

Chapter 11
PARKS AND PLAYGROUNDS

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11.01 **HOURS**

Village parks shall be open daily to the public from dawn to dusk, but in no case shall any park be open prior to 6 a.m. or after 10 p.m. except when permitted by the Village. Any park or any part of a park may be declared closed to the public by the President at any time and for any interval of time.

11.02 **PARK CONDITION**

Each person, firm, or corporation using public parks and grounds shall clean up all debris, extinguish fires when such fires are permitted, and leave the premises in good order and the facilities in a neat and sanitary condition.

11.03 **GROUP ACTIVITY** *Amended, 2006-O-45, 97-O-35*

A. Permit; Daily Use Fee: Whenever any person, persons, group, association, or organization desires to reserve Towne Park (ball diamonds and pavilion only), Cornish Park, or Riverfront Park (ball diamonds, picnic shelters or gazebo) for a particular purpose, such as picnics, parties or theatrical or entertainment performances, a representative of said group, association, or organization shall first obtain a permit from the Village for such purposes and pay the permit fee as listed in Appendix B. Algonquin-based, not-for-profit organizations are exempt from said permit fee. Any permit issued hereunder shall be valid for the specified day only. The reservation of any other park facilities shall require Village Board approval. The balance of the park shall remain open for use by the general public.

B. Group Activity Deposit: A deposit, as found in Appendix B, shall be made by the applicant to secure that the park is left in good condition. Said deposit shall be released only after an inspection has been made by the Public Works Department. If the group activity results in damage to a Village park, the Village shall repair said damage and deduct the cost of said repair from the applicant's deposit, and the balance, if any, shall be returned to the applicant. If the amount of damage exceeds the deposit, the applicant shall be responsible for the total amount of the damage.

C. Towne Park Gate Key: Any applicant under this Section shall designate an individual who shall be responsible for the return of the Towne Park gate key. The key shall be picked up from the Police Department and returned to the Police Department immediately upon expiration of the permit.

D. Non-Resident Reservation Fee: Any non-resident person, persons, group, association, or organization shall pay the reservation fee listed in Appendix B for the use of any Village park, except that a non-resident person, persons, group, association, or organization that wishes to reserve a Village park for educational purposes shall pay a fee equal to one-half the fee listed in Appendix B.

E. Nothing contained in this Section shall be deemed to affect in any way other sections regulating the use of the Village parks.

11.04 **ALCOHOLIC LIQUOR** *Amended, 13-O-21, 99-O-40*

A. Alcoholic Liquor in Parks: Except as provided herein, it shall be unlawful for any person to possess or consume any alcoholic liquor in any park within the Village. For the purpose of this Section, alcoholic liquor is defined in Appendix A. Any Village resident, business located in the Village, or not-for-profit organization located in the Village may make application to the Local Liquor Commissioner and Clerk for a permit to possess or consume alcoholic liquor in Village parks. Issuance of said permit shall be conditioned on the following:

1. Resident applications shall include a copy of the resident's homeowner's insurance policy. Business or organization applications shall include a copy of the dram shop insurance in accordance with Chapter 33 of this Code. Applications shall not be considered if the insurance requirements have not been met.
2. Applications shall be signed by the resident applicant and also by a person or persons who are 21 years of age or older who will be responsible for overseeing the serving and consumption of beer and/or wine in the park, and who will be responsible that guests with beer and/or wine do not go into other areas of the park.
3. Applications shall indicate the manner in which beer and/or wine will be served, including what methods will be taken to ensure that the beer and/or wine will be contained in the designated area and how ingress and egress will be limited.

B. Sale of Alcoholic Liquor in Parks: The sale of alcoholic liquor in Village parks shall be by daily or event permit in accordance with Chapter 33 of this Code. Nothing contained in this Section shall be deemed to affect in any way the provisions of Chapter 33 of this Code or any other ordinance regulating the use of the Village parks.

11.05 **RULES AND REGULATIONS** *Amended, 05-O-45, 01-O-43*

The following rules and regulations shall govern the usage of all parks in the Village:

1. Advertisements, Signs, and Bill Posting: No person shall post, stencil, or otherwise affix any notice, bill, sign, advertisement, or other paper upon any structure, post, or tree or other property in any park.
2. Animals: No person shall bring a dog, cat, horse, or other domesticated animal into any park, except for service dogs and dogs and cats which are on a leash not longer than 10

feet. Said leashed dogs and cats may be walked or exercised only on improved trails and pathways and shall at all times be kept under the complete control of the person walking or exercising said animal. The person walking or exercising the dog or cat shall be responsible for any damage done to the landscaping of any park and shall be responsible for removing all animal excrement deposited by said animal pursuant to Chapter 43 of this Code.

