

Chapter 254

PARKS AND RECREATION AREAS

§ 254-1. Park regulations.

§ 254-2. Radio-controlled model airplanes restricted.

§ 254-3. Use of metal detectors on public property.

§ 254-4. Park hours.

§ 254-5. Reservation of park space.

[HISTORY: Adopted by the Village Board of the Village of Black Creek as Title 4, Ch. 5, of the 1987 Village Code. Amendments noted where applicable.]

§ 254-1. Park regulations.

- A. Purpose and definition. In order to protect the parks, parkways, recreational facilities and conservancy areas within the Village from injury, damage or desecration, these regulations are enacted. The term "park," as hereinafter used in this chapter, shall include all grounds, structures and watercourses which are or may be located within any area dedicated to the public use as a park, parkway, recreation facility or conservancy district in the Village.
- B. Specific regulations.
- (1) Littering prohibited. No person shall litter, dump or deposit any rubbish, refuse, earth or other material in any park.
 - (2) Sound devices. No person shall operate or play any amplifying system, unless specific authority is first obtained from the Village Board.
 - (3) Pets. No person shall permit any dog, cat or other pet owned by him to run at large in any park. No animal beyond the fence of the lake area. [Amended 10-12-2015]
 - (4) Bill posting. No person shall post, paste, fasten, paint or attach any placard, bill, notice, sign or advertising matter upon any structure, tree or other natural object in any park, except park regulations and other signs authorized by the Village Board.
 - (5) Throwing stones and missiles prohibited. No person shall throw stones or other missiles in or into any park.
 - (6) Removal of park equipment prohibited. No person shall remove benches, seats, tables or other park equipment from any park.
 - (7) Trapping. No person shall trap in any park unless specific written authority is first obtained from the Village Board.
 - (8) Making of fires. No person shall start, tend or maintain a fire except in personal grills or designated fireplaces. Personal grills shall be used only in designated

picnic areas. The use of personal grills is permitted, provided lawns and vegetation are not endangered. Unburned fuel and ashes shall be disposed of in such a manner as to prevent fire or damage to any park property.

- (9) Protection of park property. No person shall kill, injure or disturb or attempt to injure or disturb waterfowl, birds or animals, wild or domestic, within any park. No person shall climb any tree or remove flowers or fruit, wild or cultivated, or break, cut down, trample upon, remove or in any manner injure, deface, write upon or ill use any tree, shrub, flower, flower bed, turf, soil, sand, fountain, ornament, building, structure, apparatus, bench, table, official notice, sign or other property within any park or any of the facilities of the municipal swimming pool.
- (10) Motorized vehicles. Except for authorized maintenance vehicles, no person shall operate an unlicensed or licensed motorized vehicle outside of areas specifically designated as parking areas or areas where the operation of such vehicles is specifically permitted. Motor vehicles are restricted to the roads and drives and parking areas. No motor vehicles of any nature may be used on the seeded areas except vehicles which have a Village Board authorization for shows, rides or exhibits, and then only for the purpose of loading and unloading.
- (11) Snowmobiles. No person shall operate a snowmobile in a Village park except in designated areas.
- (12) Speed limit. No person shall operate any vehicle in a Village park in excess of 15 mph unless otherwise posted.
- (13) Glass beverage bottles in parks prohibited. No person shall possess any glass beverage bottle within the limits of the parks of the Village.
- (14) Reckless driving in parks prohibited. No person shall operate a motor vehicle in a reckless manner in any of the public parks of the Village.
- (15) Parking in parks. No person shall park any motor vehicle in any park in the Village except in a designated parking area.
- (16) Horse and carriages. No person shall ride a horse or drive a horse-driven vehicle in any park, except on roads or designated bridle paths, except when approval of the Village Board is first obtained. It shall be unlawful for any person to ride a horse or drive a horse-drawn vehicle in a careless, negligent or reckless manner which may endanger the safety and well-being of others.
- (17) Removing tree protectors. No person shall remove any device for the protection of trees or shrubs.
- (18) Golfing. No golfing or practicing golf in Village parks or recreation areas shall be allowed except with the use of a whiffle ball.
- (19) Arrows. No person shall use or shoot any bow and arrow in any Village park except in authorized areas.

§ 254-2. Radio-controlled model airplanes restricted.

No person shall fly a radio-controlled model airplane in any park in the Village except in areas specifically designated and posted for such purpose.

§ 254-3. Use of metal detectors on public property.

Except as authorized by the Village Board, no person shall dig into the turf of any Village-owned property for any purposes whatsoever. Absent authorization by the Village Board, the use of metal detectors and digging for buried objects on Village property, except beaches where no vegetation is present, is prohibited.

