

ORDINANCE NO. 91

**AN ORDINANCE SETTING FORTH THE RULES AND REGULATIONS
GOVERNING THE USE OF THE CONSERVATION SITES OF THE DISTRICT**

WHEREAS, it is reasonable, necessary and desirable for the BOONE COUNTY CONSERVATION DISTRICT, a Conservation District organized and existing under the laws of the State of Illinois, (hereinafter referred to as "District") to establish a general use ordinance governing the use of the conservation sites of the District: and

WHEREAS, subject to the provisions of the Illinois Compiled Statutes, Chapter 70, Act 410, Sections 3 and 12, it is reasonable, necessary and desirable for the District to provide rules and regulations in order to provide for the safe and peaceful use of the Conservation sites: for the education and recreation of the public: for the protection and preservation of the property, facilities, flora and fauna of the District: and for the safety and general welfare of the public: and

Whereas, the District has the authority and the power to establish this general use ordinance;

NOW, THEREFORE, BE IT ORDAINED, by the President and Board of Trustees of the District as follows:

ARTICLE I. – Illinois Vehicle Code

SEC. 220-2. Adoption of Illinois Vehicle Code and amendments:

The provisions of the Illinois Vehicle Code, 625 ILCS 5/1-100 through 5/20-402, and as may hereafter be amended, except where applicable to matters not within the jurisdiction of the city, are hereby adopted by reference pursuant to the authority granted in Illinois Vehicle Code, 625 ILCS 5/20-204. Any section of the Illinois Vehicle Code adopted pursuant to this section or any future amendment may be cited by placing section 220-2 before the appropriate Illinois Vehicle Code section or Illinois Compiled Statutes citation.

SEC. 220-3. Authority of conservation district employees:

- (a) Police officers, auxiliary police officers, firefighters, maintenance employees, parking enforcement employees and other district employees may direct traffic or restrict or prohibit parking in person or by sign, signal, marking or barricade in the performance of their duties. (Class C)
- (b) It shall be unlawful for any person to violate any such direction, restriction or prohibition. All owners, co-owners, registered owners, and registered co-owners of any vehicle shall be jointly and severally vicariously liable for any parking violation involving that vehicle. For purposes of this section, parking

includes stopping and standing of vehicles. The person who parked the vehicle shall be jointly and severally liable for such violation. (Class C)

SEC. 220-4. Unlawful to disturb barricades:

It shall be unlawful to disturb or interfere with any barricade or lights lawfully placed. (Class C)

SEC. 220-4. Speeding:

It shall be unlawful for any person to drive a vehicle upon any roadway in the district in excess of the lawfully posted speed limit. If no speed limit is posted, the maximum speed limit in the district shall be 10 miles per hour on a highway. (Class C)

SEC. 220-5. Careless driving:

It shall be unlawful for any person to operate any vehicle on public property in the district in a manner that unreasonably endangers life, health or property, including the life health or property of the driver. Any driver who fails to keep his vehicle under control at all times shall be deemed guilty of careless driving unless the loss of control was without fault on the part of the driver. (Class C)

SEC. 220-6. Operation of motor vehicles on designated roads:

- A. Operate, or cause to be operated, any motor vehicle anywhere except on the roads, drives and parking areas provided, without written permission of the Director and then only in compliance with the directions and restrictions of the local police of the area;(Class A)
- B. Operate, or cause to be operated, any motor vehicle anywhere that is not licensed or permitted to be operated on the roads, streets and highways of the State of Illinois, without written permission of the Director and then only in those areas specified and in accord with the rules and restrictions duly set forth by the Director. Vehicles not so licensed, and therefore, subject to the provisions of this sub-section include, but are not limited to, snowmobiles, golf carts, go carts, trail bikes, and such other all terrain off-the-road type vehicles; (Class C)
- C. Operate or move, or cause to be moved, any motor vehicle locked in as a result of the closing of a Conservation site at the proper time, without the permission of the Director or until such time that the Conservation site is officially opened. Any unauthorized vehicle remaining in a Conservation site after closing may be removed from said sites by towing; (Class C)
- D. Operate a motorized vehicle on any road, drive or parking area posted, gated or barricaded as closed or prohibited to public traffic. (Class C)

SEC. 220-7: Parking:

No person shall upon or in connection with any property of the District;

- A. Park a vehicle overnight or leave or cause to leave a vehicle parked in a Conservation site after the posted closing time without permission of the Director or his designate; (Class C)
- B. Park a vehicle in such a way as to block in another parked vehicle; (Class C)
- C. Park a vehicle in a zone or area posted prohibited parking; (Class C)
- D. Park a vehicle in such a way as to block, restrict or impede the normal flow of traffic; (Class C)
- E. Park a vehicle on turf, meadow, prairie, marsh, field, in woodland or on any exposed roots of any tree or shrub; (Class C)
- F. Park a vehicle for the purpose of washing it or for the making of any repairs or alterations to any vehicle except those of an emergency nature; (Class C)
- G. Park an unauthorized vehicle in a designated handicapped-parking zone. (Class C)

SEC. 220-8 Towing:

Violations of any section of this or another chapter, resulting in the subsequent towing a vehicle, the expense of such towing and storage shall be borne by the owner of said vehicle. (Class C)

SEC. 220-9 Encroachment on Public Street:

