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STREET EXCAVATIONS

§ 90.01 WRITTEN PERMIT REQUIRED.

No person, firm, or corporation shall make any excavation in any street, alley, easement, or other public place in the village, for any purpose whatsoever, without first obtaining a permit in writing from the Water and Sewer Superintendent of the village.

(Prior Code, § 52.01) (Ord. 149, passed 4-7-1975) Penalty, see § 90.99

§ 90.02 APPLICATION; ISSUANCE OF PERMIT UPON APPROVAL.

(A) Written permits for excavation of traffic bearing, earth-surfaced parkways, alleys, or easements will be issued by the Superintendent upon written application filed with him or her for his or her approval.

(B) Combination application and permit forms shall be provided by the village.

(Prior Code, § 52.02) (Ord. 149, passed 4-7-1975)

§ 90.03 EXCEPTION; CASES OF EMERGENCY.

(A) Except in cases of emergencies, permits must be obtained before the street opening is made.

(B) If an opening is made without a permit due to an emergency, the permit must be applied for on the first working day following the date of the opening.

(Prior Code, § 52.03) (Ord. 149, passed 4-7-1975) Penalty, see § 90.99

§ 90.04 FEE REQUIRED.

(A) The issuance of a written permit will require a reasonable fee attached to the application for the purpose of offsetting any expense incurred by the village in correcting any settlement occurring in a restored area after the final inspection and satisfactory completion of the permanent restoration by the permittee.

(B) The reasonable fee shall be fixed from time to time by the Board of Trustees of the village.

(Prior Code, § 52.04) (Ord. 149, passed 4-7-1975)

§ 90.05 NOTIFICATION OF STARTING DATE.

The permittee shall notify the Superintendent or other authorized representative not less than 24 hours in advance of the date that excavation is to start.

(Prior Code, § 52.05) (Ord. 149, passed 4-7-1975) Penalty, see § 90.99

§ 90.06 INFORMATION REQUIRED ON PERMITS.

The permits shall state the location and, in case of a new water service, the legal description or address of the property to be served and the dimensions of the proposed opening, the purpose for which the opening is to be made, the kind of pavement or surface to be opened, and the approximate date that the opening will be made.

(Prior Code, § 52.06) (Ord. 149, passed 4-7-1975)

§ 90.07 RULES GOVERNING OPENING, CLOSING.

The period of time allowed for opening and closing will be governed by the size and nature of the

opening. If the work is not started and completed within the designated time on the permit, the permit will be cancelled and a cancellation charge of \$25 will be made.

(Prior Code, § 52.07) (Ord. 149, passed 4-7-1975)

§ 90.08 CONTINUOUS WORK REQUIRED FOR COMPLETION OF EXCAVATION.

(A) After the work is started, it shall be continuous until the opening is backfilled and the surface restored as provided in this subchapter.

(B) If, in the opinion of the Superintendent, the permittee is not following regulations, permits for future openings will not be issued.

(Prior Code, § 52.08) (Ord. 149, passed 4-7-1975) Penalty, see § 90.99

§ 90.09 OPENINGS ON NEW STREETS OR PAVEMENTS.

Openings made where new streets or pavements are being constructed will be inspected by the Superintendent, and must meet all requirements of the specifications for excavating the backfilling as stated in this subchapter.

(Prior Code, § 52.09) (Ord. 149, passed 4-7-1975) Penalty, see § 90.99

§ 90.10 MINIMUM INTERFERENCE WITH TRAFFIC.

(A) The permittee shall carry on the work authorized by the permit in a manner as to cause a minimum of interference with traffic.

(B) He or she shall provide adequate warning signs and devices to warn and guide traffic, and shall place the signs and warning devices in a position of maximum effectiveness.

(Prior Code, § 52.10) (Ord. 149, passed 4-7-1975) Penalty, see § 90.99

§ 90.11 TRENCHING.

(A) Whenever culverts, sewers, manholes, valve chambers, catchbasin connections, water mains, gas pipe or electric conduits, or house connections therefor, or any type of subsurface facilities are exposed in excavating, the permittee shall, at his or her own expense, protect them from damage.

(B) (1) In all cases where an opening is to be located under or near any railroad, or in any way jeopardizes the safe operation of railroad equipment or any subsurface facility, the permittee shall notify the owner or operator thereof sufficiently in advance of the date on which opening is to be made.

(2) The entire cost of supporting and maintaining tracks or other facilities, and the entire cost of services necessary for safe operation of railroad or street railway equipment, shall be borne by the permittee.

(3) No obstructions of any nature shall be placed upon the tracks.

(C) (1) Excavated material shall be placed so as not to obstruct gutters or drains and in such a manner as will cause minimum inconvenience to the public.

(2) If necessary, temporary covers for gutters shall be installed to ensure adequate drainage.

(3) In all cases, it will be necessary to haul all of the excess excavated material from the street.

(D) (1) Openings shall be properly sheeted and braced if deemed necessary by Superintendent to prevent caving, slipping, or cracking of sides.

(2) Sheeting and bracing, used to support the sides of the opening, shall be carefully removed as the backfilling of the trench progresses, but if considered necessary by the Superintendent for the protection of the banks, the sheeting and bracing shall be cut off 2 feet below the surface of the subgrade and left in place.

(E) (1) Extreme care shall be taken in opening concrete pavements to prevent damage to the adjoining pavement.

(2) Unless specific approval is obtained from the Superintendent or Assistant Superintendent, pavement shall be opened with the use of pneumatic drills outlining the cut, followed by the use of paving breakers.

(F) If pavement, concrete or asphaltic, along the sides of the opening is or becomes undermined and unsupported, the permittee shall, at his or her own cost and expense, break down and remove the undermined pavement and the foundation thereof, and shall also remove all loose earth and replace with sand in the manner provided under § 90.12.

(Prior Code, § 52.11) (Ord. 149, passed 4-7-1975) Penalty, see § 90.99

§ 90.12 BACKFILLING.

(A) All excavations on asphaltic paved streets, alleys, or parking areas or travelled roadways shall be backfilled with clean sand to within 12 inches of the existing surface, and then 9 inches of No. 8 crushed road pack rock shall be thoroughly compacted on top of the sand, and the final 3 inches shall consist of bituminous or asphaltic mixture corresponding to standard specifications prepared by the state, properly tamped to a satisfactory smooth surface.

(B) (1) All excavations on earth surfaced parkways, alleys, or easements bearing traffic shall be backfilled with clean sand to within 8 inches of the existing road surface and the final 8 inches shall consist of No. 8 road pack rock.

(2) Nontraffic parkways designated by the Superintendent or Assistant Superintendent may be backfilled with the original earth compacted in place.

(3) The permittee shall notify the Superintendent or authorized representative before any backfilling is to start for his or her approval and observation.

(Prior Code, § 52.12) (Ord. 149, passed 4-7-1975) Penalty, see § 90.99

§ 90.13 TUNNELING.

(A) Tunneling is often necessary where pipe or conduit passes under curbs or underground facilities.

(B) The permittee shall not do any tunneling except by permission of the Superintendent.

(C) Where tunneling has been resorted to, the permittee shall bed the pipe or conduit as specified under § 90.12.

(D) The remainder of the space from top of this fill to the roof of the tunnel shall be completely filled with Class X concrete, thoroughly tamped to fill the entire space, and to afford a rigid support for the tunnel roof for its entire area.

(E) The complete backfilling of a tunnel shall be performed under the supervision of an inspector assigned by the Superintendent.

(F) The permittee shall notify the Superintendent not less than 24 hours in advance of the date that the backfilling is to start.

(Prior Code, § 52.13) (Ord. 149, passed 4-7-1975) Penalty, see § 90.99

HOUSE NUMBERING

§ 90.25 NUMBERING BUILDINGS, STREETS, AND RESIDENCES.

(A) For the purpose of numbering the buildings, streets, and residences of the village, Shafer Street shall constitute the base of all streets or parts of streets running north or south therefrom and U.S. Route 51 shall constitute the base of all streets or parts of streets running east and west therefrom.

