

**CODE OF THE**  
**WINNEBAGO COUNTY FOREST PRESERVE DISTRICT**  
**ARTICLE VII. GENERAL USE REGULATIONS**

**Section 7-1. Regulating Use of Forest Preserves**

**The Executive Committee, subject to the approval of the President, shall adopt and enforce reasonable and necessary rules and regulations governing the use of the Forest Preserves.**

**March 10, 2005**

**(reviewed March, 2009)**

**GENERAL USE REGULATIONS**

**Section 1. Construction of words and definitions**

**A. Construction of words.**

In the construction of this Article, the definitions hereunder shall be observed and applied, except when the context clearly indicates otherwise:

1. Words used in the present tense shall include the future; and words used in the singular number shall include the plural number, and the plural number shall include the singular number; and words imparting the masculine gender shall include the female as well as male persons.
2. The word "shall" is mandatory and not discretionary.
3. The word "may" is permissive or discretionary.
4. Words not defined shall be interpreted in accordance with definitions contained in *Webster's Ninth New Collegiate Dictionary* (1988 ed.). Edition at Winnebago County Forest Preserve District.

**B. Definitions.**

For the purpose of this Article, the words and phrases listed hereunder have the meanings designated herein, except when a particular context clearly requires a different meaning:

1. 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, ball and hammer devices, trampoline devices and the like.
2. Area, where used, means a specified place within a forest preserve.
3. Board, where used, means the Board of Commissioners of the Forest Preserve District.
4. District, where used, means the Winnebago County Forest Preserve District in Winnebago County, Illinois.
5. Employee, where used, means any full- or part-time or temporary worker employed by the District under the supervision of the Executive Director.

6. Exclusion of others, where used, refers to prohibiting use or behavior by others which disrupts or prevents the authorized and lawful use of designated area or structure in a preserve by a person or persons holding a valid permit for such area or structure and activity.
7. Executive Director, where used, means the Executive Director of the District or his designated agent.
8. Forest preserve or Preserve, where used, means lands and waters or property holdings of the District.
9. Legal adult, where used, means one who has reached the age of majority as defined by the laws of the State of Illinois.
10. Permission or Permit, where used, means "written permission" or "written permit," and such permission or permit must be in the actual physical possession of the person to whom such permission or permit has been given or granted.
11. Person or persons, where used, means individuals, firms, corporations, societies, or any group or gathering whatsoever.
12. Posted, where used, means that a notice is posted, either by a sign in a forest preserve, at the entrance to a forest preserve, or at the District office, the location being at the discretion of the Executive Director.
13. President, where used, means the President of the Board of Commissioners of the Forest Preserve District.
14. Property, where used, means any lands, waters, facilities, or possessions of the District.
15. 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.
16. Vehicle, where used, means any device of conveyance on land, whether propelled by engine, motor, wind, or human power.
17. Waters, where used, means waters within the jurisdiction of the District.
18. Written permission of the Executive Director means written permission being granted by the Executive Director or an authorized agent designated by the Executive Director.

## **Section 2. Public Use**

### A. Public use and purpose of the District.

Forest preserves are for use by the general public. Some of the functions of the District is to acquire, protect, restore, restock, develop, and interpret a well-balanced system of areas with scenic, ecological, recreational, and historic values for the inspiration, education, use, and enjoyment by the public. This Article is intended to help carry out these functions.

### B. Hours of use.

1. Forest preserves and buildings shall be open for public use during those hours which are posted by rules and regulations of the District.
2. No person shall remain in the forest preserves or portions thereof when posted "closed" unless written permission of the Executive Director has been granted and is in the possession of the person granted such permission.

### C. Permits.

1. No person shall conduct, operate, present, manage, or take part in the following activities in a forest preserve unless a permit is obtained prior to the start of the activity and is in the physical possession of such person during such activities. All permits are subject to immediate revocation without refund as a result of violations of their accompanying restrictions. Such activities shall include but shall not be limited to the following:

