

TITLE 12

Parks and Navigable Waters

Chapter 1 Parks and Navigable Waters

CHAPTER 1

Parks and Navigable Waters

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SEC. 12-1-1 PARK REGULATIONS.

- (a) **Purpose and Definition.** In order to protect the parks, parkways, recreational facilities and conservancy areas within the Village of Nichols from injury, damage or desecration, these regulations are enacted. The term "park" as hereinafter used in this Chapter shall include all grounds, structures and watercourses which are or may be located within any area dedicated to the public use as a park, parkway, recreation facility, play ground, swimming pool or conservancy area in the Village.
- (b) **Specific Regulations.**
- (1) Littering Prohibited. No person shall litter, dump or deposit any rubbish, refuse, earth or other material in any park.
 - (2) Sound Devices. No person shall operate or play any large amplifying system unless specific authority is first obtained from the Village Board, or designated committee thereof.
 - (3) Bill Posting. No person shall post, paste, fasten, paint or attach any placard, bill, notice, sign or advertising matter upon any structure, tree or other natural object in any park, except park regulations and other signs authorized by the Village Board, or its designee.
 - (4) Throwing Stones and Missiles Prohibited. No person shall throw stones or other missiles in or into any park.
 - (5) Removal of Park Equipment Prohibited. No person shall remove benches, seats, tables or other park equipment from any park.
 - (6) Trapping. "Trapping" when used in this Section includes the taking, or the attempting to take, of any wild animal by means of setting or operating any device, mechanism or contraption that is designated, built or made to close upon, hold fast or otherwise capture a wild animal or animals; live traps on a person's property are excluded. The trapping of wild animals is hereby prohibited in Village parks.

- (7) Making of Fires. No person shall start, tend or maintain a fire except in personal grills or designated fireplaces. Personal grills shall be used only in designated picnic areas. The use of personal grills is permitted provided lawns and vegetation are not endangered. Unburned fuel and ashes shall be disposed of in such a manner as to prevent fire or damage to any park property.
- (8) Protection of Park Property.
 - a. No person shall kill, injure or disturb or attempt to injure or disturb waterfowl, birds or animals, wild or domestic, within any park, except as permitted by this Chapter. No person shall climb any tree or remove flowers or fruit, wild or cultivated, or break, cut down, trample upon, remove or in any manner injure, deface, write upon or ill use any tree, shrub, flower, flower bed, turf, soil, sand, fountain, ornament, building, structure, apparatus, bench, table, official notice, sign or other property within any park.
 - b. No person shall deface, by throwing stones, pebbles or other debris in any of the toilets, bubblers or other sanitary facilities located in any Village park; or to deface by drawing with crayon, chalk, paint, or anything else on any of the buildings or equipment at any Village park; or to deface the equipment by means of a sharp instrument.
- (9) Motorized Vehicles. Except for authorized maintenance vehicles, no person shall operate an unlicensed or licensed motorized vehicle outside of areas specifically designated as parking areas or areas where the operation of such vehicles is specifically permitted. Motor vehicles are restricted to the roads and drives and parking areas. No motor vehicles of any nature may be used on the seeded areas except vehicles which have Village Board authorization for shows, rides or exhibits and then only for the purpose of loading and unloading.
- (10) Snowmobiles. No person shall operate a snowmobile in a Village park except in designated areas. Snowmobiles shall only be operated on designated trails
- (11) Speed Limit. No person shall operate any vehicle in a Village park in excess of fifteen (15) miles per hour unless otherwise posted.
- (12) Glass Beverage Bottles in Parks Prohibited. No individual shall possess or consume any beverage in a glass bottle or glass container in any Village park.
- (13) Reckless Driving in Parks Prohibited. No person shall operate a motor vehicle in a reckless manner in any of the public parks of the Village.
- (14) Parking in Parks. No person shall park any motor vehicle in any park in the Village except in a designated parking area.
- (15) Removing Tree Protectors. No person shall remove any device for the protection of trees or shrubs.
- (16) Golfing and Sporting Activities. No golfing or practicing golf in Village parks or recreation areas shall be allowed except with the use of a whiffle ball. All sporting activities must be held in areas so designated for that purpose.
- (17) Arrows. No person shall use or shoot any bow and arrow in any Village park, except in authorized areas.
- (18) Fees and Charges. The Village Board shall have the authority to establish such fees as deemed necessary for use of any park facility, shelter or land area. It shall be unlawful to use such areas without payment of such fee or charge when required.
- (19) Pets. Pets, including animals of any species, shall not be permitted to run at large in any Village parks, except for Village-approved events.

