

*Geneva Park  
District*

*Park Ordinance*

Revised October 2009

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**PARK USAGE ORDINANCE**

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ORDINANCE NO. 2009- 14  
PARK USAGE ORDINANCE  
GENEVA PARK DISTRICT  
GENEVA, ILLINOIS

WHEREAS, The Geneva Park District is a municipal corporation duly organized on April 7, 1953 under an act of the General Assembly of the State of Illinois entitled, “An Act to Provide for the Organization of Park Districts”, amended by Act approved May 17, 1951.

WHEREAS, The Geneva Park District has heretofore repealed Chapter VII, and all sections thereof captioned “Police Department” and Chapter VIII, and all sections thereof captioned “Use of Parks”, of the “Revised Administrative Ordinance of the Geneva Park District”, published by the authority of the Board of Commissioners of the Geneva Park District on the 17th day of June, 1974,

WHEREAS, The Geneva Park District has heretofore adopted the “Park Usage Ordinance” governing all aspects of park usage, **for the preservation of good order within the parks, control of property and natural life therein, and for the protection and preservation of park visitors and the parks under its jurisdiction** and does now desire to amend such ordinance.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE GENEVA PARK DISTRICT, KANE COUNTY, ILLINOIS, AS FOLLOWS:

CHAPTER ONE

Section 1.01 Definitions: Whenever in this ordinance the following terms are used, they shall have the meaning as hereinafter set forth:

- a. **Park District or District:** shall mean the Geneva Park District.
- b. **Park System:** shall mean any real estate – land or water, personal property and other property of every kind owned, leased or otherwise controlled by the Geneva Park District including Peck Farm Park.
- c. **Board:** shall mean the Board of Park Commissioners of the Park District.
- d. **Director:** shall mean the Director, or any other person designated by the Board or the Director to conduct activities and enforce park rules and regulations within a park.
- e. **Police officer:** shall mean a Park District employee qualified to enforce the regulations of the Park District, police officer of the City of Geneva, deputy of the Kane County Sheriff’s Office, police officer hired under contract, and every other law enforcement officer of the State of Illinois or of any political subdivision thereof, including, but not limited to, the Illinois State Highway Patrol, sheriffs, deputy sheriffs, constables and Division of Wildlife game protectors who are qualified to enforce the Regulations of the Park District.
- f. **Park Security Force:** shall mean Members of the Board of Commissioners, Director, Superintendent of Parks & Properties, Superintendent of Leisure Services, Manager of

- Peck Farm Park Interpretive Center, Parks Security Staff, and such other officer or person as determined By the Board.
- g. Person:** shall mean any individual, company, partnership, corporation or association, or any combination of individuals, or any employee, agent or officer thereof.
  - h. Park waters:** shall mean any lake, pond, reservoir, stream, channel, lagoon, wetland, or other body of water, or any part thereof, whether natural or artificial, located in or adjoining a park.
  - i. Fireworks:** shall mean any combustible or explosive compositions, or any substance or combination of substances or article prepared for purpose of producing a visible or an audible effect by combustion, explosion, deflagration, or detonation.
  - j. Fish or fishing:** shall mean to take or attempt to take fish by any method.
  - k. Hunt:** shall mean to pursue, shoot, kill, trap, follow after on the trail of, lie in wait for, shoot at or wound any animal while employing any device commonly used to kill or wound animals whether such acts result in such killing or wounding or not.
  - l. Animal or animals:** shall mean mammals, birds, fish, reptiles, amphibians, arthropods, mollusks, insect, arachnids and annelids.
  - m. Vehicle:** shall mean everything on wheels or on treads.
  - n. Motor vehicle:** shall mean any vehicle propelled or drawn by power other than muscular power, including a motorized bicycle, motorcycle, motor scooter, or snow mobile.

## CHAPTER TWO

Section 2.01 Police Protection: The Police Department of the City of Geneva, Geneva, Illinois, **the Police Department of the City of Batavia, Batavia, Illinois** and any other police department or agency as hereinafter determined by the Board, shall be authorized and given the power to enforce the “Park Usage Ordinance” provisions and any other laws or ordinances of the State of Illinois or County of Kane or City of Geneva, in the Park System. The Police are authorized and given the power to do all things necessary to conserve the peace and enforce all ordinances and laws in the Park System, and to conduct routine, periodic surveillance; make arrests on view of an offense or upon warrants; give warnings of violations; evict persons; and use lawful and reasonably necessary police methods to prevent, detect and make arrests for violations within the Park System of the “Park Usage Ordinance” or the Illinois Compiled Statutes of the State of Illinois, or any other ordinance or law.

Section 2.02 Agreements for Police Protection: The Board shall from time to time as necessary enter into written agreements with any governmental entity for police protection in the Park System, upon any terms and conditions as the Board deem appropriate and necessary, which agreement shall include among its provisions the disposition of fines collected including “Ordinance Tickets.”

Section 2.03 Park Security Force: The Park Security Force shall consist of the members of the Board of Commissioners, the Director, Superintendent of Parks, Superintendent of Leisure Services, Manager of Peck Farm Park Interpretive Center, Parks Security Staff, and such other officers or persons as determined by the Board. The Park Security Force shall have the power to request persons who are violating the provisions of the “Park Usage Ordinance” to cease any conduct in violation of the “Park Usage Ordinance” or to leave the Park System, and shall be authorized to request the Police to make arrests for violations of the “Park Usage Ordinance” or the Illinois Compiled Statutes of the State of Illinois, or any other ordinance or law which occurs in the Park System.