(B) All streets or parts of streets extending north or northerly from Shafer Street shall be designated respectively by the prefix “north” to the names of the streets or parts of streets, and all streets and parts of the streets extending south or southerly from Shafer Street shall be designated respectively by the prefix “south” to the name of the streets or parts of streets; all streets or parts of streets extending east or easterly from U.S. Route 51 shall be designated respectively by the prefix “east” to the name of the streets or parts of streets, and all streets or parts of the streets extending west or westerly from U.S. Route 51 shall be designated respectively by the prefix “west” to the names of the streets or parts of streets.

(C) All buildings and lots situated on streets running north and south shall be numbered commencing at Shafer Street with the number 100 and increasing toward the north and south at the rate of 100 numbers to each and every block or square, the even numbers to be placed on the east side and the odd numbers to be placed on the west side of those streets.

(D) All buildings and lots situated on streets running east and west shall be numbered by commencing at U.S. Route 51 with number 100 and increasing toward the east or west at the rate of 100 numbers to each and every block or square, the even numbers to be placed on the north side and the odd numbers to be placed on the south side of streets.

(E) All streets of the village shall be so numbered as will best suit the original plat of the village and subsequent subdivisions and additions thereto as the same are now recorded in the County Recorder’s office, and shall be 1 number for each 10 feet in each block or square except where the block or square is over 500 feet in length, and in the case there shall be 1 number for each 1/50 part of the length of that block or square, providing, however, that no building or lot need have more than 1 number for each street upon which it abuts.

(F) All streets that do not touch or cross with Shafer Street or U.S. Route 51 shall be numbered in the same manner.

(Prior Code, § 52.20) (Ord. 43, passed 4-16-1962)

§ 90.26 ASSIGNMENT OF NUMBERS BY BUILDING INSPECTOR.

The Building Inspector is authorized to assign to each and every building and lot its proper number in accordance with § 90.25 and to deliver to each occupant or owner thereof, free of charge, a certificate designating the number or numbers so assigned.

(Prior Code, § 52.21) (Ord. 43, passed 4-16-1962)

§ 90.27 DISPLAY OF HOUSE NUMBER.

Each building shall bear on or near the main entrance thereto the number thereof in figures of not less than 2 inches in height and be so marked as to be easily read.

(Prior Code, § 52.22) (Ord. 43, passed 4-16-1962) Penalty, see § 90.99

§ 90.28 FAILURE TO DISPLAY NUMBER.

(A) No owner or occupant of any building now erected in the village who, after receiving a certificate as provided in § 90.26, shall for 90 days neglect or refuse to number the building owned or occupied by him or her in conformity herewith, or shall number the same without having first obtained the proper number thereof.

(B) No owner or occupant of any building hereafter erected in the village, who shall 30 days after the same shall be erected, shall neglect or refuse to number the same according to provisions hereof, or shall number the same without first having obtained the proper number.

(Prior Code, § 52.23) (Ord. 43, passed 4-16-1961) Penalty, see § 90.99

STREET CLASSIFICATION; SETBACK

§ 90.40 TITLE.

This subchapter shall be known and may be cited as the Street Classification/Setback Ordinance.
(Prior Code, § 52.30) (Ord. 195, passed 10-10-1978)

§ 90.41 PURPOSE.

The purpose of this subchapter is to provide for the provisions of adequate light, pure air, and safety and to lessen and avoid congestion on public streets.

(Prior Code, § 52.31) (Ord. 195, passed 10-10-1978)

§ 90.42 POWERS.

The powers of this subchapter shall not be exercised so as to deprive the owner of any existing property of its use or maintenance for the purpose to which it was lawfully devoted upon the adoption of this subchapter.

(Prior Code, § 52.32) (Ord. 195, passed 10-10-1978)

§ 90.43 CLASSIFICATION AND DESCRIPTION.

(A) *Generally.* All streets within the limits of the comprehensive planning authority of the village shall be classified as either a major, collector, or local street according to the following descriptions, and the street classification map located in Appendix A.

(B) *Street descriptions.*

(1) *Major street.*

(a) Designed for medium to high speed traffic and serves cross town or inter-regional travel.

(b) These streets serve as primary routes for commercial and industrial truck traffic.

(c) Major streets should not have residential or commercial drives entering directly into them; local streets entering directly into major streets should be discouraged, or at least carefully controlled.

(2) *Collector street.*

(a) Designed for medium speed traffic and serves intra-regional-travel.

(b) Collector streets serve the purpose of channeling traffic between local and major streets with as direct routing as is possible.

(c) Collector streets should not have residential drives entering directly into them; where residential drives are permitted to enter into a collector street, measures must be taken to protect the public safety and welfare.

(3) *Local street.*

(a) Designed for low speed and local traffic.

(b) Serves the purpose of providing access to local properties, and connects to the collector street system.

(c) The local street should be designed to discourage through traffic, and should only be long enough to provide access to local property.

(Prior Code, § 52.33) (Ord. 195, passed 10-10-1978)

§ 90.44 SPECIAL SETBACKS.

(A) *Generally.* Special setbacks are also hereby created in accordance with the following scheme.

(B) *Scheme.*

(1) *Major streets.* Fifty feet on each side from the existing right-of-way line as measured perpendicular to the centerline, or from the edge of pavement or easement line where right-of-way does not exist.

(2) *Collector streets.* Thirty-five feet on each side from the existing right-of-way line as measured perpendicular to the centerline, or from the edge of pavement or easement where right-of-way does not exist.

(3) *Local streets.* Setbacks shall be in accordance with the Zoning Ordinance. (Prior Code, § 52.34) (Ord. 195, passed 10-10-1978) Penalty, see § 90.99

§ 90.45 VIOLATION; REMEDY.

In case any structure is erected or constructed in violation of this subchapter, the proper officials of the village, in addition to other remedies, may institute any appropriate action or proceedings to prevent the unlawful erection or construction; to restrain, correct, or abate the violation; to prevent the occupancy of the structure; or to prevent any illegal act, conduct, business, or use in or about the premises.

(Prior Code, § 52.35) (Ord. 195, passed 10-10-1978) Penalty, see § 90.99

PAVING RIGHT-OF-WAY

§ 90.60 WRITTEN PERMIT REQUIRED.

(A) A property owner may pave the right-of-way adjacent to their property only after receiving a permit to do so from the Village Board.

(B) Written plans and specifications must be submitted with the application. (Ord. 513, passed 12-7-1998) Penalty, see § 90.99

§ 90.61 CONSTRUCTION STANDARDS AND COMPLIANCE WITH LONG-RANGE PLAN.

(A) Paving shall be constructed to the standards of the State of Illinois and Village of Forsyth and must be completed within 9 months of the date of the issuance of the permit, otherwise the right-of-way must be restored to its original condition.

(B) No right-of-way shall be paved if to do so would conflict with the long-range goals of the

Village of Forsyth Comprehensive Plan.
(Ord. 513, passed 12-7-1998) Penalty, see § 90.99

§ 90.62 INSPECTION AND APPROVAL.

(A) The Public Works Director shall inspect the completed paving project and advise the owner of any corrections necessary to meet the standards specified in § 90.61 or the conditions of the permit issued pursuant to § 90.60.

(B) Upon completion of the paving construction as required in this section, the Public Works Director shall approve the work.
(Ord. 513, passed 12-7-1998)

§ 90.63 MAINTENANCE.

(A) The owner shall be responsible for the maintenance of the paving for a period of 1 year from the completion of construction.

(B) Thereafter, the Village of Forsyth shall accept the improvements and assume maintenance responsibility.
(Ord. 513, passed 12-7-1998)

ENCROACHMENTS

§ 90.75 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CONSTRUCTION EASEMENT AREA. The area lying between the project right-of-way limits and the platted street limits within which the village, by concurrence in the establishment of the project right-of-way lines, will permit the state to enter to perform all necessary construction operations.

