

**AN ORDINANCE PERTAINING TO PARKS AND AMENDING CHAPTER 94 OF THE VILLAGE OF CHATHAM CODE OF ORDINANCES**

*BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM, AS FOLLOWS:*

**SECTION 1:** Sections 94.07 through 94.09 are hereby added to the Code of Ordinances of the Village of Chatham, as follows:

**94.07 VILLAGE OF CHATHAM PARK RENTAL AND USE POLICY**

**(A) General**

The Park Rental and Use Policy of the Village is hereby established to provide a systematic method by which parks and park amenities may be reserved by the residents of the community. A reservation is **not** required for park use for occasional play. For multiple activities or special use (which includes use by a resident or groups, multiple days, or week play for a designated area) a permit is recommended and will guarantee use for the dates and times specified on the permit. All Village playground areas shall remain open for public access and public pathways located within any Village Park shall remain open to the public at all times. Occasionally, parks may be excluded from the reservation availability at the discretion of the Village.

**(B) Objectives**

The objectives of this policy are:

1. To provide maximum utilization of parks through centralized scheduling.
2. To provide an impartial distribution of park amenities to the various community groups who wish to reserve.
3. To plan cooperatively with other community agencies to enhance individual and

group recreational needs.

4. To provide recreational activities which take into consideration the needs of the community.

5. To provide the best possible maintenance of the parks using available manpower and monetary

resources.

(C) **Administration**

This policy shall be administered by an officer or employee of the Village designated by the Village Manager, and referred to herein as the Park Administrator. This ordinance does not create a new employment position.

(D) **Priorities**

In scheduling the use or reservation of a park or park amenities (defined as an area of a park containing

special recreational facilities, such as a pavilion, athletic field, etc.) the Park Administrator shall apply the

following priorities:

1. Uses of athletic fields established pursuant to written agreements with the Village (I.e.g., with

baseball and soccer leagues) shall have absolute priority over all other uses of athletic fields.

2. Festivals with a history of at least 3 consecutive years (e.g., the Sweet Corn Festival) and not involving athletic fields shall have absolute priority over all other non-athletic uses.

3. Other uses shall be prioritized in the following order where there is a conflict:

a. Use by the Village Recreation Board or other organ of the Village

b. Use by the Ball-Chatham School District

c. Use by units of government other than the Ball-Chatham School District,

the boundaries of which overlap the boundaries of the Village of Chatham

- d. Use by of nonprofit corporations and associations
- e. Use by private individuals
- f. Use by for-profit business entities
- g. Use by units of government, the boundaries of which do not overlap the

boundaries of the Village of Chatham

Within groups d and e, Residents' groups (groups with 80% or more Village residents or nonprofit organizations with a business office in Chatham) shall be given priority over non-resident groups.

Parks and park amenities may be used on a drop-in basis by any group or individual without a reservation on a first come, first served basis, so long as the park or amenity has not been previously reserved by another group. In case of inclement weather, the Village Park and Recreation Department shall make the final decision regarding use of the park or park amenities.

The Park Administrator's determination of priorities shall be final.

**(E) Requests for Reservations**

Organizations, groups and individuals desiring to reserve parks or park amenities shall complete an application for reservation designed by the Park Administrator. Each application shall designate a responsible contact person or persons, who shall (a) sign the application; (b) agree to be responsible for any damage to Village property caused by participants of the event; (3) acknowledge receipt of the park use policy; and (4) agree that the permit may be revoked for failure to adhere to the park use policy.

Reservation requests shall be approved beginning on the following dates:

Spring Season (March – May) February 15

Summer Season (June – August) April 15

Fall Season (September – November) July 15

Winter Season (December – February) November 15

**(F) Other Regulations Regarding Reservations**

Any individual, organization, entity or group wishing to reserve a park or park amenity for use shall have an approved reservation permit prior to publicly advertising the use of the park or location, either for a single use or multiple use requests.

A multiple use request may not exceed more than 3 days without the consent of the Village Board as in, for example, a festival such as the Sweet Corn Festival. Some activities may be determined to be not appropriate for specific parks due to location, use, or overall function of the park.

