

Kewanee
Park
District

Code

Henry County, Illinois

Revised January 2017

***LA WS, ORDINANCES AND
REGULATIONS

FOR THE

GUIDANCE OF THE BOARD OF
COMMISSIONERS OF

KEWANEE PARK DISTRICT
OF
HENRY COUNTY, ILLINOIS***

January 2017

PUBLISHED BY AUTHORITY OF BOARD OF COMMISSIONERS.

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***L A W S A N D O R D I N A N C E S P R O V I D I N G F O R T H E R E G U L A T I O N S A N D
R E S T R I C T I O N S G O V E R N I N G T H E U S E O F T H E P A R K S Y S T E M O F T H E
K E W A N E E P A R K D I S T R I C T , H E N R Y C O U N T Y , I L L I N O I S .***

***WHEREAS, The Kewanee Park District is a municipal corporation duly
organized under an act of the general Assembly of the State of Illinois entitled,
“The Park District Code”***

***WHEREAS, it is deemed advisable to collect the various ordinances and
regulations of the Kewanee Park District in one ordinance to provide a single
instrument for the government of the business operation of the Park District, the
use of parks and the policing of them and other facilities of the district, and rules
affecting personal conduct of patrons and employees of the district, and revising the
same as provisions published.***

***WHEREAS, certain provisions of the Kewanee Park District Code of Ordinances
have been outdated;***

WHEREAS, it is desirable that such provisions be amended;

***NOW THEREFORE, BE ORDAINED, by the commissioners of the Kewanee
Park District, Illinois that the Kewanee Park District Code of Ordinances be
repealed and recreated to read as follows:***

**CHAPTER ONE
SCOPE**

Section 1.01 Designation

This ordinance shall be known as the “Ordinance Code of the Kewanee Park District,
Henry County, Illinois, and the same may be so cited and referred to for purposes of
identification.

Section 1.02 Scope

This ordinance shall apply to and be enforced in all of the territory originally embraced
in, heretofore added to, and which may hereafter be embraced in the boundaries of said
Kewanee Park District, and in all parks, public places and other property and facilities of every

kind owned by, possessed by or controlled by or within the jurisdiction of the district, whether within or outside the boundaries of said district.

Section 1.03 Declaration of Control

Whenever, in this ordinance, places of the district are referred to such words shall be deemed to refer to and include all places and facilities owned, operated, possessed, leased, or controlled by the district.

Section 1.04 Construction of Words

Whenever in this Ordinance, the following terms are used, they shall have the meanings respectively ascribed to them in this section:

- (1) Board – Board of Park Commissioners.*
- (2) District-Kewanee Park District, Henry County, Illinois.*
- (3) Drivers-Every person who drives or is in actual physical control of a vehicle.*
- (4) Ordinances-Kewanee Park District Ordinance Code.*
- (5) Owner-Person who holds the legal title to a vehicle or other property is the subject of an agreement for the conditional sale or lease thereof, with the right of purchase upon performance of the conditions stated in the agreement, and with an immediate right of possession vested in the conditional vendee or lease, or in the event mortgagor of the vehicle or other property is entitled to possession, then such conditional vendee or lease or mortgagor shall be deemed the owner for the purpose of this ordinance.*
- (6) Park – When prohibited, means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of this ordinance.*
- (7) Park System- All of the parks, roadways, parking lots, waters, structures and other property of every kind owned, possessed, leased or controlled by the district, now or hereafter, whether within or without its boundaries.*
- (8) Person- Every natural person, firm. Co-partnership, association, corporation, or organization of any kind.*
- (9) Vehicle-Every device in, upon, or by which any person or property is, or may be transported, or drawn upon a roadway.*
- (10) Bathhouse- That portion of the swimming pools which is used to pat admission and change clothes prior to entering the swimming area.*
- (11) Reception Area- The portion of the pool which is used to pay admission and change cloths prior to entering the swimming area.*
- (12) Pool Area – the portion of the swimming pool, exclusive of the bathhouse and enclosed inside chain-link fencing*
- (13) Golf Course – Any portion of a park specifically designated as golf links.*
- (14) He – A natural person whether male or female.*
- (15) Responsible bidder – With respects to:*
 - a.) All construction contracts for new facilities, renovation of exsisting facilities, or road construction; in excess of \$25,000.00 and*
 - b.) All contracts regardless of dollar amount, for electrical work, HVAC work, plumbing work (as any of the foregoing are defined by Kewanee Park District),A person or entity bidding on such contracts who meets all job specifications, meets all criteria set forth in section 5.01 of Kewanee Park District ordinances, and submits required evidence thereof.*

Section 1.05 Statutory Control

This ordinance shall be subject to and controlled by "The Park District Code" of the State of Illinois and all other laws affecting the District.

**Chapter 2
ORGANIZATION****Section 2.01 Government**

The government of the District shall be vested in the Board of Park Commissioners, duly elected as provided by law.

Section 2.02 Annual Meeting

The annual meeting of the Board shall be held on the first Thursday in each May, in each year, at 5:30 pm.

Section 2.03 Regular Meetings

Regular meeting of the Board shall be held as specified in the annual Calendar of Regular Meetings prepared pursuant to the provisions of the Illinois Open Meetings Act, 5 ILCS120-1 et. Seq.

Section 2.04 Special Meetings

Special meetings of the Board may be called by the president whenever he shall deem it necessary, or shall be called by the president at the request of any two commissioners. Written notice shall be given each commissioner of the time and place of the special meeting at least 48 hours prior to the time of the meeting. Except in the event of a bona fide emergency, shall include the agenda to be considered at such meeting.

Section 2.05 Place of Meeting

Annual and Regular meetings of the Board shall be at the administrative offices of the District, Kewanee Park District Administrative office, 1095 Cambridge Road, Kewanee, Illinois or such other location as the Board may determine. Special meetings shall be held as the Board shall specify.

Section 2.06 Quorum

A majority of the duly elected and qualified commissioners shall constitute a quorum for the transaction of business; provided, however, that if no quorum is present, the commissioners attending may adjourn the meeting from time to time until a quorum is obtained.

Section 2.07 Order of Business

The order of business at all meetings of the Board shall be as determined by the Board.

Section 2.08 Ordinance in Writing

All ordinances, resolutions, and other proceedings of the Board shall be in writing and kept in a regular book of records, open to public inspection at all reasonable and proper times, as prescribed by law.

Section 2.09 Voting

The yeas and nays shall be taken upon the passage of all ordinances, and upon all propositions to create any liability, or for expenditure or for the appropriation of money, and in all cases at the request of any commissioner and shall be entered upon the minutes of the proceedings. The act of the majority of the commissioners present at a meeting at which a quorum is present shall be the act of the Board.

Section 2.10 Rules of Order

Robert's Rules of Order shall govern all questions of procedure not otherwise provided for herein.

Section 2.11 Public Attendance

Any member of the public in attendance of an annual, regular or special meeting will be allowed to voice their concerns during the "Open Business" portion of the agenda and will be allowed up to 5 minutes to address the Park Board of Commissioners before further discussion or action is taken.

Section 2.12 Procedures

The Board shall adopt all necessary procedures and policies, including personnel and governance policies, and may at its pleasure from time to time amend, repeal or recreate the same.

**Chapter 3
OFFICERS AND EMPLOYEES**

Section 3.01 Number

The officers and the Board shall be President, Vice-President, Secretary, and Treasurer, as prescribed by law, and such assistants as may be appointed. Commissioners having served at least one complete year are eligible for the offices of President and Vice-President.

Section 3.02 Election and Term of Office

The officers of the District shall be elected annually by the Board at the first meeting in May of each year, pursuant to law. If the officers shall not be elected at such meeting, they shall be elected at another Board meeting as soon thereafter as possible. Each officer shall hold office until the first meeting in May of the succeeding year and until his successor is duly elected and has qualified, or until his death, or until he shall resign, or shall have been removed in the manner hereinafter prescribed. Vacancies may be filled by the Board at any of its meetings. In case of temporary absence or inability of any officer to act as such, the Board may fill his office "pro tempore".

Section 3.03 Removal

Any officer or employee chosen or employed by the Board may be removed by the Board whenever in its judgment the best interest of the District would be served thereby.

Section 3.04 President

The President shall be the executive officer of the Board. It shall be his duty to preside at all meetings when present, to sign all contracts and other papers authorized by the Board, to see that all ordinances of the Board are enforced and that all orders of the Board are faithfully executed, and to exercise general supervision of all officers and employees and over the business and property of the District; all subject, however, to the direction and approval of the Board.

Section 3.05 Vice-President

The Vice-President, in the absence of the President, or in the event of his refusal or inability to act, shall be vested with the powers to perform the duties of the President.

Section 3.06 Secretary

The Board shall appoint a Secretary who shall keep the Corporate Seal and all books and records pertaining to the District, shall attest and affix the Corporate Seal to all instruments requiring such action when authorized by ordinance or vote of the Board, and shall cause all ordinances, resolutions, and other actions of the Board requiring publication to be duly publicized. He shall give notice of and attend all meeting of the Board and keep a full and true record of its proceedings including all ordinances passed.

Section 3.06 (a) Assistant Secretary

The Assistant Secretary shall exercise all of the powers and functions of the Secretary in the absence of the Secretary.

Section 3.07 Treasurer

The Treasurer shall be appointed by the Board, which shall prescribe his duties and term of office. The Treasurer shall furnish such bond as the Board deems necessary. The Secretary and the Treasurer need not be members of the Board; in such case the Board may fix their compensation; and both offices may be held by the same person. The Treasurer shall receive and safely keep all moneys belonging to the District, depositing, in the name of the District, all moneys belonging to the District and received by him, in the bank approved and designated by the Board. He shall disburse the same only upon the authority of the Board together with properly documented invoices. Acting under the supervision of the Board, the Treasurer of the Kewanee Park District and the Assistant Treasurer shall have charge of the bookkeeping and system of accounts. He shall make monthly reports to the Board of all reserves and expenditures. In July, the Treasurer shall submit complete financial statements for the preceding year, which have been audited by an external CPA, to the Board and the general public. He shall furnish to any commissioner or officer information as to any matter relating to this office, requested by same, including copies of records of receipts and disbursements, statements of accounts, audits and other records of the District under his control and supervision.