- (a) It shall be unlawful for any person, firm or corporation to erect or cause to be erected to retain or cause to be retained, an encroachment (defined below) within the limits of roadway right-of-way. (Class C)
- (b) (1) *Roadway right-of-way* is defined as those areas existing or acquired by dedication or be fee simple for highway purposes: also, the areas acquired by temporary easement during the time the easement is in effect; (Class C)
(2) *Encroachment* is defined as any building, fence sign, or any other structure or object of any kind (with the exception of utilities and public road signs), which is placed, located or maintained in, on, or over any portion of the roadway right-of-way; (Class C)

SEC. 220-10 Injuring street, sidewalk or pathway:

It shall be unlawful to injure any street, sidewalk or pathway. (Class C)

SEC. 220-11 Depositing material on district right-of-way:

It shall be unlawful to deposit on any district right-of-way, any trash, rubbish, or debris, that may be harmful to the pavement thereof, or any material, of any kind, or other articles which may do injury to any person, animal or property or cause any obstruction on the public right-of-way. (Class C)

SEC. 220-12 Depositing material on sidewalks and pathways:

It shall be unlawful to deposit on any public sidewalk or pathway any material that may be harmful to the pavement or ground thereof, or any waste material, or any glass or other articles that might cause injury to persons, animals or property.

(Class C)

SEC. 220-13 Obstructing drains.

It shall be unlawful to obstruct any drain.(Class C)

SEC. 220-14 Games on streets, sidewalks and pathways.

It shall be unlawful to play games on any street, sidewalk, pathway or other public place where such games interfere with traffic or pedestrians. (Class C)

ARTICLE II. – Public Use

SEC. 1: Public use and purpose of the district:

- (a) Conservation sites are for use by the general public. One of the functions of the District is to acquire, protect, restore, restock, develop and interpret a balanced system of areas with scenic, ecological, recreational and historic values for the inspiration, education, use and enjoyment by the public. This Ordinance is intended to help carry out this function.
- (b) It shall be unlawful for any person to disobey any rule or regulation posted in accordance with this ordinance. (Class C)

SEC. 2: Hours of use

- (a) The Director of the District will have full authority to open and close any site, sites or facility due to season, condition, construction, or when in the interest of public safety, it is deemed necessary.
- (b) Conservation sites shall be open to the public one half hour before sunrise to one half hour after sunset, or as posted.
- (c) No person shall attempt to enter, enter or remain in the Conservation sites when the Conservation Sites are not open to the public without the written permission of the Director. (Class C)
- (d) No person shall enter or attempt to enter any Conservation Site except through an authorized entrance designed and maintained for such entry into a Conservation Site. (Class C)

SEC. 3: Permits

A. No person shall conduct, operate, present, manage or take part in the following activity:

1. Any contest, show, exhibit, dramatic performance, play, act motion picture, acrobatic feat, bazaar, sporting event, musical event, ceremony, children's day camp or any public meeting assembly or parade including, but not limited to, drills or maneuvers, rallies, picketing, demonstrations, speeches and addresses, marches and political meetings; (Class C)
2. Any use of any Conservation Site or facility by a certain person or group of persons to the exclusion of others; (Class C)
3. Camping on lands of the District or inhabiting any structure or facility overnight. (Class C)

B. Persons desiring the above activity may apply to the Director or his designate, for a written permit under the following categories.

1. Picnic: No permit is required to have a picnic for groups of fifteen (15) persons or less; however, if a group of fifteen (15) or less desires to reserve a designated area, areas, or shelter, to the exclusion of others, then a permit is required. A permit is required to have a picnic for groups of sixteen (16) persons or more. Any group that desires, in conjunction with a picnic, controlled activities such as, but not limited to, pig roast sound amplification, special vehicle access animal rides and the like, must so indicate these activities at the time of application for permit. The Director or his designate may approve such requests with consideration of current District policy. (Class C)
2. Camping: Overnight camping on, within or upon Conservation Sites shall be by permit only as issued by the District. Camping will be allowed for a period not to exceed the time restrictions issued on the permit. The location of the campsite will also be limited to the location issued on the permit. (Class C)
3. Special Event: A permit is required for any of the other activities listed in Section 3A, Paragraph 1, above. The permit may be valid only for the use of a specified area or areas and for a period not to exceed the restrictions of the permit. (Class C)
4. Non-Profit group use and fundraising: During the permit process, non-profit organizations will be required to submit both proof of the organization's 501-C3 status and an insurance statement naming the District as additionally insured. (Class C)
5. Hunting: No person other than those that are properly licensed by the State of Illinois and registered, permitted, and participating in a Boone County Conservation District's hunting program shall hunt on any lands of the District. (Class A)
6. Using a metal detector. (Class C)
7. Selling or offering for sale any tangible or intangible item or soliciting for any trade, occupation, business or profession. (Class C)
8. Landing of aircraft or dropping of parachutists or objects from the air, launching balloons. (Class C)

9. Using conservation area facilities to ride horses other than on designated bridle trails. (Class C)
10. Engaging in a group equestrian trail ride containing more than 10 individual equestrian riders. (Class C)

C. Any and all permits are subject to revocation at the discretion of the Director or his designate.

ARTICLE III. – Protection of Property, Structures, and Natural Resources

SEC. 1: Destruction or misuse of property and structures:

No person shall upon or in connection with any property of the District:

