

**54-O-11**

**AN ORDINANCE**

**Amending Portions of the City Code  
Relating to the Playground and Recreation Board,  
Hereafter Called the "Park and Recreation Board"**

NOW 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 of 1979, as amended ("City Code"), "Playground and Recreation Board," is hereby re-titled "Park and Recreation Board" and further amended to read as follows:

**7-9-1: ESTABLISHMENT:**

In accordance with 65 ILCS 5/11-95-2 and pursuant to its powers as a home rule unit of government, the City of Evanston hereby establishes the Evanston Park and Recreation Board.

**7-9-2: APPOINTMENT AND COMPOSITION; TERM; COMPENSATION:**

The Park and Recreation Board shall consist of nine (9) members who shall be appointed by the Mayor with the approval of the City Council. Each member shall be appointed for a term of five (5) years, except that the members of the Board first appointed shall be appointed so that the term of one member shall expire annually thereafter. If a vacancy occurs in the office of any Board member, the Mayor with the approval of the City Council shall appoint a successor to serve for the unexpired term. The Board members shall serve without compensation.

**7-9-3: POWERS AND DUTIES:**

The Park and Recreation Board shall possess the powers and perform the duties prescribed by ILCS 5/11-95-1 *et seq.*, as amended. Specifically, the Board shall:

- (A) provide direction for the planning, design and maintenance of all playgrounds, parks, recreational facilities, and open spaces owned and/or leased by the City of Evanston; and

- (B) provide direction for the development, supervision, and operation of all recreational programs and activities operated by the City of Evanston and/or its authorized affiliates.

#### **7-9-4: RULES AND REGULATIONS:**

- (A) The Evanston Park and Recreation Board is hereby empowered to adopt regulations, after making a written determination that the welfare of the parks or the public requires such regulations, concerning the safe and proper use of property and facilities used by the general public under the control of said Park and Recreation Board.
- (B) The Park and Recreation Board is hereby authorized and empowered to adopt regulations pertaining to the use of the parks, beaches and water adjacent to such parks and beaches, particularly the activities of fishing, waterskiing, swimming, sledding, skiing, skating and all other lawful activities conducted upon such premises, and the consumption of food and beverages, and the use of any such facility in a manner contrary to its intended use or in such a manner as to constitute a danger to any person using such facility. Said rules and regulations shall not conflict with those regulations set forth in Chapters 10 and 11 of this Title.
- (C) Rules and regulations so adopted shall be transmitted in writing to the City Council on a Monday, no less than twenty-one (21) days prior to their proposed effective date. The City Council may consider, reject or refer such proposed regulations back to the Park and Recreation Board within such period. Failure so to do within twenty-one (21) days shall be deemed an approval. No such rule or regulation shall become effective until ten (10) days after it shall have been published in the manner provided for ordinances, and notice of such regulation shall have been posted in the area affected thereby.
- (D) The Park and Recreation Board shall cause the posting of notice of regulations in those areas in which such regulations are in force and effect.
- (E) Every person who shall violate a properly adopted and posted regulation of the Park 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).

#### **7-9-5: AUTHORITY TO ENFORCE:**

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

**SECTION 2:** That all references throughout the City Code to the "Playground and Recreation Board" are hereby amended to refer to the "Park and Recreation Board."

**SECTION 3:** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 4:** That if any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid application of this ordinance is severable.

**SECTION 5:** 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: July 25, 2011

Approved:

Adopted: August 8, 2011

August 10, 2011

Elizabeth B. Tisdahl  
Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:

Rodney Greene  
Rodney Greene, City Clerk

W. Grant Farrar  
W. Grant Farrar, Corporation Counsel