### CHAPTER THREE

Section 3.01 Advertising: All requests will be considered by the Director and/or Board on a case-by-case basis.

Section 3.02 Animals and Birds:

- a. **No person shall hunt, trap, remove, feed, destroy or in any other way abuse, molest, injure, pursue or destroy any animal, bird, egg, nest or animal habitation in the park, except in the case of educational catch-and-release programs performed under the direction of qualified staff.**
- b. **All animals, including insects, caught by park users should be observed and quickly returned to the wild.**
- c. No person shall cause or permit any privately owned animal or domestic pet to be in or upon the Park System unless on a leash or tether no longer than eight feet and accompanied by a person.
- d. Any person accompanying a privately owned animal or domestic pet in the Park System shall clean up and remove any of such animal’s or domestic pet’s excrement from the Park System or deposit such excrement in trash containers or receptacles.
- e. No person shall cause or permit any dangerous or vicious animal of any kind to run at large or be abandoned upon, or be harbored, caged or displayed in the Park System.
- f. The Park security force or police are authorized to kill any dangerous animal when it is necessary for the protection of any person in the Park System.
- g. It shall be unlawful to harbor or keep any animal which disturbs the peace by loud noises at any time of the day or night.

- h. Any dog that shall bite or injure any person shall be captured and evidence of a current rabies license shall be confirmed by the Kane County Health Department. If it is confirmed that the dog has a current rabies license, the dog shall be inspected by a licensed veterinarian and then released to the owner until a follow-up inspection ten (10) days later. If the dog does not have a current rabies license, the dog shall be kept under the observation of a licensed veterinarian for a period of ten (10) days and then undergo a follow-up inspection by the veterinarian at the end of this period. The veterinarian shall, make a written report to the health officer and should such dog show evidence of rabies, it shall be killed in a humane manner. In the event the veterinarian pronounces the dog free from rabies, such dog shall be released to the owner or keeper upon the payment of the veterinarian's fees. The owner or keeper of the dog may claim the same at the end of the two-week period by making payment of the costs involved while the dog is under observation and also the costs of a license if said dog is not licensed. If the owner or keeper does not claim the dog at such time, then any person may redeem it by making a like payment. If the dog is not claimed as set forth above, then it shall be disposed of in a humane manner.
- i. No pets shall be allowed in Geneva Park District buildings and facilities unless required to assist persons with disabilities.
- j. No person shall ride or permit a horse or other equine animal in a park.**

Section 3.03 Parades and Meetings: No person or persons shall call, hold or participate in any procession, public meeting, gathering or parade, nor shall any person or persons be a participant in any public entertainment of any nature in the Park System without first having received written authorization from the Director or Board. Persons requesting rental or use of any pavilion or shelter shall be required to specify any said uses and shall be governed by above written authorization clause for approval.

**Section 3.04 Solicitation: No person shall sell or offer for sale any article, privilege or service including contributions of any kind whatsoever, in the Park System unless such sale or offer is pursuant to a contract with the Park District or without first having received written authorization from the Director or Board. No person shall distribute any literature in the Park System or property which is owned, leased, or otherwise controlled by the Park District, without written permission from the Director. No person shall beg, peddle or solicit in the park.**

**Section 3.05 Signage:** No person shall erect any sign in the Park System or attach any sign to property owned, leased, or otherwise controlled by the Park District, nor shall any person display any placard, notice, advertisement, circular, banner, or statement of any kind in a park other than on a vehicle. This section shall not apply to any signs erected by the Park District or any sign, placard, advertisement, circular, banner, or statement of any kind erected, attached or displayed with the permission of the Park District.

**Section 3.06 Noise:** No person within the Park System shall cause, make, aid, countenance, abet or assist in making any noise or play any amplified music or give amplified speeches tending to disturb other persons in the park or breach the peace in the Park System, except at a time and place as authorized by the District.

**Section 3.07 Closing Hours:** The Park System of the District shall be closed during the hours specified herein, except as may be authorized upon the written consent of the Director. No person or property of any kind shall remain in the Park System after the closing hours specified herein.

- a. Batavia Highlands Park, located directly north of the intersection of Thoria Road and Prairie Street, in the City of Batavia, Illinois and Williamsburg Park, located at 915 Sheffield Lane, in the City of Geneva, Illinois will be closed to the public from 9:00 PM to 6:00 AM.
- b. Peck Farm Park shall be closed to the public from 10:00 P.M. to 6:00 A.M. every day except that at specified times, selected areas shall remain open as designated by the Manager of the Peck Farm park Interpretive Center.**
- b. All other parks in the Park System shall be closed to the public during the hours of 10:00 P.M. and 6:00 A.M.
- c. Parking lot(s) may be closed at any and all park(s) as deemed necessary by the Director or Board. Hours will be posted.
- d. Washroom facilities at Wheeler and Island Parks will be closed from mid October through mid April, dependent on weather conditions.**

**Section 3.08 Facilities:** The use of park facilities shall be as determined and designated by a Department Head or the Director. No person shall use park facilities other than for the purposes designated by a Department Head or the Director. A Department Head or the Director may restrict or prohibit certain uses of park facilities when there is a reasonable chance that any such use might result in damage to park property and/or might endanger park visitors. Where the use of facilities requires scheduling, the reserving and scheduling shall be authorized by a Department Head or the Director.

