



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

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

Adopted October 9, 2007;  
as last revised and approved in whole  
by the Board of Commissioners February 14, 2017

## TABLE OF CONTENTS

Section	Description	Page
CHAPTER 1.	<u>SCOPE</u>	
1.01	Designation .....	6
1.02	Scope.....	7
1.03	Declaration of Control .....	7
1.04	Definitions.....	7-9
1.05	Statutory Control.....	9
CHAPTER 2.	<u>ORGANIZATION</u>	
2.01	Government.....	9
2.02	Annual Meetings.....	9
2.03	Regular Meetings .....	9
2.04	Special Meetings.....	9
2.05	Place of Meeting .....	10
2.06	Quorum .....	10
2.07	Order of Business.....	10
2.08	Ordinance in Writing .....	10
2.09	Voting .....	10
2.10	Rules of Order.....	10
2.11	Procedures.....	10
CHAPTER 3.	<u>OFFICERS AND EMPLOYEES</u>	
3.01	Number .....	11
3.02	Election and Term of Office .....	11
3.03	Removal .....	11
3.04	Board President.....	11
3.05	Board Vice-President .....	11
3.06	Board Secretary.....	11
3.06	Recording Secretary .....	12
3.07	Treasurer .....	12
3.07	Assistant Treasurer.....	12
3.08	Executive Director of the Rockford Park District.....	12
3.09	Director's Team .....	12
3.10	Attorney .....	13
3.11	Additional Duties of Officers and Employees .....	13
3.12	Compensation of Officers and Employees.....	13
3.13	Bonds .....	13
3.14-1	Prohibited Agency and Employee Political Activities.....	13

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

9.13	Trucks .....	22
<b>Section</b>	<b>Description</b>	<b>Page</b>
9.14	Parking Lots .....	22
9.15	Prevailing Laws or Ordinances .....	22
9.16	Gambling.....	23
9.17	Unmanned Aerial Vehicles .....	23
9.18	Clean Air Ordinance .....	23-24
9.19	OPEN .....	24
9.20	Use of “Sun Singer” Service Mark .....	24-25

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

10.01	Animals .....	25
10.02	Fires.....	25
10.03	Sound Amplification.....	25-26
10.04	Alcoholic Beverages .....	26-27
10.05	Refuse .....	27
10.06	Restricted and Intended-Use Areas .....	28
10.07	Trees - Shrubs - Structures.....	28
10.08	Keep to Drives .....	28
10.09	Winter Recreation .....	29
10.10	Speed Restrictions.....	29-30
10.11	Parking Rules .....	30
10.12	Impounding of Vehicles.....	30-31
10.13	Obstructing Traffic.....	31
10.14	Reckless Driving.....	32
10.15	Fleeing or Attempting to Elude Police Officer .....	32
10.16	Drag Racing .....	32
10.17	Vehicle Registration.....	32
10.18	Valid Driver’s License - Driving after Suspension or Revocation .....	32
10.19	Driver’s License on Person - Failure to Display .....	33
10.20	Authority for Traffic Signals.....	33
10.21	Obedience to Traffic Control Devices .....	33-34
10.22	Obedience to Stop and Yield Signs .....	34
10.23	Driving on Right Side of Roadway.....	34
10.24	One-Way Roadways and Rotary Traffic Islands.....	34
10.25	Starting a Parked Vehicle.....	34
10.26	Opening Vehicle Doors.....	34
10.27	Coasting Prohibited.....	35
10.28	Driving Upon Sidewalk .....	35
10.29	Illegal Transportation of Alcoholic Liquor .....	35
10.30	Negligent Driving .....	35
10.31	Unlawful Use of License or Permit.....	35
10.32	Right-of-Way Rules .....	35-36
10.33	Prevention of Unnecessary Noise .....	36

<b>Section</b>	<b>Description</b>	<b>Page</b>
10.34	Suspension System.....	36
10.35	Lights and Lamps.....	37
10.36	Brakes .....	37
10.37	Unattended Motor Vehicles .....	37
10.38	Limitations on Backing.....	37
10.39	Traffic Laws Applied to Persons Riding Bicycles or Animals or Driving Animal-Drawn Vehicle.....	37
10.40	Bicycle Safety .....	38
10.41	Use of District Roadways .....	38
10.42	Use of District Recreation Paths .....	38
10.43	Permitting Unauthorized Person to Drive.....	39
10.44	Use of Park Facilities or Premises for Swimming or Diving Prohibited ...	39
10.45	Motor Vehicle Registration.....	39
10.46	OPEN	
10.47	Motor Vehicle Insurance.....	39
10.48	Driver and Passenger Required to Use Safety Belts .....	49
10.49	Possession of Drug Paraphernalia.....	40
10.50	OPEN	
10.51	Possession of Cannabis or Controlled or Illegal Substances .....	40
10.52	Geo-caching, Terra-caching, Letterboxing .....	40-41
10.53	Easement Ordinance .....	41-51
10.54	Movable Soccer Goal Safety Act.....	51
CHAPTER 11.	<u>ENFORCEMENT</u>	
11.01	Permits .....	51
11.02	Rules to be Obeyed .....	51
11.03	Penalties .....	51-52
CHAPTER 12.	<u>CONSTRUCTION AND REPEAL</u>	
12.01	Owner Liability .....	52
12.02	Partial Invalidity.....	52
12.03	Repeal of Prior Ordinances - Effective Date of Ordinance.....	52
CHAPTER 13.	<u>PUBLICATION IN BOOK FORM</u>	
13.01	Publication in Book Form.....	53
13.02	Effective Date .....	53



# CHAPTER 1. SCOPE

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32  
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## **Section 1.01 Designation**

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

## **Section 1.02 Scope**

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

## **Section 1.03 Declaration of Control**

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

## **Section 1.04 Definitions**

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

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

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



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

134  
135 **Section 1.05 Statutory Control**

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

139 **CHAPTER 2. ORGANIZATION**

140  
141 **Section 2.01 Government**

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

145 **Section 2.02 Annual Meetings**

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

152 **Section 2.03 Regular Meetings**

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

156 **Section 2.04 Special Meetings**

157 Special meetings of the Board may be called by the President whenever deemed necessary, or shall  
158 be called by the President at the request of any two commissioners. Written notice shall be given  
159 each commissioner of the time and place of the special meeting at least 48 hours prior to the time of

160 the meeting. Except in the event of a bona fide emergency, the notice shall include the agenda to be  
161 considered at such meeting.

162  
163 **Section 2.05 Place of Meeting**  
164 Meetings of the Board shall be held at the administrative offices of the District, Rockford Park  
165 District Administrative Office, 401 South Main Street, Rockford, Illinois, or such other location as  
166 the Board may determine unless notice of alternate location is published in accordance with the  
167 Illinois Open Meetings Act.

168  
169 **Section 2.06 Quorum**  
170 A majority physically present, of the duly elected and qualified commissioners shall constitute a  
171 quorum for the transaction of business; provided, however, that if no quorum is present, the  
172 commissioners attending may adjourn the meeting from time to time until a quorum is obtained.

173  
174 **Section 2.07 Order of Business**  
175 The order of business at all meetings of the Board shall be as determined by the Board.

176  
177 **Section 2.08 Ordinance in Writing**  
178 All ordinances, resolutions, and other proceedings of the Board shall be in writing and kept  
179 indefinitely, in a regular book of records, and open to public inspection at all reasonable and proper  
180 times, as prescribed by law.

181  
182 **Section 2.09 Voting**  
183 The yeas and nays shall be taken upon the passage of all ordinances, and upon all propositions to  
184 create any liability, or for the expenditure or for the appropriation of money, and in all cases at the  
185 request of any commissioner and shall be entered upon the minutes of the proceedings. The act of the  
186 majority of the commissioners present at a meeting at which a quorum is present shall be the act of  
187 the Board.

188  
189 **Section 2.10 Rules of Order**  
190 The most recent edition of Robert's Rules of Order shall govern all questions of procedure not  
191 otherwise provided for herein.

192  
193 **Section 2.11 Procedures**  
194 The Board shall adopt all necessary governance procedures and policies, as well as those  
195 required by law or third-party, to be Board-approved. The Board may at its pleasure from time to  
196 time amend, repeal, or recreate the same.

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**CHAPTER 3. OFFICERS AND EMPLOYEES**

**Section 3.01 Number**

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

**Section 3.02 Election and Term of Office**

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

**Section 3.03 Removal**

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

**Section 3.04 President**

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

**Section 3.05 Vice-President**

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

**Section 3.06 Board Secretary**

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

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

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

246

247 **Section 3.07 Treasurer**

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

255

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

264

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

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

269

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

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

281

282 **Section 3.09 Director's Team**

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

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

287

288 **Section 3.10 Attorney**

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

292

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

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

296

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

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

300

301 **Section 3.13 Bonds**

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

304

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

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

309

310

311 **3.14-2-10 Gift Ban**

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

318

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

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

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

329 adopted by the appropriate ethics commission or by the Auditor General for the Auditor  
330 General and employees of the Office of the Auditor General.

331 E. Travel expenses for a meeting to discuss District business; this exception may be further  
332 defined by rules adopted by the appropriate ethics commission or by the Auditor General  
333 for the Auditor General and employees of the Office of the Auditor General.

334 F. A gift from a relative, meaning those people related to the individual as father, mother,  
335 son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew,  
336 niece; husband wife, grandfather, grandmother, grandson, granddaughter, father-in-law,  
337 mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather,  
338 stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, and  
339 including the father, mother, grandfather, or grandmother of the individual's spouse and  
340 the individual's fiancé or fiancée.

341 G. Anything provided by an individual on the basis of a personal friendship unless the  
342 member, officer, or employee has reason to believe that, under the circumstances, the gift  
343 was provided because of the official position or employment of the member, officer, or  
344 employee, and not because of the personal friendship.

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

- 349 1. The history of the relationship between the individual giving the gift and the  
350 recipient of the gift, including any previous exchange of gifts between those  
351 individuals;
- 352 2. Whether to the actual knowledge of the member, officer or employee the  
353 individual who gave the gift personally paid for the gift or sought a tax deduction  
354 or business reimbursement for the gift; and
- 355 3. Whether to the actual knowledge of the member, officer or employee the  
356 individual who gave the gift also at the same time gave the same or similar gifts to  
357 other members, officers, or employees.

358 H. Food or refreshments not exceeding \$75 per person in value on a single calendar day;  
359 provided that the food or refreshments are (i) consumed on the premises from which they  
360 were purchased or prepared or (ii) catered. For the purposes of this Section, "catered"  
361 means food or refreshments that are purchased ready to eat and delivered by any means.

362 I. Food, refreshments, lodging, transportation, and other benefits resulting from the outside  
363 business or employment activities (or outside activities that are not connected to the  
364 duties of the officer, member, or employee as an officeholder or employee) of the officer,  
365 member, or employee, or the spouse of the officer, member, or employee if the benefits  
366 have not been offered or enhanced because of the official position or employment of the  
367 officer, member, or employee, and are customarily provided to others in similar  
368 circumstances.

369 J. Intra-governmental and inter-governmental gifts; for the purpose of this Act,  
370 "intra-governmental gift" means any gift given to a member, officer, or employee of the  
371 District from another member, officer, or employee of the District; and "inter-  
372 governmental gift" means any gift given to a member, officer, or employee of the District

- 373 by a member, officer, or employee of a State agency, a federal agency, or of any  
374 governmental entity.  
375 K. Bequests, inheritances, and other transfers at death.  
376 L. Any item or items from any one prohibited source during any calendar year having a total  
377 cumulative value of less than \$100.

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

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

385

386 **CHAPTER 4. COMMITTEES**

387

388 **Section 4.01 Committees**

389 The Board may establish such standing, and special committees as may be necessary from time to  
390 time, and fix the duties of the same. Committees subject to the Illinois Open Meetings Act, 5 ILCS  
391 120-1 *et. seq.* shall comply with the mandates of the law.

392

393 **CHAPTER 5. CONTRACTS AND DISBURSEMENTS**

394

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

396 All contracts exceeding in amount the sum of \$25,000.00 for work, materials, or supplies, or other  
397 public improvements of any kind, shall be let by the commissioners to the lowest responsible bidder,  
398 after due advertisement.

