

fzmPrtClaim

Kendall County

COMBINED Claims Listing

Page 007

Vendor# Name

Invoice #

Description

Date

Budget #

Account Description

Dist Amount

05/18/17

2:30:39 PM

FOREST PRESERVE EXPENDITURE

148 060304 FIRST NATIONAL BANK OMAHA 04/29/17-DG  
149 091310 IL STATE POLICE 04/30/17

WATER-HC  
BACKGROUND REPORTS

05/25/17 27020006200  
05/25/17 27020006200

OFFICE SUPPLIES & POSTAGE  
OFFICE SUPPLIES & POSTAGE

8.99 \*\* bantrim  
50.00 bantrim

150 101551 JOLIET REGION CHAMBER OF COMM 90288

2017 MEMBER DUES

05/25/17 27020006203

DUES/MEMBERSHIPS

260.00 bantrim  
260.00\*

Vendor#	Name	Invoice #	Description	Date	Budget #	Account Description	Dist Amount
151 190816	SHAW MEDIA	04/30/17	DUMP TRUCK BID-AD	05/25/17	27020006209	LEGAL PUBLICATIONS	43.80 43.80*
152 011359	AMEREN IP	05/15/17-MS	MILLBROOK SOUTH	05/25/17	27020006351	ELECTRIC	43.28
153 030794	CHAMPION ENERGY, LLC.	05/02/17-MULT	HARRIS ARENA	05/25/17	27020006351	ELECTRIC	4.27
154 030794	CHAMPION ENERGY, LLC.	05/02/17-MULT	HARRIS	05/25/17	27020006351	ELECTRIC	31.56 79.11*
155 190816	SHAW MEDIA	04/30/17	WEDDING PAGE-APRIL	05/25/17	27020006843	PROMOTION/PUBLICITY	59.99
156 220564	VESCO REPROGRAPHIC	R81652	CAMP BANNERS	05/25/17	27020006843	PROMOTION/PUBLICITY	387.00 446.99*
<b>ELLIS HOUSE</b>							<b>888.89*</b>
157 030794	CHAMPION ENERGY, LLC.	05/02/17-MULT	ELLIS HOUSE	05/25/17	27021007076	UTILITIES - ELLIS HOUSE	181.60 181.60*
158 130506	MENARDS	78976	ELLIS MAINT. SUPPLIE	05/25/17	27021007080	GROUND & MAINT - ELLIS H	64.39
159 130506	MENARDS	78681	AIR HOSE, CLEANER	05/25/17	27021007080	GROUND & MAINT - ELLIS H	43.99
160 130506	MENARDS	78323	ELLIS CLEANING SUPPL	05/25/17	27021007080	GROUND & MAINT - ELLIS H	72.48 180.86*
<b>ELLIS BARN</b>							<b>362.46*</b>
161 101297	JOHN DEERE FINANCIAL	05/01/17	ELLIS SUPPLIES	05/25/17	27021017080	GROUND & MAINT - ELLIS B	178.74
162 130506	MENARDS	78867	ELLIS-EARMUFF,FOLDAB	05/25/17	27021017080	GROUND & MAINT - ELLIS B	24.99 203.73*
<b>ELLIS GROUNDS</b>							<b>203.73*</b>
163 030540	CENTRAL LIMESTONE CO INC	9282	ELLIS ROAD GRAVEL	05/25/17	27021027080	GROUND & MAINT - ELLIS G	91.37
164 265084	MARTY VICK	MV-MAY 2017	WEEDWACKER REPAIR	05/25/17	27021027080	GROUND & MAINT - ELLIS G	65.00 156.37*
<b>SUNRISE CENTER</b>							<b>156.37*</b>
165 101297	JOHN DEERE FINANCIAL	05/01/17	ELLIS ANIMAL SUPPLIE	05/25/17	27021147082	ANIMAL CARE/SUPPLIES - SU	111.92
166 101297	JOHN DEERE FINANCIAL	05/01/17	ELLIS ANIMAL SUPPLIE	05/25/17	27021147082	ANIMAL CARE/SUPPLIES - SU	193.03 304.95*
<b>HOOPER</b>							<b>304.95*</b>
167 140937	NICOR	5/11/17-HOUSE	HO HOUSE	05/25/17	27022006860	HOOPER - GAS	38.36
168 140937	NICOR	5/11/17-HO MAIN	HO MAINT. BLDG	05/25/17	27022006860	HOOPER - GAS	45.48