Section 3.09 Encroachments: No person residing adjacent to Geneva Park District property shall be allowed to encroach upon park property at any time unless otherwise approved in advance by the Director. **Leaves, pine cones, seedlings or other foliage that is displaced from landscaping due to weather conditions or seasonal changes are not considered an encroachment on Park District property or adjacent residential property. Park District staff will maintain park property grounds, but will not maintain adjacent property.** Examples of possible encroachment are specified herein.

- a. No residentially owned buildings or structures, including sheds and play equipment, whether temporary or permanent, shall be constructed, erected or installed on Park District property at any time.
- b. No residentially owned fences or animal containment devices, whether above below ground, may be constructed or installed on Park District property at any time.
- c. No residentially owned utility lines or sprinkler systems, whether above or below ground, may be constructed or installed on Park District property at any time.
- d. No residentially owned decorative monuments, statues or structures may be installed or erected on Park District property at any time.
- e. No residentially owned landscaping in the form of trees, shrubs, plants, flowers or vegetable/fruit gardens may be constructed, installed or maintained on Park District property at any time.
- f. Residents are not allowed to maintain Park District property and landscaping in the form of grass mowing and tree, shrub, plant or flower pruning.

Section 3.10 Fires: **No person shall ignite or maintain a fire in the Park System, unless otherwise authorized by the Director, Superintendent of Parks and Properties, Manager of Peck Farm Park Interpretive Center or Board.**

- a. **Authorized fires will only be permitted in a campfire area or specific area designated by the Park District.**
- b. **No person shall start or maintain a fire in the Park System and leave the vicinity of the fire without fully extinguishing the fire.**
- c. **No person shall burn wood found in the Park System, except for wood provided by the Park District and burned in designated containers.**
- d. **Only charcoal grills are allowed in the Park System.**

Section 3.11 Interference with Police: No person shall interfere with, resist, hinder or delay any member of the Police or Park Security Force in the discharge of any official act of duty nor fail or refuse to obey any lawful order or direction of such member.

Section 3.12 Impersonation: No person shall falsely represent or impersonate any member of the Police or Park Security Force of the District.

Section 3.13 Disorderly Conduct: No person shall engage in any conduct or use any abusive, threatening, profane or obscene language, excessive noise or language calculated to occasion a breach of the peace, nor induce, permit or perform any indecent or obscene act of behavior, nor exhibit, possess or transfer any intoxicating beverage, obscene pornographic pictures, writings, publications, within the Park System. It shall be unlawful for any person to disturb any meeting of the Board of Commissioners or any committee thereof, or to behave in a disorderly manner at any such meeting. It shall be unlawful for any vagrant to frequent, sleep, camp or live in the Park System. Any person who has no established domicile or residence shall be considered to be a vagrant.

**Section 3.14 Loitering: No person shall loiter, delay, or stand idly around in the vicinity of a rest room located in a park and no person shall enter facilities in a park provided for the exclusive use of the opposite sex or while already occupied.**

Section 3.15 Minors: No parent, guardian or custodian of a minor shall knowingly assist or allow such minor to do any acts within the Park System in violation of any law, ordinance or rule of the District. A minor is defined herein as any person who is under the age of eighteen (18) years.

Section 3.16 Dumping and Refuse: No person shall dump, throw, discard or place any charcoal, ashes, dust, manure, garbage, glass, plastic, rubbish, metal, paper, wood, **brush or grass clippings** or cause or permit same to be deposited in, on or about the Park System, except in such receptacles and containers as may be provided for such purpose. No person shall deposit refuse or garbage in the Park System that originated from his or her residence, office or place of business. No person shall discharge, throw, drop, or cause to flow, into park waters any noxious or deleterious substance, either solid or liquid, which renders such waters harmful or inimical to the public health or animal life. No person shall release any animal in the park or other property controlled by the Park District.

Section 3.17 Trespasses: No person shall enter upon any portion of the Park System, including the **Sunset Pool, Skate Park or Sprayground**, at a time or place where persons are prohibited by sign, notice or erected fence, or fail or refuse to depart from the Park System when requested either orally or in writing by the Police or Park Security Force.

**Section 3.18 Sleeping in the Park System: No person shall sleep, camp or otherwise remain in the Park System including Park grounds, facilities or bathrooms during closing hours without written permission of a Department Head or Director.**

Section 3.19 Fireworks, Firearms and Weapons: No person shall have possession or control or in any way use, sell, purchase, discharge or operate within the Park System any firearm, slingshot, knife, bow & arrow, air powered gun, paint pellet gun, fireworks, **ax, hatchet, saw or knife with a blade length longer than three inches** or other explosive substance or item, or set off or attempt to set off or ignite any firecracker, fireworks, smoke bombs, rockets, black powder devices, or other pyrotechnics **without written permission by a Department head or the Director..**

Section 3.20 Missiles: No person shall throw, project or cast, or encourage others in throwing, projecting or casting any stone, projectile or missile into, upon or at any building or structure, object or person within the Park premises.

Section 3.21 Golfing in Parks: No person shall golf, or hit or putt golf balls within or into the parks except upon established golf courses.

Section 3.22 Damage to District Property:

- a. **No person shall write upon, cut, break, paint, move, remove, injure, tamper with, damage or deface any buildings, structure, bridges, tables, benches, fireplaces, railings, paving or paving material, waterlines or other public utilities or parts thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, fences, posts, or other boundary markers, or other structures or equipment, facilities or park property that are owned, leased or maintained by the Park District.**
- b. **No person shall write upon, cut, chop, break, climb on, paint, move, remove or in any way injure, damage or deface any stone, tree, shrub, plant, flower or turf that are owned, leased or maintained by the Park District.**
- c. Any parent or legal guardian of a minor who resides with such parent or legal guardian is liable for actual damages for the willful or malicious acts of such minor, which cause injury to a person or property, in an amount not to exceed Two Thousand Five Hundred Dollars (\$2,500.00) for each occurrence of such willful or malicious acts by the minor. The enforcement of this provision shall be made in accordance with the definitions and provisions in the Parental Responsibility Law, Illinois Compiled Statutes, 740, ILCS 115.1.

