

# Clark County Park District Policy and Practices Manual

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Chapter 1: Board of Commissioners Responsibilities and Practices

Section 1: Definitions

The Clark County Park District shall hereinafter be referred to as the “District” or as the “Park District”.

The Clark County Park District Board of Commissioners shall hereinafter be referred to as the “Board”.

The Clark County Park District Administrator shall hereinafter be referred to as the “Executive Director”.

Section 2: Statement of Objectives

It shall be the purpose and objective of the District to provide wholesome and meaningful recreation oriented facilities and programs for families and individuals of all ages. The District shall provide no services, areas or facilities that are not consistent with the aims, standards and objectives of the District as they are established from time to time.

The District shall, within financial limits set by the Board, obtain, plan, develop and maintain park and recreation resources to serve the varied recreational interests of the residents of the District. Recreation programs shall be planned, developed and operated which, while consistent with the District’s financial ability, will provide a broad and varied selection of activities, both active and passive, to adequately service the recreational needs and interests of individuals of all ages, sexes and economic levels in the area served by the District. It is the desire of the District through its programs and facilities to provide a better quality of life for its residents.

Section 3: Responsibilities of the Board

The Board functions under the authority of the Illinois Park District Code, Illinois State Revised Statutes, Chapter 105 and within the framework of laws, court decisions, opinions of the Illinois Attorney General

and similar mandates from the state and national levels of government. Board members, collectively and individually, act as representatives of all residents of the District in maintaining and promoting the use of park and recreations activities. Through an evaluation of the available resources and the often conflicting needs and demands of all interested parties and groups, Board members seek to move toward decisions and actions which best serve the recreational needs of the District as a whole.

The Board shall concern itself primarily with development and oversight and fiscal oversight of policy rather than with administrative details. The application of these policies is an administrative task to be performed by the Executive Director and his/her staff who shall be held responsible for the effective administration and supervision of the Park District. The Park District shall be operated within the financial guidelines determined by the Board.

In the discharge of their duties, Board members act as a Board and not as individuals. The individual Board member has no more authority over park and recreation policies or personnel than any other citizen. He/she has no legal or moral right to speak for the Board unless specifically authorized to do so by action of the Board. It is improper, ill-advised and unethical for individual Board members to make public pronouncements and/or conjectures about Board matters either not yet decided by official Board action or decided in a properly called Executive Session of the Board. Board members should respect the Board's commitment to work through the Executive Director by requesting desired information about the Park District directly from him/her. Board members should also seek the professional opinion of the Executive Director when asked by a resident to address a particular issue or complaint.

Board members will abide by the majority vote and support the actions of the Executive Director, when those actions have received the support of the Board via official voting. However, it is not necessary that all Board votes be unanimous.

### 3.1 - Financial Authority

The Board shall annually, according to State Statutes, appropriate funds and levy taxes for the various operations of the District in order to provide for its needs. The Board shall annually approve a Budget and Appropriate Ordinance, a Statement of Receipts and Disbursements, an Audit and shall adhere to all other legal requirements as may be enacted by the State. The Board shall no less than every other year have an audit performed for all financial aspects of the District.

### 3.2 - Planning

The Board shall retain the services of a qualified attorney on an as needed basis for purposed of assisting the Board in conducting its regular business according to the legal requirements of the Park District Code. The attorney's responsibilities are more fully described in Section 7.

### 3.3 – Reimbursable Expenses

Individual members of the Board shall be reimbursed for reasonable expenses incurred in attending meetings, conferences or in making trips on official business for the Park District when so authorized by the Board.

### 3.4 – Employment Practices

The Board shall approve and amend as deemed necessary personnel policies as described in the Personnel Policy Manual.

3.5 – Ordinances – The Board shall enact policies and approve ordinances as necessary and see that such policies are effectively administered.

### 3.6 – Outside Interests

Each action taken by a Board member in the course of their duties will be motivated by the District's best interests and should, therefore, be free of outside influence and self-interest. Board members shall have no direct or indirect financial interest in any aspect of the District's operations. Board and staff members will see to it that the Board is aware of all memberships or financial interest in companies or organizations doing business with the District.

### 3.7 – New Board Member Orientation

The Board will assist in the orientation of a new Board member by directing the Executive Director to provide the new Board member with written materials which shall include, but are not limited to: 1) the Board Policy and Practices Manual, 2) the Park District Code of the State of Illinois, and 3) the Personnel Policy Manual.

### 3.8 – Meeting Attendance

While it may not be possible for every Commissioner to attend every Board meeting, a recurrent pattern of missing meetings is not fair to the other Board members or the taxpayers. Thus, the Board may declare the office of any Commissioner vacant if that Commissioner fails or neglects to attend any regular and special meetings of the Board for a period of three consecutive months or six regular or special meetings of the Board in any twelve month period.

### 3.9 – Vacancies

The Board may also declare vacant the office of any Commissioner who dies, resigns, and ceases to be a legal voter in the District or who refuses or neglects to take the oath of his/her office. Vacancies shall be filled by advertising directly and in a local newspaper of general circulation for applications to fill the vacancy. Of those submitting written applications to the Board, the most qualified, in the Board's opinion, will be invited for oral interviews with the Board. The vacancy will then be filled by appointment, via majority vote of the remaining Board members of the most qualified of the group of applicants. Any person so appointed shall hold his/her office until the next regular election for this office at which a member shall be elected to fill the vacancy for the unexpired term. If the vacancy occurs with less than 28 months remaining in the term, or the vacancy occurs less than 88 days before the next regularly scheduled election for this office, then the person appointed to fill the vacancy shall hold his or her office until the expiration of the term for which he or she has been appointed and no election to fill the vacancy shall be held.

If vacancy is 3 months of an election then the Board may choose to appoint the individual who had the most votes of non-elected candidates.

### 3.10 – By-law Review

Review of these Bylaws shall be done as often as deemed necessary by the Park Board. Revision shall be by a majority vote of the Board.

### 3.11 – Board Service

The Board of Commissioners performs a valuable and necessary service in providing a sound Park District. The members of the Board provide this service without monetary compensation. In recognition of this service, Commissioners and their families are permitted to register for District programs and facilities (space permitting) and be required to pay the direct cost, if any, that the Park District incurs. The Commissioner, him or herself, must present the completed registration materials to the Executive Director or the person so designated to accept Commissioner Registrations. In all cases, out-of-pocket costs of the District (supplies, etc.) will be paid by the Commissioner.

### 3.12 – Quality Employees

The Board recognizes that the Park District competes with private as well as other public agencies for qualified employees. Thus, it is imperative that the Board encourage the Executive Director to maintain, within reasonable financial constraints, a practice of providing a suitable salary and benefits program for the employees of the District.

## Section 4: Meetings

### 4.1 – Open Meetings

All regular, special, continued and committee meetings shall be open to the public except when an executive session may be called. Adjournment of a regular or special meeting to a later date may be duly taken by Board action. At such adjourned meetings, all business may be regularly transacted which would have been proper in the meeting from which adjournment was taken.

### 4.2 – Executive Session

The Board may call an Executive Session at such time and place as may be required for closed discussion of personnel, pending court proceedings or land acquisition as provided in the Illinois Park District Code.

### 4.3 - Effective Meetings

The Board shall refrain from lengthy discussions of the items that come before it at a regular Board meeting. These detailed discussions shall properly take place at the committee meetings as described in Section 6. Thus, all of the Commissioners are encouraged to attend all of the committee meetings so that they are sufficiently informed about an issue before voting on it at the Board meeting. The regular Board meeting should be for discussions on final action only. This makes the Board meetings more efficient and more productive. Concerns of the public that are brought to the Board's attention will be considered at the appropriate committee meeting.

#### 4.4 – Regular Monthly Meeting

The regular meeting of the Board will be held on the third Thursday of the month in the Clark County Park District office Board Room. Should it prove impractical for the Board to meet at this designated date and place, the Board shall determine some other date and/or place when such meeting shall be held and shall provide notice of that meeting consistent with the Illinois Meeting Act.

#### 4.5 –Executive Director’s Attendance at Meetings of the Board

The Executive Director shall be present at all meetings of the Board except when the Executive Director is excused by the presiding officer.

#### 4.6 – Preparation of the Agenda

The Executive Director, with the concurrence of the presiding officer, is responsible for the preparation of the agenda for all board meetings. A Board packet for the regular Board meeting including the meeting agenda, the monthly bills to be approved and paid, an up-to-date account of all of the income and expenditure listed by fund as well as an overall summary of the (unaudited) financial condition of the District, and all monthly staff reports will be provided to all Commissioners in a timely manner.

#### 4.7 – Quorum

A majority of the duly elected, or appointed, Commissioners will constitute a quorum. If no quorum is present, no meeting will be called to order.

#### 4.8 – Voting

For the purposes of voting on issues that come before the Board, the President shall call the roll and shall record the ayes and nays of the Commissioners. The Executive Director shall record and maintain these records. These records, except for the minutes and roll call of legally executed Executive Sessions shall be available for public inspection. Every Commissioner present shall vote on all questions properly before the Park Board for vote unless the Board shall excuse him or her; but no member of the Board of Commissioners shall vote if he or she has any pecuniary interest therein. The Commissioner’s reason for abstaining must be stated.

#### 4.9 – Special Meetings

Special Meetings may be called by the President or any two members of the Board. Notice of such meetings stating the time and place of the meeting and the purpose for which said meeting is called, shall be provided to Board members and the press through the Executive Director or shall be delivered to each member and the press at least 48 hours prior to such meeting.

#### 4.10 – Fiscal Year



The fiscal year of the District will commence on the first day of April and end of the last day of March of the following year. The Annual Meeting of the Board will be held the third Thursday in April and shall include election of offices of President, Vice-President and Secretary/Treasurer of the Board.

#### 4.11 – Public Input

Requests by the public for additions to the agenda of a regular Board meeting shall be made to the Executive Director not less than one (1) week prior to the scheduled meeting. Such items will be considered under the portion of the agenda defined as New Business or whichever portion is appropriate. All other public input at regular Board Meetings shall be handled under the portion of the agenda defined as Other Business.

### Section 5: Board Operations

#### 5.1 – Officers and Duties

**President** – The President shall be the executive officer of the Board. It shall be his/her duty to preside at all meetings when present. The President shall appoint such special committees as the Board of Commissioners may deem necessary. It shall be the duty of the President to sign all Ordinances and all such other documents and papers of the Park District that by law require a signature. It shall be the duty of the President to see that all policies of the Board are enforced and all orders of the Board faithfully executed. The President's vote shall be called for on all matters before the Board.

**Vice President** – The Vice President shall be vested with the powers to perform the duties of the President in the President's absence or in the event of the President's refusal or inability to act. In the event that both the President and Vice-President are absent from a meeting at which a quorum of Commissioners may be present, the Secretary shall call the meeting to order and call for selection of a President pro-tem for the meeting by vote of the Commissioners present.

**Secretary/Treasurer** – The Secretary/Treasurer of the Board of Commissioners shall be elected by the Board at the April Board meeting or when a vacancy occurs and shall be one of the Park District Commissioners.

### Section 6: Committees

The Board shall develop and maintain standing committees as it sees fit for the effective operation of the District. The Board shall also appoint from time to time a number of temporary committees for specific purposes as designated by the Board. A committee is not authorized to take any action but is responsible for submitting a written report to the Board containing recommendations for actions the Board should take. Committee meetings shall conform to the Illinois Open Meetings Act. The committee chairman may appoint non-Board members to serve as members of the committee. All Board members are encouraged but not required to attend all meetings of all standing committees. Attendance by Board members is only required at the meetings of the committees to which they have been appointed by the President. However, it is important

for all Commissioners to attend all committee meetings as the detailed discussions of issues which will appear before the Board for a vote will take place at the appropriate committee meeting.

#### Section 7: Board Personnel Policies

The Board directly employs only two (2) individuals, the Executive Director and Attorney. The Executive Director has ultimate responsibility for all other employees, whether full time or part time, of the District, as outlined in the Personnel Policy and Practices Manual.

The District shall maintain a Personnel Policy and Practices Manual which covers all aspects of the legal and ethical requirements, rights, and expectations of all full-time and part-time employees, as deemed necessary and appropriate by the Board. The Personnel Policy and Practices Manual will be reviewed on a regular basis by the Executive Director. The Board shall up-date the manual upon consideration of the Executive Director's recommendations.

Executive Director- The Executive Director has complete administrative authority over the District and shall be responsible for the efficient operation of the District, as designated in the job description. The Executive Director shall serve as advisor to the Board on matters of policy formation and shall be subject to the policies and direction of the Board. The Board authorizes the Executive Director to appraise and continuously evaluate the effect of Board policy and the manner of its execution and the efficiency and effectiveness of park and recreation personnel in terms of service rendered to the people of the District, to advise the Board on events and problems, both current and future, which will have an impact on the District and to aid the Board in its short and long term financial planning. The Executive Director is responsible for serving as the official representative of the District to all government as well as other public and private agencies and individuals, administering the personnel policies of the District, directing the improvement of District property facilities and programs and presenting up-to-date information regarding these efforts to the public and to the Board and for preparing an agenda for all Board meetings to the appropriate individuals prior to the meetings.

The Board will provide the Executive Director with an annual evaluation to be rendered by the President at the Executive Session of the March Board meeting. Each Board member will complete a written evaluation of the Executive Director and will submit this document to the President of the Board no later than March 1. The President will compile the information on these forms into a consensus evaluation that will be presented to the Executive Director at the Executive Session. If the Board intends not to re-appoint the Executive Director for the coming year, it should be stated at this meeting.

Attorney- The Attorney is employed by the Board for the purpose of advising the Board in all legal matters and representing the interests of the District in any court actions. The Attorney shall work closely with the Executive Director to provide the Board with information, in a timely fashion, necessary for the continued smooth functioning of the District. It shall be the Attorney's responsibility to file all necessary legal documents for the District with the proper authorities as well as to write all necessary ordinances and other required legal documents.

The Attorney shall give written legal opinions on all matter referred to him/her by the Board and shall attend all meetings including committee meetings, Board meetings, and Executive Sessions and requested by the Board. The Attorney shall be appointed on an annual basis from January 1 to December 31.

#### Section 8: Fiscal Operating and Financial Policies

8.1 General- It shall be the policy of the Board to exercise prudent financial judgment and practices such that the Park District remains financially sound. Thus, the Board recognizes that it must balance current expenditures with current income, provide monies for capital improvements and otherwise plan for the future without creating an excessive tax burden for the District. The Board will avoid budgetary practices such as financing a current year operations deficit by selling debt. Such deficits shall be handled, if at all possible, by a combination of current year expense reduction and revenue enhancement (such as through increased fees and charges). Expense reduction should not include necessary maintenance or repairs. The Board shall review, on a line-by-line basis, the Annual Budget of the District including proposed capital expenditures as well as the annual allocation of monies. The Board shall also review on a monthly basis the current account status of each of the funds of the District.

8.2 Capital Improvement Plan- The Board will maintain and review annually a 5-Year Capital Projects Guide which will be used to plan for capital improvements and repairs as well as to project its equipment replacement and maintenance needs for that 5-year period. The Park District will identify the estimated costs and potential funding sources for each capital project proposal and the Board will determine the least costly financing method for the proposed project. The potential use of public and private grants to pay for these projects will be thoroughly explored. The Board will consider at its budget meetings revenue and expenditure figures projected for the next five years.

8.3 Working Budget- The Executive Director shall be charged with overseeing the preparation of the annual working budget that will detail the expected sources and amounts of revenues and expenditures for each fund levied for by the District. The annual working budget will be presented to the Board no later than the second Thursday in April and will be thoroughly reviewed by the Board. The presentation of the annual working budget will include a written description of the significant changes from the prior year's budget as well as review of the actual revenues and expenditures for each fund in each of the five proceeding years, the results of significant organizational, operational or accounting changes and the timetable for review, revision, public display and adoption of the Budget and Appropriation Ordinance, the Annual Levy Ordinance and the Truth-in-Taxation hearing (if one is necessary). Final approval of the Budget by the Board shall occur at a Board meeting prior to the beginnings of the fiscal year, usually at the regular May Board meeting.

8.4 Budget & Appropriation- Upon approval of the budget, in tentative form, by the Board, the Executive Director will supervise the preparation of the Budget and Appropriation Ordinance. The Budget and Appropriation Ordinance shall be released for public inspection by vote of the Board at an open meeting on or prior to the third Thursday in May. After a period of at least 30 days, the Board will hold a public hearing on the Budget and Appropriation Ordinance and will then vote its approval. Prior to the end of the fiscal year, the Board may make transfers between various funds and such other adjustments to the budget as are proper and necessary under the Illinois Revised Statutes and in accordance with generally accepted prudent accounting principles.

8.5 Tax Levy – The annual Tax Levy Ordinance shall be substantially the same in content as the Budget and Appropriation Ordinance. The Annual Tax Levy Ordinance shall be approved by the Board and be adopted no later than the October Board meeting and must be filed by the Attorney with the County Clerk no later than the third Tuesday in December.

## Section 9 – Miscellaneous Policies and Procedures

### 9.1 – Board Calendar

The Executive Director, in consultation with the President of the Board, shall not later than the December Board meeting, provide the Board with a calendar of all major Board actions and District activities for the coming calendar year.

### 9.2 – Master Plan

A Master Plan will be developed and maintained for the District. The Master Plan will be reviewed and, if necessary, updated not less than every ten (10) years.

### 9.3 – Capital Projects

A 5-Year Capital Projects Guide which forecasts the District’s capital project needs and the means of financing them will be reviewed annually and updated not less than every other year. These plans will include the provisions for parks and facility improvement, repair and replacement of vehicles and maintenance-associated items such as indoor and outdoor tools and accessories, etc.

### 9.4 – Consultants

The Board will seek, whenever appropriate, the advice and consultation of experts and will use their recommendations as an aid for decision making.

### 9.5 – Donations

The Board will accept donations of land, equipment and etc. when it deems such acceptance to be in the best interests of the Park District and only when the Park District will have full control of the donated item.

### 9.6 – Cooperation

The Board shall endeavor and shall encourage the District staff to endeavor to cooperate to the fullest extent with other agencies in the community, including governmental, public, private and voluntary organizations with the understanding that cooperate efforts will be limited to those that will enhance services to District residents while not significantly impacting negatively the functions, operations or well-being of the District.

### 9.7 – Bids

The Board will award bid contracts generally to the lowest responsible bidder. In determining the responsibility of the bidder, the Board may consider financial responsibility of the bidder, past transactions with the bidder, experience, adequacy of equipments, ability to perform from references and other pertinent considerations. Any and all bids received by the Board may be rejected where the Board deems it to be in the best interest of the Park District.

#### 9.8 – Training

The Board believes that it is in the best interest of the District to maintain an informed and educated Board and Park District Staff. Therefore, the District will pay for staff members to attend all appropriate conferences, training sessions and professional meetings within the limits of the budgeted funds.

#### 9.9 – Employment

No member of a Commissioner's immediate family will be eligible to become a paid employee of the Park District.

#### 9.10 – Employees Performance of Duties

No Board member shall inhibit, obstruct or otherwise interfere with any Park District employee in the performance of his/her assigned duties. All inquiries relating to District employees should proceed through the Executive Director.

#### 9.11 – Park Tours

The Board shall semi-annually tour as a group all of the District's facilities to identify problems, envision solutions and better prioritize proposed improvements. The Board should also maintain a commitment to personally inspect and evaluate all programs and facilities of the District on an ad-hoc basis. Such visits should be made with all due consideration for the integrity of any on-going program.

#### 9.12 – Grants

The Board shall seek, whenever feasible, to finance proposed improvements through public or private grants. It shall be up to the Executive Director and his/her staff to continuously and thoroughly explore all possibilities for obtaining such grants.

#### 9.13 – Cooperative Services

The Board recognizes its obligation to provide for the recreation needs of special populations within the District, including senior citizens, and physically, socially and/or mentally handicapped individuals.

## Chapter 2: General Administrative Policies

### Section 1: Long-Range Planning

#### 1.1 – Strategic Plan

Strategic planning is an ongoing process designed to reach desired outcomes through an evaluation of the issues and needs facing the community during a three to five year period. To provide a consistent vision and longrange strategic priorities, the Board will conduct a strategic planning process that includes reviewing the District’s mission, developing critical issues, and creating an action plan for implementing those issues.

The Strategic Plan Action Plan outlines the District’s annual goals and objectives. The goals provide direction for decision making and planning. The objectives, linked to these goals, are developed to provide specific policies, plans, and programs to be addressed during the year. The budget, driven by these objectives, will ensure adequate resources are available to meet the long-range desires of the community as reflected in the Strategic Plan.

The planning process is repeated every three to five years due to changes that occur in the organization’s external and internal environment. The District must provide opportunities for community involvement prior to development of the critical issues (i.e. focus groups, surveys, and advisory committees)

#### 1.2 – Needs Assessment

Every three to five years, in conjunction with the comprehensive and/or strategic planning process, the Park District conducts a comprehensive needs assessment. The needs assessment evaluates and measures the attitudes of residents toward the accomplishments and deficiencies of the District and its impact on the community. The assessment is a necessary prerequisite for the Board and staff to consider community needs and desires in long-range planning.

### 1.3 – Management Report

To monitor completion of the Strategic Plan initiatives an as appropriate management report will be prepared for the Board. The report includes relevant statistics for the Board to monitor the District’s performance in each Department and accomplishment of annual strategic planning objectives.

### 1.4 – Park Site/Master Plan

Prior to developing a park site, the Board will approve a park site/master plan that governs the park’s orderly development and protects and preserves the desirable qualities of the park’s natural resources. The development of the park site/master plan should include appropriate community input such as public meetings and surveys. The Board and staff to consider community needs and desires in long-range planning.

All park plans should consist of a schematic drawing which shows the spatial arrangements of various components such as buildings, playground apparatus areas, ball fields, floral display areas, etc. Planting plans, grading/drainage plans, site plans, construction drawings, and lighting plans should be developed in conformance with the adopted park plan.

### 1.5 – Comprehensive Plan

Every ten years, the park and facility site/master plans, current demographics, usage, and other related trends are comprehensively evaluated along with public feedback to produce one document that evaluates and addresses the issues facing the development and redevelopment of Clark County Park District’s park system including land acquisition, facility development, and other factors essential to long-range planning and orderly growth. The outcome of this process is a Comprehensive Plan document that establishes the long-term policies and priorities for the coordinated development and maintenance of District parks and facilities, as well as potential future infrastructure and land expansion. As part of the planning process, considerations must be given to the planning goals of other governmental units to take advantage of and reflect community interests and common goals.

## Section 2: Community Participation and Input

### 2.1 – Public Input

It is the policy of the District to promote dialogue and direct communication between the citizens of the District and the Board and staff. The District solicits input from citizens for short-and-long range planning to ensure that the community’s needs are reflected in new projects and programs. The District also takes this opportunity to educate the community on projects, initiatives and operational issues. Tools to gather public input include focus groups, public meetings, community surveys, participant evaluations forms, advisory committees, and comment/suggestion forms.

### 2.2 – Comments and Suggestions

To meet the needs of its users, the Park District encourages customers to comment on District services and has a formal process for gathering and tracking comments. Customers may complete a comment card available at Park District facilities and/or request that a staff person complete a card on his/her behalf. Comments can be

taken in-person, over the phone or via e-mail. All comments, when appropriate, should be placed on a card for tracking purposes.

These Comments should be resolved based on the following procedure:

The Comment form should be forwarded immediately to the Executive Director for review and appropriate resolution.

The Executive Director may respond to the issue or forward it to the appropriate staff person within the Park District.

Management resolves the issue and contacts customers with a response through the mail, phone, e-mail, or inperson within 48 hours of receipt by the Executive Director or his/her designee. If the issue cannot be resolved within 48 hours, the person making the comment should be contacted and provided a status report.

### 2.3 – Advisory Committees

Under the Direction of the Executive Director, Advisory Committees provide the District with a sounding board as well as a source of interested and informed individuals to educate the community on issues requiring additional citizen input or assistance. Members work on a voluntary basis and serve strictly in an advisory role. Committees do not set or approve District policy, and must meet the following guidelines:

Have a written set of by-laws indicating: name of the Committee, purpose, duties, frequency of meetings, membership composition, and guidelines for operation Vacancies will be advertised using appropriate methods such as press releases, website, and notices in District-owned facilities and publications.

When appropriate, candidates should complete an application and submit it as formal notification of their interest.

If appropriate, the Executive Director will make Committee appointments for specified periods of time to an Advisory Committee.

Each Advisory Committee will have at least one full time staff member to serve as a liaison between the members and the District. The staff member will assist the Committee in performing its duties.

Prior to beginning service on an Advisory Committee, all new members must be trained on the purpose, objectives, and guidelines of the Committee.

The Executive Director may disband any Advisory Committee when he/she deems it appropriate.

### 2.4 – Task Forces/ Focus Groups

When special issues requiring citizen input arise, the Board or the Executive Director may form task forces and/or focus groups. Task Forces are working groups that provide direction and explore an issue or project



indepth and whose members are selected based on their expertise. A focus group is utilized mainly to gather feedback from a randomly selected group of customers or a targeted special interest group.

Once the objectives of a task force and/or focus group have been met and adequate input has been collected, such groups disband. Prior to convening a Task Force or Focus Group, the District will establish a group's objectives, a tentative schedule of meetings, and an appropriate number and representation of members. To provide objectivity, the District may hire a consultant to facilitate the discussion.

## 2.5 – Affiliate Groups

The District recognizes that certain activities or programs can best be implemented through the development or existence of special interest organizations, hereafter referred to as Affiliate Groups. The following guidelines have been established to provide a clear understanding of the District's relationship to these organizations and a reporting system to ensure conformity and consistency with the policies of the District.

Criteria for becoming an Affiliate Group: An Affiliate Group is an outside organization that supplements District services, meets the District's mission, and services the Clark County Park District community, but is independent from the District's operations.

### Annual Application and Selection Process

A. Organizations that desire consideration for Affiliate Group status must submit a written request to the Executive Director. In addition to a letter of application, the Affiliate Group must submit the following required information (where available):

1. A Statement of purpose and description of the group's activities and guidelines;
2. A list of officers with mailing address;
3. Proof of general liability insurance for all groups who use District facilities. The Affiliate Group is responsible for its own financial consequences;
4. A list of annual activities;
5. At least one of the following; written minutes of meetings, newsletters, quarterly report, or flyers distributed for the past twelve months.

B. Any group wishing to become an affiliate will receive relevant information for the Park District on the process for applying (e.g. application form, brochure, and Affiliate Group Policy).

C. Within one (1) month of receipt of the organization's application, the Executive Director or his/her designee will review the application. The Executive Director or his/her designee will set up a meeting with the applicant to discuss the group's request and, if appropriate, the approval process.

### Maintenance of Affiliate Group Status

A. All eligible Affiliate Groups will be granted conditional status for a period of six (6) months after approval by the Executive Director to ensure that the Affiliate Group has met the criterion and responsibilities established for Affiliate Group status. If the Affiliate Group has not met the criterion by the end of the six (6) months, the Group's conditional status will be terminated.

