



**QUINCY PARK DISTRICT  
PUBLIC PARK USE ORDINANCE**



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**Public Use and Purpose of the District:** Parks are intended for the use and enjoyment of the general public. Functions of the District are to acquire, protect, restore, develop and interpret a well-balanced and meaningful park system consisting of scenic, environmental, recreational, historic and preservation value for existing and future generations. This Ordinance is intended to help consistently adhere to and compliment this vision.

ADOPTED AT A REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE QUINCY PARK DISTRICT, QUINCY, ILLINOIS, HELD AT EMERSON COMMUNITY CENTER ON WEDNESDAY, NOVEMBER 8, 1995:

**ORDINANCE NO.95-17:** AN ORDINANCE AMENDING ORDINANCES NO.248, 263, 265, 266, 281, 91-3, 92-1 AND 94-12, PROVIDING FOR THE REGULATION OF PUBLIC PARK USE IN THE QUINCY PARK DISTRICT.

ADOPTED AT A REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE QUINCY PARK DISTRICT, QUINCY, ILLINOIS, HELD AT EMERSON COMMUNITY CENTER ON WEDNESDAY, MAY 8, 1996:

**ORDINANCE NO.96-5:** AN ORDINANCE AMENDING ORDINANCE NO. 95-17 PROVIDING FOR THE REGULATION OF PUBLIC PARK USE IN THE QUINCY PARK DISTRICT.

ADOPTED AT A REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE QUINCY PARK DISTRICT, QUINCY, ILLINOIS, HELD AT EMERSON COMMUNITY CENTER ON WEDNESDAY, JUNE 11, 1997:

**ORDINANCE NO.97-7:** AN ORDINANCE AMENDING ORDINANCE No. 95-17 PROVIDING FOR THE REGULATION OF PUBLIC PARK USE IN THE QUINCY PARK DISTRICT.

ADOPTED AT A REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE QUINCY PARK DISTRICT, QUINCY, ILLINOIS, HELD AT EMERSON COMMUNITY CENTER ON WEDNESDAY, March 8, 2000:

**ORDINANCE NO.00-2:** AN ORDINANCE AMENDING ORDINANCE 95-17 AS AMENDED BY 96-5 AND 97-7 PROVIDING FOR THE REGULATION OF PUBLIC PARK USE IN THE QUINCY PARK DISTRICT.

ADOPTED AT A REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE QUINCY PARK DISTRICT, QUINCY, ILLINOIS, HELD AT EMERSON COMMUNITY CENTER ON WEDNESDAY, March 10, 2004:

**ORDINANCE NO.04-4:** AN ORDINANCE AMENDING ORDINANCE 95-17 AS AMENDED BY 96-5 AND 97-7 AND 00-2 PROVIDING FOR THE REGULATION OF PUBLIC PARK USE IN THE QUINCY PARK DISTRICT.

ADOPTED AT A REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE QUINCY PARK DISTRICT, QUINCY, ILLINOIS, HELD AT EMERSON COMMUNITY CENTER ON WEDNESDAY, February 14, 2007:

**ORDINANCE NO.07-02:** AN ORDINANCE AMENDING ORDINANCE 95-17 AS AMENDED BY 96-5 AND 97-7 AND 00-2 AND 04-4 PROVIDING FOR THE REGULATION OF PUBLIC PARK USE IN THE QUINCY PARK DISTRICT.

ADOPTED AT A REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE QUINCY PARK DISTRICT, QUINCY, ILLINOIS, HELD AT EMERSON COMMUNITY CENTER ON WEDNESDAY, February 11, 2009:

**ORDINANCE NO.09-02:** AN ORDINANCE AMENDING ORDINANCE 95-17 AS AMENDED BY 96-5 AND 97-7 AND 00-2 AND 04-4 AND 07-02 PROVIDING FOR THE REGULATION OF PUBLIC PARK USE IN THE QUINCY PARK DISTRICT.

ADOPTED AT A REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE QUINCY PARK DISTRICT, QUINCY, ILLINOIS, HELD AT EMERSON COMMUNITY CENTER ON WEDNESDAY, OCTOBER 8, 2014:

**ORDINANCE NO.14-04:** AN ORDINANCE AMENDING ORDINANCE 95-17 AS AMENDED BY 96-5 AND 97-7 AND 00-2 AND 04-4 AND 07-02 AND 09-02 PROVIDING FOR THE REGULATION OF PUBLIC PARK USE IN THE QUINCY PARK DISTRICT.