399

400 Chapter One Section 1.04.O. defines responsible bidder. Projects involving bidders for 1)  
401 construction of new facilities, renovation of current facilities, or road construction projects over  
402 \$25,000; and, 2) for all contracts for electrical work, or heating, ventilation, and air conditioning  
403 (“HVAC”) work, or plumbing work (regardless of the dollar amount of the contract) (as those  
404 terms are defined by the Rockford Park District, in its discretion) on facilities and/or projects  
405 meets all of the job specifications, the following applicable criteria, and submits evidence of such  
406 compliance:

- 407 A. All applicable laws prerequisite to doing business in Illinois  
408 B. Evidence of compliance with:  
409 1. Federal Employer Tax Identification Number or Social Security Number (for  
410 individuals)  
411 2. Provision of Section 2000(e) of Chapter 21, Title 42 of the United States Code  
412 and Federal Executive Order No. 11246 as amended by Executive Order 11375  
413 (known as the Equal Opportunity Employer provisions)  
414 C. Certificates of insurance indicating the following coverages: general liability, workers’  
415 compensation, completed operations, automobile, hazardous occupation, product liability,

- 416 and professional liability
- 417 D. Compliance with all provisions of the Illinois Prevailing Wage Act, including wage
- 418 payment, submission of certified payroll records, medical and hospitalization insurance,
- 419 and retirement for those trades covered under the act.
- 420 E. Participation in apprenticeship and training programs approved and registered with the
- 421 United States Department of Labor’s Bureau of Apprenticeship and Training.
- 422 F. Compliance with all provisions of the Illinois Substance Abuse Prevention on Public
- 423 Works Projects Act; required for all Rockford Park District public works projects
- 424 regardless of dollar amount.
- 425 G. All contracts required by Section 8-1(c) of the Illinois Park District Code are to be
- 426 competitively bid, shall be let by the Commissioners to the lowest responsible bidder,
- 427 after compliance with the Park District Code.
- 428

429 **Section 5.02 Financial Liability**

430 No commissioner, officer, or employee shall be authorized to create any financial liability on behalf

431 of the Board, provided, however, that the Executive Director is authorized to make any necessary

432 purchase which does not exceed \$50,000.00. The Executive Director shall report such purchases to

433 the Board as it may require.

434

435 **Section 5.03 Monthly List of Bills**

436 The Treasurer shall submit to the Board each month, a written statement of total expenditures from

437 the funds of the District. A list of invoices to be paid shall be created monthly, and reviewed and

438 approved for payment by the Executive Director and the Director’s Team.

439

440 **CHAPTER 6. FISCAL AFFAIRS**

441

442 **Section 6.01 Fiscal Year**

443 The fiscal year of the District shall begin on the first day of January of each year, and shall end on the

444 thirty-first day of December of each year.

445

446 **Section 6.02 Appropriations**

447 Within or before the first quarter of the fiscal year, the Board shall adopt the annual budget and

448 appropriation ordinance for that fiscal year.

449

450 **Section 6.03 Publication of Ordinance**

451 Within thirty (30) days after the passage of the annual appropriation ordinance, or of such other time

452 as may be required by law, the appropriation ordinance shall be published at least once in a

453 newspaper published in the District. Notice and public hearing shall be held as required by law prior

454 to the adoption of the ordinance.

455

456 **Section 6.04 Tax Levy**

457 Within such time as required by law, the Board shall adopt the annual tax levy ordinance and special

458 levy ordinance for special taxes, now or hereafter authorized to be levied, which said ordinance shall



459 be duly certified by the Secretary and a certified copy thereof filed with the County Clerks of  
460 Winnebago, Boone, and Ogle counties, not later than the last Tuesday in December or such other  
461 date as may be required by law.

462  
463 **Section 6.05 Publication of Receipts and Disbursements**  
464 The Treasurer of the District shall file and publish statements of the receipts and disbursements  
465 thereof, as required by law.

## 466 **CHAPTER 7. CORPORATE SEAL**

467  
468 **Section 7.01 Form of Seal**  
469 The Corporate Seal of the District shall be circular in form with the words “Rockford Park  
470 District, Rockford, Illinois,” between concentric rings upon the margin, and the words “Corporate  
471 Seal” within the inner circle.

## 472 473 **CHAPTER 8. PARK POLICE**

474  
475 **Section 8.01 Police Force**  
476 The police force of the District shall consist of the Chief of Police and other such deputies or officers  
477 and special deputies with such rank, title, and compensation as may be employed and determined by  
478 the Board. The Chief of Police and his deputies shall be subordinate to the immediate control and  
479 direction of the Executive Director of the District.

480  
481 **Section 8.02 Duties**  
482 The Park Police shall be conservators of the peace within the park system, and shall be responsible  
483 for the enforcement of the laws of the State of Illinois, and ordinances and rules of the Rockford Park  
484 District.

485  
486 **Section 8.03 Powers**  
487 The members of the park police force shall have the power to make arrests in view of an offense, or  
488 upon warrants for violation of the law, or for any breach of the peace, in the same manner as the  
489 police in the cities organized and existing under the general laws of the state pursuant to law, in  
490 parks and places of the District, and elsewhere as provided by law.

491  
492 **Section 8.04 Qualifications**  
493 The District shall appoint the Chief of Police and all other deputies. He shall be a law-abiding person  
494 of good moral character, and not addicted to the excessive use of either intoxicating beverages or  
495 habit forming drugs.

496

497

498

499

500

501 **CHAPTER 9. PARK RULES REGULATING THE**  
502 **ADMINISTRATION OF PARKS AND PARK FACILITIES**

503  
504 **Section 9.01 Advertising, Solicitation, and Expressive Activities**

505  
506 **Section 9.01-1 – Posted Advertising** *(revised DATE)*

507 Definition.

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

511  
512 Limitations.

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

518  
519 The promotion of direct and indirect District programs and services, and as provided by the  
520 District’s foundation, marketing, and corporate sponsorship and sales programs, facility  
521 contracts, and contracted vendor or partner agreements are permitted by authorization of the  
522 Executive Director.

523  
524 **Section 9.01-2 – Solicitation** *(revised DATE)*

525 Definition.

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

530  
531 Limitations.

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

539  
540 **Section 9.01-3 – Expressive Activities** *(revised DATE)*

541 Definition.

542 **Expressive activities** means speech or conduct for the purpose of expression, promotion, pursuit,  
543 and defense of the actor’s ideas by means of dissemination or communication by verbal, visual,

544 literary, or auditory means of political, religious, or ideological opinions, views, ideas, or  
545 positions including peaceful assembly, meetings, parades, booths, exhibits and the like.  
546 **Commercial** activity is defined as promotion or sale of goods or services to solicit (*defined*  
547 *above*) a customer, potential customer, or other financial transaction.  
548 **Noncommercial** activity is the promotion of an idea, belief, or position, exclusive of commercial  
549 purposes.

550

551 Limitations.

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

556 To ensure the uninterrupted use, safety, and maintenance of parks, facilities and amenities, no person  
557 or persons shall hold or participate in any procession, public meeting, gathering, demonstration,  
558 parade, booth, stand or exhibit within the park system without having first obtained a District-issued  
559 special use permit which designates the reasonable time, place, and manner for such activities.  
560 (*Cross-reference 10.03 Sound Amplification; Rules & Regulations for Use of Park Property – see*  
561 *Customer Service desk*)

562

563 No person or persons may interfere with the intended use, enjoyment, peace, good order, or  
564 condition of the park, facility, or amenity intended for a specific purpose (*defined above*), nor  
565 inhibit the free, uninterrupted passage or use of public or private assets by persons or vehicles.  
566 This includes approaching, harassing, or physically contacting or using persistent demands of  
567 persons for the purpose of distributing any handbill, pamphlet, circular, publications, or notice of  
568 any kind. Materials may be made available to interested parties upon mutual accord. Under no  
569 circumstance shall materials be cast or distributed in a fashion which litters, disturbs, or prevents  
570 the peaceful enjoyment of parks and facilities.

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

572

573

574 **Section 9.02 Fights and Disorderly Conduct**

575 A. Definition. For purposes of this Section, “loiter” means to remain in any one place for no  
576 apparent reason.

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

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

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

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

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

588 **Section 9.03 (Open)**

589  
590

591 **Section 9.04 Use of Boats on Park Waters** (*revised DATE*)

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

598

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

602

603 **Section 9.05 Opening and Closing Hours** (*revised DATE*)

604 Parks open for use at daybreak and close at 10:30 p.m. prevailing time. No person or property of any  
605 kind shall remain on park property before opening or after closing time except for those listed below.  
606 Exception. The following parks, facilities, and amenities may operate at time deviating from the  
607 standardized hours above:

- 608 A. parks having lighted athletic facilities or lighted recreation paths,
- 609 B. neighborhood or community recreation centers,
- 610 C. museums,
- 611 D. neighborhood parks posted closed at sunset,
- 612 E. other locations and amenities given the express consent of the Executive Director or by  
613 District-issued special use permit.

614

615

616

617 **Section 9.06 Contracted Vendors**

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

621

622 **Section 9.07 Special Events**

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

- 624 A. The Board of Commissioners of the Rockford Park District shall have the power to make and  
625 enforce charges for the use of District facilities.
- 626 B. No public meeting shall be held in any of the parks under the jurisdiction of the District  
627 unless a District-issued special use permit is first granted for the intended and actual use.
- 628 C. Large groups shall be allowed to reserve areas in certain parks if a special use permit for that  
629 purpose is issued by the District. Not-for-profit 503(c)(3) organizations, government  
630 agencies, and recreational partners may operate their own concession stands compliant with  
631 City and County ordinances. Certain entertainment features may also be provided by said

- 632 organizations if no admission fees are charged.(*Cross Reference: 9.01-3 Expressive*  
633 *Activities; Cross-reference: 10.03 Sound Amplification, 10.13 Obstructing Traffic*)
- 634 D. There shall be no sale, collection, or punching of admission tickets to any of the shelters,  
635 pavilions, or other facilities provided in the parks under the jurisdiction of the District, and  
636 no soliciting or collection of money for the use of any of said facilities. In case of bad  
637 weather, shelters, pavilions, and other facilities shall be open to the public, despite special  
638 permit reservations. There shall be no advertising, either printed or otherwise, to the effect  
639 that any group has the exclusive use of shelters, pavilions, or other facilities, and any group,  
640 without a District issued permit for such use. (*Cross-reference: 9.01-2 Solicitation*)
- 641 E. Special events may be held in such parts of the parks as shall be designated for that purpose,  
642 and portions of the parks may be set apart as memorial sites or for tennis, golf, ball, croquet,  
643 and other games, subject to such regulations as may be made by the Board.
- 644 F. No person shall join any such picnics or games without the consent of the persons of whom  
645 they are composed, nor in any manner disturb or interfere with the same. However, in case  
646 of severe weather or emergency, the public shall be permitted to seek shelter in reserved  
647 areas.
- 648 G. Certain uses, activities, and equipment may be restricted to limit damage or risk to users,  
649 grounds, and assets (e.g. dunk tanks, pools, bounce houses with water features.)

650  
651 **Section 9.08 Play Classes and Camps**  
652 No person or organization shall bring or cause to be brought into any District park any play class, day  
653 camp, or other organized group of any kind, organized for profit, except into facilities of the District  
654 where each person entering must pay a daily admission commensurate with the admission charged to  
655 individuals of that age, and with express permission of the Director.

656  
657 Not-for-profit agency day-camps, play classes, or organized groups may use facilities of the District  
658 when not in conflict with District recreational programs by applying for a special use permit. .  
659 (*Cross-reference 9.01-3 Expressive Activities; Rules & Regulations for Use of Park Property – see*  
660 *Customer Service*)

661  
662 **Section 9.09 Camping**  
663 Camping prohibited. No person shall be permitted to stop and camp in District parks. A District-  
664 issued special use permit pertaining to specific special events may be granted. There are a few  
665 designated primitive camp sites along the Rock River Trail accessible by canoe or kayak.

666  
667 **Section 9.10 Weapons, Missiles, and Fireworks**  
668 Except as otherwise provided or required by 430/ILCS 66.01et seq., no person or organization shall  
669 bring, carry, or use in any way, knives, firearms, or other weapons of any kind, or any fireworks or  
670 other explosive substance of any kind within any District park without the permission of the  
671 Director. No person shall throw, cast, or shoot arrows, stones, or other missiles of any kind within  
672 any District park except at such places and times as the District may designate for such purposes.

673

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

677

### 678 **Section 9.11 Park and Recreation Fees**

679 Definition. A "resident user" is an individual user of a park facility or facilities who either resides or  
680 owns real estate within the Rockford Park District service boundary.

681

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

687

688

### 689 **Section 9.13 Trucks**

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

693

694

### 695 **Section 9.14 Parking Lots**

696 No person shall park or leave any vehicle in District parking lots beyond the normal closing hour of  
697 the park system (10:30 p.m.), except where an individual is attending a function where permission  
698 has been granted for a later closing hour by District-issued special use permit and specified therein.  
699 *(Cross-reference: 9.05 Closing Hours)*

700

### 701 **Section 9.15 Prevailing Laws or Ordinances**

702 Local municipalities. All public ordinances of all municipalities within which any part of the District  
703 is located are hereby adopted by Rockford Park District insofar as the same are applicable to, and not  
704 in conflict with, these ordinances, for the regulation of the use of that portion of District parks and  
705 facilities located within the territorial limits of such respective municipalities. Said municipal  
706 ordinances within that portion of the District located within said respective municipalities shall be  
707 deemed to be in addition to the provisions of these ordinances, and violations thereof shall constitute  
708 violations of this section, and shall subject the violator to the penalties provided in Chapter XI of the  
709 Rockford Park District Code.