Section 3.07 (a) Assistant Treasurer

The Assistant Treasurer shall exercise all of the powers and functions of the treasurer in the absence of the Treasurer

Section 3.08 Executive Director of the Kewanee Park District

The Executive Director of the Kewanee Park District shall be the chief administrative officer of the District and is directly responsible to the Board for the total administration of the District. In addition, he shall appoint and direct the functions of the Attorney, Assistant Secretary, and Assistant Treasurer. The Executive Director shall have charge of the operation, maintenance, construction, and repair of all park facilities and property, and all recreation facilities and activities. He shall have charge of the employment of such employees as are required to operate the Park District and its facilities, subject to the employment policies and salary schedules as established by the Board. The Executive Director is subject to the policies and direction of the Board. The Executive Director shall keep the Park Board advised of all the activities of the District and aid the Board in the formulation of new policies.

Section 3.09 Director's Term

Two or more members of the Director's Team shall serve as the assistants to the Executive Director and in his absence shall be vested with the powers to perform the duties of the Executive Director and shall perform all duties required by the Executive Director or by the Board.

Section 3.10 Attorney

The Attorney shall have charge of all legal matters and of the prosecution and defense of all litigation in which the District is interested. He shall draft all ordinances, resolutions and other instruments required by the Board and shall give opinions on all questions referred to him.

Section 3.11 Additional Duties of Officers and Employees

In addition to the duties hereinabove specified, each officer and employee shall perform such other duties as may be required of him by the Board or by law.

Section 3.12 Compensation of Officers and Employees

The officers who are not members of the Board and all employees shall receive such compensation for their services as the Board shall from time to time determine, pursuant to law. Board members may not be compensated for their services to the district (70 ILCS 1205/4-1). However, reasonable reimbursement for expenses incurred incidental to the exercise of official duties is permissible. Board members, however, should not be reimbursed in excess of actual expenses. It is permissible to allow board members to participate in park and recreational activities and programs without having to pay the fees required of the general public.

SECTION 3.12-1 ORDINANCE 2017 TO PROVIDE FOR USE AND ADMISSION TO PARK DISTRICT FACILITIES FOR THE PARK COMMISSIONERS OF KEWANEE PARK DISTRICT, HENRY COUNTY, ILLINOIS

WHEREAS, the Kewanee Park District ("Park District") is a duly organized unit of local government organized and operating under the Constitution and laws of the State of Illinois;

WHEREAS, the Park District derives its rights, power and authority from the various sections of the Park District Code ("the Code");

WEHREAS, under the Code of the District has the power, among other things, through its Board of Commissioners, to "manage and control all...property of such district..." and to "plan, establish and maintain recreational programs: and services;

WHEREAS, the Park Board of Commissioners finds it necessary to assist themselves in exercising their duty to "manage and control all...property of [the] district..." and to "plan, establish and maintain recreational programs" by directly observing and participating in the District's facilities and programs;

WHEREAS, the Park Board of Commissioners finds it necessary to assist themselves in exercising the aforesaid duties by receiving direct feedback from the residents of the District and patrons of the District's facilities and programs to obtain an array of perspectives and respond to the various demands of the District's residents;

WHEREAS, the Park Board of Commissioners finds it in the best interest of the District and its residents to allow the Commissioners a waiver of fees while exercising their duty to manage and control all of the District's property and to plan, establish and maintain recreational programs; and

WHEREAS, the Park Board of Commissioners further finds that because it is necessary for the faithful execution of their duties to attend, participate in and get feedback from the users and patrons of the District's facilities and programs, that the Commissioners shall be granted fee waivers for the fees charged for attendance at and participation in such activities.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Commissioners of the Kewanee Park District, Henry County, Illinois, as follows:

SECTION 1: The foregoing recitals are incorporated herein by reference as substantive provisions hereof.

SECTION 2: The Park Board of Commissioners declares that it is necessary and convenient to provide to the Commissioners (not including family members) free attendance to and participation in District's facilities, property and programs to assist them in exercising their duty to manage and control all of the District's property and to plan, establish and maintain recreational programs for the District's residents.

SECTION 3:

- A. The Park Board of Commissioners declares that, to the extent it is necessary, the Park Commissioners shall receive feedback from the residents of the District concerning the District's facilities and programs to assist them in managing and controlling the District's property and planning, establishing and maintaining recreational programs, and it is within the best interest of the District for Commissioners to invite guests to attend and participate in District programs and facilities to facilitate a free exchange of ideas and generate feedback.
- B. For the purpose of assisting Commissioners in collecting feedback and ideas regarding existing or new facilities and programs of the District, the Park Board of Commissioners finds it necessary to permit up to 10 guests of each Commissioner, per quarter, to participate in and attend District facilities and programs without charge.
- C. Every quarter each Commissioner shall be given a punch card to be used to keep track of the number of guests invited to District facilities and programs. Each card shall be prepared to provide a means by which the number of guests who have been granted free admission to a program or facility can be counted. Such cards are non-transferable and may only be used during the year in which it was issued and when the guest is accompanied by the Commissioner to whom such card was issued.
- D. The Park Board of Commissioners declares that, any Commissioner reaching the 20 year service mark or more as a Park Board Commissioner for the Kewanee Park District, shall be given full use of all District facilities and programs upon their exit from the Park Board of Commissioners, until such time that the exiting Commissioner is no longer able to access such facilities and programs.

SECTION 4: If any provision of this Ordinance shall be found by a court of competent jurisdiction to be "ultra vires" or unconstitutional, such provision shall be considered excised herefrom and shall not affect the enforceability or validity of the remaining provisions herein.

SECTION 5: This Ordinance shall be effective upon adoption and approval the Park Board of Commissioners as provided by law.

PASSED this 26th day of January, 2017.

AYES: 5 ABSENT: NONE

NAYS: 0 ABSENT: NONE

Section 3.13 Bonds

Before entering upon their respective duties, all officers and employees may be required to give a bond in such penal sum and with such conditions and security as may be determined by the Board.

Section 3.14-1 Prohibited Political Activities

- (a) Park District employees shall not intentionally perform any prohibited political activities, as the same is defined under the Illinois Governmental Ethics Act 420/1-101, during any compensated time (other than vacation, personal, or compensatory time off). Park District employees shall not intentionally misappropriate any District property or resources by engaging in any prohibited political activity for the benefit of any campaign for elective office of any other political organization.*
- (b) At no time shall any commissioner or any official, Executive Director, supervisor, or Park District employee, intentionally misappropriate the services of any Park District employee by requiring that Park District employee to perform any prohibited political activity (i) as part of that Park District employees duties, (ii) as a condition of Park District's employment, or (iii) during any time off that is compensated by the Park District (such as vacation, personal, or compensatory time off).*
- (c) A Park District employee shall not be required at any time to participate in any prohibited political activity in consideration for that Park District employee being awarded any additional compensation or employee benefit, in the form of a salary adjustment, bonus, compensatory time off, continued employment, or otherwise.*
- (d) A Park District employee shall not be awarded any additional compensation or employee benefit, in the form of a salary adjustment, bonus, compensatory time off, continued employment, or otherwise, in consideration for the Park District employee's participation in any prohibited political activity.*
- (e) Nothing in this section prohibits activities that are otherwise appropriate for a Park District employee to engage in as a part of his or her official Park District employment duties or activities that are undertaken by a Park District employee on a voluntary basis as permitted by law.*
- (f) No person either (i) in a position that is subject to recognize merit principals of public employment, or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs, shall be denied or deprived of Park District employment or tenure solely because he or she is a member of an office of a political committee, of a political party, or of a political organization or club.*

3.14-2-10 Gift Ban

Except as otherwise provided in this article, no officer, member, or Park District employee shall intentionally solicit or accept any gift from any prohibited source, as the same is defined in the State Officials and Employees Ethics Act 5ILCS 430/1-1 and following, or in violation of any federal or State statute, rule, or regulation. This ban applies to and includes the spouse of an immediate family living with the officer, member, or Park District employee. No prohibited source shall intentionally offer or make a gift that violates this Section.

Section 3.14-2-15 Gift Ban; Exceptions

- (a) Opportunities, benefits and services that are available on the same conditions as for the general public*
- (b) Anything for which the officer, member, or Park District employee pays the market value.*
- (c) Any (i) contributions that is lawfully made under the Election Code or under this Act or (ii) activities associated with a fundraising event in support of a political organization or candidate.*
- (d) Educational materials and missions. This exception may be further defined by rules adopted by the appropriate ethics commission or by the Auditor General for the Auditor General and employees of the Office of the Auditor General.*
- (e) Travel expenses for a meeting to discuss Park District business. This exception may be further defined by rules adopted by the appropriate ethics commission or by the Auditor General for the Auditor General and employees of the Office of the Auditor General.*
- (f) A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, and including the father, mother, grandfather, grandmother, of the individual's spouse and the individual's fiancé or fiancée.*
- (g) Anything provided by an individual on the basis of a personal friendship unless the member, officer, or employee has reason to believe that, under the circumstances the gift was provided because of the official position or employment of the member, officer, or employee and not because of the personal friendship.*

In determining whether a gift is provided on the basis of personal friendship, the member, officer, or employee shall consider the circumstances under which the gift was offered, such as:

 - (1) The history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals;*
 - (2) Whether to the actual knowledge of the member, officer, or employee the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and*
 - (3) Whether to the actual knowledge of the member, officer, or employee the individual who gave the gift also at the same time gave the same or similar gifts to other members, officers, or employees.*
- (h) Food or refreshments not exceeding \$75.00 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premise from which they were purchased or prepared or (ii) catered. For the purpose of this section, "catered" means food or refreshments that are purchased ready to eat and delivered by any means.*
- (i) Food, refreshments, lodging, transportation, and other benefits resulting from the outside business or employment activities (or outside activities that are not connected to the duties*

of the officer, member or employee as an office holder or employee) of the officer, member or employee, or the spouse of the officer, member or employee if the benefits have not been offered or enhanced because of the official position or employment of the officer, member or employee, and are customarily provided to others in similar circumstances.

- (j) Intra-governmental and inter-governmental gifts. For the purpose of this Act, "Intra-governmental gifts" means any gift given to a member, officer or employee of the Park District from another member, officer, or employee of the Park District; and "Inter-governmental Gift" means any gift given to a member, officer or employee of the Park District by a member, officer, or employee of a State agency, a federal agency, or of any governmental entity.*
- (k) Bequests, inheritances, and other transfers at death.*
- (l) Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.00.*

Each of the exceptions listed in this Section is mutually exclusive and independent of one another.