- a. Any contest, show, exhibit, dramatic performance, play act, motion picture, acrobatic fet, bazaar, sporting and golf events, musical event, sound amplification, animal rides, ritual, religious or political ceremony, children's day camp, or any public meeting, assembly, or parade, including but not limited to drills or maneuvers, rallies, picketing, speeches and addresses, marches or political meetings;
  - b. Any use of any preserve area by a certain person or group of persons to the exclusion of others;
  - c. Camping on the lands of the District or inhabiting any structure or facility overnight;
  - d. Typical written permits include; shelter reservation, ground use, youth camping, golf pass or daily fee receipt, cart registration, equestrian use permit, balloon launch permit, lease or rental agreement, letter authorizing a golf course playday or tournament, and concession contract.
2. Persons desiring any of the above activities may apply for a written permit under the following categories and subject to fees set by the Board:
- a. Picnic. No permit is required to have a picnic; however, if a person desires to reserve a designated structure, facility, area or areas to the exclusion of others or desires to conduct, in conjunction with the picnic, related controlled activities such as, but not limited to, sound amplification, animal rides, special vehicle access and the like, then a picnic permit, valid for one day during the hours the preserve is open to the public, is required.
  - b. Camping. Registration is required for any camping. The registration reserves a designated area or areas to the exclusion of others and allows the permittee to remain in the preserve overnight. When and where permitted, camping shall be conducted in accordance with District rules, regulations and restrictions duly set forth and posted.
    - 1) General public camping registration is provided at campsites within the designated public campgrounds of the District.
    - 2) A permit for organized, sponsored youth group campsites may be valid for from one to seven consecutive nights and must be obtained from the District office in advance.
  - c. Special event. Permission is required for any of the other activities listed in Section 2 (C-1) above. The permit may be valid for use of an area or areas to the exclusion of others and for other permit-controlled activities pursuant to this Article.
  - d. Permission is required for any of the other activities listed in Section 2 (C-1) above. The permit may be valid for use of an area or areas to the exclusion of others and for other permit-controlled activities pursuant to this Article.

3. Permits in general.

Permits are not transferable and fees paid are not refundable. Permits must be applied for at least five working days in advance of the event. Minor changes in the permit may be made with written permission providing that the specific forest preserve is not changed; the date or dates involved are not changed; the number of designated areas is not increased; and the request for change is made at least five working days prior to the event. Permits may also be required for other activities.

### **Section 3. Protection of property, structures, and natural resources**

A. Destruction or misuse of property and structures.

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

1. Destroy, deface, paint, alter, change, or remove any monument, stone marker, bench mark, stake, post, or blaze marking or designating any boundary line, survey line, or reference point.
2. Cut, break, mark upon, or otherwise damage, destroy, or remove any post, building, shelter, picnic table, bridge, pier, deck, drain, well, sign, public phone, fountain, pump, telephone, lamppost, fence, gate, refuse container, exhibit, display, tool storage box, utility outlet, movie screen, flagpole, playground equipment, or any other structure or parts thereof, without written permission.

3. 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, restrictions, and warnings or any other information to the public necessary or desirable to the proper use of the forest preserve.
4. Take, appropriate, excavate, injure, destroy, or remove any historical or prehistoric ruin or part thereof, or any object of antiquity, without written permission.
5. 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 otherwise move, stack, or hide such property in such a way as to render it unavailable to the general public for its intended use, to cause a hazard to public safety, or to damage or destroy such property.
6. Occupy or inhabit, or cause to be occupied or inhabited, any house, barn, shelter, shed, or other structure or use for storage, or cause to be used for the storage of any goods, any house, barn, shelter, shed, or other structure without a formal lease or agreement for use being granted by the Board.
7. Enter into or upon any preserve, waters, areas, or structure posted "closed" or posted against trespass, without written permission. These structures or areas may be, but are not limited to, employee residences and their immediately surrounding area, construction areas, work safety zones, equipment or material storage structures or areas, work shops or stations, tree nurseries, golf courses, or areas undergoing planning or development for public use, intensive reforestation, or other soil or vegetative treatment, or areas hazardous to public safety or health.
8. Tamper with in any way, enter, climb upon, damage, or remove anything from any District vehicle, watercraft, machine, or implement, without written permission.
9. Misuse any refuse container or receptacle by depositing 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 not generated on the site in the course of normal, lawful use of forest preserve facilities.
10. Attach any rope, cord, cable, vine, or other device for swinging or climbing to any tree, branch, pole, cliff, rock face, tower, bridge, building, or structure.