710

711 The State of Illinois. All statutes and validly adopted and promulgated rules of the State of Illinois  
712 are hereby adopted by Rockford Park District insofar as the same are applicable to and not in conflict  
713 with these ordinances, for the regulation of the use of that portion of District parks and facilities.  
714 Said state laws, rules and regulations shall be deemed to be in addition to the provisions of these  
715 ordinances. No person while within District or upon property under the control of Rockford Park  
716 District shall violate any state statute or rule or regulation so hereby adopted. Violations thereof shall

717 constitute violations of this section, and shall subject the violator to the penalties provided in Chapter  
718 XI of the Rockford Park District Code.

719

### 720 **Section 9.16 Gambling**

721 Definition. Gambling includes the following:

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

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

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

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

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

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

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

737

738 No person or organization shall engage in gambling or any gambling-related activity within the  
739 District. A person found guilty of gambling within the Rockford Park District shall be fined in an  
740 amount not less than \$10.00, but not greater than \$500.00.

741

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

745

### 746 **Section 9.17 Unmanned Aerial Vehicles (*revised DATE*)**

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

752

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

757

### 758 **Section 9.18 Clean Air Ordinance (*revised DATE*)**

#### 759 Definitions.

760 All terms in this section shall be interpreted to consistent with definitions provide by the State of

761 Illinois General Assembly Act [410 ILCS 82/10](#).

762

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

765

766 B. Smoking is prohibited in all Park District facilities and in all parks or other areas owned or  
767 operated by or otherwise under the jurisdiction of the Park District.

768

769 **Exception:** Adult smoking is permitted beyond 50 feet of enclosed/partially-enclosed spaces on golf  
770 course playing fields in the company of consenting adults and absent assembly by the general public.

771

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

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

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

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

781

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

784 1. For a first offense in any 12-month period, the fine for violation of this Section 9.18 shall be  
785 \$125.00.

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

788 2. For each succeeding violation within one year from the date of such first conviction, the fine  
789 for violation of this Section 9.18 shall be \$500.00.

790

791 E. No minor person shall be permitted at any time or place within any area owned or operated by or  
792 otherwise under the jurisdiction of the District, to smoke, chew, or otherwise consume or use or  
793 possess tobacco, medicinal or recreational marijuana, cigarette, cigar, pipe, smokeless, or chewing  
794 tobacco, vapors, or other form of tobacco or tobacco product, nor to smoke any other materials.

795

796 **Section 9.19 OPEN**

797

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

799 No person, firm, group or organization may use the “Sun Singer” service mark, registered June 2,  
800 1998, with the United States Patent and Trademark Office, Reg. No. 2,161,965, or any other  
801 service mark or trademark belonging to Rockford Park District, nor infringe upon any rights of  
802 the District therein, except as otherwise provided herein.

803

804 The Executive Director may adopt rules and regulations pursuant to which permission for the



805 non-commercial use of such service mark may be granted, and may adopt rules and regulations  
806 pursuant to which permission for the commercial use of such service mark may be granted upon  
807 the payment to the District of a reasonable licensing fee.  
808

809

## 810 **CHAPTER 10. PARK RULES REGULATING THE** 811 **USE OF PARKS AND PARK FACILITIES**

812

### 813 **Section 10.01 Animals**

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

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

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

822 D. Service animals are welcome at all District properties in accordance with guidelines set forth by  
823 the Americans with Disabilities Act (ADA).

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

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

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

832 H. No person shall fish or in any way attempt to catch or take any of the fish or animal life in the  
833 lagoon located in Sinnissippi Park.

834 I. Petting zoos or other rental or display of live animals are not permitted except for the purposes of  
835 direct or indirect District programs.  
836

837

### 837 **Section 10.02 Fires**

838 No person shall light or make use of any fire in the park system except at such places as may be  
839 established for such purposes, and then only under such rules as may be prescribed through a special  
840 use permit. Every fire shall be contained and continuously under the care, direction, and supervision  
841 of a competent person from the time it is kindled until it is completely extinguished.  
842

843

### 843 **Section 10.03 Sound Amplification**

844 Sound amplification shall require a special-use permit. Restrictions apply, including but not limited  
845 to applicable municipality noise ordinances. It shall be unlawful to operate the following equipment  
846 between the hours of 10:00 p.m. and 7:00 a.m. outdoors, within 600 feet of any building used for

847 residential or hospital purposes, or indoors if such equipment is audible from an adjacent property  
848 used for residential or medical care purposes.

849  
850 This includes:

- 851 A. power-operated devices such as model automobiles, boats, and aircraft,  
852 *(Cross-reference: 9.17 Remote-Controlled Flying Objects)*
- 853 B. loudspeakers, megaphones, microphones, amplifiers, and public address systems
- 854 C. soundtracks or other recordings
- 855 D. musical instruments
- 856 E. radios, televisions, phonographs, boom boxes, phones, and
- 857 F. church bells and carillons, or
- 858 G. other sound projecting devices or methods

859  
860 No person within the District system shall at any time play or operate any sound amplification device  
861 causing or creating unnecessary or unusual noise at any time which annoys, injures, or endangers the  
862 comfort, repose, health, or safety of others unless such noise is necessary for the protection and  
863 preservation of property, health, safety, or life. Lyrics designated by Recording Industry Association  
864 of America's (RIAA) Parental Advisory Label Program designated as not suitable for young  
865 audiences, such as those with strong or explicit language, depictions of violence, sex, or substance  
866 abuse are prohibited. Sound amplification must comply with prevailing noise ordinances. A  
867 violation of these restrictions shall result in the revocation of the special use permit.

868  
869 **Section 10.04 Alcoholic Beverages**

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

872  
873 Exceptions.

- 874 A. This section shall not apply to wine intended for use and used by a properly organized  
875 church or religious organization for sacramental purposes.
- 876 B. This section shall not prevent the sale, possession, or consumption of malt beverages,  
877 beer, and wine:
  - 878 1. At Blackhawk Park:
    - 879 a. within the fenced stadium area of Marinelli Field;
    - 880 b. during and immediately before and after the performance of professional  
881 baseball games by a professional baseball team having a current stadium use  
882 agreement with the Rockford Park District;
    - 883 c. with respect to sale-only: prior to the first pitch of the home half of the seventh  
884 inning of such professional baseball game, or the first pitch of the home half  
885 of the fifth inning of the second such game in case of double headers;
    - 886 d. in areas other than the discrete seating area, publicly identified as such, in  
887 which alcoholic beverages are not permitted;
    - 888 e. within the physical limits of offices and clubhouses occupied by professional  
889 baseball teams, one of which shall have a current stadium use agreement with

- 890 Rockford Park District, on days on which such teams play professional  
891 baseball games at Marinelli Field;  
892 f. in connection with special events, promotions, concerts, exhibitions, and  
893 celebrations held in Marinelli Field, but not more than five (5)  
894 nonprofessional events in each calendar year, with approval from Park District  
895 staff, and at each event such program shall terminate by 10:30 p.m.
- 896 2. In the clubhouses and on the golf courses at Aldeen Golf Club and Elliot, Ingersoll,  
897 Sinnissippi, and Sandy Hollow golf courses;
  - 898 3. At Sportscore One in the non-playing areas of the softball complexes;
  - 899 4. Aboard the Forest City Queen and at the Trolley Station during meal rides and special  
900 events;
  - 901 5. Within designated controlled areas at Sportscore Two;
  - 902 6. At the Sinnissippi Music Shell during special events;
  - 903 7. Within designated areas at Carlson Ice Arena and Riverview Ice House;
  - 904 8. At the Harlem Community Center during adult leagues and adult tournaments;
  - 905 9. At Shorewood Park within a designated fenced area during events hosted by the Ski  
906 Broncs;
  - 907 10. Within the public lobby of the Webbs Norman Center during special events;
  - 908 11. Within Beyer Park in the immediate vicinity of Beyer Stadium in which proceeds  
909 from the sale of alcohol are designated to benefit Beyer Park improvements, repair,  
910 and maintenance; on days on which such teams play adult baseball games at Beyer  
911 Park Stadium. Each event, not to exceed three (3) annually, shall require approval by  
912 the Executive Director, and require receipt of applicable insurance and licensure  
913 requirements.
- 914 C. This section shall not prevent the sale, possession, or consumption of alcoholic  
915 beverages:
- 916 1. At any Rockford Park District facility designated as a museum, when the occupant  
917 thereof shall have a current museum use agreement which specifies conditions  
918 precedent to the dates and times where permitted alcoholic beverages may be sold or  
919 distributed and consumed thereon;
  - 920 2. Within the Indoor Sports Center restaurant;
  - 921 3. Within the Aldeen Golf Club clubhouse.
  - 922 4. Within the Sinnissippi Gardens to include the Rose and Perennial Gardens, the  
923 Nicholas Conservatory including terraces, Lagoon area, and designated secure/fenced  
924 areas.
- 925 D. Another alcohol service may occur only when/if recommended by staff and approved by  
926 the Executive Director or his designated staff following Board policies and ensuring  
927 applicable insurance and license requirements are met.

928  
929 **Section 10.05 Refuse**

930 No person shall deposit or leave any garbage, tree, shrub, or grass trimmings or clippings, refuse, or  
931 other material of any kind on the park grounds or waters. Paper, glass, cans, garbage, and other  
932 refuse of any kind resulting from picnics or other proper use of the park system shall be deposited in  
933 receptacles provided for that purpose, and no person shall litter, suffer, or cause the park system to be

934 littered in any way. Recyclable materials shall be deposited in the appropriate containers when  
935 provided within a reasonable distance. To prevent unintended litter piñatas, confetti, water balloons,  
936 or other bursting or spraying devices and activities are not permitted.

937  
938 All persons and groups shall comply with all applicable environmental laws and regulations, apply  
939 responsible practices where laws and regulations do not exist, and are encouraged to use recyclable  
940 or biodegradable products.

941  
942 **Section 10.06 Restricted and Intended-Use Areas**

943 Definition. **Intended for a specific use or purpose** means parks and facilities that are open  
944 spaces designated for uses *other than* general recreational relaxation or nature appreciation.  
945 Examples include areas that may be spacious but are reserved for certain activities or uses such  
946 as driveways, sports fields or courts, golf courses, gardens, shelters, gardens, and other special  
947 areas.

948  
949 No person shall enter upon any portion of the park system where persons are prohibited by the  
950 District as indicated by sign or notice. No person shall enter or attempt to enter any building or area  
951 of the District when it is closed to the public or scheduled for a specific group or activity unless  
952 invited by same.

953  
954 No person shall use spaces intended for a specific use or purpose without a special use permit which  
955 authorizes the time, place, and manner appropriate to that location.

956  
957 All persons are hereby prohibited from practicing and playing golf upon District playgrounds or  
958 parks, except upon the public golf links and courses, or in other areas as may be designated by  
959 the Director of the District.

960  
961 **Section 10.07 Trees, Shrubs, and Structures**

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

969  
970 **Section 10.08 Keep to Drives**

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

975  
976  
977

978 **Section 10.09 Winter Recreation Activities**

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

985  
986 The District may from time to time permit the driving or operation of snowmobiles or other like  
987 motor driven vehicles on District property as shall, from time to time, be determined by the  
988 Executive Director.

- 989 A. Public notice of such permission shall be given by posting at or near such areas signs of  
990 sufficient size and frequency to advise the public as to the area or areas wherein snowmobiles  
991 are permitted to operate; however, this does not authorize snowmobiles or other like motor  
992 vehicles to be operated in any other area of any park within the District.
- 993 B. No snowmobile or other vehicle shall be operated anywhere within the District unless the  
994 snow cover at the point of operation is at least four inches in depth, as certified by the  
995 Director or his designee.
- 996 C. Vehicle operators shall be held to the same responsibility for safety precautions as described  
997 in 10.10 Speed Restrictions. No person shall drive any snowmobile or other like vehicle  
998 within the park system at a speed greater than 35 miles per hour or greater than is reasonable  
999 and proper with regard to conditions which prevail at the time, or at a speed that endangers  
1000 the safety of any person or property. (*Cross-reference 10.10 Speed Restrictions*)

1001  
1002 Access to ice for ice fishing or for any reason is prohibited unless designated.

1003  
1004

1005 **Section 10.10 Speed Restrictions**

1006 No vehicle may be driven upon any roadway within the District at a speed which is greater than is  
1007 reasonable and proper with regard to traffic conditions and the use of the highway, or which  
1008 endangers the safety of any person or property.