B. After conditional status, organizations shall be subject to a review every three (3) years based on compliance with the following items:

1. Remittance of the most recent list of officers and an overview of the group's membership.
2. The submittal of a status report on the group's activities and any relevant new information on the group. Any changes beyond the original intent or scope of written by-laws/guidelines of an Affiliate Group require reapplication for affiliate status.
3. The group's representative is required to sign a form confirming that the group still meets the criterion for being an Affiliate Group.

C. Failure to comply with any of the requirements in Section B above after the Affiliate Group's three-year renewal date will result in the designations of probationary status for three (3) months. If, at the end of three (3) months, the organization fails to comply, all privileges and services provided by the District will be terminated.

#### Responsibilities of Affiliate Groups

A. The group must assign a person to be the main contact (liaison) with the District.

B. All Affiliate Groups must follow Park District policies and procedures, including the following:

All activities of the affiliated groups must be in accordance with the District's mission and be open for participation to any resident of the District subject to membership fees and general membership requirements.

The group must comply with the policies, procedures and regulations of the District including the Illinois Human Rights Act, Americans with Disabilities Act (ADA), sexual harassment, drug-free workplace and communicable diseases.

C. Within the first three (3) months of being an Affiliate Group, the liaison from the group is required to go through training on Park District policies.

D. The Affiliate Group shall handle all of its own financial matters.

E. Program planning shall be done by the organizations and does not need to be approved by the District provided that it is not contrary to the District's mission.

F. For events/programs that the affiliate wants to co-sponsor with the District or to use District facility/programs, the group must inform the staff liaison of the request at least four (4) months prior to the event and complete required permits or rental agreements.

- G. Use of any District facilities must comply with the District's facility policies.
- H. The District's staff liaison must be added to the Affiliate Group's mailing list or any other forms of contact the group uses.

#### Responsibilities of the Clark County Park District

- A. A District staff liaison will be assigned to the Affiliate Group. This individual may be contacted for any questions and with sufficient notice can attend group meetings.
- B. Upon request, the District will post/display appropriate information in a designated location at the discretion of the District (space permitting). On all publications, the Affiliate Group must state that the program being provided on District property is not a program of the District.
- C. Upon request, the Affiliate Group can have its name and phone number listed in a designated area of the brochure as determined by the Executive Director.
- D. Upon request, the Affiliate Group can have its contact information listed on the District's website. The designated page on the District's web site will be determined by the Marketing and Communications Department. The contact information can include the organization's name, address and telephone number. The District will not list information for organizations or individuals that promote a product, service or business or for political advocacy or campaigns. The District has sole discretions over the organization and format of the information on its web site.

#### Dissolution of Affiliate Status

If an organization chooses to terminate its relationship with the Park District, notifications must be provided in writing to the Executive Director. Any and all assets shall remain with the respective members and officers of the Affiliate Group.

If the Park District chooses to terminate its relationship with an Affiliate Group for any reason, the group will receive notification in writing. The Affiliate Group will be provided with the reasons why the termination between the group and the Park District must occur.

### Section 3: Public Records and Requests for Information

#### 3.1 – Public Records Storage

As required by the Illinois Local Records Act, all ordinances, resolutions, and other records of the District shall be kept in written form and on file or maintained on the computer network by the Secretary of the Board or his/her designee. Under the Act, a public record means any book, paper, map, photograph, digitized electronic material or other official documentary material. These documents, including the minutes of Board Meetings, shall be open for public inspections by interested individuals by filing a Freedom of Information Act request (see Section 3.2) during regular office hours and cannot be taken for the Clark County Park District Park Administration Building or any another appropriate location where the records may be stored.

All public records made or received by, or under the authority of, or coming into the custody, control or possession of any officer or agency shall not be mutilated, destroyed, transferred, removed or otherwise damaged or disposed of, in whole in part, excepts as provided by law. The Local Records Commission (in the Local Records Unit of the Illinois State Archives) compiles lists and schedules of public records appropriate for disposal, procedures for the physical destruction or other disposition of such public records and standards for the reproduction of such public records. The Executive Director or his/her designee is responsible for working with the Local Records Commission to maintain and dispose of Public Records. (50 ILCS 205)

### 3.2 – Freedom of Information Act

The District will disclose public records as required by the Freedom of Information Act. Records subject to disclosure include all public documents except those specifically exempt from coverage under the Act, including information that would constitute an unwarranted invasion of personal privacy or a compromise of security.

To review a record, a person must submit a Freedom of Information request in writing (Contact the Clark County Park District Administration Office for a request form and exceptions). If a person requests a copy of the information, the Executive Director or his/her designee will provide duplicate copies for a reasonable charge for requests that require an excessive amount of copying. The Executive Director must provide a written response to the respondent to extend the time for disclosure beyond the seven (7) days required, to delete exempt material from the request, or to deny the request. To deny the request, the Executive Director, or designee, must state the reason for denial and the names and titles or positions of persons responsible for the denial. He/She must also notify the person that he/she has the right to appeal to the Board. (5 ILCS 140) 3.3

#### – Public Disclosure

As required by the Freedom of Information Act, the Executive Director, or his/her designee, will prepare for disclosure and update annually a brief description of the public body including:

1. A short summary of its purpose;
2. A block diagram giving functional subdivisions;
3. The total amount of the operating budget;
4. The location of all its separate offices;
5. The number of full-time and part-time employees;
6. The identification and membership of any board, committee, or council that exercises control over the public body;
7. A current list of all types or categories of records under its control; and
8. A brief description of the methods whereby the public may request information and public records designating titles and addresses of those employees to whom requests for public records should be directed

and any fees allowable. This information should be available at the District's administrative offices. Section 4: Access to District Programs and Facilities

#### 4.1 – Non-Discrimination Policy

In compliance with the Illinois Human Rights Act, the Illinois Constitution, Title VII of the 1964 Civil Rights Act, Section 504 of the Rehabilitation Act of 1973 as amended, the American with Disabilities Act (ADA), and the United States Constitution, the District does not discriminate on the basis of race, color, sex, marital status, national origin, age, sexual orientation, religious or political affiliation, disability, military status, unfavorable discharge from military service or record of arrest-in employment, with regards to the use of parks and facilities, or admission to and participation in programs and activities of the District.

Additionally, in compliance with the Illinois Civil Rights Act of 2003 the District does not prohibit individuals from participation in, denying them the benefits of, or subjecting them to discrimination under, "any program or activity on the grounds of that person's race, color, or national origin"; and utilizing criteria or methods of administration that have the effect of subjecting individuals to discrimination because of their race, color, or national origin.

#### 4.2 – Non harassment

The Clark County Park District does not tolerate sexual or any other form of harassment of or by its employees, park commissioners, volunteers, vendors or members of the public on Park District Properties. The Clark County Park District expects all relationships among person in the work place or other work-related locations to be business-like and free of bias, prejudice or harassment.

Threatening, intimidating, hostile or derogating actions comments, jokes, written or graphic materials, or any other type of display directed at an individual's race, national origin, age, gender, or any other legally protected characteristic are considered a violation of Clark County Park District Policy.

Any employee or agent of the Clark County Park District engaging in conduct constituting harassment of any form shall be subject to disciplinary action, up to and including discharge. Any member of the general public on Clark County Park District property found to be engaging in conduct constituting harassment in any form shall be subject to restriction of access to Clark County Park District property from temporary up to and including permanent exclusion.

See the Clark County Park District Personnel Policy and Practices Manual, for procedures regarding defining, reporting, investigating, documenting, enforcing and other issues related to management of this policy

Approved by Board of Commissioners 12/20/2007

#### 4.3 – American with Disabilities Act (ADA)

The District's ADA Compliance Officer, the Executive Director, or his/her designee, is responsible for overseeing the District's ADA program. This District provides appropriate notice to disseminate information to applicants, participants, and other interested person to inform them of the rights and protections afforded by the ADA.

Methods of providing this information include the publication of information in handbooks, manuals, and pamphlets that are distributed to the public. (42 U.S.C. 12101-17)

The District has adopted the following grievance procedure to provide prompt and equitable resolution of complaints alleging any action that would be prohibited by the U.S. Department of Justice regulations implementing Title II of the ADA. This District established the procedure to provide persons with disabilities a mechanism to voice concerns, resolve disputes and differences relating to the ADA, and ensure compliance.

#### 4.4 –Grievance Procedure:

The District uses the following set of procedures to resolve grievances.

1. Complaints or grievances should be filed in writing and contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations. Complaints should be addressed to the ADA Compliance Officer, Clark County Park District, Mill Creek Park Administration Office, 20482 N Park Entrance Rd, Marshall, IL 62441.
2. When appropriate, an investigation shall be made of all complaints relating to the District's compliance with the ADA by the ADA Compliance Officer when brought to his/her attention by any employee, constituent, visitor, or participant of the Park District and its facilities.
3. This District's primary objective in complaint resolution is to resolve the complainant's allegations of discrimination promptly and appropriately. This District will initiate immediate action to investigate and resolve any appropriate complaint as soon as it is received in writing. In addition to its formal complaint investigative process, the District may also utilize an expedited complaint resolution process called Early Complaint Resolution (ECR), whereby the District attempts to resolve the outstanding complaint issue(s) through mediation. This ECR process provides both parties involved the opportunity to immediately resolve the allegations prompting the complaint. Both the Park District and the complainant must be willing to participate in this mediation process. Either party may end the process at any time, if it appears that a resolution cannot be reached. In that case, the more formal investigations procedure described in #5 will be conducted.
4. The complainant has the right to file a complaint directly with the appropriate state and/or federal agencies even if a complaint has or will be filed with the Park District. The right of a person to a prompt and equitable resolution of the complaint filed shall not be impaired by the person's pursuit of the other remedies.

5. If a complainant or Park District chooses to enter into a formal investigation process, the Park District must begin the investigation within five (5) working days of notification by the complainant. The complainant shall be notified in writing by the Executive Director of the successful resolution of the complaint, the reason why the complaint cannot be resolved, or the time schedule for its resolution within 15 working days after notification by the complainant.
6. The complainant may appeal the Executive Director's decision to the Board. The Board shall hear the appeal and recommend confirmation, modification, or revocation of the Director's decision. The decision of the Board shall be final by the order of the Board and sent in writing to the complainant. However, if the complainant filed said complaint with other appropriate agencies, further action may be imposed on either party. All Board actions shall be completed within 20 working days following written notice of the appeal.
7. The ADA Compliance Officer shall maintain a record of all complaints filed.
8. Appropriate remedies are available for grievances with the District's implementation of other Federal Statutes.

## Section 5 - Property

### 5.1 Naming and Renaming of park Sites

The Board shall follow the following guidelines when naming and renaming parks and facilities:

1. If an outside party is requesting naming or renaming a park or facility, he or she must put the request in writing.
2. No new park or facility shall be named or existing park or facility renamed unless a quorum (4) of the full Board cast a majority vote in favor of the naming or renaming of the park or facility.
3. The park and facility shall not be named or renamed by reason of a donation to the Park District unless:
  - a. The donation is not required by the Park District
  - b. The proposed name to be used has the full consent of the person to be honored if living, or his/her immediate family if deceased
  - c. The donation is land for the park or facility site or the cash, services, or personal property donated equals the value of building, expanding, or renovating the park or facility for which the name is proposed
4. A park or facility shall not be named or renamed after an individual who meets Criteria #3 as defined below unless he or she has been retired from service or deceased for a minimum period of five (5) years, or at the discretion of the Board.
5. The board shall reserve the right to conduct public contests and public hearings for the naming of new parks and facilities, if such contests and hearings are held in accordance with these policies.

One or more of the following criteria must be met to choose a name for a new or existing park or facility:

1. Name includes park or facility features unique to that site, such a topography, geographic location or its purpose
2. Name of the area where it is located, such as the neighborhood or subdivision, the major streets name(s) surrounding the site, connecting school site(s), or other public connecting site. An individual or group of individuals, who have made a significant contribution toward furthering the Park District's mission, and as a result, improved the quality of life of the community.
3. Significant historical figure or individual event.
4. Donations of land or sufficient funds to improve land or facilities within the Park district wherein the donor's name or that of a third party is used.

## 5.2 - Dedication Plaques

Dedication plaques will be installed at all new and expanded District facilities. The plaques will include the Board names, date of the dedication or facility opening, and staff involved in the project (when appropriate).

## 5.3- Sale of Real Estate and Excess Property/Equipment

The Board may decide to liquidate certain assets that it has accumulated including land, buildings, equipment, and other tangible items.

Real Estate: The District is authorized to convey or lease and real estate owned by the District to the State or local government, or to lease to any non-profit corporation organized under the laws of this State that Provides recreational programs for the handicapped, in either case for public use, and provided that the grantee or lessee covenants to hold or maintain such property for public park or recreational purposes or if the Park District obtains other real property of substantially the same size or larger and of substantially the same or greater suitability for park purposes without additional cost. Also, the Park District can sell or lease property to a non-governmental entity in exchange for other real property of substantially the same size or larger and of substantially the same or greater suitability for park purposes without additional cost as determined by two appraisals. Prior to the exchange, the Board shall hold a public meeting to consider the proposed conveyance. Notice of such meeting shall be published not less than three times (the first and last publication being not less than 10 days apart) in a newspaper of general circulation within the Park District. (70 ILCS 1205/10-7)

The Park District may also lease real estate to any individual or entity and may collect rents. Property may also be conveyed without the restriction on recreational use or the provision of substitute property through a procedure outlined in the Illinois Park District Code including the Board adopting, by five-sevenths vote, a resolution specifying the intent to sell the land. Additionally, the Board must conduct a referendum for the sale and then, if successful, sell the land through competitive bidding. (70ILCS 1205/10-7(a-b))



Personal Property: if the District owns any personal property that in the opinion of the Board is no longer necessary, useful to, or for the best interest for the District, four-sevenths of the board may authorize, by ordinance, the conveyance or sale of the personal property in any manner that they may designate with or without advertising the sale. (70 ILCS 1205/8822) (Contact the Park Administration Office for a sample Ordinance).

The liquidation, sale, or disposal of any item regardless of value, shall be done at least of a quarterly basis and reported to the Executive Director to update the fixed Asset Ledger.

#### 5.4 - Easement Requests

The Illinois Park District Code specifies a Park District's power to grant easements to municipalities, corporations or persons for the construction, operation and maintenance of facilities upon, under or across any property of such district for water, sewer, telephone, electric, gas or other public service, subject to such terms and conditions as may be determined by the District. (70 ILCS 1205/Section 8-11) Prior to granting an easement, the applicant's request must meet the following terms and conditions

- A. Not interfere with existing or intended development plans of the requested park site.
- B. Not place undue use restrictions on the park site during the construction phase or once the ground is repaired and available for public use.
- C. Fully restore at the grantee's expense all landscape items such as trees, shrubs, sod, and other items to their original condition or better condition as determined by the District.
- D. Serve the Park District interests or as approved by the Board or its designee. The District should review each request and determine if the grantee can provide some improvement for the benefit of the residents of the District.

The District may grant a temporary or permanent easement. A security deposited or bond may be required in addition to a written statement from the owner that all damages to park property will be fully paid by said owner. If at some later date, an easement interferes with the development of the District, the Board should make every attempt to require that the grantee agree that he/she will relocate the easement area.

#### 5.5 - Lease of Property

The District has the power to lease property. The district can lease, by the affirmative vote of two-thirds of the Board, equipment and machinery for up to five years. (70 ILCS 1205/8813) Additionally, upon the affirmative vote of two-thirds of the Board, the District can lease real estate for a period not to exceed 99 years and to improve it as may be required. (70 ILCS 1205/8-16)

### Section 6: Ethics Ordinance and Statement of Economic Interest

#### 6.1 – Ethics Ordinance

The Board will approve and adopt an ordinance that adopts the State Official and Employees Ethics Act (Public Act 93-615 as amended by the Public Act 93-617) prohibiting certain political activities and

solicitation and acceptance of gifts. The Park District's Attorney was appointed by the Board to serve as the District's "ethics advisor". The "advisor's" role includes providing guidance regarding the interpretation of, and compliance with, the provisions of the Ordinance and State ethics laws. The Board also created an Ethics Commission to oversee the complainant procedure for violations of the Act. The Ethics Commission of the District has three members appointed by the Board President, and they serve two year staggered terms. For copy of the Act contact the Park Administration office. It applies to the Board and employees of the District. The District's Employee Manual includes a policy on the acceptance of gifts that reflects this Ordinance and the law.

## 6.2- Statement of Economic Interest

The Government Ethics Act required various District officials and employees to file economic disclosure statements with the clerk in the county in which they reside or work at the time they are appointed, elected, or hired. After the initial filing, District officials and employees must continue to annually file statements by May 1 (5 ILCS 420/1-101, et seq.). The Act requires the following persons to file disclosure statements:

- Persons elected to an office of a District and candidates for nomination or election to that office;
- Persons appointed to the Board;
- Persons compensated by the District as employees and not as independent contractors and who:
  - Function as the head of a department or other administrative unit within the District, or exercise similar authority;
- Have direct supervisory authority over, or direct responsibility for the formulation, negotiation, issuance or execution of contracts entered into by the District of \$1,000 or more;
- Have authority to approve licenses and permits by the district;
- Adjudicate, arbitrate or decide any administrative proceeding, or review the adjudication, arbitration or decision of any administration proceeding with the authority of the District;
- Have authority to issue or promulgate rules and regulations with areas under the authority of the District;
- Have supervisory authority for 20 or more employees of the District.

Failure to file the Statement of Economic Interest at the appropriate time can lead to late filing fees, penalty fees and ineligibility for or forfeiture of office. A person who willingly files a false or incomplete statement may be charged with and convicted of committing a class A misdemeanor.

## Section 7: Board Candidate Packet and New Member Orientation

### 7.1 Prospective Candidate Information Packet

Persons who are candidates for the Board will receive an information packet on the election process including information about the District.

### 7.2- Orientation of New Board Members

The Board recognizes its responsibility in helping and assisting a newly elected or appointed Board member to understand the operation of the District as well as the roles and responsibilities of members of the Board. The Board and Staff provide the following training to orient new Board members:

- The new member(s) is provided material on the duties and responsibilities associated with the Board.
- Following election or appointment, the Executive Director supplies material pertinent to his/her first meeting of the Board and explains the Board's function and utilization as well as other related information.
- The incoming member(s) meets with the Executive Director and members of his/her staff to discuss services they perform for the Board and the District.
- The Executive Director arranges for a park tour with the new Commissioner(s).

## Section 8: Requests for Funding and Memorial Program Donations

### 8.1- Requests for Funding by Outside Organizations

To request funding from the Park District, an affiliated or non-affiliated organization must submit a proposal. The proposal must include a description of the request, the population to be served by the request, the benefits to the community, and the need for the request. The proposals should also include the following:

- A. A statement of purpose and description of the group's activities and guidelines;
- B. Budget for the current fiscal year;
- C. A list of officers;
- D. One or more of the following: written minutes of meetings, newsletters, quarterly report, and/or flyers distributed for the past twelve months; an E. Description of annual activities.

### 8.2 Tree Memorial Donation

#### A. Tree memorial

The Board may donate a tree memorial if the recipient is a Park District Commissioner, Park District staff person, Park District Volunteer, and/or a resident who has served the Park District for a significant number of years, and contributed to furthering the Park District's mission.

The Board's review or request is in accordance to the following:

1. Nominator must complete an application form describing the desire for donating the tree memorial.

## Section 9: Acceptance of Summons and Subpoenas

### 9.1- Acceptance of Summons

A summons is a legal document that requires a defendant to participate in a lawsuit once it has been received. When a summons has been served upon the District, only the Board President or Board Secretary can accept it; no other officer or employee may accept a summons. A lawsuit cannot proceed against the District unless the District has been properly served by a summons and accepted by the Board President or Board Secretary.

#### 9.2- Acceptance of Subpoenas

A subpoena is a legal document that requires the person or entity to which it is addressed to appear and give testimony at a trial, court hearing or deposition in a lawsuit, and/or to produce documents and other tangible items for inspection or copying. Therefore, when a subpoena has been addressed to the District (when an official or employee has been named), only the Board Secretary, Executive Director, or Administrative Assistant can accept it. After it has been accepted, the subpoena must immediately be forwarded to the Executive Director or his/her designee for appropriate handling. This procedure would preclude any other employee or official from accepting a subpoena, certified mail or returned receipt mail.

### Section 10: Memberships

#### 10.1- Memberships

The District will maintain memberships with outside organizations at the discretion of the Board. The Park District shall maintain membership in the National Recreation and Park Association (NRPA), Illinois Association of Park Districts (IAPD) and the Illinois Park and Recreation Association (IPRA). These organizations support and promote the benefits and growth of parks and recreation and provide the agency numerous professional development, advocacy, and networking opportunities.

### Section 11: Volunteers

#### 11.1- Use of Volunteers

The Board supports the use of volunteers to share time and expertise for the betterment of the community. Staff will match services with District needs and help volunteers determine the appropriate areas to provide their support. The work performed by volunteers should not only enhance the staffs' ability to establish, maintain, expand and improve the District's resources, but also try to meet a volunteer's personal needs and preferences by providing an opportunity to develop or learn new skills, meet people, serve the community or fulfill academic or other requirements.

#### 11.2- Solicitation of Volunteers

Information of how to become a volunteer for the Park District may be found in the following areas: brochures, newspapers, direct phone calls, Volunteer Application Forms, direct solicitation with area schools, religious organizations, clubs, District web site, flyers, kiosk, word of mouth, computer data base from past years, community service/court ordered volunteers, and inquiries from prospective volunteers.

Staff may request volunteer help by updating the Volunteer Opportunity Calendar for the year, contacting the Marketing and Communications Department, or completing a Volunteer Request Form.

When volunteers are being used for large events, appropriate Marketing and Communication Department staff or the manager running the event will call the volunteer to remind them of the date and time of commitment.

#### 11.3- Tracking of Volunteers

The District utilizes a software program to track volunteer hours and interests. Staff is required to track all volunteer hours and submit the volunteer names and hours to Marketing and Communication Department staff.

The Association of Volunteer Administrators (AVA) updates the dollar value of volunteer time yearly.

#### 11.4- Training for Volunteers

Volunteers receive on-the-job training. Depending on the assignment, training can range from a short briefing to long-term, on-going learning in a special area of interest such as horticulture or computer skills. Training is conducted on a one-on-one basis for many volunteer jobs. However, there are specific jobs that require a training session such as Leaders in Training.

#### 11.5- Volunteer Recognition Program

During National Volunteer Week in April, the District honors volunteers who have volunteered 20 hours or more during the previous year. Each volunteer in this category receives a certificate.

Individual volunteers receive a thank you letter and/or a premium item after every job or event they have worked.

An Annual Recognition Ceremony is held in the fall. Volunteers are individually, publicly acknowledged for the number of hours of service they have donated to the District.

#### Comprehensive Review and Revision

11.6- Volunteer job titles and Descriptions must be available and updated when appropriate. They are the basis for:

- \* developing appropriate message and distribution of recruitment materials;
- \* setting criteria for selection and placement of volunteers;
- \* formulating necessary content and type of training;
- \* establishing standards for performance in supervising and evaluating volunteers including grounds for possible termination;
- \* understanding scope of work to be considered in recognizing and rewarding volunteer effort.

Some of the volunteer job titles and opportunities include Advisory Committee member, newsletter team, administrative clerical support, special events and special projects, and committee volunteers.

#### 11.7- Volunteer Handbook

The District may compile a Volunteer Handbook that is presented to volunteers who have volunteered a minimum of five hours. Volunteers are asked to sign a volunteer Acknowledgment Form upon receiving the manual.

#### 11.8 – Volunteer Background Checks

Criminal background checks are conducted by the District to provide a safe environment. A background check is required of prospective volunteers 18 years or older for any position as deemed necessary by the Executive Director with the exception of volunteers who began work prior to February 1, 2000. The results of the background checks are kept strictly confidential. The Executive Director or his/her designee is the only people who shall review or have access to the reports. (See the Park District Employee Policy Manual for the District's policy on background checks for employees.)

### Section 12: Organizational Structure and Procedures

#### 12.1- Operation Manuals

The Executive Director is responsible for developing and updating operation manuals that provide continuity to District operations, document operating procedures, and ensure compliance with legal requirements and the policies of the Board. The manuals currently in use are:

Full-time, Part-time, and Short-term employee Policy Manuals Safety Manuals

Emergency Operations Manual

Budget Manual

Department Facility/Program Operations Manuals

Commissioner Orientation Manual

All manuals will be updated as operating procedures change. It is the duty of the Executive Director to determine that all such manuals are in agreement and compliance with the policies of the Board and federal, state, and local laws and to review each manual not less than three years since the last comprehensive review in concert with the District's Corporation Council and Park District Risk Management Agency, where appropriate.

#### 12.2 Residency Policy for Employees

This policy does not in any way remove any contractual agreement that was put into place either verbally or written pertaining to terms of employment in regards to residency with current staff and the Board of Commissioners.

All employees of the Clark County Park District must reside within the boundaries of the Clark County Park District.

In exceptional cases, individuals who do not reside within the boundaries at the time of interviewing for the position must establish residency within the 90 day employment probationary period.

All seasonal Employees must reside within the CCPD at the time of Employment.

As of March 1, 2009 all seasonal employees returning who have been employed for the previous season and are in good with the Clark County Park District are exempt from the residency policy for the term of continuous employment. A missed season terminates this grandfather privilege.

### 12.3 Fair Labor Standards and Overtime Compensation

Clark County Park District work week begins on Saturday and ends on Friday. Salaried employees' work week is based on 40 hours. Any hours worked in excess of 40 hours within the work week must be approved in advance by the Executive Director or his/her designee and shall be considered overtime for hourly and Non Exempt salaried employees.

Non Exempt Positions: Maintenance Worker

Exempt Positions: Executive Director, Administrative Assistant, and Maintenance Supervisor.

Non-Exempt salaried employees required to work overtime will be compensated at the rate of one and one half the hourly rate per hour over 40 hours worked. Non exempt salaried employees may elect at the beginning of the fiscal year to take compensation for over time in the form of comp time at the rate of one and one half hour for every hour worked over 40 hours. Compensatory time accumulated must be used during the fiscal year in which accumulated, prior to the end of February of that fiscal year.

Upon termination of employment, payment for accrued compensatory time will be paid at the employee's hourly rate of pay, to be included in their final paycheck.

Salaried Exempt overtime employees will not receive overtime compensation.

Hourly wage employees required to work more than 40 hours per week will be paid at 1½ times their hourly rate for all hours exceeding 40 hours. Hourly employees are assigned their hourly work schedule for each day in advance. The employees will be paid for those assigned hours worked only regardless of whether they clock in prior to their assigned starting time or after their assigned ending time.

Approved by Board of Commissioners 03/18/2010

### 12.4 Employee Committees

Employee Committees are established by the Executive Director to provide a forum for employee input and action. The three committees are Safety, Wellness, and Employee Relations.