B. Destruction or misuse of natural resources.

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

1. Cut, remove, uproot or destroy:
  - a. Any tree, sapling, seedling, bush, shrub, flower, or plant, whether alive or dead; or
  - b. Chip, blaze, box, girdle, trim or otherwise deface or injure any tree, shrub or bush, or break or remove any branch or foliage thereof; or
  - c. Pick or gather any seed of any tree or other plant without written permission of the Executive Director, except that mushrooms, fruits, and nuts can be picked and gathered for non-commercial purposes.
2. Remove or deposit 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 pothier natural materials of the forest floor or earth without written permission.
3. Hunt, pursue, trap, catch, capture, molest, poison, wound, or kill or attempt to hunt, trap, catch, capture, molest, poison, wound, or kill any mammal, bird, reptile, amphibian or butterfly; disturb, molest or rob the nest of any mammal, bird, insect, reptile, amphibian, or butterfly or the lair, den, or burrow of any mammal, bird, reptile, amphibian, or butterfly without written permission.
4. Fish in any waters of the District posted against fishing; or fish by using a slingshot, or any device using more than two hooks per line; or any net, seine or trap; or with unattended lines as defined by provisions of this Article or in violation of any posted laws of the State of Illinois as administered by the Department of Natural Resources thereof; or in violation of any rules, regulations or restrictions controlling the size, species and number of fish that can be taken from a

designated body of water; or by use of any device in violation of the laws of the State of Illinois as administered by the Department of Natural Resources thereof.

5. Release or cause to be released any wild or domestic 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 whatsoever without written permission.
6. Use or cause to be used any chemical or biological pesticide or any other substance, measure, or process designed to alter the anatomy or physiology of any organism, except for insect pests, for the purpose of directly manipulating their populations, without written permission of the Executive Director and then only in compliance with all applicable laws of the State of Illinois and the United States.
7. Drive, ride, cause to be driven, or allow any cattle, horses, sheep, goats, swine, fowl, or other livestock to graze or browse without written permission.
8. Deposit, dump, throw, cast, lay, or place, or cause to be deposited, dumped, thrown, cast, laid, or placed any ashes, trash, rubbish, paper, garbage, refuse, debris, or junk, except in containers provided by the District.

C. Contraband.

1. All plants, trees, flora, animals, birds, fish, reptiles, or fauna or parts thereof, possession of which was obtained contrary to Section 3 (B.1-3) above, or applicable laws of the State of Illinois, and/or any devices used in or intended to be used in any taking of the aforementioned, shall be and are hereby declared contraband. As such, any contraband shall be subject to seizure by any sheriff's forest preserve police, caretaker, or employee of the District or by any duly sworn peace officer.
2. Any device, which use of same is prohibited by this Ordinance, possessed by a person or found within or upon District property, shall be confiscated for destruction or public sale, with proceeds retained by the District.
3. Any cattle, horses, sheep, goats, swine, fowl, or other livestock found within the boundaries of any forest preserve contrary to Section 3 (B.7) above shall be confiscated for destruction or public sale, with any proceeds retained by the District.

D. Destruction by or misuse of fire.

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

1. Set on fire or cause to be set on fire any tree, forest, brushland, grassland, meadow, prairie, marsh, slash, refuse, refuse container, or structure without written permission.
2. Build a fire anywhere for any purpose, except in provided fireplaces, grills, or privately owned receptacles.
3. Build a fire or cause a fire to start in or out of a receptacle close to any tree or other plants in such a way as to deface, damage, or destroy that structure or scar, injure, or destroy any tree or plants or their foliage.
4. Drop, throw away, or scatter any burning, lighted, or hot ashes, coals, cigarette, cigar, firecracker, or match.
5. Build any fire whatsoever for any purpose in or out of a receptacle or fireplace and leave it unattended. For the purpose of this Article, a fire shall be deemed properly extinguished when its ashes, residue, coals, and unburned substance is cold to the human touch.

## **Section 4. Regulation of sports, games, and activities**

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

- A. Swimming. Swim (except when necessary while canoeing, boating, rafting, or tubing), wade (except when fishing), or bathe at any time in any of the lakes, ponds, streams, sloughs or watercourses except at such place or places as may be designated and posted, and then only in accordance with the rules, regulations, and restrictions promulgated and posted.

