

**GENERAL USE REGULATIONS  
OF THE  
FREEPORT PARK DISTRICT**

**EXPLANATION OF CLASS**

**Chapter VI, Section 3 outlines the applicable fine structure; the following is listed for reference purposes only.**

Class A - fine not less than \$75, but not more than \$500  
Class B - fine \$75  
Class C - fine \$50  
Class D - fine \$25

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**FREEPORT PARK DISTRICT  
1122 SOUTH BURCHARD AVENUE  
PO BOX 417  
FREEPORT, IL 61032**

**AN ORDINANCE SETTING FORTH THE RULES AND REGULATIONS GOVERNING THE USE OF  
THE PARK SITES OF THE DISTRICT**

WHEREAS, it is reasonable, necessary, and desirable for the FREEPORT PARK DISTRICT, a Park District organized and existing under the laws of the State of Illinois, (hereinafter referred to as the "District") to establish a general use ordinance governing the use of the Park Sites of the District; and

WHEREAS, subject to the provision of the Illinois Compiled Statutes, it is reasonable, necessary, and desirable for the District to provide rules and regulations in order to provide for the safe and peaceful use of the Park Sites; for the education and recreation of the public; for the protection and preservation of the property, facilities, flora, and fauna of the District; and for the safety and general welfare of the public; and

WHEREAS, the District has the authority and the power to establish this general use ordinance;

NOW, THEREFORE, BE IT ORDAINED, by the President and Board of Commissioners of the District as follows:

**CHAPTER I - PUBLIC USE**

**SECTION 1: PUBLIC USE AND PURPOSE OF THE DISTRICT:**

- A. Park Sites are for non-commercial use by the general public. One of the functions of the District is to acquire, protect, restore, restock, develop, and interpret a well balanced system of areas with scenic, ecological, recreational, and historic values for the inspiration, education, use, and enjoyment by the public. This Ordinance is intended to help carry out this function.
- B. It shall be unlawful for any person to disobey any rule or regulation posted in accordance with this Ordinance. (Class C)

**SECTION 2: HOURS OF USE**

- A. Park Sites shall be open to the public from dawn to dusk, or as posted. (Class C)
- B. Quiet hours shall prevail at all Park Sites between the hours of 10:00 p.m. and 7:00 a.m. (Class D)
- C. No person shall attempt to enter, or enter and remain in the Park Sites when the Park Sites are not open to the public without the written permission of the Director or his designate. (Class C)
- D. No person shall enter or attempt to enter any park site except through an authorized entrance designed and maintained for such entry into a park site. (Class C)

**SECTION 3: PERMITS**

- A. No person shall conduct, operate, present, manage, or take part in the following activities in a park site unless a permit is obtained prior to the start of the activity:
  - 1. Re-occurring commercial use not sponsored by the District conducted on District property, including, but not limited to, exercise classes, personal training, and personalized sports instruction not sanctioned by the District. (Class A)
  - 2. Any contest, show, exhibit, performance, play, act, motion picture, acrobatic feat, bazaar, sporting event, musical event, ceremony, day camp or any public meeting, assembly or parade including, but not limited to, drill or maneuvers, rallies, picketing, speeches and addresses, marches or political meetings; (Class D)
  - 3. Any use of a Park site or facility by a certain person or group of persons to the exclusion of others; (Class C)
  - 4. Camping on lands of the District or inhabiting any structure or facility overnight. (Class C)
- B. Persons desiring the above activity may apply to the Director or his designate, for a written permit under the following categories:
  - 1. **PICNIC:** No permit is required to have a picnic for groups of less than sixteen (16) people; however, if a group of less than sixteen (16) people desires to reserve a designated area, areas, or shelter, to the exclusion of others, then a permit is required. A permit is required to have a picnic for groups of 16 persons or more. Any group that desires, in conjunction with a picnic, controlled activities such as, but not limited to, pig roast, sound amplification, special vehicle access, animal rides and the like, must so indicate these activities at the time of application for permit. Such request may be approved with consideration of current District policy by the Director or his designate. (Class A)

2. **CAMPING:** Overnight camping on, within or upon Park Sites shall be allowed, but only by permit issued by the District. Camping shall be confined only to those designated areas. Permits authorizing overnight camping shall be secured in person or in writing from the office of the District at least one (1) week in advance. A camping permit may be issued for a period not to exceed three (3) consecutive nights. A camping permit may be renewed for an additional two (2) consecutive nights at the same location. Persons are eligible to camp on Park Sites for a maximum of ten (10) days in a thirty (30) day period. (Class C)
  3. **RE-OCCURRING COMMERCIAL USE:** A permit is required for commercial use not sponsored by the District conducted on District property; for example, exercise classes, personal training, and personalized sports instruction classes would qualify under this category. The permit may be valid from one day to one year. (Class A)
  3. **SPECIAL EVENT:** A permit is required for any of the other activities listed in Section 3A, Paragraphs 1 and 2, above. The permit may be valid for from one to seven consecutive days. The permit may provide for use of an area or areas to the exclusion of others and for other permit controlled activities pursuant to this Ordinance. (Class C)
  4. **TENTS/CANOPIES:** Tent (and/or canopy) usage on District property requires a special event permit and supervision of placement, erection, and removal of tent. (Class B)
- C. Any and all permits are subject to revocation at the discretion of the Director or his designate based on alleged violations of this Ordinance, whether subsequently contested or not, or misconduct of persons present under any permit or authorization.

**SECTION 4: SEASON PASSES AND ADMISSION FEES:**

- A. The District reserves the right to charge admission or usage fees for District facilities/events on a per usage or per season basis. The cost of the admission to a particular facility or a specific event shall be determined by the Director.
- B. Season Passes may be issued for some facilities which have a per usage charge. Season Passes shall be effective until the expiration date indicated thereon (or conclusion of that particular season), and presentation of a valid Season Pass shall be the equivalent of the proper usage fee. Provided, however, that in no event shall a Season Pass issued to an individual be deemed a valid Season Pass if presented by another person (penalty: revocation or confiscation of the Season Pass).
- C. The presentation of a Season Pass or the proper usage fee shall not entitle any person to the usage of a facility solely by virtue of said presentation. The District reserves the right to refuse admittance to a District facility to any person who has violated any rule or regulation promulgated by the District, and to revoke any Season Passes issued to such person. No refund shall be available for a revoked or confiscated season pass.