- A. Destroy, deface, paint, alter, change or remove any monument, stone, marker, benchmark, stake, post or blaze marking any boundary line, survey line or reference point; (Class C)
- B. Cut, break, mark upon or otherwise damage, destroy or remove any post, building shelter picnic table, bridge, pier, drain, well, fountain, pump, telephone, lamp post, fence gate, refuse container, exhibit, display tool storage box, utility outlet, movie screen, flag post, or any other structure or parts thereof, without written permission of the Director; (Class C)
- C. Deface, destroy, cover, damage or remove any placard, notice or sign, or parts thereof, whether permanent or temporary, posted, or exhibited by the District to announce the rules, regulations and warnings or any other information to the public necessary or desirable to the proper use of the Conservation site; (Class C)
- D. Take, appropriate, excavate, injure, destroy or remove any historical or prehistoric ruin or parts thereof, or any object of antiquity, without written permission of the Director; (Class C)
- E. Throw, carry, cast, drag, push or deposit any refuse container, picnic table, barricade, or any other movable or non-movable property into any lake, pond, slough, stream, or lagoon or upon the frozen waters thereof or to cause a hazard to public safety or to damage or destroy such property; (Class C)
- F. Occupy or inhabit, or cause to be occupied or inhabited, any house, barn, shelter, shed or other structure, or cause to be used for storage of any goods, any house, barn, shelter, shed or other structure without written permission of the Director; (Class C)

- G. Enter into or upon any Conservation site or waters or areas thereof or structure closed or posted against trespass without written permission of the Director. These structures or areas may be, but are not limited to, construction areas, work safety zones, equipment or material storage structures or areas, work shops or stations, tree nurseries or areas undergoing intensive reforestation or other soil or vegetative treatment or areas hazardous to public safety or health; (Class C)
- H. Tamper with in any way, enter or climb upon, damage or remove anything from any District vehicle, watercraft, machine or implement, without written permission of the Director; (Class C)
- I. Misuse any refuse container or receptacle by placing into it any hot coals or other hot or burning substances, or by depositing into it any garbage, trash, refuse, or other unwanted material that was generated on the site in the course of normal. Lawful use of Conservation site facilities; (Class C)
- J. Walk off any path trail, or roadway except any area designated for such use by the Director or his designate; (Class C)
- K. Tamper with in any way, climb upon, damage, deface or remove anything from any District building or structure, without written permission of the Director. (Class C)

SEC. 2: Destruction or misuse of natural resources:

No person shall upon or in connection with any property of the District:

- A. Cut, remove, uproot or wantonly destroy any tree, sapling, seedling, bush, shrub, flower, or plant, whether alive or dead; or chip, blaze, box, girdle, trim or otherwise deface or injure any tree, shrub, bush, flower, or plant; break remove any branch or foliage thereof; or pick or gather any seed of any tree or other plant without the written permission of the Director; (Class C)
- B. Remove or cause to be removed any sod, earth, humus, downed timber, wood, chips, peat, rock, sand or gravel; or remove or cause to be removed any other natural material of the forest floor or earth without written permission of the Director; (Class C)
- C. Hunt, pursue, trap, catch, capture, molest poison, wound or kill any invertebrate animal, mammal, bird, reptile or amphibian; disturb, molest or rob the nest of any mammal, bird, insect, reptile or amphibian or the lair, den or burrow of any mammal, bird, reptile or amphibian, without the written permission of the Director, except at such place or places as may be designated for such purpose by the Board of Trustees and then only in accordance with the rules, regulations and restrictions promulgated and posted; (Class C)

- D. Fish in any waters of the District posted against fishing or by using a bow and arrow, spear, slingshot or other weapon; (Class C)
 - 1. Or by using hooks baited with live or dead fish, amphibian, reptile or bird; (Class C)
 - 2. Or with more than two devices; (Class C)
 - 3. Or with any device using more than two hooks per line; (Class C)
 - 4. Or any net, seine or trap; (Class C)
 - 5. Or with attended or unattended lines during the hours that Conservation sites are closed as defined by the provisions of this Ordinance; (Class C)
 - 6. Or in violation of any regulations or restrictions posted by the Director or his designate controlling the size, species and number of fish that can be taken from a designated body of water; (Class C)
- E. Release or cause to be released any wild, domestic or pet animal, bird, fish or reptile or bring in or plant or distribute the seeds or spores of any flowering or non-flowering plant brought into or upon District lands or waters from any outside source without written permission of the Director; (Class C)
- F. Use or cause to be used any chemical or biological pesticides or any other substance, measure or process designated to alter the anatomy or physiology of any organism for the purpose of directly manipulating their populations, without written permission of the Director and then only in compliance with all applicable laws of the State of Illinois and the United States; (Class C)
- G. Drive or cause to be driven, any cattle, horses, sheep goats swine or other livestock to graze or browse, without the written permission of the Director; (Class C)
- H. Deposit, dump, throw, cast, lay or place, nor cause to be deposited, dumped, thrown, cast, laid or placed any ashes, trash, rubbish, paper, garbage, refuse, debris or junk. However, on site produced garbage may be deposited in a designated container; (Class C)
- I. Using lands or waters which have been dedicated as an Illinois Nature Preserve in a manner contrary to the Illinois Natural Areas Preservation Act. (Class C)

SEC. 3: Contraband:

All animals, plants, birds, fish or reptiles, or parts thereof, killed captured, trapped or taken, bought, sold, or bartered or had in possession contrary to any provision of this Ordinance or applicable laws of the State of Illinois shall be, and are hereby declared, contraband and, as such, shall be subject to seizure by any police officer, caretaker or employee of the District or by any duly sworn peace officer.