3. Bicycles: Bicycles may be ridden only on improved trails and shall be walked in all other park areas.
4. Conduct: No person shall make or assist in making any improper noise, riot, disturbance, breach of silence, or diversion intending to breach the peace in a park.
5. Damage to Property: No person shall mark, deface, injure, destroy, damage, cut, pluck, or take away park plantings or property without written approval of the Village Board. No person shall pour or otherwise discharge any substance or chemicals upon the water, grounds, or property of the parks that are injurious to persons or park property. No person shall climb upon any plant, fence, structure, or property of a park except such recreational equipment as may be installed for such purpose. There shall be no trespassing on any private property adjacent to park property.
6. Dumping and Littering: No person shall deposit, dump, throw, or place coal, ashes, dust, manure, grass clippings, leaves, shavings, dead branches, or rubbish in or upon any part of a park. Paper, garbage, and refuse matter shall be deposited in receptacles provided for that purpose.
7. Fires: No ground or uncontained fires shall be permitted except that a fire for cooking may be allowed if contained in a proper container manufactured for said use. All ignited coals and fire residue shall be removed from the park.
8. Fishing: Fishing is prohibited in Towne Park and from the pedestrian bridge or Harrison Street bridge in Cornish Park. Fishing shall be permitted anywhere along the Cornish Park and Riverfront shorelines during daylight hours.
9. Games and Sports: No person shall engage in any sport, game, amusement, or activity in any park except in such areas designated for that activity. No person shall engage in any activity in a rough or reckless manner that endangers, injures, or damages others or property.

All scheduled and authorized events shall take precedence over any other event or activity.

10. Installation of Property: No plants or equipment shall be installed or planted in any park without the permission of the Village Board.
11. Motorized Vehicles: It shall be unlawful for any person to bring, ride, or drive any motorized vehicle in any park except in designated parking areas without authorization by the Village Board. This paragraph 11 shall not apply to Village maintenance vehicles.

No person shall operate a motorized vehicle any faster than 10 miles per hour in any parking lot or designated roadway.

Vehicles in violation of this paragraph 11 or any unauthorized vehicle found in a park may

be immediately towed from the park by the Village.

12. Public Entertaining: No person or organization shall hold any concert or public entertainment of any kind in a park without proper authorization.
13. Solicitation or Selling: No person shall offer or exchange for sale any article or thing or do any peddling or soliciting in any park without proper authorization.
14. Water: No swimming, wading, water bathing, or boating shall be allowed in any lake, stream, or river within park property.
15. Weapons and Explosives: No person, except authorized personnel, shall bring, carry or use in any park any knives, firearms, air guns, pellet guns, weapons of any kind, or any fireworks or other explosive substance.
16. Variations: No variation from these rules and regulations shall be granted without approval by the Village Board.
17. Skateboarding and Rollerblading: Skateboarding is prohibited in Cornish, Riverfront, and Towne Parks. Rollerblading shall be permitted on paved sidewalks and bicycle paths only during daylight hours. However, tricks, stunts, or grinding activities are prohibited, including on any playground equipment, landscape, wall, or street furniture.
18. Basketball: Basketball activities are only permitted during daylight hours at Riverfront Park and Towne Park.

11.06 **TOWNE PARK** *99-O-40, Amended, 2006-O-45*

In addition to the provisions found elsewhere in this Code, persons, businesses, and organizations using Towne Park shall be subject to the following:

1. Vehicle Access; Parking: Except as provided herein, parking shall only be permitted in designated parking areas. Vehicles, including catering trucks, wishing to make deliveries into Towne Park shall only be allowed upon approval from the Manager. Those vehicles permitted entry will be issued a gate key. Access to Towne Park shall be by the service drive. One vehicle shall be permitted on the service drive at any one time. Delivery vehicles are prohibited from remaining in the park or parking on the grass. Parking in publicly-owned parking lots and designated on-street diagonal parking spaces located adjacent to Cornish Park, Riverfront Park, and Towne Park is limited to six hours at a time in the daytime and four hours at a time in the evening; no overnight parking shall be permitted.
2. Canopies, Tents: Upon approval from the Manager, a tent or canopy not exceeding 30 feet by 30 feet may be erected adjacent to the pavilion. Village Board approval shall be required for more than one tent or canopy or a tent or canopy exceeding 30 feet by 30 feet.
3. Overnight Storage: Upon approval from the Manager and when security is provided, chairs, tables, tents, etc. may remain in the park overnight. However, the Village shall not be responsible for any loss or damage.

11.07 **CORNISH PARK, RIVERFRONT PARK PARKING**

Parking in publicly-owned parking lots and designated on-street diagonal parking spaces located nearby is limited to six hours at a time in the daytime and four hours at a time in the evening; no overnight parking shall be permitted. Parking at the north end of LaFox River Drive is strictly prohibited.