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Be it ordained by the Board of Park Commissioners of the Quincy Park District as follows:

**SECTION 1: Definitions**

For the purposes of this ordinance, the words set forth in this section have the meanings designated in this section except when a particular context clearly requires a different meaning:

(a) **"Board"** shall mean the Board of Commissioners of the Quincy Park District, a Municipal Corporation, Quincy, Adams County, Illinois.

(b) **"District"** shall mean the Quincy Park District, a Municipal Corporation, Quincy, Adams County, Illinois.

(c) **"Director"** shall mean the Executive Director of the Quincy Park District, and includes any person whom the Director designates to act for the Director hereunder, who shall act for the Board, enforce the laws, maintain law enforcement and maintain good order within the District.

(d) **"Park"** shall mean all developments, improvements, facilities and any and all land, minerals, waters, overhead air rights, easements and other reservations owned, leased, controlled or used by the District.

(e) **"Permit"** and **"Reservation"** shall mean and include any authorization issued by the Director pursuant to the authority of the Board for a specified park privilege, activity or event or permitting the performance of a specified act or acts in any park.

(f) **"Rules and Regulations"** shall mean and include any regulation adopted by the Board and shall be construed as Board Policy.

(g) **"Person"** shall mean individual, company, partnership, corporation, incorporation or association, or any combination of individuals, or employee, agent, or officers thereof.

(h) **"Group"** shall mean an assemblage of two or more persons.

(i) **"Police"** shall mean person, persons, or agents, employees, patrolmen, police officers, park rangers and other law enforcement officers appointed or designated by the Board enforce this ordinance and the rules and regulations adopted the Board.

(j) **"Parking,"** means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose and while actually engaged in loading or unloading.

(k) Terms other than those set out above and currently defined in the Illinois Revised Statutes shall be so defined for the purpose of this ordinance.

**SECTION 2: Confines of the Quincy Park District**

The premises heretofore laid out as All America Park, Berrian Park, "Clat Adams" Bicentennial Park, Bob Bangert Park, "Boots" Bush Park, Villa Kathrine Castle, Edgewater Park, , Emerson Park, Boehl Park ,Gardner Park, Indian Mounds Park, Johnson Park, Kesler Park, Lenane Park, Leon Bailey Memorial Park, Lincoln Park, Lock & Dam 21, Madison Park, Moorman Park, Bob

Mays Park, Parker Heights, Bill Klingner Trail, Quinsippi Island, Reservoir Park, Riverview Park, South Park, Sunset Park, Washington Park, Wavering Park, Westview Park, Westview Golf Course, Lorenzo Bull Park, the Quincy Art Center and parkways located at Lawndale, Park Place, Payson Avenue, Country Club, 22nd and York, Aldo Boulevard, and such other areas, playgrounds, playfields, buildings and other public areas and facilities now owned or which may hereafter be acquired, leased, laid out, or appropriated by the appropriate corporation action of the District, are hereby declared to be in the possession and control of the Quincy Park District for park purposes. Whenever, in this ordinance, places of the District are referred to, such words shall refer to and include all such areas, including buildings and other structures in the possession and under the jurisdiction of the Quincy Park District, including premises and schools which may be used or rented by the District.

Additionally, if park area names are changed or added they become part of this ordinance without further ordinance changes.

### **SECTION 3: Statutory Control (Savings Clause)**

This ordinance shall be subject to and controlled by "The Park District Code" of the State of Illinois, as set forth in Chapter 70, Illinois Compiled Statutes (ILCS) Sec. 1205/102, and all other laws affecting the District. Additionally, if any section or subsection of this code shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remaining provisions of this code, which shall continue in full force and effect.

Be it further ordained by the Board of Park Commissioners of the Quincy Park District as follows:

### **SECTION 4: Games, Sports and Playgrounds**

No person shall walk, remain, or conduct himself upon such portion of the park system designated by the Director for any particular game, sport, or amusement in such a way to interfere with the use of such portion by persons who are using the same for the particular sport, game or amusement for which it has been designated. No person shall engage in any activity in a reckless manner so as to endanger, injure, or damage persons or property.

No person shall ride a skateboard, roller blades, or roller skates or similar equipment (collectively "Devices") at or in any Park Facility where the use of such Devices is posted as prohibited. No person shall use any such Device in any manner that interferes with or threatens any other Park District patron. Each person who uses such a Device shall yield the right of way to pedestrians at all times.

No person shall make any ascent or descent from a balloon, parachute or aircraft in the park system or operate any powered model aircraft of any type, or have an exhibition for commercial purposes without obtaining a permit to do so from the Director.

No person or persons may bring in, set up, construct, manage, or operate any amusement or entertainment contraption or device without a permit from the Director.