- B. Watercraft. Bring into, attempt to launch, use, or navigate any boat, yacht, canoe, raft, or other watercraft upon the waters of any watercourse, lagoon, lake, pond, ice, or slough, except at such place or places as may be designated and posted. Where allowed, watercraft shall be used in accordance with District rules, regulations, and restrictions duly set forth and posted, as well as all applicable County ordinances or statutes of the State of Illinois and the United States.
- C. Remote-controlled or engine-powered models or toys. Start, fly, or use any fuel or electric powered toy or model, except at those areas or waters designated and posted for such use, then only in accordance with such rules, regulations, and restrictions as are posted.
- D. Horseback riding. Bring into, unload, use, or ride any horse except on those fields, lots, areas, trails, paths, or roadways designated and posted by the District for equestrian use. Where allowed, horses shall be used in accordance with the permits, rules, regulations, and restriction of the District.
- E. Fishing. Only rough or non-sport fish (carp, buffalo, carp suckers, suckers, gar, or bowfin) may be taken with archery reel setup or spear gig.
- F. Bicycling.
1. Fail to ride a bicycle as closely as possible to the right-hand side of any open paved roadway.
  2. Ride a bicycle on any path, trail, or other area not designated and posted as permitting bicycles.
  3. Carry another person on the handlebars, frame, or finder, or so ride on a bicycle except on a suitable seat attached to such bicycle for such purpose, or operate a bicycle in a reckless manner so as to endanger pedestrians.
  4. Ride a bicycle more than two abreast on any designated path or trail, or in any other manner than single file on any roadway or road used by the public for regular motor vehicle access.
- G. Sound or energy amplification.  
Play or operate any sound amplification device including radios, television sets, phonographs, tape decks, public address systems, amplified musical instruments and the like, or operate any other energy amplification device, without written permission signed by the Executive Director. Such permit is cancelable at any time without notice at the discretion of the Executive Director or his representative.
- H. Winter sports.
1. Sled, toboggan, or slide on any area which is posted by the Executive Director as being closed to such activities.
  2. Fish through the ice on any frozen waters or parts thereof designated as ice skating areas.
  3. Bring onto or upon the frozen waters of any lake, pond, or watercourse any iceboat, any motor- or wind-driven-like device or other vehicle, without written permission.
  4. Operate a snowmobile on District property except on designated snowmobile trails and in accordance with the rules and regulations as posted.
  5. Ski on golf course greens or any other area posted as off limits.
- I. Field and team sports.  
Play or engage in any team sport or game such as, but not limited to, baseball, softball, football, soccer, field hockey, volleyball, basketball, lacrosse, or horseshoes except in those areas provided for such activities or, if none are available, only on those areas able to safely accommodate such activity, and only for such period of time which would ensure the safe and equal use of the preserve by others.
- J. Golf.  
Drive, chip, or putt a golf ball anywhere except on the District's golf course, and then only in accordance with the District's golf policy.
- K. Amusement contraptions.  
Bring in, set up, construct, manage, or operate any amusement or entertainment contraption, device, or gadget without written permission of the Executive Director.
- L. Aviation.  
Make any ascent in a balloon, airplane, glider, hang glider, kite, or make any descent in or from any balloon, aircraft, airplane, glider, hang glider, kite, or parachute without written permission, except under emergency conditions.

M. Gambling.

1. Manage, operate, or engage in gambling of any form.
2. Have in their possession any clock, wheel, tape machine, slot machine, pin machine, or other machines or devices for the reception of money or other thing of value on chance or skill or upon the action of which money or other thing of value is staked, bet, hazarded, won, or lost. Any such matter or device is designated contraband and shall be subject to seizure and confiscation by any sheriff's forest preserve police officer, caretaker, or employee of the District or by any duly sworn peace officer.

N. Prohibited activities.

Conduct any ritual, memorial, or religious service without permission or use or misuse any District equipment or property other than as reasonably intended by the manufacturer or as intended by the District.

## **Section 5. Regulation of motorized vehicles, traffic, and parking**

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

A. Vehicle operation and equipment.

Operate, or cause to be operated, any motorized vehicle that does not comply with or in a manner that does not comply with the Vehicle Code of the State of Illinois, or other law or laws of the State of Illinois having to do with the equipment, control, licensing, registering, and use of motorized vehicles and/or the licensing of operators of such vehicles, with the exception of a registered golf cart when operated in accordance with District rules and regulations.