ENCROACHMENT. Any building, fence, sign (excluding certain signs located over sidewalks) or any other structure or object of any kind (with the exception of utilities and public road signs), which is placed, located, or maintained, in, on, under, or over any portion of the project right-of-way or the roadway right-of-way where no project right-of-way line has been established.

PERMISSIBLE ENCROACHMENT.

(1) Any existing awning, marquee, or sign advertising activity on the property, or similar overhanging structure supported from a building immediately adjacent to the limits of the platted street where there is a sidewalk extending to the building line and which does not impair the free and safe flow of pedestrian traffic or traffic on the highway.

(2) The permissive retention of overhanging signs is not to be construed as being applicable to those signs supported from poles constructed outside the project right-of-way line and not confined by adjacent buildings.

PROJECT RIGHT-OF-WAY. Those areas within the project right-of-way lines established jointly by the village and state which will be free of encroachments, except as defined in this section.

ROADWAY RIGHT-OF-WAY. Those areas existing or acquired by dedication or by fee simple for highway purposes; also, the areas acquired by temporary easement during the time the easement is in effect.

(Ord. 569, passed 4-15-2002)

§ 90.76 UNLAWFUL ENCROACHMENT.

It shall be unlawful for any person, firm, or corporation to erect or cause to be erected, to retain or cause to be retained, any encroachment (defined in § 90.75), except as provided in § 90.78, within the limits of the project right-of-way or roadway right-of-way where no project right-of-way lines have been established.

(Ord. 569, passed 4-15-2002) Penalty, see § 90.99

§ 90.77 PERMISSIBLE ENCROACHMENTS.

Revocable permits have been issued by the village for the temporary retention of the following permissible encroachments (defined in § 90.75): None.

(Ord. 569, passed 4-15-2002)

§ 90.78 INTENT.

This subchapter is intended to and shall be in addition to all other ordinances, rules, and regulations concerning encroachments and shall not be construed as repealing or rescinding any other ordinance or part of any ordinance unless in direct conflict therewith.

(Ord. 569, passed 4-15-2002)

§ 90.79 EFFECTIVE DATE.

This subchapter shall be published in pamphlet form and shall be in full force and effect after its passage, publication, and approval as provided by law.

(Ord. 569, passed 4-15-2002)

§ 90.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) (1) Any person, firm, or corporation who shall violate any of the provisions of §§ 90.01 through 90.13, for which another penalty is not provided for, shall, upon conviction, be fined not less than \$25 or more than \$200 for each offense.

(2) Each day on which a violation occurs or continues shall be considered as a separate offense.

(Ord. 149, passed 4-7-1975)

(C) (1) Any person, firm, or corporation who shall violate any of the provisions of § 90.28(A) shall, upon conviction, be fined \$5 and to a further penalty of \$5 for every 30 days thereafter that he or she shall neglect or refuse to number a building or shall maintain thereon a number without having first obtained the proper numbers.

(2) Any person, firm, or corporation who shall violate any of the provisions of § 90.28(B) shall, upon conviction, be fined \$5 and to a further penalty of \$5 for every 30 days thereafter that a building shall be without its proper number.

(Ord. 43, passed 4-16-1962)

(Prior Code, § 52.99)

(D) Any person, firm, or corporation violating §§ 90.75 *et seq.* shall be fined not less than \$1 nor more than \$200 for each offense, and a separate offense shall be deemed committed for each and every day during which a violation continues or exists.

(Ord. 569, passed 4-15-2002)

APPENDIX A: STREET CLASSIFICATION MAP

CHAPTER 91: ANIMALS

Section

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GENERAL PROVISIONS

§ 91.01 PROHIBITING MAINTENANCE OF LIVESTOCK AND OTHER FARM ANIMALS IN VILLAGE.

(A) It shall be unlawful and it is hereby declared to be a nuisance to keep or maintain within the village any cattle, horse, mule, fowl, sheep, swine, or goat.

(B) The provisions of this section shall not be applicable to an owner of real estate annexed to the village so long as the following conditions exist:

(1) The animal is owned by the landowner;

(2) The animal is not removed from the property for a period in excess of 6 months; and

(3) This exemption shall apply only to those animals kept or maintained on the annexed property at the time of annexation.

(Prior Code, § 91.01) (Ord. 360, passed 3-5-1990) Penalty, see § 91.99

DOGS

§ 91.15 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DOG. All animals of the canine species upward of the age of 3 months.

OWNER or KEEPER. Any person who shall harbor, suffer, or permit any dog to remain on any premises within the village under his or her charge or control.

RUNNING AT LARGE. Suffering a dog to be off the premises of the owner or keeper and not under direction and actual control of the owner or keeper, or his or her agent or servant.
(Prior Code, § 91.10) (Ord. 40, passed 6-19-1961)

§ 91.16 RUNNING AT LARGE; MUZZLE REQUIRED.

(A) (1) It shall be unlawful for the owner or keeper of any dog to permit the same to run at large upon any street, alley, or public place within the village.

(2) Any dog found in and upon any street, alley, or public place within the village which is not controlled by its owner or keeper with a leash shall be impounded and disposed of as provided in § 91.19.

(B) It shall be unlawful for the owner or keeper of any dog to permit the same to defecate on the private property of any person without that person's consent.
(Prior Code, § 91.11) (Ord. 40, passed 6-19-1961; Am. Ord. 338, passed 4-4-1988) Penalty, see § 91.99

§ 91.17 VICIOUS OR DANGEROUS DOGS.

(A) Any dangerous, fierce, or vicious dog running at large in any street, alley, or other public place within the village or upon private premises of any person other than the owner or keeper thereof, or any dog which may in any manner unduly disturb the quiet of any person or neighborhood within the village, or shall bite any person or injure any person so as to cause an abrasion of the skin, is declared to be a nuisance.

(B) The dog shall be taken up and impounded in the manner provided for in § 91.19.
(Prior Code, § 91.12) (Ord. 40, passed 6-19-1961) Penalty, see § 91.99

§ 91.18 DOGS IN HEAT.

No person or keeper of any bitch shall permit the same to run at large within the village while in heat. Any bitch running at large shall be taken up and impounded in the manner hereinafter provided in § 91.19.

(Prior Code, § 91.13) (Ord. 40, passed 6-19-1961) Penalty, see § 91.99

§ 91.19 IMPOUNDMENT BY COUNTY.

(A) The county has sole authority and control over all impoundments and impoundment procedures within the village. Furthermore, only the Village Administrator and the Deputy Sheriff have authority to authorize dog or other animal pickups by the county.

(B) Upon notification by a citizen of the village that a stray dog has been penned or tied up in the village and that the citizen desires the dog removed to the County Rabies Control Shelter, and upon determination by the Village Administrator that the action is proper, the Village Administrator, or the Village Clerk upon the Administrator's authorization, is authorized on behalf of the village to make arrangements for the removal of the stray dogs to the County Rabies Control Shelter.

(C) In instances in which the Village Administrator deems it proper, he or she is authorized to obligate the village for the payment of the charges of the County Rabies Control Shelter in picking up and boarding the stray dogs and other animals.

(Prior Code, § 91.14) (Ord. 373, passed 9-25-1991)

§ 91.99 PENALTY.

(A) Any person violating any provision of this chapter for which no penalty is prescribed shall be subject to § 10.99.

(B) Any person, firm, or corporation who violates, disobeys, omits, or refuses to comply with or who resists enforcement of any of the provisions of § 91.01 shall, upon conviction, be fined not more than \$100 for each offense. A separate offense shall be deemed committed on each day a violation occurs or continues.

(Prior Code, § 91.99) (Ord. 96, passed 11-20-1967)

CHAPTER 92: NUISANCES

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GENERAL PROVISIONS

§ 92.01 NUISANCES; ABATEMENT THEREOF.

In all cases where ordinances of the village make no provision defining what are nuisances and how the same may be abated, removed, or prevented, in addition to those declared herein, those offenses known to the common law and to the state statutes as nuisances, may, in case the same exists within the jurisdiction of the village be treated as such and proceeded against as provided in this chapter or any other provision of law applicable thereto.