No person or persons shall sled, toboggan, ski or slide on any area posted by the Director, as being "unsafe" or "hazardous" or as being "Closed" due to inadequate snow cover or other environmental conditions. The fact that an area is not posted as being "unsafe", "hazardous", or "closed" is no indication that the area is "safe" or "non-hazardous".

No person will disobey any posted notice or official signage in a Park placed at the direction of the Board or Director.

No person or persons shall smoke on or within ten (10) feet of any playground safety surface area.

No person or persons shall play or operate any sound amplification devices in a manner, which may reasonably be expected to annoy other persons in the parks.

#### **SECTION 5: Firearms, Bows and Arrows**

No person shall have in their possession or on or about their person, concealed or otherwise, any firearm, pistol, revolver, rifle, shotgun, or bow and arrow in any park, playground or building of the Quincy Park District, unless a permit has been issued by the Director. An exception is granted under the following circumstances:

- a) An unloaded, cased firearm may be transported from the parking lots adjacent to boat launches and Art Keller Marina to a boat.
- b) Bows and arrows may be transported from the parking lot next to a designed archery range and used at the range according to posted safety rules.

Nothing contained herein shall be construed to prevent any duly sworn Peace Officer from carrying such weapons as may be authorized and necessary in the discharge of their duties nor shall it apply to any person summoned by any such officer to assist in making arrests or preserving the peace while such person is engaged in assisting.



**SECTION 6: Fireworks, Weapons and Harmful Substances**

No person shall carry or discharge any rocket, firecracker, torpedo, or other fireworks or objects containing any substance of an explosive nature on District premises without first obtaining a permit from the Director.

No person any carry or discharge any slingshot, blackjack, Billy club, or device capable of discharging a projectile by air, gas or explosive, any explosive substance or harmful solid, liquid or gaseous substance or any other dangerous weapon; nor throw or cast any stones or other missiles.

**SECTION 7: Policing of Parks (Cooperation with Authorities)**

No person shall resist any Commissioner, Director or Ranger of the Quincy Park District or duly appointed law enforcement officer of the City of Quincy in the discharge of his duty, or fail or refuse to obey any lawful command of any such Commissioner, Director, Ranger or law enforcement officer or in any way interfere with or hinder or prevent above said persons from discharging his/her duty, or in any manner assist or give aid to any person in custody to escape or to attempt to escape from custody, or rescue or attempt to rescue any person when in such custody.

It shall be unlawful for any person to represent, impersonate, or pretend to be a police officer or official of the Park District.

The Quincy Park District authorizes those law enforcement agencies within the District's limits to enter all parks and enforce all sections of this ordinance. The District's Park Patrol and authorized officers shall also possess the authority to enforce all sections of this Ordinance.

**SECTION 8: Vending and Peddling**

No person shall expose or offer for sale any article or thing, nor shall he/she station or place any stand, cart, or vehicle for the transportation, sale or display of any such article or thing within the park system. Exception is hereby made as to any regularly licensed concessionaire or others, acquiring the proper licenses from the City of Quincy, Health Department and receiving a permit from the Director.

**SECTION 9: Advertising**

No person shall announce, advertise, or call the attention of the public in any way to any article, or service for sale or hire. No person shall display, post or distribute any placard, hand-bill, pamphlet, circular, book or other writing containing commercial advertising matter within the park system without permission from the Director.

## **SECTION 10: Signs**

Persons wishing to paste, glue, tack or otherwise post any sign, placard or advertisement must first receive permission from the Director for posting of less than two (2) weeks but must receive Board approval for posting of more than two (2) weeks in any park within the District.

## **SECTION 11: Protection of Property**

No person shall:

(a) willfully destroy, deface, paint, alter, change or remove any building, bridge, table, bench, fireplace, monument, stone marker, paving or paving materials, or any property of the District or others in the park system.

(b) encroach upon District property by constructing fences, play apparatus, or any structure, or planting gardens or shrubs, or by using district property for personal use.

(c) build a fire anywhere, for any purpose, except (1) the fireplace in Reservoir Park with permission from Director of Parks, (2) fires for cooking purposes made in portable metal containers or grills if the base of the fire in such container or grill is six or more inches above the ground, (3) fires for cooking in the grills at the shelter houses, or (4) fires may be permitted by the Director of Parks. Every fire shall be continuously under the care and direction of a competent person from the time it is kindled until it is completely extinguished.

(d) throw, carry, cast, drag, push or deposit any refuse container, picnic table, barricade or any other movable or non-movable property into lakes or ponds or upon the frozen waters thereof, or to otherwise move, stack, or hide such property in such a way as to render it unavailable to the general public for its intended use, to cause a hazard to public safety or to damage or destroy such property.