B. Vehicle types and access allowed.

1. Operate or cause to be operated any motorized vehicle anywhere except on the roads, drives, and parking areas provided, without written permission, and then only in compliance with the directions and restrictions of the employee in charge of the area or sheriff's forest preserve police.
2. Operate, or cause to be operated anywhere, any motor vehicle that is not licensed or permitted to be operated on the roads, streets, and highways of the State of Illinois, without written permission, and then only in those areas designated and posted and in accordance with the rules, regulations, and restrictions promulgated by the District. Vehicles not so licensed and therefore subject to the provisions of this subsection include, but are not limited to, golf carts, motor boats, snowmobiles, go-carts, trail bikes, mini-bikes, and such other all-terrain, off-the-road vehicles.
3. Operate or move or cause to be operated or moved, any motor vehicle located in a preserve as a result of the closing of the forest preserve at the proper posted time, without permission or until such time that the preserve is officially opened.
4. Operate a motorized vehicle on any road, drive, or parking area posted, gated, or barricaded as closed to public traffic.

C. Right of way.

Operate a motor vehicle in such a manner as to fail to yield the right-of-way to pedestrians, bicyclists, or equestrians.

D. Parking.

1. Park a vehicle overnight without written permission.
2. Park a vehicle and/or a trailer in such a way as to block in another parked vehicle.
3. Park a vehicle in such a way as to block, restrict, or impede the normal flow of traffic.
4. Park a vehicle in a zone or area posted as prohibiting parking.
5. Park a vehicle on turf, meadow, prairie, marsh, field, in a woodland, or on the exposed roots of any tree or shrub except when directed to do so by the sheriff's forest preserve police or District employee.
6. Park a vehicle for the purpose of washing, waxing, servicing, or for making of any repairs or alterations to any vehicle except those of an emergency nature.

7. Consume any alcoholic beverage in or immediately adjacent to any designated parking area.

8. Leave a disconnected trailer unattended on District property.

E. Speed limit.

Operate or propel a vehicle or cause a vehicle to be operated or propelled on any road, drive, or parking area at a speed greater than the speed limit posted along the right-of-way or, in the absence of such posted limit, at a speed in excess of fifteen miles per hour.

## **Section 6. Regulation of personal conduct and behavior**

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

A. Vending, selling, or advertising.

1. Expose or offer for sale to the general public any articles or things, or conduct or solicit any business, trade, occupation, or profession without a valid concession contract agreement approved by Board of Commissioners and then only in accordance with the terms and conditions thereof, it being the intention to control commercial enterprises or sales on District lands.

2. 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, and then only in compliance with the terms of such permit, except that groups holding a valid picnic, camping, or special event permit may display signs to identify their location or to 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 eighteen inches by twenty-four inches and are not attached to any tree or shrub or any post, building, District sign, gate, or other structure.

B. Unlawful obstruction.

1. Set or place or cause to be set or placed any goods, wares, or merchandise or 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 use of any preserve or to the detriment of the appearance of any preserve.

2. By force, threats, intimidations or by any unlawful fencing or enclosing or any other unlawful means, prevent or obstruct any person from peacefully entering upon any property of the District; preventing or obstructing free passage or transit over or through any lands or waters of the District; or obstruct the entrance into any enclosure within the District, but nothing in this paragraph shall be construed to deny lawful enforcement of a valid permit granting a certain person or persons use to the exclusion of others as defined and provided for in this Article.

C. Unlawful construction or maintenance.

Erect, construct, install, or perform any maintenance on, below, over, or across a preserve without written permission specifying in detail the work to be done and the conditions to be fulfilled pursuant to the terms of such authorization.

D. Drug or alcohol abuse.

Be present in an intoxicated condition or under the influence of any liquor, beer, drug, or narcotic to the extent of being unable to perform normal body functions, such as maintaining balance and coherent speech, or because of the influence of such or like substances, engage in behavior or speech that intimidates others or interferes with or disrupts others in the normal, safe use of the forest preserves or any facility thereof; and no person shall consume alcoholic beverages in or immediately adjacent to any designated parking area or in any building or area posted "No Alcoholic Beverages Allowed."

E. Smoking.

Smoke any pipe, cigar or cigarette in any area posted as a No Smoking area.