All the Committees must follow the procedures:

1. Mission:
  - a. Safety Committee: The purpose of the Safety Committee is to review accidents, conduct safety inspections, coordinate safety training, and recommend safety related policies and procedures. It also performs other duties that shall ensure a safe environment for District employees as well as visitors utilizing park areas, facilities, and programs.
2. Term: Committee members shall serve a two-year term. Terms begin January 1.
3. Department Representation: Each Department is represented by at least one fulltime employee member unless circumstances do not allow for a Department to be represented. The Executive Director will determine the number of members represented from each Department.
4. Committee Appointments: When a member completes his/her term, the Executive Director will appoint a full-time staff person from the appropriate Department to fill the vacancy (based on recommendations from the Department Head). It is the responsibility of the Chairperson of each committee to maintain a log of when terms expire and to inform the Executive Director of impending vacancies.
5. Vacancies: When a vacancy occurs during membership term, the Executive Director shall appoint a fulltime staff person from the appropriate Department to fill the unexpired term. The member appointed to fill the term begins his/her membership when appointed; however, he/she does not begin his/her membership term until January 1<sup>st</sup> of the next year.
6. Limit: Employees are limited to serving on one Employee Committee. Once an employee has served two years on a Committee he/she shall be exempt from serving on the same or another Committee for two years. However, if an employee wishes to serve on another Committee within the two-year time frame and all other staff from that Department has been afforded the opportunity to serve on a Committee, the Department Head has the discretion to recommend that employee for another Committee.
7. Chairperson: Unless otherwise determined by the Executive Director, the Chairperson of the Safety Committee is the Safety Coordinator, the Chairperson of the Wellness Committee is the Human Resources Division Manager, and the Chairperson of the Employee Relations Committee is the Human Resources Assistant. The Chairperson shall be responsible for maintaining the Committee operating procedures, developing the Committee's budget, coordinating and directing all meetings, preparing the meeting schedule, setting the agenda, compiling and distributing meeting minutes, conducting member training (#11), and communicating recommendations to the Executive Director for appropriate action.
8. Officers: The Chairperson can determine if additional officers are necessary for the effective operation of the Committee. For example, an officer (secretary, co-chair) can be elected by the committee to assist with conducting the meetings, and/or preparing minutes for each meeting.
9. Member Responsibilities: Members are expected to actively contribute their ideas and time, report to their respective Departments, and fulfill any responsibilities as defined in that Committee's operating procedures.



10. Absence from Meetings: Committee members are required to attend meetings. If a Committee member misses two or more meetings in a calendar year, the following steps will be taken:
  - a. After two meeting absences in one calendar year, the Committee member will be sent a memorandum from the Committee Chair outlining the attendance policy for Committee meetings.
  - b. After three meeting absences in one calendar year, the Committee member's supervisor will be notified in a memorandum from the Committee Chair of the absences and the attendance policy. This memorandum is copied to the member and the Executive Director.
  - c. After four absences in one calendar year, the Executive Director will terminate the Committee member's tenure immediately and a replacement will be appointed (as outlined in#5- Vacancies). As an expectation of employment at the District, the employee's lack of attendance at Committee meetings will be reflected on his/her annual performance appraisal.
  
11. Member Training: To train new and returning members, the Chairperson will annually review the purpose and role of the Committee, past Committee accomplishments, future goals, the Committee's budget, role of members, and other relevant Committee information. The Chairperson shall determine if additional training is necessary. The Chairperson shall also train new members who fill vacancies midyear.

#### 12.5- Special Project Teams

For District-wide special projects, the Executive Director may establish special project teams with representatives from every Department to oversee the needs and/or implementation of that project. The Executive Director shall determine the goals of the team and appoint members and a chairperson. The chairperson shall coordinate the project team and organize meetings. The team shall dissolve when the project is complete. Employees can serve on one or more project teams and also serve on an employee committee.

#### Section 13: Safety and Loss Control

#### Section 13: Safety and Loss Control

##### 13.1- Safety Program

The District wishes to provide the safest working conditions for employees and a safe environment for the public using programs, facilities, and park areas. Employee and visitor safety is a top priority and all employees must be aware of the District's concern for accident prevention. The safety program includes elements such as work rules, training, preventive maintenance and investigating accident causes. Safety-related goals and responsibilities are clearly defined in the District's safety Manual (including the formation and operation of a Safety Committee).

##### 13.2-Insurance

The District is exposed to various risks of loss as defined by the Tort Immunity Act (745 ILCS 10/1-101 et seq. from: Ch. 85, par. 1-101 et seq.); theft of, damage to and destruction of assets; errors and omissions; injuries to the District's employees, users and visitors; public official liability; and net income losses. The District is a

member of the Park District Risk Management Agency (PDRMA), a public entity risk pool that combined member resources to administer insurance coverage. Being a part of the pool provides the District with long-term stability and availability of coverage. Coverage is provided in excess of specified limits for the members, acting as a single insurable unit for property, general-liability, automobile liability, crime, boiler and machinery, environmental, public officials', workers' compensation and unemployment coverage.

## Section 14: Freedom of Information Act

### 14.1 - Statement of Purpose and Intent

(Adopted from The State of Illinois General Provisions, Freedom of Information Act 5 ILCS 140/1 et seq.)

"Pursuant to the fundamental philosophy of the American constitutional form of government, it is declared to be the public policy of the State of Illinois that all persons are entitled to full and complete information regarding the affairs of government and the official acts and policies of those who represent them as public officials and public employees consistent with the terms of this Act. Such access is necessary to enable the people to fulfill their duties of discussing public issues fully and freely, making informed political judgments and monitoring government to ensure that it is being conducted in the public interest.

"The General Assembly hereby (has) declare(d) that it is the public policy of the State of Illinois that access by all persons to public records promotes the transparency and accountability of public bodies at all levels of government. It is a fundamental obligation of government to operate openly and provide public records as expediently and efficiently as possible in compliance with this Act."

It is the intent of the Clark County Park District to adhere to all edicts and conditions of the Freedom of Information Act.

### 14.2 Freedom of Information Act Officer

General Counsel for the Board of Commissioners of the Clark County Park District will serve as the FOIA Officer. He/She will ensure that all rules, regulations, guidelines and conditions of the Act are followed.

### 14.3 Procedures for Obtaining Documents under the Freedom of Information Act and Optional Request Form

The "Procedural Guidelines" and "Request Form" will be posted on the Agency website and made available in hardcopy in the Administrative Office.

## Section 15: Open Meetings Act Policy

### 15.1 – Statement of Purpose

(Adopted from the State of Illinois General Provisions, Open Meetings Act [5 ILCS 120])

"It is the public policy of the State that public bodies exist to aid in the conduct of the people's business and that the people have a right to be informed, the General Assembly finds and declares that it is in the intent of this Act to ensure that the actions of public bodies be taken openly and that their deliberations be conducted openly.

“The General Assembly further declares it to be the public policy of this State that its citizens shall be given advance notice of and the right to attend all meetings at which any business of a public body is discussed or acted upon in any way. Exceptions to the public’s right to attend exists only in those limited circumstances where the General Assembly has specifically determined that the public interest would be clearly endangered or the personal privacy or guaranteed rights of individuals would be clearly in danger of unwarranted invasion.

“To implement this policy, the General Assembly declares:

- (1.) It is the intent of this Act to protect the citizen’s right to know; and
- (2.) The provisions for exceptions to the open meeting requirements shall be strictly construed against closed meeting

(Source: P.A. 88-621, eff. 1-1-95.)

It is the intent of the Clark County Park District to adhere to all edicts and conditions of the Open Meetings Act.

### 15.2 Open Meetings Act Officer

The Executive Director of the Clark County Park District will serve as the District representative, in consultation with the District’s Attorney and/or the board president when needed, to advise the board that the rules, regulations, guidelines, and conditions of the Act are being met or not. He/She shall successfully complete an electronic training curriculum developed and administered by the Public Access Counselor.

### 15.3 Public Comments

In recognition that it is important for the people to express their support and concerns with the actions of governmental bodies, the Clark County Park District will ensure that members of the public have the opportunity to express their views by providing a designated time for “Public Comment” on the agenda of all of its meetings.

The following parameters shall govern all Public Comment sessions:

- (1.) Speakers may sign up on a provided sheet to speak. However, it is not mandatory that an individual sign the provided sheet in order to be able to speak. Individuals who sign-up to speak will speak first, in order that their names appear on the sign-up sheet. Individuals who did not sign the provided sheet will then be selected by the Board President in random order to make their comments.
- (2.) The Public Comment section of the meeting will last not over a total of 30 minutes.
- (3.) Each individual will be allotted a maximum of five (5) minutes to speak.
- (4.) Comments will be limited to relevant public issues and not personal attacks on an individual.

(5.) If the allotted 30 minute time period expires before all speakers have had the chance to speak, any speaker whose name is on the sign-up sheet will be given priority at the next meeting of the Board. Any speaker whose name does not appear on the sheet may be added to the sheet before the close of the meeting to be considered a priority speaker at the following meeting.

(6.) Speakers will remain civil and not use language designed to incite unrest.

(7.) The Public Comment time is for the public to speak their issues and shall not be a dialogue between any Board member and a speaker.

### Chapter 3: REVENUE POLICY

#### Section 1: Authority and Philosophy

##### 1.1 – Authority and Responsibility

The Clark County Park Board has charged the Executive Director with the authority to determine and implement fees and charges in accordance with the Board of Park Commissioner’s benefits policies.

##### 1.2 – Statement of Philosophy

It is not feasible to rely on property taxes to financially support diversified, year-round quality parks and recreation experiences. The Park District must utilize other sources of revenue to help supplement the tax base. Sources of revenue may include but are not limited to grants, contractual receipts, donations and endowments, enterprise projects and fees and charges, supplemented by property taxes.

#### Section 2: Fees and Charges and Guidelines

##### 2.1 – Guidelines

- A. Sources of revenue such as donations or grants may be used to partially subsidize community-wide programs.
- B. Appropriate direct, indirect and overhead costs, market conditions and target markets must be considered when developing fees and charges.
- C. Direct costs may include expenses for wages, services, supplies and other costs related to administration of the program.
- D. Admission fees may be charged to attend special performances or events, which may include entertainment, access to unique facilities, or to events requiring extra supervision or maintenance.

- E. Entry fees may be charged for admission to special use facilities public use periods.
- F. Special service fees may be charged for supplying articles, commodities, activities, copying or services.
- G. Membership and/or initiation fees may be charged for access and use of a facility or program.
- H. Special pricing strategies may be developed including differential fees for different types of organizations, differential fees due to time of the year, incentives to increase participation, group discounts, or discounts due to repeat business or for multiple family members.
- I. Fees may be prorated if a person wishes to participate in a program but only after the first session/class has been held and openings are available.

## 2.2 – Recovering Costs for Extra Services

The District may be asked to perform services that exceed the normal level of service provided to the general public. In general, these services would not be available except for community-wide events. For example, there may be events or rentals which require special set-up and clean-up services, transportation support, design work, security, staff support, use of District equipment or utility costs. Requests for these services will be made in writing to the Executive Director at least one month in advance of the event. Staff will then compute the costs for the service(s) at overtime rates, determine if staff are available, whether the services can and should be provided, and how payment should be made.

## 2.3 – Differential Pricing

### A. Philosophy

The goal of the District is to establish fees that benefit the taxpayers of the Park District. Non-resident fees are established to cover expenses for staff, equipment and facilities. Since non-residents do not support the District through taxes, it is the District's philosophy that non-residents should pay an additional fee (fair-share) to assist with paying for overhead, facility maintenance, and program development expenses covered by taxes.

### B. Guidelines

1. Non-residents are assessed additional fees.
2. Residents 65 years and older receive a discount on programs and memberships offered by the District.

## Section 3: Refunds

### 3.1 – Refunds

The District is committed to providing the highest quality recreation activities, events and programs. If a person is not completely satisfied with a Park District class, program or activity due to circumstances under the Park

District's control, the District will arrange for the person to repeat the class at no charge, receive credit toward another program, or receive a refund.

A. Full Refund Will Be Granted

1. If a participant is justifiably dissatisfied (at the Executive Director's determination) with a Park District class, program, service, facility or activity due to circumstances under the Park District's control. Refund requests must be made prior to the 3<sup>rd</sup> class meeting or within two weeks of a single/double-meeting activity.
2. If the refund is initiated by the Park District (i.e. cancelled class, low enrollment)
3. For injury or illness with a doctor's note before the program begins or a facility reservation is to become effective. (Once a program has begun, only a prorated refund will be issued. After a class is over, no refunds will be issued.)
4. Trips: Refunds for trips will be issued only if the seat can be resold or if the Park District cancels the trip.

All Other Refunds (unless otherwise noted):

5. Refunds will be issued if a request is received up to 48 hours prior to the start of a program minus a \$5 service charge.
6. If a refund request is made less than 48 hours before a class and a class has not yet begun, a refund will be granted minus a \$5 service charge and one class prorated fee.
7. Once a program has begun, refunds will be granted minus a \$5 service charge and a prorated fee for classes that have met.
8. After midpoint of the program, no refund will be issued except for illness/injury, with proof of a doctor's note.
9. Refunds for Cabin Reservations require request 14 days in advance of the first day.
  - a. After the 14<sup>th</sup> day deadline a refund may be offered only if the site is reserved or booked by another visitor for the same time period.
10. Refunds for Boat Rental must be requested 30 minutes prior to arrival.
11. Dock rentals are non-refundable.

B. Partial Refunds and Refund Retention Policy –

The District shall develop guidelines to govern the payment of deposits for District facilities and equipment, refunds, partial refunds and District retention of said deposits. The District shall provide users of the facilities and equipment with an awareness of those guidelines through appropriate methods. (See "Appendix A:

Guidelines Governing Deposits, Refund of Deposits, and Retention of Deposits” at the end of this chapter of the policy manual.)

#### Section 4: Alternate Revenue Sources

##### 4.1 – Park District Foundation

The District shall not restrict the activities of other organizations if they wish to raise funds for the benefit of the District.

##### 4.2 – Grants

The Park District will be aggressive in seeking grants that meet the District’s mission. Grants may provide funds for operational and capital costs.

The Board approves all grant applications to local, regional, State or Federal agencies. All Park District grant applications that require a 501 (c) (3) federal tax exemption must be approved and submitted to the granting agency by the appropriate non-profit foundation.

##### 4.3 – Gifts and Bequests

The Park District considers gifts and bequests as a valuable opportunity to improve the physical and financial resources of the agency. Gifts and bequests of property must be accepted by a majority vote of the Board and should not place an undue burden on the District’s resources.

##### 4.4 – Sponsorships Fundraisers

All fundraising activity, including solicitations for donations or fundraising events must have the approval of the Executive Director prior to the event or solicitation. This process will aid the staff in avoiding any duplicate sponsorship requests and/or events.

##### 4.5 – Living Tree Memorials

The Park District has a Living Tree Memorial program to provide additional support towards the District’s tree planting program and to offer people the opportunity to memorialize or commemorate an individual or group of individuals or an organization. A person pays a fee to cover the cost of a tree to be planted in a District park and a plaque with his/her personalized information. The fee is based on the type of tree planted, the plaque, and includes a cost for the perpetual maintenance and/or (if necessary) replacement of the tree.

##### 4.6 – Donation Boxes

The District may install donation boxes to raise funds for a Park District facility or program. Box must be secure and have a sign, which indicates what the donation will support. Donations should be collected and deposited on a regular basis. The funds raised must be used towards fulfilling an activity or project that supports the Park District’s mission.

##### 4.7 – Gift Certificates

Gift certificates may be purchases from the Park District at various locations for the use in any Park District program and facility. Revenues are recorded at the time gift certificates are redeemed.

## Section 5: Financial Assistance Programs

### 5.1 – Financial Assistance Program

To make our recreation programs available to all of our residents regardless of their economic situation, a Financial Assistance Program may be available. To qualify, all applicants must reside within the boundaries of the District and provide evidence of need. Factors defining need include family pre-tax income level, an extenuating financial situation, such as medical bills, or current participation in public aid, food stamps, school lunch or subsidized housing programs. The Executive Director or his/her designee will determine the household size and pre-tax income criteria that will be used for determining initial eligibility for financial assistance.

All financial assistance will be awarded on the basis of need and the availability of funds. Types of assistance available included payment plans, partial assistance or full assistance. The District reserves the right to approve full or partial funding or to deny an applicant's request. The recipient must repay all assistance in full if it is found to have been on the basis of false information. All information furnished by applicants is kept confidential, and the District will not release this information without the applicant's written permission unless such release is required by law.

Persons requesting financial assistance must complete the appropriate application form, attach it to a completed program registration form, and submit it to the applicable facility registration/membership office.

### 5.2 – Active Duty Military Program

Individuals serving active duty in any branch of the United States military shall receive a discount on programs, memberships and fees, as determined by the District Executive District.

All information furnished by applicants is kept confidential and the District will not release this information without the applicant's written permission unless such release is required by law. All information on the application must be true and accurate. False information supplied by the applicant will nullify the request for program funds from the District.

## Section 6: Facility and Equipment Use

### 6.1 – Non-Profit/Charitable Activities

Charitable/non-profit community service organizations that conduct a non-Park District sponsored event on park property for the purpose of raising funds must pay all facility rental fees unless the funds raised are for charitable causes in the Clark County Park District. Organizations must also provide evidence of Comprehensive General Liability insurance sufficient to protect the District against risk and an appropriate usage and damage deposit.

### 6.2 – Park District Co-sponsored Activities



Any individual, organization, or agency may request, in writing, co-sponsorship or support for an activity utilizing, but not limited to, Park District personnel, equipment, or facilities. The request will be reviewed and approved by the Executive Director. Co-sponsorship will be granted or denied, based on the following criteria:

Activity or function must further the mission of the District.

Any costs incurred by the Park District must be outweighed by the public benefit and that there is no burden on the resources of the District.

Staff must be involved in the planning, execution and evaluation of the function or activity.

All publicity and advertisements must include "Clark County Park District" and use of logo on printed materials.

Non- or For-profit organizations that conduct an event on park property, which is cosponsored by the District, shall not pay facility rental fees. All revenues collected will be divided between all parties involved as agreed upon prior to the event.

### 6.3 – For-profit Activities

Non-park District for-profit activities are generally not allowed on District property. All outside vendors must have a permit.

### 6.4 – Building Rentals

The Park District, through the Executive Director, reserves the right to rent facilities to outside organizations for meetings and programs. The decisions to rent will be based on the availability of space in the District, the number of participants, type of function, the time, and location requested.

### 6.5 – Permits

Permits are available for various facilities and uses. Permit fees vary based on the size and the nature of the activity and facility use. Non-residents may be charged an additional fee.

### 6.6 – Lease Contracts

On a limited basis, the Park District may choose to lease properties or facilities to private operators. This practice may include leasing land to individuals for farming and concession stands as well as arranging for private operators to manage key facilities. In all cases, specifications will be prepared, advertisement for requests for proposals for bids will be posted, proposals and bids collected and certified, contracts prepared, and the staff recommendations provided to the Board for approval all in compliance with the Illinois Park District Code regarding lease contracts.

### 6.7 – Use of Equipment by Outside Organizations

The Park District reserves the right to loan equipment to outside organizations and charge a fee and/or security deposit when appropriate. The decision to loan equipment and the fee will be based on the type of use for the

equipment, personnel, type of equipment, convenience to the Park District, and the time period requested. Example of equipment included in this policy are the vehicles, presentation equipment, etc.

## Chapter 4: FINANCIAL PLANNING AND REPORTING

### Section 1: Budget and Tax Levy Development and Approval

#### 1.1 Budget Process

The Park District's fiscal year is April 1 to March 31. The budget preparation process begins in January and continues into March.

The functions of preparing and analyzing the budget are performed by the Executive Director with final approval by the Board. A budget calendar is developed to ensure the District meets all of the provisions of State and local law. Annually, the Executive Director updates the budget manual, which provides the guidelines and procedures for completing the budget. Staff are trained on budget preparation procedures and the information required for the budget. The following steps are taken by the Executive Director and staff to prepare the budget:

- Set goals and objectives for the coming fiscal year that reflect the priorities outlined in the Strategic Plan;

- Identify and prioritize operating and capital needs;

- Input budget into financial software;

- Project fund balances;

- Revise revenue and expenditure estimates; and

- Present proposed budget to the Board.

The announcement of the availability of the tentative budget for the public viewing is made according to the requirements of the Illinois Park District Code. The Board holds a public hearing on the budget. Once the Board tentatively approves the budget, staff prepares a final Budget and Appropriation Ordinance that reflects the Board's direction after appropriate public input (See Section 1.2). After the Board approves the Ordinance, the new budget is effective on April 1. Throughout the fiscal year, staff continually monitors the budget against actual revenues and expenditures making appropriate adjustments as necessary with an amendment to the budget in March.

#### 1.2-Budget and Appropriation Ordinance Legal Requirements (70 ILCS 1205/4-4)

The District must pass and file with the Clark County Clerk a combined annual Budget and Appropriation Ordinance. The ordinance appropriates the monies that are necessary to cover the projected expenses and

liabilities that the District may incur during each budget year. The Board must follow the process listed below for preparing and filling the Ordinance.

It must be adopted within the first quarter of each fiscal year.

The Ordinance shall contain a statement of cash on hand at the beginning of the fiscal year and estimate of monies expected to be received during the fiscal year from all sources as well as an estimate of expenditures for the fiscal year and an estimate of cash on hand at the end of the fiscal year.

It must be prepared in tentative form and made available for public inspection no less than 30 days prior to final action.

The Board must hold at least one public hearing regarding the ordinance before it can take final action. Notice of the hearing and a copy of the ordinance must be published in a newspaper circulated in the District at least 7 days and no more than 21 days before the time of the hearing.

After Board approval, the District must file a certified copy of the ordinance with the Clark County Clerk within 30 days.

No further appropriations shall be made at any other time within the fiscal year with the following exceptions:

- A) After the first six months of the fiscal year, the Board may approve by two-thirds vote transfers between the various items between some funds (state law requires some funds remain separate) and also between various items in any fund not exceeding, in the aggregate, ten percent of the total amount appropriated for the fund.
- B) The Board may amend the Budget and Appropriation Ordinance by the same procedure as herein provided for the original adoption of a Budget and Appropriate Ordinance provided that nothing in this section shall be construed to permit transfers between funds required by law to be kept separate. (70 ILCS 1205/4-4)

It is the District's policy to avoid transferring funds until near the end of the fiscal year. This timeline enables the Board to better assess which items require additional funding and which items have unexpended funds to re-allocate. However, if any funds have exceeded their approved appropriations, the Board may decide to re-allocate funds after six months.

Each line item must be for a single purpose. To allow for leeway in spending since the ordinance is the maximum amount that could be spent if funds are available, appropriation levels are increased 20% over budgeted expenditures for the fiscal year.

### 1.3 - Tax Levy Ordinance

The Park District has the power to levy and collect taxes on all the taxable property in the District. The Board must adhere to the following processes to levy taxes:

At least twenty (20) days prior to adopting the Tax Levy Ordinance, the Board must meet and formally determine the amount of money that it estimates will be levied. This determination must be formalized in a resolution, which it must adopt.

An ordinance must be passed to levy all general taxes upon the taxable property within the District.

The Tax Limitation Law (tax cap legislation) limits the total levy from exceeding 105% of the prior year levy or the Consumer Price Index (whichever is lower).

As also required by the Truth in Taxation Law, the District must hold a public hearing if the total levy exceeds 105% of the prior year levy. The hearing cannot be held on the same day that the Board holds the hearing on its proposed budget and appropriations ordinance. The hearing requires publication of a notice of the time, date and place of the hearing. It must be published in a paper of local circulation, not more than fourteen (14) days nor less than seven (7) days prior to the meeting. It must be no less than 1/8<sup>th</sup> page in size, the smallest type used in the notice must be 12 point; it must be surrounded by a black border no less than one-quarter inch wide; and the notice must be published in the legal notice or classified advertisement sections of the newspaper. There is also specific required language for the advertisement in the Act. (Public Act 91-0523)

A certified copy of the Tax Levy Ordinance must be filed with the Clark County Clerk no later than the last Tuesday in March of each year.

The Park District may accumulate funds for the purpose of building repairs and improvements. Additionally, it may annually levy taxes for such purposes as are not met by the funds available in current or projected Budget and Appropriation Ordinance. These levies must fall within the procedures and limitations as set forth in the Illinois Revised Statutes (70ILCS 5-1)

## Section 2: Capital Planning and Reporting

### 2.1 – Long-Range Capital Improvement Plan

The District's five-year Capital Improvement Plan (CIP) outlines the public facility and infrastructure improvements and expansions that the District plans to implement during a multi-year period, given the estimated funds available for financing these projects. The Plan details the District's long-range capital improvement needs including an inventory and condition of all current facilities, parks, and equipment.

The District defines a capital project as having a relatively high monetary value (at least \$5,000 for operating equipment and machinery and at least \$25,000 for land acquisition and improvements), a long useful life (at least five years), and results in the creation of a fixed asset or the revitalization of a fixed asset. This definition includes: construction of new facilities, remodeling or expansion of existing facilities, purchase, improvement and development of land, operating equipment and machinery for new or expanded facilities, and planning and engineering cost related to a specific capital improvements.

Developed using a team approach and prior to completing the operating budget, the budget coordinator compiles the projects forwarded by the departments for consideration. The Management Team reviews the plan to rank and prioritize projects and determine, based on the resources available, the capital budget for the next fiscal year. The Team considers the feasibility of all proposed capital projects, evaluating their necessity,

priority, location, cost and method of financing, availability of federal and state aid and the necessary investment in the District's infrastructure. While project ratings are important in determining recommended priorities, the realities of the District's financial situation are critical to all decisions. Projects that are not accomplished in the year are reevaluated as a part of the budget preparation process and may be carried over to a future year. The first year in the CIP becomes the capital budget for that fiscal year. Projects slated for subsequent years in the program are approved on a planning basis only and do not receive expenditure authority until they are eventually incorporated into the annual capital budget.

#### Criteria

Staff use the following criteria in rank order to prioritize capital project requests:

**Safety:** Is the project a necessity to preserve or improve the safety of the community?

**Government Mandates:** Is the project necessary to comply with a government mandate(s) as required by federal or state law or Board action (e.g. EPA regulations, ADA, intergovernmental agreements)?

**Strategic Plan Priority:** Does this project fit within the long-range goals of the District?

**Customer Service and Benefit:** Will the project effectively satisfy citizen demand and needs?

**Financial Impact:** What are all anticipated project expenditures including land, construction costs, repair or modification costs, as well as equipment costs to determine a project's short- and long- term costs? What is a project's revenue potential/return on investment including funding sources such as grants, donations or increased user fees?

**Improve Aesthetics and Operating Efficiencies:** Does the project enhance the aesthetics of the community and improve the effectiveness and efficiency of the current maintenance operation?

#### 2.2 – Fixed Assets Subsidiary Ledger

Assets of a long-term character in excess of \$5,000 in purchase value for machinery and equipment and \$25,000 for land, land improvements, buildings, building improvements and infrastructure and which are intended to continue to be held or used, such as land, buildings, machinery, furniture, and other equipment shall be recorded at historical cost on a subsidiary ledger which includes the description, serial or identification number, date acquired, vendor name and address, and other information which may aid in the description or valuation of the item. Notation shall be made on the subsidiary ledger of the date, and other specific details when such assets are disposed.

A subsidiary ledger capital item is defined as property and/or equipment of a long-term character that is intended to continue to be held or used in the course of operations. Specifically, a capital item is an asset that is projected to last more than one year at a cost that exceeds \$5,000. This policy would apply to an item or project that is for a new or renovated purpose. If the expense were classified as a repair to an existing facility or item, it would qualify as a "capital asset" if the cost meets or exceeds the aforementioned capitalization thresholds and it extends the useful life of the item longer than one year.