Section 3.14-2-30 Gift Ban; Disposition of Gifts

a member, officer or employee does not violate this Act if the member, officer or employee promptly takes reasonable action to return the prohibited gift to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501 (c) (3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

Chapter 4 COMMITTEES

Section 4.01 Committees

The Board may establish such standing and special committees as may be necessary from time to time and fix the duties of the same.

Chapter 5 CONTRACTS AND DISBURSEMENTS

Section 5.01 Contracts

All contracts exceeding in amount the sum of \$25,000.00 for work, materials, or supplies or other public improvements of any kind, shall be let by the commissioners to the lowest responsible bidder, after due advertisement.

Chapter One Section 1.04 defines responsible bidder for projects involving bidders for: 1) construction of new facilities, renovations of current facilities, or road construction projects over \$25,000.00; and, 2) for all contracts for electrical work, or heating, ventilation, and air conditioning ("HVAC") work, or plumbing work (regardless of the dollar amount of the contract) on facilities and/or projects meets all of the job specifications, the following applicable criteria, and submits evidence of such compliance:

- 1.) All applicable laws prerequisite to doing business in Illinois.*
- 2.) Evidence of compliance with
 - a.) Federal Employer Tax Identification Number or Social Security Number (for individuals).*
 - b.) Provisions of Section 2000(e) of Chapter 21, Title 42 of the United States Code and Federal Executive Order No. 11246 as amended by Executive Order 11375 (known as the Equal Opportunity Employer provisions.)**

- 3.) *Certificates of insurance indicating the following coverage's: general liability, worker's compensation, completed operations, automobile, hazardous occupation, product liability, and professional liability.*
- 4.) *Compliance with all provisions of the Illinois Prevailing Wage Act, including wage payment, submission of certified payroll records, medical and hospitalization insurance, and retirement for those trades covered under the act.*
- 5.) *No Commissioner, officer, or employee shall be authorized to create any financial liability on behalf of the Board, provided, however, that the Executive Director is authorized to make any necessary purchase which does not exceed \$50,000.00. The Executive Director shall report purchases to the Board as it may require.*
- 6.) *Compliance with all provisions of the Illinois Park District Code are to be competitively bid, shall be let by the Commissioners to the lowest responsible bidder, after compliance with the Park District Code.*

Section 5.02 Financial Liability

No Commissioner, officer or employee shall be authorized to create any financial liability on behalf of the Board, provided, however, that the Executive Director is authorized to make any necessary purchase which does not exceed \$50,000.00. The Executive Director shall report purchases to the Board as it may require.

Section 5.03 Monthly List of Bills

The treasurer shall submit to the Board each month, a written statement of total expenditures from the funds of the District. A list of invoices to be paid shall be created monthly and reviewed and approved for payment by the Executive Director and the Director's Team.

CHAPTER 6 FISCAL AFFAIRS

Section 6.01 Fiscal Year

The fiscal year of the District shall begin on the first day of January of each year and shall end on the thirty-first day of December of each year.

Section 6.02 Appropriations

Within thirty (30) days after the passage of the annual appropriation ordinance, or within such other time as may be required by law, the appropriation ordinance shall be published at least once in a newspaper published within the District. Notice and public hearing shall be held as required by law prior to adoption of the Ordinance.

Section 6.03 Tax Levy

Within such time as required by law, the Board shall adopt the annual tax levy ordinance and special levy ordinance for special taxes, now or hereafter authorized to be levied, which said ordinance shall be duly certified by the Secretary and a certified copy thereof filed with the County Clerk of Henry County, not less than the last Tuesday in December or such other date may be required by law.

Section 6.04 Publication of Receipts and Disbursements

The Treasurer of the Park District shall file and publish statements of the receipts and disbursements thereof, as required by law.

CHAPTER 7 CORPORATE SEAL

Section 7.01 Form of Seal

The Corporate Seal of the District shall be circular in form with the words "Kewanee Park District, Kewanee, Illinois," between concentric rings upon the margin, and the words "Corporate Seal" within the inner circle.

CHAPTER 8 PARK POLICE

Section 8.01 Police Force

The police force of the District shall consist of the Police Chief and other such deputies or officers and special deputies with such rank, title, and compensation as may be employed and determined by the Board. The Chief of Police and his deputies shall subordinate to the immediate control and direction of the Executive Director of the District.

Section 8.02 Duties

The park police shall be conservators of the peace within the park system and shall be responsible for the enforcement of the laws of the State of Illinois and ordinances and rules of the Kewanee Park District.

Section 8.03 Powers

The members of the park police force shall have the power to make arrests in view of an offense, or upon warrants for violation of the law, or for any breach of the peace, in the same manner as the police in the cities organized and existing under the general laws of the state pursuant to law, in parks and places of the District and elsewhere as provided by law.

Section 8.04 Qualifications

The district shall appoint the Chief of Police and all other deputies. He shall be a lawabiding person of good moral character, and not addicted to the excessive use of either intoxicating beverages or habit forming drugs.

CHAPTER 9 PARK RULES REGULATING THE ADMINISTRATION OF PARKS AND PARK FACILITIES

Section 9.01 Advertising

- (a) Commercial advertising – With regard to commercial advertising and commercial speech, no person shall display any placard or advertisement of any kind in any park, nor shall any person distribute, cast, throw, or place any handbill, pamphlet, circular, advertisement, or notice of any kind, nor post, stencil, or otherwise affix any notice or bills, advertisements, or other papers upon any structure or thing in or about any park except as herein provided. Commercial advertising shall further be subject to the restrictions and prohibitions of paragraph (b) below.*
- (b) Noncommercial advertising – No person shall post, stencil, or otherwise affix any notice or bills, advertisements, or other papers upon any structure or thing in or about any park, nor*

shall any person distribute, cast, throw, or place any handbill, pamphlet, circular, advertisement, or notice of any kind in such a manner or location as to unreasonably interfere with the rights of any other person to use or enjoy any park facility intended to be used for a specific purpose. For purposes of this paragraph, park facilities intended for a specific purpose do not include open spaces intended only for general recreation relaxation of nature appreciation.

- (c) *Political Advertising, campaign signs – Political campaign signs and advertising shall be subject to all of the provisions of this section 9.01 and also subject to the following:*
- i.) Signs placed so as to interfere with regular-scheduled lawn mowing or other maintenance, may be removed by the Kewanee Park District staff or designees, as may be reasonably necessary for such mowing or other maintenance.*
 - ii.) There may be no more than two signs for any candidate per site.*
 - iii.) They must not be posted on any structure or thing, including buildings, existing signs, fences, poles, or trees.*
 - iv.) They must not interfere with the intended use or enjoyment of the park, therefore, they may not be placed in the playing areas of sports fields and golf courses, or in gardens and landscaped areas, such as the Rose Garden at Windmont Park.*
 - v.) Signs cannot obstruct traffic flow or visibility.*
 - vi.) The signs must be removed within 48 hours following the election, and any signs remaining after that time may be disposed of by the Kewanee Park District.*
 - vii.) All such advertising shall comply with applicable municipal ordinances such as City of Kewanee, particularly including, but not limited to regulations concerning the distance from the right of way, which is generally a minimum of 14 feet from the roadway. Exception being the sign can be no larger than 10 square feet in area on one side.*

Section 9.02 Fights – Disorderly Conduct

- (a) No person within the limits of the Kewanee Park District or its playgrounds shall engage in, instigate, cause, or procure any prize fight, dog fight, cock fight, or any public or private fighting.*
- (b) No person shall do any act in such unreasonable manner as to alarm or disturb another and to provoke a breach of the peace while within property of the Kewanee Park District.*
- (c) No person shall loiter in or about an area frequented by or designed or provided primarily for the use or enjoyment of minor children in any park or area of the Kewanee Park District or subject to the control and jurisdiction of the Kewanee Park District, in such a manner or at such a time or times as may reasonably be expected to frighten or intimidate such minor children. For purposes of this section, “loiter” means to remain in any one place with no apparent reason.*

Section 9.03 Parades and Meetings

No person or persons shall hold or participate in any procession, public meetings, gathering or parade within the park system without having first obtained permission to do so from the Director.

Section 9.04 Use of Boats at Windmont Park

No person shall launch, operate, manage, or use or place a boat suitable for the carrying or transporting of a person or persons upon Windmont Park Lagoon without consent of the Director.

Section 9.05 Closing Hours

The parks of the Kewanee Park District shall be closed from 10 o'clock PM prevailing time in the evening until daybreak the following morning, except when athletic fields with lights are being used or with express consent of the Director. No person or property of any kind shall remain in the parks after closing time unless permission is granted by the Director for late hours.

Section 9.06 Concessions

- (a) The Executive Director may engage competent people to take charge of sales in parks so designated, such as the golf course and parks in which special activities are scheduled.*
- (b) The Director shall enter into a contract with such people handling concessions, describing the terms of this agreement in detail.*

Section 9.07 Organization Picnics and Meetings

- (a) No public meeting shall be held in any of the parks under the jurisdiction of the Kewanee Park District unless permission is first secured from the Director.*
- (b) Factory organizations, church organizations, and other large groups or societies shall be allowed to reserve areas in certain parks if permission for that purpose is issued by the Board or the Director. Church Organizations will be allowed 1 usage of Park District facilities per calendar year with a waived fee.*
- (c) There shall be no sale, collection or punching of admission tickets to any of the shelters, pavilions or other facilities provided in the parks under the jurisdiction of the Kewanee Park District and no soliciting or collection of money for the use of any of said facilities. There shall be no advertising, either printed or otherwise, to the effect that any group has the exclusive use of shelters, pavilions, or other facilities, and any group which has been granted permission to use any of said facilities shall stop its activities in bad weather and share said shelters, pavilions and other facilities with the public. The Board of Commissioners of the Kewanee Park District shall have the power to make and enforce charges for the use of the facilities of said Park District.*

Section 9.08 Play Classes and Camps

- (a) No person or organization shall bring or cause to be brought into any park of the Kewanee Park District any play class, day camp, or other organized group of any kind, organized for profit, except into facilities of the District where each person entering must pay a daily admission commensurate with the admission charged to individuals of what age, and with express permission of the Director.*
- (b) Not-for-profit agency day camps, play classes, or other organized groups may use facilities of the Kewanee Park District when not in conflict with the Park District recreational program, with the express consent of the Director.*

Section 9.09 Camping

No person shall be permitted to stop and camp in parks of the Kewanee Park District.