Vendor#	Name	Invoice #	Description	Date	Budget #	Account Description	Dist Amount
190 190563	SERVICE SANITATION, INC	7336527	PORTABLE RESTROOMS	05/25/17	27025006847	REFUSE PICKUP - GROUNDS &	130.00 130.00*
191 140937	NICOR	5/11/17-HA	HARRIS	05/25/17	27025006848	GAS - GROUNDS & NATURAL R	81.39 81.39*
192 060304	FIRST NATIONAL BANK OMAHA	04/29/17-DG	WATER-HARRIS	05/25/17	27025007089	SUPPLIES - SHOP	29.91 29.91*

**Total GROUNDS & NATURAL RESOURCES      540.48\***

bantrim

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\*\* bantrim

frmPrtClaim

Kendall County

COMBINED Claims Listing

05/18/17

2:30:39 PM

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Vendor# Name

Invoice #

Description

Date

Budget #

Account Description

Dist Amount

FP BOND PROCEEDS 2007

246	011311	AMALGAMATED BANK OF CHICAGO	1855720005	ADMIN FEE--2015 BOND	05/25/17	95020006850	PROJECT FUND EXPENSES	475.00	bantrim	
247	011311	AMALGAMATED BANK OF CHICAGO	1856060001	ADMIN FEE--2016 BOND	05/25/17	95020006850	PROJECT FUND EXPENSES	475.00	bantrim	
								950.00*		
								<b>Total FP BOND PROCEEDS 2007</b>	<b>950.00*</b>	
								<b>GRAND TOTAL</b>	<b>\$8,135.32</b>	

<p><b>KENDALL COUNTY FOREST PRESERVE DISTRICT COMMISSION MEETING MINUTES</b></p> <p><b>MAY 16, 2017</b></p>
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**I. Call to Order**

President Gilmour called the meeting to order at 9:00 am in the Kendall County Board Room.

**II. Pledge of Allegiance**

All present recited the Pledge of Allegiance.

**III. Invocation**

Commissioner Prochaska offered an invocation for the meeting.

**IV. Roll Call**

X	Cullick	X	Gryder
X	Davidson	X	Hendrix
X	Flowers		Kellogg
X	Gilmour	X	Prochaska
	Giles		Purcell

Commissioners Cullick, Davidson, Flowers, Gryder, Hendrix, Prochaska, and Gilmour all were present.

**V. Approval of Agenda**

Commissioner Davidson made a motion to approve the agenda as presented. Seconded by Commissioner Gryder. Aye, all. Opposed, none.

**VI. Citizens to Be Heard**

No public comments were offered by citizens present at the meeting.

**VII. Approval of Claims in an Amount Not-to-Exceed \$11,846.63.**

Commissioner Davidson made a motion to approve claims in an amount not-to-exceed \$11,846.63. Seconded by Commissioner Hendrix.

Motion: Commissioner Davidson					
Second: Commissioner Hendrix					
<b>Roll call</b>					
<b>Aye</b>	<b>Opposed</b>	<b>Commissioner</b>	<b>Aye</b>	<b>Opposed</b>	<b>Commissioner</b>
X		Cullick	X		Gryder
X		Davidson	X		Hendrix
X		Flowers			Kellogg
		Giles	X		Prochaska
X		Gilmour			Purcell
Motion unanimously approved.					

**VIII. Approval of Minutes**

- Kendall County Forest Preserve Commission Meeting – May 2, 2017
- Kendall County Forest Preserve Programming and Events Committee Meeting – May 3, 2017
- Kendall County Forest Preserve Committee of the Whole Meeting – May 10, 2017
- Kendall County Forest Preserve District Finance Committee Meeting – May 10, 2017

Commissioner Hendrix made a motion to approve the minutes for the Forest Preserve Commission meeting held on May 2, 2017; the Programming and Events Committee meeting held on May 3, 2017; the Committee of the Whole meeting held on May 10, 2017, and the Finance Committee meeting held on May 10, 2017. Seconded by Commissioner Gryder.

All, aye. Opposed, none. Motion unanimously approved.

**IX. Motion to Approve the Proposed Changes to the Ellis Equestrian Center Program Cancellation Policies**

Commissioner Hendrix made a motion to approve the proposed changes to the Ellis Equestrian Center program cancellation policies. Seconded by Commissioner Gryder.

Director Guritz reported that the recommended change is to increase the advanced notification requirement for rescheduling a lesson from 24-hours to 48-hours.

