

**AN ORDINANCE
REGULATING THE USE OF
PARKS AND PROPERTY
OWNED OR CONTROLLED
BY THE
STERLING PARK DISTRICT**

ORDINANCE 93-2

ADOPTED MARCH 15, 1993

**AMENDED JANUARY 17, 1994
AMENDED OCTOBER 18, 1999
AMENDED AUGUST 20, 2001
AMENDED MAY 17, 2004
AMENDED JANUARY 17, 2005
AMENDED SEPTEMBER 21, 2009
AMENDED FEBRUARY 21, 2011
AMENDED JANUARY 20, 2013**

**AMENDED SEPTEMBER 19, 2016
AMENDED MARCH 20, 2017
AMENDED AUGUST 21, 2023
AMENDED APRIL 15, 2024**

SECTION 1.0

SHORT TITLE

This Ordinance regulating conduct in the Sterling Park District, Sterling, Illinois; providing for enforcement; and providing penalties for the violation of its provisions shall be known and may be cited as the “Conduct Ordinance of the Sterling Park District.”

SECTION 2.0

DEFINITIONS

For the purpose of this Ordinance, the following terms, phrases, words, and their derivations shall have the meaning given herein. Words used in the present tense include the future; words in the plural number include the singular number; and words used in the singular number include the plural number. The word “shall” always be mandatory.

1. “Park District” is the Sterling Park District of Sterling, Illinois.
2. “Park Board” is the Board of Commissioners of the Sterling Park District by whom all policy matters are established pertaining to the Park District.
3. “Executive Director” is the person designated by the Park Board to administer the policies established by the Park Board.
4. “Director of Parks & Planning” is the person immediately in charge of any park area or department and its activities and to whom all park employees of such area or department is responsible.
5. “Park” is a park, playfield, playground, pool, sports complex, marina, museum, recreation center or any other area or facility in the Park District, devoted to active or passive recreation.
6. “Person” is any person, firm, partnership, association, corporation, governmental unit, company, or any organization of any kind.
7. “Vehicle” means every device in, upon, or which by a person or property is transported or drawn on land. Vehicles shall not include a) vehicles used by the Park District; b) wheelchairs or other mobility devices designed exclusively to assist a person with a disability; and c) baby carriages, strollers, and bicycles/E-Bikes when used properly on Park District bike paths/trails.
8. “Bicycle” means a device propelled by human power upon which a person may ride, having either two or three wheels in tandem or tricycle arrangement.

9. “E-Bike” means a device which a person may ride, having two or three wheels in tandem or tricycle arrangement equipped with operable pedals and an electric motor of less than 750 watts with a maximum speed of 20 miles per hour. An E-Bike is not a moped or a motor driven cycle.
8. “Police/Police Officer” is any Park District, city, county, state, or federal official with arresting powers
9. “Animal” means any animal, other than man, which may be affected by rabies.

SECTION 3.0

GENERAL PARK DISTRICT POWERS

State Laws for the Park District apply. No person in a park shall fail to comply with the ordinance of the Park District as empowered by the “Park District Code” which states that the members of the Park Board and all police officers, including those contracted and/or appointed by them, shall be conservators of the peace within and upon such parks, boulevards, driveways and property controlled by such Park District, and shall have power to make arrests in view of the offense or upon warrants for violation as for breach of peace.

SECTION 4.0

PARK PROPERTY

No person in park shall:

1. Building and Other Property
 - a. Disfiguration and Removal. Willfully deface, disfigure, tamper with, or displace or remove any buildings, bridges, tables, benches, fireplaces, paving or paving material, water lines or other public utilities or parts or appurtenances thereof; signs, notices, or placards, whether temporary or permanent; equipment, facilitate or park property or appurtenances whatsoever, either real or personal.
 - b. Restrooms and Washrooms. Fail to cooperate in maintaining restrooms and washrooms in a neat and sanitary condition.
 - c. Removal of Natural Resources. Dig or remove soil, rock, stones, trees, shrubs, or plants; down timber or other wood or materials; or make any excavation by tool, equipment, blasting or other means or agency, except with written authorization from the Executive Director.
 - d. Erection of Structures. Constructs or erects any building or structure of whatever kind whether permanent or temporary in character, run or string any public service utility into, upon or across such lands, except on special written permission issued hereunder

2. Trees, Shrubbery, Lawns
 - a. Injury & Removal. Damage, cut, carve, transplant, or remove any tree or plant, or injure the bark or pick the flowers or seeds of any tree or plant.
3. Wild Animals and birds
 - a. Hunting. Hunt, molest, harm, frighten, kill, chase, tease, shoot or throw missiles at any animal. Limited trapping may be allowed as authorized by the Park District.