(Prior Code, § 92.01) (Ord. 67, passed 8-16-1965)

§ 92.02 SERVING WRITTEN NOTICE; ABATEMENT WITHOUT NOTICE BY VILLAGE; EXPENSE.

(A) In all cases where a nuisance shall be found in any building or premises within the jurisdiction of the village, elected or appointed officials of the village having knowledge thereof shall cause a written notice to be served upon the owner or occupant or person in charge thereof, if he or she can be found, requiring him or her to abate the same within a reasonable time.

(B) The notice may, but need not, specify the manner of abatement.

(C) If the person so notified shall neglect or refuse to comply with the notice, or whenever the owner, occupant, or person in charge is unknown or cannot be found, the official or officer of the village causing the notice to be served shall proceed to cause the nuisance to be abated without notice, and the expense thereof shall be collected from the person who may have created, continued, or suffered the nuisance to exist in addition to any fine or penalty.

(Prior Code, § 92.02) (Ord. 67, passed 8-16-1965)

§ 92.03 AGENT TO DISCLOSE NAME OF PRINCIPAL.

Every agent or other person having knowledge, control, or management, or who collects or receives the rents of any lands, premises, or other property in the village, shall disclose the name of the person for whom the agent or other person is acting, upon demand of any inspector, agent, or officer of the village.

(Prior Code, § 92.03) (Ord. 67, passed 8-16-1965) Penalty, see § 92.99

PUBLIC NUISANCES

§ 92.15 PUBLIC NUISANCES AFFECTING HEALTH.

(A) Any factory, cannery, yard, building or structure of any kind, packing house, slaughter house, rendering establishment, carpet cleaning establishment, barn, garbage disposal plant or dump, uncovered pile of refuse, or pool of water which shall become nauseous, foul, or offensive is declared a nuisance.

(B) No person shall throw, place, leave, cause, or permit to be thrown, placed, or left, any filth or rubbish in or upon any street, alley, or public area of the village in front of or on the roof of or adjoining any building or premises owned or occupied by him or her, or subject to his or her control.

(Prior Code, § 92.10) (Ord. 67, passed 8-16-1965) Penalty, see § 92.99

§ 92.16 ABANDONED EXCAVATIONS.

(A) Any abandoned excavation or excavation no longer in use which is open and undrained is declared to be a nuisance.

(B) Any such excavation must be filled or drained so that water shall not stand therein and it shall be the duty of the owner, occupant, or agent or any property on which any such excavation is located, to fill or drain the same.

(Prior Code, § 92.11) (Ord. 67, passed 8-16-1965) Penalty, see § 92.99

§ 92.17 OPEN WELLS AND CISTERNS.

(A) Any open well, cistern, hole, or pit is declared to be a nuisance.

(B) Any such open well, cistern, hole, or pit must be filled or securely and tightly covered and it shall be the duty of the owner, occupant, or agent of any property on which the open well, cistern, hole, or pit is located to fill or keep the same securely and tightly covered.

(Prior Code, § 92.12) (Ord. 67, passed 8-16-1965) Penalty, see § 92.99

§ 92.18 USE OF PREMISES FOR UNRULY PURPOSES.

No person owning or in possession, charge, or control of any building or premises shall use the same, or permit the same to be used, for any business or employment or any purpose, if such shall, from its boisterous nature, disturb or destroy the peace of the neighborhood, or shall be dangerous or detrimental to health, or shall be the occasion of any nuisance.

(Prior Code, § 92.13) (Ord. 67, passed 8-16-1965) Penalty, see § 92.99

§ 92.19 WEED CONTROL.

(A) Weeds or other underbrush which have grown to a height of 1 foot or more or allowed to flower are declared to be a nuisance, and any owner, lessee, occupant, or agent having control of any lot or ground thereof within the village shall cut or cause the same to be cut within 5 days after being notified to do so by the Village Clerk at the direction of the Village Administrator.

(B) If the person shall fail to comply with the notice, the village shall cause the same to be cut and expense thereof shall be repaid to the village by the owner or person in control of the premises.

(C) Charges for the cutting shall be a lien upon the premises as provided by state statute.

(D) Whenever a bill for the cutting remains unpaid 60 days after it has been rendered, the Village Clerk shall file a lien claim as provided by state statute.

(Prior Code, § 92.14) (Ord. 373, passed 9-25-1991) Penalty, see § 92.99

§ 92.20 DUMPING OR DEPOSITING GARBAGE, WASTE MATTER.

(A) (1) No person, firm, or corporation shall dump or deposit anywhere within the village any garbage, ashes, miscellaneous waste, manure, or other substances which may contain disease germs, be scattered by the wind, decompose, or become filthy, noxious, or unhealthy and the dumping is declared

to be a nuisance.

(2) No person, firm, or corporation shall dump or deposit any waste matter upon private property within the village except upon written consent of the owner or his or her authorized agent.

(B) No person shall deposit or cause to be deposited, sort, scatter, or leave any waste, rubbish, or garbage on any public or private place in the village.

(Prior Code, § 92.15) (Ord. 67, passed 8-16-1965) Penalty, see § 92.99

§ 92.21 INOPERABLE MOTOR VEHICLES AND UNOCCUPIED MOBILE HOMES.

(A) Any inoperable motor vehicle or unoccupied mobile home, whether on public or private property and in view of the general public, is declared to be a nuisance.

(B) For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

INOPERABLE MOTOR VEHICLE. Any motor vehicle from which for a period of at least 7 days or any greater period, the engine, wheels, or other parts have been removed, or on which the engine, wheels, or other parts have been altered, damaged, or otherwise so treated that the vehicle is incapable of being driven under its own motor power. ***INOPERABLE MOTOR VEHICLE*** shall not include a motor vehicle which has been rendered temporarily incapable of being driven under its own motor power in order to perform ordinary service or repair operations.

(C) Any owner or occupant who shall fail to remove an inoperable motor vehicle or unoccupied mobile home within 7-days' notice from the Village Clerk shall be subject to the penalties provided in § 92.99.

(D) (1) In the event that the vehicle is not removed within the 7-day period, the village may cause it to be removed at the owner or occupant's expense.

(2) No vehicle shall be removed by the village until the owner or occupant is provided with the opportunity to appear before the Board of Trustees.

(E) (1) Notice for the purpose of this section may be given by first-class mail or posting on the vehicle which is the subject of the notice.

(2) Whenever a bill for the removal remains unpaid for 60 days after it has been rendered, the Village Clerk shall file a lien as provided by state statute.

(Prior Code, § 92.16) (Ord. 313, passed 12-1-1986) Penalty, see § 92.99

BURNING RESTRICTIONS

§ 92.35 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

GARBAGE. Refuse resulting from the handling, processing, preparation, packaging, cooling, and consumption of food and food products.

LANDSCAPE WASTE. Any vegetable or plant refuse, including, but not limited to, tree trimmings, weeds, leaves, grass, yard trimmings, and crop residues.

OPEN BURNING. The combustion of any matter in such a way that the product of the combustion is emitted to the open air.

(Prior Code, § 92.17)

§ 92.36 GENERALLY.

(A) The burning of any garbage, waste, refuse, rubbish, or substance of any kind other than landscape waste within the village limits is hereby declared a nuisance and prohibited.

(Ord. 441, passed 11-7-1994)

(B) The term of this section shall not be construed to prohibit the burning of fuels for cooking purposes, fuels in a domestic fireplace, campfires, ceremonial bonfires authorized by the Village Administration and the Idickory Point Fire Protection District, or any fire authorized by a valid IEPA permit, provided, however, that no garbage shall be burned in any such cases.

(Prior Code, § 92.18) Penalty, see § 92.99

§ 92.37 EXCEPTIONS TO PROVISIONS.

(A) Open burning shall be prohibited within the corporate limits of the village, except as permitted under the following conditions and subject to any other laws adopted by the village.