Section 9.10 Weapons, Missiles, and Fireworks

No person or organization shall bring, carry, or use in any way knives, firearms, or other weapons of any kind, or any fireworks or other explosives substance of any kind within any park of the

Kewanee Park District without permission of the Director. No person shall throw, cast, or shoot arrows, stones, or other missiles of any kind within any park of the Kewanee Park District except at such places and times as the District may designate for such purposes.

Section 9.11 Park and Recreation Fees

The Park 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 than the rate charged for the use of the same park facility or facilities to nonresidents. A "resident user" is hereby defined as an individual user of a park facility or facilities who either resides, or owns real estate within the Kewanee Park District. The Park District may from time to time require proof of resident status in connection with assessment of charges and fees.

Section 9.12 Miscellaneous Rules

- (a) No person shall hawk, peddle, or sell or attempt to hawk, peddle, or sell any goods, wares, services, or merchandise of any kind or nature within the parks or playgrounds of the Kewanee Park District without first having obtained the permission of the Director to do so.*
- (b) Picnics may be held in such parts of the parks as shall be designated for that purpose, and portions of the parks may be set apart for tennis, golf, ball, croquet and other games, subject to such regulations as may be made by the Board; and no person shall join any such picnics or games without the consent of the persons of whom they are composed, nor in any manner disturb or interfere with the same.*
- (c) All persons are hereby prohibited from practicing and playing golf upon the playgrounds or parks of the Kewanee Park District except upon the public golf links of said District or in other areas as may be designated by the Director of the District.*

Section 9.13 Trucks

No person shall drive any vehicle having a gross weight of 10,000 lbs. or more upon the playgrounds or parks of the Kewanee Park District, unless engaged in business with the Park District so requiring, without first having obtained the consent of the Director.

Section 9.14 Parking Lots

- (a) All public ordinances of all municipalities within which any part of the Kewanee Park District is located are hereby adopted by the Kewanee Park District insofar as the same are applicable to, and not in conflict with, these ordinances, for the regulation of the use of that portion of the parks and park facilities of Kewanee Park District located within the territorial limits of such respective municipalities. Said municipal ordinances within the portion of the Park District located within said respective municipalities shall be deemed to be in addition to the provisions of these ordinances, and violations thereof shall constitute violations of this section, and shall subject the violator to the penalties provided in Chapter XI of the Kewanee Park District Code.*
- (b) All statutes and validly adopted and promulgated rules of the State of Illinois are hereby adopted by the Kewanee Park District insofar as the same are applicable to and not in conflict with these ordinances, for the regulation of the use of that portion of the parks and park facilities of the Kewanee Park District. Said state laws, rules, and regulations shall be deemed to be in addition to the provisions of these ordinances. No person while within Kewanee Park District or upon property under the control of Kewanee Park District shall violate any state statute or rule or regulation so hereby adopted. Violations thereof shall*

constitute violations of this section and shall subject the violator to the penalties provided in Chapter XI of the Kewanee Park District Code.

Section 9.15 Gambling

No person or organization shall engage in gambling or any gambling-related activity within the Kewanee Park District. Gambling for purposes of the above includes the following:

- (a) A game of chance or skill for money or for other thing of value unless otherwise declared legal by the laws of the State of Illinois.*
- (b) Wagering upon results of any game, contest, or any political nomination, appointment, or election.*
- (c) Operating, keeping, owning, using, purchasing, exhibiting, renting, selling, bargaining for the sale or lease of, manufacturing, or distributing any gambling device unless otherwise declared legal by the laws of the State of Illinois.*
- (d) Knowingly owning or possessing any book, instrument, or apparatus by means of which bets or wagers have been or are recorded or registered or knowingly possessing any money which has been received in the course of a bet or wager.*
- (e) Selling pools upon the result of any game or contest of skill or chance, political nomination, appointment, or election.*
- (f) Setting up or promoting any lottery or selling, offering to sell or transferring any ticket or share for any lottery unless specifically authorized by the laws of the State of Illinois.*
- (g) Setting up or promoting any policy game or selling, offering to sell or knowingly possessing or transferring any policy ticket, slip, record, document or other similar device.*

A person found guilty of gambling within the Kewanee Park District shall be fined in an amount not less than \$10.00 but not greater than \$500.00.

Section 9.17 Radio Control Airplanes

- (a) Radio-Controlled or remote-controlled motor driven airplanes or like appliances shall not be operated, managed, or used by any person on any ground or in any airspace of any park or golf course under the jurisdiction or control of the Kewanee Park District without the express consent of the Director.*
- (b) Permitted Operation. The Kewanee Park District may, from time to time, authorize the operation and use of remote-controlled airplanes or like appliances at locations and during hours to be determined by the Director or by the Board of Commissioners. Public notice of the authorized locations and times shall be given by posting at or near such areas signs of sufficient size and frequency to advise the public as to the areas wherein remote-controlled airplanes are permitted to be operated.*
- (c) Violations. Any violation of this ordinance shall subject the violator to the penalties provided in Chapter XI of the Kewanee Park District Code.*

Section 9.18 Clean Air Ordinance

(a) Definitions

(1) "Bar" means a facility that is devoted to the serving of alcoholic beverages for consumption by guests on the premises and that derives no more than 10% of its gross revenue from the sale of food consumed on the premises. "Bar" includes, but is not limited to, taverns, nightclubs, cocktail lounges, adult entertainment facilities, and cabarets.

(2) "Employee" means a person who is employed by Kewanee Park District in consideration for direct or indirect monetary wages or profits or a person who volunteers his or her services for the Kewanee Park District.

(3) "Enclosed area" means all space between a floor and a ceiling that is enclosed or partially enclosed with (i) solid walls or windows, exclusive of doorways, or (ii) solid walls with partitions and no windows, exclusive of doorways, that extend from the floor to the ceiling, including, without limitation, lobbies and corridors.

(4) "Enclosed or partially enclosed sports arena" means any sports pavilion, stadium, gymnasium, health spa, boxing arena, swimming pool, roller rink, ice rink, bowling alley, or other similar place where members of the general public assemble to engage in physical exercise or participate in athletic competitions or recreational activities or to witness sports, cultural, recreational, or other events.

(5) "Place of Employment" means any area under the control of the Kewanee Park District that its employees are required to enter, leave, or pass through during the course of employment, including but not limited to entrances and exits to such areas including a minimum distance of 50 feet from entrances, exits, windows that open, and ventilation intakes which serve an enclosed area where smoking is prohibited; offices and work areas; restrooms; conference and classrooms; break rooms and cafeterias; and other common areas.

(6) "Public place" means that portion of any building or vehicle used by and open to the public, regardless of whether the building or vehicle is owned in whole or in part by private persons or entities, the State of Illinois, or any other public entity and regardless of whether a fee is charged for admission, including a minimum distance, as set forth in subsection (d)(4) of this Section 9.18 of 50 feet from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited. A "public place" includes, but is not limited to restaurants, retail stores, offices, commercial establishments, elevators, indoor theaters, libraries, museums concert halls, public conveyances, educational facilities, auditoriums, enclosed or partially enclosed sports arenas, meeting rooms, schools, exhibition halls, convention facilities, polling places, all Kewanee Park District owned vehicles and facilities, educational facilities, ticket areas, public hearing facilities, public restrooms, waiting areas, lobbies, bars, taverns, bowling alleys, skating rinks and reception areas.

(7) "Restaurant" means (i) an eating establishment, including, but not limited to, coffee shops, cafeterias, sandwich stands, and private and public school cafeterias, that gives or offers for sale food to the public, guests, or employees, and (ii) a kitchen or catering facility in which food is prepared on the premises for serving elsewhere. "Restaurant" includes a bar area within the restaurant.

(8) "Smoke" or "smoking" means the carrying, smoking, burning, inhaling, or exhaling of any kinds of lighted pipe, cigar, cigarette, hookah, weed, herbs, or any other lighted smoking equipment.

(b) Smoking prohibited. Smoking in public places, places of employment, and Kewanee Park District owned or operated vehicles prohibited. No person shall smoke in a public place or in any place of employment or within 50 feet of any entrance to a public place or place of employment. No person may smoke in any vehicle owned, leased or operated by Kewanee Park District. Smoking is prohibited in indoor public places and workplaces.

(c) Posting of signs; removal of ashtrays.

(1) "No Smoking" signs or the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly and conspicuously posted in each public place and place of employment where smoking is prohibited by this Section 9.18 by the operator, manager, or other person in control of that place.

(2) Each public place and place of employment where smoking is prohibited by this Section 9.18 shall have posted at every entrance a conspicuous sign clearly stating that smoking is prohibited.

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

- (d) *Additional Restrictions.* In addition to the foregoing restrictions, smoking is also prohibited:
- (1) *On or within 50 feet of playgrounds owned or operated by Kewanee Park District.*
 - (2) *On or within 50 feet of outdoor bleachers on Kewanee Park District property.*
 - (3) *In or within 50 feet of any outdoor concession are owned or operated by Kewanee Park District.*
 - (4) *Within a minimum distance of 50 feet from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited, so as to ensure that tobacco smoke does not enter the area through entrances, exits, open windows, or other means.*
- (e) *Violations.*
- (1) *Any person or entity who violates this Section 9.18 shall be liable to punishment by fine as below provided.*
 - (2) *For a first offense in any twelve month period, the fine for violation of this Section 9.18 shall be \$250.00.*
 - (3) *For a second offense, within one year of the date of conviction for a prior violation hereof, the fine for violation of this Section 9.18 shall be \$500.00.*
 - (4) *For each succeeding violation within one year from the date of such first conviction, the fine for violation of this Section 9.18 shall be \$1,000.00.*

Section 9.19 Minor Smoking

No minor person shall be permitted at any time within any park or other area owned or operated by or otherwise under the jurisdiction of Kewanee Park District, to smoke, chew, or otherwise consume or use or possess a cigarette, cigar, pipe, smokeless, or chewing tobacco or other form of tobacco or tobacco product; nor to smoke any other materials.