SECTION 5.0

REWARDS

The Park District may reward person(s), other than police officers and employees of the Park District, who furnish information that directly leads to an arrest and conviction of anyone who damages park property or commits a state motor vehicle violation or who commits a criminal act as set forth in Chapter 38 of the Illinois Revised Statutes.

SECTION 6.0

SANITATION

No person in a park shall:

1. Pollution of Water. Throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, stream or other body of water in or adjacent to any park or any tributary, storm sewer, stream or drain flowing into such waters, any substance, matter or thing, liquid or solid, which will or may result in the pollution of said water.
2. Refuse and Trash. Dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, waste, garbage, or other trash. Refuse shall be placed in proper receptacles as 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. No refuse/trash generated off park property may be brought in and deposited on park property.

SECTION 7.0

TRAFFIC

No person in a park shall:

1. State Motor Vehicle Laws Apply. Fail to operate or cause to operate any motorized vehicle which in any manner does not comply with the Vehicle Code of the State of Illinois, or other laws such as Ordinances of the City of Sterling, Sterling Township, and/or the Park District.
2. Enforcement of Traffic Regulations. Fail to obey all police officers and park employees who are authorized and instructed to direct traffic.
3. Obey Traffic Signs. Fail to observe all traffic signs indicating speed, direction, caution, stopping, parking, cross walk lanes, traffic lane markers and all other signs posted by the Executive Director or Director of Parks & Planning for proper control for safeguarding life and property.
4. Operation Confined to Roads. Drive any vehicle in any area except the paved park roads or parking areas, or such other areas as may on occasion be specifically designated as temporary parking areas by the Executive Director or Director of Parks & Planning.
5. Motorized Vehicles Other Than Automobiles. Drive any snowmobile, go-cart, minibike, or similar motorized vehicle in the park system without written authorization from the Executive Director or Director of Parks & Planning.
6. Parking.
 - a. Lawn Areas and Grounds. Park a vehicle on park lawn areas or grounds unless so designated by the Executive Director or Director of Parks & Planning.
 - b. Double-Parking. Double-park a vehicle on any driveway unless directed by a park official or temporarily for discharging passengers.
 - c. Night Parking. Leave a vehicle standing or parked at night without lights clearly visible for at least two hundred (200) feet from both front and rear on any driveway or road area except legal parking areas.
 - d. All Night Parking. Park on any driveway or in any free parking area between the hours of 10:00 p.m. and 5:00 a.m. of any day unless authorized by the Executive Director or Director of Parks & Planning.
 - e. Immovable Objects. Leave any vehicle anywhere in the park for more than twenty-four (24) hours due to a mechanical failure. (At the end of this period, the vehicle shall be towed away at the owner's expense.)

7. Pedestrian Right-of-Way. Fail to yield right-of-way of a pedestrian crossing the driveway within any crosswalk as defined herein, except when directed by a police officer or an authorized traffic signal. Fail to stop behind such a vehicle that has stopped to permit a pedestrian to cross driveway. Fail to yield right-of-way to vehicle if moving across driveway which is not marked for cross walk.
8. Operation of Certain Vehicles. Enter or pass along the park driveway with a truck or other vehicle carrying building materials, merchandise, or other materials except when delivering such materials or supplies for the use of the owners or occupants of the property fronting thereon; and then shall enter and leave the park driveway at the nearest point to the property where such supplies and materials are to be delivered.
9. Riding Outside Vehicles. Ride upon the fenders or any other outside part of any vehicle.
10. Repair to Vehicles in the Park System. Change any parts or make repairs of any kind to any vehicle in the Park System, except such emergency repairs necessary to remove such vehicle therefrom.
11. Change Oil or Grease. Change oil, grease, wash, or polish vehicles and leave debris from such action.
12. Bicycles and E-Bikes
 - a. Fail to obey all State, City, County, Township, and Park District bicycle/E-Bike laws, rules, and regulations when applicable.
 - b. Disobey any posted regulations, including and not limited to those which limit speed, or restrict access or movement.
 - c. Ride a bike/E-Bike on any path, trail, roadway, or other areas or access that is designated and/or is posted as prohibiting bicycles/E-Bikes.
 - d. Fail to ride as closely as practicable to the right-hand side of any roadway, trail, or path as conditions permit.
 - e. Ride a bicycle/E-Bike on any path, trail, or roadway two or more abreast.
 - f. Operate any bicycle/E-Bike upon any roadway, trail, path, or parking area in any manner which endangers the safety of persons or property, or at a speed which is greater than is reasonable and proper for safe operations of bicycles/E-Bikes, regarding traffic conditions, and reasonable hazards, such as trail crossings, entrances to parking areas, narrow roads/paths, hills, curves, weather, road/trail conditions, and pedestrian, or bicycle/E-Bike traffic.

