Village of Carbon Cliff

Ordinance No. 2019-04

AN ORDINANCE OF THE VILLAGE OF CARBON CLIFF, ROCK ISLAND COUNTY, ILLINOIS, AMENDING TITLE II, ARTICLE 3, SECTION 29 OF THE CARBON CLIFF VILLAGE CODE

WHEREAS, the Village of Carbon Cliff, Rock Island County, Illinois (the "*Village*") is a duly organized and validly existing home-rule municipality pursuant to Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970 and as such, may exercise any power and perform any function pertaining to its government and affairs; and,

WHEREAS, the President and Board of Trustees of the Village believe it to be in the best interests of its residents to amend the Carbon Cliff Village Code to set forth the rules and regulations pertaining to the use of the Village owned park and its related facilities known as the "Carbon Cliff Park"; thereby enhancing the quality of life of residents by providing a safe, well-maintained park and public place, preserving open space while strengthening the bonds of the community and creating opportunities for growth and enrichment.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Carbon Cliff, Rock Island County, Illinois, as follows:

Section 1: That all of the recitals set forth in the preambles to this Ordinance are correct and are hereby incorporated as if fully set forth herein.

Section 2: That Title II, Article 3, Section 29 of the Carbon Cliff Village Code, as amended, be and is hereby amended by deleting said section in its entirety and inserting in lieu thereof the following:

"**Section 29 VILLAGE PARK RULES AND REGULATIONS.**

29.1 Ownership and Maintenance. The buildings, grounds and related facilities located in the park known as the "Carbon Cliff Park" shall be owned and maintained by the Village. The "Carbon Cliff Park" may be referred to in this Section 29 as the "Park".

29.2 Hours of the Park. The Park shall be open to the public from 8:00 a.m. to 9:00 p.m. central standard time year-round. It shall be unlawful for any person to be in or upon or remain in or upon the Park or any of its recreation areas or facilities beyond the hour of 9:00 p.m. central standard time.

29.3 Parking. There are three designated gravel parking areas within the Park located at the large baseball field, small baseball field and the pond. It shall be unlawful to park any vehicle within the Park or any of its recreation areas or facilities and outside of the designated areas. It shall be unlawful to park any vehicle within the Park or any of its recreation areas or facilities during any time when the Park is not open to the public as set forth in Section 29.2 herein. The Village has the right to ticket or tow any vehicle violating this Section, at the owner's sole expense.

29.4 Pond. The pond located within the Park shall be open to the public from April 1st to November 1st of each year. It shall be unlawful to fish in the pond during any time the pond is not open to the public and between May 1st and Father's Day of each year, in order to allow the restocking of fish prior to the Village's annual fishing derby.

29.5 Use of Baseball Fields. The baseball fields located within the Park are open to the public to use at any time during normal Park hours, provided that the facility is not currently in use and there is no practice, game or other event scheduled by the local Little League Baseball and/or Softball organizations. The local Little League Baseball and Softball organizations shall provide a schedule of all games, practices or other events to the Village prior to commencement of its season. Said schedules shall include a calendar or written schedule indicating the days and times requested for use of the baseball fields for practices, games or other events. The schedule shall also include any days needed for make-up games and any tournaments. The schedules shall be subject to Village approval, in its sole discretion, and the Village retains the right to deny use of the baseball fields on any day and time for which a Village event has already been scheduled.

29.6 Damage to Park Property. It shall be unlawful for any person or organization to damage any Park property or Village owned equipment located therein, including, but not limited to, baseball equipment, bases, field drags, or any other equipment designed for use within the Park or maintenance of the Park and its facilities. Any person using Village owned equipment shall return said equipment to the provided storage areas. Any person violating this Section shall be liable for any and all damage to said Park property or Village owned equipment.

29.7 Use of Pavilion. The pavilion located within the Park shall be available for use by the public free of charge. Use of the pavilion will be on a first come, first served basis, unless a sanctioned Village event has been scheduled. The Village will not rent out or hold the pavilion open for anything other than a sanctioned Village event.

29.8 Use of Concession Stands. The concession stands located within the Park shall be owned and maintained by the Village. The Village may issue keys to the individual in charge of the local Little League Baseball and Softball organizations at its discretion. No personal items shall be kept or stored in the concession stands. The Village shall not be liable for any personal items lost, damaged or stolen from the concession stands. The Village retains the right to discard any items left in the concession stands.

29.9 Use of Storage Shed. The storage shed located within the Park shall be owned and maintained by the Village. The Village may issue keys to the individual in charge of the local Little League Baseball and Softball organizations at its discretion. No personal items shall be kept or stored in the storage shed. The Village shall not be liable for any personal items lost, damaged or stolen from the storage shed. The Village retains the right to discard any items left in the storage shed.

29.10 Issuing of keys. Any key(s) issued by the Village in accordance with Sections 29.8 and 29.9 shall be turned into Village Hall at the end of each local Little League Baseball or Softball season. It

shall be unlawful to duplicate any key(s) issued by the Village in accordance with Sections 29.8 and 29.9. It shall be unlawful for any person to which a key(s) is issued by the Village in accordance with Sections 29.8 and 29.9 to share said key(s) with any other person. The person to which a key(s) is issued shall be responsible for any expenses incurred in rekeying any locks or making any new key(s) if the issued key(s) are lost, stolen, or not returned to Village Hall as required by this Section."

Section 3: During the codification of the Carbon Cliff Village Code, the codifier may renumber the sections adopted herein as appropriate.

Section 4: If any provision of this Ordinance is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance.

Section 5: This Ordinance shall be in full force and effect upon its passage, approval, and publication as provided by law.

ADOPTED BY THE BOARD OF TRUSTEES of the Village of Carbon Cliff, Illinois, this 19th day of February 2019, pursuant to a roll call vote as follows:

	AYES	**NAYS**	**ABSENT**
Todd Cantrell			
Keith Curry			
Robert Dreher			
Leevon Harris			
Alma Neels			
Larry Scott			
	Ayes:	**Nays:**	**Absent:**

APPROVED by the President of the Board of Trustees, Village of Carbon Cliff, this 19th day of February 2019.

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Bill G. Hintz – Village President
Village of Carbon Cliff

ATTEST:

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Karen L. Hopkins – Village Clerk
Village of Carbon Cliff

(SEAL)

Published in pamphlet form by authority of the Board of Trustees of the Village of Carbon Cliff, Rock Island County, Illinois, this ____ day of February 2019.