Section 3.23 Drunkenness and Intoxicating Beverages:

- a. No person shall enter upon or remain in the Park System or attend any district meetings while under the influence of any alcohol, drugs, or any controlled substance.
- b. No person shall possess, consume, sell, give, or use any alcohol, drugs and/or controlled substance or drug paraphernalia in the Park System.

Section 3.24 Special Functions: From time to time the Director, a Department Head or Board may permit a special function in the Park System which allows alcoholic beverages to be distributed or sold with the purchase of special event insurance.

Section 3.25 Offering Articles for Sale or Exchange: No person shall sell, exchange, offer for sale or exchange any goods, wares or merchandise of any kind within the park premises without first having obtained the written consent of the Director to do so.

Section 3.26 Gambling and Fortune Telling: No person shall tell fortunes, play at games of chance or use any gambling device in the Park System, nor shall any person make any bet of any kind therein unless the Director or Board gives prior written approval.

Section 3.27 Illegal Assembly: No person shall, in conjunction with others, assemble within the Park System for any unlawful purpose.

Section 3.28 Operation of Bicycles: No person while operating a bicycle upon the Geneva Park District property and upon the Fox River Bike-Way Trail, Peck Farm Trail or NICOR Bike Trail shall violate any laws, ordinances or statutes of the City of Geneva, County of Kane or State of Illinois, or to do any act forbidden or fail to perform any act required herein by this ordinance.

- a. Definitions: The Geneva Park District or Park District Property shall be defined as all property lying within the boundaries of the Geneva Park District, the Fox River Bike-Way Trail, Peck Farm Trail and NICOR Bike Trail, **as well as, the co-owned Harrison Street and Western Avenue Gymnasiums.**
- b. Inspection of Bicycles: 1) Any uniformed police officer of any police department shall be authorized to inspect any bicycle at any reasonable time for the purpose of determining that it has a serial number thereon and or licensed plate or number, or upon reasonable cause to believe that a bicycle is unsafe or is not equipped as required by law, or that its equipment is not in proper adjustment or repair. 2) Any person riding a bicycle shall, upon request, by a uniformed police officer, submit the bicycle to an inspection and tests for this purpose. 3) No person shall in any manner interfere with or hinder the making of such an inspection.
- c. Parents Responsibility: A parent or guardian of any child shall not authorize or knowingly permit such child to operate any bicycle in violation of the provisions in this section.
- d. Use of Bicycle Without Consent of Owner Prohibited: It shall be unlawful for any person to use or operate any bicycle within the Geneva Park District without the consent of the owner.
- e. Traffic Regulations: Every person operating a bicycle shall strictly observe all traffic signs and signals and all other traffic rules and regulations applicable thereto, and shall obey the orders and directions of every police officer authorized to direct or regulate traffic.

- f. Riding on Bicycles: 1) A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto. 2) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped, except that an adult rider may carry a child securely attached to his/her person in a backpack or sling. 3) No person operating a bicycle shall carry another person on the handlebars of said bicycle. 4) When more than two (2) persons in a group are operating bicycles on a path, trail, or roadway, they shall ride single file.
- g. Exercise of Due Care: A person propelling a bicycle shall exercise due care and proper precaution, and shall sound a horn **or bell** or give an audible sound when necessary, in order to prevent colliding with any pedestrian, or any other person operating a bicycle, or to avoid colliding with any property.
- h. Speed: No bicycle shall be operated at any time faster than is reasonable or proper, and every bicycle shall be operated with reasonable regard to the safety of the rider and of other persons and property.
- i. Turning; Starting; Stopping: The operator of a bicycle on a roadway when making a right turn shall follow the right-hand edge of the roadway, and the operator of a bicycle on a roadway when making a left turn shall approach the point of turning in the traffic lane nearest the center of the roadway and shall not cut the left-hand corner. No operator of a bicycle shall suddenly start, slow down, stop or attempt to turn without first indicating such movement as provided by law.
- j. Bicycle Racing: It shall be unlawful for any person to participate in a racing event upon a sidewalk, bicycle path, parking lot unless approved by the Geneva Park District. Such racing events shall only be granted under conditions which will assure reasonable safety for all participants, spectators, and other persons using the facilities and in such a manner so as to prevent the unreasonable interference with and inconvenience of the other persons using the area.
- k. Trick Riding: No person shall, while operating a bicycle, indulge or engage in any kind of trick or unsafe riding except in designated areas such as a skate park.
- l. Lights and Brakes: 1) No person shall operate a bicycle within the period from sunset to sunrise without having a properly lighted headlight attached to the front of the bicycle, visible under normal atmospheric conditions from the front thereof for a distance of not less than three hundred (300) feet, nor without having a red light or a reflector attached to the rear of the bicycle, which is clearly visible in the headlight beam of a motor vehicle for a distance of not less than two hundred (200) feet to the rear of the bicycle. 2) Every bicycle shall be equipped with a brake which will adequately control movement of, and stop and hold such bicycle.
- m. Clinging to Vehicles: No person riding upon any bicycle shall attach the same or himself to any other moving vehicle or motorized vehicle.