- g. Ride any other person on a bicycle/E-Bike, except for tandem bicycles/E-Bikes, bikes equipped with child seats or trailers, or any cycle design that has dedicated seats for each person.
- h. Ride a bicycle/E-Bike during the hours of darkness, without a white light visible from the front from a distance of five hundred feet (500') and a red reflector in the rear, visible from at least two hundred feet (200").
- i. Leave a bicycle/E-Bike in a place other than a bicycle rack when such is provided and there is space available.

SECTION 8.0

INTOXICATING BEVERAGES

- 1. Subject to the provisions of paragraphs 2 and 3, no person shall consume or have in his or her possession, any alcoholic liquor, nor shall any person sell or transfer any alcoholic liquor on property owned or leased by the Park District.
- 2. With authorization from the Park Board and other appropriate licensing authorities, alcoholic liquor may be sold by the District and consumed in designated areas within the park system as determined by the Park Board.
- 3. Alcoholic liquor may be sold by the District and consumed in the Clubhouse and other designated areas as determined by the Park Board at the Emerald Hill Golf Course and the Westwood Fitness and Sports Center.
- 4. "Alcoholic liquor" is defined as alcohol, spirits, wine, and beer, and every liquid or solid, patented or not, containing alcohol, spirits, wine, or beer, and capable of being consumed as a beverage by a human being.

SECTION 9.0

BEHAVIOR

No person in park shall:

- 1. Fireworks and Explosives. Bring or have in his possession or set off or otherwise cause to explode or discharge or burn any firecrackers, torpedo, rocket, or other fireworks or explosives of flammable materials, or discharge them or throw them into any such areas from land or highway adjacent thereto. This prohibition includes any substance, compound, mixture, or article that in conjunction with any other substance or compound would be dangerous from any of the foregoing standpoints.

2. Animals.
 - a. Allow an animal to be in a park area where animals are prohibited. Animals are prohibited from within twenty-five feet (25') of a playground, picnic shelter, swimming pool, fountain, athletic field, or any sites of recreation activity that may be designated by the Park Board. All animals in those areas where not prohibited shall be restrained at all times on leashes not greater than eight feet (8') long by a person capable of controlling them or shall be securely enclosed in a cage or similar device. This section shall not be applicable to "service animals" as defined by the ADA or animals used by public enforcement agencies under the control of a law enforcement officer.
 - b. Fail to be in possession of plastic bags or other container(s) for removing defecation left by an animal under the control or ownership of such person.
 - c. Fail to clean up and dispose of defecation left by an animal under the control of such person. Disposal shall be either in a trash receptacle or off of park property.
3. Reservation of Facilities. Enter into, loiter, or remain in any pavilion or park structure or section thereof which may be reserved and designated by the Park Board.
4. Alms. Solicit alms or contributions for any purpose whether public or private without prior Park Board consent in writing.
5. Fires. Build or attempt to build a fire except in such areas and under such regulations as may be designated by the Executive Director or Director of Parks & Planning. No person shall drop, throw, or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper or other inflammable materials within any park area or on any highway, road, or street abutting or contiguous thereto.
6. Closed Areas. Enter an area posted as "Closed to the Public," nor shall any person use or abet the use of any area in violation of posted notices.
7. Games of Chance. Gamble or participate in or abet any game of chance.
8. Going Onto Ice. Go onto the ice on any of the waters except such areas as are designated as skating fields and provided an "Ice Safe" sign is displayed.
9. Loitering and Boisterousness. Engage in loud, boisterous, abusive, threatening, insulting or indecent language; or engage in any disorderly conduct or behavior tending to a breach of the public peace.