- 1009 1. The fact that the speed of the vehicle does not exceed the applicable maximum speed limit  
1010 does not relieve the driver from the duty to decrease speed when approaching and crossing an  
1011 intersection, when approaching and going around a curve, when approaching a hill crest,  
1012 when traveling upon any narrow or winding roadway, or when any special hazard exists with  
1013 respect to pedestrians or other traffic, or by reason of weather or highway conditions.
- 1014 2. Speed must be decreased as may be necessary to avoid colliding with any person or vehicle  
1015 on or entering the roadway in compliance with legal requirements and the duty of all persons  
1016 to use due care.
- 1017 3. No person may drive a vehicle upon any roadway of the District system at a speed which is  
1018 greater than 20 miles per hour. (*Cross-reference 10.09 Winter Recreation Activities*)
- 1019 4. In every charge of violation of this section by failure to observe an applicable speed limit, the  
1020 complaint shall specify the speed at which the defendant is alleged to have driven, and the  
1021 speed limit which is applicable at the place of the alleged violation.

- 1022 5. No person may operate a bicycle or other manually powered vehicle upon any recreational  
1023 pathway of the District at a speed which is greater than is reasonable and proper with regard  
1024 to pedestrian and user conditions and the use of the recreational pathway, or which endangers  
1025 the safety of any person or property; nor shall any person operate such a vehicle upon  
1026 recreational pathways of the District at a speed greater than publicly posted speed limits upon  
1027 such recreational pathway.  
1028 6. Violations of this section shall result in a fine of \$120.  
1029

1030 **Section 10.11 Parking Rules**

1031 A vehicle may be legally parked in designated parking areas and unless otherwise prohibited, along  
1032 all roadways provided that the parked vehicle is parallel with the roadway and no more than five (5)  
1033 feet distant therefrom, measured from the edge of blacktop if roadway is blacktopped.  
1034

1035 A. Parking, Standing or Stopping Illegally. No person shall park, stand, or otherwise stop a  
1036 vehicle within any park of the District, except when necessary to avoid conflict with other  
1037 traffic or in compliance with the directions of a police officer or traffic-control device, in any  
1038 of the following places:

- 1039 1. On lawn areas and grounds.  
1040 2. In front of public or private driveways or loading zones.  
1041 3. In any position to block another car legally parked.  
1042 4. At any place where official signs prohibiting parking entirely or prohibiting parking for  
1043 more than a specified period have been posted by the District.  
1044 5. In any park beyond the normal closing hour of 10:30 p.m.  
1045 6. In any position which obstructs or interferes with the travel of other vehicles on a  
1046 roadway or the use of any park facility within the District  
1047 7. Within fifteen (15) feet of a fire hydrant, or traffic control signal or sign.  
1048 8. On any roadway, alongside a curb painted or otherwise colored red, such that all or any  
1049 portion of the vehicle is parked or stands directly opposite any portion of the curbway so  
1050 marked in red.  
1051 9. In any extra-length parking stall where signs or markings prohibiting parking other than  
1052 of boat trailers have been posted or installed by the District, unless the vehicle has  
1053 attached to it a boat trailer.  
1054 10. It shall be prohibited to park any motor vehicle which is not bearing registration plates  
1055 or decals issued to a handicapped person, as defined by Section 1-159.1 of the Illinois  
1056 Motor Vehicle Code, pursuant to Sections 3-616 or 11-1301 to 11-1302, of the Illinois  
1057 Motor Vehicle Code, or to a disabled veteran pursuant to Section 3-609 of the Illinois  
1058 Motor Vehicle Code, as evidence that the vehicle is operated by or for a handicapped  
1059 person or disabled veteran, in any parking place within the Rockford Park District  
1060 specifically reserved by the posting of an official sign or other marking for motor  
1061 vehicles bearing such registration plates.

1062 B. Penalty for Violation - Manner of Payment of Fines.

- 1063 1. The owner or driver of any vehicle which is parked or permitted to stand in violation of the  
1064 provisions of Section 10.11(a) may avoid prosecution for violating same by paying to the  
1065 District official as may be designated by the Board, the sums designated below and by sur-

1066 rendering to such designated person the traffic ticket delivered to him or placed upon such  
1067 vehicle after indicating thereon his name and address; such designated person shall give  
1068 the person paying such sum a receipt, therefore, bearing his signature and the date of the  
1069 payment. The duplicate of the receipt, together with the money paid to such designated  
1070 person, shall be delivered to the Park District Business Administrator.

- 1071 2. The amounts to be paid such designated person shall be \$10.00 for all violations of Section  
1072 10.11(a), except as otherwise provided below. Whenever the above violations are not paid  
1073 within five (5) days after the date of the citation or other charge, the sum shall be not less  
1074 than \$20.00 nor more than \$100.00
- 1075 3. The amount to be paid for violation of Section 10.11(a)(10) shall not be less than \$50.00  
1076 nor more than \$500.00 for any single violation thereof.
- 1077 4. Notice to Offender for Paying Violation. Each park police officer shall attach to every  
1078 vehicle parking in violation of any provisions of Section 10.11(a) a notice that such  
1079 vehicle has been so illegally parked and which instructs the operator or owner that he or  
1080 she, in five (5) days, has the right to a hearing on the violation or that he or she may  
1081 voluntarily waive the right to a hearing and plead guilty as charged to such violation. Each  
1082 such person may, within five (5) days of the time when such notice was attached to such  
1083 vehicle, pay as the penalty for and in full satisfaction of such violation the sum provided  
1084 by Section 10.11(b)(2). The failure of such person to pay such payment within five (5)  
1085 days shall render such person subject to the penalty provided in Section 10.11(b) and  
1086 10.11(d).
- 1087 5. Penalty for Failure to Appear and Non-Payment of Parking Fine.
  - 1088 a. Any person who, after given written notice that he or she is in violation of Section  
1089 10.11(a), fails to appear, plead guilty and waive right to a hearing or plead not guilty  
1090 and request a hearing, will be subject to the issuance of a warrant for his or her arrest.
  - 1091 b. Any such person so arrested by a warrant after failing to appear will be allowed to  
1092 post a bond in the sum equal to each individual parking violation penalty, penalties  
1093 for late payment, plus any other penalties as provided by this Code.  
1094

### 1095 **Section 10.12 Impounding of Vehicles**

1096 Any vehicle parking or standing within the park system in violation of any law, ordinance, or rule is  
1097 hereby declared to be a public nuisance. Such vehicle may be removed and impounded, and the  
1098 owner or person entitled to possession of the vehicle shall pay all charges and expenses arising out of  
1099 any action taken hereunder.

### 1100 **Section 10.13 Obstructing Traffic**

1101 No person shall park or place any vehicle or other property of any kind within the District so as to  
1102 obstruct or interfere with traffic or travel of other vehicles or pedestrians or endanger the public  
1103 safety. A person found guilty of violating this provision shall be fined \$120. (*Cross-reference: 9.03*  
1104 *Special Events; Rules & Regulations for Use of Park Property – see Customer Service*)  
1105  
1106  
1107  
1108  
1109

1110 **Section 10.14 Reckless Driving**  
1111 Any person who drives any vehicle within the District with a willful or wanton disregard for the  
1112 safety of persons or property is guilty of reckless driving. A person who is found guilty of reckless  
1113 driving shall be fined \$140. *(Cross-reference 10.15 Fleeing or Attempting to Elude Police Officer)*  
1114

1115 **Section 10.15 Fleeing or Attempting to Elude Police Officer**  
1116 No person who is a driver or operator of a motor vehicle within the District who, having been given a  
1117 visual or audible signal by a peace officer directing such driver or operator to bring his vehicle to a  
1118 stop, may willfully fail or refuse to obey such direction, increase his speed, extinguish his lights or  
1119 otherwise flee or attempt to elude the officer. The signal given by the police officer may be by hand,  
1120 voice, siren or red light, provided the officer giving such signal shall be in police uniform and, if  
1121 driving a vehicle, such vehicle shall be marked showing it to be an official police vehicle. A person  
1122 found guilty of fleeing or attempting to elude a police officer shall be fined \$140. *(Cross-reference*  
1123 *10.14 Reckless Driving)*  
1124

1125 **Section 10.16 Drag Racing**  
1126 No person who is an operator of a motor vehicle within the District may be a participant in the act of  
1127 drag racing or other motor vehicle racing. A person found guilty of drag racing shall be fined \$140.  
1128  
1129 Definition. "Drag Racing" means the act of two or more individuals competing or racing in the  
1130 District in a situation in which one of the motor vehicles is beside or to the rear of a motor vehicle  
1131 operated by a competing driver, and the one driver attempts to prevent the competing driver from  
1132 passing or overtaking him, either by acceleration or maneuver, or one or more individuals competing  
1133 in a race against time on any street or roadway within the District. *(Cross-reference 10.10 Speed*  
1134 *Restrictions)*  
1135

1136 **Section 10.17 Vehicle Registration**  
1137 Every motor vehicle, operated over District streets and roadways, which is subject to registration  
1138 under the laws of the State of Illinois shall have attached thereto license plates or a valid temporary  
1139 permit issued by the Illinois Secretary of State evidencing payment to the State of proper license fees  
1140 provided for in the motor vehicle laws of the State of Illinois. A person found guilty of operating a  
1141 motor vehicle within the District without proper license plates or a valid temporary permit attached  
1142 thereto shall be fined \$120.  
1143

1144 **Section 10.18 Valid, Suspended and Revoked Driver's License**  
1145 No person shall operate or drive a motor vehicle within the District who is not licensed to do so  
1146 under the laws of the State of Illinois. A person who is not licensed to drive under the laws of the  
1147 State of Illinois shall include those persons who have never been issued a valid driver's license or  
1148 permit or whose driver's license or permit has been suspended or revoked by the Secretary of State of  
1149 Illinois and who operate or drive a motor vehicle during the period of that suspension or revocation  
1150 before their privilege to drive has been reinstated by the Secretary of State. A person found guilty of  
1151 operating or driving a motor vehicle without a valid driver's license, or permit shall be fined \$120.  
1152  
1153



1154 **Section 10.19 Driver's License on Person; Failure to Display**

1155 Definition. For the purposes of this section, "Display" means the manual surrender of the license  
1156 certificate or permit into the hands of the demanding officer for inspection thereof.  
1157

1158 Every person shall have his or her driver's license or permit in his or her immediate possession at all  
1159 times when operating a motor vehicle in the District, and for the purpose of indicating compliance  
1160 with this requirement, shall display such license or permit if in possession, upon demand made when  
1161 in uniform or displaying a badge or other sign of authority by a member of the District Police Force,  
1162 or any other duly authorized peace officer. However, no person charged with violating this section  
1163 shall be convicted if he or she produces in court satisfactory evidence that a driver's license was  
1164 theretofore issued and was valid at the time of the ticket and/or arrest. A person who is convicted of  
1165 this section shall be fined \$120.  
1166

1167 **Section 10.20 Authority for Traffic Signals**

1168 The District, through its designated officers with reference to the streets and roadways within the  
1169 District, may designate through-streets and roadways, direct stop signs or yield signs at specified  
1170 entrances thereto, may designate any intersection as a stop intersection or as a yield intersection, and  
1171 direct stop signs or yield signs at one or more entrances to such intersections.

- 1172 A. Every stop sign and yield sign shall be located as near as practicable to the nearest line of the  
1173 crosswalk on the near side of the intersection, or if there is no crosswalk then as close as  
1174 practicable to the nearest line of the intersecting roadway.  
1175 B. The District shall place and maintain such traffic control devices and signs as it may deem  
1176 necessary on all roadways and streets under its jurisdiction in order to indicate and carry out  
1177 the provisions of this chapter or otherwise regulate, warn, or guide traffic.  
1178

1179 **Section 10.21 Obedience to Traffic Control Devices**

1180 Every person operating a motor vehicle in the District shall obey the instructions of any traffic  
1181 control device applicable thereto placed in accordance with this chapter, unless otherwise directed by  
1182 a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle  
1183 defined in the traffic laws of the State of Illinois.

- 1184 A. It is unlawful for any person to leave a roadway and travel across private property or District  
1185 property to avoid an official traffic control device.  
1186 B. Any person found guilty of violating any of the provisions of this section shall be fined \$140.  
1187 C. Provisions of this chapter for which official traffic-control devices are required shall be in  
1188 force against an alleged violator if at the time and place of the alleged violation an official  
1189 device is not in proper position and sufficiently legible to be seen by an ordinarily observant  
1190 person.  
1191

1192 **Section 10.22 Obedience to Stop and Yield Signs**

1193 Preferential right of way at an intersection within the District may be indicated by stop signs or yield  
1194 signs as authorized under this Code.