(e) throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pool, lake, stream, bay, or other body of water in or adjacent to any park or any tributary, stream, storm sewer, or drain flowing into such waters, any substance, matter of thing, liquid or solid, which will or may result in pollution or littering of said waters.

(f) tamper with, weaken, destroy, damage, or remove anything from any park vehicle, machine, implement or playground apparatus.

(g) bring any plant or portion of a plant within the confines of the park system. Groups or individuals wishing to donate plants to the Park District shall work directly through and receive permission from the Director of Parks.

(h) bring in or shall dump, lay, cast, drop, discharge, deposit or leave any bottles, broken glass, cinders, paper, boxes, cans, dirt, rubbish, waste, garbage or refuse, or any other trash. No such refuse or trash shall be placed in any water in or contiguous to any park, or left

anywhere on the grounds thereof, but shall be placed in the proper receptacles where provided. If receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the responsible party.

(i) enter, without invitation or having paid appropriate admission fee, any area, building or place which has been rented or otherwise reserved for any purpose; nor shall any persons loiter as to impede free access of the public to such building or place.

#### **SECTION 12: Closing Hours and Closing of Parks**

Sunset, Parker Heights, Bill Klingner Trail, Westview, Lenane, Boehl and Leon Bailey parks and the portion of Gardner Park outside the road circling the picnic shelter and restroom area shall be closed from thirty (30) minutes after sunset until thirty (30) minutes before sunrise the following morning. All America, Berrian, Clat Adams, Bob Bangert, Bob Mays, Lincoln Park, Boots Bush, Villa Kathrine, Edgewater, Emerson, Indian Mounds, Johnson, Kesler, Madison, Moorman, Quinsippi Island, Reservoir, Riverview, South, Washington, Wavering, Westview, Lorenzo Bull parks and the picnic shelter area of Gardner Park, inside the road circling the shelter including the parking lot and access road from the highway shall be closed from 11:00 P.M. prevailing time in the evening until thirty (30) minutes before sunrise the following morning. Without a written agreement, or written permission of the Director, no person shall enter or remain, nor shall any person allow his or her property to remain within any parks of the District when except for unforeseen emergencies.

Parks shall be open to the public every day of the year from thirty (30) minutes before sunrise until their designated closing time in the evening, except any section or part of any park may be declared closed to the public by the Director at any time and for any interval of time or for certain uses as the Director shall find reasonably necessary.

No person in a park shall enter an area "Closed to the Public" nor shall any person use any area in violation of posted notices.

#### **SECTION 13: Restrooms and Washrooms**

No person over the age of five (5) years shall use the restrooms and washrooms designated for the opposite sex unless required to accommodate a disability

**SECTION 14: Removal and Injury of Natural Resources**

No person shall remove any soil, rock, stones, trees, shrubs, plants, down timber, or make any excavation by tool, equipment, blasting or other means. Exception is hereby made as to any person acting with permission from the Director or his designee.

No person shall damage, cut, carve, transplant or remove any tree or plant or injure the park, or pick the flowers of any tree or plant without the permission of the Director.

No person shall take, appropriate, excavate, injure, destroy, or remove any historical or pre-historical ruin or parts thereof, or any object of antiquity, without written permission of the Director.

**SECTION 15: Erection of Structures**

No person shall construct or erect any building, tent or structure of whatever kind, whether permanent or temporary in character, or run or string any public utility into, upon or across such lands, except with written permission from the Director.

**SECTION 16: Animals and Birds**

No person shall trap, catch, wound or kill, or treat cruelly, or attempt to trap, catch, wound, or kill any bird or animal, or molest or rob any nest of any bird or animal within the park system without permission of the Director.

**SECTION 17: Improper or Indecent Behavior**

No person in a park shall commit an indecent, lewd or lascivious act, threaten or abuse another person, nor utter any lewd or offensive words within the hearing of another person.

**SECTION 18: Sale of Alcoholic Liquors**

No person shall sell any alcoholic liquor in the park system unless a special permit has been applied for and granted by the Director and that necessary licenses and insurance certificates received by the Business Office prior to the event.

For definition purposes, the term "alcoholic liquors" includes alcohol, spirits, wine and beer and every liquid or solid, patented or not, consumed as a beverage by a human being; the provisions of this Ordinance shall not apply to alcohol used in the manufacture of denatured alcohol produced in accordance with Acts of Congress and regulations promulgated hereunder, and

not to any liquid or solid containing one-half of one percent or less of alcohol by volume.