10. Interference With Permittees. Disturb or interfere unreasonably with any person or party occupying any area or participating in any interference under the authority of a permit.
11. Criminal Acts. Commit any act prohibited by the Criminal code of the State of Illinois as set forth in Chapter 38 of the Illinois Revised Statutes.
12. Religious Worship. Have a religious worship open to the public, or make any oration, harangue demonstration or address except in a designated place authorized by the Park Board.
13. Concerts. Conduct any musical concert, play upon any amplified instruments nor set up or use any communication system in the Park District without written authorization from the Executive Director or Director of Parks & Planning. When amplified music/communications is authorized at Emerald Hill, its use must conclude by 11:00 P.M.
14. Sleeping in Parks. No person shall place, erect, or use a hammock, swing, tent or shelter, nor otherwise camp or sleep upon Park District premises between the hours of 10:00 p.m. and 5:00 a.m. except under complete supervision and upon authorization by the Executive Director and Director of Parks & Planning.
15. Electronic Devices. No person shall use (a) any electronic, mechanical, manual, electric, digital, voltaic or other device, instrument or means capable of recording, producing, duplicating, reproducing, storing, copying, transmitting or displaying any visual image or picture, or representation, including but not limited to any camera, photographic camera, video camera, camcorder, or videotaping device, or (b) any cell phone of any type or kind regardless of its capacity or lack thereof to produce visual image, in any restroom, locker room, lavatory, bathroom, shower facility, or dressing room, in any building or facility owned or under the control of the District.
16. Aviation. No person shall (a) start, ignite, fly, or launch any model rocket or similar projectile in any park unless authorization is given by the Executive Director; (b) operate, fly or control any motor driven airplane, drone or other flying object in any park except at Scheid Park (soccer fields), Hoover Park (large open field) or Westwood Building #3 sports fields; and only when those areas are not being utilized by other park patrons and only if all regulations established by the Federal Aviation Administration and any other governmental authorities having jurisdiction over such use and operation of such flying objects are followed; (c) fly, cause to be flown, or authorize the flying of aircraft of any kind over Park District property at an elevation lower than the minimum safety requirements as established by the Federal Aviation Administration or in a manner the endangers the safety of any park patron; (d) land, cause to be landed or authorize the landing of any aircraft on Park District property, unless authorized by the Executive Director or when necessitated by an emergency; and (e) parachute or otherwise descend from an aircraft onto Park District property or cause or authorize another person to parachute or otherwise descend unless authorized by the Executive Director or when necessitated by an emergency.

SECTION 10.0

MERCHANDISING, ADVERTISING AND SIGNS

No person in a park shall:

1. Vending or Peddling. Expose or offer for sale any article or thing nor shall station or place any stand, cart or vehicle for the transportation, sale, or display of any such article or thing without prior authorization by the Executive Director.
2. Advertising. Display any placard or advertisement of any kind in the Park District; nor shall any person distribute, cast, throw or place any handbill, pamphlet, circular or advertisement or notice of any kind; nor post, paste, glue, tack, stencil or otherwise affix any notice or bills, advertisements or other papers upon any structure or thing in or about the park system except as authorized by the Executive Director.

SECTION 11.0

PARK OPERATION POLICY

1. Hours. Except for unusual and unforeseen emergencies or as authorized by the Executive Director or the Park Board, parks shall be open to the public every day of the year from daybreak until 11:00 P.M.
2. Closed Areas. Any section or part of any park may be declared closed to the public by the Executive Director at any time and for any interval (daily or otherwise) or for certain uses as the Executive Director shall find reasonably necessary.
3. Lost and Found Articles. The finding of lost articles by Park District employees shall be reported to the Executive Director or Director of Parks & Planning who shall make every reasonable effort to locate the owner(s).
4. Permits. Large groups in excess of fifty (50) and any groups regardless of size, who are conducting First Amendment Activities (i.e. religious service or ceremony; press conference; press coverage or breaking news; voter registration; collecting signatures on petitions or voter in initiatives; public demonstrations, picketing, assembly or rally expressing opinion or views; and the sale or distribution of printed material related to free expression of opinion) must complete and obtain a Special Use Permit from the Park District prior to the event/activity. If a Special Use Permit was denied, the applicant can appeal the decision to the Park Board. The decision of the Park Board is final.

5. Shelter Reservations. Picnic shelters located at Harry Oppold Marina can be reserved beginning January 1 of each year for holidays and weekends. All shelter reservations, regardless of group size, must follow the stated permit policies listed under this section.
6. Admission Fees. No individual or group may change a park admission fee unless given authorization by either the Executive Director or the Park Board.