SEC. 4: Destruction by or Misuse of Fire:

No person shall upon or in connection with any property of the District:

- A. Set fire, or cause to be set on fire, any tree, forest, brush land, grassland, meadow, prairie, marsh, slash, refuse, refuse container or structure; (Class A)

- B. Build a fire anywhere, for any purpose other than in fireplaces or fire receptacles designated for such use and then only in locations and areas as designated by the District; (Class C)
- C. Build a fire or cause a fire to start in or out of a receptacle close to or in any structure whatsoever or close to any tree or other plant in such a way as to deface, damage, or destroy that structure or scar, injure or destroy any tree or plants or their foliage; (Class C)
- D. Drop, throw away or scatter any burning, lighted or hot coals, ashes, cigarette, cigar, firecracker or match; (Class C)
- E. Build any fire whatsoever for any purpose in or out of a receptacle or fireplace and leave it unattended, unless such fire is properly extinguished. For the purpose of this Ordinance, a fire shall be deemed properly extinguished when its ashes, residue, coals and unburned substance is cold to the human touch. (Class C)

SEC. 5: Encroachments:

No person shall upon or in connection with any property of the District make, build, construct or place any structure, building or object regardless of the purpose or use of the structure, building or object without written permission of the Director. (Class C)

ARTICLE IV. – Regulation of sports and games

SEC. 1: Swimming:

- A. No person shall upon or in connection with any property of the District swim, wade or bathe at any time in any of the lakes, ponds, streams, sloughs or watercourse without the written permission of the Director; (Class C)
- B. No person shall upon or in connection with any property of the District scuba dive at any time in any of the lakes, ponds, streams, sloughs or watercourses without the written permission of the Director. (Class C)

SEC. 2: Watercraft:

No person shall upon or in connection with any property of the District:

- A. Bring into, attempt to launch, use, or navigate any boat, yacht, canoe, raft, personal flotation device or other watercraft upon the waters of any watercourse, lagoon, lake, pond, or slough; (Class C)
- B. Operate a boat or water flotation device of any kind or description on any Conservation sites; (Class C)

SEC. 3: Engine powered models or toys:

No person shall upon or in connection with any property of the District start, fly or use any fuel-powered engine, jet-type, electric-powered or radio controlled model aircraft, car, truck, boat or rocket or like powered toy or model; (Class C)

SEC. 4: Bicycling:

No person shall upon or in connection with any property of the District:

- A. Use or ride a bicycle on any path, trail or other area except on those paths, trails or other areas designated by the Director for bicycle use; (Class C)
- B. Fail to ride a bicycle on the right-hand side of any trail or path, as conditions shall permit; (Class C)
- C. Ride a bicycle in any manner other than single file on any path, trail or road used by the public for regular motor vehicle access; (Class C)
- D. Fail to yield the right of way to any and all pedestrians while riding a bicycle: (Class C)
- E. Use or ride any electric or electric assisted bicycle capable of exceeding a speed of 10 miles per hour; (Class C)
- F. Ride any bicycle at a speed greater than the posted limit or at a speed greater than 10 miles per hour; (Class C)
- G. Riding a bicycle on trails not designated as bicycle trails; (Class C)

SEC. 5: Sound or energy amplification:

No person shall upon or in connection with any property of the District play or operate any sound amplification device including but not limited to radios, television sets, public address systems, musical instruments, and the like; or operate any other energy amplification device or musical instrument or in such a manner as to disturb the quiet camps, picnic areas or other public gathering places, without written permission of the Director. (Class C)

SEC. 6: Winter Sports:

No person shall upon or in connection with any property of the District:

- A. Operate or ride any snowmobile or other motor driven device on any District property; (Class C)
- B. Sled, toboggan, ski or slide on any area posted by the District as being “unsafe” or “hazardous” or as being “closed” due to inadequate snow cover or other environmental conditions; or upon due notification of such by the Director or his designate; (Class C)
- C. Enter on or upon any frozen waters to skate, fish, slide or walk on for any purpose whatsoever when such waters are posted by the Director or his designate as being “closed” or “unsafe” or “hazardous”; or when notified of such conditions by the Director or his designate; (Class C)

SEC. 7: Field and team sports:

No person shall upon or in connection with any property of the District play or engage in any sport or game such as, but not limited to, baseball, football, field hockey, volleyball, lacrosse, golf or horseshoes, except in those areas designated by the Director as athletic fields or, if none are available, only on those areas and for such period of time determined by, and permitted by, the Director or his designate in order to insure the safe and equal use of the Conservation site by others. (Class C)

SEC. 8: Amusement contraptions:

No person shall upon or in connection with any property of the District bring in, set up, construct, manage or operate any amusement or entertainment contraption, device or gadget, without written permission of the Director. (Class C)

SEC. 9: Aviation:

No person shall upon or in connection with any property of the District make any ascent or landing in any balloon, airplane, glider, hang glider, kite or parachute, without written permission of the Director. (Class C)