- 1195 A. Except when directed to proceed by a police officer or traffic control signal, every driver of a  
1196 motor vehicle approaching a stop intersection indicated by a stop sign shall stop before  
1197 entering the crosswalk on the near side of the intersection, or in the event there is no

- 1198 crosswalk, shall stop at a clearly marked stop line but if none, then at the point nearest the  
1199 intersecting roadway where the driver has a view of the approaching traffic on the  
1200 intersecting roadway before entering the intersection.
- 1201 B. The driver of a vehicle approaching a yield sign if required for safety to stop, shall stop  
1202 before entering the crosswalk on the near side of the intersection or in the event there is no  
1203 crosswalk, the intersecting roadway where the driver has a view of approaching traffic upon  
1204 the intersecting roadway.
- 1205 C. A person found guilty of violating any of the provisions of this section shall be fined \$140.  
1206

1207 **Section 10.23 Driving on Right Side of Roadway**

- 1208 A person driving or operating a motor vehicle within the District upon any roadway or streets of  
1209 sufficient width shall drive his vehicle upon the right half of the roadway except as follows.
- 1210 A. When an obstruction exists making it necessary to drive to the left of the center of the  
1211 roadway, provided any person so doing shall yield the right of way to all vehicles traveling in  
1212 the proper direction upon the unobstructed portion of the roadway within such distance as to  
1213 constitute an immediate hazard, or
- 1214 B. Upon a roadway restricted to one-way traffic.
- 1215 A person found guilty of violating this section shall be fined \$140.  
1216

1217 **Section 10.24 One-Way Roadways and Rotary Traffic Islands**

- 1218 The District, through its designated officers with respect to the roadways and streets under its  
1219 control, may designate any roadway or street upon which vehicular traffic shall proceed in one  
1220 direction at all or such times as shall be indicated by official traffic control devices.
- 1221 A. Upon a roadway so designated for one-way traffic, a vehicle shall be driven only in the  
1222 direction designated at all or such times as shall be indicated by official traffic control  
1223 devices.
- 1224 B. A vehicle passing around a rotary traffic island must be driven only to the right of such  
1225 island.
- 1226 C. A person found guilty of violating any of the provisions of this section shall be fined  
1227 \$140.  
1228

1229 **Section 10.25 Starting a Parked Vehicle**

- 1230 No person within the District shall start movement of a vehicle which is stopped, standing, or parked  
1231 unless and until such movement can be made with reasonable safety. A person found guilty of  
1232 violating this section in an amount no less than \$10.00 but no greater than \$200.  
1233

1234 **Section 10.26 Opening Vehicle Doors**

- 1235 No person within the District shall open the door of a vehicle on the side available to moving traffic  
1236 unless and until it is reasonably safe to do so and can be done without interfering with the movement  
1237 of other traffic, nor shall any person leave a door open on the side of a vehicle available to moving  
1238 traffic for a period of time longer than necessary to load or unload passengers. A person found guilty  
1239 of violating this section shall be fined \$140. (*Cross-reference Section 10.13 Obstructing Traffic*)  
1240  
1241

1242 **Section 10.27 Coasting Prohibited**

1243 The driver of any motor vehicle within the District, which is traveling upon a downgrade, shall not  
1244 coast with the gears or transmission of such vehicle in neutral or unengaged. A person found guilty  
1245 of violating this section shall be fined in an amount no less than \$10.00 but no greater than \$200.00.

1246

1247 **Section 10.28 Driving upon Sidewalk**

1248 No person shall drive any motor driven vehicle within the District upon a sidewalk or sidewalk area  
1249 except upon a permanent or duly authorized temporary driveway or for routine maintenance, utility,  
1250 or emergency service or for special delivery or pickup involving goods or customer services. A  
1251 person found guilty of violating this section shall be fined in an amount no less than \$10.00 but no  
1252 greater than \$200.00

1253

1254 **Section 10.29 Illegal Transportation of Alcoholic Liquor**

1255 No person within the District shall transport, carry, possess, or have any alcoholic liquor in the  
1256 passenger area of any motor vehicle except in the original package and with the seal unbroken. A  
1257 person convicted of violating this section shall be fined in an amount no less than \$25.00 and no  
1258 greater than \$500.00.

1259

1260 **Section 10.30 Negligent Driving**

1261 Definition. For the purpose of this section, to "operate in a negligent manner" means the operation of  
1262 a vehicle in such a manner as to endanger or be likely to endanger the safety of any persons or  
1263 property.

1264

1265 It shall be unlawful for any person to operate a motor vehicle in a negligent manner within the  
1266 District. A person convicted of this offense shall be fined in an amount no less than \$10.00 and no  
1267 greater than \$500.00. (*Cross-reference 10.14 Reckless Driving*)

1268

1269 **Section 10.31 Unlawful Use of License or Permit**

1270 It is unlawful within the Rockford Park District for any person:

- 1271 1. To display or cause or permit to be displayed or have in one's possession any canceled,  
1272 revoked, suspended, fictitious, or fraudulently altered license or permit;  
1273 2. To lend one's license or permit to any other person or knowingly allow the use thereof by  
1274 another;  
1275 3. To display or represent as one's own any license or permit not issued to him or her;  
1276 4. To permit any unlawful use of a license or permit issued to him or her.

1277 A person convicted of any of the above provisions shall be fined in an amount no less than \$50.00  
1278 and no greater than \$500.00.

1279

1280 **Section 10.32 Right-of-Way Rules**

1281 The following right-of-way rules shall apply to any person driving a vehicle within the District.

- 1282 A. When two vehicles approach or enter an intersection not otherwise controlled by a traffic  
1283 signal from different roadways at approximately the same time, the driver of the vehicle on  
1284 the left must yield the right of way to the vehicle on the right.

- 1285 B. The driver of a vehicle intending to turn to the left within an intersection or into an alley,  
1286 private roadway, or driveway shall yield the right of way to any vehicle approaching from the  
1287 opposite direction which is so close as to constitute an immediate hazard but said driver  
1288 having so yielded may proceed at such time as a safe interval occurs. (*Cross-reference: 10.24*  
1289 *One-Way Roadways and Rotary Traffic Islands*)
- 1290 C. Except when directed to proceed by a police officer or traffic control signal, every driver of a  
1291 vehicle approaching a stop intersection indicated by a stop sign shall stop at a clearly marked  
1292 stop line, but if none, before entering the crosswalk on the near side of the intersection, or if  
1293 none, then at the point nearest the intersecting roadway where the driver has a view of  
1294 approaching traffic on the intersecting roadway before entering the intersection. After having  
1295 stopped, the driver shall yield the right of way to any vehicle which has entered the  
1296 intersection from another roadway or which is approaching so closely on the roadway as to  
1297 constitute an immediate hazard during the time when the driver is moving across or within  
1298 the intersection, but said driver having so yielded may proceed at such time as a safe interval  
1299 occurs.
- 1300 D. The driver of a vehicle approaching a yield sign shall in obedience to such sign slow down to  
1301 a speed reasonable for the existing conditions and, if required for safety to stop, shall stop at  
1302 a clearly marked stop line, but if none, before entering the crosswalk on the near side of the  
1303 intersection, or if none, then at the point nearest the intersecting roadway where the driver  
1304 has a view of approaching traffic on the intersecting roadway. After slowing or stopping, the  
1305 driver shall yield the right of way to any vehicle in the intersection or approaching on another  
1306 roadway so closely as to constitute an immediate hazard during the time such driver is  
1307 moving across or within the intersection.

1308 A person found guilty of violating any of the above paragraphs of this section shall be fined in an  
1309 amount no less than \$10.00 but no greater than \$500.00.

1310  
1311 **Section 10.33 Prevention of Unnecessary Noise**

1312 It shall be unlawful to operate within the parks system vehicles which cause excessive noise.

- 1313 A. Every motor vehicle driven or operated within the District shall at all times be equipped with  
1314 an adequate muffler or exhaust system in constant operation and properly maintained to  
1315 prevent any excessive or unusual noise.
- 1316 B. No person shall operate a motor vehicle within the District in a manner which will cause loud  
1317 and unnecessary squealing of that vehicle's tires upon acceleration from a stopped position or  
1318 upon that vehicle negotiating any turn, stop, or like maneuver.
- 1319 C. A person found guilty of violating this section shall be fined in an amount no less than  
1320 \$10.00 but no greater than \$200.00.

1321  
1322 **Section 10.34 Suspension System**

1323 It shall be unlawful to operate a motor vehicle within the District when the suspension system has  
1324 been modified from the original manufactured design by lifting the body from the chassis in excess  
1325 of three inches or to cause the horizontal line from the front to the rear bumper to vary over three  
1326 inches in height when measured from a level surface of the highway to the lower edge of the bumper.

1327 A person found violating this section shall be fined in an amount no less than \$10.00 and no greater  
1328 than \$200.00.

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**Section 10.35 Lights and Lamps**

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

- A. Two such lighted driving lamps showing white lights or light of a yellow or amber tint visible for at least 500 feet in the direction the motor vehicle is proceeding, except a motorcycle need be equipped with only one such lamp.
- B. At least two light lamps commonly known as tail lamps which shall be mounted on the left rear and right rear of the vehicle so as to throw a red light visible for at least 500 feet in the reverse direction, except that a motorcycle need be equipped with only one such lamp.
- C. Either a tail lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light a rear registration plate when required, and render it clearly legible from a distance of 50 feet to the rear.

Any person found guilty of violating any of the provisions of this section shall be fined in an amount no less than \$10.00 and no greater than \$200.00. *(Cross-reference: 9.05 Closing Hours)*

**Section 10.36 Brakes**

Every motor vehicle operated within the District shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle, and all such brakes shall be maintained in good working order and shall be so adjusted as to operate as evenly as practicable with respect to the wheels on opposite sides of the vehicle. A person found guilty of violating this section shall be fined in an amount no less than \$10.00 but no greater than \$500.00.

**Section 10.37 Unattended Motor Vehicles**

No person driving or in charge of a motor vehicle within the Rockford Park District shall permit it to stand unattended without first stopping the engine and removing the ignition key, and when standing upon any perceptible grade without effectively setting the brake and turning the front vehicle wheels to the curb or side of the road. A person found guilty of violating this section shall be fined in an amount no less than \$10.00 but no greater than \$500.00. *(Cross-reference 10.12 Impounding Vehicles)*

**Section 10.38 Limitations on Backing**

The driver of a vehicle within the District shall not back the same unless such movement can be made with safety and without interfering with other traffic. A person found guilty of violating this section shall be fined in an amount no less than \$10.00 but no greater than \$500.00.

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

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

1373 **Section 10.40 Bicycle Safety**

1374 Every person operating a bicycle within the District shall keep said bicycle in a safe mechanical  
1375 condition and equipped as follows:

- 1376 A. On the front shall be installed a lamp which emits a white light visible from a distance of at  
1377 least 500 feet to the front and also shall be installed a clear reflex reflector or reflective  
1378 material at least 3/16 inch wide visible to the front, and said lamp installed in front shall be  
1379 used during the period from sunset to sunrise or at any other time when visibility is so limited  
1380 as to require the use of the light for safety. No lamp shall be required if such bicycle is  
1381 intended to be and is in fact used only during daylight hours when a lamp is clearly  
1382 unnecessary.
- 1383 B. On the rear shall be installed a red reflex reflector or red reflective material at least 3/16 inch  
1384 wide visible to the rear. A lamp emitting a red light visible to the rear may also be used.
- 1385 C. Every bicycle shall be equipped with a brake or brakes which will enable the operator to  
1386 make the braked wheels skid on dry, level, clean pavement.

1387 Any person found guilty of violating any of the provisions of this section shall be fined in an amount  
1388 no less than \$10.00 and no greater than \$200.00.

1389

1390 **Section 10.41 Use of District Roadways**

1391 The use of roadways situated within the District is limited to the operators of motor vehicles licensed  
1392 under the laws of the State of Illinois.

- 1393 A. The use of Park District roadways is further limited to those persons who operate non-  
1394 motorized vehicles, which includes but is not specifically limited to bicycles, or those cycles  
1395 which bear three wheels and are specially constructed for use by people with disabilities.
- 1396 B. The use of Park District roadways is specifically forbidden to those persons operating non-  
1397 motorized objects or vehicles referred to as skateboards, push wagons, unicycles, tricycles,  
1398 minibikes or any other non-motorized object or vehicle which is not specifically allowed by  
1399 paragraphs (a) and (b) of this section.

1400 Persons found guilty of violating any of the provisions of this section shall be fined in an amount no  
1401 less than \$10.00 and no greater than \$500.00.

1402

1403 **Section 10.42 Use of District Recreation Paths**

1404 The use of recreation paths situated within the District is limited to pedestrians and the operators of  
1405 non-motorized cycles.

