



**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
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CHAPTER 1. SCOPE

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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 Executive Leadership Team**

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

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

287

288 **Section 3.10 Attorney**

289 The Attorney shall have charge of all legal matters and of the prosecution and defense of all 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 Executive Leadership 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** *(Section Revised 2/14/17)*

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** *(Section Revised 2/14/17)*

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. Under no circumstance shall materials be cast or distributed in a fashion
537 which litters, disturbs, or prevents the peaceful enjoyment of parks and facilities.

538
539 **Section 9.01-3 – Expressive Activities** *(Section Revised 2/14/17)*

540 Definition.

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

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

549
550 Limitations.

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

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

561
562 No person or persons may interfere with the intended use, enjoyment, peace, good order, or
563 condition of the park, facility, or amenity intended for a specific purpose (*defined above*), nor
564 inhibit the free, uninterrupted passage or use of public or private assets by persons or vehicles.
565 This includes approaching, harassing, or physically contacting or using persistent demands of
566 persons for the purpose of distributing any handbill, pamphlet, circular, publications, or notice of
567 any kind. Materials may be made available to interested parties upon mutual accord. Under no
568 circumstance shall materials be cast or distributed in a fashion which litters, disturbs, or prevents
569 the peaceful enjoyment of parks and facilities.
570 (*Cross-reference 9.02 Fights and Disorderly Conduct; 10.13 Obstructing Traffic*)

571
572

573 **Section 9.02 Fights and Disorderly Conduct**

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

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

- 577 1. Shall engage in, instigate, cause or procure any prize fight, dog fight, cock fight or any
578 public or private fighting,
- 579 2. Shall do any act in such unreasonable manner as to alarm or disturb another and to
580 provoke a breach of the peace,
- 581 3. Shall loiter in or about an area frequented by, designed for, or provided primarily for the
582 use or enjoyment of minor children, in such a manner or at such a time or times as may
583 reasonably be expected to frighten or intimidate such minor children.
- 584 4. Shall use any vile, abusive, profane, indecent, or obscene speech or conduct within any
585 park calculated to, or which might reasonably result in a breach of the peace or interfere
586 with the peaceable enjoyment of park facilities by others.

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

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

596
597 **Section 9.04 Use of Boats on Park Waters** *(Section Revised 2/14/17)*

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

604
605 Exception. This section shall not be deemed to apply to non-motorized watercraft having U. S. Coast
606 Guard approval for recreational use upon Levings Lake and Kishwaukee and Rock Rivers under the
607 jurisdiction of the [Illinois Department of Natural Resources](#).

608
609 **Section 9.05 Opening and Closing Hours** *(Section Revised 2/14/17)*

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

- 614 A. parks having lighted athletic facilities or lighted recreation paths,
- 615 B. neighborhood or community recreation centers,
- 616 C. museums,
- 617 D. neighborhood parks posted closed at sunset,
- 618 E. other locations and amenities given the express consent of the Executive Director or by
619 District-issued special use permit.

620
621 **Section 9.06 Contracted Vendors**

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

625
626 **Section 9.07 Special Events**

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

- 628 A. The Board of Commissioners of the Rockford Park District shall have the power to make and
629 enforce charges for the use of District facilities.

- 630 B. No public meeting or organized activities shall be held in any of the parks under the
631 jurisdiction of the District unless a District-issued special use permit is first granted for the
632 intended and actual use.
- 633 C. Large groups shall be allowed to reserve areas in certain parks if a special use permit for that
634 purpose is issued by the District. Not-for-profit 503(c)(3) organizations, government
635 agencies, and recreational partners may operate their own concession stands compliant with
636 City and County ordinances. Certain entertainment features may also be provided by said
637 organizations if no admission fees are charged. *(Cross Reference: 9.01-3 Expressive*
638 *Activities; Cross-reference: 10.03 Sound Amplification, 10.13 Obstructing Traffic)*
- 639 D. There shall be no sale, collection, or punching of admission tickets to any of the shelters,
640 pavilions, or other facilities provided in the parks under the jurisdiction of the District, and
641 no soliciting or collection of money for the use of any of said facilities.
- 642 E. In case of bad weather, shelters, pavilions, and other facilities shall be open to the public,
643 despite special permit reservations. There shall be no advertising, either printed or
644 otherwise, to the effect that any group has the exclusive use of shelters, pavilions, or other
645 facilities, without a District issued permit for such use. *(Cross-reference: 9.01-2 Solicitation)*
- 646 F. Special events may be held in such parts of the parks as shall be designated for that purpose,
647 and portions of the parks may be set apart as memorial sites or for tennis, golf, ball, croquet,
648 and other games, subject to such regulations as may be made by the Board.
- 649 G. No person shall join any such picnics or games without the consent of the persons of whom
650 they are composed, nor in any manner disturb or interfere with the same. However, in case
651 of severe weather or emergency, the public shall be permitted to seek shelter in reserved
652 areas.
- 653 H. Certain uses, activities, and equipment may be restricted to limit damage or risk to users,
654 grounds, and assets (e.g. dunk tanks, pools, bounce houses with water features.)
655

656 **Section 9.08 Play Classes and Camps**

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

661
662 Not-for-profit agency day-camps, play classes, or organized groups may use facilities of the District
663 when not in conflict with District recreational programs by applying for a special use permit.
664 *(Cross-reference 9.01-3 Expressive Activities; Rules & Regulations for Use of Park Property – see*
665 *Customer Service)*
666

667 **Section 9.09 Camping**

668 Camping prohibited. No person shall be permitted to stop and camp in District parks. A District-
669 issued special use permit pertaining to specific special events may be granted. There are a few
670 designated primitive camp sites along the Rock River Trail accessible by canoe or kayak.

671
672
673

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

675 Except as otherwise provided or required by 430/ILCS 66.01et seq., no person or organization shall
676 bring, carry, or use in any way, knives, firearms, or other weapons of any kind, or any fireworks or
677 other explosive substance of any kind within any District park without the permission of the
678 Director. No person shall throw, cast, or shoot arrows, stones, or other missiles of any kind within
679 any District park except at such places and times as the District may designate for such purposes.

680
681 Consistent with the Concealed Carry Act, no licensee shall knowingly carry a firearm on or into any
682 park, trail, or pathway totally contained within a park, athletic area, or any athletic facility, building,
683 portion of a building, or real property under the control of the District.

684
685 **Section 9.11 Park and Recreation Fees**

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

688
689 The Board of Commissioners may fix and collect reasonable fees for the use of park facilities. Such
690 fees may be fixed at a uniform rate to all users of such facility or facilities, or the Board may in its
691 discretion fix such fees at a lower rate for resident users than the rate charged for the use of the same
692 facility or facilities to non-residents. The District may from time to time require proof of resident
693 status in connection with an assessment of charges and fees.

694
695 **Section 9.12 OPEN**

696
697 **Section 9.13 Trucks**

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

701
702
703 **Section 9.14 Parking Lots**

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

708
709
710 **Section 9.15 Prevailing Laws or Ordinances**

711 Local municipalities. All public ordinances of all municipalities within which any part of the District
712 is located are hereby adopted by Rockford Park District insofar as the same are applicable to, and not
713 in conflict with, these ordinances, for the regulation of the use of that portion of District parks and
714 facilities located within the territorial limits of such respective municipalities. Said municipal
715 ordinances within that portion of the District located within said respective municipalities shall be
716 deemed to be in addition to the provisions of these ordinances, and violations thereof shall constitute

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

719 The State of Illinois. All statutes and validly adopted and promulgated rules of the State of Illinois
720 are hereby adopted by Rockford Park District insofar as the same are applicable to and not in conflict
721 with these ordinances, for the regulation of the use of that portion of District parks and facilities.
722 Said state laws, rules and regulations shall be deemed to be in addition to the provisions of these
723 ordinances. No person while within District or upon property under the control of Rockford Park
724 District shall violate any state statute or rule or regulation so hereby adopted. Violations thereof shall
725 constitute violations of this section, and shall subject the violator to the penalties provided in Chapter
726 XI of the Rockford Park District Code.

727

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

729 Definition. Gambling includes the following:

- 730 A. A game of chance or skill for money or for another thing of value, unless otherwise declared
731 legal by the laws of the State of Illinois.
- 732 B. Wagering upon the result of any game, contest, or political nomination, appointment, or
733 election.
- 734 C. Operating, keeping, owning, using, purchasing, exhibiting, renting, selling, bargaining for the
735 sale or lease of, manufacturing, or distributing any gambling device.
- 736 D. Knowingly owning or possessing any book, instrument, application, or apparatus by means of
737 which bets or wagers have been or are recorded or registered, or knowingly possessing any
738 money which has been received in the course of a bet or wager.
- 739 E. Selling pools upon the result of any game or contest of skill or chance, political nomination,
740 appointment, or election.
- 741 F. Setting up or promoting any lottery or selling, offering to sell or transferring any ticket or
742 share for any lottery, unless specifically authorized by the laws of the State of Illinois.
- 743 G. Setting up or promoting any policy game or selling, offering to sell or knowingly possessing
744 or transferring any policy ticket, slip, record, document or another similar device.

745

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

749

750 Exception:

- 751 A. Direct and indirect District programs, not-for-profit 501(c)(3) organizations, may with
752 special use permit and license issued by Winnebago County under the County Raffle Ordinance may
753 conduct raffles.
- 754
- 755 B. This section shall not prevent gambling as defined herein with the use of gaming
756 machines provided for entertainment by the Rockford Park District within designated
757 controlled areas at the following facilities:
 - 758 1. Aldeen Golf Club and Elliot, Ingersoll, Sinnissippi, and Sandy Hollow golf courses;
 - 759 2. Mercyhealth Sportscore One;
 - 760 2. Mercyhealth Sportscore Two;

- 761 3. UWHealth Sports Factory;
- 762 4. Carlson Ice Arena;
- 763 5. Riverview Ice House; and/or
- 764 6. Any other area designated by staff following Board polices and ensuring applicable
- 765 insurance and license requirements are met.