(B) The open burning of landscape waste shall be permitted, but only:

(1) Between the hours of 9:00 a.m. prevailing time and sunset daily;

(2) When there is sufficient air movement to dissipate the contaminants, but not when winds are of the velocity to constitute a hazard of airborne sparks or embers which could spread fires;

(3) When the landscape waste has a moisture content sufficiently low enough to allow an open and visible flame to burn;

(4) On the premises on which the waste is generated;

(5) When the burning is constantly attended by a competent and responsible person until the burning is extinguished. The person shall have a fire extinguishing equipment readily available to use as deemed necessary by the enforcing party;

(6) When the burning does not become or create a safety hazard, nuisance, annoyance, or discomfort to any person by reason of the flames, emission of smoke, fumes, fly ash, dust, soot, or noxious odor;

(7) When the burning does not create a visibility hazard on streets, roadways, alleys, public sidewalks, railroad tracks, or air fields; and

(8) When crop residue are ignited and burned more than 305 meters (1,000 feet) from residential or other populated areas.

(Prior Code, § 92.19) Penalty, see § 92.99

§ 92.99 PENALTY.

(A) (1) Any person, firm, or corporation who shall violate any of the provisions of this chapter shall, upon conviction, be fined not less than \$25 nor more than \$500 for each offense, and each day on which a violation occurs or continues shall be considered to be a separate offense.

(2) In addition, the village may, at its sole discretion, seek any other remedy at law or in equity to restrain or enjoin violations of this chapter.

(B) The enforcement of §§ 92.35 *et seq.* and 92.99 shall be at the discretion of the Law Enforcement Offices and/or Hickory Point Fire Protection District. (Sections 92.21, 92.35 *et seq.*, and 92.99 provided for by Ord. 441, passed 11-7-1994.)

(Prior Code, § 92.99)

CHAPTER 93: PUBLIC LIBRARY

Section

- 93.01 Establishment of library
- 93.02 Name of public library
- 93.03 Library Commission
- 93.04 Funds for operations and maintenance

§ 93.01 ESTABLISHMENT OF LIBRARY.

(A) Under the terms of ILCS Ch. 75, Act 40, §§ 0.01 *et seq.*, there is hereby established a public library for the village.

(B) The public library shall be established and maintained in the premises provided for that purpose by the village.

(Prior Code, § 93.01) (Ord. 265, passed 5-16-1983)

§ 93.02 NAME OF PUBLIC LIBRARY.

The public library of the village shall be known as and called the Forsyth Public Library.

(Prior Code, § 93.02) (Ord. 265, passed 5-16-1983)

§ 93.03 LIBRARY COMMISSION.

(A) The public library shall be governed by a Library Commission of 3 members, consisting of the Mayor of the Village Board of Trustees and 2 members of the members of the Village Board of Trustees who shall be appointed by the Mayor of the Village Board of Trustees with the advice and consent of the members of the Village Board of Trustees.

(B) The Mayor of the Village Board of Trustees shall be Chairperson of the Library Commission unless he or she designates another member to act as Chairperson.

(C) The 2 Village Board of Trustees members shall hold office at the pleasure of the Mayor of the Village Board of Trustees. Members of the Library Commission shall receive no compensation as such, but shall be reimbursed by the village for expenses incurred in the performance of their duties. The Commission shall conduct the library in accordance with rules adopted by it.

(D) The Library Commission of the public library shall have and carry out those powers and

duties given it by the Village Board of Trustees.

(Prior Code, § 93.03) (Ord. 265, passed 5-16-1983; Am. Ord. 491, passed 4-21-1997)

§ 93.04 FUNDS FOR OPERATIONS AND MAINTENANCE.

The Village Board shall provide the necessary funds for the operation and maintenance of the public library out of the funds of the village, as the Village Board deems proper for that purpose.

(Prior Code, § 93.04) (Ord. 265, passed 5-16-1983)

CHAPTER 94: PARKS AND RECREATION

Section

General Provisions

- 94.001 Scope
- 94.002 Supplemental regulations
- 94.003 Definitions

Plants, Trees, and Shrubs

- 94.015 Damaging park property prohibited
- 94.016 Bringing in plants, trees, or shrubs

Littering; Noxious Materials; Air Pollution

- 94.030 Depositing unauthorized waste in park
- 94.031 Noxious or deleterious materials prohibited
- 94.032 Air pollution damage and sanitary facilities

Animals and Wildlife

- 94.045 Bringing in and leaving animals, fish, or fowl
- 94.046 Molesting wildlife
- 94.047 Riding and driving of horses and other animals
- 94.048 Household pets
- 94.049 Fishing

Indecent and Disorderly Conduct

- 94.060 Defacement, destruction, or removal of park property
- 94.061 Indecent conduct

- 94.062 Solicitation
- 94.063 Disturbing the peace
- 94.064 Unlawful assemblage
- 94.065 Sale of merchandise
- 94.066 Alcoholic liquor and controlled substances
- 94.067 Persons acting unlawfully to be removed from park

Traffic

- 94.080 Speed limits
- 94.081 Storage of vehicles in park prohibited
- 94.082 Vehicles restricted to roadways
- 94.083 Hours for vehicular traffic
- 94.084 Parking; parking lights
- 94.085 Trucks and buses

Fires; Firearms; Fireworks

- 94.100 Starting fires
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- 94.102 Firearms, explosives, missiles, and archery

Camping

- 94.115 Camping in park
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- 94.117 Swimming, wading, ice skating, and floatation devices

Games and Sports

- 94.130 Designated areas; conformance to rules and regulations
- 94.131 Golf
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Picnics; Permits and Reservations; Fees

- 94.145 Picnics
- 94.146 Permits and reservations required
- 94.147 Permit fees and rental facilities authorized

GENERAL PROVISIONS

§ 94.001 SCOPE.

(A) This chapter shall be effective within and upon the area designated as the Forsyth Village Park.

(B) Any requirement or provisions of this chapter relating to any act shall respectively extend to and include the causing, procuring, aiding, or abetting, directly or indirectly, of the act; of the permitting or the allowing of any unemancipated minor the doing of any willful or malicious act prohibited by the provisions of this chapter by the parent or legal guardian of the minor.

(C) No provision of this chapter shall make unlawful any act necessarily performed by any officers or employees of the village in the line of duty or work as such, or by any person, his or her agents or employees, in the proper and necessary execution of the terms of any agreement with the Board of Trustees.

(D) Any act otherwise prohibited by this chapter, provided it is not otherwise prohibited by law or local ordinance, shall be lawful if performed within custodial quarters within the park or if performed under, by virtue of and strictly in compliance with the provisions of a permit and to the extent authorized thereby.

(Prior Code, § 95.001) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998)

§ 94.002 SUPPLEMENTAL REGULATIONS.

(A) This chapter is in addition to and supplemental to all municipal, state, and federal laws and ordinances.

(B) The meaning of any term not otherwise defined in this chapter shall be construed and interpreted to mean the same as the term is otherwise construed or interpreted in any applicable municipal, state, and federal law and ordinance.

(Prior Code, § 95.002) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998)

§ 94.003 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALCOHOLIC LIQUOR. As defined in the Illinois Liquor Control Act, ILCS Ch. 235, Act 5, and

as amended from time to time.

BOARD. The Forsyth Village Board, Macon County, Illinois.

CONTROLLED SUBSTANCE. As defined in the Illinois Controlled Substance Act, ILCS Ch. 720, Act 570, and as amended from time to time.

GROUP. An assemblage of 2 or more persons.

PARK. The Forsyth Village Park.

PARK COMMITTEE. The Park Committee appointed by the Board.

PERMIT AND RESERVATION. Includes any authorization issued by the Village Clerk pursuant to the authority of the Board for a specified park privilege, activity, or event or permitting the performance of a specified act or acts in the park.

POLICE OFFICER. Any person, persons, agents, employees, patrolmen, police officers, and other law enforcement officers appointed, designated, or employed by the Board to enforce the rules and regulations adopted by the Board.

RULES AND REGULATIONS. Includes any regulation adopted by the Board.

VEHICLE. Any device, conveyance, or combination of conveyances, wheeled or without wheels, propelled, towed, or unpropelled, that in, around, or on which a person or thing is or may be carried and shall include without limitations bicycles, scooters, minibikes, motorcycles, and snowmobiles.

