

**CHAPTER 8
PARKS AND PLAYGROUNDS**

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8.01 **DEFINITIONS**

In addition to the definitions found in Appendix A of this Code, the term "park" as used herein shall mean all recreational areas owned and/or operated by the Village including but not limited to: Avalon Park, Barbara Key Park, Bark Park, Cattail Park, Celebration Park, Dome Hill, Echo Park, Echo Hill Park, Ford School Park, Butch Hagele Beach, Hipkind Park, Horner Park, Edward William Hynes Park, Indian Trail Beach, Jaycee Park, Ken Carpenter Park, Kennedy Triangle, La Buy Park, Larsen Park, Leroy Guy Park, Lynn Dillow Park, Nature's View Park, Nockels Park, Normandy Park, Plote Field, Richard Taylor Soccer Field, Rolling Hills Park, Ryder Park, Stoneybrook Park, Sunset Park and Turtle Island Park, and excluding Goose Lake (Lake 2), Willow Lake (Lake 3) and Lake Scott (Lake 4).

8.02 **PROTECTION OF PARK PROPERTY**

A. **DAMAGE TO PROPERTY:** No person shall mark, deface, injure, destroy, damage, tamper with, or remove any park property, facilities or equipment, whatsoever, either real or personal.

B. **SANITATION:** No person shall throw, pour or in any other manner, discharge any substance or chemicals, whether liquid or solid, upon the water, grounds or property of a park which may be injurious to persons or park property.

C. REFUSE: No person shall bring in, have brought in, or put into any park, any rubbish, refuse, garbage or other such material. Any refuse and rubbish generated from use of any park shall be deposited in receptacles provided in the park.

Where no such receptacles are provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.

D. TREES AND VEGETATION: No person shall damage, destroy, remove or climb upon any tree or other vegetation located in any park or recreation area.

E. ANIMALS: No person shall bring any animal into any Village-owned and operated beach, baseball, football, soccer or other recreational field or marked perimeters of playground areas or indoor recreational facilities whether on a leash or being ridden, except blind or other physically challenged persons being led or assisted by a guide dog. Animals on leashes will be allowed at all other locations within a park as long as the owner has appropriate waste collection equipment and immediately picks up any droppings eliminated by their animal.

F. GOLF: No person shall hit any golf balls in any park at any time.

8.03 **VEHICLES, OPERATION**

No person shall operate any motor vehicle, motorcycle, or motor-driven cycle on any park property or on any other Village-owned property at any time except only on roadways or improved parking areas; provided, however that the Director of Parks and Recreation or the Director of Police and Public Safety may grant special written permission to individuals to operate vehicles on areas other than roadways or improved parking areas. Municipal Vehicles are exempt from this ordinance.

8.04 **MOTORIZED VEHICLES**

No person shall operate a snowmobile or any other type of motor-driven off-road vehicle on any park property or on any other Village-owned property at any time; provided, however, that the Director of Parks and Recreation or the Director of Police and Public Safety and their designees may grant special written permission for a snowmobile to be operated on such park property or other Village-owned property.

8.05 **SPEED LIMIT**

No person shall operate any motor vehicle, motorcycle, or motor-driven cycle at any speed greater than 10 miles per hour within any Village park at any time.

8.06 **PARKING**

No person shall park a motor vehicle in any prohibited area that is posted with signs prohibiting parking.

8.07 **FIREARMS AND WEAPONS**

FIREARMS, WEAPONS: No person, other than authorized police officers, shall display or use within the corporate limits of the Village, except as authorized by the Director of Police and Public Safety, any gun, including a shotgun, rifle, pistol, revolver, air or BB-gun, or other weapon, including a slingshot, bow and arrow, switchblade knife with spring-loaded blade, throwing knife, tomahawk or throwing axe or any martial arts devices.

8.08 **ALCOHOLIC BEVERAGES**

A. Except as provided herein, it shall be unlawful for any person to possess or consumer any alcoholic liquor as defined in Chapter 33 of this Code in any parklands or public building within the Village.