**SECTION 5: PROCEDURES GOVERNING PUBLIC COMMENT AT MEETINGS:**

- A. The District declares that it is appropriate, reasonable and fair, to provide consistent rules and procedures for the presentation of public comments addressed to the District Board of Park Commissioners, (Board), its standing or special committees, and in compliance with the Open Meetings Act, to assure fair and consistent public participation and maintain the Board's orderly presentation and completion of business.
- B. Any person not a member of the Board or an officer or employee of the District may address the Board at a public meeting in accordance with the following rules:
  1. He or she rise (if not physically impaired) and state his or her name.
  2. No person, other than members of the Board and the person having the floor, shall be permitted to enter into any discussion, directly or through members of the Board, without the permission of the President or presiding officer.
  3. Members of the Board may, but shall not be required to, ask or respond to questions of the person having the floor. Any such answers or questions from members of the Board shall be limited in number and to the point, soliciting only a brief answer from the person speaking.
  4. Any action of, or communication from, any person present shall not interfere with the efficient conduct of the meeting or the business of the Board, or the decorum of the meeting.
  5. The President or presiding officer shall preserve order and decorum, and reserve the right to halt or suspend the public meeting to a later date if the rules established hereby are not being followed.
  6. Written comments from persons desiring to address the Board shall be accepted in advance or during the public meeting and be entered into the record under "Correspondence", that portion of the meeting agenda designated for same. Speakers wishing to address the Board must do so in person. This rule shall not prevent any person from giving any written comment to the Executive Director of Parks privately, at any reasonable time.
- C. Any member of the public wishing to address an item on the agenda of that meeting or a concern not listed on the agenda must sign-in with the Secretary of the Board prior to commencement of the meeting. Unless further time is granted by the Board, such comments by the speaker shall be limited to three (3) minutes. Prior to the start of the public comment session, the board may, but shall not be required to, establish procedures that assure

equal time is given to both sides of an issue, encourage the expression of thoughts and ideas not already presented to the Board during the meeting and provide sufficient time to cover other issues that may be on the agenda.

## **CHAPTER II - PROTECTION OF PROPERTY, STRUCTURES, & NATURAL RESOURCES**

### **SECTION 1: DESTRUCTION OR MISUSE OF PROPERTY AND STRUCTURES:**

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

- A. Destroy, deface, paint, alter, change, or remove any monument, stone, marker, benchmark, stake, post, or blaze marking any boundary line, survey line, or reference point; (Class A)
- B. Cut, break, mark upon, or otherwise damage, destroy, or remove any post, building shelter, picnic table, bridge, pier, drain, well, fountain, pump, telephone, lamp post, fence gate, refuse container, exhibit, display, tool storage box, utility outlet, movie screen, flag post, or any other structure or parts thereof, without written permission of the Director; (Class A)
- C. Deface, destroy, cover, damage, or remove any placard, notice, or sign, or parts thereof, whether permanent or temporary, posted, or exhibited by the District to announce the rules, regulations, and warnings or any other information to the public necessary or desirable to the proper use of the park site; (Class A)
- D. Take, appropriate, excavate, injure, destroy or remove any historical or prehistorical ruin or parts thereof, or any object of antiquity, without written permission of the Director; (Class A)
- E. Throw, carry, cast, drag, push, or deposit any refuse container, picnic table, barricade, or any other movable or non-movable property into any lake, pond, slough, stream, or lagoon or upon the frozen waters thereof or to otherwise render it unavailable to the general public for its intended use, to cause a hazard to public safety or to damage or destroy such property; (Class A)
- F. Occupy or inhabit, or cause to be occupied or inhabited, any house, barn, shelter, shed, or other structure used for storage, or cause to be used for storage of any goods, any house, barn, shelter, shed, or other structure without approval of the Board and written permission of the Director; (Class C)
- G. Enter into or upon any Park Site or waters or areas thereof or structure closed or posted against trespass without written permission of the Director or his designate. These structures or areas may be, but are not limited to, employee residences and their immediate surrounding areas, work shops or stations, tree nurseries or areas undergoing intensive reforestation or other soil or vegetative treatment or areas hazardous to public safety or health; (Class B)
- H. Tamper with in any way, enter or climb upon, damage or remove anything from any District vehicle, watercraft, machine, or implement, without written permission of the Director; (Class A)
- I. Misuse any refuse container or receptacle by depositing into it any hot coals or other hot or burning substances, or by depositing into it any garbage, trash, refuse, or other unwanted material that was not generated on the site in the course of normal, lawful use of the Park site facilities. (Class A)
- J. Walk off any path, trail, or roadway except any area designated for such use by the Director or his designate. (Class D)
- K. Play or practice golf except in designated areas. (Class D)

### **SECTION 2: DESTRUCTION OR MISUSE OF NATURAL RESOURCES:**

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

- A. Cut, remove, uproot, or wantonly destroy any tree, sapling, seedling, bush, shrub, flower, or plant, whether alive or dead; or chip, blaze, box, girdle, trim or otherwise deface or injure any tree, shrub, or bush; break or remove any branch or foliage thereof; or pick or gather any seed of any tree or other plant without the written permission of the Director; (Class C)
- B. Remove or cause to be removed any sod, earth, humus, downed timber, wood, chips, peat, rock, sand, or gravel; or remove or cause to be removed any other natural material of the forest floor or earth without written permission of the Director; (Class C)
- C. Hunt, pursue, trap, catch, capture, molest, poison, wound, or kill any invertebrate animal, mammal, bird, reptile, or amphibian; disturb, molest or rob the nest of any mammal, bird, insect, reptile, or amphibian or the lair, den or burrow of any mammal, bird, reptile or amphibian, without written permission of the Director: (Class A)
- D. Fish in any waters of the District posted against fishing or by using a bow and arrow, spear or slingshot; or by using hooks baited with live or dead fish, amphibian, reptile, or bird; or with more than two devices; or with any device using more than two hooks per line; or any net, seine or trap; or with attended or unattended lines during the hours that Park Sites are closed as defined by the provisions of the Ordinance or in violation of any regulations or restrictions posted by the Director or his designate controlling the size, species, and number of fish that can be taken from a designated body of water; (Class C)
- E. Release or cause to be released any wild, domestic, or pet animal, bird, fish, or reptile, or bring in or plant or distribute the seeds or spores of any flowering or non-flowering plant brought into or upon District lands or

- waters from any outside source whatsoever, without written permission of the Director; (Class D)
- F. Use or cause to be used any chemical or biological pesticide or any other substance, measure or process designated to alter the anatomy or physiology of any organism for the purpose of directly manipulating their populations, without written permission of the Director and then only in compliance with all applicable laws of the State of Illinois and the United States; (Class A)
  - G. Drive, or cause to be driven, any cattle, horses, sheep, goats, swine, or other livestock to graze or browse, without the written permission of the Director; (Class D)
  - H. Deposit, dump, throw, cast, lay or place, nor cause to be deposited, dumped, thrown, cast, laid or placed any ashes, trash, rubbish, paper, garbage, refuse, debris, junk, organic or inorganic waste. However, on site produced garbage may be deposited in a designated container. (Class A)

### **SECTION 3: CONTRABAND**

All animals, plants, birds, fish, or reptiles, or pates thereof, killed, captured, trapped or taken, bought, sold or bartered or had in possession contrary to any provision of this Ordinance or applicable laws of the State of Illinois shall be, and are hereby declared, contraband and, as such, shall be subject to seizure by any duly sworn police officer, caretaker or employee of the District or by any recognized police officer.