- 1406 A. The use of District recreation paths is strictly prohibited to those persons using any type of  
1407 motorized vehicle, whether or not the motor is in operation.
- 1408 B. Neither pedestrians nor those persons operating a cycle on a recreation path shall engage in  
1409 such conduct or act in such a manner as to endanger or be likely to endanger the safety of any  
1410 persons or property.
- 1411 C. Exception. Adaptive equipment such as wheelchairs, that enable citizens with disabilities to  
1412 participate in the use of the path, are not subject to exclusion.
- 1413 D. A person convicted of violating any of the provisions of this section shall be fined in an  
1414 amount no less than \$10.00 and no greater than \$500.00.

1415

1416

1417 **Section 10.43 Permitting Unauthorized Person to Drive**

1418 No person shall cause, authorize, or knowingly permit a motor vehicle owned by him or her or under  
1419 his or her control to be driven within the District by any person who is not authorized or licensed by  
1420 the laws of the State of Illinois. A person found guilty of violating this section shall be fined in an  
1421 amount no less than \$10.00 and no greater than \$500.00.

1422

1423 **Section 10.44 Use of Park Facilities or Premises for Swimming or Diving Prohibited**

1424 No person shall use any facilities or premises in the District for swimming or diving without a  
1425 District-issued special permit.

1426

1427 Exception: This provision shall not apply to the swimming pool facilities at Fair Grounds, Sand and  
1428 Alpine parks, nor to the water recreation facilities at Magic Waters, and Levings Lake.

1429

1430 **Section 10.45 Motor Vehicle Registration**

1431 All motor vehicles operated within the park system shall comply with the State of Illinois registration  
1432 requirements. No person shall operate a vehicle, nor permit the operation of a vehicle, upon the  
1433 streets or roadways of the District:

1434 A. Upon which vehicle is displayed an expired registration plate, plates, or registration stickers,  
1435 or,

1436 B. Of which the registration of which has been canceled, suspended, or revoked. A person found  
1437 guilty of violating this Section shall be fined in an amount not less than \$250.00 but not  
1438 greater than \$500.00.

1439

1440 **Section 10.46 OPEN**

1441

1442 **Section 10.47 Motor Vehicle Insurance**

1443 All motor vehicles operated within the park system shall comply with the State of Illinois insurance  
1444 requirements. No person shall operate a vehicle, nor permit the operation of a vehicle, upon the  
1445 streets or roadways of the District:

1446

1447 A. Unless such vehicle is covered by an insurance policy in accordance with the requirements of  
1448 the Illinois Vehicle Code. A person who is convicted of violating this Sub-Section shall be  
1449 fined not less than \$500.00.

1450 No person charged with the violation of this Sub-Section A shall be convicted if such person  
1451 produces in court satisfactory evidence that at the time of the arrest, the motor vehicle was  
1452 covered by a liability insurance policy in accordance with the Illinois Vehicle Code.

1453 B. Of which the registration is at the time of arrest suspended for failure to maintain a  
1454 liability insurance policy. A person found guilty of a violation of this Section shall be  
1455 fined not less than \$250.00 but not more than \$500.00.

1456

1457 **Section 10.48 Driver and Passenger Required to Use Safety Belts**

1458 Each driver and front seat passenger of a motor vehicle operated on a roadway of the District shall  
1459 wear a properly adjusted and fastened seat safety belt, except as may otherwise be excused under the

1460 laws of the State of Illinois. A violation of this Section shall be subject to a fine of not more than  
1461 \$55.00.

1462

1463 **Section 10.49 Possession of Drug Paraphernalia**

1464 No person or organization shall knowingly bring or cause to be brought into any park or other area  
1465 owned or operated by or otherwise under the jurisdiction of the District, any drug paraphernalia with  
1466 the intent to use it in ingesting, inhaling, or otherwise introducing cannabis or a controlled or illegal  
1467 substance into the human body or in preparing cannabis or a controlled or illegal substance for that  
1468 use.

1469 A. In determining intent under subsection (a) of this Section, the trier of fact may take into  
1470 consideration the proximity of the cannabis or controlled substances to the drug  
1471 paraphernalia or the presence of the cannabis or a controlled substance on the drug  
1472 paraphernalia.

1473 B. A person convicted of violating this Section shall be fined not less than \$500.00.

1474

1475 **Section 10.50 OPEN**

1476

1477 **Section 10.51 Possession of Cannabis, Controlled, or Illegal Substances**

1478 No person shall knowingly possess medicinal or recreational cannabis, or controlled and illegal  
1479 substances, within the territory of or upon the property subject to the jurisdiction of the District. Any  
1480 person violating this Section possessing not more than 2.5 grams of a substance containing cannabis  
1481 or controlled or illegal substance shall be fined not less than \$200.00.

1482

1483 **Section 10.52 Geo-caching, Terra-caching, Letterboxing**

1484 A. Definitions.

1485 1. Geo-caching, terra-caching or letterboxing shall constitute the activity of placing one or  
1486 more containers, located by means of GPS devices, to be found by participants to GPS  
1487 coordinates.

1488 2. A “letterbox” “terra-cache” or “geo-cache” or “cache” shall mean the container so placed.

1489

1490 B. Restrictions and Penalty. Participants in Geo-caching activities shall not be required to obtain  
1491 a permit or other permission from the District; however, the following rules apply.

1492 1. Participants are requested to consider the sensitivity of the area, the classification of the  
1493 land (i.e., recreational, restoration, sanctuary, dedicated nature preserve, land or water  
1494 reserve), the potential impact to habitat of land, threatened or endangered species, current  
1495 development or restoration efforts at the park or facility, cultural or historic site  
1496 compatibility, public safety, and similar issues.

1497 2. If ammunition boxes are used as caches, all sides should bear District-issued stickers.

1498 3. Participants should become familiar with District policies and rules applicable to the  
1499 location used.

1500 4. The District is not responsible for caches, and participants should be aware of the risk of  
1501 removal by third parties. Participation is at the sole risk of the participant.

1502 5. No caches may be placed in the following parks or areas:

1503 a. Within any building



- 1504 b. Parks: Beattie Park, Ekberg Pine Manor Park, Sand Park, Atwood Park
- 1505 c. Pools: Alpine Park, Sand Park, Harkins, Magic Waters Waterpark
- 1506 d. Golf Courses: Sinnissippi, Ingersoll, Sandy Hollow, Elliot and Aldeen golf courses,
- 1507 Aldeen Golf Practice Centre
- 1508 e. Ice Rinks: Riverview Ice House, Carlson Ice Arena
- 1509 f. Athletic venues: playing fields, spectator areas, paths, and concession areas of
- 1510 Sportscore facilities; anywhere within the Sportscore buildings
- 1511 g. Facilities: Washington Park Community Center
- 1512 h. Other: Areas designated as prairie or nature preserve
- 1513 6. No caches larger than 4" x 8" x 12" may be utilized.
- 1514 7. No placed cache may contain perishable foodstuffs, offensive material, hazardous material, or
- 1515 waste material or refuse.
- 1516 8. No pipe with capped ends or other devices resembling a bomb or other dangerous device may
- 1517 be utilized.
- 1518 9. No cache may be attached to trees or shrubs, buildings or other structures, nor may any cache
- 1519 be buried by digging, nor may any cache be hidden or concealed by cutting, breaking, or other
- 1520 disturbances of vegetation.
- 1521 10. Geo-caching activities may not unreasonably interfere with other planned or customary park
- 1522 usage.
- 1523 11. A person found guilty of violating this Section shall be fined in an amount no less than
- 1524 \$200.00 and no more than \$500.00 for each offense.
- 1525

1526 **Section 10.53 Easements Located Within District Property**

1527

1528 **WHEREAS**, pursuant to Section 6 of the Park District Code, 70 ILCS 1205/8-11, the Rockford Park  
 1529 District (the "District") has the "power to grant easements for the construction, operation and  
 1530 maintenance upon, under or across any property of the District of facilities for public or private  
 1531 utilities, infrastructure, pedestrian or vehicular access, subject to such terms and conditions as may  
 1532 be determined by the District; and

1533

1534 **WHEREAS**, pursuant to Section 8 of the Park District Code, 70 ILCS 1205/8-1(d), the District may  
 1535 enact such rules and regulations for the management and conduct of its operations and business as it  
 1536 deems appropriate; and

1537

1538 **WHEREAS**, it is reasonable, necessary, and desirable for the District to adopt this ordinance  
 1539 ("Ordinance") to provide the rules, regulations, and conditions applicable to the Districts issuance of  
 1540 easements and for such rules, regulations, and conditions to provide for the protection and  
 1541 preservation of the property, facilities, flora, fauna, and scenic beauties of the District and for the  
 1542 general safety of the public; and

1543

1544 **WHEREAS**, pursuant to the authorities cited above; the District has the authority and the power to  
 1545 adopt this Ordinance.

1547 **NOW THEREFORE BE IT ORDAINED** by the Board of Commissioners of the Rockford Park  
1548 District, THAT:

1549  
1550 **Sub-Section 1. Recitals.** The recitals set forth above are incorporated as part of this Ordinance by  
1551 this reference.

1552  
1553 **Sub-Section 2. Applicability of Ordinance.** This Ordinance shall apply to requests from any  
1554 person, partnership, corporation, public or private utility, federal, state, or local government entity, or  
1555 other entity (an “Applicant”) to use District property for the installation, operation, maintenance,  
1556 repair, relocation, replacement, or removal (“Work”) of any facilities or structures to be owned or  
1557 controlled by such Applicant (“Facilities”) for the placement of utilities, infrastructure or pedestrian  
1558 or vehicular access across, over, under, in, or upon any real property owned by the District. It shall be  
1559 unlawful for any Applicant to perform any Work on or relating to any Facilities on any District  
1560 property unless the District has first granted an easement to such Applicant in accordance with this  
1561 Ordinance.

1562  
1563 This Ordinance shall not relate to easements existing as of the date hereof. The Board may, by  
1564 adopting a resolution in accordance with its general rules, waive compliance with this Ordinance in  
1565 the event of an emergency or under circumstances in which compliance herewith is impractical or  
1566 would cause undue hardship for the District. In applying this Ordinance, the District and its staff  
1567 shall consider the nature and extent of the easement and the effect that granting such easement may  
1568 have upon the District property and facilities in and around such area in which the easement is to be  
1569 located, together with the encumbrances and limitations on use to the District or its successors and  
1570 assigns that would be caused by the granting of same, and the hardship or other effect upon the  
1571 general public that would be caused by any denial of same.

1572  
1573 **Sub-Section 3. Application for Easement Agreement.**

1574  
1575 **A.** Each Applicant that desires an easement, either temporary or permanent, shall submit an  
1576 application for the same to the District (the “Application”). The Application submittal shall  
1577 include some or all of the following as determined by the District (i) a Certificate of  
1578 Insurance (as described herein); (ii) plans of the easement area and legal description of the  
1579 easement area (the “Subject Property”); (iii) a draft easement agreement ; (iv) photographs of  
1580 the easement location; (v) a narrative of the proposed project (including the proposed benefit  
1581 to the District); (vi) include the required Application Fee provided for under this Ordinance;  
1582 (vii) include a “Site Preservation and Restoration Plan” (as defined herein); (viii) include an  
1583 “Environmental Assessment Report” (as defined herein) and (vi) additional attachments  
1584 deemed appropriate by the Applicant or District for submittal.

1585  
1586 Acceptance of a complete application submittal does not guarantee approval of said easement  
1587 request. The District reserves the right to refuse any application packet deemed incomplete  
1588 for processing.

1589

1590 **B. Initial Determination and Policy Determination.** The District’s Executive Director or his  
1591 or her designee (the “Executive Director”) shall (i) conduct a pre-application meeting with  
1592 the Applicant prior to application submittal to discuss the merits, feasibility, and location (to  
1593 determine a location with the least disruption to the Rockford Park District) of said easement  
1594 request, and determine whether compensation in exchange of granting said easement is  
1595 appropriate based on Board Policy Section 2.4.5; and (ii) present the Application to the  
1596 District’s Board of Commissioners (the “Board”) with a recommendation to approve or deny  
1597 the easement.

1598  
1599 **Sub-Section 4. Terms of Easements.** A permanent easement shall run to perpetuity unless said  
1600 easement is abandoned and vacated at a later date. The term of a temporary easement shall be a  
1601 period of time deemed mutually agreeable by the Applicant and the Board.

1602  
1603 **Sub-Section 5. Agreement and Authority.** An easement shall be effective only if is granted  
1604 pursuant to an agreement that has first been approved by an ordinance or resolution of the Board.  
1605 Policy direction by the Board is not sufficient to grant any easement.