Motion: Commissioner Hendrix					
Second: Commissioner Gryder					
<b>Roll call</b>					
<b>Aye</b>	<b>Opposed</b>	<b>Commissioner</b>	<b>Aye</b>	<b>Opposed</b>	<b>Commissioner</b>
X		Cullick	X		Gryder
X		Davidson	X		Hendrix
X		Flowers			Kellogg
		Giles	X		Prochaska
X		Gilmour			Purcell
Motion unanimously approved.					

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**X. Motion to Approve the Proposed Promotional Discount Offerings for Returning Program Participants for Ellis Equestrian Center Programs, Limited to One Applied Discount per Registration through December 31, 2017**

Commissioner Cullick made a motion to approve the proposed promotional discount offerings as presented. Seconded by Commissioner Hendrix.

Motion: Commissioner Cullick					
Second: Commissioner Hendrix					
<b>Roll call</b>					
<b>Aye</b>	<b>Opposed</b>	<b>Commissioner</b>	<b>Aye</b>	<b>Opposed</b>	<b>Commissioner</b>
X		Cullick	X		Gryder
X		Davidson	X		Hendrix
X		Flowers			Kellogg
		Giles	X		Prochaska
X		Gilmour			Purcell
Motion unanimously approved.					

**XI. Motion to Approve the Proposed Summer 2017 Public Program Fees and Charges**

Commissioner Gryder made a motion to approve the proposed summer 2017 public program fees and charges as presented. Seconded by Commissioner Cullick. Aye, all. Opposed, none. Motion unanimously approved.

**XII. Executive Session**

None.

**XIII. Other Items of Business**

Director Guritz reminded Commission of the upcoming “Future of Oak Woodlands in Kendall County” program offered in collaboration with The Conservation Foundation and The Morton Arboretum taking place at Meadowhawk Lodge at 5:00 pm on May 16, 2017.

Director Guritz provided updates on action steps that will be taken to address the encroachment issues at the McDaniels property. A property inspection is scheduled with Village of Minooka personnel next week. Results will be communicated to the State’s Attorney’s Office with a cease and desist letter sent to the adjoining property owner. Minooka plans to develop a recreational facility on their adjacent property in the near future, and has expressed interest in working with the District to assist with restoration efforts within the site’s natural area corridors.



DRAFT

#### **XIV. Citizens to Be Heard**

No public comments were offered by citizens in attendance.

#### **XV. Adjournment**

Commissioner Cullick made a motion to adjourn. Seconded by Commissioner Flowers. Aye, all. Opposed, none. Meeting adjourned at 9:08 am.

Respectfully submitted,

David Guritz  
Director, Kendall County Forest Preserve District

**KENDALL COUNTY FOREST PRESERVE DISTRICT  
FINANCE COMMITTEE MEETING MINUTES**

**MAY 25, 2017**

**I. Call to Order**

Committee Chairman Cullick called the meeting to order at 7:07 pm in the Kendall County Board Room.

**II. Roll Call**

Commissioners Davidson, Gryder, Kellogg, and Cullick all were present.

**III. Approval of Agenda**

Commissioner Kellogg made a motion to approve the agenda as presented. Seconded by Commissioner Davidson. All, aye. Opposed, none.

**IV. Citizens to be Heard**

No public comments were offered by those in attendance.

**V. Approval to Forward Claims in an Amount Not-to-Exceed \$8,135.32.**

Commissioner Cullick made a motion to forward claims to Commission in an amount not-to-exceed \$8,135.32. Seconded by Commissioner Kellogg.

The Finance Committee reviewed the claims list.

Director Guritz reported that gas and electric service has been cut to the old residence house at Hoover Forest Preserve.

Chairman Cullick called the question. All, aye. Opposed, none.

**VI. KCFPD Endowment Fund and Subat Project Fund Deposit – The Illinois Funds**

The Finance Committee discussed the establishment of an Endowment Fund for the District.

Director Guritz reported that an ordinance will need to be developed, recommending review of the draft ordinance at the Committee of the Whole meeting in June. Separately, Treasurer Ferko is recommending transfer and deposit of the Subat Project Fund into The Illinois Funds.

DRAFT

Commissioner Davidson made a motion to forward a recommendation to Commission for approval of the transfer of the Subat Project Fund to The Illinois Funds, and presentation of a draft endowment fund ordinance to the Committee of the Whole in June, 2017.

Seconded by Commissioner Kellogg. Aye, all. Opposed, none.

## **VII. McDaniels Property – Inspection Results and Discussion**

Director Guritz presented a report on the results of the property inspection of the McDaniels property that was conducted with support of Village of Minooka personnel. Director Guritz stated he would be working with the State’s Attorney’s Office to draft a cease and desist letter.