A comprehensive evaluation of the Park District's assets should be conducted every five to seven years by an independent asset valuation firm at the discretion of the Board upon recommendation of the staff or in conjunction with the District's risk management agency.

### Section 3: Audit and Related Reports

#### 3.1 District Audit

The Governmental Account Audit Act requires that the District conduct an audit of all funds, property, and financial practices on an annual basis or as the Act requires by an independent certified public accounting (CPA) firm. The Board selects and contracts with an audit firm to conduct an annual audit for the District as prescribed by grant required circumstances. (See Section 10.24 for guidelines).

The audit must include all District accounts and funds and begin after the close of the last fiscal year to which it pertains. The audit report must contain the following:

Statements that conform with generally accepted accounting principles that set forth the financial position and results of financial operations for each of the District funds and any updates mandated by the Governmental Accounting Standards Board (GASB);

Financial information as well as findings and conclusions that are adequately supported by evidence in the auditor's working papers;

The professional opinion of an accountant, with respect to the financial statements, if the accountant cannot issue an opinion, he or she must declare so on the report and explain why such an opinion cannot be issued;

A certification that the audit was performed in compliance with generally accepted auditing standards; (50 ILCS 310/5);

An audit management letter (if necessary) which will provide recommendations for improving the fiscal and management practices of the District; and

A management discussion and analysis section that provides an overview of the District's financial activities.

The audit must be available for public inspection. In addition to filing the report with the Comptroller (See Section 9.04), the District must file the report with Clark County Clerk as well as other agencies that require a copy after approval by the Board.

#### 3.2 – Audit Firm Selection Policy

The District hires a certified public accounting firm to perform an audit of its financial statements at the end of odd numbered years. At most, every five years a request for proposal (RFP) will be sent to all public accounting firms that are eligible. The requests will be sent and the date for return determined so that the Board can make

its decision no later than the regular meeting in January. The quotes must be based upon a five-year quote, with the initial term to last one year and an option to renew annually each year for the next four years.

The firm that has been selected by the Board is required to prepare an engagement letter indicating its intent to examine the combined financial statements of the District for all governmental and proprietary funds and account groups and perform such other functions as were included in the Request for Proposal for the stated fee. The engagement letter must include the structure and qualifications of the proposed audit team. The engagements, if accepted, will be signed by the president or chairman of the Board and returned to the audit firm.

For the second through fifth year of the term, the audit firm will be required to submit new engagement letters reflecting the fees in the original RFP. Those letters must be submitted no later than 30 days before the end of the period to be acted upon. The new letters of engagement will be either accepted or rejected within 60 days of their receipt.

### 3.3 – State Comptroller’s Report

A supplemental report with a copy of the audit must be completed and filed with the Comptroller of the State of Illinois within six months following the close of each fiscal year. An audit report that fails to meet the requirements of state law will be rejected by the Comptroller and returned to the Board for corrective action. (50 ILCS 310/2-3) The District may include in its audit report to the Comptroller additional comments or explanations (50 ILCS 310/6). The report filed with the Comptroller, and any accompanying comments or explanations must be available for public inspection. (50 ILCS 310/7)

Information required on the report includes the beginning fund balance of all funds on a (combined basis), revenues by defined categories (combined) and expenditures by defined categories (combined) and ending fund balance (combined) at fiscal year end. This report is prepared on software provided by and submitted electronically via a secured area of the comptroller’s website.

### 3.4 – Annual Treasurer’s Report

The Public Funds Statement Publication Act requires that the Treasurer of the Clark County Park District Board prepare a report at the end of each fiscal year showing:

- A. The amount and source of all revenues;
- B. The amount of money disbursed where the total paid to any one vendor exceeds \$1,000 including:
  - a. The name of each individual, business, or organization paid.
  - b. The amount paid to such.
- C. The salaries of employees; and
- D. A summary statement of operations for all funds from the annual audited financial report filed with the State. (30 ILCS 151.01, et seq.)

The statement must be signed by the Treasurer, under oath, and filed with the Clerk of the County in which the Treasurer resides within 30 days of the close of the fiscal year.

The Act also requires that within 30 days after the end of the fiscal year, the Park District must publish the report in a newspaper published or widely available within the District boundaries. Certification of such publication must then be filed with the County Treasurer within 60 days following the end of each fiscal year.

## Section 4: Fund Accounting

### 4.1 – Fund Accounting

The District uses funds to report on its financial position and the results of its operations. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

A fund is a separate accounting entity with a self-balancing set of accounts. Funds are classified into the governmental and proprietary categories. Each category, in turn, is divided into separate “fund types.” Governmental funds are used to account for all or most of a government’s general activities, including the collection and disbursement of earmarked monies (special revenue funds such as the Recreation Fund), the acquisition or construction of general fixed assets except those financed by Enterprise Funds (e.g. Capital Improvements Fund), and the servicing of general, long-term debt (Debt Service Funds). The General Fund is used to account for activities of the general government not accounted for in any other fund.

Proprietary Funds are used to account for activities similar to those found in the private sector. With an Enterprise Fund, the intent of the governing body is that the costs of providing goods or services to the general public on a continuing basis be financial or recovered primarily through user charges. Section 5: Debt and Investments

### 5.1 – Creation of Debt

No commissioner, committee, officer, or any other person employed or not employed by the District shall be authorized to create any financial liability on behalf of the District except when said liability has been approved in nature and amount by the Board at a regular or special Board meeting and recorded in the minutes. (70 ILCS 1205/4-6)

### 5.2 – Bond Rating

The Park District’s policy is to evaluate the impact of obtaining a bond rating on each bond indenture and to obtain one only when it is in the best interest of the District to do so.

### 5.3 – Sale and Issuance of Debt

Chapter 70, Section 1205/6-2 of the Illinois Compiled Statutes authorized Park Districts the ability to issue the bonds or notes for the payment of land condemned or purchased for park or boulevards, for the building, maintaining, improving and protection of the same and for the payment of the expenses incident thereto, or for the acquisition of real estate. The aggregate indebtedness of the District cannot



exceed 2.875% of the value of the taxable property (equalized assessed value), the non-referendum legal debt limit is .575% of taxable property (equalized assessed valuation), and based on state law, the District cannot issue more than \$801,000.00 in non-referendum General Obligation Bond debt annually.

When issuing debt, the District will generally solicit bids from local banks. However, negotiated financing may be used when the market is volatile. The District may use assistance from a financial advisor when larger or more complex debt issuance is to take place.

## Section 6: Prevailing Wage

### 6.1 – Prevailing Wage

To maintain compliance with the Illinois Prevailing Wage Act as well as federal law, each June, the Park District ascertains the prevailing rate of wages for the Clark County region for laborers, mechanics, and other workers performing construction of public works for the Park District. The Board passes an ordinance during the same month to adopt the prevailing wage rates as defined in the Act (80 ILCS 130). This information is made available to contractors or potential contractors through the contractor bid specifications.

#### Verification of Compliance

The Department of Labor (IDOL) maintains a list of contractors and subcontractors that it determines have disregarded their obligations of employees under the Act. No contract may be awarded to a contractor/subcontractor appearing on the list until four years have elapsed from the date of publication of the list.

#### Certified Payroll

Each contractor/subcontractor engaged in a public works project is required to submit to the District in charge of the project a monthly-certified payroll. The Act specifies what information must be included in the payroll including worker's name, address, telephone number when available, social security number, classification(s), hourly wages, number of hours worked each day, and the starting and ending times of work each day. The payroll must be accompanied by a statement signed by the contractor/subcontractor declaring that the records are true and accurate, and that the hourly rate paid to each worker is not less than the general prevailing rate of hourly wages required by the Act.

The District must confirm that all the requirements of a certified payroll are met including that certified payroll has been turned into the District and contains all the information specified in the Act. The District must keep these records for at least three years and accept any reasonable submissions by the Contractor that meet the requirements of the Act. The certified payrolls will be filed with the contractor files in order to maintain a central record of compliance with the Act. These payroll records, except an employee's address, telephone number, and social security number are public records subject to disclosure under the Freedom of Information Act.

Any representative of the District or contractor who willfully violates, or omits to comply with, any provision of the Act shall be guilty of a Class A misdemeanor, for the payment of the expenses incident thereto, or for the acquisition of real estate. The aggregate indebtedness of the District cannot exceed 2.875% of the value of taxable property (equalized assessed value), the non-referendum legal debt limit is .575% of taxable property (equalized assess valuation), and based on state law, the District cannot issue more than \$800,000.00 in non-referendum General Obligation Bond debt annually.

When issuing debt, the District will generally solicit bids from local banks. However, negotiated financing may be used when the market is volatile. The District may use assistance from a financial advisor when larger or more complex debt issuance is to take place.

CHAPTER 5: FINANCIAL OPERATING PROCEDURES

Section 1: Accounting Procedures Manual

1.1 – Accounting Procedures Manual

The District will maintain an Accounting Procedures Manual to provide written documentation on the flow of financial information and the duties and functions performed by staff. The Accounting Procedures Manual ensures that employees are aware of required operation procedures and policies, improves internal communication, and documents procedures. The Accounting Manual includes the Finance Department’s checklists of the major accounting cycles (e.g. payroll, accounts receivable, purchasing), a chart of accounts and other documents or forms for which uniformity and continuity of use is essential.

Section 2: Purchasing, Bidding, Contract, and Change Order Procedures

2.1 – Purchasing Policies and Procedures Authorization Levels:

Executive Director up to \$1,500

All other employees must have prior verbal approval from a direct supervisor with the appropriate purchasing authority before purchases may be made.

Bidding Requirements

For purchases below \$500, staff will conduct a comparison of prices from different vendors to find the best value.

Phone bids and/or dated catalog pricing pages from three vendors must be obtained for purchases between \$500-1,500.

Purchases between \$2,000-20,000 require written bids quotes from three vendors. The written quotes should be turned into the Finance Department, attached to the purchase order, and kept with the paid invoice.

Purchases greater than \$20,000 require a competitive bid process as outlined in the Park District Code and Section 2.4.

Purchase Order Procedures

1. Purchase Orders must be prepared for services, repairs, supplies, and capital items that are obtained for the Park District.
2. Purchase Orders are required to have the following information:

- Name of person requesting the purchase.
- Vendor name and complete address.
- Quantity, description and amount of purchase.
- Shipping and/or delivery charges, if applicable.
- General ledger account number.
- Relevant bid information (See Section 2.4 – Bidding Requirements).
- Budget offset information if purchase will cause the account total for the year to exceed the budgeted amount.
- Appropriate signatures for approval before the purchase is made or requested. 3. Once the Purchase Orders are finalized, two copies must be forwarded to the Finance Department for control and payment procedures.

#### Exceptions to Purchase Order Processing

Blanket Purchase Orders will be issued on an annual basis for individual purchases of less than \$500 and will be approved by the Executive Director. (A separate Purchase Order must be processed for purchases over \$500 even when a vendor has a Blanket Purchase Order.)

Purchases made using a Blanket Purchase Order require general ledger coding, authorizing signatures and confirmation of receipt to be sent to the Finance Department in order to process the purchase. (Packing slips and/or receiving tickets are effective means of communicating these purchases to the Finance Department.)

When no invoice is to be received by the Park District, a Check Request may be used. For payment to be processed using a Check Request, the forms must be completed, properly authorized, appropriately documented and sent to the Finance Department.

The Finance Department has the authority to pay invoice amounts that exceed the approved purchase amount if the overage is less than 5% of the approved Purchase Order total and the new total amount to be paid is within the authorization level of the employee who had approved the Purchase Order.

Refer to Section 2.2 for credit card use policies and procedures. Circumvention

Intentionally splitting purchases into smaller segments to circumvent the authorization or formal bidding requirement (string bidding) is strictly prohibited under any circumstances. Purchases may not be made or bids awarded where knowledge exists at the time of the purchase or bid award of additional goods, services, or change orders being required which would intentionally circumvent the purchasing policy or statutory provisions.

#### 2.2 - Use of Credit Cards

Credit cards and change cards may be issued to certain employees if authorized by the Executive Director.

District employees must adhere to the following provisions:

- A. Credit card and change cards may only be used for official District purposes.

- B. The District's tax exemption must be honored on purchases in Illinois (See Section 2.3).
- C. Credit cards should be kept in a secured location and only carried when making authorized District purchases.
- D. Receipts and approved requisitions or purchase orders must be submitted to the Finance Department at the time of purchase but not later than two business days after purchase.
- E. Cardholders must not allow unauthorized individuals use the credit card.
- F. Credit card purchases must not exceed the cardholder's credit limit to avoid service e charges.
- G. Credit card purchases must adhere to the District's Employee Policy – Section 5.10, Business Travel, which states that expenses, such as alcoholic beverages, are not allowable.

Misuse of the credit card will be cause for immediate termination of the individual's card or account authorization and could result in disciplinary action or termination.

The following corporate credit card limits are established. The Executive Director must approve any exceptions to these authorized limits:

- Executive Director up to \$1,500
- Managers and Supervisors up to \$500 – as permitted by the Executive Director.

### 2.3 – Tax Exemption

As a unit of local government, the Park District is exempt from the payment of sales and use taxes. Employees must present a copy of the sales tax exemption letter when making purchases on behalf of the Park District. Unless required by law, the Park District will not pay nor reimburse sales and use taxes on goods purchased for the Park District. A copy of the exemption letter may be obtained from either the employee's supervisor or the Finance Department.

### 2.4 – Competitive Bidding Procedures

The Illinois Park District Code requires that all contracts for supplies, material or work involving an expenditure in excess of \$20,000 shall be awarded to the lowest responsible bidder, after due advertisement. In selecting the lowest responsible bidder, the District shall consider conformity with specifications, terms of delivery and serviceability. (70 ILCS 1205/8-1 ©)

The following procedure must be followed when soliciting bids:

- A. The District publishes one public notice at least two weeks before the bid opening date excluding Sundays and major holidays in a newspaper circulated in the District. An advertisement may also be placed in publications, which are circulated to those organizations best qualified to provide the needed goods or services. The advertisement should state the date, time and place assigned for the public opening of bids; name and brief description of projects; time and location to pick-up plans; the fee for a copy of the plans (if applicable); information regarding prevailing wage; and the address and phone number to call for questions.

- B. Plans and specifications shall be prepared and made publicly available at least two (2) weeks prior to the bid opening. The time and place of the bid opening shall be included in the bid documents. A refundable or nonrefundable fee may be charged for a copy of the specifications and/or mailing costs based on the size of the project.
- C. Instructions to bidders shall accompany each set of specifications issued indicating all terms and conditions relative to the bid procedures including submission of certification requirement (see Section 2.6(E)).
- D. The bid must be sealed by the bidder, labeled “sealed bid” and include the name of the project to be accepted.
- E. The District can hold a pre-bid or pre-proposal conference prior to opening of bids at which attendance by potential bidders may be optional or mandatory, to clarify the specifications and respond to prospective bidders’ inquiries.
- F. Any addendum or amendment to a contract must be submitted to all prospective bidders that have been sent or requested bid documents. An addendum/amendment is a charge, addition, alteration, correction or revision to the bid documents.

Bid proposals received prior to the bid opening deadline must remain sealed until the public bid opening.

Exceptions to the Competitive Bidding Process:

As specified in the Illinois Park Code (70 ILCS 1205/8-1 ©), the bidding provisions listed above do not apply for:

The services of individuals possessing a high degree of professional skill where the ability or fitness of the individuals plays an important part

The printing of Finance Committee Reports;

The printing or engraving of bonds, tax warrants and other evidence of indebtedness;

The purchase of magazines, books, periodicals, pamphlets and reports;

Emergency acquisition of services of personal property provided such expenditures are approved by threefourths of the members of the Board;

The use, purchase, delivery, movement or installation of data processing equipment, software, or services;

The use, purchase, delivery, movement or installation of duplicating machines and supplies;

The procurement of goods or services from another governmental agency; and

The procurement of equipment previously owned by some entity other than the District itself.

## 2.5 – Bid Opening Procedures

Sealed bids must be opened under the following conditions: A.

The bid opening must be open to the public.

B. The Secretary, Treasurer or President of the Board of Commissioners shall preside over all bid openings and ensure proper procedures are followed. The person responsible for the project or his/her designee shall be present and witness the bid opening.

C. The Secretary, Treasurer or President of the Board of Commissioners shall open, announce, and witness the name of the bidders and amount of each bid.

D. If over \$20,000, a report to the Board shall be prepared describing the project, listing the bidders and amount proposed, and recommending the acceptance of a specified bid or bids or rejections of all bids as well as the availability of funds and if applicable, the Strategic Plan issue addressed by the project.

E. Bids received after the date and/or time indicated in the information to bidders shall be returned, unopened to the bidder with notification on the bid envelope or packet stating that it was a late bid, noting the date and hour received and signed by the Secretary or Treasurer or President of the Board of Commissioners of the Park District.

F. Following acceptance of a specific bid or bids by the Board, timely notification of the action of the Board shall be made in writing and bid bonds returned to the bidder.

G. In the event that all bids are rejected by the Board and notification occurs as required, the project may be rebid following the District's bidding procedures; however, specifications shall be sufficiently altered to prevent reliance upon information obtained from the former bid process which might be used to unfair advantage in the rebid process.

## 2.6 – Selection Process for Professional Services

The District hires consultants for a variety of professional services including architects, civil engineers, attorneys, auditors, trainers and facilitators. According to State Law, a formal bidding process is not required for the purchase of professional services. However, the Local Government Professional Services Selection Act provides guidance on the process for hiring consultants. (50 ILCS 510)

Based on the Act, the District's policy is to evaluate firms through a Request for Proposal (RFP) or Request for Qualification (RFQ) process unless staff has had experience with a firm in the past three (3) years. Staff should solicit proposals from at least three (3) or more firms and provide them with an equitable process for submitting a proposal. Firms submitting proposals are evaluated on their qualifications, ability of professional personnel, past experience, references, ability to meet timeline and budget, location, and other such factors relevant to the project. Staff should select no less than three (3) firms to be evaluated and rank them in order of qualifications. If fewer than three firms submit proposals, staff can determine if more firms need to be solicited or to proceed with less than three. Staff should conduct interviews with the top firms and then negotiate a contract at a fair and reasonable compensation with the top firm. The Board must approve all contracts over \$20,000.

As specified in the Act, the Board may waive the selection procedure established above if it determines that an emergency situation exists and a firm must be selected in an expeditious manner. Firms that provide architectural, engineering or land surveying services can file a statement of qualifications and performance data with the district annually as specified in the Act.

## 2.7 – Contracts

The District shall award and enter into contractual arrangements with vendors for appropriate services or construction projects when it is determined to be in the best interest of the District.

Contract provisions shall include:

1. A list of contract documents.
2. A description of the project.
3. Contract amount.
4. Clause permitting the District to take action in the event of delay of completion of the work specified.

Contactor Certification pursuant to Public Act 85-1295 (Illinois Revised Statute Section 3833 E-1 et. seq.) The District has certification requirements that all bidders must sign and submit as part of the bid submission (LE. no prior violations of Criminal Code, Sexual Harassment policy, compliance with Equal Employment Opportunity and Illinois Drug Free Work Place Act). Any bid submitted without this attachment properly signed by the bidder will be rejected as non-responsive. The certification of the successful bidder will be incorporated into and made a part of the contract for the project. The copy of the certification form is available for the Finance Department.

In accordance with the Prevailing Wage Act, the District must include the Notice for Bid Specification requiring contractors to certify that they will comply with the prevailing wage in the State of Illinois. Any bid submitted without this certification properly signed by the bidder will be rejected as non-responsive.

Insurance requirements.

Appropriate signatures.

Other relevant service or project-specific attachments

Reference check requirement and verification. The contract provisions may also allow the District to check the successful bidder's financial status.

An original, executed contract will be forwarded to the Administrative Office Manager who will copy it along with subsequent change orders. The Administrative Office Manager will file the copy in the contract books in the Administrative Office and send the original to the Finance Department to be placed in the Finance Contract Files.

## 2.8 – Change Orders



All change orders must go through the proper approval process. The Executive Director can make on his or her authority any contract or purchase change order less than \$20,000 as long as funds are available. In emergency situations (where the change order is above \$20,000), the Executive Director shall straw poll the Board for tentative approval with formal adoption at the next regularly scheduled Board meeting. The Executive Director shall notify the Board no later than the next scheduled Board meeting of all change orders under \$20,000 (See Board Policy Manual: Section 6.04). All other state laws in regard to purchasing and change orders apply.

Based on state law, a change order that authorizes or necessitates any increase in the contract price that is 50% or more of the original contract price or that authorizes or necessitates any increase in the price of a subcontract under the contract that is 50% or more of the original subcontract price, then the portion of the contract that is covered by the change order must be resubmitted for bidding in the same manner for which the original contract was bid. (P.A. 94-0460)

Additionally, no change order may be made in a contract which would authorize or necessitate an increase or decrease in either the cost of the contract by \$20,000 or more or the time of completion by 30 days or more unless one of the following certifications is made by either the governing board or its designee that:

1. Circumstances said to necessitate the change in performance were not reasonably foreseeable at the time the contract was signed; or
2. The circumstances said to necessitate the change were not within the contemplation of the contract signed; or
3. The change is in the best interest of the unit of local government.

#### 2.9 – Labor and Material Payment Bond and Performance Bonds

**Bid Bonds:** As part of the bidding process, the District can require the bidder to provide a bid bond for 5% to 10% of the bid. The Bid Bond, if required, is due as part of a bidder's sealed bid and is released upon the receipt of the Performance Bond and a Labor & Material Payment Bond if the bidder is awarded the contract or, if a bidder is not awarded the contract, after the bid opening. The bond is a guarantee that a bidder will enter into a contract if the bid response submitted by the bidder is accepted.

**Labor and Material Payment Bond and Performance Bond:** The Public Construction Bond Act states that districts entering into contracts for public works require that every contractor furnish a performance bond with "good and sufficient sureties" conditioned upon the completion of the contract and payment for labor and materials bond used in the work (30 ILCS 550/1, et seq). Under certain circumstances, the statute allows for a letter of credit for contracts less than \$100,000 instead of a bond. Also, the amount of the bond should be 100% of the contract. The Performance Bond is retained until the end of the guarantee period as specified in the bid documents. The bond protects the District from loss due to the bidder's inability or refusal to complete the contract as agreed.

Failure to supply required bonds within ten (10) days after the bid acceptance or within such extended period as the District may grant shall constitute a default and the District may award the contract to the next responsible

bidder or elect to re-advertise for bids. A defaulting bidder may be deemed liable for the difference between the bid originally accepted and that amount for which an award is subsequently executed.

Before taking any adverse actions against the contractor, the District should review the specific terms of the bonds it received to ensure that the notice requirements and any other requirements of the bonds are met. Although notice may be filed, the surety company may not be sued until the expiration of the 120 days after the date of the last work or materials were provided, unless the District and the contractor have entered into a final settlement prior to the expiration of the 120-day period. (30 ILCS 550/1, et seq)

### Section 3: Deposit and Disbursement of Funds

#### 3.1 – Deposit of Funds

The Park District is a public agency as defined by the Public Funds Investment Act (30 ILCS 235/1). Public funds are defined as current operating funds, special funds, interest and sinking funds, and funds of any kind or character belonging to or in the custody of any public agency. The deposit of public funds is further directed by the Public Funds Deposit Act (30 ILCS 225/0.01) as being required to be made within two (2) working days. Deposits of cash and checks from any revenue course will be made in compliance with these provisions (if not sooner).

#### 3.2 – Bad/Not Sufficient Funds Checks/Closed Accounts

Checks returned by the bank and designated uncollectible or closed accounts are processed using the following procedure to avoid confronting or embarrassing customers while ensuring that the funds are collected.

A collection letter will be sent out to the issuer and a collection fee of \$25.00 will be charged. The customer may use cash, cashier's check, money order or a credit card to satisfy this balance. The current amount of the collection fee can be found in the most recently published version of the District's Program Registration Brochure. The customer's account(s) in all of our records will be labeled as unable to have further transactions with the District until this bad check has been resolved.

When the same party issues more than one bad check, the customer will be put on a cash or credit card basis only. Under all circumstances, a customer may not have further business with the District until the bad check(s) are first resolved.

#### 3.3 – Disbursement of Funds

The Park District disburses checks for accounts payable, payroll and petty cash. Two (2) signatures are required on all checks. Payroll checks are issued with the signature of the Executive Director, Treasurer or the President of the Board of Commissioners. Accounts payable checks are issued with the signature of the Board President, Executive Director or the Treasurer. Petty cash checks are issued with the signature of the Treasurer, Executive Director or the Board President.

#### 3.4 – Petty Cash

Funds for the procurement of supplies and services that by their nature require cash payment or are incidental in nature are paid from petty cash funds maintained by the District's Finance Department and registration offices. All petty cash disbursements are charged to the appropriate expense account and receipts are attached to the Petty Cash Reimbursement Form, which is retained by the Finance Dept. When a staff person has already incurred expenses for District purposes, the expense must first be approved by their supervisor and he/she must provide the Finance Department with appropriate receipts and allocation of expense charges. Petty cash disbursements cannot exceed \$100.

### 3.5 – Payment of Bills Policy

The District pays bills according to the agreed on vendor's terms. For an invoice to be processed it is received and input in database (Quickbooks) for payment. Executive Director prints checks when due for signature.

The District complies with the Prompt Payment Act (501 ILCS 505/2-9) to ensure that vendors are paid in a timely manner

### 3.6 – Check Register

At the regular board meeting of each month, the check register is placed on the Consent Agenda for Board's review. The register lists the vendor name, amount, and description of services provided.

## Section 4: Payroll Withholding and Changes, IMRF. Garnishments and Voluntary Deductions 4.1

### – Payroll Withholding

The collection of State and federal income taxes levied against employee earnings by the Park District is authorized and stipulated by both State and federal law. The method of collection is the withholding or deduction of the amount of the respective tax form from the biweekly wage payments to all employees. Funds withheld for state income tax purposes shall be forwarded to the Department of Revenue, State of Illinois, with a completed form IL-501. Additionally, Form IL-941 shall be completed and submitted for each calendar quarter no later than the last day of the month following the close of the preceding quarter.

Federal income tax withheld, Social Security, and Medicare are deposited by check within three (3) days of the payday, through First Financial Bank. Form 941, the Employer's Quarterly Federal Tax Return, shall be submitted for each calendar quarter no later than the last day of the month following the close of the preceding quarter. W-2's for each employee must be prepared and received by each employee by January 31 for the calendar year ended at December 31 of the preceding year. The W-3 (compilation of W-2's) shall be completed and filed no later than February 28 for the calendar year ended at December 31 of the preceding year.

### 4.2 – Illinois Municipal Retirement Fund (IMRF)

Employees expected to work at least 1,000 hours over a 12-month period must enroll in IMRF as required by state law. Employee contributions to IMRF are withheld from the wages paid and deposited with IMRF along with the employer contribution on a monthly basis. Annually, IMRF informs the District of the percentage of the employee wages required to be collected and the employer contribution percentage.