### **SECTION 4: DESTRUCTION BY OR MISUSE OF FIRE:**

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

- A. Set fire, or cause to be set on fire, any tree, forest, brushland, grassland, meadow, prairie, marsh, slash, refuse, refuse container or structure; (Class A)
- B. Build a fire anywhere, for any purpose, except in fireplaces or fire receptacles; (Class A)
- C. Build a fire or cause a fire to start in or out of a receptacle close to or in any structure whatsoever or close to any tree other plant in such a way as to deface, damage, or destroy that structure or scar, injure or destroy any tree or plants or their foliage; (Class A)
- D. Drop, throw away or scatter any burning, lighted or hot coals, ashes, cigarette, cigar, or match; (Class D)
- E. Build any fire whatsoever for any purpose in or out of a receptacle or fireplace and leave it unattended, unless such fire is properly extinguished. For the purpose of this Ordinance, a fire shall be deemed properly extinguished when its ashes, residue, coals, and unburned substance is cold to the human touch. (Class A)

## **CHAPTER III - REGULATION OF SPORTS AND GAMES**

### **SECTION 1: SWIMMING:**

No person shall upon or in connection with any property of the District swim, wade, or bathe at any time in any of the lakes, ponds, streams, sloughs, or watercourses, except at such place or places as may be designated by the Director and then only in accordance with the rules, regulations, and restrictions promulgated and posted. (Class D)

### **SECTION 2: WATERCRAFT:**

No person shall upon or in connection with any property of the District bring into, attempt to launch, use, or navigate any boat, yacht, raft, personal flotation device or other watercraft upon the waters of any watercourse, lagoon, lake, pond, or slough, except at such places as may be designated by the Director (or Superintendent of Recreation) and authorized for such use as evidenced by written permission of the Director (or Superintendent of Recreation) with the exception of a canoe or kayak as long as they are launched and taken out at the designated launch area at Krape park (no trailers are allowed, canoes and kayaks must be carried to and from the water). Where allowed, watercraft shall be used in accordance with the District rules, regulations, and restrictions duly set forth and posted, as well as all applicable statutes of the State of Illinois and the United States. No person shall operate a boat or water floatation device of any kind or description on any Park Sites, unless such board or water floatation device is propelled without the aid of a motor. Boats or water floatation devices propelled by motors of any type are prohibited and shall not be operated on any Park site. Sailboards shall also be prohibited and shall not be operated on any Park site. (Class D) Overdue rental watercraft may be assessed fines related to search and rescue operations.

### **SECTION 3: ENGINE POWERED MODELS OR TOYS:**

No person shall upon or in connection with any property of the District start, fly or use any fuel-powered engine, jet-type or electric-powered model aircraft, boat or rocket or like powered toy or model, except at those areas or water designated by the Director for such use and then only in accordance with such rules, regulations and restrictions promulgated and posted by the Director or his designate. (Class D)

### **SECTION 4: HORSEBACK RIDING:**

No person shall upon or in connection with any property of the District bring into, unload, use or ride any horse except on those fields, lots, areas, trails, paths, or roadways designated by the Director for horse use. Where allowed, horses shall be used in accordance with the rules, regulations, and restrictions duly set forth and posted by the Director or his designate. (Class D)

### **SECTION 5: BICYCLING:**

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

- A. Use or ride a bicycle on any path, trail or other area: Except those areas designated by the Director or his

- designate for bicycle use; (Class D)
- B. Fail to ride a bicycle on the right-hand side of any trail or path, as conditions shall permit; (Class D)
- C. Ride a bicycle more than 2 abreast or in any other manner than single file on any path, trail or road used by the public for motor vehicle access. (Class C)
- D. Fail to yield the right of way to any and all pedestrians while riding a bicycle. (Class D)
- E. Use or ride a bicycle in/on the Skate Park or Koenig Theatre. (Class A)

**SECTION 6: SOUND OR ENERGY AMPLIFICATION:**

No person shall upon or in connection with any property of the District play or operate any sound amplification devices including radios, television sets, public address systems, musical instruments, and the like; or operate any other energy amplification device in such a way as to be audible beyond the immediate vicinity of such device or musical instrument or in such a manner as to disturb the quiet camps, picnic areas or other public gathering places, without written permission of Director. (Class B)

**SECTION 7: WINTER SPORTS:**

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

- A. Operate or ride any snowmobile or other motor driven device on any area except in those areas designated and posted by the Director or his designate for such activities; or on any area posted by the Director or his designate as being “unsafe” or “hazardous” or as being closed due to inadequate snow cover or other environmental conditions. (Class C)
- B. Sled, toboggan, ski or slide in any area, except in those areas designated and posted by the Director or his designate for such activities; or on any area posted by the Director or his designate as being “unsafe” or “hazardous” or as being closed due to inadequate snow cover or other environmental conditions. (Class D)
- C. Enter on or upon any frozen waters to skate, fish, slide or walk except in those areas designated and posted by the Director or his designate for such activities; or on any area posted by the Director or his designate as being “unsafe” or “hazardous” or as being closed due to inadequate snow cover or other environmental conditions. (Class D)
- D. Bring onto or upon the frozen waters of any lake, pond or watercourse any iceboat, wind-driven-like device or other vehicle, without written permission of the Director or his designate. (Class C)

**SECTION 8: FIELD AND TEAM SPORTS:**

No person shall upon or in connection with any property of the District play or engage in any team sport or game such as, but not limited to, baseball, football, field hockey, volleyball, lacrosse or horseshoes, except in those areas designated by the Director as athletic fields or, if none are available, only on those areas and for such period of time determined by, and permitted by, the Director or his designate in order to insure the safe and equal use of the Park site by others. (Class D)

**SECTION 9: AMUSEMENT CONTRAPTIONS:**

No person shall upon or in connection with any property of the District bring in, set up, construct, manage or operate any amusement or entertainment contraption, device or gadget, without written permission of the Director. (Class A)

**SECTION 10: AVIATION:**

No person shall upon or in connection with any property of the District make any ascent, descent, landing in a balloon, airplane, glider, hang glider, kite or parachute, without written permission of the Director. (Class A)

No person shall fly, cause to be flown, or permit any aircraft of any kind to be flown over the park system at any time, at any elevation, less than the minimum safety requirements established by the Civil Aeronautics Administration or other governmental authority, or less than is responsible and proper, or so as to endanger the safety of any persons or property. No person shall land, cause to be landed, or permit any aircraft to land in the park system, except when required by unavoidable emergency or as approved by the Director. (Class A)

**SECTION 11: GAMBLING:**

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

- A. Manage, operate or engage in gambling of any form; (Class A)
- B. Have in their possession any clock, wheel, tape machine, slot machine, pin machine or other machine or device for the reception of money or other thing of value on chance or skill or upon action of which money is staked, bet, hazarded, won or lost. Any such machine or device shall be subject to seizure, confiscation, and destruction by any Police officer or employee of the District. (Class A)

Gambling may be allowed only in activities sponsored by the District, under established guidelines and regulations.