- n. Carrying Articles: No person operating a bicycle shall carry any package, bundle or article which prevents the use of both hands in control and operation of the bicycle. A person operating a bicycle shall keep at least one hand on the handlebars at all times.
- o. Position of Bicycles on Right-of Way: Any person operating a bicycle on any roadway or bicycle path shall ride as close as practicable to the right-hand curb or edge of the right-of-way, except under the following situations: 1) When overtaking and passing another bicycle proceeding in the same direction; or 2) When reasonably necessary to avoid colliding with any other person or object in that lane.
- p. Yielding of Right-of-Way: 1) A person propelling a bicycle upon and along a sidewalk, roadway, bicycle path, or parking lot, shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking or passing any pedestrian or any other person operating another bicycle. 2) A person shall not ride a bicycle upon or along a sidewalk, parking lot, bicycle path, roadway or any other location upon which the use of bicycles is prohibited by this Ordinance.
- q. Bicycle Parking: 1) A person may park a bicycle on a sidewalk providing it shall not impede with the normal and reasonable movement of pedestrian traffic. 2) A person may park a bicycle in a parking lot provided it shall not impede the normal reasonable movement of motorized vehicles. 3) A bicycle may not be parked upon the bike path in such a manner so as to obstruct the movement of the pedestrians or other persons operating their bicycle thereon.
- r. Trails: All persons riding a bicycle shall remain on the trail or specified route. It is unlawful to ride in undesignated areas or to create a trail through repeated violations. **No person shall ride a bicycle on a nature trail designated for foot traffic only, including the prairie paths at Peck Farm Park.**
- s. Operation Prohibited on Certain Areas: **It shall be unlawful for any person to operate a bicycle at the pavilion, campfire circle and silo area at Peck Farm Park. It shall also be unlawful to incorporate into use any picnic table, bench, refuse barrel or any other hardscape item in the Park System such as railings or curbs for purposes of riding or operating bicycles.**

Section 3.29 Operation of Skateboards and Roller Blades: Whenever in this section the following terms are used, they shall have the meanings respectively ascribed to them in this subsection:

- a. Skateboards include a vehicle or piece of hardwood board, fiberglass, plastic, or metal with two (2) or more tandem wheels with solid or pneumatic tires and propelled by human power.
- b. Roller Blades include all roller style skates, particularly but not limited to, skates with an in-line system of wheels.
- c. Operate refers to the use, putting into action or causing to function of a skateboard by a person mounted thereon, including but not limited to standing, sitting or kneeling. Operate refers to the use, putting into action or causing to function of roller blades by a person wearing them.
- d. Operation Generally. Except as specifically prohibited in Subsection © below, skateboards and roller blades may be operated on bike trails or walkways, provided that the operator thereof exercises due care in the operation and speed of said skateboards and roller blades, and under all circumstances yields the right-of-way to pedestrians using said trails or sidewalks.
- e. Operation Prohibited on Certain Areas. It shall be unlawful for any person to operate a skateboard or roller blades in the vehicular traffic portion of parking lots, drives and roadways, as well as on/in tennis courts, basketball areas, pavilions and shelters in the Park System, including the silo, campfire circle, picnic pavilion and courtyard area of Peck Farm Park. It shall also be unlawful to incorporate into use any picnic table, bench, refuse barrel or any other hardscape item in the Park System such as railings or curbs for purposes of riding or operating skateboards, bicycles, roller blades or skates.

**Section 3.30 Skate Park Regulations: The Skate Park shall be governed by the following regulations:**

- a. The skate/bicycle park is unsupervised and participants skate/bike at their own risk.
- b. It is required that proper protective equipment such as helmets, elbow pads, knee pads etc... be used during skating and cycling.
- c. Caution must be used at the Skate Park: Bicycling, inline skating and skateboarding are high-risk recreational activities with inherent risk of serious injury.
- d. No personally owned ramps, boxes, or other devices may be brought into the facility.
- e. No motorized equipment may be brought into the facility.
- f. Please be courteous of other park users.
- g. Bringing glass into the area is prohibited.
- h. Please keep your skate park clean.
- i. The skate park is open from March 1 – November 30, weather permitting.
- j. Daily hours are Monday – Saturday from 9:00 AM – 8:00 PM, or dusk and Sunday from 11:00 AM – 8:00 PM, or dusk.

- k. The park will be closed during inclement weather.
- l. In the event rules are not being followed, the Geneva Park District may choose, at its own discretion to temporarily or permanently close this facility.
- m. The Geneva Park District reserves the right to revise policies and/or rules regarding this skate park.

**Section 3.31 Moore Park Sprayground Regulations: The Sprayground shall be governed by the following regulations:**

- a. **The sprayground is unsupervised and participants utilize the facility at their own risk.**
- b. **Caution must be used at the Sprayground– Running is not permitted within the gated area of the facility.**
- c. **No pets are allowed within the gated area of the facility**
- d. **No motorized equipment may be brought into gated area of the facility unless required for accessibility.**
- e. **Please be courteous of other park users.**
- f. **Bringing glass into the area is prohibited.**
- g. **Please keep the sprayground clean.**
- h. **The sprayground is open from the first Saturday after the Sunset Pool opens through the first Saturday after the Sunset Pool closes, weather permitting.**
- i. **Daily hours are Monday – Thursday, 10:00 AM – 7:00 PM, and Friday, Saturday and Sunday from 11:00 AM – 6:00 PM.**
- j. **The sprayground will be closed during inclement weather.**
- k. **In the event rules are not being followed, the Geneva Park District may choose, at its own discretion to temporarily or permanently close this facility.**
- l. **The Geneva Park District reserves the right to revise policies and/or rules regarding this sprayground.**