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

Section 10.01 Animals

- (a) *No person shall hunt, trap, catch, wound or kill or treat cruelly, or attempt to hunt, trap, catch, wound or kill any bird or animal in any park.*
- (b) *No person shall bring a dog or cat within the park system controlled by the District, unless properly leashed and under control at all times. Notwithstanding the foregoing, dogs may be allowed to run unleashed at park sites approved by the Executive Director or his designee, and which sites are plainly marked by signs indicating their availability for such use.*
- (c) *No person shall ride, drive or lead any farm or domestic animal over or through any park or playground in the District or haul, drag, or ride any agricultural vehicle therein or any vehicle except on the roads or areas provided for such purposes.*
- (d) *No person shall lead, ride or allow to be loose upon District property, any horse, pony, or other riding animal except in areas designated for riding and by express consent of the Director.*
- (e) *Any animal found within the park system in violation of this section may be apprehended, removed to the animal shelter, public pound or any other place provided for that purpose and impounded, all at the expense of the owner.*

Section 10.02 Fires

No person shall light or make use of any fire in the park system except at such places as may be established for such purposes and then only under such rules as may be prescribed therefor. 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.

Section 10.03 Sound Amplification

(a) It shall be unlawful to operate the following equipment between the hours of 10:00 p.m. and 7:00 a.m. outdoors within 600 feet of any building used for residential or hospital purposes or indoors if such equipment is audible from any adjacent property used for residential or hospital purposes:

- (1) Power-operated models including automobiles, boats and aircraft.
- (2) Sound trucks and public address systems without consent of the Director.
- (3) Musical instruments.
- (4) Radios, television sets and phonographs.
- (5) Church bells and carillons.

(b) No person within the Kewanee Park District system shall at any time play or operate any sound amplification device, including radios, television sets, phonographs, tape decks, public address systems, amplified musical instruments and the like or operate any other energy amplification device in a manner which may reasonably be expected to annoy other persons in the parks.

Section 10.04 Alcoholic Beverages –

(a) No person shall sell, consume, or possess any alcoholic beverage upon any property of the Kewanee Park District, except as hereinafter provided:

(b) This section shall not apply to wine intended for use and used by any properly organized church or religious organization for sacramental purposes.

(c) This section shall not prevent the sale, possession, or consumption of malt beverages, beer and wine at Baker Park Golf Course:

(d) In connection with special events, promotions, concerts, exhibitions, and celebrations held in Windmont Park, Northeast Park and/or Chautauqua Park.

(e) Other alcohol service may occur only when/if recommended by staff and approved by the Board of Commissioners.

Section 10.05 Refuse

No person shall deposit or leave any garbage, tree, shrub or grass trimmings or clippings, refuse or other material of any kind on the park system grounds or waters. paper, glass, cans, garbage and other refuse of every kind resulting from picnics or other proper use of the park system shall be deposited in receptacles provided for that purpose, and no person shall litter, suffer or cause the park system to be littered in any way.

Section 10.06 Restricted Areas

No person shall enter upon any portion of the park system where persons are prohibited by the District as indicated by sign or notice. No person shall enter or attempt to enter any building or area in the park system when it is closed to the public or scheduled for a specific group or activity, unless invited by same.

Section 10.07 Trees - Shrubs - Structures

(a) No person shall cut, break, or in any way injure or deface any tree, shrub, plant, flower, turf, or any of the buildings or other structures and properties, or dig into the soil or into any road, park, parkway or playground within the Kewanee Park District without permission of the Director.

(b) No person shall trespass, stand, walk, ride or write upon any place laid out and appropriated for shrubbery or grass when there shall have been placed thereon a sign forbidding same.

(c) No person shall cut, quarter, or remove any dying, dead or downed trees or shrubs from Kewanee Park District property without permission of the Director.

Section 10.08 Keep to Drives

No person shall drive any automobile, truck, motorcycle, or other motorized vehicle within any of the parks of the District except upon the parking lots and roadways provided for driving or parking the same, except Park District employees in the performance of their duties.

Section 10.09 Snowmobiles

(a) Powered snow sleds or powered ice boats or any like vehicle shall not be operated, managed or used by any person on any body of water or in any park or golf course under the jurisdiction or control of the Kewanee Park District without the express consent of the Director.

(b) Permitted Areas. The Park District may from time to time permit the driving or operation of snowmobiles or other like motor driven vehicles in Chautauqua Park when the snow pack reaches 4 inches in depth. Riders must trailer their vehicle to the park and trailer them home when finished.

(c) Other Sports Activities. Other winter sports activities, such as skating, sledding or tobogganing shall be prohibited in any areas wherein such snowmobiling is permitted.

(d) Snow Cover. No snowmobile or other vehicle shall be operated anywhere within the Park District unless the snow cover at the point of operation is at least four inches in depth, as certified by the Director or his designee.

(e) Speed. No person shall drive any snowmobile or other like vehicle within the park system at a speed greater than thirty-five (35) miles per hour or greater than is reasonable and proper with regard to conditions which prevail at the time, or at a speed that endangers the safety of any person or property.

(f) Violation. Any violation of this ordinance shall subject the violator to the penalties provided in Chapter XI of the Kewanee Park District Code.

Section 10.10 Speed Restrictions

(a) No vehicle may be driven upon any roadway within the Kewanee Park District at a speed which is greater than is reasonable and proper with regard to traffic conditions and the use of the highway, or which endangers the safety of any person or property. The fact that the speed of the vehicle does not exceed the applicable maximum speed limit does not relieve the driver from the duty to decrease speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, or when any special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions. Speed must be decreased as may be necessary to avoid colliding with any person or vehicle on or entering the roadway in compliance with legal requirements and the duty of all persons to use due care.

(b) No person may drive a vehicle upon any roadway of the Park District system at a speed which is greater than 20 miles per hour.

(c) In every charge of violation of this section by failure to observe an applicable speed limit, the complaint shall specify the speed at which the defendant is alleged to have driven, and the speed limit which is applicable at the place of the alleged violation.

(d) No person may operate a bicycle or other manually powered vehicle upon any recreational pathway of the District at a speed which is greater than is reasonable and proper with regard to pedestrian and user conditions and the use of the recreational pathway, or which endangers the safety of any person or property; nor shall any person operate such a vehicle upon recreational pathways of the District at a speed greater than publicly posted speed limits upon such recreational pathway.

(e) *Violations of this section shall result in a fine of \$120.*

Section 10.11 Parking Rules

(a) *Parking, Standing or Stopping Illegally. No person shall park, stand or otherwise stop a vehicle within any park of the District, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, in any of the following places:*

- (1) On lawn areas and grounds.*
- (2) In front of public or private driveways or loading zones.*
- (3) In any position to block another car legally parked.*
- (4) At any place where official signs prohibiting parking entirely or prohibiting parking for more than a specified period have been posted by the District.*
- (5) In any park beyond the normal closing hour of 10:00 p.m.*
- (6) In any position which obstructs or interferes with the travel of other vehicles on a roadway or the use of any park facility within the District*
- (7) Within fifteen (15) feet of a fire hydrant or a traffic control signal or sign.*
- (8) On any roadway, alongside a curb painted or otherwise colored yellow, such that all or any portion of the vehicle is parked or stands directly opposite any portion of the curb way so marked in yellow.*
- (9) In any extra-length parking stall where signs or markings prohibiting parking other than of boat trailers have been posted or installed by the District, unless the vehicle has attached to it a boat trailer.*
- (10) It shall be prohibited to park any motor vehicle which is not bearing registration plates or decals issued to a handicapped person, as defined by Section 1-159.1 of the Illinois Motor Vehicle Code, pursuant to Sections 3-616 or 11-1301 to 11-1302, of the Illinois Motor Vehicle Code, or to a disabled veteran pursuant to Section 3-609 of the Illinois Motor Vehicle Code, as evidence that the vehicle is operated by or for a handicapped person or disabled veteran, in any parking place within the Kewanee Park District specifically reserved by the posting of an official sign or other marking for motor vehicles bearing such registration plates. A vehicle may be legally parked in designated parking areas and unless otherwise prohibited, along all roadways provided that the parked vehicle is parallel with the roadway and no more than five (5) feet distant there from, measured from the edge of blacktop if roadway is blacktopped.*

(b) Penalty for Violation - Manner of Payment of Fines.

- (1) The owner or driver of any vehicle which is parked or permitted to stand in violation of the provisions of Section 10.11(a) may avoid prosecution for violating same by paying to the District official as may be designated by the Board, the sums designated below and by surrendering to such designated person the traffic ticket delivered to him or placed upon such vehicle after indicating thereon his name and address; such designated person shall give the person paying such sum a receipt therefore bearing his signature and the date of the payment. The duplicate of the receipt, together with the money paid to such designated person, shall be delivered to the Park District Office.*
- (2) The amounts to be paid such designated person shall be \$10.00 for all violations of Section 10.11(a), except as otherwise provided below. Whenever the above violations are not paid within five (5) days after the date of the citation or other charge, the sum shall be not less than \$20.00 nor more than \$100.00*
- (3) The amount to be paid for violation of Section 10.11(a)(10) shall not be less than \$50.00 nor more than \$500.00 for any single violation thereof.*

(c) Notice to Offender for Paying Violation. Each park police officer shall attach to every vehicle parking in violation of any provisions of Section 10.11(a) a notice that such vehicle has been so illegally parked and which instructs the operator or owner that he or she, in five (5) days, has the right to a hearing on the violation or that he or she may voluntarily waive the right to a hearing and plead guilty as charged to such violation. Each such person may, within five (5) days of the time when such notice was attached to such vehicle, pay as the penalty for and in full satisfaction of such violation the sum provided by Section 10.11(b)(2). The failure of such person to pay such payment within five (5) days shall render such person subject to penalty provided in Section 10.11(b) and 10.11(d).

(d) Penalty for Failure to Appear and Non-Payment of Parking Fine.

(1) Any person who, after given written notice that he or she is in violation of Section 10.11(a), fails to appear, plead guilty and waive right to a hearing or plead not guilty and request a hearing, will be subject to the issuance of a warrant for his or her arrest.

(2) Any such person so arrested by a warrant after failing to appear will be allowed to post a bond in the sum equal to each individual parking violation penalty, penalties for late payment, plus any other penalties as provided by this Code.