## **VIII. Hoover Fuel Dispensing Tank Options**

Commissioner Gryder made a motion to forward the GRAINCO, FS proposal totaling \$1,771.00 to Commission for approval. Seconded by Commissioner Cullick.

Director Guritz presented a report and overview of options for site refueling at Hoover Forest Preserve. GRAINCO, FS provided the low-cost quote for bringing the existing fuel tanks at Hoover back into operation. Quotes were shared for pickup truck mounted fuel dispensing tanks estimated between \$700 and \$1,300. Director Guritz stated if the pickup truck option was pursued, the refueling tank will need to be removed during the winter months when the salt spreader is in use.

Roll call: Commissioner Gryder and Cullick, aye. Opposed, Commissioner Davidson and Kellogg. Motion failed by a vote of 2 to 2.

The Finance Committee discussed source fueling, and how refueling may, or may not be supported within the current Elburn Coop fuel bid. Director Guritz stated that Elburn may honor costs for fuel extended in the County bid price.

The Finance Committee provided direction to present the available options to the Committee of the Whole meeting in June for consideration.

## **IX. Harris Forest Preserve Shop Roof Replacement Proposals**

Director Guritz presented a report on the proposed replacement or repair of the Grounds Maintenance shop roof at Harris Forest Preserve. Costs ranged from \$16,874 for a full roof replacement to \$4,700 for sealing, and painting including replacement of gutters and down spouts.

Director Guritz stated that the staff recommendation is to forward the Ultimate Roof Coaters of Aurora proposal for the repair of the roof and replacement of gutters and down spouts for a cost of \$4,700.00, which includes a 10-year material and labor warranty.

Commissioner Cullick made a motion to forward the proposal received from Ultimate Roof Coaters of Aurora for sealing, and painting in the amount of \$3,500.00 to Commission for approval. Seconded by Commissioner Gryder.

The Finance Committee discussed the URC proposal. Commissioner Cullick amended her motion to include recommendation for approval of costs for the replacement of gutters and down spouts for an additional \$1,200.00. Seconded by Commissioner Gryder.

Aye, all. Opposed, none.

## **X. Omnitrax, Inc. – Illinois Railway Crossing Agreement Updates**

Director Guritz reported that IDOT and Illinois Railway have been contacted to discuss next steps towards completing the crossing improvements at Hoover Forest Preserve. Director Guritz reported that a contract for construction of the crossing improvements will be developed by IDOT working with Illinois Railway. Director Guritz added that there may be an opportunity to wrap costs for the public crossing application into the grant-funded project agreement.

Regardless, the District will need to enter into a crossing agreement with Omnitrax-Illinois Railway, with a negotiated annual crossing fee paid to the company. Director Guritz has contacted Elizabeth McGuire with Omnitrax to request a template for the crossing agreement.

Director Guritz reported that he located the August 2012 draft crossing agreement in the District's files, and sent this agreement on to Omnitrax and the State's Attorney's Office for review, noting that the annual crossing fee proposed was \$1,200 as opposed to the \$3,000 - \$4,000 fee recently quoted. The ICC court order indicates that Illinois Railway is not allowed to charge the District a crossing fee.

Assistant State's Attorney David Berault responded that the August 2012 draft agreement is very one sided. Director Guritz stated that the District's ability to negotiate the terms of the crossing agreement may be limited.

## **XI. Executive Session**

None.

## **XII. Other Items of Business**

Director Guritz reported that The Conservation Foundation has been awarded a \$500,000 grant from the Illinois Clean Energy Foundation for support of the Little Rock Creek Forest Preserve acquisition project. The District anticipates receiving updates from The Conservation Foundation in the near future.

DRAFT

Separately, a meeting was held with Attorney Dan Kramer, President Gilmour, Jeff Wehrli, and Ron Wehrli to discuss the possible purchase of property to create an access corridor for Henneberry Forest Preserve that would include the acceptance of open space parcels within the Henneberry Woods subdivision.

Director Guritz presented a proposed change to the General Use Ordinance that would allow companies that extend State certified (BASSET-trained) bartending services for events to serve alcohol at Ellis House and Meadowhawk Lodge. State law allows for companies to serve alcohol at private events without the need to secure a State liquor license. Essentially, clients purchase the alcohol to be served by the licensed bartenders, reducing event costs while meeting District requirements for insurance coverage extension.