§ 254-4. Park hours.

- A. Park hours. Subject to certain exceptions listed below, all Village parks shall be closed from 11:00 p.m. to 6:00 a.m. the following day.
- B. Exceptions to closing hours. A person driving through a park on a public road; however, stopping shall not be permitted within a park.

§ 254-5. Reservation of park space.

- A. Policy on reservation. The Village-owned park and park facilities and shelter areas are primarily for the nonexclusive use of the residents and visitors of the Village. However, under proper circumstances, exclusive use of the same or parts thereof may be permitted. This section is intended to regulate exclusive use of municipally owned parks, park facilities, park shelters or parts thereof in the Village to the end that the general welfare of the Village is protected.
- B. Reservation of park space. A person or group, firm, organization, partnership or corporation may reserve the use of a park facility or a park shelter by written application filed with the Village Clerk-Treasurer or authorized designee for a permit for exclusive use of the same. The Village Clerk-Treasurer or authorized designee shall issue permits for exclusive use of a portion of a park or park shelter, while the Village Board shall issue permits for the exclusive use of Village parks.
- C. Application. Applications shall be filed with the Village Clerk-Treasurer or authorized designee at least 14 days prior to the date on which the exclusive use of the entire park is requested, or at least three days prior to the date on which a park shelter or a portion of a park is to be used, and shall set forth the following information regarding the proposed exclusive use:
 - (1) The name, address and telephone number of the applicant.
 - (2) If the exclusive use is proposed for a group, form, organization, partnership or corporation, the name, address and telephone number of the headquarters of the same, and the responsible and authorized heads or partners of the same.
 - (3) The name, address and telephone number of the person who will be responsible for the use of the said park, area or facility.

- (4) The date when the exclusive use is requested and the hours of the proposed exclusive use.
 - (5) The anticipated number of persons to use the said park, area or facility.
 - (6) Any additional information which the Village Board or Clerk-Treasurer finds reasonably necessary to a fair determination as to whether a permit should be issued.
- D. All applicants for reservation of park space or shelters for which a permit is required shall pay a deposit as set forth in the General Fee Schedule, on file in the Village offices, to pay for the Village's maintenance and cleanup expenses. The deposit shall be returned if cleanup or repair by the Village is not required. The fee is payable at the time of application and is nonrefundable. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- E. Action on application. The Village Board or appropriate committee thereof shall act promptly on all applications for permits for exclusive park use (not shelter use) after consulting with the applicant, if necessary.
- F. Reasons for denial. Applications may be denied for any of the following reasons:
- (1) If it is for a use which would involve a violation of federal or state law or any provision of this Code.
 - (2) If the granting of the permit would conflict with another permit already granted or for which application is already pending.
 - (3) If the application does not contain the information required by Subsection C above.
 - (4) The application is made less than the required days in advance of the scheduled exclusive use.
 - (5) If it is for a use of the park or park facility at a date and time when, in addition to the proposed use, anticipated nonexclusive use by others of the park or park facility is expected and would be seriously or adversely affected.
 - (6) If the law enforcement requirements of the exclusive use will require so large a number of persons as to prevent adequate law enforcement to the park, park facility or shelter area involved or of the rest of the Village.
 - (7) The exclusive use will reasonably create a substantial risk of injury to persons or damage to property.
 - (8) The exclusive use is so poorly organized that participants are likely to engage in aggressive or destructive activity.
- G. Indemnification. Prior to granting any permit for exclusive use of the park, the Village may require the permittee to file evidence of good and sufficient sureties, insurance in force or other evidence of adequate financial responsibility running to the Village and such other third parties as may be injured or damaged, in an amount depending upon the likelihood of injury or damage as a direct and proximate result of the exclusive use

sufficient to indemnify the Village and such third parties as may be injured or damaged thereby, caused by the permittee, its agents or participants.

- H. Permit not required for Village activity. A permit is not required for exclusive use of the park or a park facility sponsored by the Village.
- I. Permit revocation. The Village Board and/or Chief of Police, after granting a permit, may revoke a permit already issued if it is deemed that such action is justified by an actual or potential emergency due to weather, fire, riot, other catastrophe or likelihood of a breach of the peace or by major change in the conditions forming the basis of the issuance of the permit.
- J. Form of permit. Each permit shall be in a form prescribed by the Village Board and shall designate the park, park facility or shelter area involved, date, hours of the exclusive use, purpose of the exclusive use and the name of the person, group, firm, organization, partnership or corporation to which the permit is issued.