#### 4.3 – Garnishments and Voluntary Withholdings

Garnishments and voluntary withholdings may be deducted as needed and remitted appropriately. The District only recognizes garnishments that are required by law. These and any other voluntary deductions are remitted to the appropriate vendors on their respective due dates. The District determines voluntary deductions that are offered to the employee. Wage assignments are not enforceable against an employee of a local government in Illinois and will be made by the District.

#### 4.4 – Changes affecting Payroll

All changes in employee status, job codes, jobs, pay rates, etc, must be received by 5:00pm of the Thursday preceding the pay –date for those changes to be reflected in that pay period. Approved time sheets must be received by 10:00 am of the Monday preceding the pay-date.

## Chapter 6: INFORMATION SYSTEMS (I.S.)

### Section 1: Documentation, Backup and Protection of Information Systems

#### 1.1 – Manager of Information Systems Manual

The Manager of Information Systems (MIS) Manual contains critical systems information including hardware and software configurations, installation procedures, software licenses, hardware and software inventories, disaster recovery procedures, passwords, key codes and installation serial numbers.

The MIS Manual exists in three forms:

1. A ring-binder notebook with paper copies of some of the above-listed information kept in the media safe in the Park District Office.
2. An electronic version residing within the Hard Drive file system on the CCPD network that is accessible only by personnel with the appropriate administrative authority.
3. Annually, digital copies of the MIS Manual are printed to portable media. The Executive Director and the Information Systems Manager all retain a copy off-site.

#### 1.2 – Data Backup

The I.S. Dept maintains a data backup schedule. The system and data file information is recorded to removable drive every Friday night. Every Friday, a weekly backup is made and the backup is stored in a locked fire and water protected media safe at the CCPD office location.

#### 1.3 – Anti-Virus Protection

Anti-virus protection applications are installed and maintained at both user and server levels. Server anti-virus applications are updated on a twice-weekly schedule, or as deemed necessary by current events. User PCs are updated automatically and scanned on a weekly basis.

### Section 2: IS Security and Recovery

#### 2.1 – Media Safe

The I.S. Department office contains a media safe. This safe contains the MIS Manual, the backup information for the current programs and I.S. Department servers, and software and hardware installation and maintenance media (CD-ROMs, floppy disks).

#### 2.2 – Security Audits

## Clark County Park District Policy and Practices Manual

The I.S. Department conducts security audits of all users and all systems on a regularly scheduled basis. Timely changes are made to correct any discrepancies.

### Section 3: Software Installation and Inventory

#### 3.1 – Software Installation

All software used by the District is installed and maintained by the I.S. Department. This includes original installations, upgrades, custom alterations, and necessary programming. Installation of any software including, but not limited to, CD-ROMs, floppy disks, and downloads is strictly prohibited without express approval by the Director of I.S. Installation of any hardware including, but not limited to, printers, Personal Data Assistants, digital cameras, and any other peripherals is strictly prohibited without express approval of the Director of I.S.

#### 3.2 – Software Inventory

The I.S. Department maintains an inventory of all software, including licenses and contracts, and all computer-related hardware, including PCs, monitors, printers, laptops, digital projectors, UPS (uninterruptible power supply) units, and servers. These lists are updated when a change occurs in the inventory.

### Section 4: Hardware Maintenance

#### 4.1 – Hardware Maintenance

All computer-related hardware is maintained by the I.S. Department. System diagnostic checks are conducted on a scheduled basis on all District servers, backup tape drives, UPS units, and printers. Replacements of faulty items are purchased or rebuilt as necessary based on weighing alternatives and determining the District's best economic advantage.

### Section 5: Internet

#### 5.1 – Web Site

The District has an Internet website at [www.clarkcountyparkdistrict.com](http://www.clarkcountyparkdistrict.com), which is designed; implemented; and maintained by the I.S. Department. The website has different sections that display information on District facilities, programs and events. Designated staff input some section of the website as delegated by the I.S. Department, and this information is updated on a timely basis. The I.S. Department oversees the content, placement, and interactive functions of the website, and responds to public inquiries regarding its use and content. This District will not list information for organizations or individuals that promote a product, service or business or for political advocacy or campaigns. The District has sole discretion over the organization and format of the information on its website.

### Section 6: E-mail, Nextel System, and Telephone System Use

#### 6.1 – E-mail System

The I.S. Department installs and maintains the District's e-mail system. It sets policy and restrictions as outlined in the Employee Policy Manual and assigns accounts and addresses as required.

### 6.2 – Wireless Communication

The I.S. Department administers the Verizon cellular phone system for the District. It reviews and approves billing, updates the phonebook, and maintains an inventory list. It also creates and administers policies as outlined in the Employee Policy Manual.

### 6.3 – Hard-line Telephone Services

The I.S. Department administers the District's telephone systems. Staff coordinate new line installation, reviews and approves billing and assists with troubleshooting technical issues.

## Chapter 7: MARKETING AND COMMUNICATIONS

### Section 1: Marketing and Communication Procedures

#### 1.1 – Public Relations Emergency Plan

The public relations emergency plan is detailed in the Clark County Park District’s Emergency Operations Plan.

#### 1.2 – Training

The Executive Director provides or arranges for supplies training for full-time management staff to familiarize them with all the printed pieces created for the District as well as supplying them with deadline schedules and procedures for requesting work from the department. Part-time Park Ambassadors, Interns, and seasonal employees also receive training on their job duties.

### Section 2: District Publications

#### 2.1 – Brochure

The District may publish a series of programming brochures each year. These brochures are developed to promote the programs and services offered to the community. The formal competitive bidding process is utilized when choosing a brochure printer.

It is the responsibility of all Departments to cooperate with supplying information for this document, and all managers/staff involved in providing copy are responsible for supplying this information to the Executive Director in an accurate and timely manner.

Brochures are circulated to the District residents and patrons through events and requests at this time.

#### 2.2 – Update Newsletter/Annual Report

District residents received updates on the status of current projects in the Update Newsletter and the Annual Report. These pieces are distributed to Clark County residents through press releases and media sources.

#### 2.3 – Newsletters

The District produces targeted newsletters that focus information directed toward specific target markets, Specialty newsletters are occasionally produced to highlight facilities, events, etc.

The District submits information for newsletters that are printed by outside organizations such as the City of Marshall and the Marshall Chamber of Commerce newsletters.

#### 2.4 – Advertising in District Publications

Advertising space is available in certain printed pieces produced by the District, such as newsletters and the seasonal brochure. Advertising that promotes smoking, drinking, escort services, religious or political affiliations, or any topics deemed inappropriate are not permitted.



All advertisements will be charged a fee based on publication size, distribution and target market. Organizations may be contracted by the District to sell ad space where a percent of sales is given to the District. These types of ads will be coordinated and administered by the Marketing and Communications Department to avoid duplication.

### Section 3: Promotions and Media

#### 3.1 – Banners and Signs

Banners and signs are available for display at special events, trade shows, employment fairs, etc. These signs should include the District logo.

#### 3.2 – Photos and Electronic Media

Photos and videotapes are periodically taken of persons participating in Park District programs and activities. All persons participating in District programs/activities thereby agree that any photograph or videotape taken by the District may be used by the District for promotional purposes including its promotional videotapes, brochures, fliers, website and other publications without additional prior notice or permission and without compensations to the participant.

All employees requesting a staff or press photographer at an event must inform the Executive Director first. Any staff member requesting photos must complete a Media Request Form available in the CCPD office. All requests for a press photographer to attend an event must be turned into the Marketing and Communications Department 30 days prior to the event. There are some instances where, if a special event occurs, the press may be available upon short notice.

#### 3.3 – Advertising in External Publications

The District places ads in various external publications such as the newspapers, direct mail, magazines, etc. to promote programs, services and facilities. These ads are placed by the Executive Director and are evaluated for their effectiveness (e.g. demographics, distribution and cost). A staff member requesting to place an ad must contact the Executive Director prior to placing the ad.

#### 3.4 – Mailing Lists

The District has compiled mailing lists of various targeted markets to promote District programs, services and facilities. These lists are not available for sale.

#### 3.5 – Media

Press releases are produced through the Executive Director or his/her designee and circulated to a targeted media-mailing list. Any staff member requesting press releases must complete a Media Request Form available from the Executive Director. In addition, articles may be submitted to trade journals from District staff. A copy of the article should be reviewed by the Executive Director prior to publication.

#### 3.6 – District-wide Special Events

The Executive Director or his/her designee oversees events that promote the District to the entire community such as parades and grand openings, and coordinates promotions for large community-wide events such as concerts, movies, and citywide and regional events.

#### Section 4: Standards and Review

##### 4.1 – Required Information on Printed Pieces

The District logo must appear on all printed pieces including brochures, fliers, pamphlets, cards, etc. along with Americans with Disabilities Act (ADA) information.

All printed pieces distributed to the community must be reviewed by the Executive Director prior to copying and distribution. Printed pieces prepared by individual staff for target markets must include all required information and be submitted for review by the Executive Director.

There are some instances where the logo may not appear because of spacing. Omission of the logo requires the approval of the Executive Director.

##### 4.2 – Logo Usage Guidelines

Park District logos are a graphic representation of the District and are used internally and externally as an identifying mark for our staff and residents. Logos are owned by District, and all uses of the logos are designed to benefit the District. It is required that all departments use the District logo on all printed materials or advertisements unless authorized by the Marketing and Communications Department.

Only authorized copies of logos may be used and are located on the Marketing Network Drive. The Marketing and Communications Department provide staff with electronic or black and white camera-ready artwork of a logo. A logo may not be altered in any way except resized proportionally. Staff cannot remove any trademarks, service marks, and symbols or alter a logo in any way. Redraws, distortions, or animation of a logo are not permitted beyond what is provided.

The District logo is to be displayed as an independent logo, and not conjoined with any other graphic or text in such a way as to imply District endorsement. A logo may not be used as a feature or design element of any other logo.

A logo cannot be used to disparage the District, its employees, residents, or promotional goods. Similarly, a person must have express written consent from the Marketing and Communications Department to imitate logos on non-District promotional materials, including advertising. All logos must not be used in a way that implies District endorsement of issues that do not support the District's mission including political and religious affiliations.

#### Section 5: Fundraising and Sponsorship

##### 5.1 – Fundraising

Sponsorships are available for various projects and events that fit the needs of the District and follow District's mission. A request is made in writing to the Director of Marketing and Communication for sponsorship packages that are customized to fit specific events or programs and meets the needs of the sponsor. Criteria are set for sponsorship levels. All sponsors are invoiced and expected to pay prior to the event or program.

#### 5.2 – Donations

The Marketing and Communications Department will solicit and accept gifts and donations of new and used items that enhance the scope and quality of programs and services for the general public. The District's acceptance of all donations must comply with the District's Ethics Ordinance.

Upon request, receipts shall be given to donors for tax purposes.

#### 5.3 – Matching Fund Donations

If any organization wishes to offer a matching fund donation, all information must be presented to the Marketing and Communications Department and Executive Director for approval.

#### 5.4 – Acknowledgment of Donations or Gifts

The manner in which a donation/gift is acknowledged must be appropriate to the nature of the gift/donation and consistent with the donor's wishes. Upon receipt of a gift, a letter is promptly sent thanking the donor on behalf of the District. The letter must clearly identify the gift and confirm its placement and future use at the District.

#### 5.5 – Raffles

The Executive Director will approve all requests for raffle prizes and review letters of request to businesses for donated raffle prizes.

#### 5.6 – Silent Auctions

If any staff or outside organization requests to do a silent auction, all information must be presented to the Executive Director for approval.

#### 5.7– Scholarship Program

The Scholarship Program is for residents of the District who are one of the following: high school seniors entering a college degree program; full-time college students; or residents who demonstrate intent and promise of obtaining a degree. Applicants must be entering or enrolled in an undergraduate or graduate degree program in Parks, Recreation, Conservation, Health and Fitness, Landscape Architecture and other approved fields. Applications are available at the CCPD Office. Candidates will be reviewed by the Board of Commissioners for award of recipient.

### Section 6: Errors and Omissions 6.1

#### – Errors or Omissions

Prices and other program information are subject to change due to circumstances beyond the District's control. Occasionally, information is not available before a brochure, newsletter, etc. goes to press. When errors occur, staff will advise the Executive Director of the change as quickly as possible. Changes can then be publicized to the public via signage, press releases, newsletters, etc. If incorrect or invalid data has been printed, the District will make every effort to honor the printed information.

#### Section 7: Volunteers

See Chapter 1: Sections 11.1 to 11.8 for District policies on the use, solicitation, tracking, and training of volunteers and the volunteer recognition program, job titles and descriptions, handbook, and background checks.

### Chapter 8: USER POLICIES FOR PARKS AND FACILITIES (0-08-04)

#### Section 1: Construction of Words and Definitions

##### 1.1 Short Title

This Ordinance regulating the use of the Parks and Property owned, operated, maintained or controlled by the Clark County Park District shall be known and maybe cited as the "User Policies for Parks and Facilities of the Clark County Park District."

##### 1.2 Definition of Terms

The following terms are defined to assist in the interpretation of succeeding sections:

"Alcoholic Liquor" is defined as provided in the Illinois Liquor Act of 1934 (235 ILCS 5/1-3.05) from time to time hereafter amended.

“Area(s)” where used mean a specified place within a Park.

“Amusement Contraption” where used means any device, machine or structure designed to test the skill or strength of the user or provide the user with any sort of ride, lift, swing or fall experience including , but not limited to, ball-throwing contest devices, pinball-type devices, electronic games, animal ride devices, ball and hammer devices, trampoline devices, and the like.

“Authorization” is defined as overt written or oral consent to an act.

“Board” mean the Board of the District.

“Camping” shall include the erecting of a tent or shelter of natural or synthetic material, preparing a sleeping bag, hammock, or other bedding material for use, setting up any temporary or permanent camping equipment including without limitation food preparation equipment and parking of a motor Vehicle, motor home or trailer for the apparent purpose of overnight occupancy.

“Cannabis” is defined as provided in the Illinois Cannabis Act (720 ILCS 550/3(a>>from time to time hereafter amended).

“Carry” means to wear, bear, or have on or about the Person.

“Controlled Substance” is defined as provided in the Illinois Controlled Substance Act (720 ILCS570/102(f), 204, 206, 208, 210 and 212) as amended from time to time hereafter.

“District” refers to the Clark County Park District, Clark County Illinois.

“District Property” is all the property, real and personal, of every kind and description located within the jurisdiction of, or owned, administered, leased or licensed by, or otherwise in the possession or under the control of the District, including, without limitation every building, shelter, street, sidewalk, trail, path Park, playground, wilderness or open space, or other public place or facility and all District Waters located on or adjacent to or flowing over property located within the jurisdiction of, or owned, administered, leased or licensed by, otherwise in the possession or under the control of the District.

“District Waters” shall include all water located on or adjacent to or flowing over land owned, leased or generally administered or operated by the District, including without limitation all natural or man-made lakes, rivers, creeks, streams, ponds, lagoons, bays and drainage ways. This definition includes such District Waters whether in a frozen or liquid state.

“Domesticated Animal” refers to any animal which has been domesticated by man to live and breed in a tame condition or any animal which is commonly kept as a household pet, including cats and dogs, small aquatic animals and birds which are kept in a small tank or cage, and potbellied pigs, as defined herein.

“Drive,” “Road” or “Roadway” is any area designated by the District as open to the public for the purpose of vehicular travel.

“Employee” where used means an employee of the Clark County Park District.

The “Executive Director” is the Executive Director of the Clark County Park District as appointed by the Board and as defined by State statute.

“Fish” or “Fishing” means taking or attempting to take aquatic life in or from any District Waters by any method, and all other acts such as placing, setting, drawing or using any device commonly used for the taking of aquatic life whether resulting in such taking or not.

“Gambling” is defined as the payment of money or other tangible goods for a chance to win a prize.

“ILCS” is the Illinois Compiled Statutes.

“Incite a Riot” means, but is not limited to, urging or instigating other Persons to riot, but shall not be deemed to mean the mere oral or written (1) advocacy of ideas or (2) expression of belief, not involving advocacy of any act or acts of violence or assertion of the rightness of, or the right to commit, any such act or acts.

“Leash” is defined as a device used to restrain an animal such as a rope, leather strap or light chain.

“Legal Guardian” means any foster parent, person appointed guardian or given custody of minor by a circuit court of this state, or person appointed guardian or given custody of a minor under the Illinois Juvenile Court Act, but shall not include any person appointed guardian only to the estate of a minor.

“Obscene” is defined as set forth in 70 ILCS 5/11-20.

“Operator” means a Person who operates, drives, controls, otherwise has charge of, or is in actual physical control of a mechanical mode of transportation or any other mechanical equipment.

“Ordinance” means the User Policy Ordinance of the District.

“Parent” shall include the father and /or the mother of a minor child, whether by birth or adoption, or shall be deemed to be the parent having legal custody of the minor in the event the parents are divorced or separated. The term “parent” shall also be deemed to mean “legal guardian.”

“Park” refers to any part of an athletic field, play area, golf course, trail, swimming pool, building, or any other recreational facility; or any property or equipment owned, leased, used, or controlled by the Clark County Park District.

“Parking Lot” is any area designated by the Clark County Park District as open to the public for the purpose of parking motor Vehicles.

“Permission of the Director” wherever used means written permission being granted by the Executive Director.

“Permit” is the written authorization issued by or under the authority of the District, by a District officer or employee empowered to grant said authorization to a Person to do or engage in a particular act or acts on District Property, subject to the terms and conditions specified in the permit as well as all applicable federal, state, local and District laws, ordinances, rules and regulations.

“Person” is any individual, firm, partnership, group, association, corporation, governmental unit, company, or organization or any kind or any employee, agent or officer thereof. This definition shall not include the District or any authorized officer, employee (full or part-time or short-term), or agent of the District when acting within the scope of his authority.

“Police” wherever used, means members of the City of Marshall, Illinois, Illinois State Police Department, The Clark County Sherriff, Illinois Conservation Police Department, or any other police officers qualified in accordance with applicable Illinois law (certified by the Illinois Law Enforcement Standards Training Board) and given authority to maintain peace, safety and order.

“Portable Grill” is defined as a non-wood burning or charcoal grill that can be carried or moved easily by hand by one person.

“Possess” or “Possession” means exercising direct physical control or dominion, with or without ownership, over any kind of property, or archeological, cultural or natural resource.

“Posted” wherever used means any notice which is displayed either by a sign in a Park, or a District building, or at the entrance to a Park, or is available at the Administrative Office, the location being at the discretion of the Director or as defined in State statute.

“Refuse” includes without limitation trash, garbage, rubbish, waste, papers, bottles or cans, debris, litter, oil, solvents, liquid waste, or other discarded material whether solid or liquid.

“Riot” shall mean a public disturbance involving (1) an act or acts of violence by one or more Persons part of an assemblage of three or more Persons, which act or acts shall constitute a clear and present danger of, or shall result in, damage or injury to the property of any other Person or to the Person of any other individual or (2) a threat or threats of the commission of an act or acts of violence by one or more Persons part of an assemblage of three or more Persons having, individually or collectively, the ability of immediate execution of such threat or threats, where the performance of the threatened act or acts of violence would constitute a clear and present danger of, or would result in, damage or injury to the property of any other Person or the Person of any other individual.

“Services” shall include but not be limited to labor, professional services, transportation, leasing or renting any article object, privilege, or service, giving of instructions or lessons, admission to events, use of telephone or other utilities, or any act for which payment is received.

“Smoking” means the lighting of cigarette, cigars, or pipes, the carrying of lighted cigarettes, cigars or pipes, or the intentional and direct inhalation of smoke from these objects.

“Sound Amplification” where used means music, speech, or any sound or noise transmitted by artificial means including, but not limited to, amplifiers.

“Vehicle” means every device in, upon, or by which a person or property is transported or drawn on land, whether motor powered or self-propelled, except baby carriages or strollers, child wagons, bicycles when property used on walks or trails, and vehicles in the service of the District.

“Wildlife” shall include any waterfowl, mammal, animal, amphibian, reptile or bird or the young or eggs thereof. Wildlife does not include any animal that is specifically permitted to be on District Property by a section of the Ordinance, but such presence shall be in strict accordance with any conditions or restrictions provide in such section.

### 1.3 – Construction and Scope

1. In the interpretation of this Ordinance, its provisions shall be construed as follows: (a) Where the context permits, words used in the present tense include the future, words in the plural number include the singular number, words in the singular number include the plural number, words importing the masculine gender shall include the feminine, and words importing the feminine gender shall include the masculine; (b) The word “shall” is always mandatory and not merely directory; (c) The word “may” is always permissive and upon the discretion of the District; (d) This Ordinance is in addition to and supplemental to all applicable state, federal, local and District laws, ordinances, rules and regulations including without limitation the Park District Code (70 ILCS 1205/1-1 et seq.); (e) The meaning of any term, phrase, or word not otherwise defined in this Ordinance shall be construed and interpreted to mean the same as said term, phrase, or word is otherwise defined, construed or interpreted in such applicable federal, state, local, or District laws, ordinances rules, or regulations; (f) the meaning of any term, phrase or word not otherwise defined in this Ordinance or in such applicable federal, state, local, or District laws, ordinances, rules or regulations shall retain its ordinary and property understood meaning; (g) The descriptive headings of the various sections or parts of this Ordinance are for convenience only and shall not affect the meaning or construction, nor be used in the interpretation of any provision of this Ordinance; and (h) An attempt to commit an act or engage in an activity prohibited under this Ordinance shall likewise be deemed prohibited in the same manner as the commission of such act or the engaging in such activity and subject to the same penalties.
2. This Ordinance shall apply to and be enforceable within and upon all District Property and shall regulate the use thereof by all Persons. However, no provision hereof shall make unlawful any act necessarily performed by any officer, employee or agent of the District.

## Section 2: Public Use

### 2.1 – Public Use and Purpose of User Policies

Parks are for use by the general public. One of the functions of the District is to acquire, protect, restore, develop and maintain a well-balanced park system with scenic, ecological, recreational and historic values for the inspiration, education and use by the public. This Ordinance is intended to help carry out this function, as well as to regulate the use of the Parks and Property maintained by the District to provide for the safety and enjoyment of Park, facility, and program users.

### 2.2 – Hours of Use

The Executive Director may establish and periodically revise the hours during which District Property or any parts thereof shall be open to park facility users and the public.



### 2.3 – Special Closings

The Executive Director may close District Property or any part or parts thereof to the public at any time and for any interval of time, either temporarily or at regular intervals and either entirely or merely to certain uses as deemed reasonably necessary and in the best interest and safety of the public and the District.

### 2.4 – Use of Closed Property

No Person shall trespass, use, occupy, be in, or remain upon District Property or leave the personal property in or upon District Property that is closed to the public, or after closing hours, unless permission therefore has first been obtained from the Executive Director or his/her designee.

### 2.5 – Schedules, Fees, Rules, and Regulations

Time schedules for the operation of the activities to be conducted on District Property and the amount of facility and Permit and program fees may be reviewed and approved periodically by the Executive Director. As permitted by law, fees charged nonresidents of the District need not be the same as fees charged residents of the District. The Board may otherwise establish policies, rules and regulations for the proper conduct by Persons using District Property. Specific policies, rules and regulations pertaining to District Property and programs may be posted at or on the applicable District Property and/or published in District program brochures or otherwise made available to the users of District Property, who shall be charged with actual knowledge thereof. All Persons shall abide by all District policies, rules and regulations and will the direct orders or requests or employees and agents of the District when using District Property.

### 2.6 – Admission/Identification

1. Every Person shall produce or display a Permit, pass, admission identification or membership card when requested to do so by an authorized person for the purpose of enforcing compliance with any federal, state, local or District law, ordinance, rule or regulation and/or when such Permit or pass is required to engage in an activity or District Property.
2. All admission identification cards, papers and tickets are nontransferable and must be individually registered, unless otherwise specifically noted thereon.
3. Permits, passes, tickets, or membership cards may be revoked for cause at any time.
4. No Person shall use or attempt to use a revoked permit, pass, ticket, membership card, or gift certificate, and no Person shall create, use or attempt to use a forged permit, pass, ticket, membership card or gift certificate.
5. All Persons shall comply with registration requirements that will be established by the District.

### 2.7 – Lost, Found, Abandoned Property

1. No Person shall abandon property on District Property.
2. Property left unattended for longer than twenty-four (24) hours or unattended property that interferes with any Park visitor's safety or the orderly management of the Park area, or presents a threat to Park resources may be impounded or removed by the District or the Police at any time. The owner of such property shall be responsible and liable for all costs and expenses associated with the impounding, removal, storage, or other disposal of the property.
3. Any Person finding lost or unattended property on District Property shall report the discovery to the District as soon as is practicable. Whenever a District employee or agent finds lost or unattended property on District Property, he shall report the discovery to his supervisor. This District will attempt to make every reasonable effort to locate the owner (s) of the property.
4. All items lost or misplaced that are not impounded and are found on outdoor District Property or at facilities that do not have a staffed reception desk are kept at the District offices for six months and then donated. Items that are not impounded and are found in indoor facilities with a staffed reception desk are kept at that locations for the same period of time and then donated to a local charity.

## 2.8 – Building Use

No Person shall use any District building or facility for an event or activity that is not conducted or sponsored by the District unless a Permit therefore has first been obtained from the District in accordance with Chapter 8 of this Ordinance and/or a license agreement had been executed with the District. All Persons using District buildings or facilities shall comply with the provisions of this Ordinance and with the provisions and conditions of the Permit and/or license agreement and with all other applicable policies, rules, and regulations of the District regarding the use of District Property.

## Section 3: Regulation of Vehicles, Traffic and Parking

### 3.1 – Vehicle Operation

1. In addition to the provisions of this Chapter, and to the extent not inconsistent therewith, no Person shall drive or otherwise operate a Vehicle or perform any act in any manner in District Property in violation of Chapters 11 and 12 of the Illinois Vehicle Code (625 ILCS 5/11-100 et seq. and 625 ILCS 5/12-100 et seq.).
2. No Person operating a Vehicle shall violate regulatory and speed restrictions that may be from time to time adopted by the Executive Director and posted.

### 3.2 – Vehicle Access

- A. With the exception of Police and Emergency Vehicles, District Vehicles or authorized maintenance Vehicles, no motor Vehicle shall be driven or otherwise operated upon District Property except over and

upon such Roadways, Drives, or Parking Lots or other areas designated or marked by the District for use by motor Vehicles. A bicycle path shall not be deemed a Roadway for the use of motor Vehicles.

B. The Executive Director shall have authority to order Roads, Drives, or Parking Lots closed to Vehicle use during the process of construction, reconstruction, or repair or for any other reason that is in the best interest of the District. No Person shall operate a Vehicle upon or in any Area, Road or Drive, which has been closed unless authorized by the Executive Director.

C. No Person shall obstruct or cause the obstruction of or interfere with travel in any Park including entrance to or egress from any building, in any Park, or the normal flow of traffic.

### 3.3 – Speed Limit

No Person shall operate any bicycle, motor Vehicle, or any conveyance faster than posted speed limits on any Drive, Parking Lot, or Roadway in any Park.

### 3.4 – Right-of-way

All Persons operating a Vehicle shall yield the right-of-way to pedestrians in a Park or on any Park Drive, Roadway, Walkway or Parking Lot.