Director Guritz stated he was in contact with the State's Attorney's Office to support the drafting of changes to the General Use Ordinance to allow for this exception. The proposed changes were prompted by an inquiry from a client holding a wedding event at Meadowhawk Lodge in the fall, and for an upcoming wedding scheduled for June 18, 2017 where a client did not receive the correct information and interpretation of the Kendall County Liquor Control Ordinance prior to scheduling catering services that did not have the required annual liquor license through Kendall County. Efforts are underway to insure that the event plan for catering and alcohol service complies with the District's General Use Ordinance and the Kendall County Liquor Control Ordinance. The proposed changes to the District's General Use Ordinance will comply with State law and open up cost-effective options for clients, and expand participation in the District's Preferred Caterer's Program. Through the Preferred Caterer's Program, companies wishing to extend bartending services will need to meet the District's insurance coverage extension requirements currently defined within the District's Preferred Caterer's Program.

District staff are also examining the required insurance coverage amounts recommended by the State's Attorney's Office, and comparing coverage amounts to those required by the District's insurance carrier to insure that the coverage defined within the Preferred Caterer's Program meets acceptable standards.

Direction and consensus was received from the Finance Committee to place the proposed changes to the General Use Ordinance's Alcohol and Controlled Substances exceptions on the June 6, 2017 Commission agenda for approval.

Director Guritz reported that Amy Martin, Equestrian Center Coordinator, will be resigning her position with the District. Director Guritz reported that Ellis Equestrian Center currently has sufficient staffing to operate, and would not be considering hiring of a second coordinator at this time.

Director Guritz stated that he had contacted the Kendall County Health Department to examine possible grant support funding for controlled burns within forest preserve areas to combat the spread of Lyme disease in Kendall County.

DRAFT

Director Guritz reported that HLR Engineering will be presenting permitting progress updates for the removal or reconstruction of the Millbrook Bridge, and to receive direction from the Board on permitting approach to insure that no additional costs are incurred for permitting based on the directions received from the Board.

Director Guritz stated that he was concerned about the direction the permitting process was taking in terms of approach for the possible removal of the bridge.

### **XIII. Citizens to be Heard**

No public comments were offered by those in attendance.

### **XIV. Adjournment**

Commissioner Kellogg made a motion to adjourn. Seconded by Commissioner Gryder. All, aye. Opposed, none. Meeting adjourned at 8:02 pm.

Respectfully submitted,

David Guritz  
Executive Director, Kendall County Forest Preserve District

To: Kendall County Forest Preserve District Board of Commissioners

From: David Guritz, Director

Date: June 6, 2017

RE: Subat Project Fund Investment in The Illinois Funds

Attachments:

1. 70 ILCS 805/13.7 and 70 ILCS 805/23
2. Subat Project Fund Balance Sheet

Assistant State's Attorney Lisa Coffey has completed review of the process for establishing an Endowment Fund for the District, and whether investment earnings within the Subat Project Fund sub-account could be used towards other Endowment Fund purposes.

In reviewing 70 ILCS 805/13.7 and 70 ILCS 805/23, Assistant State's Attorney Coffey has reported that the investment earnings will need to remain in the Subat Project Fund subaccount until the Nature Center building project is completed in the Subat Forest Preserve District in memory of Mary M. Subat.

Section 13.7 does address that the funds may be used for another purpose or become a part of general fund of the district in a subsequent year provided the purpose for which the funds were originally appropriated has been completed.

Therefore, until the Nature Center is completed, the funds and any interest earned relative to said funds need to remain in the Subat Project Fund subaccount of the Endowment Fund. Once the project is completed, if there are remaining funds, provided the law hasn't changed, there could be consideration in subsequent years of using funds for another purpose.

The motion under consideration during the meeting will provide direction to Treasurer Ferko to invest the Subat Project Fund in The Illinois Funds local government investment pool with the Illinois State's Treasurer's Office.

Separately, an Endowment Fund ordinance has been drafted for presentation during the upcoming Committee of the Whole meeting in June.

Recommendations:

1. Transfer and deposit the Subat Project Fund balance to The Illinois Funds, the Illinois State's Treasurer's Office local government investment pool.
2. Establish and Endowment Fund for the Kendall County Forest Preserve District, with the Subat Project Fund treated as a subaccount of the Endowment Fund, with investment earnings credited towards the Subat Project Fund subaccount.