Section 10.12 Impounding of Vehicles

Any vehicle parking or standing within the park system in violation of any law, ordinance, or rule is hereby declared to be a public nuisance. Such vehicle may be removed and impounded and the owner or person entitled to possession.

Section 10.13 Obstructing Traffic

No person shall park or place any vehicle or other property of any kind within the Park District so as to obstruct or interfere with traffic or travel of other vehicles or pedestrians or endanger the public safety. A person found guilty of violating this provision shall be fined \$120.

Section 10.14 Reckless Driving

Any person who drives any vehicle within the Kewanee Park District with a willful or wanton disregard for the safety of persons or property is guilty of reckless driving. A person who is found guilty of reckless driving shall be fined \$140.

Section 10.15 Fleeing or Attempting to Elude Police Officer

No person who is a driver or operator of a motor vehicle within the Kewanee Park District who, having been given a visual or audible signal by a peace officer directing such driver or operator to bring his vehicle to a stop, may willfully fail or refuse to obey such direction, increase his speed, extinguish his lights or otherwise flee or attempt to elude the officer. The signal given by the police officer may be by hand, voice, siren or red light, provided the officer giving such signal shall be in police uniform and, if driving a vehicle, such vehicle shall be marked showing it to be an official police vehicle. A person found guilty of fleeing or attempting to elude a police officer shall be fined \$140.

Section 10.16 Drag Racing

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

"Drag Racing" means the act of two or more individuals competing or racing in the Kewanee Park District in a situation in which one of the motor vehicles is beside or to the rear of a motor vehicle operated by a competing driver and the one driver attempts to prevent the competing

driver from passing or overtaking him, either by acceleration or maneuver, or one or more individuals competing in a race against time on any street or roadway within the Kewanee Park District.

Section 10.17 No Valid Registration

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

Section 10.18 No Valid Driver's License - Driving after Suspension or Revocation

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

Section 10.19 No Driver's License on Person - Failure to Display

Every person shall have his or her driver's license or permit in his or her immediate possession at all times when operating a motor vehicle in the Kewanee Park District and for the purpose of indicating compliance with this requirement, shall display such license or permit if in possession, upon demand made when in uniform or displaying a badge or other sign of authority by a member of the Park District Police Force, or any other duly authorized peace officer. However, no person charged with violating this section shall be convicted if he or she produces in court satisfactory evidence that a driver's license was theretofore issued and was valid at the time of the arrest. A person who is convicted of this section **shall be fined \$120.** For the purposes of this section "Display" means the manual surrender of the license certificate or permit into the hands of the demanding officer for inspection thereof.

Section 10.20 Authority for Traffic Signals

(a) The Kewanee Park District through its designated officers with reference to the streets and roadways within the District may designate through streets and roadways and direct stop signs or yield signs at specified entrances thereto or may designate any intersection as a stop intersection or as a yield intersection and direct stop signs or yield signs at one or more entrances to such intersections.

(b) Every stop sign and yield sign shall be located as near as practicable to the nearest line of the crosswalk on the near side of the intersection or, if there is no crosswalk, then as close as practicable to the nearest line of the intersecting roadway.

(c) The District shall place and maintain such traffic control devices and signs as it may deem necessary on all roadways and streets under its jurisdiction in order to indicate and carry out the provisions of this chapter or otherwise regulate, warn or guide traffic.

Section 10.21 Obedience to Traffic Control Devices

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

(b) It is unlawful for any person to leave a roadway and travel across private property or Kewanee Park District property to avoid an official traffic control device.

(c) No provisions of this chapter for which official traffic control devices are required shall be in force against an alleged violator if at the time and place of the alleged violation an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person.

(d) Any person found guilty of violating any of the provisions of this section **shall be fined \$140.**

Section 10.22 Obedience to Stop and Yield Signs

(a) Preferential right of way at an intersection within the Kewanee Park District may be indicated by stop signs or yield signs as authorized under this Code.

(b) Except when directed to proceed by a police officer or traffic control signal, every driver of a motor vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the crosswalk on the near side of the intersection or in the event there is no crosswalk, shall stop at a clearly marked stop line but if none, then at the point nearest the intersecting roadway where the driver has a view of the approaching traffic on the intersecting roadway before entering the intersection.

(c) The driver of a vehicle approaching a yield sign if required for safety to stop, shall stop before entering the crosswalk on the near side of the intersection or in the event there is no crosswalk, the intersecting roadway where the driver has a view of approaching traffic upon the intersecting roadway.

(d) A person found guilty of violating any of the provisions of this section **shall be fined \$140.**

Section 10.23 Driving on Right Side of Roadway

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

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

(2) Upon a roadway restricted to one-way traffic. A person found guilty of violating this section **shall be fined \$140.**

Section 10.24 One-Way Roadways and Rotary Traffic Islands

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

(b) Upon a roadway so designated for one-way traffic a vehicle shall be driven only in the direction designated at all or such times as shall be indicated by official traffic control devices.

(c) A vehicle passing around a rotary traffic island must be driven only to the right of such island.

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

Section 10.25 Starting a Parked Vehicle

No person within the Kewanee Park District shall start movement of a vehicle which is stopped, standing or parked unless and until such movement can be made with reasonable safety. A person found guilty of violating this section in an amount no less than \$10.00 but no greater than \$200.00.

Section 10.26 Opening Vehicle Doors

No person within the Kewanee Park District shall open the door of a vehicle on the side available to moving traffic unless and until it is reasonably safe to do so and can be done without interfering with the movement of other traffic, nor shall any person leave a door open on the side of a vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers. A person found guilty of violating this section shall be fined \$140.

Section 10.27 Coasting Prohibited

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

Section 10.28 Driving upon Sidewalk

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

Section 10.29 Illegal Transportation of Alcoholic Liquor

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

Section 10.30 Negligent Driving

It shall be unlawful for any person to operate a motor vehicle in a negligent manner within the Kewanee Park District. For the purpose of this section, to "operate in a negligent manner" means the operation of a vehicle in such a manner as to endanger or be likely to endanger the safety of any persons or property. A person convicted of this offense shall be fined in an amount no less than \$10.00 and no greater than \$500.00.

Section 10.31 Unlawful Use of License or Permit

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

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

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

Section 10.32 Right-of-Way Rules

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

(a) When two vehicles approach or enter an intersection not otherwise controlled by a traffic signal from different roadways at approximately the same time, the driver of the vehicle on the left must yield the right of way to the vehicle on the right.

(b) The driver of a vehicle intending to turn to the left within an intersection or into an alley, private roadway or driveway shall yield the right of way to any vehicle approaching from the opposite direction which is so close as to constitute an immediate hazard but said driver having so yielded may proceed at such time as a safe interval occurs.

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

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

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

Section 10.33 Prevention of Unnecessary Noise

(a) Every motor vehicle driven or operated within the Kewanee Park District shall at all times be equipped with an adequate muffler or exhaust system in constant operation and properly maintained to prevent any excessive or unusual noise.

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

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

Section 10.34 Suspension System

It shall be unlawful to operate a motor vehicle within the Kewanee Park District when the suspension system has been modified from the original manufactured design by lifting the body from the chassis in excess of three inches or to cause the horizontal line from the front to the rear bumper to vary over three inches in height when measured from a level surface of the highway to the lower edge of the bumper.

A person found violating this section shall be fined in an amount no less than \$10.00 and no greater than \$200.00.

Section 10.35 Lights and Lamps

(a) *All motor vehicles driven within the Kewanee Park District during the period from sunset to sunrise or at any other time when visibility is so limited as to require the use of lights for safety, shall exhibit two such lighted driving lamps showing white lights or light of a yellow or amber tint visible for at least 500 feet in the direction the motor vehicle is proceeding, except a motorcycle need be equipped with only one such lamp.*

(b) Every motor vehicle driven within the Kewanee Park District shall also exhibit at least two light lamps commonly known as tail lamps which shall be mounted on the left rear and right rear of the vehicle so as to throw a red light visible for at least 500 feet in the reverse direction, except that a motorcycle need be equipped with only one such lamp.

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

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

Section 10.36 Brakes

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

Section 10.37 Unattended Motor Vehicles

No person driving or in charge of a motor vehicle within the Kewanee Park District shall permit it to stand unattended without first stopping the engine and removing the ignition key, and when standing upon any perceptible grade without effectively setting the brake and turning the front vehicle wheels to the curb or side of the road. A person found guilty of violating this section shall be fined in an amount no less than \$10.00 but no greater than \$500.00.

Section 10.38 Limitations on Backing

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

Section 10.39 Traffic Laws Applied to Persons Riding Bicycles or Animals or Driving Animal Drawn Vehicle

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

Section 10.40 Bicycles - Necessary Equipment

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

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

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

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

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

Section 10.41 Use of District Roadways

(a) The use of roadways situated within the Kewanee Park District is limited to the operators of motor vehicles licensed under the laws of the State of Illinois.

(b) The use of Park District roadways is further limited to those persons who operate non-motorized vehicles which includes but is not specifically limited to bicycles, or those cycles which bear three wheels and are specially constructed for use by the handicapped.

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

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

Section 10.42 Use of District Recreation Paths

(a) The use of recreation paths situated within the Kewanee Park District is limited to pedestrians and the operators of non-motorized cycles.

(b) The use of Park District recreation paths is strictly prohibited to those persons using any type of motorized vehicle whether or not the motor is in operation.

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

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

Section 10.43 Permitting Unauthorized Person to Drive

No person shall cause, authorize or knowingly permit a motor vehicle owned by him or her or under his or her control to be driven within the Kewanee Park District by any person who is not authorized or licensed by the laws of the State of Illinois.

A person found guilty of violating this section shall be fined in an amount no less than \$10.00 and no greater than \$500.00.

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

No person shall use any facilities or premises in the Kewanee Park District for swimming or diving. This provision shall not apply to the swimming pool facilities at Northeast Park

Section 10.45 Expired Registrations

No person shall operate a vehicle nor permit the operation of a vehicle upon the streets or roadways of the Kewanee Park District which vehicle is displayed an Illinois registration plate, plates or registration stickers, the effective period for which has expired.

Section 10.46 Operation of Motor Vehicle When Registration Canceled, Suspended or Revoked

No person shall operate a vehicle nor permit the operation of a vehicle upon any street or roadway of the Kewanee Park District any vehicle, the registration of which has been canceled, suspended or revoked. A person found guilty of violating this Section shall be fined in an amount not less than \$250.00 but not greater than \$500.00.