### 3.5 – Parking

1. No Person shall park a motor Vehicle on District Property:
  - a) other than in established or designated Parking Lots
  - b) beyond the normal closing hours of the Park system, except when the District has designated a different closing hour for that Area or unless permission therefore has first been obtained from the Executive Director or his/her designee. In no event shall any motor Vehicle except District Vehicles be parked on District Property later than 11:00 p.m., except with the approval of the Executive Director or his/her designee which approval shall automatically be deemed given in connection with activities conducted, sponsored, licensed or otherwise permitted by the District.
  - c) unless the Person parking and leaving the Vehicle or a passenger in such Vehicle is a participant or spectator in a District program or activity on the premises where the Vehicle is parked unless the Person has received the permission of the Executive Director or his/her designee;
  - d) unless the Person parking and leaving the Vehicle or a passenger in such Vehicle is permitted to park in that Parking Area through a written license agreement approved by the Board;
  - e) in violation of posted parking restrictions, directions or markings;
  - f) when occupying more than one marked space in a Parking Lot with one Vehicle;
  - g) upon any grass area or sports field;

- h) in front of a public driveway;
- i) within an intersection or on any sidewalk;
- j) at any place or time where a permit or sticker is required for parking unless the required permit or sticker has been obtained and is displayed on the Vehicle; or
- k) in violation of any posted directions and markings or with the directions of any attendant who may be present;

2. Campsite Parking

- a) No vehicles of any type shall be parked on the grass at any campsite or nearby location. The term “vehicle” includes, but is not limited to campers, cars, vans, SUVs, trucks, motorcycles, ATVs, scooters, and trailers with or without boats, jet skis, or any other type of vehicle on them.
- b) All campers must be backed onto the campsite pad. Reverse setting a camper which necessitates driving onto and through the grass is prohibited.
- c) It is recommended that only one vehicle, in addition to the actual camper, be parked on each campsite pad. However, more than one additional vehicle may be parked on a pad if this can be achieved with no wheel(s) of any vehicle resting in the grass or any portion of any vehicle extending beyond the pad into the roadway.
- d) Any vehicle that cannot be parked on a campsite pad in compliance with 2. (c) above must be parked in the campground parking lots designated for overflow parking.

\*This policy will not go into effect until Overflow Parking Lots have been developed in several areas of the campground.

3. No Person shall park a Vehicle upon District Property for any of the following purposes:

- a) To display such Vehicles for sale; or,
- b) To perform maintenance or repair of such Vehicles, except for repairs necessitated by an emergency;  
or,
- c) To sell goods or services from such Vehicle unless permission has been granted by the Executive Director or his/her designee.

3.6 – Commercial Vehicles

- 1. The term “commercial Vehicles” as used in this section shall include, but not be limited to, trucks, station wagons, vans, pickups, passenger cars, or other Vehicles when used in transporting Persons or movable property for a fee or profit, either as a direct charge to another Person, or otherwise, or used as incident to providing services to another Person, or used in connection with any business.

2. All Roadways on District Property shall be used for pleasure driving only. No Person other than District employees shall drive any truck, tractor or other commercial Vehicle of any kind on District Property without first obtaining a Permit, license, contract from the District or permission from the Executive Director.

3. This section shall not apply to commercial Vehicles making authorized deliveries to or performing authorized services for the District.

### 3.7 - Gas and Smoke

No Person shall drive or otherwise operate a Vehicle on District Property that emits excessively noxious fumes or dense smoke.

### 3.8 – Hitchhiking

No Person shall solicit a ride nor stand in or near a Roadway on District Property for the purpose of soliciting a ride from the operator of any Vehicle.

### 3.9 – Mini-bikes, Snowmobile, Trail Bikes and Scooters and Other Recreational and All-terrain Vehicles

No Person shall drive, ride, or otherwise operate any snowmobile, mini-bike, go-ped, go-cart, trail bike, scooter or any other wheeled recreational or all-terrain Vehicle on District Property other than in areas assigned for such use, Mill Creek Park ATV trails or as approved by the Executive Director. For purposed of this sections, every motor Vehicle which is self-propelled by power obtained by the combustion of gasoline or by battery which is designed with a seat or a saddle, for the use of the rider or to be standing on shall be deemed to be a mini-bike, go-ped, go-cart, trail bike, scoter or any other wheeled recreational or all-terrain Vehicles. For purposes of this subsection, a snowmobile shall be defined as any self-propelled Vehicle intended for travel primarily on snow, driven by a track or tracks in contact with the snow, and steered by ski or skis in contact with the snow.

### 3.10 – Unattended Vehicles

No Person shall permit a motor Vehicle that he is driving or in charge of to stand unattended without first stopping the engine and locking the ignition.

## Section 4: Protection of Property, Structures, and Natural Resources

4.1– Destruction or Misuse of Property, Structures or Natural Resources Unless a Permit, contact or another type of formal authorization has first been obtained for the Executive Director or his/her designee, No Person shall:

1. Mark, deface, injure, damage, carve upon, break, bend, destroy, remove, cut, pluck, change, move, excavate, or attempt to injure any District plants, trees, flowers, shrubs, or Property of any kind, or any property of any other Person while such property is in any Park.
2. Climb upon, hang from, stand or sit on, any plant, tree, shrub, pole, fence, structure, except for benches, recreational equipment or other Property of any kind designated by the District or customarily used for such purposes;

3. Drive any nail, staple, or attach or suspend any rope, wire, or other material or contrivance to or from an District Property except in areas authorized for this purpose (See Section 5 of this Chapter);
4. Deface, destroy, cover, paint, alter, damage or remove any placard notice, or sign, or part thereof, whether permanent or temporary, posted or exhibited by the District to announce the rules, regulations and warnings, or any other information to the public necessary or desirable to the proper use of the Park or Park Property;
5. Tamper with, or in any way weaken, destroy, damage, remove anything from any District owned Vehicles, machines, equipment, or facilities; or
6. Perform any maintenance or construction on, below, over or across a Park.

#### 4.2 – Dumping, Polluting, and Littering

Unless a Permit, contract or another type of formal authorization has first been obtained from the Executive Director or his/her designee, No Person shall:

1. Discharge, litter, cast, drop, scatter, place, pile, throw, carry, drag, push, leave or deposit any:
  - a) Coal, ashes, placard, handbill, pamphlet, circular, book, notice, paper of any kind, ashes, garbage, snow, ice, dust, manure, rubbish, garbage, food wrappers, human or animal waste, bottles, broken glass, containers, cans, sticks, paper, grass clippings, landscape waste of any kind, or foreign matter in any Park except in receptacles provided for that purpose. Where receptacles are not provided, are missing or are full to capacity, all such garbage, refuse or other material shall be carried away from the area of use by the Person(s) responsible for its presence and creation and properly disposed of elsewhere;
  - b) Injurious substances or materials into or near District Waters, air, or upon the ground or Property of any kind in any Park so as to pollute the District land, Waters, or air coursing through or over the Parks or otherwise to interfere with the proper use and enjoyment of the Park; or
  - c) Refuse container, picnic table, barricade or any other movable or non-movable Property into or upon District Waters.
2. Urinate or defecate on District Property other than in toilets in restroom facilities expressly provided for such purposes;
3. Bathe or wash himself or food, clothing, dishes, or other property at water outlets, fixtures or pools on District Property, except at those areas designated by the District for such use.
4. Use or cause to be used any chemical or biological pesticide or any other substance, measure or process designated to alter the anatomy or physiology or any organism for the purpose of directly manipulating their populations; or
5. Bury the remains of any human or animal on District Property.

Any Person violating this section may be assessed the cost of removing any such improperly deposited substance or material and such charge shall be in addition to and not in lieu of any other penalties provided for in this Ordinance or applicable federal, state, local and/or District laws, ordinances, rules and regulations.

4.3 – Encroachment No Person shall:

1. Place, build, construct, or erect any scaffold, stand, private fence, drain line, tent, building, structure, platform, or any other structure or improvement of whatever kind whether stationary or moveable and whether permanent or temporary in character, or construct, run, string, or otherwise place any electrical wire, conduit or pipe or any other public service or private utility, into, upon, above, across, onto, or beneath District Property, unless a Permit, license, or contract thereof has first been obtained from the District.
2. Establish a garden, plant any kind of vegetation, or distribute the seeds or spores of any flowering or nonflowering plant into or on District Property except in areas approved by the Executive Director. All such planting material shall become the Property of the District; or
3. Use for storage or cause to be used for the storage of any goods, shed or other structure without written permission of the Executive Director or his/her designee.

Prior to proceeding with legal action under this section, the District shall notify the Person of the encroachment and request removal within ten (10) calendar days.

4.4 – Fires

1. No Person shall upon or in connection with an Property of the District set fire, or cause to be set on fire, any tree, brush land, grassland, meadow, prairie, slash, refuse container or structure except as provided in subsections 2 below or with permission from the Executive Director.
2. Fires are permitted only:
  - a) in the picnic grills provided by the District in each group picnic area or in Portable gas Grills provided by the user. Portable grills cannot be placed onto picnic tables; and
  - b) under the continuous care and direction of an adult for the time it is kindled until the time it is completely extinguished; and
  - c) (when completely extinguished before leaving this site, and the coals placed in the coal bins provided by the District.) A fire shall be deemed properly extinguished when its ashes, residue, coals and unburned substances are cold to the human touch.
3. No Person shall throw or otherwise discard lighted or smoldering material in any manner that threatens, causes damage to, or results in the burning of District Property or Park resources, or creates a safety hazard.
4. Firewood burnt at the District must be purchased within the District.

4.5 – Posting Printed or Written Material on Public Places or Objects

1. No Person shall paint, write on, stencil, or in any way mark or deface, or post or otherwise affix any printed or written words, symbols, materials or other marks to or upon District Property or any thing or object located on District Property without permission of the Executive Director or his/her designee (See Section 1 in this Chapter).
2. This District shall remove any printed or written word, symbol, material, or other mark found posted or otherwise affixed upon any District Property or any thing or object located on District Property in violation of the provisions of this Section. The Person responsible for any such defacing, writing, or posting shall be liable for the cost incurred in the removal thereof. The provisions of the Illinois Parental Responsibility Law (740 ILCS 115/1 et seq.) are specifically incorporated in this Ordinance by reference for purposes of this section and available for review at the District Administrative Office.

## Section 5: Specific Restrictions on Conduct and Behavior

### 5.1 - Fireworks, Explosives, and Rockets

1. No Person, except for the Police, shall bring, attempt to bring onto, carry, have in his possession or on or about his person, concealed or otherwise use, fire, set off or otherwise cause to explode, discharge or burn or throw onto or while on District Property any bludgeon, black-jack, billy club, sand-club, sand-bag, metal knuckles, throwing star, switchblade knife, ballistic knife, any other dangerous knife (including without limitation a dirk, dagger or stiletto), razor, broken bottle or other dangerous piece of glass, firearm, pistol, revolver, rifle, shotgun, any weapon capable of discharging a projectile by air, spirit, gas or explosive, any explosive substance, rocket, firecracker, or other firework, missile, bomb grenade, or other explosive device, liquid or gaseous substance, any other dangerous weapon, or any object whose intended use is as a weapon, not specifically named herein. All weapons named herein shall have the definitions, if any set forth in 720 ILCS 5/24-1.
2. The exceptions to the above rule are where the Board of Directors allows the hunting of wild game for specific time periods, in season, for the designated wild game, for example, bow hunting for deer in specified areas of Mill Creek Park.

### 5.2 - Smoking

1. The Illinois Clean Indoor Air Act requires that all local agencies prohibit smoking in places of work or areas used by the public except in an area, if any that has been designated as smoke free; therefore, smoking or any use of a tobacco product, including smokeless tobacco, is prohibited in all District buildings, facilities and Vehicles.
2. No Person shall possess a lighted cigarette, cigar, pipe or any other form of tobacco or similar substance used for smoking within 15 feet of a concession serving area that is part of a public facility.
3. No Person shall possess a lighted cigarette, cigar, pipe or any other form of tobacco or similar substance used for smoking within 15 feet of a playground or within 15 feet of a participant in or spectator or an organized District or District affiliate group program or event occurring at an outdoor facility.

### 5.3 – Temporary Lighting



No Person shall use temporary lighting unless permission is sought and granted by the Executive Director at least one month prior to the intended use and an agreement is reached on the specifications of the temporary lighting as well as the insurance coverage required.

#### 5.4 – Noise

1. No Person shall make or cause to be made any excessively loud or unreasonable noise, which exceed the noise limits. For purposes of this subsection, excessively loud or unreasonable noise is defined as noise inconsistent with or not attendant to appropriate and customary park and recreational activities, considering the nature and purpose of the Person's conduct, location, time of day or night, and other factors that would govern the conduct of a reasonable and prudent Person under the circumstances.
2. This section shall apply, without limitation, to the loud or amplified playing of any type of audio equipment, noisemaker, public address system, amplified instrument, musical instrument, or sound equipment unless permission has been granted by the Executive Director in writing. This section shall not apply to the playing of any musical instrument, public speaking, or the amplification thereof, in conjunction with activities conducted, sponsored or authorized by the District.

#### 5.5 – Disorderly Conduct

A Person commits the offenses of disorderly conduct when he knowingly:

1. Commits an act in a violent and tumultuous manner toward another whereby that other is placed in danger of his life, limb or health;
2. Commits an act in a violent and tumultuous manner toward another whereby the property of any Person is placed in danger of being destroyed or damaged;
3. Causes, provokes or engages in any fight, brawl or riotous conduct so as to endanger the life, limb, health or property of another;
4. Interferes with another's pursuit of a lawful occupation by acts of violence;
5. Incites, attempts to incite, or is involved in attempting to incite a Riot;
6. Damages, befouls, or disturbs District Property or the property of another so as to create a hazardous, unhealthy or physically offensive condition;
7. Does any act in such unreasonable manner as to alarm or disturb another and to provoke make or aid in a making a breach of the peace.
8. Uses obscene or abusive language or gestures, or threatens violence or injury to the person or property of others, in a manner intended and likely to incite or produce an immediate breach of the peace or violent or disorderly response;

9. Assemblies with other Persons on District Property with the intent to restrict vehicular or pedestrian traffic or with the intent to restrict the free ingress to or egress from District Property and fails to comply with all lawful order of the Police to dispense;
10. Fails to obey a lawful order of dispersal by a Person known to him to be a peace officer or a member of the Police under circumstances where Persons are committing acts of disorderly conduct in the immediate vicinity, which acts are likely to cause substantial harm or serious inconvenience, annoyance or alarm;
11. Transmits in any manner to the District or to any officer, employee, or member thereof, a false alarm or report of fire, explosion, bomb, chemical or biological hazard, or act of terrorism, or a threat of a fire, explosion, bomb, chemical or biological hazard or act of terrorism, or a report of the commission or threat of a commission of any offense, knowing at the time of such transmission that there is no reasonable grounds for believing that such fire, explosion, bomb, chemical or biological hazard or act of terrorism exists or has been threatened, or that such offense has been committed or threatened; or
12. Engages in fighting, loud shouting, making threats of physical harm, or other tumultuous or disruptive behavior or refuses or fails after repeated requests to sit down or be quiet when asked to do so by the Board President or other presiding officer of the District, during any regularly or specially convened meeting of the Board or any committee, subcommittee or advisory body thereof.
13. Beggars or panhandles in District buildings or facilities or the entrances or stairways of such buildings or facilities.

#### 5.6 – Aggravated Assault of a Sports Official or Coach

As defined in 720 ILCS 5/12-2, a Person commits aggravated assault when he or she knows that the individual assaulted to be a sports official or coach at any level of competition and the act causing the assault to the sports official or coach occurred within an athletic facility or within the immediate vicinity of the athletic facility at which the sports official or coach was an active participant in the athletic contest held at the athletic facility. This violation is a Class A misdemeanor.

#### 5.7 – Aggravated Battery of a Government Official, Park District Personnel, Commissioner or appointed Volunteer.

As defined in 720 ILCS 5/12-4, a Person commits aggravated battery if, in committing a battery, the Person knows the individual harmed to be an officer or employee of a unit of local government engaged in the performance of his or her authorized duties.

#### 5.8 – Interference with Other Uses

1. No Person shall walk, act, or conduct himself upon any portion of District Property designated for a particular game, sport, event, amusement, other use in such a way as to interfere with the use of such portion

by other Persons who are properly using the same for the particular sport, event, game, amusement or other use for which it has been designated.

2. No Person shall unreasonably disturb or interfere with any Person occupying an area or participating in any activity on District Property under the authority of a Permit.
3. No Person shall engage in any activity on District Property in a manner calculated or which is reasonably likely to endanger, injure, or damage Persons or Property in any way.

#### 5.9 – Public Indecency and Nudity

1. No Person shall wear clothing that creates a disruption of District programs and activities. The responsibility of assuring compliance with this requirement shall be on the participants themselves; or in the case of minor participants, on their legal guardian. Any Person who is not attired in accordance with the requirement of this Section will be referred to the appropriate employee for necessary action, including, but not limited to, requiring the Person to change clothes on-site, to wear a District provided-shirt that must be returned at the end of the day, or return home and change clothes. The following shall be the dress requirements on District Property:

- a) No Person shall appear or be on any portion of District Property (other than in shower, changing, locker or dressing rooms) in a state of nudity or undress.
- b) Clothing worn for any District activity or program shall be suitable for the activity or program in which the Person will participate.
- c) Clothing having slogans, pictures or emblems promoting or advertising drugs, or gangs, or having profane or obscene slogans, pictures, or emblems shall not be permitted.
- d) Swimsuits worn in any District swim program shall be of modest fit and cut, as would be considered by a reasonable Person to be appropriate for a family activity.

2. No Person shall perform or commit any of the following acts on District Property:

- a) An act of sexual conduct or sexual penetration as defined in 720 ILCS 5/12-12; or
- b) A lewd exposure of the body done with intent to arouse or to satisfy the sexual desire of the Person.

3. No Person shall knowingly exhibit, sell, offer to sell, give away, or offer to give away any Obscene book, pamphlet, movie film, paper, drawing, picture, photograph, model, cast, instrument or any other obscene or indecent article on District Property.

#### 5.10 – Use of Restrooms, Washrooms, and Locker Rooms

1. Every Person shall cooperate in maintaining restrooms, shower rooms, changing rooms, and washrooms on District Property in a neat and sanitary condition;

2. No Person shall deposit inappropriate objects of any kind in the toilets or plumbing fixtures or a restroom or washroom, shower room, changing room, or locker room facility on District Property;
3. Only Persons under the age of six (6) years shall use the restrooms and washrooms designated for the opposite sex when accompanied by an appropriate adult caregiver on District Property.
4. To protect the privacy of citizens, customers or visitors, no Persons shall use any electronic, mechanical, manual, electric, digital voltaic or other device, instrument or means capable of recording, producing, duplicating, reproducing, storing, copying, transmitting or displaying an visual video, photographic, electronic, digital, recorded, or other visual image, picture or representation, including but not limited to an camera, photographic camera, video camera, fiber optic camera, motion picture camera, television camera, camcorder, or videotaping device or any cell phone or any type or kind regardless of its capability or lack thereof to produce a visual image in any restroom, locker room, shower facility, dressing room, and bathroom in any building owned, leased to, or under the control of the Park District. Sign shall be posted in or near these facilities to inform patrons of this prohibition.

#### 5.11 – Alcoholic Liquor

1. No beer kegs are allowed on Clark County Park District Property.
2. Every Person possessing, using, consuming, or transporting Alcoholic Liquor pursuant to this section shall be subject to and shall comply with all applicable federal, state, local and District laws, ordinances, rules, and regulations regarding the possession, use, consumption, or transfer of Alcoholic Liquor.

#### 5.12 – Controlled Substances and Cannabis

1. No Person under the influence of any Controlled Substance or Cannabis shall enter into, be or remain on District Property.
2. No Person shall bring into, possess, take, use, sell, or transfer any Controlled Substance or Cannabis on District Property.

#### 5.13 – Selling/Distribution of Materials or Soliciting Fees on District Property

- a) No peddler, vendor or any other Person involved in an endeavor for profit or nonprofit activities shall engage in the commercial sale, rental, exhibition, or distribution of goods or services including, without limitation, the giving of instruction or lessons for a fee, including without limitation tennis, golf, swimming, personal training, or other athletic lessons, upon District Property unless he has received a Permit, license or contract from the District.
- b) No Person using District Property shall collect admission fees unless permission by the Executive Director has been received in writing.
- c) No Person engaged in the sale or distribution of goods or services under this section shall obstruct or impede pedestrians or Vehicles, harass Park visitors with physical contact or persistent demands, misrepresent the affiliation of those engaged in such activities, misrepresent whether the goods or services are available

without cost or donation, or interfere, interrupt, or engage in conduct incompatible with the purpose of any program, activity, function, and/or special event conducted, sponsored, licensed or otherwise permitted by the District.

#### 5.14 – Use of District Property for Commercial Purposes

No Person shall use District Property to generate income or profit in the production of a film, video, still photograph or other product or item which is intended to be marketed, sold, conveyed or distributed for consideration or which is intended to be used in connection with the sale of a product or for training employees of a commercial business.

#### 5.15 – Cooperation with Authorities

1. No Person shall falsely represent or otherwise pretend to be, a District officer or employee unless duly appointed or employed by the District.
2. No Person shall interfere with, harass, unreasonably disrupt or delay or in any manner hinder any District employee or distract him/her from the performance of his/her duties.
3. No Person shall knowingly give a false report or false information (including, without limitation, information requested in a Permit application) for the purpose of misleading the Board, a District employee or agent in the conduct of his official duties.

#### 5.16 – Charitable, Religious, Political, Nonprofit/Profit Activities

1. For purposes of this section, charitable, religious, political or nonprofit activities shall include, without limitation, solicitation of contributions, the sale or distribution of merchandise, solicitation of votes, or circulation of petitions for or against any candidate for election to public office or with respect to any referendum or other public question.
2. Soliciting contributions for charitable, religious, political or nonprofit organizations is permitted on District Property provided that a permission therefore has first been obtained from the Executive Director.
3. The sale or distribution of merchandise by charitable, religious, political, or nonprofit organizations is permitted on District Property provided that a permit has therefore first been obtained for the District.
4. Soliciting votes and circulating petitions for or against any candidate for election to public office or with respect to any referendum or other public question is permitted on District Property in areas open to the general public without a Permit, subject to the limitation set forth in subsection (5) and (6) of this Section 15.
5. No Person shall engage in any activity described in subsections (1) through (4) of this Section 15 in any room of a District building or facility in which any program, activity, class, function or special event conducted, sponsored, licensed or otherwise permitted by the District is in progress.
6. No Person engaged in any activity described in subsections (1) through (4) of this Section 15 shall obstruct or impede pedestrians or Vehicles, harass Park visitors or employees with physical contact or persistent

demands, misrepresent the affiliations of those engaged in such activities, misrepresent what solicited funds will be used for or whether merchandise offered for sale or distribution is available without cost or donation, or interfere, interrupt, or engage in conduct incompatible with the purpose of any program, activity, function and/or special event conducted, sponsored, licensed or otherwise permitted by the District.

#### 5.17 – Loitering in District Buildings

No Person shall loiter or remain in any District building or facility in such a manner that:

1. Unreasonably obstructs the usual uses or entrances, hallways, corridors, stairways, or rooms designated for specific purposes;
2. Impedes or disrupts the performance of official duties by District employees; or
3. Prevents the general public from obtaining the administrative, recreational or other services provided in the building or facility in a timely manner, after being requested to leave by any member of the Police or authorized District staff person, or where the District has posted a sign for signs that prohibit loitering.

#### 5.18 – Trespassing

According to State Statute (720 ILCS 5/21-3), no person shall:

1. Knowingly and without lawful authority enter or remain within or on District Property that has been closed to the public as defined in Chapter 2 of this Ordinance;
2. Enter District Property after receiving, prior to such entry, notice, orally or in writing, from the District staff or its agents that such entry is forbidden;
3. Remain on District Property after receiving notice, orally or in writing, from District staff or its agents to depart.

#### 5.19 – Camping

No Person shall place, erect, or use any hammock, swing, tent, shelter or any other type of temporary camping equipment on District Property, or otherwise camp in any manner on District Property unless a Permit therefore has first been obtained from the District.

### Section 6: Control and Treatment of Animals and Pets

#### 6.1 – Attracting, Trapping, Catching or Releasing Animals

1. No Person shall enter or remain on District Property with any device or animal that may be used to hunt, catch or trap animals or birds.
2. No Person shall hunt, pursue, hurt, molest, wound, kill, trap, catch, poison, abuse, chase, shoot, touch, throw or propel objects at, endanger in any way, remove or cause to be removed, or have in his possession, any

Wildlife on or upon District Property, except with permission from the Executive Director or his/her designee in designated areas.

3. No Person shall bring or release onto District Property any Wildlife including without limitation, any animal the capture or killing of which is authorized by the fish and game laws of the State of Illinois, or any other animal, except for Domesticated Animals subject to the restrictions contained in this Section. Provided, however, that the District may bring or release or permit another Person to bring or release such proscribed animals onto District Property in conjunction with an activity or event conducted or sponsored by the District or in conjunction with a zoo, museum, nature center, or similar facility controlled, maintained, permitted or licensed by the District.
4. No Person shall feed, harbor, or otherwise attract into a Park any type of wild or undomesticated animal or waterfowl, including ducks and geese.
5. No Person shall give or offer to any Wildlife any harmful, poisonous or noxious substance on or upon District Property.
6. No Person shall touch, tease, frighten, disturb, or otherwise intentionally interfere with any Wildlife while feeding, nesting, breeding, sleeping, resting, flying or engaging in any other activity on, upon, over or under District Property, except under the authorization and approval of the Executive Director or his/her designee, in designated areas.
7. No Person shall molest, touch, throw, or propel an object at, destroy, dig up, crush, shake, or in any way tamper with or damage the nest, lair, den, burrow, or home of any Wildlife found on, upon, over or under District Property.

#### 6.2 – Fishing

1. No Person shall Fish or otherwise take aquatic life from District Waters except in areas specifically designated and posted for Fishing by the Executive Director.
2. Any Person Fishing in any of the designated bodies of water owned or controlled by the District must have first secured a state fishing license and must comply with applicable federal, state, local, and District laws, ordinances, rules and regulations including, without limitation, conservation laws and licensing requirements.
3. The District encourages the practice of catch and release fishing. No fish are to be taken that do not conform to size or species restrictions imposed by any applicable federal, state, local or District law, ordinance, rule or regulation or that the Person chooses not to retain. This provision does not apply to common carp species. When possible, such regulations will be posted at the designated sites. However, it is the responsibility of the individual fisherman to be aware of minimum size limits.
4. Fishing in District Waters shall be conducted by means of a hook and line with the rod or line being closely attended.
5. No Person shall dig, scratch, or otherwise disturb District Property in order to locate to take bait.