B. Any licensee as defined herein, person, non-profit organization or club located within the Village, such as a church, order or lodge, veterans organization, civic organization or other similar organization, may make application to the Local Liquor Commissioner and Clerk for a daily or event permit to possess or consume alcoholic liquor in specified areas of Village parklands or public buildings. Issuance of said permit shall be conditioned on the following:

1. An application shall be submitted for a daily or event liquor permit for use of parklands or public buildings. Applications shall be signed by the applicant and also by a person or persons, who are 21 years of age or older, who will be responsible for the overseeing the serving and consumption of beer and/or wine in the permitted area of the park and/or public building, and who will be responsible for keeping guests with beer and/or wine out of other areas of the parklands and/or public buildings, and shall conform to the application and fee requirements in Chapter 33, except as otherwise provided in this Section.

2. Insurance: Such application shall include the following proof of insurance. Such insurance shall be in compliance with Chapter 33, except as otherwise provided herein:
 - a. Applications shall include an insurance certificate certifying that the applicant has in force and affect the insurance coverages required in Chapter 33, and that the Village is an additional insured on all such insurance for the duration of the event for which the Facility and Park Use Permit, and daily or event permit has been requested.
 - b. Resident applications who are not acting on behalf of an organization or club may request that the Village accept their homeowners insurance coverage in lieu of the insurance required under Chapter 33. The Village may accept such alternative coverage where the homeowners policy provides for host liability insurance and additional insured premises liability for the Village for the duration of the event for which the Facility and Park Use Permit and daily or event permit has been requested.
 - c. Applications shall not be considered if the insurance requirements have not been met.
3. Applications shall indicate the manner in which beer and/or wine will be served, including what methods will be taken to insure that the beer and/or wine will be contained in the designated area and how ingress and egress will be limited.

C. Sale of Alcoholic Liquor in Village Parklands and Public Buildings: The sale of alcoholic liquor in Village parklands and public buildings shall be by daily or event permit in accordance with Chapter 33 of this Code. Nothing contained in this Section shall be deemed to affect in any way the provisions of Chapter 33 of this Code or any other ordinance regulating the use of the Village parks and public lands.

8.09 **ADVERTISING AND SIGNS**

A. ADVERTISING: No person shall announce, advertise or call to the public's attention in any way, any article or service for sale or hire in any park.

B. SIGNS: No person shall paste, glue, tack or otherwise post any sign, placard, advertisement or inscription whatever on any Village-owned property or right-of-way adjacent to any such park, except as approved by the Village Board.

8.10 USE OF PARK AREA

A. REGULATED: No person shall picnic or camp in a place other than that designated for such purpose in any park. Parks and Recreation staff shall have the authority to regulate activities in park areas whenever necessary to prevent congestion and to secure the maximum use for the comfort and convenience of all visitors.

B. NON-EXCLUSIVE USE: No person shall use any portion of the picnic areas or any of the buildings or structures within a park for the purpose of holding an event to the exclusion of other persons, nor shall any person use such area and facilities for an unreasonable length of time if the facilities are crowded, unless a Park Use Permit is granted by the Director of Parks and Recreation.

8.11 FIRES

No person shall build a fire in any place other than a fireplace or grill affixed to the property by the Village, any portable grill constructed of a suitable fireproof substance, or in any other area designated by the Village. No persons shall leave a picnic area before their fire is completely extinguished.

8.12 GROUP ACTIVITY

Any group, association or organization desiring to use the park facilities for a particular purpose, must first obtain a permit from the Director of Parks and Recreation. A permit will be issued if it appears that the group, association or organization will not interfere with the general use of the park by the individual members of the public as provided for in Section 8.10 and if the group, association or organization meets all other conditions contained in the application. The Director of Parks and Recreation may require an indemnity bond to protect the Village from any liability of any kind or character and to protect the Village property from damage.

8.13 SWIMMING

No person shall swim or wade in any stream, creek, lake or pond, unless such area is expressly reserved for such activity and clearly posted as such.

8.14 **RESTROOMS AND WASHROOMS**

No person over the age of five years shall use the restrooms and washrooms in any park, playground or Village-owned building which is designated for the opposite sex.