SECTION 12.0

RECREATIONAL ACTIVITIES

No person in a park shall:

1. Area and Facility Use. Picnic or lunch, golf, skate, swim, sled, roller blade, boat, ride horse, camp, fish, take part or abet the playing of any games involving thrown or otherwise propelled objects such as balls, stones, arrows, javelins, or model airplanes except in areas or facilities set apart for such forms of recreation and under such rules and regulations as designated.
2. Hunting and Trapping. Hunt, trap or pursue wildlife at any time unless authorized by the Park District. Shooting into park areas from beyond the Park District boundaries is prohibited.
3. Weapons. Use, carry or possess on or about their person or vehicle any firearm, stun gun, bow and arrow, slingshot, cross bow, spear/spear gun, switch-blade knife, stiletto, sword, martial arts weapon, metal knuckles; or any air rifle, paint gun, pellet gun, air soft gun or device capable of discharging a projectile or harmful chemical substance; or any weapon, instrument, or substance of like character or design unless approved by the Park District. Nothing in this section shall prohibit an individual with a current Illinois Concealed Handgun License to carry a concealed handgun while utilizing a Park District trail or bikeway; or under certain conditions (unloaded/stored in vehicle out of plain site) in a parking lot on Park District property. A licensee can also carry an unloaded handgun in the immediate area surrounding their vehicle for the purpose of storing or retrieving the firearm.
3. Non-Park District Organized Programs. Bring or cause to be brought onto Park District property any commercial activity or any play classes, day camps, instruction groups or other organized groups of any kind where fees of any kind are charged to or paid by the participants without prior written authorization from the Park District. No commercial activity of any kind, including private lessons, coaching, or training of any kind for which compensation is paid by or charged to participants shall be conducted upon Park District property without prior written authorization from the Park District and then only upon such terms and conditions as established by the

Park District. Park District users shall be prohibited from conducting any commercial activity or hiring or paying coaches, teachers, trainers or any other person or persons any fees or other things of value on Park District property without prior written authorization received from the Park District and then only upon such terms and conditions as established by the Park District.

4. Rappelling or Climbing. Climb, rope climb or rappel hillsides, ravine areas, or rock faces.

SECTION 13.0

SMOKING

1. No Person under the age of 18 may possess or use any cigar, cigarette, smokeless tobacco, or tobacco in any of its forms while on District Property.
2. Smoking of any tobacco product, including, without limitation, the carrying, smoking, burning, inhaling, or exhaling of any kind of lighted pipe, cigar, cigarette, hookah, weed, herbs, or any other lighted smoking equipment, is prohibited within all buildings, structures, facilities and vehicles owned, administered, leased or licensed, or otherwise in the possession or under the control of the District, or within fifteen (15) feet of any entrance to, exit from, window that opens into, or ventilation intake that serves any such building, structure or facility. Smoking is also prohibited in all wooded areas on District Property, and at all other locations on District Property where signs are posted prohibiting smoking.
3. Smoking of any tobacco product, including, without limitation, the carrying, smoking, burning, inhaling, or exhaling of any kind of lighted pipe, cigar, cigarette, hookah, weed, herbs, or any other lighted smoking equipment, is prohibited on, or within fifty (50) feet of, any playground, skate park, baseball field, softball field, soccer field, football field or other athletic field owned, administered, leased or licensed, or otherwise in the possession or under the control of the District.

SECTION 14.0

ENFORCEMENT

1. Officials. The Park Board, Executive Director, Director of Parks & Planning, Director of Recreation, Emerald Hill Pro Shop Manager, Emerald Hill Golf Course Superintendent, Business Manager, and police shall, in connection with their duties imposed by law, diligently enforce the provisions of this ordinance.
2. Ejectment. The Park Board, Executive Director, Director of Parks & Planning, Director of Recreation, Emerald Hill Pro Shop Manager, Emerald Hill Golf Course Superintendent, Business Manager, and police shall have the authority to eject from the park any person acting in violation of this ordinance.

3. Seizure of Property. The Park Board, Executive Director, Director of Parks & Planning, Director of Recreation, Emerald Hill Pro Shop Manager, Emerald Hill Golf Course Superintendent, Business Manager, and police shall have the authority to seize and confiscate any property, thing, or device in or used in the parks in violation of this ordinance.

SECTION 15.0

PENALTY

Any person violating any clause or provision of any section of this ordinance shall be fined not less than twenty-five dollars (\$25.00) and not more than one thousand dollars (\$1,000.00) for each offence upon conviction thereof. These fines are in addition to any local or state fines as well as restitution in the event of any damage. (See attached listing of maximum fine amounts.)

SECTION 16.0

EXCEPTIONS

The restrictions outlined in this ordinance may be waived by the Park Board and a statement to this effect shall be issued in writing on such occasions detailing the extent of the waiver and the period of time of the exceptions.

SECTION 17.0

REPEAL OF PRIOR ORDINANCE – EFFECTIVE DATE OF ORDINANCE

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