VILLAGE CLERK. The Village Clerk of Forsyth, Illinois.
(Prior Code, § 95.003) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998)

PLANTS, TREES, AND SHRUBS

§ 94.015 DAMAGING PARK PROPERTY PROHIBITED.

No person shall maliciously cut down, destroy, or injure a standing or growing vine, brush, shrub, sapling, tree, flower, or other vegetation, fruit, or seed growing on park property, or maliciously injure, destroy, disturb, or sever from the park a product standing or growing, such as rock minerals, attached thereto or a part thereof.

(Prior Code, § 95.015) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

§ 94.016 BRINGING IN PLANTS, TREES, OR SHRUBS.

Unless authorized by the Village Administrator, no person shall bring into or upon the park any tree, shrub, plant, or any newly plucked branch or portion thereof.

(Prior Code, § 95.016) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

LITTERING; NOXIOUS MATERIAL; AIR POLLUTION

§ 94.030 DEPOSITING UNAUTHORIZED WASTE IN PARK.

No person, without authorization of the Village Administrator, shall bring into, leave behind, or dump any material of any kind, whether waste or otherwise, in the park, except refuse, ashes, garbage, and other material arising from the normal use and enjoyment of a picnic, camp, or other permitted activity, provided the material is deposited in receptacles or pits provided for those purposes. Nor shall any material of any kind be left or deposited without or near the park so as to pollute the land, waters, or air coursing through or over the park or otherwise to interfere with proper use and enjoyment of the park.

(Prior Code, § 95.025) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

§ 94.031 NOXIOUS OR DELETERIOUS MATERIALS PROHIBITED.

(A) No person shall, either within or outside of the park, place or permit to be placed in any ditch or drain that is maintained in or flows into or through the park any noxious or deleterious material which may render park waters harmful to the public health, or to animal, vegetation, or aquatic life, or which may prevent, limit, or interfere with the use of the waters for domestic, industrial, or agricultural purposes, or which may lessen to an unreasonable degree the use and enjoyment of the waters for park recreational or other uses.

(B) All sanitary sewage shall receive adequate primary, secondary, and tertiary process plant treatment prior to resultant clear effluent entering into, through, or upon the park.

(Prior Code, § 95.026) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

§ 94.032 AIR POLLUTION DAMAGE AND SANITARY FACILITIES.

(A) No person, occupant, owner, or person in charge, by himself or herself, his or her agent, or

employee shall cause, suffer, or allow the burning of garbage, refuse, waste material, trash, motor vehicles or any part thereof, or other combustibles within or adjacent to the park so as to cause smoke, haze, odor, sparks, dust, dirt, or other type matter or gaseous substance to come upon, pass through, or over the park which would cause an air pollution nuisance or damages to persons or property.

(B) Groups of over 250 persons must provide portable restrooms and garbage dumpsters approved by the Village Administrator.

(Prior Code, § 95.027) (Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

ANIMALS AND WILDLIFE

§ 94.045 BRINGING IN AND LEAVING ANIMALS, FISH, OR FOWL.

Unless authorized by the Village Administrator, no person shall bring into and leave in the park any animal, fish, or fowl.

(Prior Code, § 95.040) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

§ 94.046 MOLESTING WILDLIFE.

No person within the confines of the parks shall hunt, pursue with dogs, trap, use walkie-talkie radios, or in any other way molest any wild bird or animal found within the confines of the parks, or rob or molest any animal den or bird nest, or take the eggs of any bird.

(Prior Code, § 95.041) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

§ 94.047 RIDING AND DRIVING OF HORSES AND OTHER ANIMALS.

No person shall use, ride, or drive any horse or other animal within the park.

(Prior Code, § 95.042) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

§ 94.048 HOUSEHOLD PETS.

(A) Dogs shall be on a leash not more than 8 feet in length.

(B) Cats and other pets shall be under the owner's control at all times.

(C) No person shall permit his or her dog, cat, or other pet to interfere in any manner with the enjoyment or use of any area by others.

(Prior Code, § 95.043) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

§ 94.049 FISHING.

(A) Fishing shall be permitted only in park ponds, 1 fishing pole per person.

(B) Any person 15 years of age or younger may take up to 5 fish.

(C) Any person 16 years of age or older must catch and release all fish taken.

(Ord. 512, passed 11-16-1998) Penalty, see § 94.999

INDECENT AND DISORDERLY CONDUCT

§ 94.060 DEFACEMENT, DESTRUCTION, OR REMOVAL OF PARK PROPERTY.

No person shall injure, deface, destroy, disturb, befoul, or remove any part of the parks, or any building, sign, equipment, or other property found therein.

(Prior Code, § 95.055) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

§ 94.061 INDECENT CONDUCT.

No person shall commit, perform, or engage in deviate sexual conduct or an act of public indecency.

(Prior Code, § 95.056) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

§ 94.062 SOLICITATION.

No person shall solicit or attempt to solicit another to engage in deviate sexual conduct or solicit or ask anyone to commit, perform, or engage in an act of public indecency.

(Prior Code, § 95.057) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

§ 94.063 DISTURBING THE PEACE.

(A) No person shall, either by word or act, indulge in any noise, boisterous, disorderly, or indecent conduct, or in any manner disturb the peace or good order of the community within the parks by loud playing of record players, televisions, radios, tape recorders, noisemakers, sound equipment, musical instruments, fighting, quarreling or wrangling with a loud voice or shouts, threatening violence to the person or property of others, or engaging in a riotous clamor or tumult.

(B) No person shall disturb or intrude upon a picnic or gathering in the park without consent of those composing the group, except park employees in the proper pursuit of their duties.

(Prior Code, § 95.058) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

§ 94.064 UNLAWFUL ASSEMBLAGE.

No group shall collect or assemble within the park to do an unlawful act or for the purpose of inflicting injury to persons or property within the park.

(Prior Code, § 95.059) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

§ 94.065 SALE OF MERCHANDISE.

No person shall offer or exchange for sale any service, privilege, or article of merchandise or do any hawking, peddling, or solicitation, or buy or offer to buy any article of merchandise, or take up any collection, or solicit or receive contributions of money or articles of value, except when authorized by permit or under contract with the Board of Trustees.

(Prior Code, § 95.060) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

§ 94.066 ALCOHOLIC LIQUOR AND CONTROLLED SUBSTANCES.

(A) No person shall drink, sell, possess, make a gift of or offer for sale any alcoholic liquor or controlled substance within the park.

(B) No person under the influence of alcoholic liquor or a controlled substance shall enter or remain within the park, nor shall any person within the park use, administer, receive, offer for sale, possess, or make available to himself or herself or any person or animal, any alcoholic liquor or controlled substance.

(Prior Code, § 95.061) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

§ 94.067 PERSONS ACTING UNLAWFULLY TO BE REMOVED FROM PARK.

(A) No person shall remain within the park who does not abide by conditions adopted and posted by the Board of Trustees for the preservation of good order and the protection of property within the park.

(B) No person shall remain within the park who does not abide by the instructions and directions of duly authorized police officers or employees and agents of the Board in the lawful performance of their duties.

(C) Any person directed by a police officer or an employee or agent of the Board to leave the park shall do so promptly and peaceably.

(Prior Code, § 95.062) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

TRAFFIC

§ 94.080 SPEED LIMITS.

No person shall drive, propel, or cause to be driven along or over any road within the park, any vehicle or conveyance at a rate of speed greater than speed limit signs erected along the right-of-way nor, in the absence of signs, at a speed in excess of 10 mph nor, in all events, at a greater speed than is reasonable and proper with regard to traffic conditions and the use of the roads, or endangers the safety of any person or property.

(Prior Code, § 95.075) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

§ 94.081 STORAGE OF VEHICLES IN PARK PROHIBITED.

(A) No person shall park or store any vehicle within the park.

(B) A vehicle parked in the park in excess of 24 consecutive hours will be towed away at the expense of the owner thereof.