**SECTION 19: Leon Bailey Memorial Park, Washington Park, Riverview Park, - Alcoholic Liquors**

No person shall transport, carry, possess or consume alcoholic liquor (as defined in Section 18) except in the original package and with the seal unbroken within the confines of Leon Bailey Memorial Park, Washington Park, and Riverview Park. The Director, in his discretion, may approve alcohol to be sold/consumed at special events by permit only.

**SECTION 20: Alms, Fees, and Sales**

No person in a park shall solicit alms, charge fees or collect contributions for any purpose whether public or private without written permission of the Director.

**SECTION 21: Games of Chance**

No person in a park shall gamble, or participate in, or abet any game of chance. Exception is hereby made as to Bingo games conducted or operated by non-profit organizations licensed by the State of Illinois, provided all provisions of State law, to include the Bingo and License Tax Act of the State of Illinois, are complied with, and provided that the above is approved by the Director.

**SECTION 22: Domestic Animals**

Any dog or other domestic animal may be brought into the parks provided it is restrained at all times on an adequate leash and its waste substance is removed before leaving the park.

No person shall allow dogs or other domestic animals to be on the playground equipment or the playground safety surface.

**SECTION 23: Camping**

No person in a park shall place, erect or use any hammock, swing, tent, trailer, shelter or camp in the park system except in area from time to time designated by the Director to do so. All campers or visitors shall abide by the rules and regulations set forth in the permit issued by the District.

**SECTION 24: Public Meetings**

No person or organization of any kind shall call or hold any public meeting, exhibition, or entertainment of any kind within the park system unless permission is granted by the Director. A permit may be required.

**SECTION 25: Disorderly Conduct**

No person shall make, aid, countenance or assist in making any raucous noise, riot, or disturbance tending to alarm or disturb another or to occasion a breach of the peace in any park, or collect with other persons in bodies or crowds for unlawful purposes, (i.e. prize fight, dog fight, cock fight, or any public or private fighting), or for any purpose to the annoyance or disturbance of other persons.

**SECTION 26: Snowmobiles**

No person shall drive, propel, employ or use a snowmobile within the confines of the Quincy Park District without the permission of the Director. "Snowmobile" as used in this ordinance means a self-propelled device designed for travel on snow or ice or natural terrain steered by skis or runners, and supported in part by skis, belts, or cleats.

**SECTION 27: Traffic Signs and Signals**

No person shall drive or operate any vehicle, as defined by the Illinois Motor Vehicle Code, so as to disobey the instructions of any traffic sign or signal placed in view by the authority of the Board or in accordance with the laws of the State of Illinois, excepting on direction of an officer or employee of said Quincy Park District or excepting on direction of a duly qualified law enforcement officer.

**SECTION 28: Stop Signs and One-Way Streets**

No person, operating a vehicle, shall not stop before entering or fail to yield the right-of-way to vehicles on Park District drives specified in Quincy Park District Ordinances No.92-1 and 94-12.

**SECTION 29: Parking Lots and Roadways**

No person shall drive any automobile, truck, motorcycle or motorized vehicle within any of the parks of the District except upon the parking lots and roadways without permission of the Director.

**SECTION 30: Speed**

No person shall drive any vehicle within the park system at a speed greater than is reasonable and proper with regard to traffic conditions and the use of the roadway, or at a speed that endangers the safety of any person or property, but in no event may said vehicle be driven in excess of 15 miles per hour or the posted speed limit in designated vehicular access/egress areas.

**SECTION 31: Improper Driving**

No person shall operate any vehicle in the Park District in an improper manner so as to endanger life or property.

It shall be unlawful for any person to drive upon any designated and posted freshly oiled road surface or over or across any freshly painted traffic lines.

**SECTION 32: Traffic Control**

No person driving any vehicle in a park shall disobey or violate any ordinance, rule or traffic control sign or device of the District governing vehicular traffic or parking within the park system.

No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer, Park Ranger other District employee within the park system.

**SECTION 33: Parking**

No person shall park or place any vehicle or other property of any kind within a park so to obstruct or interfere with traffic or travel, or endanger the public safety.

No person shall park any vehicle in any area designated as a "NO PARKING" area.

No person shall park upon any grass-covered area of the park system unless said area is designated as a parking area and posted with appropriate signs.

No unauthorized vehicles may be parked upon District property, including parking lots, except by persons visiting park premise during open hours, except boat access areas in Kesler Park, Bob Bangert Park, Lock & Dam 21 PUA, All America Park, and Quinsippi Island for boat access purposes only.

No vehicle or equipment may be parked upon District property while posted "For Sale" without permission of the Director of Parks.

It shall be unlawful for any person or operator, except disabled persons or those transporting disabled persons, to park a vehicle any time in spaces designated for disabled persons.