The requesting party shall include all activities or uses of the park when making the request, sufficient for the Park Administrator to determine priorities.

At the time of application, all special requests must be indicated **in detail** on the reservation form. These include, but are not limited to, bringing in tables and chairs, inflatable amusement equipment, selling concessions (including items to be sold), selling of miscellaneous items for fund raising or profit, extended park hours use, use of a public address system, admission charges, additional maintenance, use of snow fence, and water or electrical access.

Applicants shall state in writing that they have reviewed and will comply at all times with the regulations for use of the Parks, Section 94.08 of this Code of Ordinances.

Events attracting more than 100 participants may present public safety issues and may otherwise disproportionately impact the parks. As a part of confirming the reservation for use the Police will be consulted regarding potential impacts to the Parks and Village public safety.

Fees for large events are subject to a surcharge based on anticipated costs of cleanup by Village personnel. Fees will be estimated in advance by Park Administrator. Large group events may be subject to additional fees for public safety and traffic control.

**94.08 PARK RESEVATION AND USE FEES**

**(A) Establishment**

Groups or individuals reserving parks or park amenities on a single or multiple use bases shall be required to pay the established fee at least one week prior to the date reserved. A reservation shall be recorded upon payment of the fee and the security deposit. Payment of fees shall be made at the Chatham Village Hall. If a park or park amenity is damaged and requires more than normal maintenance and/or repair to be restored to its original condition, the group or individual shall be charged the amount necessary to cover the cost of the required maintenance and /or repair. Fees for use of the Parks are as follows, and are subject to change without notice.

<b>Location</b>	<b>Resident Fee</b>	<b>Non-Resident Fee</b>
Main Square	\$100	\$150
Pavilion on the Square	\$20	\$30
Covered Bridge	\$150	\$225
Jaycees Park baseball field & pavilion	\$40	\$60
Jaycees Park Pavilion only	\$20	\$30
Jaycees Park baseball field only	\$20	\$30
West Park pavilion/baseball field/volleyball pit	\$40	\$60
West Park baseball field (per field)	\$20	\$30
West Park volleyball pit	\$20	\$30

West Park pavilion only	\$20	\$30
Community baseball fields (per field)	\$20	\$30
Community Festival Area and Parking	\$250	\$375
Community Soccer fields (per field)	\$20	\$30
Community Football fields (per field)	\$20	\$30
Community Tennis Courts (all courts at once)	\$20	\$30

*Note: The above fees are for each 4-hour block of time.*

**(B) Resident vs. Non-Resident Users**

To qualify for resident fees, a group shall consist of 80% or more residents of the Village, Village boundaries. The 80% residency requirement shall be calculated based on the total number of individuals using the park. Residency shall be determined based on the home address of the individuals as opposed to the business address or the address of other family members. The Park Administrator may waive the residency requirement if it is considered in the best interest of the Village.

**(C) Commercial Users**

No individual or group may reserve a park or park amenity for commercial purposes. Company picnics, softball leagues, and the like, and other uses by for-profit entities, where no products or services are advertised or sold, are not deemed “commercial purposes” within the meaning of this paragraph.

**(D) Waiver of Fees**

The Village may waive or reduce fees to schools, private groups or organization in exchange of services or pursuant to other agreed-on arrangements. A waiver or reduction of fees over \$250 shall be approved by the Village Board.

**(F) Refund of Fees**

A refund of a reservation fee may be granted for the following reasons:

- 1) If the Park Administrator determines that the determines that the park is in an unusable condition or subject to damage due to weather conditions.
- 2) If the group or individual provides written notification of cancellation to the Park Administrator at least one week prior to the date reserved.

**94.09 REGULATIONS PERTAINING TO USE OF THE PARKS**

(A) The following regulations shall govern the use of the Parks.

