

Chapter 20 - Parks

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2001 Definitions

Unless the context otherwise requires, the following terms as used in this Chapter shall be construed according to the definitions given below.

After Hours. From dusk until dawn the next morning.

Dawn. 30 minutes after sunrise; (as defined by the Illinois Vehicle Code).

Dusk. 30 minutes after sunset; (as defined by the Illinois Vehicle Code).

Function Open to Public. Any function whether run by a private entity or individual that charges an entry, user or admission fee or any other similar fee. (*Revised Ord. 2006-41*)

Park Hours or Park is Open. In absence of any special program, permission or permit from dawn to dusk, unless otherwise posted.

2002 Hours

Village parks shall be opened daily to the public from dawn to dusk except when permitted by the Village with the exception of Horse Fair and Spring Grove Parks which shall be open until 10:00 p.m. Any park or any part of a park may be declared closed to the public by the President at any time for any interval of time.

2003 Permit Required

Except as hereinafter provided, no group composed of 15 or more individuals may use or occupy any park within the Village without first obtaining a permit from the Village.

- A. **Horse Fair Park.** Whenever any person, persons, group, association or organization desires to reserve Horse Fair Park for a particular purpose, such as picnics, parties or theatrical or entertainment performances, a representative of said group, association or organization shall first obtain a permit from the Village for such purposes and pay a permit fee. Any permit issued hereunder shall be valid for the specific day only.
- B. **Hatchery Park.** Whenever any person, persons, group, association or organization desires to reserve Hatchery Park for a particular purpose, such as picnics, parties or theatrical or entertainment performances, a representative of said group, association or organization shall first obtain a permit from the Village for such purposes and pay a permit fee. Any permit issued hereunder shall be valid for the specific day only. The balance of the park shall remain open for use by the public. The applicant shall also be required to provide portable toilets from the Village's vendor list (or from a comparable vendor acceptable to the Village) at the rates and number of toilets required by the Village. (*Revised Ord. 2016-20*)

- C. **Other Parks.** The reservation of any other park facility shall require Village Board approval, the applicant must be a village resident or organization and a fee may apply.
- D. **Athletic Fields.** Whenever any person, persons, group, association or organization desires to reserve an athletic field for a particular purpose they shall pay the applicable user fee, provide insurance as directed by the Village Board and obtain approval from the village for such purposes. Recognized youth/adult sports affiliated groups, as determined by the Village Board, shall have priority for the scheduling of athletic fields. *(Revised Ord. 2018-03)*

2004 Application for Permit

- 2004.1 **Filing Written Application.** A person seeking issuance of a permit hereunder shall file an application with the Village. All permit applications and recipients shall be at least twenty one (21) years of age at the time of application; proof of age shall be required. All reservations must be made in person.
- 2004.2 **Fees for Use of Park Facilities.** No applications for permit shall be granted unless the same shall be accompanied by a fee as provided in Appendix A or as established by the Village Board. *(Revised Ord. 2018-03)*
- 2004.3 **Indemnification and Reimbursement Agreement.** No application for a permit shall be granted unless the applicant shall have executed an agreement regarding the use of the park, on a form to be prescribed by the Village, in which the applicant shall promise and covenant to bear all costs of policing, cleaning up and restoring the park property upon conclusion of the event or activity; to reimburse the village for any such costs incurred by the Village; and to indemnify the Village and hold the Village harmless from any liability to any person resulting from any damage or injury occurring in connection with the permitted event proximately caused by the action of the permittee, the sponsoring organization, its officers, employees or agents or any person under their control insofar as permitted by law. *(Revised Ord. 2016-20)*
- 2004.4 **Security Deposit.** For any activity requiring a permit, a deposit of a sum of money equal to the estimated cost of policing, cleaning up and restoring the park property upon conclusion of the use or activity is required. After the conclusion of a permit activity, the village shall inspect the premises and equipment used by the permittee. If it is determined by such inspection, that the permitted event proximately caused damage to park property in excess of the normal wear and tear and which requires repairs in excess of routine maintenance or determined that fines should be assessed against the permittee pursuant to this chapter, the village shall retain the security deposit and any portion thereof necessary to pay for the cost of the repairs or any fines assessed against the permittee. The village shall give written notice of the assessment of damages or fine and retention of security deposit to the permittee. The security deposit shall be paid by credit card and shall authorize the Village to charge the card for all costs which exceed the posted security deposit. *(Revised Ord. 2016-20)*