No person shall park any vehicle in any position to block another car legally parked or in front of public or private driveways.

**SECTION 34: Equestrians and Mounts**

No person shall ride or permit a horse or horses, under their control on any grass areas of any park without permission from the Director.

No person shall ride a horse or other animal on any District property without the permission of the Director of Parks and only in designated areas and shall not endanger the life, limb, or property of any person in such designated park or area. Riders shall yield the right-of-way to vehicles and/or pedestrians.

**SECTION 35: Swimming Areas**

No person shall swim, bathe, or wade at any time in any of the ponds, lake, pools, marina, fountains, except for the Washington Park fountain, or watercourses except at such place or places as may be designated by the Director and then only in accordance with the rules, regulations, and restrictions promulgated and posted at those facilities.

If any person shall refuse to obey any orders of lifeguards, attendants, managers, or any agent of the District, such person or persons may be required to leave the area and their future access may be restricted.

**SECTION 36: Golf**

No person shall swing or make use any golf club nor play golf, nor hit, nor putt golf balls within or into a park except on or within appropriate areas at Westview Golf Course or the Batting Cage Miniature Golf Course.

No person shall be allowed to play golf at Westview Golf Course without first paying posted fees unless otherwise designated by the Director or his designee, and all golfers shall abide by the rules and regulations posted at the clubhouse.

The Director of Golf shall designate when the golf course is playable and open to the public.



**SECTION 37: Boating**

All persons operating or launching a motorboat shall abide by rules as set forth by the Board, the State of Illinois, and the Federal Government.

All boats must be operated only under closed throttle in Quincy Bay and Art Keller Marina as designated by floating sign buoys.

The District reserves the right to take charge of, control, and police the area between the shoreline and the harbor line and the land contiguous to any park boundary.

Art Keller Marina renters and their guests will only be permitted to fish from their slip or the dock where their slip is located.

Only Art Keller Marina authorized tenants and their guests are permitted upon the docks and walkways therein.

**SECTION 38: Weight and Load Limits on Park Roads**

It shall be unlawful to operate any truck or other commercial vehicle on any road, highway or parking area within the confines of the District with a gross weight of such truck or commercial vehicle in excess of eight (8) tons, provided that a necessary pre-requisite for the enforcement by the District of the Ordinance shall be the erection and maintenance of signs designating the limitation set out in/on the particular park, road, highway or parking area in question.

Exceptions:

(a) provided that a truck or commercial vehicle may provide truck services to and from a park and/or deliveries and pickups within the parks;

(b) provided further that the operation and use of trailered boats, motor homes, and travel trailers are exempt from the weight limitations of this Ordinance;

(c) provided further that the Director of the District or his designee may grant a special permit from the weight limitations of this Ordinance upon advance written applications, provided adequate protection for roads, highways, and parking areas are made or, in the alternative, for good cause and on an occasional basis.

For the purposes of this Section, vehicle definitions are as set forth in Chapter 95-1/2 of the Illinois Revised Statutes.

**SECTION 39: Permits and Designated Areas -Authority**

The Director has the authority to designate areas, facilities, or waters, suitable for various activities or use, to close parks, or parts thereof,

in the interest of public health. Permits issued are not transferable to other agencies and fees paid are not refundable without the permission of the Director or in adherence to District refund policies approved by the Board. Any agency, group, or organization wishing to use a park facility for their event shall first petition the Director and fill out a "Special Use Park Permit" explaining and detailing their event. The Executive Director and/or Board may impose reasonable restriction on the granting of a permit including, but not limited to, any of the following:

(a) requiring proof of and establishing the amount of liability insurance required and a Certificate of Insurance naming the District as an additional insured.

(b) requiring that the event organizers furnish additional security forces at their expense if necessary.

(c) requiring that the proper licenses and permits be obtained if the event is selling food concession items and/or alcohol.

(d) requiring assurance that building and grounds be returned to their original condition, a cash deposit may be required.

The Board reserves the right to change permit or registration fees, as it deems proper.

The Board reserves the right to change permit or registration fees as it deems proper. The granting of a special permit may be refused or revoked if, in the reasonable judgment of the Director, a substantial question exists as to the applicant's willingness or ability to fully comply with the foregoing provisions.

#### **SECTION 40: User Fees Established**

The Board may fix and collect reasonable fees for the use of park facilities. Such fees may be fixed at a uniform rate to all users of such facility or facilities, or the Board may in its discretion; fix such fees at a lower rate for resident users. A "resident user" is hereby defined as a user of park facilities who either resides in, or owns real estate within the District city limits.