1606  
1607 **Sub-Section 6. Authority to Deny Easement Request.** Notwithstanding any other provisions of  
1608 this Ordinance, the Board may determine not to approve for any reason, including without limitation,  
1609 in their sole and absolute discretion, that the Work, Facilities, or Utility Services (i) may destroy or  
1610 limit the present or future function, purpose, or utility of District property; (ii) may impede the  
1611 present or future operation of any District property or programs; (iii) may destroy, threaten, or disturb  
1612 unique or high quality natural, cultural, and historic areas as identified by the District or any other  
1613 governmental agency; (iv) may substantially interfere with the scenic beauties of the District  
1614 property; (v) would occur on District property encumbered by conservation easements or other use  
1615 restrictions intended to preserve the property free from the effects of the intended easement use; or  
1616 (ix) are not in the best interest of the District.

1617  
1618 **Sub-Section 7. Fees, Services in Kind, and Easement Site Assessment.**

1619 **A. Application Fee.** An application fee for an easement, in the amount of \$250, shall be paid to  
1620 the District upon submittal of an application packet.

1621  
1622 **B. Monetary Fees.**

1623 **1. Fair Market Value.** For each easement, the Applicant shall pay to the District a fee  
1624 (a “Monetary Fee”). The Monetary Fee shall not be less than the fair market value of  
1625 the Subject Property as determined by (i) an appraisal (at the sole expense of the  
1626 Applicant) of the Subject Property; (ii) a current or recent purchase price of the  
1627 Subject Property; (iii) sales of comparable properties, or (iv) such other information  
1628 as will provide the best indication of the current fair market value (the “Fair Market  
1629 Value”). The Fair Market Value shall be determined as if the Subject Property were  
1630 unencumbered and shall not take into consideration the nature of the easement  
1631 granted or the fact that the District may have granted another easement within the  
1632 Subject Property. The Monetary Fee may be waived at the discretion of the Board if it

1633 is deemed in the best interest of the District, or other acceptable reasons shall be  
1634 determined to apply.

1635 **2. Calculation of Easement Area.** As an alternative to use of the property's Fair  
1636 Market Value, the District and Applicant may negotiate a fee (on linear feet or square  
1637 feet basis) to determine the monetary fee for the easement. A base fee of \$500 is  
1638 required of any negotiated fee for a temporary easement. The negotiated fee is subject  
1639 to final review and approval by the Board.

1640 **3. Area of Subject Property.** The area of the Subject Property, for purposes of  
1641 determining the Fair Market Value shall be determined by multiplying the length of  
1642 the Subject Property by the width of the Subject Property; provided, however, that  
1643 neither the length nor the width shall be deemed less than 20 feet for purposes of  
1644 calculating the Fair Market Value.

1645 **4. Additional Consideration.** The District reserves the right to require from a Tax-  
1646 Supported Organization, as part of the Monetary Fee, and in addition to or in lieu of  
1647 the Fair Market Value, or any portion thereof, any tangible or intangible  
1648 compensation, item of value, or other consideration in an amount and form  
1649 determined by the District ("Additional Consideration") without limiting the previous  
1650 provisions of this Section. The District may require Additional Consideration (i) for  
1651 an above ground Facility that will alter the scenic beauty of District property, as  
1652 determined solely by the District; or (ii) in the form of a waiver of any tap-on,  
1653 connection, recapture, or similar fee otherwise applicable to said utility service.  
1654

- 1655           **5. Replacement Fee.**  
1656           **a.** Amount of Replacement Fee. For every easement, the Applicant shall replace  
1657 trees, shrubs, and plants within the Site Preservation and Restoration Area  
1658 (defined in Sub-Section 7.C.) that are removed, damaged, or impacted by any  
1659 work or facilities. Determination of removal, damage, or impact shall be at  
1660 the sole discretion and judgment of the District. Contrary claims of existing  
1661 conditions and such shall be the responsibility of the applicant in the form of  
1662 pre-construction activity photographs and video submitted prior to the  
1663 approval of any construction or site activity.  
1664           i. Restorative plantings may be placed at an alternate location as  
1665 deemed appropriate by the District.  
1666           ii. Trees and shrubs shall be replaced on a per caliper inch basis.  
1667           iii. Habitat is measured on a square-foot valuation (which may be  
1668 adjusted from time to time).  
1669           **6. Fines.** The Executive Director may impose fines for negligence in the prevention of  
1670 damage to trees and habitat. Fines shall be in addition to restoration costs and paid  
1671 within seven (7) days of notice. Notice of such fines may be delivered by mail, e-  
1672 mail, or other written notice. Unpaid fines will incur a \$500 per day fee for each  
1673 additional day beyond the seven-day period.  
1674

1675           **C. Site Preservation and Restoration Plan.**

- 1676           **1. General Requirements.** To determine the plants and areas designated for  
1677 preservation and restoration, the Applicant shall submit as part of the Application a  
1678 botanic survey (the “Site Preservation and Restoration Plan”) identifying all trees and  
1679 shrubs by genus and species (by species if possible) and significant herbaceous plants  
1680 by genus and species (by species if possible), as well as turf and ecological conditions  
1681 within an area that includes the Subject Property and an additional 20-foot perimeter  
1682 around the Subject Property or additional area if there is a potential for impact  
1683 beyond this perimeter due to construction activities. Such areas may include  
1684 waterways, migration corridors, view sheds, and the like (“Site Preservation and  
1685 Restoration Survey Area”).  
1686 The information entered in the plan shall be presented in a report format describing  
1687 all direct and indirect impacts to trees, shrubs, plants, and ecological conditions  
1688 within the survey area. Before initiating the Site Preservation and Restoration Plan,  
1689 the Applicant shall meet with the Executive Director or his or her designee to (i)  
1690 notify him or her of the person or entity proposed by the Applicant to perform the  
1691 botanic survey; and (ii) discuss the conduct and scope of the survey.  
1692 All components of Site Preservation and Restoration Planning must be approved by  
1693 the Executive Director or his or her designee (i.e., District Landscape Architect) prior  
1694 to commencing.  
1695           **2. Trees.** For each tree in the Survey Area, (i) the scaled survey shall identify (a) the  
1696 location of the tree; (b) the genus and species (by species if possible) of the tree; and  
1697 (c) the diameter of the tree, measured at four (4') feet six (6) inches above the ground

- 1698 level. If this survey is computer generated, the computer file shall be submitted in a  
1699 computer aided drafting (CAD) format acceptable to the District.
- 1700 **3. Shrubs.** For each shrub of significant importance or size in the survey area, (i) the  
1701 scaled survey shall identify (a) the location of the shrub; (b) the genus and species (by  
1702 species if possible); and (c) the height and width of the shrub.
- 1703 **4. Ecologically Significant Areas.** For all areas of ecological significance (as defined  
1704 in the RPD Natural Areas Inventory, Winnebago Natural Resources Inventory, Boone  
1705 and Winnebago County Greenways Plan, or determined by the District), such as  
1706 woodlands, wetlands, riparian areas, prairies, and the like in the survey area, the  
1707 scaled survey shall identify (a) the genus and species of all native flora that will be  
1708 impacted (b) the distribution of those native species, and (c) a quantitative measure  
1709 like the *Floristic Quality Index* (FQI) to express the "quality" of a natural area.
- 1710 **5. Restoration.** All areas disturbed by approved construction shall be restored to their  
1711 original condition, if possible, or to a condition acceptable to the District.
- 1712 a. Such a situation may include restoration to the turf after the approved  
1713 removal of woodland in the project area.
- 1714 b. Another situation may include earth moving and grading, or activities that  
1715 alter the original grade such that additional topsoil is required to be imported  
1716 in addition to planting new trees, shrubs, perennials, and turf such that the  
1717 altered conditions are remediated to blend into the surrounding landscape and  
1718 pre-construction uses of the park land.
- 1719 c. For areas that are infested with non-native invasive species (for example reed  
1720 canary grass (*Phalaris arundinaceous*)), the area will be restored with a mix of  
1721 native plants acceptable to the District.
- 1722 d. For all ecologically significant areas, such as woodlands, wetlands, riparian  
1723 areas, prairies, and the like, the restoration of these areas will be done using  
1724 native local ecotype seeds, plants, shrubs, and trees. The seeds or plants will  
1725 meet or exceed the FQI identified in the initial botanical survey after the  
1726 establishment period (two growing seasons, the start date to commence from  
1727 the date of acceptance). The applicant is responsible for all maintenance  
1728 (mowing, spraying, reseeding, etc.) during the establishment period. If after  
1729 the establishment period the area does not meet or exceed the initial FQI, as  
1730 determined by the District, the applicant will be responsible for replanting,  
1731 over-seeding the area with native local ecotype plants/seeds, or other method  
1732 approved by the District, and continue maintenance for an additional two  
1733 growing season period.
- 1734 **6. Timing of Fees and Reimbursements.** All fees shall be paid to the District in a  
1735 timely manner. If the Board does not approve the easement, the Application Fee and  
1736 any costs incurred by the applicant to prepare the easement request are non-  
1737 refundable.
- 1738  
1739

1740 **Sub-Section 8. General Provisions.**

1741 **A. Compliance with Laws, Permits, and Approvals.** In performing the Work, installing the  
1742 Facilities, and providing the Utility Services, the Applicant shall comply with all applicable  
1743 laws, statutes, regulations, rules, and requirements of federal, state, and local governments,  
1744 agencies, and authorities ("Requirements of Law"). In addition, no easement shall be  
1745 effective until the Applicant has obtained all required permits and approvals for the Work,  
1746 Facilities, and Utility Services that are required by Requirements of Law, including without  
1747 limitation, Requirements of Law enforced by or within the jurisdiction of the U.S. Army  
1748 Corps of Engineers, the Illinois Department of Transportation, the Illinois Environmental  
1749 Protection Agency, and the Winnebago County Storm Water Department or similar  
1750 functioning agencies or departments. It is the responsibility of the Applicant to obtain all  
1751 necessary permits, pay any fines imposed, and remediate such situations as a result of non-  
1752 compliance as well as provide copies of all such permits and approvals to the District.

1753 **B. Environmental Assessment Report.** With the Application, the Applicant shall include as  
1754 necessary an environmental report (i) delineating all ecologically sensitive conditions,  
1755 (habitats, significant species, wetlands, etc.) on the Subject Property; (ii) identifying the  
1756 boundaries, extent, function, and quality of all such ecologically sensitive conditions; and  
1757 (iii) describing the impact, if any, of the Work, Facilities, and Utility Services on the Subject  
1758 Property and any other District property. Such delineation is in addition to any ecologically  
1759 sensitive habitats identified by the District and does not assume areas identified by the  
1760 District are all-inclusive and the sole areas to be protected from Applicant's on-site activities.  
1761 Such areas not identified for their ecological significance may have aesthetic, cultural,  
1762 historical, or other significance as part of larger scale planning and value to the District. Such  
1763 areas will be considered on a case-by-case basis in addition to those areas identified in the  
1764 Environmental Assessment Report.

1765 **C. Conduct of work.**

1766 **1. Construction.** All Work by the Applicant and each contractor, subcontractor, or  
1767 third-party working on its behalf (a "Contractor"), shall be conducted in a  
1768 professional and workmanlike manner, without cost or expense to the District, and in  
1769 compliance with the Agreement and Requirements of Law. Prior to commencing any  
1770 Work, the Grantee shall first obtain the Executive Director's designee's approval of  
1771 engineering, construction, and building plans for the Work and Facilities  
1772 ("Construction Plans"), etc.

1773 **2. Restoration.** If the Work, Facilities, or Utility Services damage, destroy, or cause any  
1774 adverse impact to Subject Property or any other District property, whether inside or  
1775 outside the project limits, Applicant shall restore the Subject Property at no cost or  
1776 expense to the District to the original condition of the Subject Property prior to such  
1777 damage, destruction, or impact as determined by the District. See Sub-  
1778 Section 7.C. Site Preservation and Restoration Plan for further information.

1779 **a.** All trees, shrubs, and areas of ecological significance which are determined  
1780 by the District to be potentially impacted by construction activities, whether  
1781 within or outside the project limits, and designated for preservation, after  
1782 application, shall be protected by tree preservation fencing. No construction  
1783 activities shall commence before District approval of installation of tree and

1784 habitat protection. The applicant shall contact the District a minimum of two  
1785 business days in advance to schedule the site visit. Such fencing shall extend  
1786 a minimum of twenty (20) feet beyond all critical habitat boundaries. Fencing  
1787 for trees shall be a minimum of one-and-one-half (1.5) times the diameter at  
1788 breast height (DBH), as measured in inches, to determine the diameter in feet  
1789 of tree protection, or to the bole of the tree, whichever is greater. This area  
1790 may be enlarged at the discretion of the District. Fencing shall be maintained  
1791 in an acceptable condition. Damage to fencing or construction activities in  
1792 fencing area, as determined by District, shall result in a fine of \$250 per  
1793 incident regardless of extent of damage if any, and cost of remediation, to  
1794 plants, habitat, soil, and wildlife in the protection area in addition to any other  
1795 fines. Claims counter to such shall be the responsibility of the Applicant and  
1796 documented by photography and video submitted prior to the approval of any  
1797 construction or site activity.