SEC. 10: Gambling:

No person shall upon or in connection with any property of the District:

- A. Manage, operate, or engage in gambling of any form; (Class A)
- B. Have in their possession any clock, wheel, tape machine, slot machine, pin machine or other machine or device for the reception of money or other thing of value on chance or skill or upon action of which money is at stake, bet, hazard, won or lost. Any such machine or device shall be subject to seizure, confiscation, and destruction by any Police officer or employee of the District. (Class A)

SEC. 11: Skateboards:

No person shall upon or in connection with any property of the District:

- A. Ride or operate any skateboard or scooter, other than at such place or places as may be designated by the Director and then only in accordance with the rules, regulations and restrictions promulgated and posted; (Class C)
- B. Scooters that are manually or non fossil fueled powered scooters are prohibited from use on any District property, excluding those used by or for any handicapped person or persons; (Class C)
- C. Skateboards where allowed, shall not exceed a speed of four (4) miles per hour and must abide all rules and regulations governing bicycle usage as defined and provided in this ordinance and the Illinois Vehicle Code. (Class C)

SEC. 12: Recreational hunting:

The Board of Trustees on designated District lands may permit controlled recreational hunting.

Hunting areas, methods and seasons as well as species limit and type shall be designated by the Board of Trustees. All such designations shall be in compliance with all laws, rules and regulations as set forth by the State of Illinois. Any or all designations made by the Board may be more restrictive but shall not be less restrictive than those allowed by the State. All such designations may be periodically reviewed or changed by the Board with or without notice. The Board of Trustees shall retain the right to eliminate recreational hunting activities on any or all District areas regardless of past use.

- A. No person shall hunt on any lands or areas of the District other than those designated for such purpose; (Class A)

- B. No species other than those approved by the State of Illinois and designated by the Board of Trustees shall be hunted on any District lands; (Class A)
- C. No hunting method or methods other than those approved by the State of Illinois and designated by the Board of Trustees shall be used upon or in connection with any properties of the District, and only on those properties as designated by the Board; (Class A)
- D. No person other than those that are properly licensed by the State of Illinois and registered and permitted by the Boone County Conservation District shall hunt on any lands of the District. (Class A)

SEC. 13: Paintball guns:

No person shall upon or in connection with any property of the District:

- A. Have in their possession any paintball gun, pellet, projectile, or other item associated with or manufactured for such use; (Class C)
- B. Discharge any device manufactured or created for the purpose of recreational sport marking whether temporary or permanent. (Class C)

ARTICLE V. – REGULATION OF PERSONAL CONDUCT AND BEHAVIOR

SEC. 1: Vending and advertising:

No person shall upon or in connection with any property of the District:

- A. Expose or offer for sale to the general public any articles or thing; or conduct or solicit any business, trade, occupation or profession without a valid Concession Contract Agreement approved by the Director and then only in accordance with the terms and conditions thereof, it being the intention to control commercial enterprises or sales on District lands; (Class C)
- B. Display, distribute, post or fix any placard, sign handbill, pamphlet, circular or any other writing or printed material or objects containing advertising matter or announcements of any kind whatsoever without written permission of the Director and then only in compliance with the terms of such Permit or in compliance with the terms of a valid Concession Contract approved by the Director, except that groups holding a valid Picnic, Camping or Special Event Permit may display signs to identify their location or direct others to it, providing such signs are temporary and are removed by the Permittee at the termination of the activity and providing that such signs are no larger than 24” by 30” and are not attached to any tree or shrub or any post, building, District sign, gate or other structure.(Class C)

SEC. 2: Unlawful obstructions:

No person shall or in connection with any property of the District:

- A. Set, place or cause to be set or placed any goods, ware or merchandise on any stand, cart or vehicle for the transportation or vending of any such goods, wares or merchandise or any other article upon any property of the District to the obstruction of any use of any Conservation site or the detriment of the appearance of any Conservation site; (Class C)

- B. By force, threats, intimidation, unlawful fencing, enclosing or by any other unlawful means, prevent, obstruct or combine and confederate with others to prevent or obstruct, any person from peacefully entering upon any property of the District, or prevent or obstruct free passage or transit over or through any lands or waters of the District, or obstruct the entrance into any enclosure within the District, except that nothing in this Section shall be construed to deny lawful enforcement of a valid Permit granting certain person or persons use to the exclusion of others as defined and provided for in this Ordinance. (Class A)

SEC. 3: Unlawful construction or maintenance:

No person shall upon or in connection with any property of the District erect or construct, install or perform any maintenance on, below, over or across a Conservation site except by proper authorization of the Board and then only in accordance with written permission of the Director specifying in detail the work to be done and the conditions to be fulfilled pursuant to the terms of such authorization. (Class A)

SEC. 4: Drug and alcohol abuse:

No person shall upon or in connection with any property of the District:

- A. Be present in an intoxicated condition or under the influence of liquor, beer, drug or narcotic to the extent of being unable to perform a normal body function, such as but not limited to maintaining balance and coherent speech, or because of the influence of such or like substances engage in behavior of speech that intimidates others or interferes with or unreasonably disrupts others in the normal, safe use of the Conservation site or any facility thereof; (Class C)
- B. Consume any alcoholic beverage in any Conservation site; (Class C)
- C. Possess any alcoholic beverage on any Conservation site whether or not the original package or seal is broken or unbroken; (Class C)
- D. Be under the age of eighteen (18) and possess any tobacco, tobacco related product or alcoholic beverage (Class C)