(Prior Code, § 95.076) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see

§ 94.999

§ 94.082 VEHICLES RESTRICTED TO ROADWAYS.

(A) No person shall ride or operate any vehicle on, over, along, or upon the park except roadways, driveways, and parking areas designated for the use of vehicles, or except in specially limited areas designated by the Village Administrator from time to time for particular type vehicles.

(B) No person shall drive a vehicle of any kind upon or along any park area, roads, or drives which have been closed or posted with appropriate signs or barricades.

(C) The Village Administrator shall have authority to order areas, roads, or drives closed during the process of construction, reconstruction, repair, or when, on the basis of engineering investigation, weather or other conditions render travel either unsafe or duly destructive to the area, road, or drive. No person shall drive a vehicle of any kind or bicycle on the park jogging trail.

(Prior Code, § 95.077) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

§ 94.083 HOURS FOR VEHICULAR TRAFFIC.

No vehicle shall be allowed in the park between the hours of 10:00 p.m. and 7:00 a.m.

(Prior Code, § 95.078) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

§ 94.084 PARKING; PARKING LIGHTS.

(A) No vehicle shall be parked upon any area other than a properly designated parking lot or parking area. No vehicle shall be parked in any manner which will block in whole or in part any road, driveway, doorway, trail, water way, or recreational area. No person shall park or leave standing any vehicle or conveyance whether attended or unattended, between the hours of 10:00 p.m. and 7:00 a.m., provided, however, that this restriction shall not apply to the driver or occupants of any vehicle or conveyance which is disabled in the manner and to the extent that parking is necessary.

(B) When any person shall occupy any parked vehicle in the parks between the hours of sunset and sunrise, the parking lights of the vehicle shall be lighted at all times.

(Prior Code, § 95.079) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

§ 94.085 TRUCKS AND BUSES.

Except by authority of special permit granted by the Village Administrator, no person shall drive or operate a vehicle in excess of 3/4 ton designed, used, or maintained primarily for the transportation of property, or a bus except a school or recreational vehicle, or a truck tractor including mechanized farming machinery over any road or drive within the parks. This section shall not apply to vehicles servicing authorized park functions or concessionaires.

(Prior Code, § 95.080) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

FIRES; FIREARMS; FIREWORKS

§ 94.100 STARTING FIRES.

(A) (1) No person shall start a fire in the parks except small fires for culinary purposes in park grills, privately-owned grills, or in a place or designated area approved by the Village Administrator or Park Board, except that the Administrator or Park Board may, at its discretion, prohibit fires for limited periods at any location or for any purpose when necessary for the protection of park property.

(2) Any fire shall be continuously attended under the care and direction of a competent person.

(3) All fires shall be put out by the person or persons starting or using the same before leaving the immediate vicinity of the fire.

(B) No tanks or devices containing over 20 lb. of propane, gasoline, fuel oil, or any other volatile fuel may be used on park grounds without special permission from the Village Administrator or his or her discretion. If permit is issued for the devices, a qualified person must be in attendance at all times while device remains on park grounds.

(Prior Code, § 95.090) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

§ 94.101 DUMPING OF ASHES.

(A) The dumping of hot ashes or fire from portable picnic grills onto grass or plants is prohibited.

(B) Ashes from stationary grills shall be removed by park employees only.

(C) Hot ashes shall be deposited only in specified areas or designated receptacles, but not in picnic

refuse receptacles.

(Prior Code, § 95.091) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

§ 94.102 FIREARMS, EXPLOSIVES, MISSILES, AND ARCHERY.

(A) The use of shotguns, rifles, pistols, or other type firearms shall not be allowed in the parks.

(B) No person shall carry firearms of any description, air or gas guns, slingshots, explosives, fireworks, or missile-throwing or missile-propelling devices within the parks without specific written permit from the Administrator or Park Board, except police officers, enforcement officers of the Board of Trustees, or other authorized law enforcement officers while in the line of duty.

(C) No person shall discharge or cause to be discharged any firearm, missile-throwing or -propelling device, fireworks, air, electric, or gas horns, explosives, corrosive or volatile materials, or air, ray, or gas gun within the parks without specific written permit from the Board of Trustees, except police officers, enforcement officers of the Board of Trustees, or other authorized law enforcement officers while in the line of duty.

(D) The use of bows and arrows of any kind in the parks is prohibited.

(Prior Code, § 95.092) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

CAMPING

§ 94.115 CAMPING IN PARK.

No person shall camp within the parks without written permit from the Village Administrator.

(Prior Code, § 95.100) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

§ 94.116 SLEEPING IN PARK.

Except as provided in § 94.115, no person shall sleep in the park between the hours of 10:00 p.m. and 7:00 a.m.

(Prior Code, § 95.101) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

§ 94.117 SWIMMING, WADING, ICE SKATING, AND FLOATATION DEVICES.

No person shall swim, wade, ice skate, or use floatation devices in or on park ponds.
(Ord. 512, passed 11-16-1998) Penalty, see § 94.999

GAMES AND SPORTS

§ 94.130 DESIGNATED AREAS; CONFORMANCE TO RULES AND REGULATIONS.

No person shall engage in any sports, game, or amusement except in the area as may be designated by the Administration or Park Board and then only under the rules and regulations as may be prescribed by it.
(Prior Code, § 95.115) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

§ 94.131 GOLF.

No person shall swing or make use of any gold club or play golf, hit, or putt golf balls within or into the parks.
(Prior Code, § 95.116) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

§ 94.132 SNOWMOBILES.

No person shall operate a self-propelled vehicle which is designed to travel on snow-covered surfaces within the park.
(Prior Code, § 95.118) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

§ 94.133 POWER MODEL AND TOY ENGINE PERMIT REQUIRED.

Engine-powered model and toy airplanes, boats, cars, sirens, or other noise-making devices are not permitted to be operated within the confines of the parks, except by express written permit of the Administrator.
(Prior Code, § 95.119) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see

§ 94.999

§ 94.134 ROLLER BLADES, BICYCLES, AND SKATEBOARDS.

No person shall engage in roller blading, bicycling, or skateboarding except in designated areas.
(Ord. 512, passed 11-16-1998) Penalty, see § 94.999

PICNICS; PERMITS AND RESERVATIONS; FEES

§ 94.145 PICNICS.

A reservation shall first be obtained from the Village Clerk. Pavilions must be reserved in advance for a specified time by a group for picnic purposes. To reserve the large pavilion, groups must exceed 50 persons. Groups under 50 persons will be assigned only 1/2 of the large pavilion or will be assigned to the small pavilion. Users of the pavilions will be responsible for leaving them in a clean condition.
(Prior Code, § 95.130) (Am. Ord. 512, passed 11-16-1998)

§ 94.146 PERMITS AND RESERVATIONS REQUIRED.

(A) A permit or reservation shall first be obtained from the Village Clerk prior to the entrance into the parks or the use of any park property or facility whenever required by this chapter or by any rule or regulation promulgated by the Board of Trustees.

(B) In addition, the fee, if any, as required by the Board must be paid at the time that the permit or reservation is applied for.

(C) All permits and reservations shall be applied for in advance.

(D) The Village Clerk may, in his or her discretion, issue the permit or reservation upon application when it is consistent with the proper use and protection of the park property and likewise, in his or her discretion, may refuse when it is inconsistent with the proper use and protection of park property.

(Prior Code, § 95.131) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

§ 94.147 PERMIT FEES AND RENTAL FACILITIES AUTHORIZED.

Fees and charges for the use of various park facilities operated by the village shall be established by the Board of Trustees and may be changed from time to time.

(Prior Code, § 95.132) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998) Penalty, see § 94.999

§ 94.999 PENALTY.

Any violation of any of the provisions of this chapter shall be punishable by a fine of not more than \$200 for each offense upon conviction thereof.