8.15 **OPERATING POLICY**

A. HOURS: Village parks shall be open daily to the public during the hours from dawn to dusk, with the exception of night ice skating between November 1 and March 31 of each following year, and fishing throughout the year at the following park sites: Larsen Park, Nockels Park, Horner Park, Turtle Island, Echo Hill, Barbara Key Park and La Buy Park. Plote Field will be open from dawn to 11 p.m. when said use is in compliance with rules of use for said ballfield as may be approved and published by the Director of Parks and Recreation from time to time. The Bark Park operating hours shall be from dawn to 9 p.m. 365 days per year when said use is in compliance with the rules of use. It shall be unlawful for any person other than Village personnel conducting Village business therein to occupy or be present in the park during any hours in which the park is not open to the public, except as approved by the Director of Parks and Recreation upon application for a Park Use Permit provided for in Section 8.12 herein.

B. CLOSING PARKS: Any section or part of a park may be closed to the public by the Village President or the Director of Parks and Recreation at any time and for any interval of time, either temporarily or at regular or stated intervals.

C. DESIGNATED SMOKING AREAS: Specific areas of each athletic field or park may be designated smoking areas as approved by the Director or Parks and Recreation.

8.16 **PENALTIES**

A. Any person who violates Sections 8.02 through 8.06 herein shall be fined not less than \$100.00 for each offense.

B. Any person who violates any other section of this Chapter 8 shall be fined not less than \$25.00 nor more than \$500.00 for each offense.

C. The violation of Chapter 8 is hereby declared to be a public nuisance to be abated in the manner provided by law.

8.17 **PARKS AND RECREATION BOARD**

A. CREATION: There is hereby created the Parks and Recreation Board of the Village (the "Park Board"). The Park Board shall consist of seven members including the chairperson and vice-

chairperson. Members of the first Park Board shall have the following terms: three for two-year terms, two for three-year terms and two for four-year terms. Subsequent members shall serve four-year terms.

B. APPOINTMENT AND QUALIFICATIONS: The Village President shall make the appointments to the Park Board with the advice and consent of the Board of Trustees. The President shall designate the term of office to be served by each of the original Park Board members. To be eligible to serve on the Park Board a person must be 18 years of age or older and a Village resident. No Park Board member appointed hereunder shall be interested in any supplies or contract with the Park Board.

The Village President shall designate one of the Park Board members to serve as Chairperson, a Vice-Chairperson shall be chosen by the advice and consent of the Park Board members. The position of Chairperson shall be reviewed on an annual basis. The Vice-Chairperson shall act in the absence of the Chairperson. The Chairperson shall be the presiding officer of the Park Board and ensure all meetings are conducted in compliance with the Open Meetings Act.

C. REMOVAL: The Village President may, by and with the consent of the Board of Trustees, remove any Park Board member for misconduct or neglect of duty. Further, any Park Board member who fails to attend three (3) consecutive Park Board meetings without a valid reason, or who fails to attend one half of the total of all Park Board meetings scheduled or called during any one (1) year period, may be considered to have abandoned the office and said office may be declared vacant by the Village President.

D. VACANCIES: Park Board vacancies occasioned by resignation, removal or otherwise, shall be filled in like manner as the original appointments; such appointments shall be for the unexpired term.

E. COMPENSATION: All members of the Park Board shall be compensated, as determined from time to time by the Board of Trustees, for attendance at regular meetings of the Park Board.

F. MEETINGS: The Park Board shall keep written records of its proceedings, which shall be open at all times to public inspection and which minutes, after approval by the Park Board, shall be forwarded to the Director of Parks and Recreation for distribution to the Village Board.

The Park Board shall meet monthly. Additional meetings may be called if necessary.