**SECTION 12: SKATEBOARDS & IN-LINE SKATES:**

- A. No person shall upon or in connection with any property of the District ride or operate any skateboard or in-line skates, except at such place or places as may be designated by the Director and then only in accordance with the rules, regulations, and restrictions promulgated and posted. (Class D)

- B. Failure to comply with posted rules and regulations on more than two occasions will permit the District to prohibit use of the skate park and 300 feet within the skate park's vicinity until the offender complies with the posted rules, regulations, and restrictions promulgated and posted. The perimeter restriction only applies to the offender appearing with a skateboard, and not for non-skating activities such as at family pavilions.

**SECTION 13: GOLF:**

No person shall on or in connection with any property of the District play, practice, or otherwise participate in the game of golf, except on those areas specifically designated for such use, and only in accordance with the rules, regulations, and restrictions promulgated by the Director or his designate. (Class D)

**CHAPTER IV- REGULATION OF MOTORIZED VEHICLES, TRAFFIC, & PARKING**

**SECTION 1: VEHICLE OPERATION AND EQUIPMENT:**

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

- A. Operate, or cause to be operated, any motorized vehicle in violation of the Vehicle Code of the State of Illinois. (Class B)
- B. Operate or propel a vehicle or cause a vehicle to be propelled on any road, drive or parking area at a speed greater than the speed limit posted along the right-of-way or, in the absence of such posted limit, at a speed in excess of 20 m.p.h.; (Class A)
- C. Operate or cause to be operated, any motor vehicle in violation of the equipment, control, licensing, registering and /or use requirements of the Vehicle Code of the State of Illinois. (Class B)

**SECTION 2: VEHICLE TYPES AND ACCESS ALLOWED:**

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

- A. Operate, or cause to be operated, any motor vehicle anywhere except on the roads, drives and parking areas provided, without written permission of the Director and then only in compliance with the directions and restrictions of the local police of the area; (Class B)
- B. Operate, or cause to be operated, any motor vehicle anywhere that is not licensed or permitted to be operated on the roads, streets and highways of the State of Illinois, without written permission of the Director and then only in those areas specified and in accord with the rules and restrictions duly set forth by the Director. Vehicles not so licensed, and therefore, subject to the provisions of this sub-section include, but are not limited to, snowmobiles, go-carts, trail bikes, and such other all terrain off-the-road vehicles; (Class B)
- C. Operate or move, or cause to be operated or moved, any motor vehicle locked in as a result of the closing of the Park site at the proper posted time, without the written permission of the Director or until such time that the Park site is officially opened. Any unauthorized vehicle remaining in the Park Sites after closing may be caused to be removed from anywhere in any of the sites by towing. The expense of such towing shall be borne by the owner of the vehicle; (Class B)
- D. Operate a motorized vehicle on any road, drive or parking area posted, gated, or barricaded as closed to public traffic; (Class B)

**SECTION 3: RIGHT-OF-WAY**

No person shall upon or in connection with any property of the District operate a motor vehicle in such a manner as to fail to yield the right-of-way to pedestrians, bicyclists and/or equestrians. (Class B)

**SECTION 4: PARKING:**

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

- A. Park a vehicle overnight or leave or cause to leave a vehicle parked in a Park site after the posted closing time without written permission of the Director or his designate; (Class D)
- B. Park a vehicle in such a way as to block another parked vehicle; (Class D)
- C. Park a vehicle in such a way as to block, restrict, or impede the normal flow of traffic; (Class B)
- D. Park a vehicle in a zone or area posted as prohibited for parking; (Class B)
- E. Park a vehicle on meadow, prairie, marsh, field, in a woodland or on any exposed roots of any tree or shrub, except in an emergency or a matter of public safety; (Class D)
- F. Park a vehicle on turf or grass that is not specifically designated as a parking area, except in an emergency or a matter of public safety; (Class D)
- G. Park a vehicle for the purpose of washing it or for the making of any repairs or alterations to any vehicle except those of an emergency nature; (Class C)
- H. Congregate within a parking area so as to disrupt traffic or other persons, or create a safety hazard; (Class D)
- I. Park an unauthorized vehicle in a designated handicapped parking zone. (Class A)



## **SECTION 5: IMPOUNDING OF VEHICLES**

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

## **SECTION 6: PUBLIC NUISANCES**

This chapter is declared necessary for the preservation of the public peace, health, safety and welfare of the general public, and is intended to address a public nuisance created by individuals operating motor vehicles upon the streets and highways of the District. To that end, certain provisions of the Codified Ordinances of the City of Freeport, Illinois, specifically identified in this Section, hereby are enacted by reference and incorporated herein. No person shall cause, or allow to occur, a public nuisance upon or in connection with any property of the District, as defined herein.

- A. **DECLARATION OF PUBLIC NUISANCE.** A motor vehicle, which is used in any of the following circumstances, shall be declared a public nuisance:
1. The registered owner or any other person in possession of a motor vehicle wherein the operation of any sound amplification system which can be heard outside the vehicle from seventy-five or more feet when the vehicle is being operated upon a highway, unless such system is being operated to request assistance or warn of a hazardous situation.
  2. The registered owner or any other person in possession of a motor vehicle where the windows of the motor vehicle are obstructed in violation of Sections 12-503 of the Illinois Vehicle Code (625 ILCS 5/12-503 (a) and (b)).
  3. The registered owner or any other person in possession of a motor vehicle in violation of Section 650.08 of these Codified Ordinances relating to curfew, as amended.
  4. The registered owner or any other person in possession of a motor vehicle in violation of Section 7-601 of the Illinois Vehicle Code (625 ILCS 5/7-601, entitled "Required Liability Insurance Policy").
  5. The registered owner or any other person in possession of a motor vehicle while being twenty years of age or younger in possession of alcoholic liquor in violation of Section 608.10 of the Codified Ordinances of the City of Freeport, Illinois, as amended.
  6. The registered owner or any other person in possession of a motor vehicle in violation of Chapter 626 of the Codified Ordinances of the City of Freeport, Illinois, entitled "Drugs", as amended.
  7. The registered owner or any other person in possession of a motor vehicle in violation of Section 692.03 of the Codified Ordinances of the City of Freeport, Illinois, entitled, "Weapons and Explosives", as amended.
  8. The registered owner or any other person in possession of a motor vehicle in violation of Section 11-204 of the Illinois Vehicle Code (625 ILCS 5/11-204, entitled "Fleeing of Attempting to Elude Police Officer").
- B. Any motor vehicle used in violation of the chapter may be impounded for the periods of time set forth in C. following, and the registered owner of such motor vehicle shall be subject to minimum penalties set forth in F. and I., in addition to fees for towing and storage of the motor vehicle.
- C. **LENGTH OF IMPOUNDMENT AND FINES.** Whenever a motor vehicle is used in any of the circumstances set forth in Section 6(A), such motor vehicle shall be impounded for the following lengths of time;
1. A motor vehicle used in violation of Section 6(A)(1) or (2) shall be impounded for five calendar days.
  2. A motor vehicle used in violation of Section 6(A)(3) shall be impounded for seven calendar days.
  3. A motor vehicle used in violation of Section 6(A)(4) or (5) shall be impounded for fourteen calendar days.
  4. A motor vehicle used in violation of Section 6(A)(6), (7) or (8) shall be impounded for twenty calendar days.
- Any person reclaiming his or her motor vehicle, upon expiration of the applicable time period set forth in this section or upon payment of the administrative fee pursuant to F. shall pay all costs of towing and storage for release of such motor vehicle.
- D. **NOTICE TO REGISTERED OWNER.** Whenever a police officer or law enforcement person (officer) has reasonable suspicion to believe that a motor vehicle is being used in violation of this section, the officer shall determine whether the person in possession of said motor vehicle is the registered owner. If the person in possession of the motor vehicle is not the registered owner and the police officer has no record of the some prior offense related to the use of such motor vehicle, the police officer shall provide notice to the registered owner that any subsequent offense under this chapter shall subject the motor vehicle to impoundment.
- E. **NOTICE OF IMPOUNDMENT AND RECORD OF TOWED VEHICLE.** Whenever a police officer or law enforcement person (officer) has reasonable suspicion to believe that a motor vehicle is being used in violation

