

**CHAPTER 28**

**PARKS AND RECREATION**

**ARTICLE I - PARK BOARD**

**28-1-1**        **PARK BOARD ESTABLISHED.** There is hereby established a Park Board.

**28-1-2**        **APPOINTMENT - TERM.** The Board shall consist of **nine (9)** members appointed by the Mayor with the advice and consent of the City Council. The term of office shall be **three (3) years** and each ward shall have at least **two (2) members**. All appointments shall be made on **May 1st** of each year.

**28-1-3**        **VACANCY.** If a vacancy occurs in the office of any member, the Mayor shall appoint a successor to serve the unexpired term with the advice and consent of the City Council.

**28-1-4**        **DUTIES.** The duties and responsibilities of the Park Board shall be to give advice and recommendations to the City Council concerning the improvement and use of the parks. The Park Board shall not have authority to negotiate contracts incurring costs for the City of Breese.

(Ord. No. 771; 05-04-93)  
(See 65 ILCS Sec. 5/11-95-3)

**ARTICLE II - REGULATIONS**

**28-2-1        DESTRUCTION OF PARK PROPERTY.** Within the municipal parks, no person except park personnel on official business shall:

(A) cut, break, injure, destroy, take, or remove any tree, shrub, timber, plant, or natural object;

(B) kill, cause to be killed, or pursue with intent to kill any bird or animal except in areas where the City has authorized hunting;

(C) willfully mutilate, injure or destroy any building, bridge, table, bench, fireplace, guidepost, notice, tablet, fence, monument, or other park property or appurtenances.

**28-2-2        LITTERING - WATER POLLUTION.**

(A) No person shall deposit any trash within the municipal parks except in proper receptacles where these are provided. Where receptacles are not provided, all trash shall be carried away from the parks by the person responsible for its presence and shall be properly disposed of elsewhere.

(B) No person shall discharge or otherwise place or cause to be placed in the waters of any fountain, lake, stream, or other body of water in or adjacent to any park or in any tributary, stream, storm sewer or drain flowing into such waters any substance or thing, liquid or solid which will or may result in the pollution of the waters.

**28-2-3        FIRES IN PARKS.**

(A) No person shall light or use any unenclosed picnic fire within the municipal parks. Fires may be built only in fireplaces or on grills constructed for that purpose in designated areas.

(B) In camping areas, no person shall leave any campfire unattended by a competent person.

**28-2-4        PICNICS.** No person shall picnic in the municipal parks except in areas designated for that purpose. Park personnel are hereby authorized to regulate the activities in such areas when necessary to prevent congestion or to secure the maximum use, comfort, and convenience of all. Visitors shall comply with any directions given to achieve this end.

**28-2-5        ERECTION OF STRUCTURES.** No person shall build or place any tent, building, booth, stand, or other structure in or upon any municipal park or other recreational facility unless he has obtained a permit to do so from the City.

**28-2-6**        **SIGNS.** No person shall place within any municipal park or affix to any object therein any sign or device designated to advertise any business, profession, exhibition, event or thing unless he has obtained a permit to do so from the City.

**28-2-7**        **ANIMALS.** No person shall:  
(A)            Bring any dangerous animal into any municipal park; or  
(B)            permit any dog to be in any park unless such dog is on a leash; or  
(C)            ride or lead any horse in any municipal park or recreational area except upon paths or other ways expressly provided and posted for that purpose.

**28-2-8**        **MOTOR VEHICLES PROHIBITED.** No person other than municipal personnel on official business shall drive or park any motor vehicle, including snowmobiles, in any municipal park except on a roadway or parking lot.

**28-2-9**        **SALES; AMUSEMENTS FOR GAIN.** Within the parks of this Municipality, no person shall, without having first obtained a permit from the City:  
(A)            sell or offer for sale any goods or services; or  
(B)            conduct any amusement for gain or for which a charge is made.

**28-2-10**       **GROUP ACTIVITIES.** Whenever any group or organization desires to use municipal park facilities for a particular purpose such as picnics, parties, exhibitions or performances, a representative of the group shall first apply for and obtain a permit for such activity from the Park Board and/or the City Council.

**28-2-11**       **APPLICATION FOR PERMIT.** Applications for all permits required by this Chapter shall be made in writing to the Park Board and/or City Council not less than **thirty (30) days** before the proposed date of the activity for which the permit is sought. Each application shall include the following information:  
(A)            A statement briefly describing the nature of the proposed activity;  
(B)            name, address and telephone number of the person or organization wishing to conduct such activity;  
(C)            the date when such activity is to be conducted;  
(D)            the hour when such activity will start and terminate;  
(E)            the park or portion thereof for which such permit is desired; and  
(F)            an estimate of the anticipated attendance. (See Permit - Appendix "A")

**28-2-12**      **DECISION ON PERMIT APPLICATION.** After due consideration of the information contained in the permit application, but not later than **ten (10) days** after the application has been filed the Park Board and/or City Council shall determine whether the application is satisfactory. An application shall be deemed satisfactory if:

- (A)            the proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the park;
- (B)            the facilities desired have not been reserved for other use at the day and hour requested in the application;
- (C)            the conduct of such activity will not substantially interrupt the safe and orderly movement of traffic;
- (D)            the proper policing of such activity will not require the diversion of so great a number of police officers as to prevent normal protection to the remainder of this Municipality;
- (E)            the conduct of such activity is not reasonably likely to cause injury to persons or property or to incite violence, crime or disorderly conduct; and
- (F)            such activity is not to be held for the sole purpose of advertising any product, goods, or event, and is not designed to be held purely for private profit.

