

## Chapter 213

### PARKS AND RECREATION AREAS

**[HISTORY: Adopted by the Board of Trustees of the Village of Port Byron 6-26-1979 by Ord. No. 79-6-26 (Title 4, Ch. 3, Art. 1, of the 1993 Code). Amendments noted where applicable.]**

#### GENERAL REFERENCES

Special events — See Ch. 260.

#### ARTICLE I

##### Parks

##### **§ 213-1. Supervision of operation and maintenance.**

All parks shall be operated and maintained under the supervision of the Building and Grounds Committee.

##### **§ 213-2. Operation; enforcement of use rules.<sup>1</sup>**

The law enforcement department shall see to the operation of the Village parks and enforce all rules relating to the use of the park.

##### **§ 213-3. Conduct of amusements.**

No amusement for gain or for which a charge is maintained can be conducted in the park without the consent of the Village Board, and such amusement must be conducted in accordance with any ordinance pertaining thereto.

##### **§ 213-4. Permits; applications.<sup>2</sup>**

Any assembly or group of people desiring to use the park shall obtain a permit from the Village Clerk upon approval of the Public Works Department prior to the use of said park. Application for a permit shall be made at least 30 days prior to requested use of the park, and the permit shall reflect all information relative to the persons or organizations wishing to use said park and the proposed activity to be conducted in the park.

##### **§ 213-5. Authority to grant or deny use.**

The Village Board shall have the sole authority to grant or deny use of the park.

##### **§ 213-6. Sanitary requirements; conduct.**

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<sup>1</sup>. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. VI).

<sup>2</sup>. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. VI).

Each person, firm or corporation using the park and grounds shall clean up all debris and leave the premises in good order and the facilities in a neat and sanitary condition, and shall not:

- A. Disturb the peace or use any profane, obscene or blasphemous language.
- B. Commit any assault, battery or engage in fighting.
- C. Endanger the safety of any person by any conduct or act.
- D. Carry, possess or drink any alcoholic liquor in any park.
- E. Violate any posted rules for the use of the park, made or approved by the Village Board of Trustees.
- F. Drive, park or stop a vehicle on the boat docks.

**§ 213-7. Groups and/or individuals with permits.**

The following rules will apply to all persons for use of the park.

- A. No loitering from dusk to dawn.<sup>3</sup>
- B. No overnight parking without permission from the law enforcement department.<sup>4</sup>
- C. No commercial ventures without permit.
- D. Parking limited to vehicles with boat trailers in ramp area.

**§ 213-8. Closure of park sections.**

Any section or part of the park may be declared closed to the public by the Board of Trustees at any time and for any intervals of time, either temporary or at regular or stated intervals.

**§ 213-9. Group activity.**

Whenever any group, association or organization desires to use said park facilities for particular purposes, such as picnics or parties, a representative of said group, association or organization shall first obtain a permit from the Village Clerk with approval of the Board of Trustees. The Board shall grant an 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 said 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 Village from any liability of any kind or character and to protect Village property from damage.

**§ 213-10. Picnic areas and use.**

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<sup>3</sup>. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. VI).

<sup>4</sup>. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. VI).

- A. No person in a park shall picnic or lunch in places 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 persons in a park shall use any portion of the picnic areas or of any of the buildings or structures therein for the purpose of holding picnics to the exclusion of other persons, nor shall any person use such areas and facilities for any unreasonable time if the facilities are crowded.

**§ 213-11. Applicability.**

This article shall apply to the docking area within the Village of Port Byron which is located between Lynn Street and Rock River Street.

**§ 213-12. Violations and penalties.** <sup>5</sup>

Any person violating any provision of this article shall be subject to a penalty as set forth in Chapter 1, General Provisions, Article II, of the Village Code.

**ARTICLE II  
Trail Use**

**[Adopted 9-16-2013 by Ord. No. 130916]**

**§ 213-13. Purpose.**

- A. The trail system is intended for the activities of individuals and permitted groups for recreation, transportation, fitness and other similar purposes using human-powered propulsion. Activities using powered equipment are to be permitted by the unit of government given authority to issue permits. Individuals with disabilities are allowed to use ADA-compliant power-assisted devices intended for personal transport on trails.
- B. The intent of this article is to establish consistent rules and regulations for trail use. The rules set forth herein are a supplement to any existing State of Iowa and/or State of Illinois vehicle codes or other applicable federal, state or local rules and regulations pertaining to trail use.

**§ 213-14. Definitions.**

As used in this article, the following terms shall have the meanings indicated in this section:

**COMPLIANT VEHICLE** — Human-powered devices no wider than four feet with the exception of equipment approved by the governing agency for use to maintain the trail, provide for public safety, or specially permitted for use by the governing agency responsible for the trail.

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<sup>5</sup>. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. VI).

**TRAIL** — A multiuse trail, side path or shared use path defined by the American Association of State Highway and Transportation Officials (AASHTO) as: a bikeway physically separated from motorized vehicular traffic by an open space or barrier and either within the highway right-of-way or on other public property or within an easement dedicated for public use. These facilities may also be used by pedestrians, skaters, wheelchair users, joggers and other nonmotorized users. (Sidewalks may be separately defined and regulated by municipality/jurisdiction.)

**§ 213-15. General guidelines.**

Trails may be established for the purposes of recreation, transportation, fitness and other similar purposes. They are intended for human-powered activities, including but not limited to walking and running; the use of devices such as bicycles, skates, skateboards, skis and other similar activities; and recognized disability equipment for disabled individuals.

**§ 213-16. Establishment.**

There is hereby established in the Village a trail system in the lands, public parks and/or rights-of-way heretofore designated or set apart by the Village for use as trails.

**§ 213-17. Rules.**

Users of the trails shall not:

- A. Travel at a rate of speed that is greater than reasonable and prudent.
- B. Use the trail in a negligent manner that is likely to endanger persons or property. Trail users shall use common courtesy and respect the rights and safety of others. The applicable state regulations regarding the equipment required to allow the safe operation of bicycles or other wheeled vehicles during the times of the day when natural light is diminished shall be applied to the trails subject to this article.
- C. Use the trail under the influence of alcohol or other controlled substances.
- D. Walk any animal unless on a leash no longer than six feet and with the owner in complete physical control at all times.
- E. Litter, leave animal waste, or discard any other items along or near the trail.
- F. Operate any vehicle other than a compliant vehicle as previously defined in this article.