

CHAPTER 28

PARKS, POOL AND RECREATION

ARTICLE I - ADMINISTRATION

28-1-1 **RECREATION BOARD ESTABLISHED, INCIDENTS OF OFFICE.** A municipal Recreation Board is hereby established. The Recreation Board shall consist of **seven (7) members** who shall elect their own Chairman, Vice-Chairman, and a Clerk. The Treasurer of the Village shall be ex-officio treasurer of the funds under the administration of the Recreation Board, but the funds shall be at all times the property of the Village.

The purpose of this Board is to oversee, manage, maintain, improve, and enhance the swimming pool, the Village Park, and the O.W. Billhartz Civic Center (hereinafter collectively referred to as "Recreational Facilities"), which are all owned and controlled by the Village of New Baden.

28-1-2 **DUTIES OF OFFICERS.**

(A) The Chairman shall preside at meetings and do and perform such things and have such authority as may be granted unto him/her by a majority of the Recreation Board members relating to the operation of the Recreational Facilities.

(B) The Vice-Chairman shall assume the duties of the Chairman in his/her absence and have the same powers and authority as the Chairman at such times. At other times, he/she shall be a member of the Recreation Board and shall have a vote on all matters and things coming before the Board.

(C) The Clerk shall notify members of the Board of meetings and attend and keep a faithful record of its acts and doings. The Clerk shall have a vote as a member of the Recreation Board on all matters and things coming before the Board.

(D) The Treasurer of the Village shall have custody of the funds belonging to the Village under the administration of the Board. Such funds shall be those funds arising out of revenue charged for the use of the Recreational Facilities.

28-1-3 **MEETINGS.** Regular meetings shall be held each month at a time and place that may be determined by the Recreation Board. Special meetings may be held upon call of the Chairman or a majority of the members as may be required. The order of business shall be as follows:

- (A) Roll Call.
- (B) Reading of minutes.
- (C) Report of the Clerk.
- (D) Review of monthly financial statements.

- (E) Old Business.
- (F) New Business.
- (G) Adjournment.

28-1-4 POWERS AND DUTIES OF THE RECREATION BOARD.

The Recreation Board is hereby authorized with the advice and consent of the Village Board to:

- (A) Make regulations necessary for the proper maintenance and operation of the Recreational Facilities.
- (B) Hire a superintendent to manage the Recreational Facilities and determine the compensation for his/her services.
- (C) Determine fees to be charged individuals and groups for the use of the Recreational Facilities as required.
- (D) Insure facilities are maintained in a proper state of repair. All other repairs other than normal/routine repairs must be approved by the Village Board.
- (E) Make recommendations for site changes and facilities plan.
- (F) Inspect Recreational Facilities for condition and manner of operation and advise Village Board, pool superintendent, and Civic Center superintendent of findings and recommendations.
- (G) Approve all bills being paid by the Village Treasurer for the operation of the Recreational Facilities.
- (H) Perform such other duties as the Village Board of Trustees may prescribe.

ARTICLE II - REGULATIONS

28-2-1 **RECREATIONAL PROGRAMS FOR HANDICAPPED.** The Recreation Board of this municipality shall establish, maintain, and manage recreational programs for handicapped (both mentally and physically) residents. Pursuant to these duties, the Board may:

- (A) provide transportation for the handicapped to and from such programs;
- (B) provide for whatever examinations of program participants that they may deem necessary; or
- (C) charge fees for participation in such programs.

28-2-2 **HOURS OF OPERATION.**

(A) **Park Hours.** The park of the municipality shall be open to the public between the hours of **6:00 A.M. to 10:00 P.M.** each day. If any planned activity should last past 10:00 P.M., special permission shall be obtained from the Village Clerk. **(Ord. No. 465; 04-04-88)**

(B) **O.W. Billhartz Civic Center Hours.** As determined by the Recreation Board and posted.

(C) **Pool Hours.** As determined by the Recreation Board and posted.

28-2-3 **DESTRUCTION OF RECREATIONAL FACILITIES PROPERTY.** Within the Recreational Facilities, no person, except Village personnel on official business, shall:

- (A) cut, break, injure, destroy, take or remove any tree, shrub, timber, plant or natural object;
- (B) kill, cause to be killed, or pursue with intent to kill, any bird or animal except in areas where the Board has authorized hunting; or
- (C) willfully mutilate, injure, or destroy any building, bridge, table, bench, fireplace, guide post, notice, tables, fence, monument, or other Recreational Facilities property or appurtenances.

28-2-4 **MOTOR VEHICLES.** No person, other than municipal personnel on official business, shall drive or park any motor vehicle or motorcycle on any property of the Recreational Facilities except on a roadway or parking lot.

28-2-5 **SALES, AMUSEMENTS FOR GAIN.** Within the Recreational Facilities of this municipality, no person shall, without first having obtained a permit from the Recreation Board:

- (A) sell or offer for sale any goods or services; or
- (B) conduct any amusement for gain or for which a charge is made.