(Prior Code, § 95.999) (Ord. 312, passed 11-3-1986; Am. Ord. 512, passed 11-16-1998)

CHAPTER 95: FIRE PREVENTION

Section

Fireworks

- 95.01 Sale of fireworks
- 95.02 Definition
- 95.03 Permit required for display of fireworks
- 95.04 Public display; agreement; insurance coverage
- 95.05 Compliance with Fireworks Regulation Act required
- 95.06 Permissible display hours
- 95.07 Cleanup of debris from display

- 95.99 Penalty

FIREWORKS

§ 95.01 SALE OF FIREWORKS.

The sale of fireworks is prohibited within the Village of Forsyth.

(Ord. 522, passed 7-6-1999) Penalty, see § 95.99

§ 95.02 DEFINITION.

For the purpose of this subchapter, the following definition shall apply unless the context clearly

indicates or requires a different meaning.

FIREWORKS. Any combustible or explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation, and shall include blank cartridges, toy pistols, toy cannons, toy canes or toy guns in which explosives are used, firecrackers, torpedoes, skyrockets, Roman candles, dago bombs, smoke devices, chasers and devices of like construction and any device containing any explosive substance, except the term ***FIREWORKS*** shall not include auto flares, wire sparklers, snakes, glow worms, trick noisemakers and paper caps containing not in excess of .25 grain (16.2 mg.) of explosive content per cap and toy pistols, toy guns or other devices for use of the caps, the sale and use of which shall be permitted at all times.

(Ord. 522, passed 7-6-1999)

§ 95.03 PERMIT REQUIRED FOR DISPLAY OF FIREWORKS.

(A) No person or persons shall display, use, or explode fireworks as defined in ILCS Ch. 425, Act 35, § 1, without first obtaining a permit from the Board of Trustees.

(B) The Chief of the Hickory Point Fire Protection District shall sign the permit.
(Prior Code, § 96.30) (Ord. 340, passed 6-6-1988; Am. Ord. 522, passed 7-6-1999; Am. Ord. 608, passed 10-6-2003) Penalty, see § 95.99

§ 95.04 PUBLIC DISPLAY; AGREEMENT; INSURANCE COVERAGE.

No permit for a public display of fireworks shall be issued unless the person applying is a lead pyrotechnic operator and that person executes and delivers to the Village Clerk an appropriate hold harmless agreement to the village in a form to be approved by the Village Board and proof of insurance in a sum not less than \$1,000,000 conditioned on compliance with the provisions of the Fireworks Use Act of Illinois and the regulations of the State Fire Marshal adopted thereunder.

(Prior Code, § 96.31) (Ord. 340, passed 6-6-1988; Am. Ord. 522, passed 7-6-1999; Am. Ord. 608, passed 10-6-2003)

§ 95.05 COMPLIANCE WITH FIREWORKS REGULATION ACT REQUIRED.

No person or persons shall apply for a permit, display, use, or explode fireworks as defined in § 95.02 unless they are in compliance with the provisions of the Fireworks Regulation Act of Illinois (ILCS Ch. 425, Act 30, §§ 1 *et seq.*).

(Prior Code, § 96.32) (Ord. 340, passed 6-6-1988; Am. Ord. 522, passed 7-6-1999; Am. Ord. 608, passed 10-6-2003) Penalty, see § 95.99

§ 95.06 PERMISSIBLE DISPLAY HOURS.

No person or persons shall display, use, or explode fireworks except between the hours of 5:30 p.m. and 10:00 p.m. On December 31 of each year, it shall be permissible to display, use, or explode fireworks between the hours of 5:30 p.m. and 1:00 a.m. on January 1.

(Ord. 608, passed 10-6-2003) Penalty, see § 95.99

§ 95.07 CLEANUP OF DEBRIS FROM DISPLAY.

Every person who displays, uses, or explodes fireworks shall clean up all debris from the display. In addition to any other penalty provided for by the Village of Forsyth Code of Ordinances, failure to clean up debris shall be considered by the Board of Trustees in determining whether to renew an existing permit or grant a subsequent permit.

(Ord. 608, passed 10-6-2003)

§ 95.99 PENALTY.

Any person, firm, or corporation who violates any of the provisions of this chapter shall, upon conviction, be fined not less than \$50 nor more than \$2,000 for each offense.

(Prior Code, § 96.99) (Ord. 340, passed 6-6-1988; Am. Ord. 522, passed 7-6-1999; Am. Ord. 608, passed 10-6-2003)

CHAPTER 96: TREE BOARD

Section

- 96.01 Purpose
- 96.02 Creation and establishment of a Tree Board
- 96.03 Duties and responsibilities of the Tree Board
- 96.04 Advisers to Tree Board
- 96.05 Meetings, rules, and regulations of Tree Board

§ 96.01 PURPOSE.

The purpose of this chapter is to provide for the creation of a Tree Board and to prescribe regulations relating to the planting of trees, shrubs, and other plantings upon village-owned property to

promote the beautification of the village, the protection of the public health and safety, and provide for the preservation and removal of diseased trees, shrubs, and plantings.

(Prior Code, § 97.01)

§ 96.02 CREATION AND ESTABLISHMENT OF A TREE BOARD.

(A) There is hereby created and established a Tree Board for the Village of Forsyth, Illinois, which Board shall consist of 5 members who are citizens and residents of this village and shall be appointed by the Mayor with the approval of the Board of Trustees.

(B) Of the first members appointed to the Board, 2 members shall be appointed for terms expiring 5-31-1999, 2 members shall be appointed for terms expiring 5-31-1998, and 1 member shall be appointed for a term expiring 5-31-1997.

(C) Thereafter, new appointees shall be appointed for terms of 3 years.

(D) In the event a vacancy should occur during the term of any member, his or her successor shall be appointed in the same manner for the unexpired portion of the term of the vacant position.

(E) Members of the Board shall serve without compensation.

(Prior Code, § 97.02)

§ 96.03 DUTIES AND RESPONSIBILITIES OF THE TREE BOARD.

(A) It shall be the duty and responsibility of the Tree Board to study and investigate the current status and condition of trees, shrubs, and other plantings in parks, upon streets, alleys, avenues, and boulevards of the village and in and upon other property owned by or under the control of the village and to prepare and submit to the Board of Trustees of the village a recommended comprehensive plan for the care, preservation, pruning, planting, replanting, removal, treatment, or disposition of trees, shrubs, and other plantings in and upon the public owned or controlled areas.

(B) The recommended plan shall be completed and presented to the Village Board for consideration of adoption on or before 3-1-1997.

(C) The Village Board may, but shall not be required, to adopt and approve the plan or a portion or portions thereof but the plan as is ultimately accepted and approved by the Village Board shall, by ordinance, be and become the plan of the Tree Board and the village, as therein provided, subject to an annual report and review of same for consideration of amendments thereto.

(D) The Tree Board shall also prepare an annual plan of recommended action to be carried out by the village during each subsequent year, which annual plan and recommendation shall be presented to

the Village Board on or before 3-1-1997, for the fiscal year 1998, and on or before March 1, of each succeeding year in order that the village may consider the budgeting of funds for each year following each report for the carrying out of plans and recommendations made by the Tree Board which are approved by the Board of Trustees.

(E) Upon any specific plan being approved by the Board of Trustees, it shall be the duty and responsibility of the Village Administrator or his or her designee to implement and complete any such plan during the fiscal year approved to the extent the plan may be accomplished with funds budgeted therefor.

(Prior Code, § 97.03)

§ 96.04 ADVISERS TO TREE BOARD.

The Board of Trustees of the Village of Forsyth may designate or employ, with or without compensation, the advisers to the Tree Board as the Board of Trustees shall hereafter determine to be necessary and advisable to accomplish the purposes of this chapter.

(Prior Code, § 97.04)

§ 96.05 MEETINGS, RULES, AND REGULATIONS OF TREE BOARD.

(A) The Tree Board shall meet at those times and places as it shall agree upon, or upon call by the Board of Trustees, and upon formation shall prepare recommended rules and regulations relating to its meetings and proceedings, subject to approval of the Board of Trustees, and shall keep minutes of its meetings.

(B) A majority of the members of the Tree Board shall be sufficient as a quorum for the transaction of business of the Board.

(Prior Code, § 97.05) (Ord. 472, passed 4-15-1996)