- 2004.5 **Insurance for a Business or an Organization.** Applicant shall procure and maintain at all times during its use of park property, insurance in such amounts and with such coverages as shall reasonably be required by the village and shall name the village as an additional insured thereunder. Applicant shall provide the Village with a certificate from its insurer evidencing such coverage prior to applicant's use of park property (the Village should be named as an additional insured). The certificate shall also provide that the insurer shall give the Village reasonable advance notice of insurer's intent to cancel the insurance coverage provided. (*Revised Ord. 2016-20*)
- 2004.6 **Village Right to Cancellation.** The Village Board reserves the right to cancel any approved permitted activity. In the event of such cancellation, the reservation fee and security deposit shall be returned to the applicant.
- 2004.7 **Withdrawal of Issued Permit; Refund.** In the event the person or organization desires to withdraw its issued permit, that person or organization shall be entitled to a refund of the fee paid on the following basis:
- A. Thirty (30) days or more prior to the scheduled event, the entire fee and security deposit shall be refunded.
 - B. Less than thirty (30) days prior to the scheduled event, no part of the fee shall be refunded but the security deposit shall be refunded.

2005 Standards for Issuance

A permit shall be issued if the Village finds:

- A. That the proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the park.
- B. That the proposed activity or use will not unreasonably interfere with or detract from the promotion of the public health, welfare, safety and recreation.
- C. That the proposed activity or use is not reasonably anticipated to incite violence, crime or disorderly conduct.
- D. That the proposed activity will not entail unusual, extraordinary or burdensome expense or police operation by the Village.
- E. That the facilities desired have not been reserved for any other use at that day and hour required in the application.

2006 Rules and Regulations

The following rules and regulations shall govern the usage of all parks in the Village:

- 2006.1 **Advertisements, Signs and Billposting.** No person shall post, stencil, or otherwise affix any notice, bill, sign, advertisement or other paper upon any structure, post or tree or other property in any park.

- 2006.2 **Animals.** No person shall bring a dog, cat, or other domesticated animal into any park, except for leader dogs for blind and hearing-impaired individuals and except for dogs and cats which are on a leash not longer than 10 feet. Said leashed dogs and cats may be walked or exercised only on improved trails and pathways and shall, at all times, be kept under the complete control of the person walking or exercising said animal. The person walking or exercising the dog or cat shall be responsible for any damage done to the landscaping or any park and shall be responsible for removing all animal excrement deposited by said animal.
- A. **Riding Animals.** Riding animals are only permitted at Horse Fair Park. No person shall leave or allow to be loose upon park property any horse, pony, or other riding animal except in areas designated for riding and by written permission of an authorized village official. Any animal found within a park in violation of this section may be apprehended; removed to an animal shelter, public pound, or any other place provided for that purpose; and impounded, all at the expense of the owner.
- 2006.3 **Camping.** No person shall place, erect, or use any hammock, swing, tent, shelter, or otherwise camp or sleep in a park, except by approval by the Village Board.
- 2006.4 **Conduct.** No person shall make or assist in making improper noise, riot, disturbance, breach of silence or diversion intending to breach the peace in a park.
- 2006.5 **Damage to Buildings and Other Property.** No person shall willfully mark, deface, or damage in anyway, or displace, move, remove or tamper with, any park property, building, fence, educational or information structure, walkway, bridge, pier, bench, railing, public utility, paving or paving material or part of appurtenance thereof, natural area sign, notice or placard, monument, stake, post or other boundary maker, or other structure or equipment, facility or natural area property or appurtenance that is located in the park.
- No person shall dig, move or remove from any natural area any sand, soil, rocks, stones, trees, shrubs or plants, fallen timber or other wood or materials, or make any excavation by tool, equipment blasting or other means without written approval by the Village Board.
- No person shall mark, deface, injure, destroy, damage, cut, pluck or take away park plantings or property without written approval of the Village Board. No person shall pour or otherwise discharge any substance or chemicals upon the water, grounds or property of the parks which are injurious to persons or park property. No person shall climb upon any plant, fence, structure or property of a park except such recreational equipment as may be installed for such purpose. There shall be no trespassing on any private property adjacent to park property. Damage or loss to park property of any kind, resulting directly or indirectly from a user, shall be paid for by the user.
- 2006.6 **Dumping and Littering.** No person shall deposit, dump, throw or place coal, ashes, dust, manure, grass clippings, shavings, dead branches or rubbish in or upon

any part of a park. Paper, garbage and refuse matter shall be deposited in receptacles provided for that purpose.

