

# CHAPTER 9

## PARKS AND PLAYGROUNDS

### **.01 PROTECTION OF PARK AND PLAYGROUND PROPERTY.**

No person in a park in the city shall willfully mark, deface, disfigure, injure, tamper with, or displace or remove any trees, shrubs, flowers, buildings, tables, benches, fireplaces, railings, paving or paving material, waterlines or other public utilities or parts or appurtenances thereof, signs, notices or placards whether temporary or permanent, monuments, stakes, posts, or other boundary markers, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.

### **.02 REFUSE.**

No person shall bring in, have brought in to a park, or dump, deposit, or leave in a park any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, or refuse, or other trash. No such refuse or trash shall be left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided; where receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere.

### **.03 OPERATING POLICY.**

- (a) The City parks shall open daily to the public during the hours of 7:00 A.M. to 10:00 P.M. of any day; and it shall be unlawful for any person other than City personnel conducting City business therein to occupy or be present in the park during any hours in which the park is not open to the public, except as amended by the Committee for Parks upon issuing an application as prescribed in subsection (c) below.
- (b) Any section, part of a park, may be declared closed to the public by the Mayor or the City Council at any time and for any interval of time, either temporarily or at regular or stated intervals.
- (c) Whenever any group, association or organization desires to use the park facilities for a particular purpose, such as picnics, parties or theatrical or entertainment performances, a representative of the group, association or organization shall first obtain permission from the City Clerk for such purposes. The City Council may adopt an application form to be used by the City Clerk for such situations, assess a fee for the issuance of such permit.
- (d) The City Clerk shall grant the application if it appears that the group, association, or organization will not interfere with the general use of the park by the individual members of the public and if the group, association or organization meets all other conditions contained in the application. The application may contain a requirement for an indemnity bond to protect the City from any liability of any kind or character and to protect the City property from damage.

### **.04 USE OF PARK AREAS.**

- (a) No person in a park shall picnic or lunch in a place other than those designated for that purpose. Attendants shall have the authority to regulate the activities in such areas when necessary to prevent congestion and to secure the maximum use for the comfort and convenience of all. Visitors shall comply with any directions given to achieve this end.
- (b) No person shall bring into, possess, or consume in any park, parking lot or other city property any wine, beer or other alcoholic liquor.
- (c) (1) Vehicle means every device in, upon, or by which any person, or property is or may be transported or drawn, either upon or off a highway, except devices moved by human power and including snowmobiles as defined in the Snowmobile Registration and Safety Act. (2001-13)  
  
(2) Motorized vehicle means every vehicle which is self-propelled except for vehicles moved solely by human power and motorized wheelchairs. (2001-13)

(3) Motorized wheelchair means any self-propelled vehicle, including a three-wheeled vehicle, designed for and used by a person with disabilities, that is incapable of a speed in excess of 8 miles per hour on level ground. (2001-13)

(4) Authorized motorized vehicle means city maintenance, mowing, and cleaning vehicles; emergency police, fire, and ambulance vehicles while responding to a call; and other vehicles as authorized by the City Superintendent. (2001-13)

(5) It shall be unlawful to ride any horse or other animal or to operate or park a motorized vehicle, except for authorized motorized vehicles, in any park maintained by the City of Fairbury except in designated parking areas. (2001-13)

(6) It shall be unlawful to ride any horse or other animal or to operate or park a motorized vehicle, except for authorized motorized vehicles, on any bicycle/walking trail maintained by the City of Fairbury. (2001-13)

- (d) No person shall ride any bicycle in any park in this town, except on established roads or driveways therein.
- (e) No person shall post or affix any placard, bill, notice, poster or sign upon any structure, tree or thing within any park of this city, or upon any of the fences or enclosures thereof.
- (f) Without permission from the City Council, it shall be unlawful or any person to build, light or maintain any fire. The term "fire" as used in this subsection shall not be construed to mean or include a fire in a furnace; stove; boiler; fireplace; charcoal burner, grill or brazier; or in other flame enclosed facilities constructed of suitable fire proof materials. No person shall leave a picnic area before the fire is completely extinguished and before all trash in the nature of boxes, paper, cans, bottles, garbage and other refuse is placed in the disposal receptacles where provided. If no such trash receptacles are available, then refuse and trash shall be carried away from the park area by the picnicker to be properly disposed of elsewhere.

#### **.05 PENALTIES.**

- (A) Any person who violates any part of Chapter 9 of this Code shall be deemed guilty of a Class C misdemeanor as provided in Illinois Compiled Statutes and shall be subject to a fine up to \$500.00 for each offense. (2001-13)
- (B) Any person in violation of Section .04(c) of Chapter 9 of this Code shall be a Class A Misdemeanor as provided in the Illinois Compiled Statutes and shall be subject to a fine not less than \$250.00 nor more than \$1,000.00 for each offense. (2001-13)
- (C) Furthermore, the violation of Chapter 9 of this Code is declared to be a public nuisance to be abated in the manner provided by law. (2001-13)