**Section 3.32 Motorized and Model Vehicles: No person shall bring, operate, drive or park any motorized or model vehicle, including but not limited to, motorized or remote controlled automobiles, trucks, mini bikes, motorcycles, snowmobiles, within the Park System except on the streets and designated parking lots without first having obtained written authorization from the Director or the Board. No person shall drive or take any vehicle within the park at night unless head and tail lights are lighted.**

**Section 3:33 Speed of Vehicles: No vehicle may be driven upon any highway, street, roadway or parking lot within the Park System at a speed in excess of twenty (20) miles per hour, or as otherwise**

determined by the Board and as posted. No person shall operate any type of vehicle in the Park System without due regard for the safety of persons or property.

Section 3.34 Parking: The Park System shall be governed by the following parking regulations:

a. General Parking Regulations:

1. No person shall park or permit any vehicle to be parked or unattended upon any Geneva Park District property other than on the surface of the parking lot without permission **by a Department Head or the Director.**
2. No person shall park or permit any vehicle to be parked or unattended upon any Geneva Park District parking lot after the closing hour as designated by the Park Usage Ordinance of the Geneva Park District, Kane County, Illinois.
3. No person shall park or permit any vehicle to be parked or unattended upon any Geneva Park District parking lot for a period of more than twenty-four (24) consecutive hours unless prior permission is given by **a Department Head or the Director or the Board.**
4. No vehicle shall be parked or abandoned in the Park System during any public emergency or disaster, including fire, storm, snowstorm, in such manner to cause or constitute an obstruction to traffic flow or emergency equipment including snow removal equipment.
5. Parking is prohibited in parking lot stalls except if the vehicle is parked within the lanes designated.
6. **Parking is prohibited on grass areas of the Park System without permission by a Department Head or the Director.**
7. Parking lots and designated parking areas within the Geneva Park District Park System are intended solely for the patrons of the particular site or area and for patrons conducting business with, or involved in an activity pertaining to, the Geneva Park District. Vehicles may be towed at owners expense or Ordinance Tickets may be issued.

b. Specific Parking Regulations:

No person shall park or permit any vehicle to be parked or unattended in the Old Mill Park parking lot for more than three (3) hours in any consecutive period of time between the hours of 8:00 a.m. and 8:00 p.m. on Monday through Friday of each week; this restriction shall not be applicable on Saturdays, Sundays or legal holidays.

c. Presumption of Liability:

The fact that an automobile which is illegally parked is registered in the name of a person shall be considered prima facie proof that such person was in control of the automobile at the time of such parking.

d. Authority to Post Parking Signs:

The Board of Commissioners shall determine the parking hours and restrictions for park district property and shall post parking signs in such areas where parking is prohibited or limited, indicating such prohibition and limitations.

e. Towing Vehicles Away:

1. The Board of Commissioners, or any person designated by them, including the police department, are hereby authorized to remove and tow away or have removed and towed away by commercial towing service, any vehicle parked in violation of any posted sign or notice or otherwise in violation of the Park District parking restrictions or prohibitions.
2. Vehicles towed away shall be stored and returned to the owner or operator thereof upon payment of the expense of towing and storing such vehicle.

Section 3.35 Commercial Photography & Advertising:

- a. Commercial Photography: No person shall take or cause to be taken any still or motion pictures or video recordings, for commercial purposes or for use in commercial advertising, without written permission of the Director and then only in accordance with the rules and restrictions duly set forth as part of such **permission. Commercial photographers must notify a Department Head or the Director two weeks in advance of the date of photography or recording session.**
- b. Honoring Permits: No person shall 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 any structures designated for the use of a certain person or persons to the exclusion of others by written permission of the Director or Board.
- c. Document Fee: **A fee of \$50.00 per day or \$500 per year must be paid prior to the session. Lack of compliance to this regulation will result in a fine set by the Board and Director up to a maximum of \$500 per occurrence.**

Section 3.36 Naming of Parks, Recreation Areas and Facilities: The Board of Commissioners recognizes the need to properly identify all facilities, parks and/or recreation areas within the jurisdiction of the District. The naming of all such park or recreation areas shall be a function of the Board.

Naming of facilities, parks, and/or recreation areas shall be based upon geographical, historical, or ecological relationships significant to the region. For neighborhood parks this includes the name of the subdivision or development or adjacent street in which the park is located.

In cases where individuals or organizations have provided exceptional contributions and/or service to the District, the Board may, at its discretion, officially name a facility or area within a park, or the park itself, after an individual or group of people. All maps, plats, and other records and instruments of the District shall reflect the Board's action.

Upon officially naming a park or recreation area, the Board shall cause to have erected a suitable sign identifying the facility, park, or recreation area.

