

06/25/2002

12-O-02

AN ORDINANCE

**Amending Various Sections of
Chapters 9, 10 and 11 of Title 7 of the
Evanston City Code Pertaining to the
Enforcement of City Park Regulations**

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: That Title 7, Chapter 9 of the Evanston City Code, 1979, as amended, is further amended by adding a new Section 7-9-5 to read as follows:

7-9-5: AUTHORITY TO ENFORCE:

The City Manager and his/her designees are authorized to enforce regulations of the Evanston Playground and Recreation Board promulgated and posted in accordance with the provisions of this Chapter.

SECTION 2: That Title 7, Chapter 10 of the Evanston City Code, 1979, as amended, is further amended by adding a new Section 7-10-6 to read as follows:

7-10-6: AUTHORITY TO ENFORCE:

The City Manager and his/her designees are authorized to enforce the provisions of this Chapter.

SECTION 3: That Title 7, Chapter 11 of the Evanston City Code, 1979, as amended, is further amended by adding a new Section 7-11-9 to read as follows:

7-11-9: AUTHORITY TO ENFORCE:

The City Manager and his/her designees are authorized to enforce the provisions of this Chapter.

SECTION 4: That Title 7, Chapter 10 of the Evanston City Code, 1979, as amended, is further amended by adding a new Section 7-10-7 to read as follows:

7-10-7: REMOVAL OF OBSTRUCTION IN PARKS AND PARKWAYS:

The Director of Parks/Forestry and Recreation or his/her designee may cause the removal of any article or thing whatsoever which may unlawfully encumber or obstruct any area of any park or parkway in the City, which removal shall be at the expense of the person responsible for causing such obstruction.

SECTION 5: That Section 7-9-4 (E) of the Evanston City Code, 1979, as amended, is further amended by deleting the current subsection (E) and substituting in lieu thereof the following new subsection (E):

- (E) Every person who shall violate a properly adopted and posted regulation of the Playground and Recreation Board shall be guilty of an offense punishable by a fine in an amount not to exceed seven hundred fifty dollars (\$750.00).

SECTION 6: That Section 7-10-3 of the Evanston City Code, 1979, as amended is further amended as follows:

7-10-3: GENERAL REGULATIONS:

- (A) Athletic Field Reservation System: The Playground and Recreation Board may develop and administer an athletic field reservation system.
- (B) Practice On Tennis Backboards: Practice backboards may be used on tennis courts from eight o'clock (8:00) A.M. to nine o'clock (9:00) P.M. only.
- (C) Prohibitions On Tennis And Basketball Courts: No skateboards, bicycles, motorized vehicles, roller blades/ skates or scooters are permitted on tennis courts or basketball courts.

- (D) Tennis Rules and Regulations: Posted "Tennis Court Rules and Regulations" as adopted by the Recreation Board will govern use and conduct.
- (E) Hours of Play: Use of basketball on basketball courts is permitted only between the hours of eight o'clock (8:00) A.M. and nine o'clock (9:00) P.M.
- (F) Park Access Road Regulation: No person shall stop, stand, park, drive upon or block a park access roadway except authorized emergency vehicles, municipally-owned, or authorized vehicles.
- (G) Glass Containers: It shall be unlawful for a person to possess, bring, carry, scatter, dump, deposit, leave or have under his or her actual physical control a glass beverage or container in or within a City park or beach. A glass beverage container means and includes all glass receptacles including bottles, jars and glass tumblers contained potable liquids.

SECTION 7: That Section 7-10-4 of the Evanston City Code, 1979, as amended, is further amended by deleting the current section in its entirety and substituting in lieu thereof the following new section:

7-10-4: JAMES PARK REGULATIONS:

- (A) Small Hill Regulations
 - 1. No tobogganing, skiing, or snowboarding permitted.
 - 2. Sledding is at the user's own risk. Users assume full responsibility for determining if conditions are safe for sledding. Adults are responsible for supervising children in their care.
- (B) Intermediate Hill Regulations
 - 1. No tobogganing, skiing, or snowboarding permitted.