- 2006.7 **Fires.** No ground or uncontained fires shall be permitted except that a fire for cooking may be allowed if contained in a proper container manufactured for said use. All ignited coals and fire residue shall be removed from the park.
- 2006.8 **Fishing.** Fishing is only permitted in Hatchery Park during daylight hours provided the individual has a valid fishing license.
- 2006.9 **Games and Sports.** No person shall engage in any sport, game, amusement or activity in any park except in such areas designated for that activity. No person shall engage in any activity in a rough or reckless manner that endangers, injures or damages others or property.
- 2006.10 **Installation of Property and Staking.** No trees, plants, personal property or equipment shall be planted or installed in any park without the permission of the Village Board. Nor shall any fence, structure or other property encroach upon any park or property of the Village. No tents or canopies which are anchored or secured with stakes are permitted at Hatchery Park without Village Board approval. An appropriate security deposit shall be required for any such approved tent or canopy. *(Revised Ord. 2016-20)*
- A. **Memorials and Dedications.** Residents and organizations wishing to remember a loved one, honor someone special or commemorate an important occasion, and at the same time, benefit the community and future generations can purchase a bench, brick, or tree. The installation or planting of said memorial or dedication requires the authorization of the Village Board. Memorial plants or trees shall not be decorated with any ornaments of any kind unless authorized by the Village Board.
- 2006.11 **Motorized Vehicles.** It shall be unlawful for any person to bring, ride or drive any motorized vehicle in any park except in designated parking areas without authorization by the Village Board. This section shall not apply to village maintenance vehicles.
- No person shall operate a motorized vehicle any faster than 10 miles per hour in any parking lot or designated roadway.
- Vehicles in violation of this section or any unauthorized vehicle found in a park may be immediately towed from the park by the Village.
- 2006.12 **Public Entertaining.** No person or organization shall hold any concert or public entertainment of any kind in a park without property authorization.
- 2006.13 **Solicitation or Selling.** No person shall offer or exchange for sale any articles or thing, or do any peddling or solicitation in any park without property authorization.
- 2006.14 **Water.** No swimming, wading, water bathing or boating shall be allowed in any lake, pond, or stream within park property.

2006.15 **Weapons and Missiles.** No person, except authorized personnel, shall bring, carry or use in any park, knives, firearms, air guns, pellet guns, weapons of any kind or any fireworks or other explosive substance.

2006.16 **Variations.** No variation from these rules and regulations shall be granted without approval by the Village Board.

2007 Effective Permit

Permittee shall be bound by all park rules and regulations and all applicable ordinances fully as though they were inserted in said permits.

2008 Liability of Permittee

The person or persons to whom a permit is issued shall be liable for any loss, damage or injury sustained by any person whatever by reason of the negligence of the person to whom such permit shall have been issued.

2009 Revocation

The Village shall have the authority to revoke said permit upon a finding of violation of any rule or ordinance or upon good cause shown.

2010 Consumption of Alcoholic Beverages

It shall be unlawful for any person to carry, possess, consume or have any alcoholic liquor on or within any Village owned property except if authorized by a permit approved by the Village Board, a valid rental agreement or as otherwise provided within the Municipal Code of the Village of Spring Grove. The Chief of Police shall designate an area where alcohol may be used for each permit which is issued for use of Village owned property. Before selling alcoholic liquor on Village owned property, a permit holder shall first obtain a liquor license as provided in Chapter 9, Alcoholic Beverages, of the Village Code.

2011 Special Events and Activities in Parks

Special events and activities shall be held within the Village parks only with the permission and approval of the Village Board. Sponsors of special events and activities shall agree to pay such costs and comply with such regulations, including the posting of financial surety, as may be required.