#### **Section 41: Temporary Dismissal from Park Facilities**

a. Definition of Temporary Dismissal. "Temporary Dismissal" under this Section means removal and exclusion from all Park Facilities for an hour time period as provided in this Section.

b. Persons Subject to Temporary Dismissal. Any person who violates

(i) any provision of this Code,

(ii) any other existing Park District rule, regulation, code, ordinance, or policy, or

(iii) any State of Illinois or City of Quincy, code, or ordinance while in any Park Facility is subject to Temporary Dismissal.

c. Persons Authorized to Effect a Temporary Dismissal. The following persons may effect a Temporary Dismissal: City of Quincy police officers and Park District Directors and Supervisor and all other Park District representatives authorized by the Executive Director of the Park District.

A person authorized under this Subsection c is referred to as a "Dismissal Officer."

d. Basis for Determination of Temporary Dismissal. The determination whether to temporarily dismiss a person rests in the sound exercise of discretion by the Dismissal Officer and may be based either on observations by the Dismissal Officer, or on any report that would ordinarily be relied upon by a law enforcement officer to determine probable cause, or both.

e. Time Period of Dismissal. Each Temporary Dismissal is for a period of 24 hours after service of the Dismissal Notice under Subsection f of this Section.

f. Dismissal Notice. A person who is temporarily dismissed under this Section will receive a written Dismissal Notice from the Dismissal Officer that states (1) the date and time of issuance, (2) the general location at which the notice was issued, (3) a statement that the individual may not enter any Park Facility for 24 hours after receipt of the notice, and (4) a statement that violation of the terms of the notice may lead to arrest and prosecution for criminal trespass.

g. Violation of Dismissal Notice. The violation of any Dismissal Notice is a violation of this Code. A person who violates a Dismissal Notice is subject to being excluded from Park Facilities under Section 42 of this Code and to arrest and prosecution for criminal trespass.

#### **Section 42: Exclusion from Park Facilities**

a. Definition of Exclusion. "Exclusion" under this Section means removal and exclusion from all Park Facilities for a period of days as provided in this Section.

b. Persons Subject to Exclusion. A person is subject to Exclusion if he or she has received three or more citations during any 60-day period for violation of (i) any provision of this code, (ii) any other existing Park District rule, regulation, code, ordinance, or policy, or (iii) any State of Illinois or City of Quincy statute, code, or ordinance while in any Park Facility.

A citation that has been dismissed is not counted when determining whether a person is subject to Exclusion.

c. Persons Authorized to Effect Exclusion. The following persons may effect an Exclusion: City of Quincy police officers and any Park District Director

and all other Park District representatives authorized by the Executive Director of the Park District. A person authorized under this Subsection c is referred to as an "Exclusion Officer."

d. Basis for Determination to Exclude. The determination whether to exclude a person is based on previously issued citations as provided in Subsection b of this Section, without regard to the pendency or disposition of any of those citations, and any current citation for violation of this Code or any other Park District code, ordinance, or regulation.

e. Time Period of Exclusion. The time period of Exclusion is based on the sound exercise of discretion by the Exclusion Officer and must fall within the following parameters:

(1) A person who has accumulated three citations or has been the subject of one Temporary Dismissal during the 60-day period preceding the issuance of the current citation, or who has accumulated four citations in the 12-month period prior to issuance of the current citation, may be excluded for any period of days up to 60 days after receipt of the Exclusion Notice.

(2) A person who has accumulated four citations or has been the subject of two or more Temporary Dismissals during the 60-day period preceding the issuance of the current citation, or who has accumulated five citations in the 12-month period prior to issuance of the current citation, may be excluded for any period of days up to 180 days after receipt of the Exclusion Notice.

(3) A person who has accumulated five or more citations or has been the subject of three or more Temporary Dismissals during the 60-day period preceding the issuance of the current citation, or who has accumulated six citations in the 12-month period prior to issuance of the current citation, may be excluded for any period of days up to 365 days after receipt of the Exclusion Notice. The determination of the Exclusion Officer not to exclude a person eligible for Exclusion under this Subsection e at one time does not preclude that Exclusion Officer or any other Exclusion Officer from excluding that person at any time that person remains, or again becomes, eligible for Exclusion.

f. Exclusion Notice. A person who is excluded under this Section will receive a written Exclusion Notice from the Exclusion Officer that states (1) the date of issuance, (2) the general location at which the notice was issued, (3) the time period of Exclusion, (4) a statement that the individual may not enter any Park Facility during the period of Exclusion, (5) a statement that violation of the terms of the notice may lead to arrest and prosecution for criminal trespass, and (6) a statement that the Exclusion Notice may be appealed under this Section. Exclusion commences immediately after receipt of the Exclusion Notice.

g. Appeal of Length of Exclusion. Any person who receives an Exclusion Notice for a time period longer than seven days may appeal the length of

the Exclusion to the Director of the Park District. A written request for appeal, signed by the appellant, must be received at the Park District's headquarters within five days after issuance of the Exclusion Notice. The request for appeal must state an address and one or more telephone numbers at which the appellant can be reached readily during a regular business day.