(70 ILCS 805/13.7)

Sec. 13.7. Endowment Fund. Each forest preserve district may create, maintain, and increase a separate fund to be known as the "Endowment Fund" to pay all costs and expenses incurred or anticipated by the forest preserve district for the long-term maintenance and improvement of forest preserve facilities and lands, and for the future purchase of real property. Only one "Endowment Fund" may be created by a forest preserve district, but the fund may provide for the collection, maintenance, investment, and expenditure of monies for more than one purpose. All revenues deposited in the Endowment Fund shall be designated by purpose and appropriated and expended for the purpose for which it was designated. No appropriation in the Endowment Fund shall lapse, and the monies received and designated for a specific purpose shall not become part of the general funds of the district or considered an asset available for appropriation for another purpose in a subsequent year unless the purpose for which the monies were originally appropriated has been completed. Revenues deposited in the Endowment Fund must come from private sources, whether received before, on, or after the effective date of this amendatory Act of 1995. No revenues shall come from any Federal, State, or local government source, except for those received as a result of agreements obligating the district to the long-term maintenance of improvements constructed on district lands. The Fund shall be audited annually by a licensed certified public accountant.

(Source: P.A. 89-119, eff. 7-7-95.)

(70 ILCS 805/23)

Sec. 23. Transfer of interest income. Each forest preserve district shall have the power to transfer the interest earned from any moneys of the district into the respective fund of the district that is most in need of the interest income, as determined by the board of commissioners. This Section does not apply to any interest earned that has been earmarked or restricted by the board for a designated purpose. This Section does not apply to any interest earned on any funds for purposes of the Illinois Municipal Retirement Fund under the Pension Code or tort immunity under the Local Governmental and Governmental Employees Tort Immunity Act. Interest earned on these exempted funds shall be used only for the purposes authorized for the respective exempted funds from which the interest earnings were derived.

(Source: P.A. 90-176, eff. 1-1-98.)



KENDALL COUNTY TREASURER  
 FUND BALANCES  
 Balances as of: 06/01/17

11:30:10 AM  
 06/01/17  
 Page 001

	Budget	MTD	YTD	%Budget
***** RESTRICTED SUBAT FP FUND *****				
Beginning Balance 12/01/16			842,469.20	
Receipts:				
28010001320 PROJECT FUND REVENUE	.00	.00	.00	.00
	.00*	.00*	.00*	.00*
Expenditures:				
28020006650 PROJECT FUND EXPENSE	.00	.00	.00	.00
	.00*	.00*	.00*	.00*
Ending Balance 06/01/17			842,469.20	

To: Kendall County Forest Preserve District Board of Commissioners  
From: David Guritz, Director  
Date: June 6, 2017  
RE: Resolution #17-06-001 Amending Ordinance #02-01  
General Use Regulation Ordinance

Attachment

Resolution #17-06-001 Amending Ordinance #02-01 General Use Regulation Ordinance for the Kendall County Forest Preserve District

At the May 25 Finance Committee meeting, the Committee approved a motion recommending Commission approval of proposed revisions to Chapter VI: Section IV of the District's General Use Ordinance to expand client options for businesses contracted for the service alcohol at Ellis House and Meadowhawk Lodge events.

The Kendall County State's Attorney's Office has completed their review with recommendations for changes to the District's General Use Ordinance based on questions posed for upcoming wedding event rentals.

The formulated changes to the General Use Ordinance will clarify client questions regarding service of alcohol at Ellis House and Meadowhawk Lodge, expand service provider options, and lower overall client costs for hosting events at District facilities. The District also anticipates an increase in business enrollment in the District's Preferred Caterers' Program.

SUMMARY OF PROPOSED CHANGES

Under the current General Use Ordinance, clients must hire a catering firm possessing a Class I liquor license through Kendall County to serve alcohol at Ellis House and Meadowhawk Lodge (current text as follows):

---

Chapter Six – Regulation of Personal Conduct and Behavior

*No person shall upon or in connection with any Property of the District:*

Section IV – Drug or Alcohol Use:

*d. Possess, bring into, or consume any alcoholic beverages on District property or any facility thereof with the exception of Ellis House and Meadowhawk Lodge at the Hoover Forest Preserve where the service of intoxicating beverages, in concert with a previously approved use of the facility by the Kendall County Forest Preserve District and any local authority, may be permitted in accordance with a properly issued and unexpired liquor license;*

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The proposed changes to the General Use Ordinance increases the number of allowable exceptions (proposed text as follows):

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Chapter Six – Regulation of Personal Conduct and Behavior

*No person shall upon or in connection with any Property of the District:*

Section IV – Drug or Alcohol Use:

*d. Possess, bring into, or consume any alcoholic beverages on District property or any facility thereof, with the following exceptions:*