11.08 **PRESERVATION and REGULATION of NATURAL AREAS** 08-0-03

A. Definitions: In addition to those terms defined in Appendix A, the following definitions are applicable to this Section:

Department: The Village's Public Works Department.

Natural area: All public lands containing native ecosystems that are under the control of or assigned to the Department for management, maintenance, and operation, as well as any privately owned lands that may be subject to these requirements.

Natural areas' property: All structures, facilities, plants, and animals contained within a natural area.

Natural area sign: Signage posted depicting the natural area.

Parking area: A specially designed and publicly designated area set aside for the standing or temporary stationing of vehicles.

Permit: A document or certificate provided by the Manager or the Manager's designee granting permission to conduct or take part in a specific activity at a specific location.

B. Purpose and Scope: The purpose of this Section is to preserve and protect in perpetuity Village-managed natural areas by regulating public uses of these lands. The Village shall maintain a list of these lands, and such list shall be on file at the Department.

These regulations apply not only to Village-owned or Village-controlled natural areas but also Village-owned lands that have become naturalized detention basins and those lands that have become natural areas due to Village enhancements and improvements, all of which have been assigned to the Department for management, maintenance, and operation. These regulations may also apply to natural areas owned by a public or private entity that are platted after the effective date of these regulations. Department staff and other authorized persons working under staff supervision shall be exempt from the provisions of this Section when performing activities related to management plans and/or related to routine maintenance of the natural area.

C. Building and Other Property:

1. No person shall willfully mark, deface, or damage in any way, or displace, remove, or tamper with any natural areas' building, fence, educational or informational structure, walkway, bridge, bench, railing, public utility, paving or paving material, or part or appurtenance thereof, natural area sign, notice or placard, monument, stake, post or other boundary marker, or other structure or equipment, facility or natural area property or appurtenance that is located on a natural area.

2. No person shall dig, move, or remove from any natural area any sand, soil, rocks, stones, trees, shrubs, plants, fallen timber, or other wood or materials, or make any excavation by tool, equipment, blasting, or other means.

D. Plant and Wildlife Protection and Preservation:

1. Within any natural area, no person shall cut, carve, or damage the bark, or break off limbs or branches or mutilate in any way, or pick the flowers or seeds of any tree, plant, or shrub, nor shall any person dig in or disturb grassy areas or transplant or remove any tree or plant or part thereof, or in any other way damage or impair the natural beauty or usefulness of any natural area, nor shall any person deposit any debris or material on or about any tree or plant.
2. Within any natural area, no person shall intentionally molest, harm, frighten, kill, trap, hunt, chase, shoot, throw objects at, harass, feed, or otherwise inhibit the natural movements and habits of any invertebrate, mammal, amphibian, reptile, fish, or bird. No person shall remove or have in his or her possession the young of any wild animal or the eggs or nests of any amphibian, reptile, fish, bird, or invertebrate. The provisions of this Section applying to fish are not applicable in designated fishing areas.
3. In order to prevent disruption of natural ecosystems and the spread of disease, no person shall introduce, plant, or release any plant or animal into any natural area.

E. Fires: No person shall build, or attempt to build, light or cause to be lighted any fire or fires within any natural area unless issued a permit from the Manager or the Manager's designee. No person shall drop, throw, or otherwise deposit lighted matches, burning cigarettes or cigars, tobacco paper, or other flammable materials within any natural area or on any Village road or street abutting or contiguous thereto.

F. Boating:

1. All provisions of 625 ILCS 45/1 *et seq.*, the Boat Registration and Safety Act, shall apply to Village-managed natural areas water.
2. No person shall launch or operate any watercraft upon any watercourse, lagoon, lake, canal, pond, marsh, wet prairie, or slough within a natural area except at such places that are designated for such uses by the Village Board or the Manager or the Manager's designee.
3. No person shall operate, moor, or anchor any watercraft within the waters of any natural area in a manner that results in damage or harm to the vegetation, wildlife, or shoreline.

G. Prohibited Activities: The following activities are prohibited in Village-managed natural areas:

1. Except where specifically designated, fishing or the buying or selling of fish caught in any natural area waters, in all natural areas.
2. Hunting, trapping, or the possession of any kind of trapping device. Licensed hunters and trappers authorized by the Manager or the Manager's designee to remove nuisance and exotic animals are exempt from this prohibition.
3. Use of firearms or other weapons potentially inimical to wildlife and dangerous to human safety by persons other than authorized law enforcement personnel and persons authorized to remove nuisance and exotic animals. This prohibition includes shooting into a natural area from beyond the boundaries of the natural area.
4. The sale, purchase, consumption, or possession of alcoholic beverages, including beer, wine or spirits, as defined in Chapter 33 of this Code.
5. Use, discharge, or possession of fireworks, explosives, or substances that could be combined into an explosive mixture.
6. Domestic animals and pets as provided for herein.
7. Placement of beehives or other apicultural practices.
8. Cultivation of plants.
9. Vehicle repair.
10. Loud, unnecessary noise that disturbs wildlife and produces physical discomfort or annoyance to other people.
11. Possession and release of inflated balloons.