766

767

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

769 Unmanned aerial vehicles (UAV) such as radio- or remote-controlled motor driven airplanes, drones,

770 or other flying objects, shall not be operated, managed, or used by any person on any ground or in the

771 airspace of any District properties without a District-issued Special Use permit. Violation of this

772 ordinance shall subject the violator to the penalties provided in Chapter XI of the Rockford Park

773 District Code. Use of UAVs is also subject to the authority of the [Federal Aviation Administration](#).

774

775 Exception. The Executive Director may designate certain locations and hours for UAV operation

776 without requiring operator permits. Public notice of the authorized locations and times shall be given

777 by posting at or near such areas signs of sufficient size and frequency to advise the public as to the

778 areas wherein UAVs are permitted to operate.

779

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

781 Definitions.

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

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

784

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

786 prohibited.

787

788 B. Smoking is prohibited in all Park District facilities and in all parks or other areas owned or

789 operated by or otherwise under the jurisdiction of the Park District.

790

791 C. A special use permit may occur only when/if recommended by staff and approved by the

792 Executive Director in connection with certain activities to be conducted amongst consenting

793 adults, in open air spaces, away from assemblies of the general public.

794

795 **Exception:** Adult smoking is permitted beyond 50 feet of enclosed/partially-enclosed spaces on golf

796 course playing fields in the company of consenting adults and absent assembly by the general public.

797

798 D. Consistent with the prohibition of smoking as described above:

799 1. “No Smoking” signs with the universal symbol (consisting of a pictorial representation of a

800 burning cigarette enclosed in a red circle with a red bar across it,) shall be clearly and

801 conspicuously posted by the operator, manager, or other person in control of that place, in

802 each public place and place of employment where smoking is prohibited.

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

804 prohibited.

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

807
808 E. Any person or entity that violates this Section 9.18 shall be liable to punishment by a fine as
809 below provided.

810 1. For a first offense in any 12-month period, the fine for violation of this Section 9.18 shall be
811 \$125.00.

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

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

816
817 F. No minor person shall be permitted at any time or place within any area owned or operated by or
818 otherwise under the jurisdiction of the District, to smoke, chew, or otherwise consume or use or
819 possess tobacco, medicinal or recreational marijuana, cigarette, cigar, pipe, smokeless, or chewing
820 tobacco, vapors, or other form of tobacco or tobacco product, nor to smoke any other materials.

821
822 **Section 9.19 OPEN**

823
824 **Section 9.20 Use of “Sun Singer” Service Mark**

825 No person, firm, group or organization may use the “Sun Singer” service mark, registered June 2,
826 1998, with the United States Patent and Trademark Office, Reg. No. 2,161,965, or any other
827 service mark or trademark belonging to Rockford Park District, nor infringe upon any rights of
828 the District therein, except as otherwise provided herein.

829
830 The Executive Director may adopt rules and regulations pursuant to which permission for the
831 non-commercial use of such service mark may be granted, and may adopt rules and regulations
832 pursuant to which permission for the commercial use of such service mark may be granted upon
833 the payment to the District of a reasonable licensing fee.

834
835

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

838
839 **Section 10.01 Animals**

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

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

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

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

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

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

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

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

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

862

863 **Section 10.02 Fires**

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

868

869 **Section 10.03 Sound Amplification**

870 Sound amplification shall require a special-use permit. Restrictions apply, including but not limited
871 to applicable municipality noise ordinances. It shall be unlawful to operate the following equipment
872 between the hours of 10:00 p.m. and 7:00 a.m. outdoors, within 600 feet of any building used for
873 residential or hospital purposes, or indoors if such equipment is audible from an adjacent property
874 used for residential or medical care purposes.

875

876 This includes:

- 877 A. power-operated devices such as model automobiles, boats, and aircraft,
878 *(Cross-reference: 9.17 Remote-Controlled Flying Objects)*
- 879 B. loudspeakers, megaphones, microphones, amplifiers, and public address systems
- 880 C. soundtracks or other recordings
- 881 D. musical instruments
- 882 E. radios, televisions, phonographs, boom boxes, phones, and
- 883 F. church bells and carillons, or
- 884 G. other sound projecting devices or methods

885

886 No person within the District system shall at any time play or operate any sound amplification device
887 causing or creating unnecessary or unusual noise which annoys, injures, or endangers the comfort,
888 repose, health, or safety of others unless such noise is necessary for the protection and preservation
889 of property, health, safety, or life. Lyrics designated by Recording Industry Association of America's
890 (RIAA) Parental Advisory Label Program designated as not suitable for young audiences, such as
891 those with strong or explicit language, depictions of violence, sex, or substance abuse are prohibited.

892 Sound amplification must comply with prevailing noise ordinances. A violation of these restrictions
893 shall result in the revocation of the special use permit.

894

895 **Section 10.04 Alcoholic Beverages**

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

898

899 Exceptions.

900 A. This section shall not apply to wine intended for use and used by a properly organized
901 church or religious organization for sacramental purposes.

902 B. This section shall not prevent the sale, possession, or consumption of malt beverages,
903 beer, and wine:

904 7. At Blackhawk Park:

905 a. within the fenced stadium area of Marinelli Field;

906 b. during and immediately before and after the performance of professional
907 baseball games by a professional baseball team having a current stadium use
908 agreement with the Rockford Park District;

909 c. with respect to sale-only: prior to the first pitch of the home half of the seventh
910 inning of such professional baseball game, or the first pitch of the home half
911 of the fifth inning of the second such game in case of double headers;

912 d. in areas other than the discrete seating area, publicly identified as such, in
913 which alcoholic beverages are not permitted;

914 e. within the physical limits of offices and clubhouses occupied by professional
915 baseball teams, one of which shall have a current stadium use agreement with
916 Rockford Park District, on days on which such teams play professional
917 baseball games at Marinelli Field;

918 f. in connection with special events, promotions, concerts, exhibitions, and
919 celebrations held in Marinelli Field, but not more than five (5)
920 nonprofessional events in each calendar year, with approval from Park District
921 staff, and at each event such program shall terminate by 10:30 p.m.

922 8. In the clubhouses and on the golf courses at Aldeen Golf Club and Elliot, Ingersoll,
923 Sinnissippi, and Sandy Hollow golf courses;

924 9. At Mercyhealth Sportscore One in the non-playing areas of the softball complexes;

925 10. Aboard the Forest City Queen and at the Trolley Station during meal rides and special
926 events;

927 11. Within designated controlled areas at Mercyhealth Sportscore Two;

928 12. Within designated controlled areas as UWHealth Sports Factory

929 13. At the Sinnissippi Music Shell during special events;

930 14. Within designated areas at Carlson Ice Arena and Riverview Ice House;

931 15. At the Harlem Community Center during adult leagues and adult tournaments;

932 16. At Shorewood Park within a designated fenced area during events hosted by the Ski
933 Broncs;

934 17. Within the public lobby of the Webbs Norman Center during special events;

935 18. Within Beyer Park in the immediate vicinity of Beyer Stadium in which proceeds
936 from the sale of alcohol are designated to benefit Beyer Park improvements, repair,
937 and maintenance; on days on which such teams play adult baseball games at Beyer
938 Park Stadium. Each event, not to exceed three (3) annually, shall require approval by
939 the Executive Director, and require receipt of applicable insurance and licensure
940 requirements.

941 C. This section shall not prevent the sale, possession, or consumption of alcoholic
942 beverages:

- 943 1. At any Rockford Park District facility designated as a museum, when the occupant
944 thereof shall have a current museum use agreement which specifies conditions
945 precedent to the dates and times where permitted alcoholic beverages may be sold or
946 distributed and consumed thereon;
- 947 2. Within the Indoor Sports Center restaurant;
- 948 3. Within the Aldeen Golf Club clubhouse.
- 949 4. Within the Sinnissippi Gardens to include the Rose and Perennial Gardens, the
950 Nicholas Conservatory including terraces, Lagoon area, and designated secure/fenced
951 areas.

952 D. Another alcohol service may occur only when/if recommended by staff and approved by
953 the Executive Director or his designated staff following Board policies and ensuring
954 applicable insurance and license requirements are met.

955

956 **Section 10.05 Refuse**

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

964

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

968

969 **Section 10.06 Restricted and Intended-Use Areas**

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

975

976 No person shall enter upon any portion of the park system where persons are prohibited by the
977 District as indicated by sign or notice. No person shall enter or attempt to enter any building or area

978 of the District when it is closed to the public or scheduled for a specific group or activity unless
979 invited by same.

980
981 No person shall use spaces intended for a specific use or purpose without a special use permit which
982 authorizes the time, place, and manner appropriate to that location.

983
984 All persons are hereby prohibited from practicing and playing golf upon District playgrounds or
985 parks, except upon the public golf links and courses, or in other areas as may be designated by
986 the Director of the District.

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992 **Section 10.07 Trees, Shrubs, and Structures**

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

1000

1001 **Section 10.08 Keep to Drives**

1002 No person shall drive any automobile, truck, motorcycle, or other motorized vehicle within any of
1003 the parks of the District except upon the parking lots and roadways provided for driving or parking
1004 the same, except District employees in the performance of their duties. (*Cross-reference: 9.13*
1005 *Trucks*)

1006

1007 **Section 10.09 Winter Recreation Activities**

1008 Powered snow sleds or powered ice boats or any like vehicle shall not be operated, managed, or used
1009 by any person on any body of water or in any park or golf course under the jurisdiction or control of
1010 the Rockford Park District without the express consent of the Director. Other winter sports activities,
1011 such as skating, sledding, or tobogganing shall be prohibited in areas not operated/programmed for
1012 or designated and marked by signs for such use. Any violation of this ordinance shall subject the
1013 violator to the penalties provided in Chapter XI of the Rockford Park District Code.