1. Each party using a park shall report any damage, accidents and or maintenance concerns to the Park Administrator immediately.
2. Other than in designated parking areas and on roads, vehicles are not allowed in the parks without the specific and advance permission of the Park Administrator.
3. Due to the scheduling or early setups for the other functions, all groups and organizations are requested to use only the area, field, or park that has been assigned to them.
4. No park may be reserved or used for partisan political activities or electioneering, except that political candidates may hand out literature at Festivals and Events. Non-partisan public meetings and information forums are permitted.
5. Groups using the Village parks, fields, buildings or facilities are responsible for litter control and pick up. The park should be left in equal or better condition that it was found. Please dispose of all trash and recyclables in the proper containers. Damage or excessive litter may result in a loss of privileges and fees for cleanup.
6. Individuals are responsible for repair or replacement of damage as a result of misuse of the park, equipment or park amenities. Groups and organization assume all

responsibility for the repair or replacement of damage as a result of misuse of the park, equipment or park amenities by their members.

7. Groups may not use the fields or parks when the weather conditions are dangerous or when the field conditions are not acceptable. All groups must adhere to the inclement weather practice for field conditions; (no standing water, saturated turf conditions, or times when safety is a concern).

8. Groups shall adhere to all Village ordinances, policies and procedures when using the facilities, parks and fields, as well as Sangamon County of Public Health regulations for food and beverage vendors.

9. All Village playground areas shall remain open for public access. Public pathways located within any Village Park shall remain open to the public at all times.

10. All animals shall be on a leash or subject owner commands and control.

11. Vendors are allowed in the parks only if they are (a) licensed by the Village pursuant to Chapter 110 of this Code of Ordinances or (b) sponsored by an event that has been issued a permit by the Village Park and Recreation Department.

12. Activities including sound amplification should not unreasonably interfere in any way with other park users or adjacent property owners. Amplification and special lighting are allowed only if a permit is issued at the time of the reservation request.

13. When portable bathrooms are needed, the user must make arrangements to obtain and remove them from the park no later than 3:00 pm the day after the event.

14. Unauthorized use of pyrotechnics and fireworks are not allowed on park property.

15. Some parks and activities may be excluded from park reservations in the discretion of the Village.



(B) Violation of these rules may result in revocation of park reservation privileges, in addition to any other action the Village may have for fines.

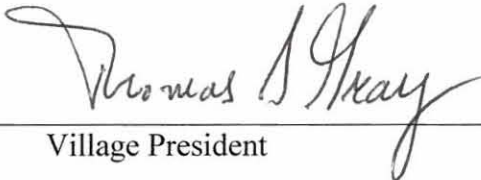
**SECTION 2:** Section 94.99 of the Code of Ordinances of the Village of Chatham is deleted and replaced with the following language:

**94.99 PENALTY.**

Whoever violates any provision of this Chapter shall be subject to a fine of not less than \$250 and not more than \$750. Each day a violation continues shall be considered a separate offense.

**SECTION 3:** This Ordinance shall be effective upon its passage, approval and publication as required by law. The Clerk shall publish this ordinance in pamphlet form and see to its inclusion in the next update of the Village Code of Ordinances.

PASSED this 10 day of DEC, 2013.

  
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Village President

ATTEST:

  
\_\_\_\_\_  
Village Clerk



AYES: 6 CLAYTON KIMSEY BOYLE HOLDEN FORMEA SCHATTEMAN

NAYS: 0

PASSED: 12-10-13

APPROVED: 12-10-13

ABSENT: 0

**ORDINANCE CERTIFICATE**

STATE OF ILLINOIS                    )  
  ) SS.  
COUNTY OF SANGAMON )

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Chatham, Sangamon County, Illinois.

I do further certify that the ordinance attached hereto is a full, true, and exact copy of Ordinance No. 13-49, adopted by the President and Board of Trustees of said Village on the 10 day of DEC, 2013, said Ordinance being entitled:

**AN ORDINANCE PERTAINING TO PARKS AND AMENDING CHAPTER 94 OF THE VILLAGE OF CHATHAM CODE OF ORDINANCES**

I do further certify that prior to the making of this certificate, the said Ordinance was spread at length upon the permanent records of said Village, where it now appears and remains.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Village this 10 day of DEC, 2013.



Pat Schaefer  
Village Clerk