*Alcoholic beverages may be consumed at Ellis House at Baker Woods Forest Preserve, and Meadowhawk Lodge at Hoover Forest Preserve within 250 feet of these buildings as part of an approved facility rental agreement, which includes the service of prepared meals, with the service of alcohol exclusively controlled by:*

- 1. A catering business enrolled in the Kendall County Forest Preserve District's Preferred Caterers Program that possesses a current Class I license in accordance with the Kendall County Liquor Control Ordinance;*
- 2. A not for profit corporation or organization that possesses a current Class G or Class J license in accordance with the Kendall County Liquor Control Ordinance;*
- 3. A pre-approved bartending service business serving, but not selling, alcohol and employing BASSET (Beverage and Alcohol Sellers and Servers Education Training) certified alcohol servers in accordance with 235 ILCS 5/6-27.1; or*
- 4. A charitable organization hosting an event wherein alcohol is served, but not sold, by volunteers of the organization.*

*All entities serving alcohol on Forest Preserve property must satisfy District insurance requirements.*

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Recommendation:

District staff recommends Commission consideration and approval of Resolution #17-06-001 amending the General Use Regulation Ordinance #02-01 of the Kendall County Forest Preserve District, with substantive modifications to chapter six, section IV(d) as presented.

**Resolution 17-06-001**  
**AMENDING ORDINANCE #02-01**

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**GENERAL USE REGULATION ORDINANCE**  
**Kendall County Forest Preserve District**

**WHEREAS**, the Kendall County Forest Preserve District (hereinafter the "District") is a body politic and corporate and municipal corporation organized and existing under the Downstate Forest Preserve District Act, 70 ILCS 805/0.001 et seq., as amended (hereinafter the "Act"); and

**WHEREAS**, it is reasonable, necessary and desirable for the Kendall County Forest Preserve District, hereinafter called "District," to promulgate a General Use Ordinance governing the use of the Forest Preserves of the District; and,

**WHEREAS**, 70 ILCS 805/7 of the Illinois Compiled Statutes provides as follows:

*"The board of any forest preserve district organized hereunder may by ordinance regulate and control the speed of travel on all paths, driveways and roadways within forest preserves, and prohibit the use of such paths, driveways and roadways for racing or speeding purposes, and may exclude therefrom traffic, teams and vehicles, and may by ordinance prescribe such fines and penalties for the for the violation of their ordinances as cities and villages are allowed to prescribe for the violation of their ordinances.";* and,

**WHEREAS**, 70 ILCS 805/7a of the Illinois Compiled Statutes provides, in relevant parts, as follows:

*"The board of any forest preserve district organized hereunder may by ordinance regulate, control and license all modes of travel within the forest preserve district.";* and,

**WHEREAS**, 70 ILCS 805/7b of the Illinois Compiled Statutes provides, in relevant parts, as follows:

*"The board of any forest preserve district organized under this Act may by ordinance issue licenses for any activity reasonably connected with the purpose for which the Forest Preserve District has been created.";* and,

**WHEREAS**, 70 ILCS 805/8 of the Illinois Compiled Statutes provides, in relevant parts, as follows:

*"The board shall be the corporate authority of such Forest Preserve District and shall have power to pass and enforce all necessary ordinances, rules and regulations for the management of the property and conduct of the business of such district.";* and,

**WHEREAS**, it is reasonable, necessary and desirable for the District to establish rules and regulations in order to provide for the safe and peaceful use of the Forest Preserves; for the education and recreation of the Public; for the protection and preservation of the property, facilities, flora and fauna of the Forest Preserves; and for the safety and general welfare of the public; and,

**WHEREAS**, the Board of Commissioners of the Kendall County Forest Preserve District has the authority and the power to establish and amend this General Use Ordinance.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners of the District as follows:

## **CHAPTER ONE – CONSTRUCTION OF WORDS AND DEFINITIONS**

### **Section I – Construction of Words:**

Words importing the singular number may extend and be applied to several persons or things, words importing the plural number may include the singular, and words importing gender may be applied to both male and female.

### **Section II – Definitions:**

The terms set forth below shall have the following meanings unless the context of a specific section clearly indicates otherwise.