1014

1015 The District may from time to time permit the driving or operation of snowmobiles or other like
1016 motor driven vehicles on District property as shall, from time to time, be determined by the
1017 Executive Director.

- 1018 A. Public notice of such permission shall be given by posting at or near such areas signs of
1019 sufficient size and frequency to advise the public as to the area or areas wherein snowmobiles
1020 are permitted to operate; however, this does not authorize snowmobiles or other like motor
1021 vehicles to be operated in any other area of any park within the District.

- 1022 B. No snowmobile or other vehicle shall be operated anywhere within the District unless the
1023 snow cover at the point of operation is at least four inches in depth, as certified by the
1024 Director or his designee.
- 1025 C. Vehicle operators shall be held to the same responsibility for safety precautions as described
1026 in 10.10 Speed Restrictions. No person shall drive any snowmobile or other like vehicle
1027 within the park system at a speed greater than 35 miles per hour or greater than is reasonable
1028 and proper with regard to conditions which prevail at the time, or at a speed that endangers
1029 the safety of any person or property. (*Cross-reference 10.10 Speed Restrictions*)

1030

1031 Access to ice for ice fishing for any reason is prohibited unless designated.

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1036 **Section 10.10 Speed Restrictions**

1037 No vehicle may be driven upon any roadway within the District at a speed which is greater than is
1038 reasonable and proper with regard to traffic conditions and the use of the highway, or which
1039 endangers the safety of any person or property.

- 1040 1. The fact that the speed of the vehicle does not exceed the applicable maximum speed limit
1041 does not relieve the driver from the duty to decrease speed when approaching and crossing an
1042 intersection, when approaching and going around a curve, when approaching a hill crest,
1043 when traveling upon any narrow or winding roadway, or when any special hazard exists with
1044 respect to pedestrians or other traffic, or by reason of weather or highway conditions.
- 1045 2. Speed must be decreased as may be necessary to avoid colliding with any person or vehicle
1046 on or entering the roadway in compliance with legal requirements and the duty of all persons
1047 to use due care.
- 1048 3. No person may drive a vehicle upon any roadway of the District system at a speed which is
1049 greater than 20 miles per hour. (*Cross-reference 10.09 Winter Recreation Activities*)
- 1050 4. In every charge of violation of this section by failure to observe an applicable speed limit, the
1051 complaint shall specify the speed at which the defendant is alleged to have driven, and the
1052 speed limit which is applicable at the place of the alleged violation.
- 1053 5. No person may operate a bicycle or other manually powered vehicle upon any recreational
1054 pathway of the District at a speed which is greater than is reasonable and proper with regard
1055 to pedestrian and user conditions and the use of the recreational pathway, or which endangers
1056 the safety of any person or property; nor shall any person operate such a vehicle upon
1057 recreational pathways of the District at a speed greater than publicly posted speed limits upon
1058 such recreational pathway.
- 1059 6. Violations of this section shall result in a fine of \$120.

1060

1061 **Section 10.11 Parking Rules**

1062 A vehicle may be legally parked in designated parking areas and unless otherwise prohibited, along
1063 all roadways provided that the parked vehicle is parallel with the roadway and no more than five (5)
1064 feet distant therefrom, measured from the edge of blacktop if roadway is blacktopped.

1065

- 1066 A. Parking, Standing or Stopping Illegally. No person shall park, stand, or otherwise stop a
1067 vehicle within any park of the District, except when necessary to avoid conflict with other
1068 traffic or in compliance with the directions of a police officer or traffic-control device, in any
1069 of the following places:
- 1070 1. On lawn areas and grounds.
 - 1071 2. In front of public or private driveways or loading zones.
 - 1072 3. In any position to block another car legally parked.
 - 1073 4. At any place where official signs prohibiting parking entirely or prohibiting parking for
1074 more than a specified period have been posted by the District.
 - 1075 5. In any park beyond the normal closing hour of 10:30 p.m.
 - 1076 6. In any position which obstructs or interferes with the travel of other vehicles on a
1077 roadway or the use of any park facility within the District
 - 1078 7. Within fifteen (15) feet of a fire hydrant, or traffic control signal or sign.
 - 1079 8. On any roadway, alongside a curb painted or otherwise colored red, such that all or any
1080 portion of the vehicle is parked or stands directly opposite any portion of the curbway so
1081 marked in red.
 - 1082 9. In any extra-length parking stall where signs or markings prohibiting parking other than
1083 of boat trailers have been posted or installed by the District, unless the vehicle has
1084 attached to it a boat trailer.
 - 1085 10. It shall be prohibited to park any motor vehicle which is not bearing registration plates
1086 or decals issued to a handicapped person, as defined by Section 1-159.1 of the Illinois
1087 Motor Vehicle Code, pursuant to Sections 3-616 or 11-1301 to 11-1302, of the Illinois
1088 Motor Vehicle Code, or to a disabled veteran pursuant to Section 3-609 of the Illinois
1089 Motor Vehicle Code, as evidence that the vehicle is operated by or for a handicapped
1090 person or disabled veteran, in any parking place within the Rockford Park District
1091 specifically reserved by the posting of an official sign or other marking for motor
1092 vehicles bearing such registration plates.
- 1093 B. Penalty for Violation - Manner of Payment of Fines.
- 1094 1. The owner or driver of any vehicle which is parked or permitted to stand in violation of the
1095 provisions of Section 10.11(a) may avoid prosecution for violating same by paying to the
1096 District official as may be designated by the Board, the sums designated below and by sur-
1097 rendering to such designated person the traffic ticket delivered to him or placed upon such
1098 vehicle after indicating thereon his name and address; such designated person shall give
1099 the person paying such sum a receipt, therefore, bearing his signature and the date of the
1100 payment. The duplicate of the receipt, together with the money paid to such designated
1101 person, shall be delivered to the Park District Business Administrator.
 - 1102 2. The amounts to be paid such designated person shall be \$10.00 for all violations of Section
1103 10.11(a), except as otherwise provided below. Whenever the above violations are not paid
1104 within five (5) days after the date of the citation or other charge, the sum shall be not less
1105 than \$20.00 nor more than \$100.00
 - 1106 3. The amount to be paid for violation of Section 10.11(a)(10) shall not be less than \$50.00
1107 nor more than \$500.00 for any single violation thereof.
 - 1108 4. Notice to Offender for Paying Violation. Each park police officer shall attach to every
1109 vehicle parking in violation of any provisions of Section 10.11(a) a notice that such

1110 vehicle has been so illegally parked and which instructs the operator or owner that he or
1111 she, in five (5) days, has the right to a hearing on the violation or that he or she may
1112 voluntarily waive the right to a hearing and plead guilty as charged to such violation. Each
1113 such person may, within five (5) days of the time when such notice was attached to such
1114 vehicle, pay as the penalty for and in full satisfaction of such violation the sum provided
1115 by Section 10.11(b)(2). The failure of such person to pay such payment within five (5)
1116 days shall render such person subject to the penalty provided in Section 10.11(b) and
1117 10.11(d).

1118 5. Penalty for Failure to Appear and Non-Payment of Parking Fine.

- 1119 a. Any person who, after given written notice that he or she is in violation of Section
1120 10.11(a), fails to appear, plead guilty and waive right to a hearing or plead not guilty
1121 and request a hearing, will be subject to the issuance of a warrant for his or her arrest.
1122 b. Any such person so arrested by a warrant after failing to appear will be allowed to
1123 post a bond in the sum equal to each individual parking violation penalty, penalties
1124 for late payment, plus any other penalties as provided by this Code.
1125

1126 **Section 10.12 Impounding of Vehicles**

1127 Any vehicle parking or standing within the park system in violation of any law, ordinance, or rule is
1128 hereby declared to be a public nuisance. Such vehicle may be removed and impounded, and the
1129 owner or person entitled to possession of the vehicle shall pay all charges and expenses arising out of
1130 any action taken hereunder.
1131

1132 **Section 10.13 Obstructing Traffic**

1133 No person shall park or place any vehicle or other property of any kind within the District so as to
1134 obstruct or interfere with traffic or travel of other vehicles or pedestrians or endanger the public
1135 safety. A person found guilty of violating this provision shall be fined \$120. *(Cross-reference: 9.03*
1136 *Special Events; Rules & Regulations for Use of Park Property – see Customer Service)*
1137

1138 **Section 10.14 Reckless Driving**

1139 Any person who drives any vehicle within the District with a willful or wanton disregard for the
1140 safety of persons or property is guilty of reckless driving. A person who is found guilty of reckless
1141 driving shall be fined \$140. *(Cross-reference 10.15 Fleeing or Attempting to Elude Police Officer)*
1142

1143 **Section 10.15 Fleeing or Attempting to Elude Police Officer**

1144 No person who is a driver or operator of a motor vehicle within the District who, having been given a
1145 visual or audible signal by a peace officer directing such driver or operator to bring his vehicle to a
1146 stop, may willfully fail or refuse to obey such direction, increase his speed, extinguish his lights or
1147 otherwise flee or attempt to elude the officer. The signal given by the police officer may be by hand,
1148 voice, siren or red light, provided the officer giving such signal shall be in police uniform and, if
1149 driving a vehicle, such vehicle shall be marked showing it to be an official police vehicle. A person
1150 found guilty of fleeing or attempting to elude a police officer shall be fined \$140. *(Cross-reference*
1151 *10.14 Reckless Driving)*
1152

1153 **Section 10.16 Drag Racing**

1154 No person who is an operator of a motor vehicle within the District may be a participant in the act of
1155 drag racing or other motor vehicle racing. A person found guilty of drag racing shall be fined \$140.
1156