Section 10.47 Operation of Motor Vehicle When Registration Suspended for Noninsurance

No person shall operate a vehicle nor permit the operation of a vehicle upon any street or roadway of the Kewanee Park District, the registration of which has been suspended for failure to maintain a liability insurance policy. A person found guilty of violation of this Section shall be fined not less than \$250.00 but not more than \$500.00.

Section 10.48 Operation of Uninsured Motor Vehicle

(a) No person shall operate a vehicle nor permit the operation of a vehicle upon the streets or roadways of the Kewanee Park District unless such vehicle is covered by a liability insurance policy in accordance with the requirements of the Illinois Vehicle Code.

(b) No person charged with the violation of this Section shall be convicted if such person produces in court satisfactory evidence that at the time of the arrest, the motor vehicle was covered by a liability insurance policy in accordance with the Illinois Vehicle Code. A person who is convicted of violating this Section shall be fined not less than \$500.00.

Section 10.49 Possession of Drug Paraphernalia

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

(b) In determining intent under subsection (a) of this Section, the trier of fact may take into consideration the proximity of the cannabis or controlled substances to the drug paraphernalia or the presence of the cannabis or a controlled substance on the drug paraphernalia. A person convicted of violating this Section shall be fined not less than \$500.00.

Section 10.50 Driver and Passenger Required to Use Safety Belts

(a) Each driver and front seat passenger of a motor vehicle operated on a roadway of the Kewanee Park District shall wear a properly adjusted and fastened seat safety belt, except as may otherwise be excused under the laws of the State of Illinois.

A violation of this Section shall be subject to a fine of not more than \$55.00.

Section 10.51 Possession of Cannabis

(a) No person shall knowingly possess cannabis within the territory of or upon property subject to the jurisdiction of Kewanee Park District.

Any person violating this Section possessing not more than 2.5 grams of a substance containing cannabis shall be fined not less than \$200.00

Section 10.52 Geo-caching, Terra-caching, Letterboxing

(a) (1) Definitions.

For purposes of this Section, Geo-caching, Terra-caching or Letterboxing shall constitute the activity of placing one or more containers, located by means of GPS devices, to be found by participants to GPS coordinates.

A "Letterbox" "Terra-cache" or "Geo-cache" or "cache", shall mean the container so placed.

(2) No permit required.

Participants in Geo-caching activities shall not be required to obtain a permit or other permission from Kewanee Park District.

Participants are requested to consider the sensitivity of the area, the classification of the land (i.e., recreational, restoration, sanctuary, dedicated nature preserve, land or water reserve), the potential impact to habitat of land, threatened or endangered species, current development or restoration efforts at the park or facility, cultural or historic site compatibility, public safety and similar issues. If ammunition boxes are used as caches, all sides should bear Kewanee Park District issued stickers. Participants should become familiar with Kewanee Park District policies and rules applicable to the location used.

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

(b) Restrictions and Penalty

(1) No caches may be placed in the following parks or areas:

- i. The Oasis Family Aquatic Center in Northeast Park.
- ii. Baker Park Golf Course at Baker Park.
- iii. The playing fields, spectator areas, paths and concession areas of
- iv. Windmont Park
- v. Chautauqua Park
- vi. Liberty Park
- vii. Northeast Park
- viii. Baker Park
- ix. Within any building

(2) No caches larger than 4" x 8" x 12" may be utilized.

(3) No placed cache may contain perishable foodstuffs, offensive material, hazardous material, or waste material or refuse.

(4) No pipe with capped ends, or other devices resembling a bomb or other dangerous device may be utilized.

(5) No cache may be attached to trees or shrubs, buildings or other structures; nor may any cache be buried by digging; nor may any cache be hidden or concealed by cutting, breaking or other disturbances of vegetation.

(6) Geo-caching activities may not unreasonably interfere with other planned or customary park usage.

A person found guilty of violating this Section shall be fined in an amount no less than \$200.00 and no more than \$500.00 for each offense.

Chapter 10.53 ORDINANCE 2009-O-18 REGARDING EASEMENTS LOCATED WITHIN KEWANEE PARK DISTRICT PROPERTY

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

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

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

WHEREAS, pursuant to the authorities cited above, the District has the authority and the power to adopt this Ordinance.

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of the Kewanee Park District, **THAT**:

Section 1. Recitals. The recitals set forth above are incorporated as part of this Ordinance by this reference.

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

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

Section 3. Application for Easement Agreement.

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

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

B. Initial Determination and Policy Determination. The District's Executive Director or his or her designee (the "Executive Director") shall (i) conduct a pre-application meeting with the Applicant prior to application submittal to discuss the merits, feasibility and location (to determine a location with the least disruption to the Kewanee Park District) of said easement request and determine whether compensation in exchange of granting said easement is appropriate based on Board Policy Section 2.4.5; and (ii) present the Application to the District's Board of Commissioner's (the "Board") with a recommendation to approve or deny the easement.

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

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

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

Section 7. Fees, Services in Kind and Easement Site Assessment.

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

B. Monetary Fee.

1. Fair Market Value. For each easement, the Applicant shall pay to the District a fee (a "Monetary Fee"). The Monetary Fee shall not be less than the fair market value of the Subject Property as determined by (i) an appraisal (at the sole expense of the Applicant) of the Subject Property; (ii) a current or recent purchase price of the Subject Property; (iii) sales of comparable properties, or (iv) such other information as will provide the best indication of the current fair market value (the "Fair Market Value"). The Fair Market Value shall be determined as if the Subject Property were unencumbered and shall not take into consideration the nature of the easement granted or the fact that the District may have granted another easement within the Subject Property. The Monetary Fee may be waived at the discretion of the Board if it is deemed in the best interest of the District or other acceptable reasons shall be determined to apply.

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

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

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

D. Replacement Fee.

1. Amount of Replacement Fee. For every easement, the Applicant shall pay a replacement fee for trees, shrubs, and plants within the "Site Preservation and Restoration Area" (as defined herein) that are removed, damaged, or impacted by any Work or Facilities. The amount of replacement fees (which may be adjusted from time-to-time) for trees is set forth in the Tree Removal Fees section and are based upon the unit of replacement cost on trees too large to be replaced. Habitat Removal is based on a square-foot valuation (which may be adjusted from time- to- time). The removal, damage or impacting of any tree by work or facilities shall result in a fine imposed based on the fees set forth. Any habitat removed, damaged, or impacted by work or facilities shall result in a fine based on fees set forth. Determination of removal, damage, or impact shall be at the sole discretion and judgment of the District Landscape Architect or his Designee. Contrary claims of existing conditions and such shall be the responsibility of the Applicant in the form of pre-construction activity photographs and video submitted prior to approval of any construction or site activity.

2. Fines shall be paid within seven (7) days of notice. Notice of such fines may be delivered by mail, e-mail, or other written notice. Unpaid fines will incur a \$500 per day fee for each additional day beyond the seven day period.

E. Site Preservation and Restoration Plan.

1. General Requirements. To determine the plants and areas designated for preservation and restoration, the Applicant shall submit as part of the Application a botanic survey (the "Site Preservation and Restoration Plan") identifying all trees and shrubs by genus and species (by species if possible) and significant herbaceous plants by genus and species (by species if possible), as well as turf and ecological conditions within an area that includes the Subject Property and an additional 20-foot perimeter around the Subject Property or additional area if there is a potential for impact beyond this perimeter due to construction activities. Such areas may include waterways, migration corridors, view sheds, and the like. (the Site Preservation and Restoration Survey Area"). The information entered in the plan shall be presented in a

report format describing all direct and indirect impacts to trees, shrubs, plants, and ecological conditions within the survey area. Before initiating the Site Preservation and Restoration Plan, the Applicant shall meet with the Executive Director or his or her designee to (i) notify him or her of the person or entity proposed by the Applicant to perform the botanic survey; and (ii) discuss the conduct and scope of the survey. The Site Preservation and Restoration Plan must be approved by the Executive Director or his or her designee (i.e. District Landscape Architect) prior to commencing.

2. Trees. For each tree in the Survey Area, (i) the scaled survey shall identify (a) the location of the tree; (b) the genus and species (by species if possible) of the tree; and (c) the diameter of the tree, measured at four (4') feet six (6) inches above the ground level. If this survey is computer generated the computer file shall be submitted in a computer aided drafting (CAD) format acceptable to the District Landscape Architect.

3. Shrubs. For each shrub of significant importance or size in the survey area, (i) the scaled survey shall identify (a) the location of the shrub; (b) the genus and species (by species if possible); and (c) the height and width of the shrub.

4. Ecologically Significant Areas. For all areas of ecological significance (as defined in the RPD Natural Areas Inventory or determined by the Landscape Architect or Designee), such as woodlands, wetlands, riparian areas, prairies, and the like in the survey area, the scaled survey shall identify (a) the genus and species of all native flora that will be impacted (b) the distribution of those native species and (c) a quantitative measure like the Floristic Quality Index (FQI) to express the "quality" of a natural area.

5. Restoration. All areas disturbed by approved construction shall be restored to their original condition, if possible, or to a condition acceptable to the District Landscape Architect or his Designee. Such a situation may include restoration to turf after the approved removal of woodland in the project area. Another situation may include earth moving and grading, or activities that alter the original grade such that additional topsoil is required to be imported in addition to planting new trees, shrubs, perennials, and turf such that the altered conditions are remediated to blend into the surrounding landscape and pre-construction uses of the park land as determined by the District Landscape Architect or his Designee. For areas that are infested with non-native invasive species (for example reed canary grass (*Phalaris arundinacea*)) the area will be restored with a mix of native plants acceptable to the District Landscape Architect or his Designee. For all ecologically significant areas, such as woodlands, wetlands, riparian areas, prairies, and the like, the restoration of these areas will be done using native local ecotype seeds, plants, shrubs, and trees. The seeds or plants will meet or exceed the FQI identified in the initial botanical survey after the establishment period (2 growing seasons, the start date to commence from the date of acceptance). The applicant is responsible for all maintenance (mowing, spraying, reseeding, etc.) during the establishment period. If after the establishment period the area does not meet or exceed the initial FQI, as determined by the Landscape Architect or his Designee, the applicant will be responsible for replanting, over-seeding the area with native local ecotype plants/seeds, or other method approved by the District Landscape Architect or his Designee and continue maintenance for an additional 2 growing season period.