2. Sledding is at the user's own risk. Users assume full responsibility for determining if conditions are safe for sledding. Adults are responsible for supervising children in their care.
- (C) Large Hill Regulations
1. No sledding, tobogganing, skiing or snowboarding permitted.
 2. No trespassing when signs are posted.
- (D) Penalties: The violation of any provision of this Section shall be punishable by fine not to exceed seven hundred fifty dollars (\$750.00) per day for each day of violation.

SECTION 8: That subsection 7-10-5 (A) (2) of the Evanston City Code, 1979, as amended, is further amended by deleting that subsection in its entirety and substituting in lieu thereof the following new subsection:

**7-10-5: MERRICK PARK (MUNICIPAL ROSE GARDEN)
REGULATIONS:**

- (A) 2. Permit fee is two hundred dollars (\$200.00); required security deposit is two hundred dollars (\$200.00), both fees to be paid upon permit approval and prior to issuance. Security deposit will be returned following inspection of premises by City, provided that no damage has occurred. If permit holder or agents have caused damage to the park, the security deposit shall be withheld to cover the cost of repair. Costs exceeding two hundred dollars (\$200.00) shall be borne by permit holder. The two hundred dollars (\$200.00) permit fee is refundable only if approved reservation is cancelled at least one week prior to permit date.

SECTION 9: That Section 7-11-3 of the Evanston City Code, 1979, as amended, is further amended as follows:

7-11-3: ADMISSION TOKENS:

Admission to the beaches named in Section 7-11-1 of this Chapter shall be by season tokens or daily fees or passes. Such tokens or passes shall be obtainable at offices designated by the Director of Parks/Forestry and Recreation or his/her designee; tokens shall not be transferable; tokens shall be presented for admission to the beaches.

SECTION 10: That Sections 7-11-4 (B) through 7-11-4 (D) of the Evanston City Code, 1979, as amended, are further amended by deleting 7-11-4 (B) in its entirety, relettering 7-11-4 (C) and 7-11-4 (D) as 7-11-4 (B) and 7-11-4 (C) respectively and amending relettered 7-11-4 (C) as follows:

7-11-4: BEACH HOURS:

- (C) The City Manager or his designee may, based upon existing weather conditions and/or beach attendance, extend the aforementioned schedule, subsection (A) of this Section. Conversely, when weather and/or staffing capabilities negatively affect public safety, the City Manager or his designee may decrease the scheduled hours, reduce the swimming area, or close all beaches and beach facilities, including the dog beach, launch facilities, and the beach office. In addition, the City Manager or his/her designee may set the annual schedule for the beaches.

SECTION 11: That Sections 7-11-6 (F), 7-11-6 (H), 7-11-6 (K), and 7-11-6 (M) of the Evanston City Code, 1979, as amended, are further amended as follows:

7-11-6: REGULATIONS ON CITY BEACHES:

- (F) Peddling Food, Merchandise: It shall be unlawful for any peddler licensed under the provisions of this Code (see Title 3, Chapter 13 of this Code), except the City and its duly authorized agents, to sell or offer for sale any food, beverages, or any other merchandise whatsoever in or

within one hundred feet (100') of the public parks enumerated in Sections 7-10-1 and 7-11-1 of this Code.

- (H) Steel Groins: People are not permitted on steel groins that serve as breakwaters at beaches enumerated in Section 7-11-1 of this Code.
- (K) Swimming Restrictions: Swimming may be restricted or prohibited due to safety conditions by the Director of Parks/Forestry and Recreation or his/her designee. No swimming is permitted off boats in public swimming areas or within 200 yards east of the designated swimming areas.
- (M) Authority of Parks/Forestry and Recreation Staff: The Director of Parks/Forestry and Recreation or his/her designee shall have the authority to identify specific areas and facilities for the exclusive use of certain programs sponsored by the Parks/Forestry and Recreation Department.