H. Activities Requiring a Special Permit: The following activities may be allowed only if a permit is obtained from the Manager or the Manager's designee. Written terms and conditions shall accompany each permit. The decision on whether or not to issue a permit will be based on the potential for damage to the natural resources of the site, the carrying capacity for that particular use, and any conflicts with a previously-issued permit for the same use. The activities requiring a permit are:

1. Camping.
2. Erection of a temporary or permanent structure.
3. Public demonstrations and gatherings.
4. Collection of plant and animal specimens and use of watercraft in wetlands for scientific research.
5. After-hours and night-time use of natural areas.

I. Merchandising, Advertising, and Signs:

1. No person shall expose or offer for sale, rent, or trade, any article or thing, or station or place any stand, cart or vehicle for the transportation, sale, or display of any article, merchandise, or other item within the limits of any natural area.
2. No person shall use the natural area roadways or paths, or enter any natural area, for the purpose of announcing, displaying, advertising, or calling attention to any person, political party, religious institution, or meetings or assemblies thereof, or for the purpose of demonstrating, advertising, or calling attention to any article or service for sale or for hire, nor shall any signs, slogans, loudspeakers, or advertising display be used for such purposes unless a permit allows such activity.
3. No person shall display, distribute, post, paste, glue, tack, or otherwise fix any handbill, pamphlet, circular, sign, placard, or any other printed matter containing advertising within any natural area or upon any natural area tree, fence, or other structure.

J. Pollution of Waters: No person shall throw, discharge, or otherwise place or cause to be placed in the waters of any pond, lake, canal, slough, marsh, wet prairie, lagoon, or any other body of water or wetland in any natural area, any substance, matter, object, or item that will or may result in pollution of said waters.

K. Refuse and Trash: No person shall take into, dump, or deposit on land of, or leave in, any natural area or Village road abutting such natural area, bottles, broken glass, ashes, leaves, paper, boxes, cans, dirt, construction or agricultural debris, rubbish, waste, garbage, refuse, or any other solid or liquid debris. Such debris shall be placed in the proper receptacle where provided on a natural area. Where receptacles are not provided, all such debris shall be carried away from the natural area and properly disposed of by the person responsible for its presence.

L. Public Utilities: No entity shall be allowed to place any new public service utility into, upon, or across natural area lands except by prior issuance of a permit from the Manager or the Manager's designee.

M. Closing of Natural Areas:

1. Each natural area managed by the Village shall be open to the public at hours and days that are determined to be appropriate.
2. The Manager or the Manager's designee may declare any section of a natural area closed to the public, either temporarily or at regularly stated intervals, in order to protect natural resources or for public safety reasons. No person shall enter upon any part of any natural area that is withheld from general public usage in the interest of natural resource protection, public safety, health and/or welfare.

3. No person shall remain in any natural area during the hours that the natural area is closed without a permit issued by the Manager or the Manager's designee.

N. Vehicles:

1. All state and local vehicle laws and traffic regulations shall be applicable in all natural areas within the Village.
2. No person shall drive, operate, or propel any vehicle outside the boundaries of designated paved or improved natural area access roads or driveways unless specifically authorized by the Manager or the Manager's designee.
3. No person shall park any vehicle on a natural area at any place other than a designated parking area without prior authorization from the Manager or the Manager's designee. No person shall park any vehicle in a manner that blocks or impedes access to a parking area or access road. No vehicle shall be left in a parking area overnight without prior authorization by the Manager or the Manager's designee.
4. This Section does not apply to Village maintenance vehicles.

O. Enforcement:

1. It shall be the duty and responsibility of law enforcement officials to, within their jurisdiction, enforce all state laws and municipal ordinances within and adjacent to the limits of all natural areas maintained and operated by the Village.
2. It shall be unlawful for any person to do any act forbidden, or fail to perform, any act required by this Section or for any person to fail to comply with any lawful and reasonable order given by law enforcement officers or authorized Village officials. It shall be the duty and responsibility of law enforcement officers and authorized Village officials to enforce all natural areas rules.

11.09 PENALTY

Any person, firm or corporation violating any provision of this Chapter shall be fined in accordance with Appendix B and be responsible for the Village's cost of prosecution, including attorneys' fees. Each day that a violation continues shall be considered a separate offense. Restitution by the violator shall also be made to any property damaged or destroyed or person injured.