1157 Definition. "Drag Racing" means the act of two or more individuals competing or racing in the
1158 District in a situation in which one of the motor vehicles is beside or to the rear of a motor vehicle
1159 operated by a competing driver, and the one driver attempts to prevent the competing driver from
1160 passing or overtaking him, either by acceleration or maneuver, or one or more individuals competing
1161 in a race against time on any street or roadway within the District. *(Cross-reference 10.10 Speed*
1162 *Restrictions)*
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1166 **Section 10.17 Vehicle Registration**

1167 Every motor vehicle, operated over District streets and roadways, which is subject to registration
1168 under the laws of the State of Illinois shall have attached thereto license plates or a valid temporary
1169 permit issued by the Illinois Secretary of State evidencing payment to the State of proper license fees
1170 provided for in the motor vehicle laws of the State of Illinois. A person found guilty of operating a
1171 motor vehicle within the District without proper license plates or a valid temporary permit attached
1172 thereto shall be fined \$120.
1173

1174 **Section 10.18 Valid, Suspended and Revoked Driver's License**

1175 No person shall operate or drive a motor vehicle within the District who is not licensed to do so
1176 under the laws of the State of Illinois. A person who is not licensed to drive under the laws of the
1177 State of Illinois shall include those persons who have never been issued a valid driver's license or
1178 permit or whose driver's license or permit has been suspended or revoked by the Secretary of State of
1179 Illinois and who operate or drive a motor vehicle during the period of that suspension or revocation
1180 before their privilege to drive has been reinstated by the Secretary of State. A person found guilty of
1181 operating or driving a motor vehicle without a valid driver's license, or permit shall be fined \$120.
1182

1183 **Section 10.19 Driver's License on Person; Failure to Display**

1184 Definition. For the purposes of this section, "Display" means the manual surrender of the license
1185 certificate or permit into the hands of the demanding officer for inspection thereof.
1186

1187 Every person shall have his or her driver's license or permit in his or her immediate possession at all
1188 times when operating a motor vehicle in the District, and for the purpose of indicating compliance
1189 with this requirement, shall display such license or permit if in possession, upon demand made when
1190 in uniform or displaying a badge or other sign of authority by a member of the District Police Force,
1191 or any other duly authorized peace officer. However, no person charged with violating this section
1192 shall be convicted if he or she produces in court satisfactory evidence that a driver's license was
1193 theretofore issued and was valid at the time of the ticket and/or arrest. A person who is convicted of
1194 this section shall be fined \$120.
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1197 **Section 10.20 Authority for Traffic Signals**

1198 The District, through its designated officers with reference to the streets and roadways within the
1199 District, may designate through-streets and roadways, direct stop signs or yield signs at specified
1200 entrances thereto, may designate any intersection as a stop intersection or as a yield intersection, and
1201 direct stop signs or yield signs at one or more entrances to such intersections.

- 1202 A. Every stop sign and yield sign shall be located as near as practicable to the nearest line of the
1203 crosswalk on the near side of the intersection, or if there is no crosswalk then as close as
1204 practicable to the nearest line of the intersecting roadway.
- 1205 B. The District shall place and maintain such traffic control devices and signs as it may deem
1206 necessary on all roadways and streets under its jurisdiction in order to indicate and carry out
1207 the provisions of this chapter or otherwise regulate, warn, or guide traffic.

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1210 **Section 10.21 Obedience to Traffic Control Devices**

1211 Every person operating a motor vehicle in the District shall obey the instructions of any traffic
1212 control device applicable thereto placed in accordance with this chapter, unless otherwise directed by
1213 a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle
1214 defined in the traffic laws of the State of Illinois.

- 1215 A. It is unlawful for any person to leave a roadway and travel across private property or District
1216 property to avoid an official traffic control device.
- 1217 B. Any person found guilty of violating any of the provisions of this section shall be fined \$140.
- 1218 C. Provisions of this chapter for which official traffic-control devices are required shall be in
1219 force against an alleged violator if at the time and place of the alleged violation an official
1220 device is not in proper position and sufficiently legible to be seen by an ordinarily observant
1221 person.

1222

1223 **Section 10.22 Obedience to Stop and Yield Signs**

1224 Preferential right of way at an intersection within the District may be indicated by stop signs or yield
1225 signs as authorized under this Code.

- 1226 A. Except when directed to proceed by a police officer or traffic control signal, every driver of a
1227 motor vehicle approaching a stop intersection indicated by a stop sign shall stop before
1228 entering the crosswalk on the near side of the intersection, or in the event there is no
1229 crosswalk, shall stop at a clearly marked stop line but if none, then at the point nearest the
1230 intersecting roadway where the driver has a view of the approaching traffic on the
1231 intersecting roadway before entering the intersection.
- 1232 B. The driver of a vehicle approaching a yield sign if required for safety to stop, shall stop
1233 before entering the crosswalk on the near side of the intersection or in the event there is no
1234 crosswalk, the intersecting roadway where the driver has a view of approaching traffic upon
1235 the intersecting roadway.
- 1236 C. A person found guilty of violating any of the provisions of this section shall be fined \$140.

1237

1238 **Section 10.23 Driving on Right Side of Roadway**

1239 A person driving or operating a motor vehicle within the District upon any roadway or streets of
1240 sufficient width shall drive his vehicle upon the right half of the roadway except as follows.

1241 A. When an obstruction exists making it necessary to drive to the left of the center of the
1242 roadway, provided any person so doing shall yield the right of way to all vehicles traveling in
1243 the proper direction upon the unobstructed portion of the roadway within such distance as to
1244 constitute an immediate hazard, or

1245 B. Upon a roadway restricted to one-way traffic.

1246 A person found guilty of violating this section shall be fined \$140.

1247

1248 **Section 10.24 One-Way Roadways and Rotary Traffic Islands**

1249 The District, through its designated officers with respect to the roadways and streets under its
1250 control, may designate any roadway or street upon which vehicular traffic shall proceed in one
1251 direction at all or such times as shall be indicated by official traffic control devices.

1252 A. Upon a roadway so designated for one-way traffic, a vehicle shall be driven only in the
1253 direction designated at all or such times as shall be indicated by official traffic control
1254 devices.

1255 B. A vehicle passing around a rotary traffic island must be driven only to the right of such
1256 island.

1257 C. A person found guilty of violating any of the provisions of this section shall be fined
1258 \$140.

1259

1260 **Section 10.25 Starting a Parked Vehicle**

1261 No person within the District shall start movement of a vehicle which is stopped, standing, or parked
1262 unless and until such movement can be made with reasonable safety. A person found guilty of
1263 violating this section in an amount no less than \$10.00 but no greater than \$200.

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1265 **Section 10.26 Opening Vehicle Doors**

1266 No person within the District shall open the door of a vehicle on the side available to moving traffic
1267 unless and until it is reasonably safe to do so and can be done without interfering with the movement
1268 of other traffic, nor shall any person leave a door open on the side of a vehicle available to moving
1269 traffic for a period of time longer than necessary to load or unload passengers. A person found guilty
1270 of violating this section shall be fined \$140. (*Cross-reference Section 10.13 Obstructing Traffic*)

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1273 **Section 10.27 Coasting Prohibited**

1274 The driver of any motor vehicle within the District, which is traveling upon a downgrade, shall not
1275 coast with the gears or transmission of such vehicle in neutral or unengaged. A person found guilty
1276 of violating this section shall be fined in an amount no less than \$10.00 but no greater than \$200.00.

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1279 **Section 10.28 Driving upon Sidewalk**

1280 No person shall drive any motor driven vehicle within the District upon a sidewalk or sidewalk area
1281 except upon a permanent or duly authorized temporary driveway or for routine maintenance, utility,
1282 or emergency service or for special delivery or pickup involving goods or customer services. A
1283 person found guilty of violating this section shall be fined in an amount no less than \$10.00 but no
1284 greater than \$200.00

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Section 10.29 Illegal Transportation of Alcoholic Liquor

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

Section 10.30 Negligent Driving

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

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

Section 10.31 Unlawful Use of License or Permit

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

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

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

Section 10.32 Right-of-Way Rules

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

- A. When two vehicles approach or enter an intersection not otherwise controlled by a traffic signal from different roadways at approximately the same time, the driver of the vehicle on the left must yield the right of way to the vehicle on the right.
- B. The driver of a vehicle intending to turn to the left within an intersection or into an alley, private roadway, or driveway shall yield the right of way to any vehicle approaching from the opposite direction which is so close as to constitute an immediate hazard but said driver having so yielded may proceed at such time as a safe interval occurs. *(Cross-reference: 10.24 One-Way Roadways and Rotary Traffic Islands)*

1328 C. Except when directed to proceed by a police officer or traffic control signal, every driver of a
1329 vehicle approaching a stop intersection indicated by a stop sign shall stop at a clearly marked
1330 stop line, but if none, before entering the crosswalk on the near side of the intersection, or if
1331 none, then at the point nearest the intersecting roadway where the driver has a view of
1332 approaching traffic on the intersecting roadway before entering the intersection. After having
1333 stopped, the driver shall yield the right of way to any vehicle which has entered the
1334 intersection from another roadway or which is approaching so closely on the roadway as to
1335 constitute an immediate hazard during the time when the driver is moving across or within
1336 the intersection, but said driver having so yielded may proceed at such time as a safe interval
1337 occurs.

1338 D. The driver of a vehicle approaching a yield sign shall in obedience to such sign slow down to
1339 a speed reasonable for the existing conditions and, if required for safety to stop, shall stop at
1340 a clearly marked stop line, but if none, before entering the crosswalk on the near side of the
1341 intersection, or if none, then at the point nearest the intersecting roadway where the driver
1342 has a view of approaching traffic on the intersecting roadway. After slowing or stopping, the
1343 driver shall yield the right of way to any vehicle in the intersection or approaching on another
1344 roadway so closely as to constitute an immediate hazard during the time such driver is
1345 moving across or within the intersection.