### 6.3 – Bringing Animals on to Park Property

1. Except in connection with District-sponsored activities, programs, or events where it is specifically allowed or has been authorized by the Executive Director, no Person shall:
  - a) Bring any domesticated or non-domesticated animals or pets into or onto any District Property where the presence of animals is prohibited except for any recognized assisting animal for the disabled that is under the control of the disabled Person;
  - b) allow any domesticated animals or pets into or onto any District Property unless said animal is on a leash no longer than six (6) feet, in the control of a Person at all times, and such Person has in his immediate possession a device for removal, and a depository for the transportation of animal excrement from such Property.
  - c) bring or leave any domesticated or undomesticated animal on a District tennis, basketball, or athletic field.
2. Any owner or Person having control of any animal shall remove and dispose of, off District Property, any excreta deposited by his animal anywhere on District Property or have properly disposed of it in a container for trash or litter in a similar manner.
3. Any domesticated and non-domesticated animal found loose on District Property may be apprehended and removed to an animal shelter, public pound or any other place provided for that purpose and impounded or disposed of pursuant to the laws and ordinances. The owner or Persons responsible for such animal shall be responsible for all costs and expenses incurred or encumbered in the removal and housing of such animal and such charge shall be in addition to and not in lieu of any other penalties provided for in this Ordinance and any other applicable federal, state, local or District laws, ordinances, rules or regulations.

## Section 7: Restrictions Applicable to Specific Recreational Activities

### 7.1 – Gambling

No person shall play or engage in selling fortunes or futures, games of chance or in any other device or game of chance, hazard or skill, either as bookmaker, dealer, player or otherwise, for the purpose of gaming or gambling for money or other valuable things on District Property, except at a fair, or other organized event conducted, sponsored or authorized by the District and with the proper permits from the District.

### 7.2 – Amusement Contraptions

No Person shall bring in, set up, construct, manage, or operate any amusement or entertainment device or gadget, without permission from the Executive Director.

### 7.3 – Skateboard, Roller Skates, In-line Skates, and Other Similar Devices



1. No person using a skateboard, roller skates, in-line skates, roller skis, coasting Vehicles, bmx-style bicycles or similar devices on District property shall interfere with pedestrian use of sidewalks or pedestrian or Vehicle use of parking lots, or Roadways and can use them only at such places and at such times as the District may designate for that purpose.
2. In designated areas, no Person shall engage in such activities in a reckless manner or otherwise act negligently or without due caution, or in any manner so as to endanger any Person or Property or at a speed greater than is safe and proper under the circumstances.
3. No person shall operate any skateboard, bicycle, in-line skates, or other wheeled recreational conveyance upon any athletic court (including, but not limited to tennis and basketball), bench, picnic table, handrail, shelter or other structure or piece of equipment not designated for such use.

#### 7.4 – Winter Sports

1. No person shall use a sled, toboggan, skate and slide or engage in similar activities on District Property except at such places and at such times as the District may designate for that purpose.
2. No person shall engage in any such activity in a reckless manner that endangers him or others or at a speed greater than is safe and proper under the circumstances.
3. No person shall tow, push, pull or otherwise propel another person on snow skis, sled, or other sliding device by use of any vehicle on District Property.

#### 7.5 – Model Airplanes and Rockets

No person shall operate model airplanes or rockets in any Park without first receiving permission from the Executive Director or his/her designee.

#### 7.6 – Hazardous Activities

No person shall engage in any activity, sport, game and amusement in any Park that constitutes a hazard to Persons or any property of any Persons not participating except for areas designated for hunting and only with proper permits form the Clark County Park District and Illinois Department of Natural Resources.

#### 7.7 – Swimming

No person shall bathe, swim, wade, float, splash or otherwise enter District Waters or fountains except at such times and places and in compliance with all policies, rules and regulations as the District may designate for such activities.

#### 7.8 – Paint Guns and Bow and Arrows

No person shall bring attempt to bring, carry, have on his person, or use in any way a paint gun, bow or arrow, or crossbow on District Property unless in a directly supervised park program or designated hunting area.

## 7.9 – Hunting

No person shall hunt in an area not designated by the Board of Commissioners for hunting.

No person shall hunt for game not specified by the Board of Commissioners or by means not approved for harvest of game.

## Section 8: Discipline and Facility Suspension

### 8.1 – Discipline Policy for Programs

It is the goal of the District to provide its customers the highest quality of recreational opportunities in a safe environment. Participation in District activities and facilities shall be considered a privilege that may be denied. Therefore, the District reserves the right to suspend or dismiss from a program any participant whose behavior disrupts a program or in any way endangers him/her or other participants.

An authorized representative of the District may dismiss any participant from District property (owned or leased) whose behavior is reasonably deemed to be disruptive of District programs or activities, is likely to cause or does cause injury to District property or other persons using said property, or is in violation of District or state or local ordinances, rules or regulations. An “authorized representative” shall be considered a District employee, Commissioner, and any other individual(s) duly appointed by the District Board. The local police should be contacted in situations when compliance with an authorized representative’s request is not forthcoming and/or when the safety of the representative and/or other participants is in jeopardy.

The District Staff directly responsible for the program shall have the authority to restrict and/or prohibit participations for a period not to exceed one week and is responsible for informing his/her supervisor. The appropriate Executive Director must approve suspensions of longer than one week. The participant (legal guardian, if a child is involved) shall be notified in writing and provided the reason(s) for the suspension.

The procedure for handling discipline situations involving children (15 years and younger) shall be as follows:

First Occurrence- District Staff will attempt to control the participant and warn of the potential consequences.

Second Occurrence – The District Staff Supervisor will warn the participant and the child’s legal guardian by correspondence with return acknowledgement required.

Third Occurrence – The participant and the child’s legal guardian will be notified in writing from the appropriate Staff member that the participants will be suspended from participation in the program for a period not to exceed one week.

Fourth Occurrence – The participant and the child’s legal guardian will be notified in writing from the appropriate Executive Director that the District can no longer be responsible for the actions of the participant and he/she must therefore be dropped from the program. The registrant will receive the program fee prorated for the length of participation in the program.

Types of behavior that would warrant disciplinary actions include, but are not limited to, the following: fighting, arguing, abusive language, refusal or intentional failure to follow instruction, failure to remain on the premises, misuse of park property/equipment, failure to pay fees and charges, and possession of alcohol, illegal substances or dangerous equipment.

The appropriate incident forms must be completed to document the situation and the District's and participant's response (refer to the District's Safety Manual for the appropriate forms).

## 8.2 – Suspension of Facility Use

Certain situations may lead to the necessity to suspend a participant(s) from a facility or membership in a facility. Suspension can be caused, but not limited to, such circumstances where an individual decides to continually disobey posted or verbal directed rules of conduct, is disruptive or interferes with reasonable expectations of behavior, threatens or is involved in fighting, uses profane language, makes abusive statements, issues verbal threats, or engages in confrontational behavior or verbal harassment, or fails to pay fees and charges. This policy applies to all District facilities.

A suspension may be issued after a verbal or written warning has been given. For a minor child, the appropriate staff person will call the child's parent legal guardian after the warning is issued. If the individual continues to be disruptive, he/she should be informed that they are to leave the park or facility immediately and will not be issued a refund. A District employee may issue an immediate suspension if unsafe or dangerous activity is taking place on District property.

The individual having the authority to issue suspensions is the Executive Director or other designated employees.

The length of time of the suspension will be determined by the seriousness of the offense. Designated full-time employees may suspend for a 24-hour period, Facility Managers up to three (3) days and the Executive Director for periods longer than three (3) days.

The appropriate staff person must prepare a written incident report of all suspensions and the individual being suspended as well as the employee invoking the suspension must sign it. If the individual refuses to sign the report, he/she will be suspended until the report is signed. An appeal of the suspension may be made by the person suspended and directed to the suspending employee's immediate superior. (Refer to the District's Safety Manual for appropriate incident forms).

## Section 9: Enforcement

### 9.1 – Security Enforcement

1. The District may employ Security personnel to maintain order and safety at and within its facilities. If situations arise that are deemed too volatile or dangerous for the training of District security personnel to resolve they or any other District employee should immediately contact the local police for assistance.
2. Security may serve as the conservators of the peace on District property, and shall be responsible for the enforcement of all federal, state, local and District laws, ordinances, rules and regulations on District Property.

3. Security shall have the authority to eject from District Property, arrest or issue citations to any Person who violates any applicable federal, state, local or District law, ordinance, rule or regulations on District Property.

#### 9.2 – Rules to be Obeyed

No person shall violate or disobey any provision of the is Ordinance or any other District ordinance, policy, rule or regulations regulating conduct or activities on District Property even though the same may not have been posted. No Person shall violate or disobey the directions or instructions contained in any notice or sign posted by the District relating to the use of District Property, to the directions or instructions of any member of the Police, or any employee of the District seeking to enforce compliance with federal, state, local, or District laws, ordinances, rules or regulations. District staff have the right to eject form District Property any Person who violates federal, state, local, or District laws, ordinances, rules or regulations.

#### 9.3 – Parties to Ordinance Violation

1. Every Person who commits, attempts to commit, conspires to commit, or aids or abets in the commission of any act in violations of this Ordinance or other ordinance, rule or regulation of the District, as principal agent, or accessory, shall be guilty of such offense, and every Person who falsely, fraudulently, forcibly or willfully induces, causes, coerces, requires, permits or directs another to violate any provision of this ordinance is likewise guilty of such offense.

2. Any person who is the owner, registered owner, or Person in control of any animal, Vehicle or other property of any kind brought, placed, parked or allowed to remain on District Property in violation of this Ordinance or other District ordinance, rule or regulation, shall be deemed prima facie responsible for such violation and shall be subject to the penalties provided herein.

3. It is unlawful for the owner or any other Person employing or otherwise directing the operator of any Vehicle, to request or knowingly permit operation of any such Vehicle on District Property in any manner contrarily to this Ordinance.

#### 9.4 – Revocation of Privileges, Fines

Any Person violating or disobeying any section or part thereof of this Ordinance, or any other ordinance, rule or regulation of the District may be fined not less than \$40 nor more than \$2,000 for each offense, may be forthwith evicted from District Property, or may have his admission rights to District Property suspended, terminated or revoked. Fines may be recovered by an action in the name of the District in the 2811<sup>th</sup> Judicial Circuit if not paid by the Person committing the offense after a judgment has been entered in Court of the issuance of the notice of the violation, specifying the amount of the fine. The procedure in such actions shall be the same as that provided by law for like actions for the violation of ordinances in cities organized under the general laws of the State of Illinois. The provisions of the Illinois Parental Responsibility Law (740 ILCS 115/1 et seq.) are specifically incorporated into the Ordinance by reference for purposes of this section.

#### 9.5 – Restitution

In addition to or instead of, the fines and penalties provided for in Section 4, any Person violating or disobeying any section or part of this Ordinance, or any other federal, state, local or District law, rule or regulation, may be required to make restitution for damages resulting from such violation(s). The provisions of the Illinois Parental Responsibility Law (740 ILCS 115/1 et seq.) are specifically incorporated into the Ordinance by reference for purposes of this section.

#### 9.6 – Non-Exclusivity of Penalties

The penalties provided for in this Chapter 9 are in addition to and not exclusive of any other remedies available to the District as provided by applicable law. Each of the penalties provided for in this Chapter is not exclusive of any of the other penalties provided in this Chapter and such penalties may be imposed singly or in any combination permitted by law.

### Section 10: Permits and Other Authorities

#### 10.1 – Permits

1. Permits may be granted upon proper application and approval where the applicable section of this Ordinance or any other District ordinance, policy, rule or regulation requires a Permit in order to engage in a particular park or facility use.
2. Every Person requesting a Permit must complete and file a written application with the Executive Director or his/her designee, on forms provided by the District, and pay applicable application fees at the Park Administration Building. The application shall be dated and time stamped as received with a receipt issued to the applicant.
3. Except as provided in subsection 3 (a), applications for Permits must be submitted to the District at least forty-eight (48) hours prior to the activity for which a Permit is sought.
  - a. This application deadline shall not apply to applications for Permits under Section 4 of this Chapter 8 (Exclusive Use Permits) and Chapter 5: Section 10 (Selling and Distribution of Materials) and any other restrictions of this Ordinance or any other District ordinance, rule or regulation not involving the exercise of First Amendment Rights. For such Permits, the District must receive application at least three (3) weeks prior to the requested activity.
  - b. For the purposes of this Chapter 8, the term “exercise of First Amendment Rights” shall include, without limitation, parades, marches, demonstrations, rallies, religious services, speeches, solicitation of votes, petition signatures or contributions, picketing and leafleting.
4. The District will respond to an application for a Permit within forty-eight (48) hours from the time of the application’s receipt. However, for applications under Section 4 of this Chapter 8 (Exclusive Use Permits), Chapter 5: Section 8 (Alcoholic Liquor), and Chapter 5: Section 10 (Selling and Distribution of Materials) and any other Section of this Ordinance or any other District ordinance, rule or regulation not involving the exercise of First Amendment Rights, the District shall have at least two (2) weeks from the time of the applicant’s receipt to review the application. However, the District reserves the right to take additional time to review any

application. If the District determines that it will exercise this right, it shall notify the application within fortyeight (48) hours after the District's receipt of the application.

5. Except as provided in subsection 5(f), the District will issue the requested Permit without unreasonable delay subject to the necessity of an investigation of weather:
  1. The proposed activity violates any federal, state, local or District law, rule or regulation or
  2. A prior application for a Permit for the same date, time and location has been or will be granted and the activities authorized by that Permit do not reasonably allow multiple occupancy of that particular area; or
  3. The proposed activity is of such a nature that it cannot reasonably be accommodated in the particular location applied for, considering, without limitation, the likelihood of such things as damage to Park resources or facilities, damage to an environmentally sensitive or protected area's ecosystem, impairment of a protected area's atmosphere of peace and tranquility, unreasonable interference with District functions, buildings, facilities, operations, programs or activities, or unreasonable interference with District Property applied for; or,
  4. the proposed activity would substantially impair the operation or use of facilities or services of District concessionaires or contractors; or,
  5. the proposed activity would so dominate the use of District Property as to preclude other Persons from using and enjoying the Park.
6. If the application is approved, the District will issue a written Permit to the applicant. If the application is denied, the District shall issue the applicant reasons for denying the application in writing. If an application is denied on the basis of a scheduling conflict or inappropriateness of the location, duration, or time of the activity, the District will make an effort to arrange an alternative that is acceptable to all parties. If an application is denied, or the applicant is dissatisfied with such Permit as issued, he/she may appeal the decision to the Board within ten (10) calendar days after the decision is rendered. If the Board rejects the appeal after full review, or if time for full review is not available, the applicant may appeal the decision to the appropriate state or federal court. All other decisions on the issuance of Permits by the District are final.
7. Any Permit granted by the District may contain lawful prerequisites prior to or after issuing of the Permit and restrictions on the conduct of the permitted use including without limitation: payment of a reasonable fee; provision of general liability insurance coverage; an agreement to fully indemnify and hold the District harmless from any liability or costs resulting for the use; a requirement that the Persons involved in the use observe all federal, state, local and District laws, ordinances, rules and regulations; time, duration, and location restrictions; restorations deposit; a written agreement by the applicant to fully restore any District Property soiled or damaged by the use; and any reasonable restriction necessary for the efficient and orderly administration of the use, other uses with a Permit, and regular District uses, functions, programs and activities.
8. No Permit shall be issued for a period of more than three (3) consecutive calendar days.

A Permit may be extended for the same periods of time upon a new application, unless another Person has requested use of the same location and multiple use of that location is not reasonably possible. This subsection shall not apply to Permits granted under Chapter 5: Section 10 (Selling and Distribution of Materials) or Section 4(b) of this chapter. For Permits granted under those sections, the District shall determine the length of time that a Permit will be valid.

9. Violation of any of the terms and conditions of any Permit issued by the District and/or facility rules, by the applicant, or any agent, servant, employee, participant of the applicant, may result in closure of the event, loss of deposit, and/or additional fees.

10. For uses involving the exercise of First Amendment Rights, the District may waive any application or permit fees if the applicant demonstrates that the cost of such fees is prohibitive. An applicant must request a waiver in writing.

11. The programs and activities of the District and permitted groups shall have priority over all other uses of the District Parks and facilities. Any Person using any facility, or any portion thereof, which may be reserved by obtaining a Permit, but who has not obtained such a Permit, shall vacate said area when the holders of a valid Permit present themselves. When no Permit has been issued, then the use of such Areas shall be on a first come, first serve basis consistent and compatible with their intended use. The District further reserves the right to restrict use of all Areas when conflicts arise with scheduling, maintenance, public safety, or other reasons beyond or under the District's control.

#### 10.2 – Insurance and Hold Harmless Agreement

1. Except as provided in subsection 1 (a), every applicant for a Permit shall acquire general liability insurance to protect himself and the District from liability resulting from his use of District Property and provide proof of such insurance to the District before the District will issue a Permit to an otherwise acceptable applicant in the coverage amounts recommended by the Park District Risk Management Agency. The District must be named on the general liability insurance as additionally insured. Where possible, an applicant may purchase a rider to the District's insurance policy.

a. For activities involving the exercise of First Amendment Rights, the District may waive the requirement of insurance if the applicant demonstrates that he or his organization cannot procure general liability insurance or that the cost of procuring such insurance or acquiring a rider to the District's insurance policy is prohibitive. An applicant must request a waiver in writing.

2. Every applicant must execute and deliver to the Park District an agreement to indemnify and hold the District harmless from legal liability, property damage, or injury to Persons caused by the negligent or unlawful acts of the applicant or any member, volunteer, employee, agent, participant, or other Person associated with the applicant or his group or organization.

#### 10.3 – Restoration Deposit

1. The District will require payment of a restoration deposit as a prerequisite to the issuance of certain types of Permits and reservations. The District shall refund the deposit if the Person responsible for the permitted use cleans any refuse caused or left by the use or the use's participants and restores District Property to the condition it was in prior to the use to the District's satisfaction. If the District is required to clean up or restore District Property after the Permitted use, the Person responsible for the permitted use shall pay the District for all costs and expenses associated with the clean up and restorations. The cost of the cleanup and restoration shall be deducted from the restoration deposit. If there are any funds remaining after the cleanup and restoration costs have been paid, they shall be returned to the permittee. If the costs and expenses for the cleanup and restoration exceed the amount of the restoration deposit, the District reserves the right to bill the permittee and pursue any and all legal options for the collection of the any and all damages.

2. The District may accept a written agreement to clean up and restore District Property after the permitted use if the applicant can demonstrate that payment of a restoration deposit would create an undue financial hardship. If the permittee does not satisfactorily perform according to the agreement, the District reserves the right to bill the permittee, discontinue future use and pursue any and all legal options to remedy the situation.

#### 10.4 – Exclusive Use Permits

The Executive Director may designate certain facilities, such as picnic areas and shelters, athletic fields, and other equipment or facilities as reserveable for exclusive use. Any Person desiring exclusive use of facilities designated in this fashion shall apply for a Permit in accordance with the policies of the Park District and is subject to the fees established by the Executive Director or his/her designee. A Permit may be granted when the applicant meets the conditions set forth in such policies pay all applicable fees, and has satisfied insurance requirements. Persons desiring the use of the activities listed below may apply to the Executive Director or his/her designee for a permit under the following categories:

1. Picnics
2. Athletic Fields
3. Weddings
4. Commercial use of Park Property (taking an image of)

Specific guidelines pertaining to various Permits for special facilities are found in Appendix B of this Chapter.

#### 10.5 – Other Authority

Activities otherwise prohibited under this Ordinance, or any other District ordinance, policy, rule or regulation may be conducted or engaged in by a Person, his agents, and/or employees if done in strict conformance with the provisions of an agreement with the District that has been duly authorized by the Board.

#### Appendix – Picnic Area Rental

The District has designated group picnic sites at Mill Creek Park that can be reserved for exclusive use from April



1 to October 31. A group picnic site is defined as having at least five (5) picnic tables in close proximity, adequate trash barrels, a grill and coal bin, and a restroom within walking distance. If a group wants exclusive use of a group picnic area, a picnic permit is required regardless of the size of the requesting group. All picnics having over 150 attendees require a Special Use Permit (see Section X).

The number of individuals at a group picnic area cannot exceed the maximum carrying capacity of the group picnic area as determined by the District. The maximum carrying capacity is the approximate maximum number of picnickers that an area is able to accommodate. Refer to the summary of group picnic facilities in the District's Picnic Area Guide for group picnic area locations, capacity, amenities, etc.

#### A. Reservation Process

Reservations for Picnic Shelters can be done through the Park District Administration Office or the Gatehouse.

#### B. Permits and Fees

Permit fees for groups are charged at standard rates, other fees may apply.

Permit fees for non-resident groups (including non-resident school groups) are higher than for resident groups and are charged for all days of the week at non-resident rates.

#### C. Regulations

Picnic area regulations are applicable in all designated group picnic areas and shall be posted as follows:

1. Group picnicking is allowed only in designated group picnic areas.
2. Permit holders have priority over groups without a permit. If a group is using a permitted designated area, the permit holder should show the party the permit and politely ask that they vacate the area. Of a problem occurs, contact the gatehouse at (217) 889-3601.
3. Parking and driving are permitted only on designated Roadways and Parking lots. DO NOT DRIVE INTO THE PARK.
4. Alcoholic beverages are allowed, however groups serving alcohol will be required to file in advance for an Event Permit.
5. Charcoal fires are permitted only in grills provided in each group picnic area or in portable gas grills provided by the user. Wood fires, campfires and fire pits allowed in designated areas only. Extinguish fires before leaving and dispose of coals in the charcoal rings provided for that purpose.
6. Litter should be collected and placed in litter barrels before leaving. The permit holder is responsible for seeing that the picnic areas are left in a clean and orderly condition.
7. Use of a temporary structure (tents larger than 10'x10' with tent stakes, stage, bleachers, moon walks, etc.) requires proof of a certificate of insurance naming the District as additional insured before the permit is issued, including payment of an event tent fee.

8. Providing special activities (dunk tanks, animal rides, etc.) electronically amplified sound or having caterers prepare and serve food in the park is prohibited unless a Special Use Permit is obtained from the District.

#### 10.6 – Athletic Fields

All organized athletic field uses are allowed by permit only. Groups obtaining permits will be assured of a field at an assigned time. Field permits are not required for pickup games or neighborhood use. Permits are granted contingent on adherence to District policies and procedures

##### A. Field Allocation and Priorities

Fields will be allocated to leagues in accordance with the following priorities as set forth in Athletic Field Advisory Committee by-laws.

Priority 1: Park District programs/leagues Resident leagues

Priority 2: Schools

Priority 3: Returning non-resident leagues

Priority 4: New non-resident leagues

##### B. Field Conduct and Regulations

Groups not following regulations will have their permits revoked and risk obtaining future permits.

#### 10.7 – Commercial Use of Park Property

For the purposes of this policy, “commercial use” is defined as the for-profit or non-profit production of a film, video, still photograph or other product or item which is intended to be marketed, sold, conveyed or distributed for considerations or which is intended to be used in connection with the sale of a product or for training employees or a commercial business.

All applicants must show clearly that the applicant has made satisfactory arrangement to meet the following concerns of the District:

1. Protection of the environment and the physical condition of park lands, vegetation and facilities, including restoration of the site if required.
2. Minimized disruption of public use and public enjoyment.
3. Avoidance of public safety hazards, public nuisance and public health problems, including engaging the services of park and public safety personnel during park use if necessary.
4. Limiting the Park District’s potential liability exposure.

Reimbursement to the Park District for damage to Park Property

##### A. Application

Persons seeking to use Park property for commercial purpose apply on standard forms provided by the District. Applications must be completed in full, and all other documentary evidence required must be provided including a certificate of insurance as required by the District's insurance provider, The Park District Risk Management Agency. The Permit application shall include, but is not limited to, the number of people to be used in filming, equipment to be used, the areas requested, date and start and end time requested, hold harmless agreement, insurance requirements, and any additional requirements the permittee has for the use of the property.

#### B. Fees

It is the policy of the District to charge fees for commercial use of Park Property and the most current rate information can be requested at the Park Administration Office. These fees are determined by the Executive Director on a case-by-case basis depending on the nature of the use. The entire fee must be paid prior to commencement of use.

The District may, in its sole discretion, waive or reduce the required fee with respect to commercial use under the following circumstances; (a) where the use, or product derived or made from such use, is for educational or instructional purposes in Park District or local school programs; or (b) the use furthers (directly or indirectly), or the proceeds from the sale or distribution of the product derived or made from such use are used in support of, public purpose; or (c) the use or product of such use is made by a not-for-profit organization which is affiliated with the Park District or the majority of whose members are residents of the Park District; or (d) the use is for the production of a commercial film made by a local business or video for viewing exclusively on a local cable television station; or (e) the user donates or contributes something of at least equal value to the Park District; or (f) the waiver or reduction of fee is otherwise determined by the Executive Director to be in the best interest of the Park District.

In addition to the foregoing fees, the Park District will charge for items as applicable, such as electricity, labor for clean-up, required security or supervision, and rental charges for any Park District equipment required by the permittee, at rates established by the Park District. Further, depending on the nature/duration of the proposed use, the Park District may require a security deposit.

#### 10.8 – Special Use Permits

Special Use permits are required for picnic groups with over 100 attendees and large-scale events (i.e. craft fair, parade, run/walk, concerts, overnight camping, events with tents and structures, etc.). The Executive Director or his/her designee approved all special use permit applications. A non-refundable usage fee will be charged per priority use as well as a refundable security deposit. Applications can be obtained at any District office. See Section 8 of this Chapter for permit rules regulations.



## CHAPTER 9: ENTERPRISE SERVICES

### Section 1: Purpose, Philosophy, Development, and Evaluation of Enterprise Projects

#### 1.1 – Purpose

The purpose of the possible future development of an Enterprise Services committee will be to oversee the operation of enterprise projects owned and/or operated by the District. In providing direction to these projects, the Department will work towards enhancing the profitability and services of each.

The Committee will also identify research and when appropriate, develop business opportunities for the District. In addition, The Committee will work to promote enterprise facility rentals, corporate parties/rentals, and special events that are expected to return a profit.

#### 1.2 – Philosophy

The philosophy of the Enterprise Services Committee will be to develop and maintain enterprise projects that will provide quality products and services at competitive prices. All enterprise projects are expected to show a profit with the ultimate goal of making excess revenue over all operating expenses.

#### 1.3- Development of New Enterprise Projects

The process involved in the creation of new enterprise projects involves input from District staff and outside resources. Once one or more projects have been suggested, the Department staff will review the list, create Strengths/Weaknesses/Opportunities/ Threats (SWOT) analysis of each, and make suggestions to the Executive Director regarding which projects should be pursued.

Once it has been determined which projects, staff will then develop business plans that will include the following:

- SWOT Analysis
- Marketing research
- Marketing plan
- Organizational plan
- Market share report
- Financial plan Including:
  - 1-year cash budget;
  - Balance sheet for beginning and end of first year; and
  - Income statement for first year

#### 1.4- Business Processes Evaluation

Each enterprise projects is to be evaluated on a monthly, quarterly, and annual basis for profitability. If a project shows no “reasonable profit” within a three-year period, the project will be abandoned.

“Reasonable profit” is defined for each individual project by the type of business and the impact the business has on the community.

### Section 2: Vending and Concessions

#### 2.1 – General Information

Vending and concessions are developed to provide quality products and services at competitive prices to the customers of the District and to further enhance the profit aspect of the District so that overtime these profits are allocated to support District projects or operations.