F. Weapons and harmful substances.

Have at any time in their possession or on or about their person, concealed or otherwise, any weapon including but not limited to, a firearm, pistol, revolver, rifle, shotgun, bow and arrow (except those set up for fishing), slingshot, cross bow, spear or spear gun, switchblade knife, stiletto, sword, blackjack, billy club, whip, or 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, and then only in accordance with the rules, regulations, and restrictions duly set forth for the proper use of such ranges or areas. Nothing contained herein shall be construed to prevent any sheriff's forest preserve police, deputy, sheriff, coroner, game warden, state policeman, or any other duly sworn peace officer from carrying such weapons as may be authorized by law and necessary in the discharge of their duties, nor shall it apply to any person summoned by any such officer to assist in making arrests or preserving the peace while such person is engaged in assisting.

G. Hindering or bribing employees.

1. Interfere with, unreasonably disrupt, delay, or in any manner hinder any employee engaged in the performance of his duties.
2. 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 provisions of this Article or any 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 in applying for any use or privilege or to gain special consideration and treatment in the use of any District property or facility.

H. Control and treatment of animals.

1. Bring in or allow to run free any dog or pet in any forest preserve building, environmental center, interpretive nature trail, golf course, or other area posted "No Pets Allowed" without written permission.
2. Bring in, lead, or carry any dog or pet that is unleashed or on a leash longer than ten feet except at those areas designated and posted for dog training, and then only in accordance with the rules, regulations, and restrictions promulgated for the control of such area or areas.
3. Willfully or neglectfully cause or allow the release of any wild animal or domestic pet to run or remain at large except within those areas designated, and then only in accordance with the rules, regulations, and restrictions duly promulgated for the control of such area or areas.
4. Torture, whip, shock, beat, or cruelly treat or neglect any animal.
5. Bring in, drive, ride, or lead in any animal into a forest preserve; but sled dogs, horses, or other beasts of burden and draft animals may be ridden, lead, or driven ahead of vehicles attached thereto on such portions of the forest preserves as may be designated, and then only in accordance with the provisions of this Article and the rules, regulations, and restrictions duly promulgated for the control of such area or areas.
6. Hitch or tie any horse or other animal to any tree, bush, or shrub.
7. Bring in, lead, drive, ride, or carry any wild, domestic, or pet predator animal or bird, leashed or unleashed, into or upon any for preserve, or part thereof, designated as a nature preserve or nature area or historic site, without written permission, unless such animal is kept confined within a closed vehicle or trailer.
8. Willfully or neglectfully cause or allow any animal litter deposited by an animal owned or controlled by a person to remain upon the grounds of any forest preserve.

Nothing in this Article shall be construed to prohibit the controlled use of certain animals approved by the District for purposes 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 and rescue.

I. Commercial photography.

Take or cause to be taken any still or motion picture for commercial purposes or for use in commercial advertising without written permission, and then only in accordance with the rules, regulations, and restrictions set forth as part of such permit.

J. Honoring permits.

By act or speech, willfully or unreasonably hinder, interrupt, or interfere with any activity for which a permit has been granted, or unreasonably or willfully intrude on any areas or into any structures for which a permit has been granted to a person or persons to the exclusion of others.

K. Pyrotechnics.

Set off or attempt to ignite any firecracker, fireworks, smoke bombs, rockets, black powder guns, or other pyrotechnics without written permission, and then only after obtaining a fireworks permit as required by County ordinance.

L. Metal detectors.

Leave holes, ruts, piles, or establish markers associated with the use of metal detectors in recovering lost items without permission.

## **Section 7. Enforcement**

A. Sheriff's forest preserve police.

All duly deputized persons assigned by the Sheriff of Winnebago County to act as forest preserve police for the District have the power and are authorized to arrest or issue notices to appear to any persons found in the act of violating any ordinance of the District or law of the State of Illinois.

B. Fines and penalties.

Any person found guilty of violating any provision of this ordinance shall be fined an amount of not less than seventy-five dollars but not more than five hundred dollars for each offense.

C. Bail schedule.

Bail for traffic violations of this Article, which are similar to those described in Supreme Court Rule 526, shall be the same amounts as provided in said Supreme Court Rule.

D. Authority of other agencies.

Any duly sworn police officer of the State of Illinois is hereby granted enforcement authority of all provisions of this ordinance. Nothing in this Article shall be construed to prevent other peace 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 of ordinances of Winnebago County, Illinois, or in accordance with any other policing agreement approved by the Board.