SECTION 12: That subsections 7-11-7 (B), 7-11-7 (D) and 7-11-7 (H) (2) of the Evanston City Code, 1979, as amended, are hereby further amended as follows:

7-11-7: REGULATIONS OF CITY BOAT RAMPS, BOATING ACTIVITIES:

- (B) Boat Launching and Mooring:
 1. Church Street Boat Ramps: Sailboats over fourteen feet (14') long and all motorized watercraft (including personal watercraft) shall launch only from this ramp. Launching shall occur only between five o'clock (5:00) A.M. and eleven o'clock (11:00) P.M.
 2. Dempster Street Launch Facility (Carry-In Ramp): Only sailboats fourteen feet (14') long and under which are not motorized, all carry-in boats, and sailboards shall launch from this ramp only.
 3. Nonpermit Holders: Permittees shall not provide access in any manner to the boat ramps to nonpermit holders for the purpose of launching any motorized

watercraft, carry-in boat, sailboat, or sailboard for which a permit has not been issued.

4. Mooring of Boats: Boats are prohibited from mooring within three hundred (300) yards of shore except where authorized.

(D) Windsurfing:

1. Only one person is permitted on a single windsurfing or similar board.

(H) Administration and Enforcement:

2. Suspension Or Revocation Of Permit:

Upon recommendation of staff, the Director or his/her designee may suspend or revoke any permit issued under the provisions of this Chapter if he/she determines that the permittee has violated subsections (B) 3, (C) 4, (C) 5 and (C) 6 of this Section.

SECTION 13: That Sections 7-11-8 (H) and 7-11-8 (K) of the Evanston City Code, 1979, as amended, are hereby further amended as follows:

7-11-8: REGULATIONS OF DOG BEACH:

- (A) An area south of the Clark Street breakwater and north of the Church Street boat ramp, and the adjacent sandy area is hereby designated as a dog beach.
- (H) Dogs may enter the water only within the designated area.
- (K) Sunbathing is prohibited. No chairs, beach towels, or blankets are allowed on the dog beach.

SECTION 14: That Title 7, Chapter 11 of the Evanston City Code, 1979, as amended, is further amended by adding a new Section 7-11-9.1 to read as follows:

7-11-9.1: BEACH AND WATER RESCUE SQUAD DESIGNATION:

The Director of Parks/Forestry and Recreation or his/her designee is hereby appointed a member of the Beach and Water Rescue Squad of the Parks/Forestry and Recreation Department, defined as Parks/Forestry and Recreation personnel who provide immediate response to emergencies for first aid and rescue purposes for swimmers, boaters, and the general public using the beaches.

SECTION 15: That Title 7, Chapter 11 of the Evanston City Code, 1979, as amended, is hereby further amended by adding a new Section 7-11-10 to read as follows:

7-11-10: ENFORCEMENT OF CODE PROVISIONS:

The Director of Parks/Forestry and Recreation or his/her designee, and the Park Rangers shall have authority to enforce the following various sections of this Code:

- (A) All provisions of Title 7, Chapter 9
- (B) All provisions of Title 7, Chapter 10
- (C) All provisions of Title 7, Chapter 11
- (D) Section 8-4-6-3 (A): Littering on Public Way
- (E) Section 8-4-6-3 (C): Littering from Vehicle
- (F) Section 9-4-7 (C): Dogs/Cats on Beach
- (G) Section 9-4-7 (D): Restraint of dogs/cats
- (H) Section 9-4-12: Control of Defecation
- (I) Section 9-4-13: Excessive Barking
- (J) Section 9-5-12 (B): Criminal Damage to City Property

- (K) Section 9-5-23 (G) (1): Loud Radios Prohibited
- (L) Parking Violations in City Parks, in or around City recreation facilities, on or near the lakefront, and any parking violations related to lakefront/park activity.

SECTION 16: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 17: That this ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: June 10, 2002

Adopted: June 24, 2002

Approved:

June 27, 2002
Serraine A. Morton
Mayor

ATTEST:

Mary D. Morris
City Clerk

Approved as to form:

[Signature]
Corporation Counsel