1346 A person found guilty of violating any of the above paragraphs of this section shall be fined in an
1347 amount no less than \$10.00 but no greater than \$500.00.

1348
1349

1350 **Section 10.33 Prevention of Unnecessary Noise**

1351 It shall be unlawful to operate within the parks system vehicles which cause excessive noise.

1352 A. Every motor vehicle driven or operated within the District shall at all times be equipped with
1353 an adequate muffler or exhaust system in constant operation and properly maintained to
1354 prevent any excessive or unusual noise.

1355 B. No person shall operate a motor vehicle within the District in a manner which will cause loud
1356 and unnecessary squealing of that vehicle's tires upon acceleration from a stopped position or
1357 upon that vehicle negotiating any turn, stop, or like maneuver.

1358 C. A person found guilty of violating this section shall be fined in an amount no less than
1359 \$10.00 but no greater than \$200.00.

1360
1361

1362 **Section 10.34 Suspension System**

1363 It shall be unlawful to operate a motor vehicle within the District when the suspension system has
1364 been modified from the original manufactured design by lifting the body from the chassis in excess
1365 of three inches or to cause the horizontal line from the front to the rear bumper to vary over three
1366 inches in height when measured from a level surface of the highway to the lower edge of the bumper.
1367 A person found violating this section shall be fined in an amount no less than \$10.00 and no greater
1368 than \$200.00.

1369
1370

1371 **Section 10.35 Lights and Lamps**

1372 All motor vehicles driven within the District during the period from sunset to sunrise or at any other
1373 time when visibility is so limited as to require the use of lights for safety shall exhibit:

1374 A. Two such lighted driving lamps showing white lights or light of a yellow or amber tint
1375 visible for at least 500 feet in the direction the motor vehicle is proceeding, except a
1376 motorcycle need be equipped with only one such lamp.

1377 B. At least two light lamps commonly known as tail lamps which shall be mounted on the left
1378 rear and right rear of the vehicle so as to throw a red light visible for at least 500 feet in the
1379 reverse direction, except that a motorcycle need be equipped with only one such lamp.

1380 C. Either a tail lamp or a separate lamp shall be so constructed and placed as to illuminate with
1381 a white light a rear registration plate when required, and render it clearly legible from a
1382 distance of 50 feet to the rear.

1383 Any person found guilty of violating any of the provisions of this section shall be fined in an amount
1384 no less than \$10.00 and no greater than \$200.00. (*Cross-reference: 9.05 Closing Hours*)

1385

1386 **Section 10.36 Brakes**

1387 Every motor vehicle operated within the District shall be equipped with brakes adequate to control
1388 the movement of and to stop and hold such vehicle, and all such brakes shall be maintained in good
1389 working order and shall be so adjusted as to operate as evenly as practicable with respect to the
1390 wheels on opposite sides of the vehicle. A person found guilty of violating this section shall be fined
1391 in an amount no less than \$10.00 but no greater than \$500.00.

1392

1393 **Section 10.37 Unattended Motor Vehicles**

1394 No person driving or in charge of a motor vehicle within the Rockford Park District shall permit it to
1395 stand unattended without first stopping the engine and removing the ignition key, and when standing
1396 upon any perceptible grade without effectively setting the brake and turning the front vehicle wheels
1397 to the curb or side of the road. A person found guilty of violating this section shall be fined in an
1398 amount no less than \$10.00 but no greater than \$500.00. (*Cross-reference 10.12 Impounding*
1399 *Vehicles*)

1400

1401

1402 **Section 10.38 Limitations on Backing**

1403 The driver of a vehicle within the District shall not back the same unless such movement can be
1404 made with safety and without interfering with other traffic. A person found guilty of violating this
1405 section shall be fined in an amount no less than \$10.00 but no greater than \$500.00.

1406

1407

1408 **Section 10.39 Traffic Laws Applied to Persons Riding Bicycles or Animals or Driving Animal-
1409 Drawn Vehicle**

1410 Every person riding a bicycle or an animal or driving any animal drawing a vehicle upon a roadway
1411 or street within the District shall be subject to the provisions of Chapter 10 of the Rockford Park
1412 District Code of Ordinances applicable to the driver of a vehicle, except those provisions of Chapter
1413 10, which by their nature can have no application.

1414

1415

1416 **Section 10.40 Bicycle Safety**

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

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

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

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

1430 Any person found guilty of violating any of the provisions of this section shall be fined in an amount
1431 no less than \$10.00 and no greater than \$200.00.

1432

1433 **Section 10.41 Use of District Roadways**

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

1436 A. The use of Park District roadways is further limited to those persons who operate non-
1437 motorized vehicles, which includes but is not specifically limited to bicycles, or those cycles
1438 which bear three wheels and are specially constructed for use by people with disabilities.

1439 B. The use of Park District roadways is specifically forbidden to those persons operating non-
1440 motorized objects or vehicles referred to as skateboards, push wagons, unicycles, tricycles,
1441 minibikes or any other non-motorized object or vehicle which is not specifically allowed by
1442 paragraphs (a) and (b) of this section.

1443 Persons found guilty of violating any of the provisions of this section shall be fined in an amount no
1444 less than \$10.00 and no greater than \$500.00.

1445

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

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

1449 A. The use of District recreation paths is strictly prohibited to those persons using any type of
1450 motorized vehicle, whether or not the motor is in operation.

1451 B. Neither pedestrians nor those persons operating a cycle on a recreation path shall engage in
1452 such conduct or act in such a manner as to endanger or be likely to endanger the safety of any
1453 persons or property.

1454 C. Exception. Adaptive equipment such as wheelchairs, that enable citizens with disabilities to
1455 participate in the use of the path, are not subject to exclusion.

1456 D. A person convicted of violating any of the provisions of this section shall be fined in an
1457 amount no less than \$10.00 and no greater than \$500.00.

1458

1459

1460 **Section 10.43 Permitting Unauthorized Person to Drive**

1461 No person shall cause, authorize, or knowingly permit a motor vehicle owned by him or her or under
1462 his or her control to be driven within the District by any person who is not authorized or licensed by
1463 the laws of the State of Illinois. A person found guilty of violating this section shall be fined in an
1464 amount no less than \$10.00 and no greater than \$500.00.

1465
1466 **Section 10.44 Use of Park Facilities or Premises for Swimming or Diving Prohibited**

1467 No person shall use any facilities or premises in the District for swimming or diving without a
1468 District-issued special permit.

1469
1470 Exception: This provision shall not apply to the swimming pool facilities at Fair Grounds, Sand and
1471 Alpine parks, nor to the water recreation facilities at Magic Waters, and Levings Lake.

1472
1473 **Section 10.45 Motor Vehicle Registration**

1474 All motor vehicles operated within the park system shall comply with the State of Illinois registration
1475 requirements. No person shall operate a vehicle, nor permit the operation of a vehicle, upon the
1476 streets or roadways of the District:

- 1477 A. Upon which vehicle is displayed an expired registration plate, plates, or registration stickers,
1478 or,
1479 B. Of which the registration of which has been canceled, suspended, or revoked. A person found
1480 guilty of violating this Section shall be fined in an amount not less than \$250.00 but not
1481 greater than \$500.00.

1482
1483 **Section 10.46 OPEN**

1484
1485 **Section 10.47 Motor Vehicle Insurance**

1486 All motor vehicles operated within the park system shall comply with the State of Illinois insurance
1487 requirements. No person shall operate a vehicle, nor permit the operation of a vehicle, upon the
1488 streets or roadways of the District:

- 1489
1490 A. Unless such vehicle is covered by an insurance policy in accordance with the requirements of
1491 the Illinois Vehicle Code. A person who is convicted of violating this Sub-Section shall be
1492 fined not less than \$500.00.
1493 No person charged with the violation of this Sub-Section A shall be convicted if such person
1494 produces in court satisfactory evidence that at the time of the arrest, the motor vehicle was
1495 covered by a liability insurance policy in accordance with the Illinois Vehicle Code.
1496 B. Of which the registration is at the time of arrest suspended for failure to maintain a
1497 liability insurance policy. A person found guilty of a violation of this Section shall be
1498 fined not less than \$250.00 but not more than \$500.00.

1499
1500 **Section 10.48 Driver and Passenger Required to Use Safety Belts**

1501 Each driver and front seat passenger of a motor vehicle operated on a roadway of the District shall
1502 wear a properly adjusted and fastened seat safety belt, except as may otherwise be excused under the

1503 laws of the State of Illinois. A violation of this Section shall be subject to a fine of not more than
1504 \$55.00.

1505

1506 **Section 10.49 Possession of Drug Paraphernalia**

1507 No person or organization shall knowingly bring or cause to be brought into any park or other area
1508 owned or operated by or otherwise under the jurisdiction of the District, any drug paraphernalia with
1509 the intent to use it in ingesting, inhaling, or otherwise introducing cannabis or a controlled or illegal
1510 substance into the human body or in preparing cannabis or a controlled or illegal substance for that
1511 use.

1512 A. In determining intent under subsection (a) of this Section, the trier of fact may take into
1513 consideration the proximity of the cannabis or controlled substances to the drug
1514 paraphernalia or the presence of the cannabis or a controlled substance on the drug
1515 paraphernalia.

1516 B. A person convicted of violating this Section shall be fined not less than \$500.00.

1517

1518 **Section 10.50 OPEN**

1519

1520 **Section 10.51 Possession of Cannabis, Controlled, or Illegal Substances**

1521 No person shall knowingly possess medicinal or recreational cannabis, or controlled and illegal
1522 substances, within the territory of or upon the property subject to the jurisdiction of the District. Any
1523 person violating this Section possessing not more than 2.5 grams of a substance containing cannabis
1524 or controlled or illegal substance shall be fined not less than \$200.00.