G. POWERS AND DUTIES: The Parks and Recreation Board shall be a recommending body to the President and Board of Trustees and shall work with the Director of Parks and Recreation. They shall be responsible for the following:

1. Provide recommendations to the Village Board regarding Parks and Recreation activities in the Village.
2. Assist the Parks and Recreation Department to develop and maintain a comprehensive master plan for park facilities and recreation activities within the Village. Such plan should periodically be reviewed by the Parks and Recreation Board with recommendations for necessary changes forwarded to the Village Board.
3. Review all new residential development projects and provide a recommendation for the donation of park land or cash in lieu thereof and its projected use in accordance with the master plan.
4. Solicit information from the public, staff and user groups to determine parks, facilities and recreational programming needs. Recommend goals and implementation schedules to fulfill identified needs.
5. Evaluate current fees for and regulations governing park facilities and recommend changes as needed.
6. Solicit public comments on parks and recreation issues and communicate with the public to increase general awareness and understanding.
7. Provide input relative to the development of the annual budget for the Parks and Recreation Department.

A recommendation made will be forwarded to the Village Board upon a majority vote of the Park Board members in support of said recommendation.

H. DIRECTOR OF PARKS AND RECREATION: The Director of Parks and Recreation is an employee of the Village of Lake in the Hills with duties and responsibilities as outlined in the job description for the position. The Director of Parks and Recreation shall be selected based upon professional experience and education in accordance with Village recruitment policies. The Director of Parks and Recreation will work directly with the Parks and Recreation Board and shall report to the Village Administrator.

8.18 **RENTAL FACILITIES FOR RECREATIONAL USE**

A. LA BAHN-HAIN HOUSE AND VILLAGE HALL: The LaBahn-Hain House and designated public areas at Village Hall shall be available for rental use by the general public in accordance with this Section.

B. OTHER FACILITIES: Other park and recreational facilities may be made available for rental use by the general public in accordance with this Section as determined by the Board of Trustees from time to time.

C. PERMITS REQUIRED: No person may use such rental facilities without having first applied to the Village for and obtained a valid Facility and Park Use Permit in accordance with the application form provided by the Village (the "Application"). No person may possess, consume, offer for sale or consumption any alcoholic liquor on public property without a valid daily or event permit in accordance with this Chapter and Chapter 33.

D. FEES: No person may use such rental facilities without first having paid the required fee as provided in the fee schedule attached to the Application (the "Fee Schedule").

E. REGULATIONS: All uses of such rental facilities shall be in accordance with the regulations applicable thereto, which regulations shall be approved by the Board of Trustees and shall be attached to the Application (the "Regulations"). Such Regulations may be revised from time to time by the Board of Trustees.

F. REVIEW OF REGULATIONS AND FEES: The Application, the Fee Schedule, and the Regulations shall be reviewed from time to time by the Board of Trustees, which may amend such Application, Fee Schedule, and Regulations in any manner as may be appropriate.

8.19 **SKATE PARK FACILITIES USE**

A. REGULATIONS:

1. Skateboard and in-line skates are allowed in the designated area of the skate parks.
2. Bicycles and scooters are prohibited within the designated skating area.
3. Only those individuals with skating or skateboard equipment are allowed in the skate park boundaries.
4. Spectators are not allowed on equipment.

5. Personally owned ramps, half pipes or similar devices are prohibited.
6. Profanity and/or other language, offensive behavior or conduct that alarms or disturbs another individual is prohibited.
7. Reckless behavior that places the individual or other parties present at risk of harm is prohibited.
8. Graffiti, defacement or any other form of criminal damage to property is prohibited.
9. Backpacks, food and drink are allowed only in the picnic table areas outside the skate park fence.
10. Smoking is prohibited within or upon the facility.
11. Glass is prohibited within or upon the facility.

B. HOURS: Skate parks are open from 9:00 a.m. until dusk daily. Village skate parks will be closed approximately October 1 through April 1 with said date of closing to be determined by the Parks and Recreation Department based on environmental and usage factors. Ramps will be closed when wet or after rain as determined necessary by the Parks and Recreation Department.

C. Any person who violates this section of Chapter 8 shall be fined no less than \$50.00 nor more than \$500.00 for each offense.

Recodified 1/25/01
Amended 05/08/03
Amended 02/12/04
Amended 11/11/04
Amended 01/27/05
Amended 05/26/05
Amended 09/08/05
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