28-2-6 **LITTERING, WATER POLLUTION.**

(A) No person shall deposit any trash within the Recreational Facilities except in proper receptacles where these are provided. Where receptacles are not provided, all trash shall be carried away from the Recreational Facilities by the person responsible for its presence and be properly disposed of elsewhere.

(B) No person shall discharge or otherwise place or cause to be placed in the waters of any fountain, lake, stream, or other body of water in or adjacent to any of the Recreational Facilities or in any tributary, stream, storm sewer, or drain flowing into such waters, any substance or thing, liquid or solid, which will or may result in the pollution of said waters.

(C) No glass bottles are permitted in the Recreational Facilities.

28-2-7 **FIRES IN PARKS.**

(A) No person shall light or use any unenclosed picnic fire within the municipal parks. Fires may be built only in fireplaces or on grills constructed for that purpose in designated areas.

(B) In camping area, no person shall leave any campfire unattended by a competent person.

(C) Every person who has lighted or used any fire in a municipal park shall extinguish such fire before leaving the park. Noncompliance will result in fine as determined by the Village Municipal Code.

28-2-8 **PICNICS.** No person shall picnic in the municipal parks except in areas designated for that purpose. Park personnel are hereby authorized to regulate the activities in such area when necessary to prevent congestion or to secure the maximum use, comfort, and convenience of all. Visitors shall comply with any directions given to achieve this end.

28-2-9 **ERECTION OF STRUCTURES.** No person shall build or place any tent, building, booth, stand, or other structure in or upon any Recreational Facilities property unless he has obtained a permit to do so from the Park Board.

28-2-10 **SIGNS.** No person shall place within any of the Recreational Facilities or affix to any object therein any sign or device designed to advertise any business, profession, exhibition, event, belief, or thing unless he has obtained a permit to do so from the Recreation Board.

28-2-11 **ANIMALS.** No person shall:

(A) bring any dangerous animal into any of the Recreational Facilities.

(B) permit any dog to be in any park unless such dog is on a leash; or

(C) ride or lead any horse in any municipal park or recreational area except upon paths or other ways expressly provided and posted for that purpose.

ARTICLE III - GROUP ACTIVITIES

28-3-1 **GROUP ACTIVITIES.** Whenever any group or organization desires to use the Recreational Facilities for a particular purpose such as picnics, parties, exhibitions, or performances, a representative of said group shall first obtain a permit for such activity from the Recreation Board.

28-3-2 **APPLICATION FOR PERMIT.** Applications for all permits required by this Code shall be made in writing to the Recreation Board not less than **ten (10) days** nor more than **thirty (30) days** before the proposed date of the activity for which the permit is sought.

Each application shall include the following information:

- (A) statement briefly describing the nature of the proposed activity;
- (B) name, address, and telephone number of the person or organization wishing to conduct such activity;
- (C) the date when such activity is to be conducted;
- (D) the hour when such activity will start and terminate;
- (E) the portions or portion thereof of the Recreational Facilities for which such permit is desired; and
- (F) an estimate of the anticipated attendance.

28-3-3 **DECISION ON PERMIT APPLICATION.** After due consideration of the information contained in the permit application, but no later than **five (5) days** after the application has been filed, the Recreation Board shall determine whether the application is satisfactory.

An application shall be deemed satisfactory if:

- (A) the proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the Recreational Facilities;
- (B) the facilities desired have not been reserved for other use at the date and hour requested in the application;
- (C) the conduct of such activity will not substantially interrupt the safe and orderly movement of traffic;
- (D) the proper policing of such activity will not require the diversion of so great a number of police officers as to prevent normal police protection to the remainder of this municipality;
- (E) the conduct of such activity is not reasonably likely to cause injury to persons or property, or to incite violence, crime, or disorderly conduct; and
- (F) such activity is not to be held for the sole purpose of advertising any product, goods, or event, and is not designed to be held purely for private profit.

28-3-4 **ISSUANCE/DENIAL OF PERMIT.** By regular mail or by telephone, the Village Clerk shall promptly notify every permit applicant of the decision on his application.

(A) If such decision is favorable, the Village Clerk shall issue the permit. As a condition of issuance of any permit, the Recreation Board may require that an indemnify bond be obtained if, in their opinion, such bond is necessary to protect this municipality from liability or to protect municipal property from damage.

(B) The Village Clerk shall inform each applicant who has been denied a permit regarding the reasons for the denial and the procedure for appeals.

28-3-5 **APPEAL.** Any applicant who has been denied a permit by the Recreation Board shall have the right to appeal to the Board of Trustees. Such appeal shall be taken by filing with the Village Clerk, within **five (5) days** after the notice of a denial of an application for a permit, a written statement setting forth specifically the grounds for appeal. The appeal shall be heard by the Board of Trustees within **five (5) days** after such filing, and their decision shall be final.

(Ord. No. 537; 06-03-96)