### **Section 3.37 Winter Sports, Air and Water Related Activities:**

a. Winter Sports:

1. No person shall sled, toboggan, ski or slide on any area except those areas designated by the Director or Park Board, provided that these areas have not been posted as being "unsafe" or "hazardous" or as being "closed" due to inadequate snow cover or other environmental conditions. See Section 3.31 for regulations on snowmobiling in the Parks system.
2. No person shall enter on or upon frozen waters for any purpose whatsoever other than in areas designated by the Director or Park Board for such and then only in compliance with the rules and regulations posted.
3. No person shall fish through the ice on any frozen waters or parts thereof designated as ice skating areas by the Director or Park Board.
4. No person shall drive onto or upon the frozen waters of any lake, pond, or watercourse any iceboat or wind-driven-like device or other vehicle.

b. Swimming: No person shall swim, wade, or bathe at any time in any of the rivers, ponds, lakes, pools, streams, sloughs, or watercourses except at such place or places as may be designated by the Director or Board and then only in accordance with the rules, regulations, and restrictions promulgated and posted.

c. Watercraft: No person shall bring into, attempt to launch or use, or navigate any boat, yacht, canoe, raft, kayak, or other watercraft upon waters of any watercourse, lagoon, lake, pond, or slough, except at such place or places as may be designated by the Director or Park Board. Where allowed, watercraft shall be used in accordance with 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.

d. Engine Powered Models or Toys: No person shall start, fly or use any fuel-powered or electric-powered model aircraft, boat or rocket **within the Parks system, unless given permission** by the Director or Board for such use or **unless a person is a participant in a**

**Geneva Park District sanctioned class or program and** then only in accordance with such rules, regulations and restrictions promulgated and posted by the Director or Board.

- e. **Fishing:** No person shall fish of any type for any reason unless written authorization is obtained from the Director or the Board, or unless a person is a participant in a Geneva Park District sanctioned class or program.

**Section 3.38 Smoking:** Effective January 1, 2008, the Smoke-free Illinois Act prohibits smoking in virtually all public places and workplaces, including offices, theaters, museums, libraries, educational institutions, schools, commercial establishments, enclosed shopping centers and retail stores, restaurants, bars, private clubs and gaming facilities. Smoking is defined as inhaling, exhaling, burning by persons of any lighted cigar, pipe, cigarette, plant or other combustible substance in any manner or in any form. Smoking is not permitted inside any Park District buildings, within 15 feet of any Park District buildings, or within any fenced-in grounds such as the Sunset Pool, the Skate Park, the Moore Park Sprayground and the campfire circle at Peck Farm Park.

**Section 3.39 Athletic Fields:** All baseball, soccer and football fields are for use by participants in park district programs or affiliated organizations or with permission of the Director or Board of Commissioners.

- a. **Affiliate Organizations:** All organizations must submit a signed Affiliate Agreement, roster of all participants and a league schedule in order to utilize fields for league play.
- b. **Practices:** Practices are not allowed on athletic fields without the permission of the Director or Board.
- c. **Residential Use Areas:** Organized practices are allowed at Somerset, Sunset and Eaglebrook Parks during open hours.
- d. **Moore Park:** Games and practices are not allowed at Moore Park during the summer months when the Moore Park Sprayground is operating. The sprayground is open from the first Saturday after the Sunset Pool opens through the first Saturday after the Sunset Pool closes, weather permitting.

**Section 3.40 Exemption:** Acts and conduct of police officers, officials and employees of the Park District, or contractors of the Park District, to the extent necessary for performance of their authorized duties, shall be exempt from the provisions of these Regulations.

**Section 3.41 Penalties:**

- a. Any person violating or disobeying any clause or provision of any section of this ordinance shall be guilty of a misdemeanor, and upon conviction, shall be fined not less than Five dollars (\$5.00) and not more than Five Hundred dollars (\$500.00) for each offense. A

separate offense shall be deemed committed upon each day or each separate occurrence on which a violation occurs or continues. In addition, the following penalties may be imposed:

- b. Eviction: Any person violating any of the parking provisions of this ordinance may be forthwith evicted from the Park System by the Police or Park Security Force.
- c. Towing and Storage: Any person violating any of the parking provisions of this ordinance, and whose vehicle is towed away shall pay in full all towing service and storage charges in addition to the aforesaid fine before the vehicle is returned to the owner.
- d. Payment of Fines: Any person charged and issued a parking ticket for a violation of any parking ordinance in the Park System may settle and compromise and pay the fine in the amount of TEN AND NO/100 DOLLARS (\$10.00) if said fine is paid within forty-eight (48) hours after the date and time said ticket is issued. If the fine is not paid within said time period, the fine will be doubled. If the fine is not paid within ten (10) days from the date of the violation, a Notice to Appear or Warrant may be issued against said alleged offender. Any payment of fines, outside of court, shall be paid at the City of Geneva Police Department, Geneva, Illinois. Exception: if the site of the violation lies within the Geneva Park District boundaries, but in the City of Batavia, then payment of fines may be made at the City of Batavia Police Department, Batavia, Illinois.
- e. Restitution: The District may also seek in the same court action for the above penalties, in addition, or instead of fines and penalties, an order that the offender be required to make restitution for damage resulting from any violations of the Ordinance.
- f. Settlement and Compromise of Fines: Any person charged and ticketed for a violation of any offense contained in this Ordinance for Sections 3.01 through 3.32 may settle and compromise such alleged violation by paying a fine in the amount of Fifty Dollars (\$50.00) for each alleged violation or offense, if said fine is paid with ten (10) days from the date of issuance of the ticket or citation issued for such violation or offense. If the fine is not paid within the aforesaid time period, a Notice to Appear or Warrant may be issued for the arrest of the alleged offender, and the Court will thereafter determine the amount of the fine. Any payment of fines, outside of court, shall be paid at the City of Geneva Police Department, Geneva, Illinois. Exception: if the site of the violation lies within the Geneva Park District boundaries, but in the City of Batavia, then payment of fines may be made at the City of Batavia Police Department, Batavia, Illinois.

#### CHAPTER FOUR

Section 4.01 Repeal: All existing ordinances, resolutions and orders in conflict herewith are hereby repealed.