#### 2.2 – Vending

The District will seek multi-year contracts with soft drink companies in order to maximize the number of products available. These companies will provide machines (including maintenance and repair) and premiums with the District receiving commissions from the sales of products.

Vending Machines are provided in both permanent and seasonal locations. Permanent locations provide year-round services. The volume of people using the location shall determine seasonal and year-round vending locations. Seasonal locations are all outdoors and are used from the spring through the fall.

#### 2.3- Concessions

The District seeks agreements with local food suppliers that provide the use of concession equipment in exchange for purchasing the products through the suppliers.

Staff may set-up portable concessions in locations where special events provide a high volume of people, such as movies and concerts in the park, ball games, tournaments, etc. The Enterprise Services Committee shall continually investigate further permanent and portable concession locations and opportunities.

#### 2.4 - Evaluation

The Enterprise Services Committee shall evaluate locations and events on a regular basis to determine whether to develop, continue, or discontinue use of the site for vending or concessions.

#### 2.5-Certification

The District follows the State of Illinois Health and Clark County Health Departments’ guidelines for food preparation in the concession and vending areas.

## Chapter 10: PARK AND FACILITY OPERATING POLICIES AND PROCEDURES

### Section 1: Environmental Policies and Procedures

## 1.1 – Policy Statement

It is the intent of the District to assume a leadership role in the development and use of sound environmental policies, practices, and opportunities. The following environmental policies will be used to guide our decisions as we continue to develop environmental action plans for the future.

## 1.2 – Pesticide Use

The use of pesticides and changes in the laws regarding their application require an increased sensitivity to the application of chemicals to control pests on District property. It should be noted that, while providing pest free and attractive parks is an important part of the District’s mission, it is not the only consideration. The District must weigh the environmental impact on the park property and park users in its application of pesticides.

### 1. Integrated Pest Management

The District employs Integrated Pest Management in the control of pests throughout the District.

Integrated Pest Management is defined as “the use of multiple tactics in a compatible manner in order to maintain pest population below levels that cause economic or unacceptable aesthetic injury without posing a hazard to humans, domestic animals or other non-target life forms.”

The Park District currently controls pests in turf areas, trees and shrubs, and natural areas. The integrated Pest Management procedures used in these areas include the following components:

- A system utilizing multiple methods of control;
- A sound decision-making process;
- A risk reduction system;
- The intensive collection of information;
- A cost-effective control procedure; Site-
- specific control remedies.

### 2. The Lawn Care Products Application and Notice Act (1994)

Since 1994, the District has complied with the State’s pesticide handling requirements that apply to the loading and storage of lawn care Chemicals and are meant to protect the applicator, public, and environment. To meet these requirements, the District contracts out the spraying of large, open areas to a qualified, commercial pesticide application company. The applicator is required to follow the District’s strict application guidelines as well as the State’s regulations. The treatment of small areas is still performed inhouse by licensed operators with pre-mixed chemicals. As part of this process, the Department of Agriculture and the District requires that:

- All persons applying the chemicals be licensed by the State of Illinois;
- All chemicals be applied according to label instructions;
- Treated areas be posted immediately after spraying and remain posted for 24 hours;

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- Persons that live adjacent to the property being treated be notified prior to spraying, if requested. In addition, the following precautionary steps are also taken
- Every spring brochure includes information about the Districts spraying operation;
- Spray applications are scheduled during periods when fewer park users are present.

3. Public Notification

To ensure that all concerned persons receive notice regarding the scheduling and application of pesticides to District property, additional notification that contains specific safety instructions is made, where necessary.

- a) Entrance Posting- Areas of high visibility such as park and building entrances are posted one week prior to spraying. However, since spraying is weather dependent, the District is not always able to predict when pesticide applications will occur.
- b) Athletic Field Posting – Areas of high use including soccer goals are posted per State law.
- c) Flyers – The District maintains a list of residents who wish to be notified before spraying occurs. All listed persons are notified immediately before spraying is scheduled.

4. Chemical Safety

Safety is the primary concern at all levels of pesticide application. The chemicals must be stored, transported, mixed and sprayed in a safe manner.

- a) Storage- Chemicals are stored in a fireproof cabinet  
  
Should a fire or chemical spill occur in the room, the hazardous chemicals can be contained. The storage of chemicals and pesticides should be minimized where possible.
- b) Transportation – Chemicals are transported in closed, clearly labeled containers and are moved in small quantities.
- c) Mixing – Only pre-mixed sprays are to be used. This eliminated potential mixing accidents and the need for a reinstatement storage area.
- d) Chemical Types – Organic Chemicals differ from inorganic in that they contain the element carbon. As such, they are no more or less toxic than inorganic chemicals and must be treated as hazardous chemicals. Whenever possible, naturally occurring controls should be identified and used (i.e. *Bacillus thuringiensis* for caterpillar control).
- e) Record Keeping – All applications are recorded on log sheets that indicate the amount and type of chemical applied, weather conditions, and the applicator's name. All log sheets are filed and stored.

5. Tree and Shrub Maintenance Practices

The Parks Division staff is responsible for the maintenance of trees and shrubs throughout the District.



To ensure that plants are kept in healthy condition, routine maintenance is performed. The Integrated Pest Management program for trees and shrubs care includes pruning, mulching, watering, and spraying.

- a) Pruning – Trees and shrubs are pruned to remove hazardous branches and limbs and remove dead and diseased wood and to improve the aesthetics of the park.
- b) Mulching – The ground at the base of the trees and shrubs is mulched primarily to prevent damage to the trees during mowing. Other benefits from mulching include the maintenance of a constant soil temperature around the base of the trees and shrubs and the retention of the moisture in the soil. Aesthetics are also improved. Mulch should be placed no higher than two inches above the base of the trunk as excess mulch at the base of the trunk can cause damage to the tree.
- c) Spraying – Areas around trees and shrub beds are sprayed with a non-selective herbicide to eliminate existing weeds and pre-emergent herbicide to prevent weed regrowth. During times of insect infestation, the insect pest is identified and treated with the appropriate chemical. All chemicals are applied in accordance with the State of Illinois Department of Agriculture requirements. This is critical as weeds and pests affect the trees growth and health.
- d) Planting – The District continuously plants trees and shrubs throughout the park system to improve and enhance existing and new facilities. Plants are installed in the spring and/or fall each year. Planting may include replacement of dead plants or new plantings. When necessary, landscape plans will be developed for the entire park sites or selected areas within a park.
- e) Tree Replacement – Trees damaged or removed from District property shall be replaced by those who caused the damage or were responsible for the removal at no cost to the District (whether it was intentional or unintentional).

#### 6. Natural Area Maintenance

Areas classified as “Natural Areas” require a degree of maintenance to keep them in their native state such as controlled burns, pruning of invasive species and replanting.

- a) Burning – Sections of Mill Creek Park are burned annually. The tall prairie grasses create an extremely hot fire which kills some of the invasive woody growth that continually takes hold in the prairie. The fire does not damage the prairie plants. Before scheduling a burn, an Illinois Environmental Protection Agency (EPA) Burn Permit is required. The Marshall Fire Department is also notified.
- b) Woody Growth Removal – The remaining woody growth is mechanically removed. The growth is cut close to the ground and is chipped.
- c) Herbicides – Stumps that remain in the prairie are treated to prevent resprouting. Care is taken to avoid spreading the chemical on the surrounding vegetation.

#### 7. Floral Area Maintenance

The District maintains many flowerbeds of various sizes throughout the community. Some of the larger gardens function as passive, recreational sites. Smaller gardens are provided primarily for aesthetic purposes. Management practices in all gardens include watering, mulching, trimming, fertilizing and the application of chemicals.

- A) Watering – Plants are watered as needed during periods of drought from May to August
- B) Mulching – Plants are mulched throughout the year to reduce weed growth, provide constant soil temperature, retain moisture, and prevent winter freezing.
- C) Trimming – Plants are trimmed throughout the year to maintain a compact structure, remove diseased or dead wood, and to remove spent flowers.
- D) Fertilizing – Fertilizer is regularly added to some floral areas to encourage growth, provide nutrients for flower development, and to establish strong root systems.
- E) Spraying – Occasionally, chemicals are applied. In particular, roses are monitored and sprayed by the horticultural staff to control fungus infections and insect infestations. Chemicals are applied in accordance with the State requirements.

### 1.3 – Recycling

The District supports environmental awareness by encouraging recycling and waste management in its business practices and operating procedures. The District is dedicated to reducing the amount of waste that is generated and removed by the agency and to handling hazardous and all other wastes according to lawful and safe procedures. As part of this process, several recycling programs are in place including:

#### 1. Office Waste

Office paper is collected in blue bins at all District offices and collected daily by custodial staff in paper recycling bins placed at strategic locations around the District.

#### 2. Aluminum Can and Plastic Bottles

Aluminum can and plastic bottle recycling collections points are located in all District offices, concession stands, and adjacent to the coin-operated soda machines and placed in strategic locations around the District.

### 1.4 – Environmental Purchasing

The District's support of the environment includes a commitment to the purchase, use, and disposal of products and materials in a manner that will best utilize natural resources and minimize any negative impact on the environment. The District will strive to purchase products for use in facility and park operations, which minimize negative environmental impacts, taking into consideration the effects of product production, use, storage, and disposal.

### 1.5 - Air Quality

The District is committed to protecting and improving the environment. Smoking in District indoor Facilities is prohibited.

## Section 2: Fleet and Equipment

### 2.1 – Fleet Maintenance

With few exceptions, all fleet maintenance services are provided by the District employees. For specialized equipment or when timely repairs by the district are not possible, staff contracts with private service providers for equipment repairs.

### 2.2 – Fleet and Equipment Replacement

Vehicles and major pieces of equipment are replaced in accordance with a replacement schedule that is annually revised and included as part of the long-range Capital Improvement Plan.

### 2.3 – Fleet Marking

All District maintenance vehicles are marked with the District's logo on the front door of both sides. The color of District vehicles is white.

### 2.4 – Clean Fuel Fleet Program

New vehicle purchases comply with the provisions of the State of Illinois Clean Fuel Fleet Program.

### 2.5 – Loan of Equipment

The practice of loaning and borrowing equipment is frequently exercised between the District and other public agencies. Major reasons for borrowing or loaning equipment include: a) the agency cannot afford the quality of equipment needed; b) specialized pieces of equipment such as skid steer or tree spades are costly or are used infrequently; c) breakdown or extended periods of downtime for repair or overhaul necessitate borrowing or loaning; or d) emergency situations arise when existing equipment is inadequate to handle a job and supplemental equipment is necessary.

## Section 3: Facilities Operations

### 3.1 – Play Areas

The District will provide play opportunities that conform to the American Society for Testing Materials (ASTM) Standard Consumer Safety Performance Specification for Playground Equipment for Public Use (Standard F148795), and the Consumer Product Safety Commission (CPSC) Handbook for Public Playground Safety.

In accordance with District standards, play area inspections are performed monthly. Additional tasks, such as raking out holes in the surfacing are performed more frequently.

All inspections are performed by staff, according to playground Equipment for Public Use (Standard F1487-95). Specific, site-related checklists for each play area have been developed.

The equipment used in District playgrounds has not been designed, maintained or audited for ASTM F 1148, Standard Consumer Safety Performance Specification for Home Playground Equipment so the resale of used District playground equipment for residential use is prohibited.

### 3.2 – Athletic Fields

The District maintains athletic fields in the best condition possible. Staffs have developed a soccer field maintenance program and follow it annually. Maintenance schedules for soccer fields have been developed.

Field permits are not required for pickup games or neighborhood use, but a permitted group does have priority over a pick-up game or neighborhood use. Pick-up games and neighborhood use will be based on first come first serve basis.

The District will supply special maintenance care to leagues or organizations, which provide notice at least two weeks prior to tournaments or special exhibitions. Depending on the frequency and nature of the event, the District may be able to provide the special maintenance without cost to the requesting organization. Other than normal field maintenance, any improvements or additional work, which is required by a group, shall be provided by that group at the group's expense and must have the approval of the District.

Each permitted organized league shall determine if games can be played without damaging the playing field. In marginal conditions, each league must cancel games, eliminate practices, or double up on multiple purpose fields to prevent field damage. The Executive Director is authorized to stop play at any time due to poor field conditions, wet turf, muddy conditions or frozen turf. All fields are closed for play when the turf is frozen. The District has the authority to cancel permits or cease play at any time if it deems the fields to be unplayable or groups are misusing or abusing fields.

### 3.3 - Building Maintenance

The Facility Division District staff is responsible for the maintenance, repair, and renovation of all District-owned or leased buildings.

#### 1. Custodial Maintenance

Regular custodial maintenance services are provided by district custodial staff. District staff opens outdoor restrooms from April 1 to October 30. In the event that emergency custodial maintenance services are needed, a contractor may be called or District staff may complete the work.

#### 2. Portable toilets

Portable toilets will be offered at locations without indoor restrooms when the District issues permits for the site. The toilets will only be placed for the duration of the issued permit. The District will make attempts to ensure that the toilets are placed in locations that are the least intrusive to neighbors. Additionally, all portable toilets will be ADA accessible and serviced twice a week, and if a toilet is vandalized twice in a season, it will be moved from the park location.

#### 3. Repairs and Renovation

Staff develop and update a comprehensive, five-year Building Improvement plan which addresses painting, HVAC systems, roofs, building equipment, flooring, and alarm systems (see Facility Division Building Improvement Plan).

#### 4. Key Distribution

All district key are maintained and distribution by the Executive Director. Employee keys for buildings, padlocks, and other locking devises must be checked out upon employment with the District and must be returned when employment is terminated. Keys for contractors and vendors must also be checked in and out by Executive Director and may be kept only during the contract period. Duplication of keys should be performed only by the Executive Director.

#### 3.4 – Ice Skating and Sled Hills

Ice Skating – The District assumes no responsibility for the safety of Mill Creek Lake ice quality or thickness. Ice skating is at the users own risk.

Sled Hill – Sled hill maintenance is completed year- round in accordance with the Sled Hill Maintenance Manual. Summer and fall procedures include regular inspections and maintenance to ensure a smooth and safe surface.

During the winter season (when hills are usable for sledding from November15 to March 15), each hill is inspected daily for bald spots, foreign objects, moguls, ruts, or protrusions. Any surface imperfection must be eliminated by grooming with shovels, rakes, ice scrapers, and similar tools. All debris must be removed from the sledding surface and sledding run out area. Access ramps must be cleared of all debris and sanded, when necessary. Guardrails, posts, and chains must be inspected to ensure that they are free from splinters and other defects. Sled hill signs are inspected to ensure they have not been vandalized. The “Hill Closed” sign should be locked in place at all times when the hill is unusable for sledding. Inspection forms are completed and forwarded to the Safety Coordinator.

#### 3.5 – Signs

The Facility Division provides and maintains entrance and other park information signs at each park or facility. Wood signs are currently provided at park locations. Small, metal park rule signs are attached to at least one park entrance sign at each park location. Signs are inspected regularly are repaired, as necessary.

### Section 4: Park Operations

#### 4.1 – Park Maintenance

The District staff is responsible for maintenance, repair, and renovation of all District-owned parks or leased land.

#### 4.2 – Snow Removal

The District is responsible for snow removal in Mill Creek Park and Cabin Areas. Specific snow removal routes and schedules are developed and revised annually. A snow removal notification procedure has also been developed and implemented.

#### 4.3 – Litter Removal

The District is responsible for removing and disposing of litter collected in all District parks and facilities. At major facilities, lockable dumpsters are placed in appropriate locations for use by staff located at the facility. Other dumpsters are strategically located at park sites throughout the District. A private contractor, when necessary, empties all dumpsters.

Litter barrels or decorative containers for the disposal of litter generated by park users are provided throughout the District. Staff empty barrels and replace can liners daily throughout the year in accordance with a predetermined schedule. Decorative litter containers are provided at building entrances and other visible locations.

Campers in Mill Creek Park are responsible for their trash disposal in supplied dumpsters located at the campground dump station. Disposing of trash in pit privies is against policy and punishable by fine (\$500) and removal of camping privileges.

#### Section 5: Trails

##### 5.1 - Trails

The District currently operates two trails:

ATV

Horse/Hiking and Biking Trails

#### Sections 6: Park Planning

##### 6.1 – Planning

The District provides most park planning services with staff, board members, and volunteers input. A wide range of planning services are provided for the District including: designing parks, facilities, and other improvements, preparing plans, specifications, and construction drawings; developing cost estimates and feasibility studies; and maintaining planning files and records. For construction of major facilities or improvements, the District may hire outside planning consultants to perform similar services, as necessary.

The District believes in obtaining public input when developing or modifying parks, facilities, or major programs. Public input is solicited through the use of surveys, advisory committees, focus groups, and public meetings. Public meetings are routinely scheduled for developments and improvements projects. Site plans, designs and other major improvements require approval by the Board after public input has been obtained.

##### 6.2 Tree, Brick Pavers, and Other Memorial and Donation Programs

###### 1. Tree Memorials

A Living Tree Memorial Program is offered by the District. Through this program, trees may be donated to commemorate people, organizations, and special events such as birthdays and anniversaries. Memorial trees may be selected from a list provided by the District. Bronze plaques are available at an additional cost. The type of tree chosen or park preference may limit the options available to the donor. Trees are guaranteed in perpetuity.

Persons requesting the planting will pay for the tree, its installation, the commemorative plaque, and a contingency fee that is placed in a fund to offset replacement costs. The requesting party must select the tree species from lists provided by the District and works with the Executive Director to find a suitable location for the selected variety. In some cases, a site may not be suitable for the selected tree variety or there may be a lack of space for additional trees. The cost of the tree will depend on the variety. No trees will be planted which are less than two (2) inches in diameter.

## 2. Site Amenities

The District offers the opportunity for those who wish to sponsor benches, a gazebo, picnic shelters, playground equipment, playground surfacing, light poles, batting cages, water fountains, fishing piers, litter containers, bike racks, picnic tables etc. Site amenities may be donated to commemorate people, organizations, and corporate commercial sponsors, or special events such as birthdays and anniversaries. Site amenities may be selected from a list provided by the District. Plaques are available at an additional price. Site amenities can be, upon the approval of the District, placed at any District location. The type of site amenities available is based on park preference (of the requesting party) and the site master plan for that park, which may limit the options available to the donors.

Site amenities are guaranteed for the life of the product. Persons requesting the site amenity will pay for the items, its installation, the commemorative plaque and a contingency fee, which is placed in a fund to offset replacement costs. The District will order the item and either install it using District staff or a contractor. Maintenance of said item is the responsibility of the District.

## Section 7: Fencing or Lighting of Park Sites/Areas or Facilities

### 7.1 – Fencing of Park Site

As park sites are developed or renovated, staff shall determine the placements of active use areas and traffic patterns with a view towards the safety and protection of adjoining property owners. If perimeter barrier fencing is determined to be necessary, it should be installed at the time of initial development or as soon as possible.

It is the philosophy of the Park District that all park sites should be as open as possible. Permanent fencing of athletic fields should be minimized.

### 7.2 – Lighting of Park Areas and Facilities

District staff will evaluate the need or request for additional lighting based on the following criteria:

- A. Additional lighting shall increase the use of facilities or programs such as tennis courts, basketball courts, athletic fields, trails, play areas, landscape areas, or other facilities.
- B. High intensity use areas should have security lighting to provide for the safety and security of park users. Security lighting is acceptable for areas such as walkways leading to buildings, parking lots connected to high use facilities, roadways that introduce vehicular traffic into parks, and other identified areas.

## Section 8: Records and Park Maintenance Management System

### 8.1 – Record Maintenance and Storage

The Executive Director or his/her designee maintains appropriate records and files for the District. All files are kept at the Park Administrations Building. Specific files and records and the storage locations for each are as follows:

- 1) ADA compliance files- Executive Director
- 2) Real Estate files- Executive Director
- 3) Park Development files- Administration Office
- 4) Site and master plans- Administration Office
- 5) Grant files- Administration office
- 6) PMMS- Reports attic

### 8.2 – Park Maintenance Management System (PMMS)

The Parks and Facilities Divisions operate under the Park Maintenance Management System (PMMS), a tool that allows staff to plan, schedule and track recurring tasks and projects. The PMMS year mirrors the agency's fiscal year. The planning process for the coming year begins in September when future projects are identified and prioritized. Information regarding recurring tasks, projects, manpower, various types of leave, and activity centers are entered into existing spreadsheets in January after the reports from the preceding year have been run.

Standards and monthly schedules are developed and tracked as part of this process (see annual Park Maintenance Management System Report). Instructions for the inputting of data are revised annually as well (see Park Maintenance Management System Instructions).

## Section 9: Indoor Facility Usage Rental Policy and Procedures

### 9.1 – Use of Buildings as Polling Places



In the State Election Code (10ILCS 5/11-4.1), a County Board or County Election Board can request units of local government to make public buildings available for use as a polling place on Election Day (including primaries, general and special elections). Based on the Election Code the District cancels all classes in facilities that are requested by the Clark County Election Commission. The District requires that the County provide a certificate of insurance. The County recruits and oversees the judges and supplies all the equipment necessary to host elections, and the Administrative staff work with judges to ensure keys are issued and returned and the building is set up as needed.

## **Appendix A**

### A. Campsites

## Clark County Park District Policy and Practices Manual

1. One Month Campsite Reservations – A deposit of \$50.00 is required at the time the reservation is made. Cancellation of the reservation one month or more prior to the first day of the beginning of the site occupancy will result in the return of the full amount of the deposit. Cancellation of the reservation at least two weeks, but less than one month, prior to the first day of the site occupancy will result in a return of \$25.00 (50%) of the deposit. A cancellation of the reservation less than two weeks prior to the first day of the site occupancy will result in the retention of the full \$50.00 deposit by the District.
  - a. The balance of the one month reservation shall be paid on the first day of site occupation, as indicated by the reservation.
  - b. A cancellation of a portion of the site occupancy that occurs during the first two weeks of the reservation period and is to take effect during the first two weeks of occupancy shall result in a 50% retention of the prorated cost of the remaining days of the reservation period.
  - c. A cancellation of a one month reservation that occurs after two weeks of occupancy of the site will result in retention of 100% of the prorated daily cost of the days remaining for the reservation.
  - d. If a camper chooses to cancel a portion of the reservation, but also retain a portion of the same reservation, the cancellation shall be considered a full cancellation of the existing reservation period, with the above refund/retention policies applying. The camper would then be required to make a new reservation for the same site for the desired time period, thus requiring a new deposit and full payment for the reservation period the first day of occupancy.
2. Multi-Month Campsite Reservations- A deposit of \$150.00 is required at the time the reservation is made. Cancellation of the reservation one month or more prior to the first day of the beginning of the site occupancy will result in the return of the full amount of the deposit. Cancellation of the reservation at least two weeks, but less than one month, prior to the first day of the site occupancy will result in a return of \$100.00 to the camper and District retention of \$50.00 of the deposit. A cancellation of a reservation less than two weeks prior to the first day of site occupancy will result in the return of \$50.00 of the deposit to the camper and retention of \$100.00 by the District.
  - a. The deposit will be held in escrow until the last month of the camper’s reservation period for a given season, at which time the \$150.00 deposit will be deducted from the rental fee of the last month per season.
  - b. Payment for the first month of the site rental and all subsequent months are due in full the first day of each new month of rental, until the last month of the reservation, at which time the \$150.00 deposit will be deducted from the monthly fee amount.
  - c. If the camper cancels the reservation at any time during the occupancy, the District will retain the full amount of the \$150.00 deposit.
3. Seasonal Campsite Reservations – **Seasonal sites are only A1-A10, A12, A14, A16, A18, A20 & A22.** Reservations for these sites are on a 1 year lease from April 1 to March 31, renewable by March 1 **with payment in full by March 1.** Price for these sites is \$1,400.00 with the customer paying the electric. Weekly rate for these sites is \$60.00, Holiday weekend \$98.00. There will be no in/out of district price difference for these sites.
4. Weekly Campsite Reservations- A deposit of the first night of the reservation is required at the time the reservation is made. Cancellation of the reservation 7 days or more prior to the first day of the beginning of site occupancy will result in the return of the full amount of the deposit. Cancellation of the reservation less than 7 days prior to the first day of the site occupancy will result in the retention of the full deposit by the District.
  - a. The balance of the weekly campsite reservation shall be paid on the first day of site occupation, as indicated by the reservation.
5. Daily Campsite Reservations – A deposit of the first night of the reservation is required at the time the reservation is made. Cancellation of the reservation 7 days or more prior to the first day of the beginning of site occupancy will result in the return of the full amount of the deposit. Cancellation of the reservation less than 7 days prior to the first day of the site occupancy will result in the retention of the full deposit by the District.
  - a. The balance of the daily campsite reservation shall be paid on the first day of site occupation, as indicated by the reservation.
  - b. Any sequence of days over 7 days is considered multiple reservations and will be counted as a week for the first reservation. Additional reservations will be required for any days over the 7 days with appropriate deposits being made for each reservation. The balance of the campsite reservation shall be paid on the first day of site occupation, as indicated by the reservation.
6. Holiday Reservations – All Holiday reservations must be paid in full at the time the reservation is made. Holiday reservations require a 3 night minimum and no weekday discounts will apply. Holidays are Memorial Day, 4<sup>th</sup> of July and Labor Day Weekends.
7. Grace Period/Overdue Fee - While monthly payments for multi-month site rentals are due the first day of each new month, the District will allow an additional 2 day grace period for payment. If the monthly site rental payment has not been made by the end of the third day, a fee of \$5.00 per day for the fourth day forward will be assessed until the monthly rental and overdue fee have been paid.

## Clark County Park District Policy and Practices Manual

8. 7 days after the initiation of the overdue fee, a total of 10 days of the camper being delinquent on his/her payment for the site, the individual's camper will be impounded. Overdue fees will continue to accumulate until site fee and overdue fees have been paid.
- B. Cabin Rental Refunds
1. Cabin Rental Reservations – A deposit of the first night of the reservation is required at the time the reservation is made. Cancellation of the reservation 14 days or more prior to the first day of the beginning of site occupancy will result in the return of the full amount of the deposit. Cancellation of the reservation less than 14 days prior to the first day of the site occupancy will result in the retention of the full deposit by the District.
  2. The balance of the cabin rental reservation shall be paid on the first day of site occupation, as indicated by the reservation.
- C. Docks/Storage
1. There will be no refunds available for Dock or Storage rental except in unusual circumstances at the discretion of the Executive Director.
- D. Boat Rental Refunds
1. Pontoon Boat Rental- A deposit of \$50.00 is required at the time the reservation is made. Cancellation of the reservation of up to ½ hour before the approximate arrival time will result in a full refund of the deposit.
  2. The balance of the pontoon boat rental reservation shall be paid upon arrival, as indicated by the reservation.
  2. Jon Boat Rental- A deposit of \$15.00 is required at the time the reservation is made. Cancellation of the reservation of up to ½ hour before the approximate arrival time will result in a full refund of the deposit.
  4. The balance of the jon boat rental reservation shall be paid upon arrival, as indicated by the reservation.
- E. Unusual Circumstances – The District reserves the right to make adjustments to the refund/retention guidelines, at the discretions of the Executive Director, in case of unusual circumstances which necessitate a reservation cancellation.