of this section, the officer shall provide for the impoundment and towing of such motor vehicle, except as provided in D, above. The officer shall notify the person found to be in possession of the vehicle at the time of the alleged violation, if there is such a person, and the registered owner of such motor vehicle, of the impoundment and of the registered owner's right to pay the administrative fee as set forth in F. Following.

F. ADMINISTRATIVE FEE PROCEDURE.

1. Whenever the registered owner of a motor vehicle, which has been impounded pursuant to this section, desires to retrieve his or her vehicle prior to the expiration of the time specified in C. above, or prior to the related court appearance, he or she may pay an administrative fee in the amount of two hundred dollars (\$200.00). Said administrative fee shall be paid at the Administrative Offices of the District, 1122 South Burchard Avenue, Freeport, IL 61032, between the hours of 8:30 a.m. and 5:00 p.m., Monday through Friday.
2. Upon payment of the administrative fee, in addition to payment of all costs of towing and storage, the impounded vehicle shall be released to the owner
3. In the event that the registered owner is found not guilty of any violation of this chapter in the related court proceeding, the vehicle owner shall be reimbursed the entire amount paid as an administrative fee pursuant to this section.

G. UNCLAIMED VEHICLES. Any motor vehicle, which is not reclaimed within thirty calendar days after the final adjudication of a violation of the provisions of A. above, shall be disposed of as an unclaimed vehicle in accordance with Section 4-201 et seq. of the Illinois Vehicle Code.

H. TOWING AND STORAGE FEES. Fees for the towing and storage of a motor vehicle under this chapter shall be the same as those charged pursuant to contract for towing service with the District in effect at the time of such violation.

I. PENALTY.

1. Any person who violates the provisions of this section shall be fined not less than the amount indicated in this section. Enforcement proceedings may be commenced by either a notice to appear or by a summons.
  - a. A fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) shall be imposed for a violation of section 6(A)(1) or (2).
  - b. A fine of not less than one hundred fifty dollars (\$150.00) nor more than five hundred dollars (\$500.00) shall be imposed for a violation of Section 6(A)(3).
  - c. A fine of not less than two hundred dollars (\$200.00) nor more than five hundred dollars (\$500.00) shall be imposed for a violation of Section 6(A)(4) or (5).
  - d. A fine of not less than two hundred fifty dollars (\$250.00) nor more than five hundred dollars (\$500.00) shall be imposed for a violation of Section 6(A)(6).
  - e. A fine of not less than three hundred dollars (\$300.00) nor more than five hundred dollars (\$500.00) shall be imposed for a violation of Section 6(A)(7) or (8).
2. In addition to the above fines, the registered owner of any impounded motor vehicle shall be responsible for all costs of towing and storage of such motor vehicle in accordance with H. above.

**CHAPTER V - REGULATION OF PERSONAL CONDUCT & BEHAVIOR**

**SECTION 1: VENDING, ADVERTISING, AND DONATIONS:**

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

- A. Expose or offer for sale to the general public any articles or things; or conduct or solicit any donation, business, trade, occupation or profession without a valid permit approved by the Director and then only in accordance with the terms and conditions thereof. (Class A)
- B. Display, distribute, post or fix any placard, sign, handbill, pamphlet, circular, or any other writing or printed material or objects containing advertising matter or announcements of any kind whatsoever without written permission of the Director and then only in compliance with the terms of such Permit or in compliance with the terms of a valid permit approved by the Director. (Class C)

**SECTION 2: UNLAWFUL OBSTRUCTIONS:**

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

- A. Set, place or cause to be set or placed any goods, ware or merchandise on any stand, cart or vehicle for the transportation or vending of any such goods, wares, or merchandise or any other article upon any property of the District to the obstruction of any use of a Park site or the detriment of the appearance of any Park site. (Class C)
- B. By force, threats, intimidation, unlawful fencing, enclosing or by any other unlawful means, prevent, obstruct or combine and confederate with others to prevent or obstruct, any person from peacefully entering upon any property of the District, or prevent or obstruct free passage or transit over or through any lands or waters of the District, or obstruct the entrance into any enclosure within the District, except that nothing in this Section shall be construed to deny lawful enforcement of a valid Permit granting certain person or persons use to the exclusion of others as defined and provided for in this Ordinance. (Class A)

**SECTION 3: UNLAWFUL CONSTRUCTION OR MAINTENANCE:**

No person shall upon or in connection with any property of the District erect or construct, install or perform any maintenance on, below, over or across a Park site except by proper authorization of the Board and then only in accordance with written permission of the Director specifying in detail the work to be done and the conditions to be fulfilled pursuant to the terms of such authorization. (Class A)

**SECTION 4: DRUG AND ALCOHOL USE:**

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

- A. Have in his/her possession:
  - i. Alcohol, other than in the original package and with the seal unbroken; (Class A)
  - ii. illegal drugs, including but not limited to cannabis prescribed for medicinal usage; (Class A)
  - iii. controlled substances of the State Controlled Substances Act. (Class A)
- B. Be present in an intoxicated condition or under the influence of liquor, beer, drug or narcotic to the extent of being unable to perform a normal body function, such as maintaining balance and coherent speech, or because of the influence of such or like substances engage in behavior of speech that intimidates others or interferes with or unreasonably disrupts others in the normal, safe use of the Park Site or any facility thereof; (Class A)
- C. Possess "drug paraphernalia". "Drug paraphernalia" means all equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance in violation of this Section or the State Controlled Substances Act (the Act). (Class A)

Notwithstanding the foregoing, alcohol may be allowed at licensed, District sponsored events and locations.