1525

1526

1527 **Section 10.52 Geo-caching, Terra-caching, Letterboxing**

1528 A. Definitions.

1529 1. Geo-caching, terra-caching or letterboxing shall constitute the activity of placing one or
1530 more containers, located by means of GPS devices, to be found by participants to GPS
1531 coordinates.

1532 2. A “letterbox” “terra-cache” or “geo-cache” or “cache” shall mean the container so placed.

1533

1534 B. Restrictions and Penalty. Participants in Geo-caching activities shall not be required to obtain
1535 a permit or other permission from the District; however, the following rules apply.

1536 1. Participants are requested to consider the sensitivity of the area, the classification of the
1537 land (i.e., recreational, restoration, sanctuary, dedicated nature preserve, land or water
1538 reserve), the potential impact to habitat of land, threatened or endangered species, current
1539 development or restoration efforts at the park or facility, cultural or historic site
1540 compatibility, public safety, and similar issues.

1541 2. If ammunition boxes are used as caches, all sides should bear District-issued stickers.

1542 3. Participants should become familiar with District policies and rules applicable to the
1543 location used.

1544 4. The District is not responsible for caches, and participants should be aware of the risk of
1545 removal by third parties. Participation is at the sole risk of the participant.

1546 5. No caches may be placed in the following parks or areas:

- 1547 a. Within any building
- 1548 b. Parks: Beattie Park, Ekberg Pine Manor Park, Sand Park, Atwood Park
- 1549 c. Pools: Alpine Park, Sand Park, Harkins, Magic Waters Waterpark
- 1550 d. Golf Courses: Sinnissippi, Ingersoll, Sandy Hollow, Elliot and Aldeen golf courses,
- 1551 Aldeen Golf Practice Centre
- 1552 e. Ice Rinks: Riverview Ice House, Carlson Ice Arena
- 1553 f. Athletic venues: playing fields, spectator areas, paths, and concession areas of
- 1554 Mercyhealth Sportscore facilities; anywhere within the Mercyhealth Sportscore
- 1555 buildings, or the UWHealth Sports Factory.
- 1556 g. Facilities: Washington Park Community Center
- 1557 h. Other: Areas designated as prairie or nature preserve
- 1558 6. No caches larger than 4" x 8" x 12" may be utilized.
- 1559 7. No placed cache may contain perishable foodstuffs, offensive material, hazardous material, or
- 1560 waste material or refuse.
- 1561 8. No pipe with capped ends or other devices resembling a bomb or other dangerous device may
- 1562 be utilized.
- 1563 9. No cache may be attached to trees or shrubs, buildings or other structures, nor may any cache
- 1564 be buried by digging, nor may any cache be hidden or concealed by cutting, breaking, or other
- 1565 disturbances of vegetation.
- 1566 10. Geo-caching activities may not unreasonably interfere with other planned or customary park
- 1567 usage.
- 1568 11. A person found guilty of violating this Section shall be fined in an amount no less than
- 1569 \$200.00 and no more than \$500.00 for each offense.

1570
1571 **Section 10.53 Easements Located Within District Property**

1572
1573 **WHEREAS**, pursuant to Section 6 of the Park District Code, 70 ILCS 1205/8-11, the Rockford Park
1574 District (the "District") has the "power to grant easements for the construction, operation and
1575 maintenance upon, under or across any property of the District of facilities for public or private
1576 utilities, infrastructure, pedestrian or vehicular access, subject to such terms and conditions as may
1577 be determined by the District; and

1578
1579 **WHEREAS**, pursuant to Section 8 of the Park District Code, 70 ILCS 1205/8-1(d), the District may
1580 enact such rules and regulations for the management and conduct of its operations and business as it
1581 deems appropriate; and

1582
1583 **WHEREAS**, it is reasonable, necessary, and desirable for the District to adopt this ordinance
1584 ("Ordinance") to provide the rules, regulations, and conditions applicable to the Districts issuance of
1585 easements and for such rules, regulations, and conditions to provide for the protection and
1586 preservation of the property, facilities, flora, fauna, and scenic beauties of the District and for the
1587 general safety of the public; and

1588
1589 **WHEREAS**, pursuant to the authorities cited above; the District has the authority and the power to
1590 adopt this Ordinance.

1591
1592 **NOW THEREFORE BE IT ORDAINED** by the Board of Commissioners of the Rockford Park
1593 District, THAT:

1594
1595 **Sub-Section 1. Recitals.** The recitals set forth above are incorporated as part of this Ordinance by
1596 this reference.

1597
1598 **Sub-Section 2. Applicability of Ordinance.** This Ordinance shall apply to requests from any
1599 person, partnership, corporation, public or private utility, federal, state, or local government entity, or
1600 other entity (an “Applicant”) to use District property for the installation, operation, maintenance,
1601 repair, relocation, replacement, or removal (“Work”) of any facilities or structures to be owned or
1602 controlled by such Applicant (“Facilities”) for the placement of utilities, infrastructure or pedestrian
1603 or vehicular access across, over, under, in, or upon any real property owned by the District. It shall be
1604 unlawful for any Applicant to perform any Work on or relating to any Facilities on any District
1605 property unless the District has first granted an easement to such Applicant in accordance with this
1606 Ordinance.

1607
1608 This Ordinance shall not relate to easements existing as of the date hereof. The Board may, by
1609 adopting a resolution in accordance with its general rules, waive compliance with this Ordinance in
1610 the event of an emergency or under circumstances in which compliance herewith is impractical or
1611 would cause undue hardship for the District. In applying this Ordinance, the District and its staff
1612 shall consider the nature and extent of the easement and the effect that granting such easement may
1613 have upon the District property and facilities in and around such area in which the easement is to be
1614 located, together with the encumbrances and limitations on use to the District or its successors and
1615 assigns that would be caused by the granting of same, and the hardship or other effect upon the
1616 general public that would be caused by any denial of same.

1617
1618 **Sub-Section 3. Application for Easement Agreement.**

- 1619
1620 **A.** Each Applicant that desires an easement, either temporary or permanent, shall submit an
1621 application for the same to the District (the “Application”). The Application submittal shall
1622 include some or all of the following as determined by the District (i) a Certificate of
1623 Insurance (as described herein); (ii) plans of the easement area and legal description of the
1624 easement area (the “Subject Property”); (iii) a draft easement agreement ; (iv) photographs of
1625 the easement location; (v) a narrative of the proposed project (including the proposed benefit
1626 to the District); (vi) include the required Application Fee provided for under this Ordinance;
1627 (vii) include a “Site Preservation and Restoration Plan” (as defined herein); (viii) include an
1628 “Environmental Assessment Report” (as defined herein) and (vi) additional attachments
1629 deemed appropriate by the Applicant or District for submittal.

1630
1631 Acceptance of a complete application submittal does not guarantee approval of said easement
1632 request. The District reserves the right to refuse any application packet deemed incomplete
1633 for processing.

1634

1635 **B. Initial Determination and Policy Determination.** The District’s Executive Director or his
1636 or her designee (the “Executive Director”) shall (i) conduct a pre-application meeting with
1637 the Applicant prior to application submittal to discuss the merits, feasibility, and location (to
1638 determine a location with the least disruption to the Rockford Park District) of said easement
1639 request, and determine whether compensation in exchange of granting said easement is
1640 appropriate based on Board Policy Section 2.4.5; and (ii) present the Application to the
1641 District’s Board of Commissioners (the “Board”) with a recommendation to approve or deny
1642 the easement.

1643
1644 **Sub-Section 4. Terms of Easements.** A permanent easement shall run to perpetuity unless said
1645 easement is abandoned and vacated at a later date. The term of a temporary easement shall be a
1646 period of time deemed mutually agreeable by the Applicant and the Board.

1647
1648 **Sub-Section 5. Agreement and Authority.** An easement shall be effective only if is granted
1649 pursuant to an agreement that has first been approved by an ordinance or resolution of the Board.
1650 Policy direction by the Board is not sufficient to grant any easement.

1651
1652 **Sub-Section 6. Authority to Deny Easement Request.** Notwithstanding any other provisions of
1653 this Ordinance, the Board may determine not to approve for any reason, including without limitation,
1654 in their sole and absolute discretion, that the Work, Facilities, or Utility Services (i) may destroy or
1655 limit the present or future function, purpose, or utility of District property; (ii) may impede the
1656 present or future operation of any District property or programs; (iii) may destroy, threaten, or disturb
1657 unique or high quality natural, cultural, and historic areas as identified by the District or any other
1658 governmental agency; (iv) may substantially interfere with the scenic beauties of the District
1659 property; (v) would occur on District property encumbered by conservation easements or other use
1660 restrictions intended to preserve the property free from the effects of the intended easement use; or
1661 (ix) are not in the best interest of the District.

1662
1663 **Sub-Section 7. Fees, Services in Kind, and Easement Site Assessment.**

1664 **A. Application Fee.** An application fee for an easement, in the amount of \$250, shall be paid to
1665 the District upon submittal of an application packet.

1666
1667 **B. Monetary Fees.**

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

1678 is deemed in the best interest of the District, or other acceptable reasons shall be
1679 determined to apply.

1680 **2. Calculation of Easement Area.** As an alternative to use of the property's Fair
1681 Market Value, the District and Applicant may negotiate a fee (on linear feet or square
1682 feet basis) to determine the monetary fee for the easement. A base fee of \$500 is
1683 required of any negotiated fee for a temporary easement. The negotiated fee is subject
1684 to final review and approval by the Board.

1685 **3. Area of Subject Property.** The area of the Subject Property, for purposes of
1686 determining the Fair Market Value shall be determined by multiplying the length of
1687 the Subject Property by the width of the Subject Property; provided, however, that
1688 neither the length nor the width shall be deemed less than 20 feet for purposes of
1689 calculating the Fair Market Value.