SEC. 5: Weapons and harmful substances:

No person shall upon or in connection with any property of the District at any time have in their possession or on or about their person, concealed or otherwise, any firearm, handgun - except as permitted by law, rifle, shotgun, bow and arrow, slingshot, cross bow, spear or spear gun, switchblade knife, stiletto, sword, blackjack, club, any weapon capable of discharging a projectile by air, spirit, gas, or explosive, any explosive substance or harmful solid, liquid or gaseous substance or any other dangerous weapon, except at those ranges or areas designated for their use by the Director and then only in accordance with the rules and regulations duly set forth for the proper use of such ranges or areas. Illinois Concealed Carry Law includes the provision to prohibit carrying a concealed weapon into any government building; all District buildings are posted with the approved signage to inform the public that concealed weapons are prohibited inside District buildings. Nothing contained herein shall be construed to prevent any Police, Deputy, Sheriff, Coroner, State Policeman or any duly sworn peace officer from carrying

such weapons as may be authorized and necessary in the discharge of their duties. (Class C)

SEC. 6: Hindering or bribing employees:

No person shall upon or in connection with any property of the District:

- A. Threaten, interfere with, unreasonably disrupt, delay or in any manner hinder any employee engaged in the performance of his/her duties; (Class C)
- B. Give or offer to give any employee any money, gift, privilege or article of value on or off District property in order to violate the provision of this Ordinance or any other District Ordinance, contract, or Permit, or statute of the State of Illinois and the United States or in order to gain or receive special consideration and treatment in the use of any District property or facility. (Class A)

SEC. 7: Control and treatment of animals:

Nothing in this Ordinance shall be construed to prohibit the controlled use of domestic animals approved by the Director for the purpose of public safety, such as, but not limited to, the protection of District property or the protection of employees in the performance of their duties or search or rescue. No person shall upon or in connection with any property of the District:

- A. Bring in, lead or carry any domestic animal that is unleashed or on a leash longer than twenty (20) feet, except at those areas designated by the Director for animal training and then only in accordance with the rules and restrictions duly promulgated for the control of such area or areas; All such leashed animals shall, at all times, be under the immediate and direct control of the person bringing such animal into the conservation site; For the purpose of this section, evidence of immediate and direct control shall be proven through the act of physical grasp and manipulation of said leash; (Class C)
- B. Cause or allow to release or to run or remain at large any domestic animal or pet; (Class C)
- C. Torture, whip, beat or cruelly treat or neglect any animal;
- D. Bring in, drive, ride or lead in any animal, except that horses and other beasts of burden and draft animals may be ridden, led or driven ahead of vehicles attached thereof on such portions of the Conservation sites as may be designated by the Director and then only in accordance with the provisions of this Ordinance and the rules and restrictions duly promulgated for the control of such area or areas; (Class C)
- E. Hitch or tie any horse or other animal to any tree, bush or shrub; (Class C)
- F. Bring in, lead, drive, ride or carry any wild, domestic or pet predator animal or bird, leashed or unleashed into or upon any Conservation site, or part thereof, designated as a Nature Preserve or Natural Area or Historic Site, without the written permission of the Director unless such animal is kept confined within a closed vehicle or trailer; (Class C)

- G. To permit any dangerous or vicious animals of any kind to run at large in any Conservation site. Exhibitions or parades of animals which are ferae naturae in the eyes of the law may be conducted only with written permission from the Director; (Class C)
- H. No owner shall fail to remove excrement deposited by any animal within any Conservation site. This shall not apply to a blind person while walking his guide dog; (Class C)
- I. No owner shall allow his animal to disturb the quiet and peace of any person by loud noises at any time of the day or night; (Class C)
- J. Any dog that shall bite any person or injure any person is declared a public nuisance. (Class A)

1. Liability under this section shall be absolute. It shall not be a defense to an alleged violation of this section that the owner or keeper of the dog was unaware of the violation, was not present at the time of the violation, or took steps to prevent such a violation.

SEC. 8: Honoring permits:

No person shall upon or in connection with any property of the District by act or speech willfully or unreasonably hinder, interrupt or interfere with any duly permitted activity or unreasonably or willfully intrude on any areas or into the structures designated for the use of a certain person or persons to the exclusion of others by written permission of the Director. (Class C)

SEC. 9: Pyrotechnics:

No person shall upon or in connection with any property of the District, possess, display, use set off or attempt to ignite any firecracker, fireworks, smoke bombs, rockets, black powder guns or other pyrotechnics, without written permission of the Director. (Class C)

SEC. 10: Personal conduct:

No person shall upon or in connection with any property of the District:

- A. Disturb or annoy others, engage in any violent, abusive, loud, boisterous, vulgar, lewd, wanton, obscene, or otherwise disorderly conduct or breach of the peace or endangers the public health or results in unreasonable discomfort to the public; (Class C)
- B. Intentionally expose or simulated displaying his or her own genitals, pubic area, buttocks, or female breast below the top of the areola, with less than a fully opaque covering; (Class A)
- C. The performance of acts or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law; (Class C)
- D. It shall be unlawful for any licensee to allow any person to remain in or on a Conservation site who engages in any conduct prohibited by this section while in or on the licensed area. (Class C)

ARTICLE VI. – ENFORCEMENT

SEC. 1: Police:

All Police, Deputy, Sheriff, State Policeman or any other duly sworn peace officer has the power and is authorized to arrest, with or without process, any persons found in the act of violating any Ordinance of the District or law of the State of Illinois.