The filing of an appeal does not postpone the immediate commencement of the Exclusion.

If a request for an appeal is received, then the Executive Director or his or her designee must conduct a hearing on the appeal as follows:

(1) The Park District, within three working days after receipt of the request for appeal, must notify the appellant with the date, time, and place of the hearing, which hearing date may not be less than five business days after notice is given. The notice may be sent by U.S. Mail or provided by telephone.

(2) If the appellant is unable to attend the hearing as scheduled, then the appellant must contact the Director's office at least three business days before the hearing date and request that the hearing be rescheduled. The failure to contact the Director is grounds for dismissal of the appeal.

(3) The hearing will be conducted at the Park District's headquarters and does not need to be a public hearing. At the hearing, the appellant may give testimony in support of his or her appeal and present facts, circumstances, evidence, and witnesses to rebut the basis for the length of the Exclusion. The appellant also may ask questions of any witnesses who testify in support of the length of the Exclusion. Rules of evidence and procedure need not be strictly applied. The Director or designee may examine witnesses, including the Exclusion Officer and may set the date of the hearing and continue the hearing to a future date if necessary to accommodate the scheduling of witnesses including the Exclusion Officer.

(4) If on the date set for hearing, the appellant fails to appear and is not represented at the hearing by her or his attorney, then the Director or designee nevertheless may proceed with the hearing, consider the facts, circumstances, and evidence relevant to the length of the Exclusion, and make her or his determination in the absence of the appellant and her or his attorney.

(5) Within five business days after the conclusion of the hearing, the Executive Director or designee must issue a written determination on the appeal. The Director or designee may reduce the time period of the Exclusion to any number of days not less than the number of days the appellant has been Excluded, or the Director or designee may sustain the length of the Exclusion, or based on aggravating evidence presented at the hearing the Director or designee may increase the length of the Exclusion. The determination of the Director or designee is final.

h. Violation of Exclusion Notice. The violation of any Exclusion Notice is a violation of this Code. A person who violates an Exclusion Notice is subject to further exclusion from Park Facilities under this Section and to arrest and prosecution for criminal trespass

**SECTION 43: Citation or Notice of Violation**

In addition to the discretion of a duly authorized law enforcement official or officer to lodge a charge, complaint or information for an alleged violation of Quincy City Ordinance or State law, any such law enforcement official or officer may use the following:

Such Notice of Violation shall be in a form prescribed by the Chief of Police of the City of Quincy, Illinois, in consultation with the corporation counsel and the city attorney consistent with law and applicable court rules.

Notice of Violation shall set forth the violation alleged and the penalty, which may be paid to the City Treasurer. Such penalty shall be twenty dollars (\$20.00) for each offense. The person shall be provided fourteen (14) days from the date of such Notice of Violation to pay the prescribed penalty. If not paid within such fourteen (14) day period, such person shall have additional days to pay but with additional court costs added to the original violation.

If after twenty-eight (28) days such violation has not been paid the penalty upon conviction shall be not less than twenty-five dollars (\$25.00) and not more than two hundred dollars (\$200.00).

The Chief of Police, or persons designated by him, or the Director of the Quincy Park District, or the Quincy Park District Rangers are hereby empowered and authorized to sign and/or issue a Citation or Notice of Violation on the form designated by the Chief of Police and currently used by the City of Quincy Police Department for violation of the ordinance.

A duly sworn Police Officer, at his/her discretion, may impose an appropriate state charge for alleged violation of a provision of this penal ordinance of the Quincy Park District.

**SECTION 44: Repeal of Prior Ordinances**

Effective date of this Ordinance, all Ordinances and parts of Ordinances in conflict or inconsistent with any of the provisions of is ordinance shall be hereby repealed, and this ordinance shall be in force from and after its passage and approval by the Board of Commissioners.

ADOPTED: October 8, 2014  
APPROVED: October 8, 2014

Officially published in pamphlet form this 8<sup>th</sup> day of October 2014.

QUINCY PARK DISTRICT, an Illinois  
Municipal Corporation

BY:

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President

ATTEST:

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Secretary

That all Ordinances and Resolutions and parts thereof in conflict herewith or to the extent of such conflict are hereby repealed.

This ordinance shall be in force and effect from and after its passage approved and publication as provided by law.

CORPORATE SEAL