1690 **4. Additional Consideration.** The District reserves the right to require from a Tax-
1691 Supported Organization, as part of the Monetary Fee, and in addition to or in lieu of
1692 the Fair Market Value, or any portion thereof, any tangible or intangible
1693 compensation, item of value, or other consideration in an amount and form
1694 determined by the District ("Additional Consideration") without limiting the previous
1695 provisions of this Section. The District may require Additional Consideration (i) for
1696 an above ground Facility that will alter the scenic beauty of District property, as
1697 determined solely by the District; or (ii) in the form of a waiver of any tap-on,
1698 connection, recapture, or similar fee otherwise applicable to said utility service.
1699

- 1700 **5. Replacement Fee.**
1701 **a.** Amount of Replacement Fee. For every easement, the Applicant shall replace
1702 trees, shrubs, and plants within the Site Preservation and Restoration Area
1703 (defined in Sub-Section 7.C.) that are removed, damaged, or impacted by any
1704 work or facilities. Determination of removal, damage, or impact shall be at
1705 the sole discretion and judgment of the District. Contrary claims of existing
1706 conditions and such shall be the responsibility of the applicant in the form of
1707 pre-construction activity photographs and video submitted prior to the
1708 approval of any construction or site activity.
1709 i. Restorative plantings may be placed at an alternate location as
1710 deemed appropriate by the District.
1711 ii. Trees and shrubs shall be replaced on a per caliper inch basis.
1712 iii. Habitat is measured on a square-foot valuation (which may be
1713 adjusted from time to time).
1714 **6. Fines.** The Executive Director may impose fines for negligence in the prevention of
1715 damage to trees and habitat. Fines shall be in addition to restoration costs and paid
1716 within seven (7) days of notice. Notice of such fines may be delivered by mail, e-
1717 mail, or other written notice. Unpaid fines will incur a \$500 per day fee for each
1718 additional day beyond the seven-day period.
1719

1720 **C. Site Preservation and Restoration Plan.**

- 1721 **1. General Requirements.** To determine the plants and areas designated for
1722 preservation and restoration, the Applicant shall submit as part of the Application a
1723 botanic survey (the “Site Preservation and Restoration Plan”) identifying all trees and
1724 shrubs by genus and species (by species if possible) and significant herbaceous plants
1725 by genus and species (by species if possible), as well as turf and ecological conditions
1726 within an area that includes the Subject Property and an additional 20-foot perimeter
1727 around the Subject Property or additional area if there is a potential for impact
1728 beyond this perimeter due to construction activities. Such areas may include
1729 waterways, migration corridors, view sheds, and the like (“Site Preservation and
1730 Restoration Survey Area”).
1731 The information entered in the plan shall be presented in a report format describing
1732 all direct and indirect impacts to trees, shrubs, plants, and ecological conditions
1733 within the survey area. Before initiating the Site Preservation and Restoration Plan,
1734 the Applicant shall meet with the Executive Director or his or her designee to (i)
1735 notify him or her of the person or entity proposed by the Applicant to perform the
1736 botanic survey; and (ii) discuss the conduct and scope of the survey.
1737 All components of Site Preservation and Restoration Planning must be approved by
1738 the Executive Director or his or her designee (i.e., District Landscape Architect) prior
1739 to commencing.
1740 **2. Trees.** For each tree in the Survey Area, (i) the scaled survey shall identify (a) the
1741 location of the tree; (b) the genus and species (by species if possible) of the tree; and
1742 (c) the diameter of the tree, measured at four (4’) feet six (6) inches above the ground

- 1743 level. If this survey is computer generated, the computer file shall be submitted in a
1744 computer aided drafting (CAD) format acceptable to the District.
- 1745 **3. Shrubs.** For each shrub of significant importance or size in the survey area, (i) the
1746 scaled survey shall identify (a) the location of the shrub; (b) the genus and species (by
1747 species if possible); and (c) the height and width of the shrub.
- 1748 **4. Ecologically Significant Areas.** For all areas of ecological significance (as defined
1749 in the RPD Natural Areas Inventory, Winnebago Natural Resources Inventory, Boone
1750 and Winnebago County Greenways Plan, or determined by the District), such as
1751 woodlands, wetlands, riparian areas, prairies, and the like in the survey area, the
1752 scaled survey shall identify (a) the genus and species of all native flora that will be
1753 impacted (b) the distribution of those native species, and (c) a quantitative measure
1754 like the *Floristic Quality Index* (FQI) to express the "quality" of a natural area.
- 1755 **5. Restoration.** All areas disturbed by approved construction shall be restored to their
1756 original condition, if possible, or to a condition acceptable to the District.
- 1757 a. Such a situation may include restoration to the turf after the approved
1758 removal of woodland in the project area.
- 1759 b. Another situation may include earth moving and grading, or activities that
1760 alter the original grade such that additional topsoil is required to be imported
1761 in addition to planting new trees, shrubs, perennials, and turf such that the
1762 altered conditions are remediated to blend into the surrounding landscape and
1763 pre-construction uses of the park land.
- 1764 c. For areas that are infested with non-native invasive species (for example reed
1765 canary grass (*Phalaris arundinaceous*), the area will be restored with a mix of
1766 native plants acceptable to the District.
- 1767 d. For all ecologically significant areas, such as woodlands, wetlands, riparian
1768 areas, prairies, and the like, the restoration of these areas will be done using
1769 native local ecotype seeds, plants, shrubs, and trees. The seeds or plants will
1770 meet or exceed the FQI identified in the initial botanical survey after the
1771 establishment period (two growing seasons, the start date to commence from
1772 the date of acceptance). The applicant is responsible for all maintenance
1773 (mowing, spraying, reseeding, etc.) during the establishment period. If after
1774 the establishment period the area does not meet or exceed the initial FQI, as
1775 determined by the District, the applicant will be responsible for replanting,
1776 over-seeding the area with native local ecotype plants/seeds, or other method
1777 approved by the District, and continue maintenance for an additional two
1778 growing season period.
- 1779 **6. Timing of Fees and Reimbursements.** All fees shall be paid to the District in a
1780 timely manner. If the Board does not approve the easement, the Application Fee and
1781 any costs incurred by the applicant to prepare the easement request are non-
1782 refundable.
- 1783
1784

1785 **Sub-Section 8. General Provisions.**

1786 **A. Compliance with Laws, Permits, and Approvals.** In performing the Work, installing the
1787 Facilities, and providing the Utility Services, the Applicant shall comply with all applicable
1788 laws, statutes, regulations, rules, and requirements of federal, state, and local governments,
1789 agencies, and authorities ("Requirements of Law"). In addition, no easement shall be
1790 effective until the Applicant has obtained all required permits and approvals for the Work,
1791 Facilities, and Utility Services that are required by Requirements of Law, including without
1792 limitation, Requirements of Law enforced by or within the jurisdiction of the U.S. Army
1793 Corps of Engineers, the Illinois Department of Transportation, the Illinois Environmental
1794 Protection Agency, and the Winnebago County Storm Water Department or similar
1795 functioning agencies or departments. It is the responsibility of the Applicant to obtain all
1796 necessary permits, pay any fines imposed, and remediate such situations as a result of non-
1797 compliance as well as provide copies of all such permits and approvals to the District.

1798 **B. Environmental Assessment Report.** With the Application, the Applicant shall include as
1799 necessary an environmental report (i) delineating all ecologically sensitive conditions,
1800 (habitats, significant species, wetlands, etc.) on the Subject Property; (ii) identifying the
1801 boundaries, extent, function, and quality of all such ecologically sensitive conditions; and
1802 (iii) describing the impact, if any, of the Work, Facilities, and Utility Services on the Subject
1803 Property and any other District property. Such delineation is in addition to any ecologically
1804 sensitive habitats identified by the District and does not assume areas identified by the
1805 District are all-inclusive and the sole areas to be protected from Applicant's on-site activities.
1806 Such areas not identified for their ecological significance may have aesthetic, cultural,
1807 historical, or other significance as part of larger scale planning and value to the District. Such
1808 areas will be considered on a case-by-case basis in addition to those areas identified in the
1809 Environmental Assessment Report.

1810 **C. Conduct of work.**

1811 **1. Construction.** All Work by the Applicant and each contractor, subcontractor, or
1812 third-party working on its behalf (a "Contractor"), shall be conducted in a
1813 professional and workmanlike manner, without cost or expense to the District, and in
1814 compliance with the Agreement and Requirements of Law. Prior to commencing any
1815 Work, the Grantee shall first obtain the Executive Director's designee's approval of
1816 engineering, construction, and building plans for the Work and Facilities
1817 ("Construction Plans"), etc.

1818 **2. Restoration.** If the Work, Facilities, or Utility Services damage, destroy, or cause any
1819 adverse impact to Subject Property or any other District property, whether inside or
1820 outside the project limits, Applicant shall restore the Subject Property at no cost or
1821 expense to the District to the original condition of the Subject Property prior to such
1822 damage, destruction, or impact as determined by the District. See Sub-
1823 Section 7.C. Site Preservation and Restoration Plan for further information.

1824 **a.** All trees, shrubs, and areas of ecological significance which are determined
1825 by the District to be potentially impacted by construction activities, whether
1826 within or outside the project limits, and designated for preservation, after
1827 application, shall be protected by tree preservation fencing. No construction
1828 activities shall commence before District approval of installation of tree and

1829 habitat protection. The applicant shall contact the District a minimum of two
1830 business days in advance to schedule the site visit. Such fencing shall extend
1831 a minimum of twenty (20) feet beyond all critical habitat boundaries. Fencing
1832 for trees shall be a minimum of one-and-one-half (1.5) times the diameter at
1833 breast height (DBH), as measured in inches, to determine the diameter in feet
1834 of tree protection, or to the bole of the tree, whichever is greater. This area
1835 may be enlarged at the discretion of the District. Fencing shall be maintained
1836 in an acceptable condition. Damage to fencing or construction activities in
1837 fencing area, as determined by District, shall result in a fine of \$250 per
1838 incident regardless of extent of damage if any, and cost of remediation, to
1839 plants, habitat, soil, and wildlife in the protection area in addition to any other
1840 fines. Claims counter to such shall be the responsibility of the Applicant and
1841 documented by photography and video submitted prior to the approval of any
1842 construction or site activity.