**SECTION 5: WEAPONS AND HARMFUL SUBSTANCES:**

No person shall upon or in connection with any property of the District at any time have in their possession or on or about their person, concealed or otherwise, any firearm, pistol, revolver, rifle, shotgun, bow and arrow, slingshot, cross bow, spear or spear gun, switchblade knife, stiletto, sword, blackjack, billy club, any weapon capable of discharging a projectile by air, spirit, gas or explosive, any explosive substance or harmful solid, liquid or gaseous substance or any other dangerous weapon, except at those ranges or areas designated for their use by the Director and then only in accordance with the rules and restrictions duly set forth for the proper use of such ranges or areas. Nothing contained herein shall be construed to prevent any Police, Deputy, Sheriff, Coroner, State Policemen, or any recognized police officer from carrying such weapons as may be authorized and necessary in the discharge of their duties nor shall it apply to any person summoned by any such Officer to assist in making arrests or preserving the peace while such person is engaged in assisting. (Class A)

**SECTION 6: HINDERING OR BRIBING EMPLOYEES:**

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

- A. Interfere with, unreasonably disrupt, delay or in any manner hinder any employee engaged in the performance of his/her duties; (Class C)
- B. Give or offer to give any employee any money, gift, privilege or article of value on or off District property in order to violate the provision of this Ordinance or any other District Ordinance, contract, or Permit, or statute of the State of Illinois and the United States or in order to gain or receive special consideration in applying for any use or privilege or to gain special consideration and treatment in the use of any district property or facility. (Class A)

**SECTION 7: CONTROL AND TREATMENT OF ANIMALS**

Nothing in this Ordinance shall be construed to prohibit the controlled use of domestic animals approved by the Director for the purposes of public safety, such as, but not limited to, the protection of District property or the protection of employees in the performance of their duties or search or rescue. No person shall upon or in connection with any property of the District:

- A. Bring in, lead or carry any domestic animal that is unleashed or on a leash longer than ten feet, except at those areas designated by the Director for animal training and then only in accordance with the rules and restriction duly promulgated for the control of such area or areas; All such leashed animals shall, at all times, be under the immediate and direct control of the person bringing such animal into the park site; No person shall bring an animal, leashed or unleashed, into a District building except when attending scheduled animal training courses, or if the animal is assisting a sight-impaired person. (Class A)
- B. Cause or allow to release or to run or remain at large domestic animal or pet, except within those areas designated by the Director for such purpose and then only in accordance with the rules and restrictions duly promulgated for the control of such area or areas; (Class A)
- C. Torture, whip, bear or cruelly treat or neglect any animal; (Class A)
- D. Bring in, drive, ride or lead in any animal, except that of horses and other beasts of burden and draft animals may be ridden, lead or driven ahead of vehicles attached thereto on such portions of the Park Sites as may be designated by the Director and then only in accordance with the provisions of this Ordinance and the rules and

- restrictions duly promulgated for the control of such area or areas; (Class D)
- E. Hitch or tie any horse or other animal to any tree, bush or shrub; (Class D)
- F. Bring in lead, drive, ride or carry any wild, domestic or pet predator animal or bird, leashed or unleashed into or upon any Park site, or part thereof, designated as a Nature Preserve or Natural Area or Historic Site, without the written permission of the Director unless such animal is kept confined within a closed vehicle or trailer. (Class C)
- G. Fail to properly dispose of animal waste deposited by any animal under their ownership/control. (Class A)
- H. Feed wild or non-domesticated animals, including the depositing of food for wild animal consumption. (Class D)

**SECTION 8: HONORING PERMITS:**

No person shall upon or in connection with any property of the District by act or speech willfully or unreasonably hinder, interrupt or interfere with any duly permitted activity or unreasonably or willfully intrude on any areas or into the structures designated for the use of a certain person or persons to the exclusion of others by written permission of the Director. (Class D)

**SECTION 9: PYROTECHNICS:**

No person shall upon or in connection with any property of the District, possess, display, use, set off or attempt to ignite any firecracker, fireworks, smoke bombs, rockets, black powder guns or other pyrotechnics, without written permissions of the Director. (Class B)

**SECTION 10: ILLINOIS COMPILED STATUTES:**

No person shall do or cause to be done any act in violation of the Illinois Criminal Code of 1961 (720 ILCS 5/1-1 et seq.) as amended; and Offenses Against The Public as set forth in the Illinois Compiled Statutes Acts 505 through 690, inclusive (720 ILCS 505 through 690, inclusive); the Illinois Liquor Control Act of 1934 (235 ILCS 5/1-1 et seq.) as amended; and the Illinois Vehicle Code (625 ILCS 5/100-1 et seq.) as amended; while in or on any property administered by or under the jurisdiction of the District. (Class B)

**SECTION 11: PERSONAL CONDUCT:**

No person shall engage in any violent, abusive, loud, boisterous, vulgar, lewd, wanton, obscene or otherwise disorderly conduct, or disturb or annoy others, while in or on any property administered by or under the jurisdiction of the District. (Class A)

**SECTION 12: MINORS**

No parent, guardian, or custodian of any minor under sixteen years of age shall permit or allow such minor to do any act prohibited by any District Ordinance, rule, or regulation, or by any federal, state, or municipal law, Ordinance, order, rule or regulation. Minors under ten years of age shall at all times be under the supervision and control of the parent, guardian, or responsible custodian. (Class D)

**SECTION 13: GANG-RELATED CONGREGATIONS**

No person shall engage in any gang-related conduct on District property. "Gang-related conduct" as used in this section shall be defined as any conduct which involves the commission, planned commission, attempted commission, or solicitation of any violation of the laws of the United States, the State of Illinois, or of the District, where such conduct involves the collaboration of two or more individuals, regardless of whether such offense is deemed a petty offense, misdemeanor, or felony. (Class A)

**SECTION 14: SMOKING ON PARK DISTRICT PROPERTY**

No person shall smoke in any enclosed area owned or controlled by the District, including but not limited to, all buildings, restrooms, enclosed or partially enclosed sports arenas, and any other facility smoking is prohibited as designated by the City of Freeport and the State of Illinois. Additionally, smoking is prohibited within 15 feet from all entrances, exits, windows that open, and ventilation intakes that serve any enclosed area as designated under this Section. (Class D)

No person shall smoke in any motor vehicle owned, leased, or otherwise used by the District. (Class D)

No person shall smoke within fifty (50) feet of all athletic fields, bleachers, hard court play surfaces, swimming pools, playgrounds, shelters and boat docks, or other non-enclosed District facilities when organized children's activities or organized children's special events are present. (Class D)

Notwithstanding any other provisions of this Section, smoking is allowed in the following areas on District property and in the following District vehicles:

1. On the Park Hills Golf Course and in golf carts operated at the Park Hills Golf Course.
2. In Taylor Park during organized adult league play.
3. In any designated area conspicuously posted and marked by the District to allow for smoking.

