2044
2045 This Code of Ordinances shall take effect and be in force from and after its passage, approval, and
2046 publication in book or pamphlet form as provided by law.

2047

2048 Passed and approved by the Board of Park Commissioners of the Rockford Park District on this 9th
2049 day of October, 2007, revised on February 12 and 26, 2008, revised on April 16, 2009, revised on
2050 November 10, 2009, revised on April 5, 2013, revised on July 9, 2013, revised on August 11, 2015,
2051 revised on February 14, 2017, revised on November 7, 2017, revised on December 12, 2017, revised
2052 on November 6, 2018, revised on November 5, 2019, revised on November 10, 2020, revised on
2053 November 9, 2021, revised on November 8, 2022, revised on November 20, 2023

2054

2055 APPROVED:

2056

President Martesha Brown

2057

2058

2059 ATTESTED:

2060

Secretary Jack Armstrong