2012 Parking

2012.1 No person shall park or place any vehicle or other property of any kind within a park so as to obstruct or interfere with traffic or travel or endanger the public safety.

- 2012.2 No person shall park any vehicle in any of the following places, except where otherwise designated:
- A. On lawn areas and grounds.
 - B. In front of public or private driveways.
 - C. In any position to block another car legally parked.
 - D. At any place where official signs prohibiting parking or prohibiting parking for more than a specified period have been posted.
 - E. Basketball courts, volleyball courts, baseball fields, soccer fields, football fields, or specified areas.

2012.3 **Hatchery Park.** No person shall park at Hatchery Park without first obtaining a parking permit and paying the appropriate fee for the same. Such permit shall be displayed in or on the accompany motor vehicle in such location as directed by the Village Board.

- A. **Village Resident Fee.** There shall be no fee charged to Village residents who display a current vehicle sticker on the accompany motor vehicle.
- B. **Non Resident Fee.** There shall be a \$5.00 fee charged to those motor vehicles that do not display a current vehicle sticker. A yearly parking pass may also be purchased for a fee of \$25. (*Revised Ord. 2015-03*)

2012.4 **Penalty.** Any person violating the provisions of Section 2012 shall be subject to a fine of not less than \$25.00 no more than \$750.00. Each day that a violation is found to have existed shall be deemed a separate offense. (*Revised Ord. 2015-03*)

2013 Penalty

2013.1 **Fines.** Any person found guilty of a violation of this Chapter, excluding Section 2012, shall be subject to a fine of not less than \$75.00 and no more than \$750.00. Each day that a violation is found to have existed shall be deemed a separate offense.

2013.2 **Eviction; Expulsion.** Any person violating any clause or provision of any section of this Chapter may be evicted or expelled from a park or park facility by a person empowered to enforce the provisions of this Chapter, specifically including law enforcement personnel from the Village and an authorized village official.

2013.3 **Damage; Restitution.** Any person violating any clause or provision of any section of this Chapter and having also caused damage to the buildings, property, or equipment of the Village shall make restitution in addition to any other fine or penalty imposed. Restitution shall include all expenses required to make the village whole, including, but not limited to, contractor fees, attorney fees and court costs.

Appendix A – Fee Schedule

Horse Fair Park. Upon issuance of the permit, the permittee shall pay a fee as set forth below. *(Revised Ord. 2019-02)*

Permit Holder Categories**	Rates		
	<u>Fee</u>	<u>Key Deposit</u>	<u>Maintenance Deposit</u>
• Spring Grove Resident/Business/Organization	\$200.00	\$20.00	\$150.00
• Spring Grove Organization Open to the Public Event – Per Day plus variable*	\$260.00	\$20.00	\$300.00
• Non-Spring Grove Resident/Business/Organization	\$380.00	\$20.00	\$150.00
• Non-Spring Grove Resident/Business/Organization Open to the Public Event - Per Day plus variable*	\$380.00	\$20.00	\$300.00

***Plus Variable:** Requiring General Admission Ticket - Per Ticket: 50 cents or if no General Admission Tickets - % of Gross Revenue: 6.0%. Base fees for public functions shall be paid upon written completion of application. Variable fees, along with supporting documentation, shall be paid within 30 days of the function.

****Proof of residency based on the address of the resident, business or organization.**

Hatchery Park. Upon issuance of the permit, the permittee shall pay a fee as set forth below. Requests for special events or activities of the park require Village Board approval. *(Revised Ord. 2016-21)*

Permit Holder Categories**	Rates	
	<u>Rental Fee</u>	<u>Maintenance Deposit</u>
• Rental of Pavilion - Spring Grove Resident/Business/Organization –(maximum of 75 people)	\$180.00	\$150.00
• Rental of Pavilion – non-Spring Grove resident	\$500.00	\$150.00
• Special Event or Activity- Spring Grove Resident/Business/Organization (maximum of 300 people)	\$360.00	\$150.00
• Special Event or Activity - Non-Spring Grove Resident/Business/Organization (maximum of 300 people)	\$720.00	\$150.00

***If renter would like the Visitor’s Center open during the event, the following rates will apply: \$50/hr during regular working hours or \$73/hr nights and weekends.**

****Proof of residency based on the address of the resident, business or organization.**