**CHAPTER VI - ENFORCEMENT**

**SECTION 1: POLICE:**

All Police, Deputy, Sheriff, State Policeman or any other recognized police officer has the power and is authorized to arrest, with or without process, any person found in the act of violating any Ordinance of the District or law of the State of Illinois.

**SECTION 2: TWO PENALTIES - ONE JUDGMENT:**

In all cases where the same offense shall be made punishable or shall be created by different clauses or sections of this or any other Ordinance or statute, the Police or other recognized police officer or person prosecuting may elect under which to proceed but not more than one judgment shall be had against the same person for the same offense.

**SECTION 3: FINES AND PENALTIES:**

- A. All fines for parking violations may be paid directly to the Freeport Park District, 1200 Park Lane Drive, Freeport, IL 61032, within a reasonable time limit established by the Director and stated to the offender at the time of the violation. If such fine is paid within the established time limit, no further legal action will be taken by the District against the alleged violator.
- B. Fines shall be determined by the classification of the violations:  
Class A - fine not less than \$75.00, but not more than \$500.00.  
Class B - fine \$75.00  
Class C - fine \$50.00  
Class D - fine \$25.00
- C. In addition to, or in lieu of, any other remedy or penalty provided for herein, the District may seek restitution for any damage to the District caused directly or indirectly by conduct of an individual related to a violation of these General Use Regulations. Restitution may be awarded for costs of removal of waste, clean-up costs, repair or replacement costs for park equipment or property, and any other monetary loss suffered by the District as a result of an individual's wrongful conduct.
- D. In addition to, or in lieu, of any other remedy or penalty provided for herein, the District shall have the right to seek and obtain, as restitution, a mandatory injunction against a person who has violated any provision hereof, enjoining and ordering said person to perform such remedial actions as may be necessary to remedy any condition found to be in violation of these General Use Regulations, including, but not limited to, ordering said person to:
  - 1. Cease dumping any waste on District property;
  - 2. Remove and properly dispose of any waste dumped on District property;
  - 3. Repair specific damage to District property;
  - 4. Clean graffiti or other results of vandalism to District property;
  - 5. Perform such other service for the District as will compensate the District for any losses suffered by the District as a result of such person's unlawful conduct.
- E. In addition to any other remedy or penalty provided for herein, the District may increase the fine for subsequent violations of an ordinance by an individual, e.g. a second time offender of a Class D regulation may be assessed a Class C fine; a third time offender of a Class D regulation may be assessed a Class B fine; a fourth or greater time offender of a Class D regulation may be assessed a Class A fine; a second time offender of a Class C regulation may be assessed a Class B fine; et al.

Nothing contained in this Section shall prohibit, or in any way limit, the ability of the District to pursue such other civil remedies as may be available to the District by virtue of State, Federal, or Local law.

**SECTION 4: AUTHORITY OF OTHER AGENCIES:**

Nothing in this Ordinance shall be construed to prevent other officers from carrying out their sworn duties within the territories of the District as defined by applicable laws of the State of Illinois and the United States Ordinances of Freeport Park District or in accord with any other Policing Agreement approved by the Board.

**SECTION 5: COOPERATION WITH AUTHORITIES**

No person shall hinder, interfere with, disobey, or otherwise not cooperate with the police force and employees of the District in the performance of their duties. (Class A)

**SECTION 6: POSTING OF RULES AND REGULATIONS:**

The Director or his designate shall have the authority to post rules and regulations as may be necessary and desirable, in order to provide for the safe and peaceful use of the Park site, for the education and recreation of the public, for the protection and preservation of the property, facilities, flora and fauna of the District and for the safety and general welfare of the public. A violation of any posted rule or regulation shall be a violation of this Ordinance, of a Class as stated in this Ordinance, or if no such class is stated herein, the violation shall be of a Class C level.

**SECTION 7: PERMITS AND DESIGNATED AREAS - AUTHORITY:**

To carry out the terms of this Ordinance, the Director is hereby given authority to issue the permits, post Notices or take other action as called for herein, subject to the guidelines herein set forth:

- A. The Director or his designate shall have the authority to designate areas, facilities or water suitable for various activities or use, to close Park Sites, or parts thereof, in the interest of public health, safety or general welfare or in order to protect the natural resources from unreasonable harm and to promulgate and issue permits where

required by this Ordinance and collect such fees as established by the District in accordance with the following guidelines:

1. That no person be discriminated against because of race, sex, creed, color or national origin;
  2. That the proposed use or activity will not unreasonably interfere with or detract from the general public use and enjoyment of the Park site or surrounding property or facilities;
  3. That the proposed use or activity is not reasonably likely to result in violence or serious harm to property or persons;
  4. That the proposed activity or use will not entail extraordinary expense or operation costs by the District or expose it to unusual or extreme liability;
  5. That the area desired has not been reserved for another activity at the same time;
  6. That the proposed activity is not reasonably expected to detract from the promotion of public health;
  7. That the proposed activity is reasonably compatible with the type of Park site, the size and character of the area or waters involved and the facilities available and that it is not reasonably expected to cause irreparable harm or extreme damage to the natural environment of the Park site.
- B. The Director or his designate may impose reasonable restrictions on the granting of a Permit including, but not limited to, any of the following:
1. Restricting of open dates for reserved area use, the length of time an area will be held for reserved use, the use of ground fires, sound and energy amplification devices, amusement devices, off-the-road-vehicle access, the number of persons present, location and type of any tents, bandstands, stages or temporary structures, the use of domestic, pet or trained animals, the use of shelters or structures, the collecting for any purpose of any water, soils, minerals, flora and fauna, the type and location of sports and games or any other activity which appears likely to create a risk of unreasonable harm to use and enjoyment of the Park site by others or of damage to District property;
  2. Requiring proof of and establishing the amount of liability and Dram Shop insurance required, and/or requiring a hold Harmless Agreement, or requiring a Certificate of Insurance naming the District as an additional insured when the activity is deemed by the Director to require such;
  3. Requiring the name, address, telephone number and driver's license number of a legal adult responsible for the use or activity requested, as well as the name, address and telephone number of the group represented by the applicant;
  4. Requiring that the applicant furnish additional security forces at the applicant's expense, such forces to act under District supervision.
  6. Requiring a release of liability, a release of all claims and/or an indemnity agreement, from a participant or from a legally responsible adult on behalf of a participant, before the participant is allowed to participate in certain activities or use a Park Site or Park property.
- C. All permits required by this Ordinance and issued by the Director or his designate shall be issued at the District office at 1200 Park Lane Drive, Freeport, IL 61032, or any other site designated by the Director, on a first-come, first-served basis beginning the first working day of each calendar year for open dates or for such total number allowed during that calendar year.
- D. The Director is authorized to seek reasonable information regarding any proposed use, activity or privilege and require a record of such information on a Permit Application;
- E. The Director is authorized to collect a fee with the Permit Application or prior to the issuance of a Permit.
- F. No person shall misrepresent, falsify or withhold such required information; (Class A)
- G. No person granted a Permit shall violate the requirements, terms, condition, restrictions or rules duly set forth under the authority of this Ordinance as part of any granted Permit or Registration;
- H. All designated areas, waters, or facilities and all Permits restrictions, rules, regulation or conditions are subject to review at any time by the Board of Commissioners of the Freeport Park District. Any aggrieved person shall have the right to petition the Board, in writing, regarding denial or restriction of use or activity and be properly heard by the Board as the President shall direct.