**28-2-13**      **ISSUANCE OR DENIAL OF PERMIT.**

- (A)            Notification by regular mail or by telephone shall be made promptly by the Park Board and/or City Council to every permit applicant of the decision on his application.
- (B)            If such decision is favorable, the Park Board and/or City Council shall issue the permit. As a condition of the issuance of any permit, the Park Board and/or City Council may require that an indemnity bond be obtained if, in their opinion, such bond is necessary to protect this Municipality from liability or to protect municipal property from damage.
- (C)            The Park Board and/or City Council shall inform each applicant who has been denied a permit regarding this reasons for the denial and the procedure for appeals.

**28-2-14**      **CLOSING.** The park shall be closed during the following time periods unless the City Council has granted permission for longer hours:  
Sunday to Thursday: 11:00 p.m. - 6:00 a.m.  
Friday to Saturday: 12:00 a.m. - 6:00 a.m.

**28-2-15**      **GLASS PROHIBITED.** No glass containers or bottles shall be permitted on City Park property.

**28-2-16**      **FIREWORKS, MISSILES, GUNS, BOWS AND ARROWS.**  
Fireworks shall not be permitted in the park without written permission or proper authorization from the City Council. No person shall carry firearms of any description, air or gas guns, slingshots, explosives, or missile-throwing or propelling devices including the use of bows and arrows, within the City Park at any time.

**28-2-17**      **POWER MODELS AND TOY ENGINE PARTS.** Engine-powered model and toy airplanes, boats, car sirens or other noisemaking devices are not permitted to be operated within the confines of the City Park.

**ARTICLE III - POOL MANAGER**

**28-3-1**        **POOL MANAGER.** The Pool Manager shall be appointed by the City Council and shall attend meetings of the Board when requested. The Pool Manager shall be knowledgeable and perform duties as follows:

(A)            He shall become thoroughly familiar with the State of Illinois requirements governing the operation of a swimming pool.

(B)            He shall not incur any indebtedness other than normal operation without prior approval of the City Council.

(C)            He shall hire and discharge all personnel required in the operation of the Pool.

(D)            He shall deposit all receipts and maintain a simplified record of all financial transactions conducted by him as may be required by the Treasurer.

(E)            He shall make and enforce rules and regulations for the safe operation of said swimming pool.

(F)            He shall keep and maintain a record of the time all hourly employees work as may be required by the Treasurer.

(G)            He shall deposit all funds in the name of the City Swimming Pool Fund.

(H)            He shall approve all invoices for supplies used in and about said pool, all expenditures for labor, and all invoices for repair and maintenance of the pool prior to approval of the bills of the City Council. All bills must be approved by the City Council before being paid by the Treasurer.

**ARTICLE IV**

**GOLF COURSE**

**28-4-1**      **VEHICLES ON GOLF COURSE.** It shall be unlawful for anyone to bicycle or ride any motor vehicle, including mopeds and snowmobiles, on the Breese Municipal Golf Course, excluding golf carts. Only authorized personnel may drive a motor vehicle or bicycle on the premises.

Anyone found to be guilty of violating this Code shall pay a fine of **Fifty Dollars (\$50.00)** and be subject to cost for damages. **(Ord. No. 773; 07-06-93)**

**28-4-2**      **RETRIEVING GOLF BALLS.** It shall be unlawful for anyone other than employees or representatives of the City of Breese to enter any lake or pond located on the Bent Oak Municipal Golf Course. Golfers may enter with the use of a ball retriever without being in violation of this Section. Persons found guilty of violating this Section may be fined up to **Five Hundred Dollars (\$500.00)**. **(Ord. No. 835; 09-19-95)**

**ARTICLE V – HOLIDAY LIGHTING COMMITTEE**

**28-5-1**      **HOLIDAY LIGHTING COMMITTEE ESTABLISHED.** There is hereby established a Holiday Lighting Committee.

**28-5-2**      **APPOINTMENT/TERM.** The Mayor, with advice and consent of the City Council shall appoint **three (3) members** to serve until resignation or removal, and such members shall be residents of the City. Vacancies shall be filled by appointment of the Mayor with advice and consent of the Council.

**28-5-3**      **DUTIES.** The duties of the Holiday Lighting Committee shall be to create and implement plans with respect to holiday lighting and decoration displays for the City Parks, fund-raising, and generating community involvement. The committee shall have no authority to incur expenses on behalf of the City, absent approval of the Mayor and Council, or bind the City to any contractual obligation.

**(Ord. No. 1280; 04-16-13)**