E. Permits and designated areas – authority.

1. The Executive Director is hereby given authority to issue the permits, post notices, or to take such other action as may be necessary to implement the provision of this Article. The Executive Director shall have the authority to designate areas, facilities, or waters suitable for various activities or use; to close preserves 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 Article and collect such fees as established by the District Board in accordance with the following guidelines:

- a. That no person be discriminated against because of race, sex, creed, national origin, or political affiliation.
- b. That the proposed use or activity is not reasonably likely to result in violence or in serious harm to property or persons.
- c. That the proposed use or activity will not unreasonably interfere with or detract from the general public's use and enjoyment of the preserve and surrounding property or facilities.
- d. 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.

- e. That the proposed activity will not reasonably be expected to detract from the promotion of public health.
  - f. That the proposed activity is to be reasonably compatible with the type of preserve, the size and character of the area or waters involved and the facilities available, and that it is not reasonably to be expected that such activity will cause irreparable harm or extreme damage to the natural environment of the preserve.
2. The Executive Director may impose reasonable restrictions on the granting of a permit, including but not limited to any of the following:
    - a. Restricting the date(s) for reserved area use; the length of time an area will be held for reserved use; the use of ground fires; amusement devices; off-the-road vehicle access; the number of persons present; location and types of any tents, bandstands, stages or temporary structures; the use of domestic, pet, or trained animals; the use of shelters or structures; the collecting for any purpose of any water, soils, minerals, flora, or fauna; the type and location of sports and games or any other activity which appears likely to create a risk of unreasonable harm to the use and enjoyment of the preserve by others or of damage to District property.
    - b. Requiring proof of and establishing the amount of liability insurance required, and/or requiring a hold-harmless agreement, or requiring a certificate of insurance naming the District as an additional insured when the activity is deemed to require such.
    - c. Requiring 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.
    - d. Requiring that the applicant furnish additional security forces at the applicant's expense, such forces to act under District supervision.
  3. All permits required by this Article and issued by the Executive Director shall be issued at 5500 Northrock Drive, Rockford, Illinois 61103, on a first-come, first-served basis beginning the first working Monday in February of each calendar year for open dates or for such total number allowed during that calendar year. All applications for permits shall be submitted at least five working days in advance of the earliest requested date, but such time period may be waived in the interest of public health or safety or for such events that are of a significant civic nature.
  4. The District may seek reasonable information regarding any proposed use, activity, or privilege and may require a record of such information on a permit application.
  5. No person who shall misrepresent, falsify, or withhold such information shall be granted a permit.
  6. No person granted a permit shall violate the requirements, terms, conditions, rules, regulations, and restriction included as part of any granted permit or registration and as set forth in this Article and in the rules, regulations, and restrictions.
  7. The Board of Commissioners of the District may set forth in other ordinances or resolutions such permit or registration fee as it deems proper and may change them from time to time.
  8. No person shall obtain or use any permit without first having paid the fee established by ordinance or resolution for such permit.
  9. All designated areas, waters, or facilities and all permit rules, regulations, restrictions, or conditions are subject to review at any time by the Board or Executive Committee of the Forest Preserve District. Any aggrieved person shall have the right to petition the Board or Executive Committee in writing regarding denial or restriction of use or activity and be properly heard by the Committee, as its chairman shall direct.

F. Civil suits.

Nothing in this Article 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 Article or any law of the State of Illinois.

G. State, United States, and local laws.

All persons within the forest preserves of Winnebago County, Illinois, are subject to all ordinances, rules, regulations, and restrictions of the District, as well as all applicable laws of the United States, State of Illinois, and local statutes and ordinances, as amended and changed from time to time. These laws include but are not limited to the Downstate forest Preserve 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.

## **Section 8. Amendments**

This Article may be amended by the Forest Preserve District Board of Commissioners in the manner authorized by section 1-3 of the Winnebago County Forest Preserve District Code of Ordinances and shall be effective ten days after appropriate publication of such amendments as required by statute.

## **Section 9. Miscellaneous**

A. Conflict.

All District ordinances and parts of ordinances and all resolutions and orders, rules, regulations, and restrictions or any parts thereof in conflict with this ordinance, or any parts thereof, are hereby repealed.

B. 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.

C. 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.

D. Severability.

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

## **Section 10. Effective date**

After the approval and adoption of this ordinance, it shall, within ten days of such approval and adoption, be published in a newspaper having general circulation in the District, and this ordinance shall become effective ten days after such publication.