Sec. 2: Two penalties – one judgment:

In all cases where the same offense shall be made punishable or shall be created by different clauses or sections of this or any other Ordinance or statute, the Police or other duly sworn peace officer or person prosecuting may elect under which to proceed but not more than one judgment shall be had against the same person for the same offense.

SEC. 3: Fines and penalties:

- A. Any person found guilty of violating any provision of this Ordinance shall be fined an amount pursuant to the City of Belvidere Ordinance.
- B. Chronic Offenders: Any chronic offender of any part or parts of this Ordinance after due notification, may be charged with “Criminal Trespass to State Supported Land”, a Class A misdemeanor.
- C. Fines shall be determined by the classification of the violations per City of Belvidere Ordinance:
 - 1. Class A - Payable only through the Boone County Circuit Clerk’s office
 - 2. Class B - Payable only through the Boone County Circuit Clerk’s office
 - 3. Class C - Payable only through the Boone County Circuit Clerk’s office
 - 4. Class D - Payable only through the Boone County Circuit Clerk’s office

SEC. 4: Authority of other agencies:

Nothing in this Ordinance shall be construed to prevent other officers from carrying out their sworn duties within the territories of the District as defined by applicable laws of the State of Illinois and the United States or ordinances of Boone County, Illinois or in accord with any other Policing Agreement approved by the Board.

SEC. 5: Posting of rules and regulations:

The director or his designate shall have the authority to post rules and regulations as may be necessary and desirable, in order to provide for the safe and peaceful use of the conservation site, for the education and recreation of the public, for the protection and preservation of the property, facilities, flora and fauna of the District and for the safety and general welfare of the public.

SEC. 6: Permits and designated areas – authority:

To carry out the terms of this Ordinance, the Director is hereby given authority to issue the permits, post notices or take other action as called for herein, subject to the guidelines herein set forth:

A. The Director or his designate shall have the authority to designate areas, facilities or water suitable for various activities or use, to close Conservation sites, or parts thereof, in the interest of public health, safety or general welfare or in order to protect the natural resources from unreasonable harm and to promulgate and issue permits where required by this Ordinance and collect such fees as established by the District in accordance with the following guidelines:

1. That no person be discriminated against because of race, sex, creed, color or national origin;
2. That the proposed use or activity will not unreasonably interfere with or detract from the general public use and enjoyment of the Conservation site and surrounding property or facilities;
3. That the proposed use or activity is not reasonably likely to result in violence or serious harm to property or persons;
4. That the proposed activity or use will not entail extraordinary expense or operation costs by the District or expose it to unusual or extreme liability;
5. That the area desired has not been reserved for another activity at the same time;
6. That the proposed activity is not reasonably expected to detract from the promotion of public health;
7. That the proposed activity is reasonably compatible with the type of Conservation site, the size and character of the area or waters involved and the facilities available and that it is not reasonably expected to cause irreparable harm or extreme damage to the natural environment of the Conservation site.

B. The Director or his designate may impose reasonable restrictions on the granting of a permit including, but not limited to, any of the following:

1. Restricting of open dates for reserved area use, the length of time an area will be held for reserved use, the use of grounds fires, sound and energy amplification devices, amusement devices, off-the-road-vehicle access, the number of persons present, location and type of any tents, bandstands, stages or temporary structures, the collecting for any purpose of any water, soil, minerals, flora and fauna, the type and location of sports and games or any other activity which appears likely to create a risk of unreasonable harm to use and enjoyment of the Conservation site by others or of damage to District property;
2. Required the name, address, telephone number and driver's license number of a legal adult responsible for the use or activity requested, as

well as the name, address, and telephone number of the group represented by the applicant;

- C. All permits required by this Ordinance and issued by the Director or his designate shall be issued at the District Headquarters at 603 North Appleton Road, Belvidere Illinois, or any other site designated by the Director, on a first-come, first-served basis beginning the first working day of each calendar year for open dates or for such total number allowed during that calendar year.
- D. The Director is authorized to seek reasonable information regarding any proposed use, activity or privilege and require a record of such information on a Permit Application.
- E. No person shall misrepresent, falsify or withhold such required information.(Class C)
- F. No person granted a Permit shall violate the requirements, terms, conditions, restrictions or rules duly set forth under the authority of this Ordinance as part of any granted Permit or Registration.
- G. All designated areas, waters, or facilities and all Permits restrictions, rules, regulations or conditions are subject to review at any time by the Board of Trustees of the Boone County Conservation District. Any aggrieved person shall have the right to petition the Board, in writing, regarding denial or restriction of use or activity and be properly heard by the Board, as the President shall direct.

SEC 7: Civil suits

Nothing in this Ordinance shall be construed to prevent or preclude the lawful use by the District of a civil remedy at law, to correct an abuse or loss suffered by the District as a result of violation of this Ordinance or any law of the State of Illinois.