1843 **b.** Damage to fencing, habitat, drainage, structures above and below ground, and
1844 any other existing entities not designated as areas of construction and
1845 impacted by such activity, regardless of being within or outside project limits,
1846 shall be remediated, in addition to any fines, to the satisfaction of the District
1847 within no more than forty-eight (48) hours if not life-threatening or an
1848 environmental hazard (which may require immediate attention) unless given
1849 in writing by District additional time to remedy such. Damage to areas which
1850 cannot be immediately remediated to their original condition, such as
1851 sensitive habitat and the like, shall be restored to a condition acceptable to the
1852 District in addition to any fines imposed. Failure to do so may result in an
1853 order of cessation of all onsite activities until such situation is rectified.

1854 **c. Hazardous Materials.** The Applicant shall comply with all Requirements of
1855 Law that prohibit, restrict, or regulate any hazardous materials.

1856 **3. Easements are Non-Exclusive.** Easements granted pursuant to this Ordinance shall
1857 be non-exclusive, and the District may grant multiple easements within the Subject
1858 Property or any portion thereof.

1859 **4. No Assessments.** In each Agreement, the Applicant shall agree that (i) it shall not
1860 assess or impose against the park site in which the Subject Property is located any
1861 special assessment, special service area tax, recapture fee, or similar assessment, tax,
1862 or fee (an "Assessment"); and (ii) if any assessment has been imposed or is imposed
1863 in the future, it shall waive such Assessment or indemnify the District from and for
1864 such assessment.

1865 **5. District Held Harmless.** In each Agreement, the Applicant shall agree (i) that the
1866 District shall not be liable for any alleged damage or injury to any person, entity, or
1867 property as a result of or relating to the Work, the Facilities, the Public Services, or
1868 easement; and (ii) to indemnify and hold harmless the District, its Commissioners,
1869 officers, agents, and employees from and against any alleged loss, claim, expense,
1870 damage, or claim, including litigation costs and attorney fees, related to any such
1871 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.

1915 **RULES AND PROCEDURES**
1916 **FOR PROCESSING ROCKFORD PARK DISTRICT EASEMENT APPLICATIONS**
1917

1918 **I. General Procedures**

- 1919 **A.** The Applicant should begin by contacting:
1920 Rockford Park District
1921 Attention: Capital Planning and Management
1922 401 South Main Street
1923 Rockford, Illinois 61101
1924

1925 The Applicant shall arrange for a pre-application initial meeting with the Executive
1926 Director or his or her designee from the Capital Planning and Management (CPM)
1927 Department, to discuss the proposed easement. At this initial meeting, District staff
1928 will discuss the process, scheduling, fees, and any other apparent issues with the
1929 applicant.

- 1930 **B.** If the Applicant chooses to proceed with the proposal, the Applicant must assemble
1931 the information required by this Ordinance, and any other information as requested
1932 by staff. The Applicant will then provide that information and the application fee to
1933 the District.

- 1934 **C.** The application packet shall be submitted to the CPM Department. The CPM
1935 Department shall prepare a staff report and refer the easement request to the Board
1936 for review and approval.

- 1937 **D.** The CPM Department will inform the applicant of Board meeting schedule and other
1938 relevant dates and deadlines.

- 1939 **E.** The applicant should be aware that the application review and approval process is
1940 normally expected to take a minimum of sixty (60) days.
1941

1942 **IV. Definitions for the purpose of this section:**

- 1943 **A.** "**Easement**" shall refer to land in which an interest is granted to another party in a
1944 real estate document for a specific use or purpose. Said uses may include, but are not
1945 limited to placement of utilities, infrastructure or pedestrian or vehicular access.

- 1946 **B.** "**Easement, Permanent**" means an easement conveyed in perpetuity to the entity
1947 requesting said easement

- 1948 **C.** "**Easement, Temporary**" means an easement conveyed for a specified period of
1949 time as negotiated between the Rockford Park District and the entity requesting said
1950 easement.

- 1951 **D.** "**Non-tax Supported Organization**" means any organization whose primary
1952 source of operating capital is derived from revenue collected from service
1953 subscriptions.

- 1954 **E.** Examples include, but are not limited to the following: service providers of
1955 coaxial or other audio and video transmission, electrical, gas, internet, telephone
1956 (landline and wireless telecommunications)

- 1957 **F.** "**Tax-Supported Organization**" means any organization whose operating capital
1958 is derived from taxes assessed to property owners, in addition, or in place of revenue

1959 collected from service subscriptions.
1960 G. Examples include, but are not limited to the following: local, county, and state
1961 units of government, special taxing authorities and districts
1962
1963

1964 **(Section 10.54 Open)**
1965
1966

1967 **CHAPTER 11. ENFORCEMENT**

1968 1969 **Section 11.01 Permits**

1970 Any act prohibited by or under this code or any other ordinance or rule of the District, provided such
1971 act is not otherwise prohibited by law or ordinance, shall be lawful to the extent authorized or
1972 permitted under the provisions of a special use permit issued or permission granted by the District.
1973

1974 Permits shall be issued and permission granted only upon the payment of such fees as may be
1975 established from time to time by the District. All terms for the issuance of the permits and granting
1976 of permission must be strictly complied with, and any violation of same or any other law, ordinance,
1977 or rule of the District shall be grounds for revocation of same.

1978 *(Cross Reference: Rules & Regulations for Use of Park Property – see Customer Service)*
1979

1980 **Section 11.02 Rules to be Obeyed**

1981 No person shall violate or disobey any rule of the District relating to the use and government of the
1982 park system. The Executive Director of the District or his authorized representatives may issue such
1983 rules and regulations as are necessary to ensure public health and safety in the use and enjoyment of
1984 any and all park facilities, including but not limited to its swimming pools, golf courses, and any
1985 other recreational facilities.
1986

1987 **Section 11.03 Penalties**

1988 Any person violating or disobeying any clause or provision of any section of Chapters IX, X, and XI
1989 of this ordinance or any of the other regulatory ordinances or rules of the District shall be guilty of a
1990 misdemeanor, may be forthwith ejected from the park system, may have any permits or passes
1991 previously issued forfeited for the season, and shall be fined upon conviction not less than one dollar
1992 (\$1.00) and not more than five hundred dollars (\$500.00) for each offense, the fine to be recovered in
1993 manner and form as provided by law. A separate offense shall be deemed committed upon each day
1994 during or on which violation occurs or continues.
1995

1996 **CHAPTER 12. CONSTRUCTION AND REPEAL**

1997 1998 **Section 12.01 Owner Liability**

1999 Any person who is owner, registered owner, or in control of any animal, vehicle or other property of
2000 any kind brought, placed, parked or remaining in the park system, or otherwise in violation of this

2001 ordinance or other ordinance or rule of the District, shall be deemed prima facie responsible for the
2002 violation involved, and subject to the penalty provided herein.

2003
2004 **Section 12.02 Partial Invalidity**

2005 If any provision of this Code or the application of such provision to any person, body, or
2006 circumstance shall be held invalid, the remainder of this Code, or the application of such provision to
2007 persons, bodies or circumstances other than those as to which it shall have been held invalid, shall
2008 not be affected thereby.

2009
2010 **Section 12.03 Repeal of Prior Ordinances Effective Date of Ordinance**

2011 All ordinances and parts of ordinances in conflict or inconsistent with any of the provisions of this
2012 ordinance are hereby repealed, and this ordinance shall be enforced from and after its passage and
2013 approval.

2014		
2015	PASSED.....	October 9, 2007, Rev. February 12 & 26, 2008
2016	APPROVED.....	October 9, 2007, Rev. February 12 & 26, 2008
2017	PASSED.....	October 9, 2007, Rev. April 16, 2009
2018	APPROVED.....	October 9, 2007, Rev. April 16, 2009
2019	PASSED.....	November 10, 2009 (Easement Ordinance)
2020	APPROVED.....	November 24, 2009
2021	PASSED.....	April 5, 2013 (Responsible Bidder Ordinance)
2022	APPROVED.....	April 23, 2013
2023	APPROVED.....	July 9, 2013
2024	APPROVED.....	August 11, 2015
2025	PASSED.....	February 14, 2017 (Clean Air Ordinance)
2026	APPROVED.....	November 7, 2017

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Secretary Julianne C. Elliott

2032 **CHAPTER 13. PUBLICATION IN BOOK FORM**

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2034 **Section 13.01 Publication in Book Form**

2035 In lieu of other publications, this Ordinance shall be published in book or pamphlet form, and when
2036 so published, shall become effective with same force and effect as if otherwise published. Such book
2037 or pamphlet shall be received as evidence of the passage and legal publication of this Ordinance in
2038 all courts or places without further proof, all as provided by law.

2039
2040 **Section 13.02 Effective Date**

2041 This Code of Ordinances shall take effect and be in force from and after its passage, approval, and
2042 publication in book or pamphlet form as provided by law.

2043
2044 Passed and approved by the Board of Park Commissioners of the Rockford Park District on this 9th
2045 day of October, 2007, revised on February 12 and 26, 2008, revised on April 16, 2009, revised on
2046 November 10, 2009, revised on April 5, 2013, revised on July 9, 2013, revised on August 11, 2015,
2047 revised on February 14, 2017, revised on November 7, 2017, revised on December 12, 2017.

2048
2049 APPROVED:

2050 _____
2051 President Ian Linnabary

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2053
2054 ATTESTED:

2055 _____
Secretary Julianne C. Elliott