#### **SECTION 8: CIVIL SUITS**

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

#### **SECTION 9: STATE, UNITED STATES AND LOCAL LAWS:**

All persons within the Park Sites of Freeport Park District are subject to all Ordinance rules and regulations of the District, as well as all applicable laws of the United States, State of Illinois and local statutes and Ordinances, as amended and changed from time to time. These laws include, but are not limited to, the Conservation District Act of the State of Illinois, the Illinois Vehicle Code, the Criminal Code of the State of Illinois and the Game and Fish Codes of the State of Illinois, as amended and changed from time to time.

#### **SECTION 10: APPLICABILITY OF ORDINANCE:**

This Ordinance shall be applicable to all lands and waters that are owned, managed and/or leased by the District.

## CHAPTER VII - CONSTRUCTION OF WORDS & DEFINITIONS

### **SECTION 1: CONSTRUCTION OF WORDS:**

Whenever any words in any Ordinance importing the plural number shall be used in describing or referring to any matters, parties or persons, any single matter, party or person shall be deemed to be included. When any subject matter, party or person shall be referred to in any Ordinance by words importing the singular number only or in the masculine gender, several matters, parties or persons are female as well as male and bodies corporate shall be deemed to be included. However, these rules or construction shall not be applied to any Ordinance which shall contain any express provision excluding such construction of whether the subject matter or contents of such Ordinance may be repugnant thereto.

### **SECTION 2: DEFINITIONS:**

- A. "District" wherever used means the Freeport Park District of Freeport, Illinois;
- B. "Board" wherever used means the Board of Commissioners of the Freeport Park District;
- C. "Director" wherever used means the Executive Director of the Park District;
- D. "Person" or "Persons" wherever used means individuals, firms, corporations, societies or any group or gathering whatsoever;
- E. "Permit" wherever used means the written permission that must be obtained from the Director or his designate to carry out a given activity;
- F. "Park Site" means any property, real or personal, supervised, owned, maintained, officially used, or governed by the Board of Commissioners of the Freeport Park District;
- G. "Waters" where used means waters within the jurisdiction of the District;
- H. "Employee" where used means any full or part time, regular or temporary worker in the employ of the District under the supervision of the Director;
- I. "Watercraft" where used means any device of conveyance of the water, whether propelled by motor, engine, wind or human power;
- J. "Vehicle" where used means any device of conveyance on the land using wheels or belt-type track or tracks, skids or skis and propelled by an engine or motor and includes such land conveyances that are able to float and operate on water;
- K. "Sound and Energy Amplification" where used means music, speech or any sound or noise transmitted by artificial means including, but not limited to, amplifiers, loudspeakers, radios or any similar devices or lights, rays, lenses, mirrors or laser beams or the like;
- L. "Amusement Contraptions" where used means any contrivance, device, gadget, machine or structure designed to test the skill or strength of the user or provide the user with any sort of ride, lift, swing or fall experience including, but not limited to, ball-throwing contest devices, pinball-type devices, animal ride devices, ball and hammer devices, trampoline devices and the like;
- M. "Legal Adult" where used means one who has reached the legal age of the majority as defined by the laws of the State of Illinois;
- N. "Area(s)" where used means a specified place within the Park site;
- O. "Exclusion of Others" where used refers to prohibiting the use, or behavior of others which disrupts or prevents the authorized and lawful use of designated area or structure in a Park site by a person or persons holding a valid Permit for such area or structure or activity;
- P. "Property" when used means any land, waters, facilities or possessions of the District;
- Q. "President" where used means the President of the Board of commissioners of the Freeport Park District;
- R. "Written Permission of the Director" where used is intended to permit written permission being granted by authorized agents of the Director;
- S. "Posted" where used means that a notice is posted, either by sign in a Park site, at the entrance to a Park site, the location being at the discretion of the Director.

### **SECTION 3: STATEMENTS**

In this Ordinance, if a positive statement is made followed by a Class reference parenthetically, such as "Park Sites shall be open from dawn to dusk, or as posted. (Class C)," then an activity in violation of the positive statement is a violation punishable according to the Class so designated. If a statement is made herein as a prohibition, followed by a Class parenthetically, an act in violation of the prohibition shall be punishable according to that Class.

## CHAPTER VIII - MISCELLANEOUS

### **SECTION 1: CONFLICT:**

All District Ordinances and parts of Ordinances and all Resolutions and Orders, and any parts thereof, in conflict with this Ordinance, or any parts thereof, are hereby repealed.

### **SECTION 2: ENACTMENT:**

This Ordinance shall be in full force and effect from and after its passage, approval and publication, as by Statute in such cases

made and provided.

**SECTION 3: CAPTIONS AND HEADINGS:**

The captions and heading used herein are for convenience of reference only and do not define or limit the contents of each paragraph.

**SECTION 4: SEVERABILITY:**

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

**SECTION 5: COPIES:**

The Secretary of the District shall transmit a copy of this Ordinance to the Director, any attorney retained for the District, and any Court or Judicial Officer who may be involved in the enforcement of this Ordinance. In addition, copies of the Ordinance shall be made available to persons on request, for a reasonable charge as determined by the Director. Any person alleged to have violated any provision of this Ordinance, upon request, shall be entitled to a copy of the provision alleged to have been violated, without charge.

**SECTION 6: AUTHORITY TO EXERCISE DUTIES**

No provision of this Ordinance shall make unlawful any act necessarily performed by any member of the police force or employee of the District in carrying out his/her duties and responsibilities.

**CHAPTER IX - AMENDMENTS**

This Ordinance may be amended from time to time by a majority of the Board of Commissioners of the Freeport Park District and such amendment may be shown by either revising the section amended or attaching the amendment to this Ordinance.

Ordinances adopted by the Freeport Park District Board of Commissioners authorizing the rules, regulations, fines and procedures defined herein include:

- Ordinance 98-11-17
- Ordinance 00-12-05A
- Ordinance 01-06-12A
- Ordinance 03-06-10
- Ordinance 03-06-24A
- Ordinance 03-06-24B
- Ordinance 11-05-17
- Ordinance 14-6-03
- Ordinance 16-08-16-1
- Ordinance 16-08-16-2
- Ordinance 18-4-XX
- Ordinance 18-08-21