1798 **b.** Damage to fencing, habitat, drainage, structures above and below ground, and  
1799 any other existing entities not designated as areas of construction and  
1800 impacted by such activity, regardless of being within or outside project limits,  
1801 shall be remediated, in addition to any fines, to the satisfaction of the District  
1802 within no more than forty-eight (48) hours if not life-threatening or an  
1803 environmental hazard (which may require immediate attention) unless given  
1804 in writing by District additional time to remedy such. Damage to areas which  
1805 cannot be immediately remediated to their original condition, such as  
1806 sensitive habitat and the like, shall be restored to a condition acceptable to the  
1807 District in addition to any fines imposed. Failure to do so may result in an  
1808 order of cessation of all onsite activities until such situation is rectified.

1809 **c. Hazardous Materials.** The Applicant shall comply with all Requirements of  
1810 Law that prohibit, restrict, or regulate any hazardous materials.

1811 **3. Easements are Non-Exclusive.** Easements granted pursuant to this Ordinance shall  
1812 be non-exclusive, and the District may grant multiple easements within the Subject  
1813 Property or any portion thereof.

1814 **4. No Assessments.** In each Agreement, the Applicant shall agree that (i) it shall not  
1815 assess or impose against the park site in which the Subject Property is located any  
1816 special assessment, special service area tax, recapture fee, or similar assessment, tax,  
1817 or fee (an "Assessment"); and (ii) if any assessment has been imposed or is imposed  
1818 in the future, it shall waive such Assessment or indemnify the District from and for  
1819 such assessment.

1820 **5. District Held Harmless.** In each Agreement, the Applicant shall agree (i) that the  
1821 District shall not be liable for any alleged damage or injury to any person, entity, or  
1822 property as a result of or relating to the Work, the Facilities, the Public Services, or  
1823 easement; and (ii) to indemnify and hold harmless the District, its Commissioners,  
1824 officers, agents, and employees from and against any alleged loss, claim, expense,  
1825 damage, or claim, including litigation costs and attorney fees, related to any such  
1826 alleged damage or injury.



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- 6. Certificate of Insurance for Grantee and Contractors.** In each Agreement, the Applicant shall obtain, or cause each Contractor to obtain, and keep in full force and effect insurance (in an amount of \$1,000,000 per occurrence or as approved by the District's risk management agency) necessary to protect and hold harmless the District, the Work, the Subject Property, and all property located at or near the Subject Property. The Certificate shall also list the District as additional insured. No work may begin without submittal of a Certificate of Insurance to the District.
- 7. Bond.** Prior to performing any Work, the Applicant may, at the discretion of the District, require its contractor to deposit with the Executive Director a bond in an amount determined by the District in the Agreement as a guarantee that the Applicant shall comply with all conditions of the Agreement including restoration of the Subject Property (the "Bond"). If Applicant fails to comply with any conditions. The District may take such action as it determines necessary or appropriate to remedy such failure and deduct any cost it incurs in taking such action from the Bond.
- 8. Recording.** All Agreements granting easements shall be recorded with the Winnebago County Recorder of Deeds (the "Recorder"), by and at the sole cost of the Applicant. The Applicant shall provide copies of the recorded easement documents within 30 days following approval of the easement request by the Park Board.
- 9. Revocation.** Each Agreement shall provide that, upon a breach of the Agreement, the Board of Commissioners may revoke the easement granted in such Agreement. If an easement is revoked, a certified copy of a document revoking the easement shall be recorded with the Recorder, which shall conclusively establish the termination of Applicant's interest in the subject property.
- 10. Reversion of Property.** Each Agreement shall provide that, if the easement ceases to be used for the purpose for which it was granted, all Applicant's rights provided for in the Agreement granting the easement shall terminate, and the Subject Property shall thereafter be free and clear of such rights. If an easement is so terminated, a certified copy of a document terminating the easement shall be recorded with the Recorder at Applicant's cost, and a copy shall be delivered to the District.
- 11. Removal of Facilities upon Termination.** At the time an easement expires by lapse of time, notice of revocation or termination, or any other reason, Applicant shall have removed all Facilities from the Subject Property, and restored the Subject Property in accordance with Sections 7.E. and 8.C., at Applicant's sole cost and at no cost or expense to the District.
- 12. Captions.** The captions and headings used herein are for the convenience of reference only and do not limit the content of this Ordinance.
- 13. Repealer.** All Requirements of the Law of the District that conflict with this Ordinance are hereby repealed to the extent of such conflict.
- 14. Effective Date.** This Ordinance shall be in full force and effect 10 days after its passage, approval, and publication, in the manner provided by Requirements of Law.

1870 **RULES AND PROCEDURES**  
1871 **FOR PROCESSING ROCKFORD PARK DISTRICT EASEMENT APPLICATIONS**  
1872

1873 **I. General Procedures**

- 1874 **A.** The Applicant should begin by contacting:  
1875 Rockford Park District  
1876 Attention: Capital Planning and Management  
1877 401 South Main Street  
1878 Rockford, Illinois 61101  
1879

1880 The Applicant shall arrange for a pre-application initial meeting with the Executive  
1881 Director or his or her designee from the Capital Planning and Management (CPM)  
1882 Department, to discuss the proposed easement. At this initial meeting, District staff  
1883 will discuss the process, scheduling, fees, and any other apparent issues with the  
1884 applicant.

- 1885 **B.** If the Applicant chooses to proceed with the proposal, the Applicant must assemble  
1886 the information required by this Ordinance, and any other information as requested  
1887 by staff. The Applicant will then provide that information and the application fee to  
1888 the District.  
1889 **C.** The application packet shall be submitted to the CPM Department. The CPM  
1890 Department shall prepare a staff report and refer the easement request to the Board  
1891 for review and approval.  
1892 **D.** The CPM Department will inform the applicant of Board meeting schedule and other  
1893 relevant dates and deadlines.  
1894 **E.** The applicant should be aware that the application review and approval process is  
1895 normally expected to take a minimum of sixty (60) days.  
1896

1897 **IV. Definitions for the purpose of this section:**

- 1898 **A.** "*Easement* " shall refer to land in which an interest is granted to another party in a  
1899 real estate document for a specific use or purpose. Said uses may include, but are not  
1900 limited to placement of utilities, infrastructure or pedestrian or vehicular access.  
1901 **B.** "*Easement, Permanent*" means an easement conveyed in perpetuity to the entity  
1902 requesting said easement  
1903 **C.** "*Easement, Temporary*" means an easement conveyed for a specified period of  
1904 time as negotiated between the Rockford Park District and the entity requesting said  
1905 easement.  
1906 **D.** "*Non-tax Supported Organization*" means any organization whose primary  
1907 source of operating capital is derived from revenue collected from service  
1908 subscriptions.  
1909 **E.** Examples include, but are not limited to the following: service providers of  
1910 coaxial or other audio and video transmission, electrical, gas, internet, telephone  
1911 (landline and wireless telecommunications)  
1912 **F.** "*Tax-Supported Organization*" means any organization whose operating capital  
1913 is derived from taxes assessed to property owners, in addition, or in place of revenue

1914 collected from service subscriptions.  
1915 **G.** Examples include, but are not limited to the following: local, county, and state  
1916 units of government, special taxing authorities and districts  
1917

1918 **Section 10.54 Moveable Soccer Goal Safety Act**

1919 *(effective November 16, 2011)*  
1920

1921 The Movable Soccer Goal Safety Act is adopted effective November 16, 2011, pursuant to the  
1922 Illinois Movable Soccer Goal Safety Act, also known as Zach’s Law, ILCS Public Act 097-0234,  
1923 HB 1130 (the “Act”). The Act requires the Rockford Park District to implement an operations  
1924 policy and procedures that outline the safety issues associated with movable soccer goals. A copy  
1925 of this policy shall be provided to all organizations using the property for soccer-related activity.  
1926 Prior to using property for soccer-related activity, each organization shall provide each of its  
1927 permitted users with a copy of this policy and shall require that each of its permitted users  
1928 comply with all applicable provisions of this policy.  
1929

1930 **CHAPTER 11. ENFORCEMENT**

1931  
1932 **Section 11.01 Permits**

1933 Any act prohibited by or under this code or any other ordinance or rule of the District, provided such  
1934 act is not otherwise prohibited by law or ordinance, shall be lawful to the extent authorized or  
1935 permitted under the provisions of a special use permit issued or permission granted by the District.  
1936

1937 Permits shall be issued and permission granted only upon the payment of such fees as may be  
1938 established from time to time by the District. All terms for the issuance of the permits and granting  
1939 of permission must be strictly complied with, and any violation of same or any other law, ordinance,  
1940 or rule of the District shall be grounds for revocation of same.

1941 *(Cross Reference: Rules & Regulations for Use of Park Property – see Customer Service)*  
1942

1943 **Section 11.02 Rules to be Obeyed**

1944 No person shall violate or disobey any rule of the District relating to the use and government of the  
1945 park system. The Executive Director of the District or his authorized representatives may issue such  
1946 rules and regulations as are necessary to ensure public health and safety in the use and enjoyment of  
1947 any and all park facilities, including but not limited to its swimming pools, golf courses, and any  
1948 other recreational facilities.  
1949

1950 **Section 11.03 Penalties**

1951 Any person violating or disobeying any clause or provision of any section of Chapters IX, X, and XI  
1952 of this ordinance or any of the other regulatory ordinances or rules of the District shall be guilty of a  
1953 misdemeanor, may be forthwith ejected from the park system, may have any permits or passes  
1954 previously issued forfeited for the season, and shall be fined upon conviction not less than one dollar  
1955 (\$1.00) and not more than five hundred dollars (\$500.00) for each offense, the fine to be recovered in

1956 manner and form as provided by law. A separate offense shall be deemed committed upon each day  
1957 during or on which violation occurs or continues.

1958

## **CHAPTER 12. CONSTRUCTION AND REPEAL**

1959

1960

### **Section 12.01 Owner Liability**

1961 Any person who is owner, registered owner, or in control of any animal, vehicle or other property of  
1962 any kind brought, placed, parked or remaining in the park system, or otherwise in violation of this  
1963 ordinance or other ordinance or rule of the District, shall be deemed prima facie responsible for the  
1964 violation involved, and subject to the penalty provided herein.  
1965

1966

### **Section 12.02 Partial Invalidity**

1967 If any provision of this Code or the application of such provision to any person, body, or  
1968 circumstance shall be held invalid, the remainder of this Code, or the application of such provision to  
1969 persons, bodies or circumstances other than those as to which it shall have been held invalid, shall  
1970 not be affected thereby.  
1971

1972

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

1973 All ordinances and parts of ordinances in conflict or inconsistent with any of the provisions of this  
1974 ordinance are hereby repealed, and this ordinance shall be enforced from and after its passage and  
1975 approval.  
1976

1977

1978	PASSED.....	October 9, 2007, Rev. February 12 & 26, 2008
1979	APPROVED.....	October 9, 2007, Rev. February 12 & 26, 2008
1980	PASSED.....	October 9, 2007, Rev. April 16, 2009
1981	APPROVED.....	October 9, 2007, Rev. April 16, 2009
1982	PASSED.....	November 10, 2009 (Easement Ordinance)
1983	APPROVED.....	November 24, 2009
1984	PASSED.....	April 5, 2013 (Responsible Bidder Ordinance)
1985	APPROVED.....	April 23, 2013
1986	APPROVED .....	July 9, 2013
1987	APPROVED.....	August 11, 2015
1988	APPROVED.....	February 14, 2017

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Secretary Julianne C. Elliott

1994 **CHAPTER 13. PUBLICATION IN BOOK FORM**

1995

1996 **Section 13.01 Publication in Book Form**

1997 In lieu of other publications, this Ordinance shall be published in book or pamphlet form, and when  
1998 so published, shall become effective with same force and effect as if otherwise published. Such book  
1999 or pamphlet shall be received as evidence of the passage and legal publication of this Ordinance in  
2000 all courts or places without further proof, all as provided by law.

2001

2002 **Section 13.02 Effective Date**

2003 This Code of Ordinances shall take effect and be in force from and after its passage, approval, and  
2004 publication in book or pamphlet form as provided by law.

2005

2006 Passed and approved by the Board of Park Commissioners of the Rockford Park District on this 9th  
2007 day of October, 2007, revised on February 12 and 26, 2008, revised on April 16, 2009, revised on  
2008 November 10, 2009, revised on April 5, 2013, revised on July 9, 2013, revised on August 11, 2015,  
2009 revised on February 14, 2017.

2010

2011 APPROVED:

2012 \_\_\_\_\_  
2013 President Ian Linnabary

2014

2015

2016 ATTESTED:

2017 \_\_\_\_\_  
Secretary Julianne C. Elliott