- (20) Firearms: Hunting. Possessing or discharging of any air gun, sling shot, explosive, firearm or weapon of any kind is prohibited in all Village parks.
- (21) Fish Cleaning. Cleaning of fish in shelters, toilet facilities or picnic areas is prohibited in all Village parks.
- (22) Controlled Substances. Possessing, using or dispensing of a controlled substance in violation of the Uniform Controlled Substances Act is prohibited in all Village parks.
- (23) Vendors Restricted. No person shall sell, vend or give away any article of merchandise whatever, without a written permit from the Village Board.

Cross-Reference: Section 11-4-1.

SEC. 12-1-2 OPERATION OF REMOTE OR RADIO-CONTROLLED AIRBORNE TOYS OR DEVICES PROHIBITED.

It shall be unlawful for any person to fly, operate or make use of any remote or radio-controlled model airplane, helicopter or any other such airborne device in, over or upon any street, park or other public or private property except in areas specifically designated and posted for such purpose and with the consent of the property owner or lessee of the property.

SEC. 12-1-3 TURF PROTECTION ON PUBLIC PROPERTY.

Except as authorized by the Village President, no person shall dig into the turf of any Village-owned park or recreational property for any purposes whatsoever or remove any trees or flowers. Absent authorization by the Village President, the use of metal detectors and digging for buried objects on Village parks or recreational property.

SEC. 12-1-4 PARK HOURS.

- (a) **Hours Established.** All Village parks shall be closed to the public between the hours of 11:00 p.m. and 7:00 a.m. of the succeeding day. Any law enforcement officer of the Village may clear all persons from the Village parks during closing hours.
- (b) **Exceptions.**
 - (1) The regular closing hours of the Village parks do not apply to persons having permission from the Village Board to be present in the Village parks during closed hours on specific days and for specific purposes.
 - (2) The regular closing hours of the Village parks do not apply to persons in attendance at a regularly scheduled ball game at the ball diamond located in the Village, except that those persons shall vacate the park within fifteen (15) minutes after the ending of a regularly scheduled game.

SEC. 12-1-5 RESERVATION OF VILLAGE HALL.

- (a) **Policy on Reservation.** The Village Hall is primarily for the nonexclusive use of the residents of the Village. However, under proper circumstances, exclusive

use of the same may be permitted. This Section is intended to regulate exclusive use of the Village Hall to the end that the general welfare of the Village is protected.

(b) **Application.** Applications shall be filed with the Village Clerk at least forty-eight (48) hours prior to the date on which the Village Hall is to be used. The requestor shall provide the Clerk with the following information regarding the proposed exclusive use:

- (1) The name, address and telephone number of the applicant.
- (2) If the exclusive use is proposed for the group, firm, organization, partnership or corporation, the name, address and telephone number of the responsible and authorized heads or partners of the same.
- (3) The name, address and telephone of the person who will be responsible for the use of the Village Hall.
- (4) The date when the exclusive use is requested and the hours of the proposed exclusive date.
- (5) The anticipated number of persons to use the Village Hall.
- (6) Any additional information which the Village Clerk finds reasonably necessary to a fair determination as to whether authorization should be granted.

(c) **Reasons for Denial.** Applicants requesting the use of the Village Hall may be denied for any of the following reasons:

- (1) It is for a use which would involve a violation of federal or state law or any provision of this Code.
- (2) The granting of the permit would conflict with another permit already granted or for which an application is already pending.
- (3) The applicant does not provide the information required by Subsection (b) above.
- (4) The application is made less than the required time in advance of the scheduled exclusive use.
- (5) It is for a use of the Village Hall at a date and time when, in addition to the proposed use, anticipated nonexclusive use by others of the Village Hall is expected and would be adversely affected.
- (6) The law enforcement requirements of the exclusive use will require so large a number of persons as to prevent adequate law enforcement to the Village Hall.
- (7) The exclusive use will reasonably create a substantial risk of injury to persons or damage to property.
- (8) The exclusive use is so poorly organized that participants are likely to engage in aggressive or destructive activity.

(d) **Rental Conditions.** The Village Hall may only be rented if the requesting party agrees to comply with the following conditions:

- (1) The renter will be responsible for cleaning up the Village Hall to an acceptable level after use.
- (2) Rental use of the Village Hall shall be restricted to the areas designated by the Clerk, unless otherwise specifically permitted by the Village Clerk.
- (3) Storerooms, whether locked or unlocked, shall be considered off-limits to all renters and members of their groups under any circumstances, and entrance thereto is forbidden.
- (4) The Village Hall shall not be rented on a permanent basis to any individual or group, unless otherwise specifically permitted by the Village Board.
- (5) No decorations will be taped to ceiling tiles, and ceiling tiles will not be disturbed.

(e) **Rental Fees.** The Village Hall may be rented at a per-event fee of Sixty-five Dollars (\$65.00), payable to the Village Clerk at the time of reservation. If, upon inspection, the Village Hall and/or park shelter was well-maintained following the event, the security deposit may be refunded.