SEC 8: State, United States and local laws:

All persons within the Conservation sites of Boone County, Illinois are subject to all Ordinance rules and regulations of the District, as well as all applicable laws of the United States, State of Illinois and local statues and Ordinances, as amended and changed from time to time. These laws include, but are not limited to, the Conservation District Act of the State of Illinois, the Illinois Vehicle Code, the Criminal Code of the State of Illinois and the Game and Fish Codes of the State of Illinois, as amended and changed from time to time.

SEC 9: Application of Ordinance

This Ordinance shall be applicable to all lands and waters that are owned, managed and or leased by the District.

- A. The Director or his designate shall have the authority to designate areas, facilities or water suitable for various activities or use, to close Conservation sites, or parts thereof, in the interest of public health, safety or general welfare or in order to protect the natural resources from unreasonable harm and to promulgate and issue

permits where required by this Ordinance and collect such fees established by the District in accordance with the following guidelines:

1. That no person be discriminated against because of race, sex, creed, color or national origin;
2. That the proposed use or activity will not unreasonably interfere with or detract from the general public use and enjoyment of the Conservation

ARTICLE VII- CONSTRUCTION OR WORDS AND DEFINITIONS

SEC 1: Construction of words:

Whenever any words in any Ordinance importing the plural number shall be used in describing or refereeing to any matters, parties or persons, any single matter, party, or person shall be deemed to be included. When any subject matter, party or person shall be referred to in any Ordinance by words importing the singular number only or in the masculine gender, several matters, parties or persons are female as well as male and bodies corporate shall be deemed to be included. However, these rules or construction shall not be applied to any Ordinance, which shall contain any express provision excluding such construction of whether the subject matter or contents of such Ordinance may be repugnant thereto.

SEC 2: Definitions:

- A. "District" wherever used means the Boone County Conservation District of Boone County, Illinois;
- B. "Board" wherever used means the Board of Trustees of the Conservation District;
- C. "Director" wherever used means the Executive Director of the Conservation District;
- D. "Person" or "Persons" wherever used means individuals, firms, corporations, societies or any group or gathering whatsoever;
- E. "Permit" wherever used means the written permission that must be obtained from the Director or his designate to carry out a given activity;
- F. "Conservation Site" means any property, real or personal, supervised, owned, maintained, officially used, or governed by the Board of Trustees of the Boone County Conservation District;
- G. "Waters" where used means waters within the jurisdiction of the District;
- H. "Employee" where used means any full or part time, regular or temporary worker in the employ of the District under the supervision of the Director;
- I. "Watercraft" where used means any device of conveyance of the water, whether propelled by motor, engine, wind or human power;
- J. "Vehicle" where used means any device of conveyance on the land using wheels or belt-type track or tracks, skids or skis and propelled by an engine or motor and includes such land conveyances that are able to float and operate on water;
- K. "Sound and Energy Amplification" where used means music, speech or any sound or noise transmitted by artificial means including, but not limited to,

- amplifiers, loudspeakers, radios or any similar devices or lights, rays, lenses, mirrors or laser beams or the like;
- L. “Amusement Contraptions” where used means any contrivance, device, gadget, machine or structure designed to test the skill or strength of the user or provide the user with any sort of ride, lift, swing, or fall experience including, but not limited to, ball-throwing contest devices, pinball-type devices, animal ride devices, ball and hammer devices, trampoline devices and the like;
 - M. “Legal Adult” where used means one who has reached the legal age of majority as defined by the laws of the State of Illinois;
 - N. “Area(s)” where used means a specified place within the Conservation site;
 - O. “Exclusion of Others” where used refers to prohibiting the use, or behavior of others which disrupts or prevents the authorized and lawful use of designated area or structure in a Conservation Site by a person or persons holding a valid Permit for such area or structure or activity;
 - P. “Property” when used means any land, water, facilities or possessions of the District;
 - Q. “President” where used means the President of the Board of Trustees of the Boone County Conservation District;
 - R. “Written Permission of the Director” where used is intended to permit written permission being granted by authorized agents of the Director;
 - S. “Posted” where used means that a notice is posted, either by sign in a Conservation Site, at the entrance to a Conservation Site or at Headquarters, the location being at the discretion of the Director.
 - T. “Breach of the Peace” where used means a breaking of the law or rupture of friendly relations, calm or public order;
 - U. “Chronic Offender” where used means any individual or individuals who repeatedly or habitually violate any part or parts of this Ordinance.

ARTICLE VIII- MISCELLANEOUS

SEC 1: Conflict:

All District Ordinances and parts of Ordinances and all Resolutions and Directives, and any parts thereof, in conflict with this Ordinance, or any parts thereof, are hereby repealed.

SEC 2: Enactment:

This Ordinance shall be in full force and effect from and after its passage, approval and publication, as by Statute in such cases made and provided.

SEC 3: Captions and Headings:

The captions and headings used herein are for convenience of reference only and do not define or limit the contents of each paragraph.

SEC 4: Severability:

The provisions of this Ordinance shall be deemed to be severable and the invalidity of unenforceability of any provisions shall not affect the validity and enforceability of the other provisions hereof.

ARTICLE IX- AMENDMENTS

This Ordinance may be amended from time to time by a majority of the Board of Trustees of the Boone County Conservation District. Revising the section amended or attaching the amendment to this Ordinance may show proof of such amendment.

**ORIGINALLY PASSED AUGUST 17, 2005
BOONE COUNTY CONSERVATION DISTRICT**