#### CHAPTER FIVE

Section 5.01 Publication in Pamphlet Form: In lieu of other publications, this ordinance shall be published in pamphlet form, as provided by law, and when so printed shall become effective and shall have the same force and effect as otherwise published by law; and such pamphlet shall be received as evidence of the passage of this ordinance in all courts or places without further publication, all as provided by law.

#### CHAPTER SIX

Section 6.01 Validity: If any provision of this code is held invalid, the invalidity of that provision shall not affect any of the other provisions of this code.

#### CHAPTER SEVEN

Section 7.01 “Park Usage Ordinance” Effective Date: This ordinance shall be known as the “Park Usage Ordinance” and shall take effect and be in full force from and after its passage, approval and publication in pamphlet form as provided by law.

CHAPTER EIGHT

Section 8.01 Saving Clause: The amendment, revision or repeal of any section or portion of a Section or Sections of the "Park Usage Ordinance" of the Geneva Park District by this Ordinance shall not:

- a. Affect suits pending or rights existing immediately prior to the effective date of this Ordinance:
- b. Impair, avoid or affect any right acquired or cause of action now existing under any such amended, revised or repealed Park Usage Ordinance or Section thereof.

PRESENTED to the Board of Commissioners of the Geneva Park District on this 19th day of October, 2009.

PASSED by the Board of Commissioners of the Geneva Park District on this 19th day of October, 2009.

APPROVED by the President of the Geneva Park District on this 19th day of October, 2009.

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President

ATTEST:

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Secretary

Votes:

Aye:

Nay:

CHAPTER EIGHT

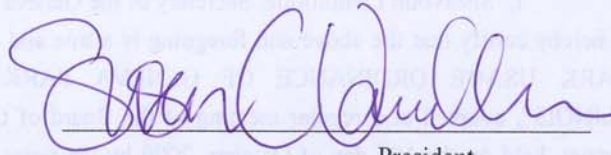
Section 8.01 Saving Clause: The amendment, revision or repeal of any section or portion of a Section or Sections of the "Park Usage Ordinance" of the Geneva Park District by this Ordinance shall not:

- a. Affect suits pending or rights existing immediately prior to the effective date of this Ordinance:
- b. Impair, avoid or affect any right acquired or cause of action now existing under any such amended, revised or repealed Park Usage Ordinance or Section thereof.

PRESENTED to the Board of Commissioners of the Geneva Park District on this 19th day of October, 2009.

PASSED by the Board of Commissioners of the Geneva Park District on this 19th day of October, 2009.

APPROVED by the President of the Geneva Park District on this 19th day of October, 2009.



President

ATTEST:



Secretary

Votes:

Aye: 4

Nay: 0



STATE OF ILLINOIS )  
COUNTY OF KANE ) SS  
GENEVA PARK DISTRICT )

I, Sheavoun Lambillotte, Secretary of the Geneva Park District, Kane County, Illinois do hereby certify that the above and foregoing is a true and exact copy of an ordinance entitled "PARK USAGE ORDINANCE OF GENEVA PARK DISTRICT, KANE COUNTY, ILLINOIS", adopted at a regular meeting of the Board of Commissioners of the Geneva Park District, held on the 19<sup>th</sup> day of October, 2009 by the votes of all Commissioners of said Park District present at said meeting being \_\_\_\_\_votes yea, and \_\_\_\_ votes nay, and absent, and approved by the President who signed same on the 19<sup>th</sup> day of October, 2009 and filed in the office of the District on said date, all as appears from the records and files in said office.

I do further certify that said ordinance was duly published in book form in lieu of other publication, on the 19<sup>th</sup> day of October 19<sup>th</sup>, 2009 and copies thereof placed in the office of the Geneva Park District available to the public.

\_\_\_\_\_  
Secretary

(SEAL)

CHAPTER XVIII

Section 4.01. Section 4.01. The amendment, revision or repeal of any section or portion of a  
ordinance of the "Park Usage Ordinance" of the Geneva Park District by this Ordinance shall  
affect only pending or rights existing immediately prior to the effective date of this  
Ordinance.  
It further voids or affects any right acquired or claim of action now existing under any such  
amended, revised or repealed Park Usage Ordinance or Section 4.01.

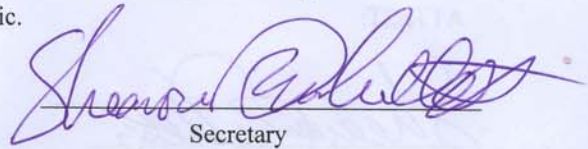
STATE OF ILLINOIS )

COUNTY OF KANE ) SS

GENEVA PARK DISTRICT )

I, Sheavoun Lambillotte, Secretary of the Geneva Park District, Kane County, Illinois do hereby certify that the above and foregoing is a true and exact copy of an ordinance entitled "PARK USAGE ORDINANCE OF GENEVA PARK DISTRICT, KANE COUNTY, ILLINOIS", adopted at a regular meeting of the Board of Commissioners of the Geneva Park District, held on the 19<sup>th</sup> day of October, 2009 by the votes of all Commissioners of said Park District present at said meeting being 4 votes yea, and 0 votes nay, and 1 absent, and approved by the President who signed same on the 19<sup>th</sup> day of October, 2009 and filed in the office of the District on said date, all as appears from the records and files in said office.

I do further certify that said ordinance was duly published in book form in lieu of other publication, on the 19<sup>th</sup> day of October 19<sup>th</sup>, 2009 and copies thereof placed in the office of the Geneva Park District available to the public.

  
Secretary