F. Timing of Fees and Reimbursements. All fees shall be paid to the District in a timely manner. If the Board does not approve the easement, the Application Fee and any costs incurred by the applicant to prepare the easement request are nonrefundable.

Section 8. General Provisions.

A. Compliance with Laws, Permits and Approvals. In performing the Work, installing the Facilities, and providing the Utility Services, the Applicant shall comply with all applicable laws, statutes, regulations, rules, and requirements of federal, state, and local governments, agencies, and authorities ("Requirements of Law"). In addition, no easement shall be effective

until the Applicant has obtained all required permits and approvals for the Work, Facilities, and Utility Services that are required by Requirements of Law, including without limitation, Requirements of Law enforced by or within the jurisdiction of the U.S. Army Corps of Engineers, the Illinois Department of Transportation, the Illinois Environmental Protection Agency, and the Winnebago County Storm Water Department or similar functioning agencies or departments. It is the responsibility of the Applicant to obtain all necessary permits, pay any fines imposed, and remediate such situations as a result of noncompliance as well as provide copies of all such permits and approvals to the District.

B. Environmental Assessment Report. With the Application, the Applicant shall include as necessary an environmental report (i) delineating all ecologically sensitive conditions, (habitats, significant species, wetlands, etc.) on the Subject Property; (ii) identifying the boundaries, extent, function, and quality of all such ecologically sensitive conditions; and (iii) describing the impact, if any, of the Work, Facilities, and Utility Services on the Subject Property and any other District property. Such delineation is in addition to any ecologically sensitive habitats identified by the

District and does not assume areas identified by the District are all inclusive and the sole areas to be protected from Applicants on-site activities. Such areas not identified for their ecological significance may have aesthetic, cultural, historical, or other significance as part of larger scale planning and value to the District. Such areas will be considered on a case-by-case basis in addition to those areas identified in the Environmental Assessment Report.

C. Conduct of work.

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

2. Restoration. If the Work, Facilities, or Utility Services damage, destroy, or cause any adverse impact to Subject Property or any other District property, whether inside or outside the project limits, Applicant shall restore the Subject Property at no cost or expense to the District to the original condition of the Subject Property prior to such damage, destruction, or impact as determined by the District's Landscape Architect or his Designee. See the section "**Site Preservation and Restoration Plan**" for further information.

3. All trees, shrubs, and areas of ecological significance, which are determined by the District Landscape Architect or his Designee to be potentially impacted by construction activities, whether within or outside the project limits, and designated for preservation, after application, shall be protected by tree preservation fencing. No construction activities shall commence before District Landscape Architect's, or his Designee's, approval of installation of tree and habitat protection. The applicant shall contact the District Landscape Architect or his designee a minimum of two business days in advance to schedule the site visit. Such fencing shall extend a minimum of twenty (20) feet beyond all critical habitat boundaries. Fencing for trees shall be a minimum of one-and-one half (1.5) times the diameter at breast height (DBH), as measured in inches, to determine the diameter in feet of tree protection, or to the bole of the tree, whichever is greater. This area may be enlarged at the discretion of the District Landscape Architect, or his Designee. Fencing shall be maintained in an acceptable condition. Damage to fencing or construction activities in fencing area, as determined by District Landscape Architect, or his Designee, shall result in a fine of \$250 per incident regardless of extent of damage if any, and cost of remediation, to plants, habitat, soil, and wildlife in the protection area in addition to any other fines. Claims counter to such shall be the responsibility of the

Applicant and documented by photography and video submitted prior to approval of any construction or site activity.

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

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

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

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

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

G. Certificate of Insurance for Grantee and Contractors. *In each Agreement, the Applicant shall obtain, or cause each Contractor to obtain, and keep in full force and effect insurance (in an amount of \$1,000,000 per occurrence or as approved by the District's risk management agency) necessary to protect and hold harmless the District, the Work the Subject Property, and all property located at or near the Subject Property. The Certificate shall also list the District as additional insured. No work may begin without submittal of a Certificate of Insurance to the District.*

H. Bond. *Prior to performing any Work, the Applicant may, at the discretion of the District, require its contractor to, deposit with the Executive Director a bond in an amount determined by the District in the Agreement as a guarantee that the Applicant shall comply with all conditions of the Agreement including restoration of the Subject Property (the "Bond") If Applicant fails to comply with any conditions. The District may take such action as it determines necessary or appropriate to remedy such failure and deduct any cost it incurs in taking such action from the Bond.*

I. Recording. *All Agreements granting easements shall be recorded with the Henry County Recorder of Deeds (the "Recorder"), by and at the sole cost of the Applicant. The Applicant shall provide copies of the recorded easement documents within 30 days following approval of the easement request by the Park Board.*

J. Revocation. *Each Agreement shall provide that, upon a breach of the Agreement, the Board of Commissioners may revoke the easement granted in such Agreement. If an easement is revoked, a certified copy of a document revoking the easement shall be recorded with the*

Recorder which shall conclusively establish the termination of Applicant's interest in the subject property.

K. Reversion of Property. Each Agreement shall provide that, if the easement ceases to be used for the purpose for which it was granted, all Applicant's rights provided for in the Agreement granting the easement shall terminate and the Subject Property shall thereafter be free and clear of such rights. If an easement is so terminated, a certified copy of a document terminating the easement shall be recorded with the Recorder at Applicant's cost, and a copy shall be delivered to the District.

L. Removal of Facilities upon Termination. At the time an easement expires by lapse of time, notice of revocation or termination, or any other reason, Applicant shall have removed all Facilities from the Subject Property and restored the Subject Property, in accordance with Sections 7.E and 8.C., at Applicant's sole cost and at no cost or expense to the District.

M. Captions. The captions and headings used herein are for the convenience of reference only and do not limit the content of this Ordinance.

N. Repealer. All Requirements of the Law of the District that conflict with this Ordinance are hereby repealed to the extent of such conflict.

O. Effective Date. This Ordinance shall be in full force and effect 10 days after its passage, approval, and publication, in the manner provided by Requirements of Law.

RULES AND PROCEDURES

FOR PROCESSING KEWANEE PARK DISTRICT EASEMENT APPLICATIONS

I. General Procedures

A. The Applicant should begin by contacting: Kewanee Park District Attention: Capital Planning and Management 1095 Cambridge Road Kewanee, IL 61443. The Applicant shall arrange for a pre-application initial meeting with the Executive Director or his or her designee from the Capital Planning and Management (CPM) Department, to discuss the proposed easement. At this initial meeting, District staff will discuss the process, scheduling, fees and any other apparent issues with the applicant.

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

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

D. The CPM Department will inform the Applicant of Board meeting schedules and other relevant dates and deadlines.

E. The Applicant should be aware that the application review and approval process is normally expected to take a minimum of sixty (60) days. II. Tree Removal Replacement Fees. Tree Replacement Fee Schedule 5

F. Repealer. All Requirements of the Law of the District that conflict with this Ordinance are hereby repealed to the extent of such conflict.

G. Effective Date. This Ordinance shall be in full force and effect 10 days after its passage, approval, and publication, in the manner provided by Requirements of Law.

II. Tree Removal Replacement Fees. Tree Replacement Fee Schedule

Diameter of Tree Removed Fee Amount

4-<6 inches \$1,350

6-<9 inches \$2,025

9-<12 inches \$3,600

12-<18 inches \$8,100
18-<24 inches \$14,400
24-<30 inches \$22,500
30-<36 inches \$32,400
36-<42 inches \$44,100
42 inches or greater \$52,900

III. Habitat Removal Replacement Fees. *Habitat Replacement Fee Schedule* **Fee Amount**
Up to 1,000 square feet \$1,000
Each additional 1,000 square feet \$2,500

IV. Definitions for the purpose of this policy:

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

"Easement, Permanent" means an easement conveyed in perpetuity to the entity requesting said easement

"Easement, Temporary" means an easement conveyed for a specified period of time as negotiated between the Kewanee Park District and the entity requesting said easement.

"Non-tax supported Organization" means any organization whose primary source of operating capital is derived from revenue collected from service subscriptions. Examples include, but are not limited to the following: Service providers of coaxial or other audio and video transmission, electrical, gas, internet, telephone (landline and wireless telecommunications)

"Tax Supported Organization" means any organization whose operating capital is derived from taxes assessed to property owners, in addition or in place of revenue collected from service subscriptions. Examples include, but are not limited to the following: local, county and state units of government, special taxing authorities and districts.

**CHAPTER 11.
ENFORCEMENT**

Section 11.01 Permits

(a) Any act prohibited by or under this code or any other ordinance or rule of the District, provided such act be not otherwise prohibited by law or ordinance, shall be lawful to the extent authorized or permitted under the provisions of a permit issued or permission granted by the District.

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

Section 11.02 Rules to be Obeyed

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

Section 11.03 Penalties

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

CHAPTER 12. CONSTRUCTION AND REPEAL

Section 12.01 Owner Liability

Any person who is owner, registered owner, or in control of any animal, vehicle or other property of any kind, brought, placed, parked or remaining in the park system, or otherwise in violation of this ordinance or other ordinance or rule of the District shall be deemed prima facie responsible for the violation involved and subject to the penalty provided herein.

Section 12.02 Partial Invalidity

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

Section 12.03 Repeal of Prior Ordinances Effective Date of Ordinance

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

PASSED..... January 26, 2017, Rev.

APPROVED..... January 26, 2017, Rev.

CHAPTER 13. PUBLICATION IN BOOK FORM

Section 13.01 Publication in Book Form

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

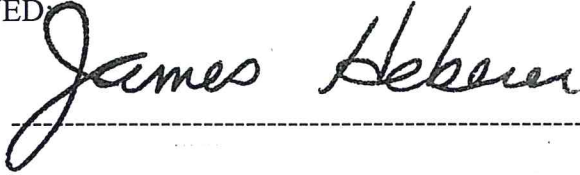
Section 13.02 Effective Date

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

Passed and approved by the Board of Park Commissioners of the Kewanee Park District on this 26th day of January, 2017.

APPROVED:

President

James Hebeuer

ATTESTED:

Secretary

Michelle R. Anderson