- a. “Agent” means any director, officer, servant, employee, or other person who is authorized to act in behalf of the District.
- b. “Amusement Contraptions” means any mechanical device, gadget, 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, animal ride devices, ball and hammer devices and trampoline devices.
- c. “Area” or “Areas” means a specified place within a Forest Preserve.
- d. “Board” means the Board of Forest Preserve Commissioners.
- e. “Director” means the Director of the District or such persons charged with or delegated such authority by the Director.
- f. “District” means the Kendall County Forest Preserve District.
- g. “Employee” means any full or part-time, regular or temporary worker in the employ of the District under the supervision of the Director.
- h. “Exclusion of Others” refers to prohibiting use or behavior by others, which disrupts or prevents the authorized and lawful use of a designated area or structure in a Preserve by a person or persons holding a valid Permit for such area or structure and activity.
- i. “Legal Adult” means one who has reached the age of majority as defined by the laws of the State of Illinois.

- j. "Permit" means the written permission that must be obtained from the District to carry out a given activity.
- k. "Person" or "Persons" means individuals, firms, corporations, societies or any other entity, group or gathering whatsoever.
- l. "Posted" means that a notice is posted, either by a sign in a Forest Preserve at the entrance to a Forest Preserve or at the District offices, the location being at the discretion of the Director.
- m. "Preserve" or "Forest Preserve" means land and waters, or property owned, leased, or licensed by the District and property over which the District has easement rights.
- n. "President" means the President of the Board of Forest Preserve Commissioners.
- o. "Property" means any lands, waters, facilities or possessions of the District.
- p. "Sound and Energy Amplification" means music, speech or any sound or noise transmitted by artificial means, including, but not limited to, amplifiers, loudspeakers, radios or any similar devices, or lights, rays, lenses, mirrors or laser beams.
- q. "Vehicle" means every device in, upon or by which any person or property may be transported or drawn upon a highway, in addition to any device or conveyance on the land using wheels of belt-type track or tracks, skids or skis and propelled by an engine or motor and includes such land conveyances that are able to float and operate on water, except devices moved by human power.
- r. "Watercraft" means any device of conveyance on the water whether propelled by motor, engine, wind, or human power.
- s. "Waters" or "Waterways" means lake, pond, slough, stream, lagoon, marsh, or river within the jurisdiction of the District.
- t. "Written Permission" means written permission granted by the Board, President or Director or written permission granted by an authorized agent or employee of the District acting within the scope of their agency and employment.

## **CHAPTER TWO – PUBLIC USE**

### **Section I – Public Use and Purpose of the District:**

Forest Preserves are for use by the general public. One of the functions of the District is to acquire, protect, restore, restock and develop a well-balanced system of areas with scenic, ecological, recreational and historic values for the inspiration, education, use and enjoyment by the public. This Ordinance is intended to help carry out this function.

## **Section II – Hours of Use:**

- a. Forest Preserves shall be open to the public from 8:00 a.m. to sunset, local time, seven days a week, unless different hours are Posted by the President.
- b. No person shall remain in the Forest Preserves when the Forest Preserves are not open to the public, without Written Permission of the Director.
- c. Preserves or Areas within Preserves may be closed to the general public by the District for reasons including, but not limited to, public safety and protection of natural resources.

## **Section III – Permits:**

- a. No person shall conduct, operate, present, manage or take part in the following activities in a Forest Preserve unless a Permit is obtained prior to the start of the activity:
  1. Any contest, show, exhibit, dramatic performance, play, act, motion picture, bazaar, musical event, ceremony, parade, including, but not limited to, drills or maneuvers, rallies, or picketing.
  2. Any use of any Forest Preserve Area or facility by a certain person or group of persons to the exclusion of other;
  3. Camp on any lands of the District or inhabit any structure or facility overnight.
- b. Persons desiring to engage in any of the above activities may apply to the District for a Permit or license under the following categories and subject to the policies and fees set by the Board:
  1. Picnic – No Permit is required to have a picnic; however, if a Person desires to reserve a designated area or areas to the Exclusion of Others then a Permit is required.
  2. Camping – A Permit is required. The Permit reserves a designated area or areas to the Exclusion of Others and allows the permittee to remain in the Preserve overnight. For organized, sponsored youth group campsites, the Permit may be valid for from one to seven consecutive nights. The Permit may provide permission to for other Permit controlled activities.
  3. Special Event – A Special Event Permit may be required for activities listed in Chapter Two, Section IIIa, paragraph 1 above. The Permit may provide for use of an Area or Areas to the Exclusion of Others and for other Permit controlled activities pursuant to this Ordinance.
- c. Permits in General:
  1. Permits are non-transferable and are subject to fees set by the Board. Permits must be applied for at least 72 hours in advance of the event, except those that require a certificate of insurance, which must be applied

for at least 14 days in advance of the event. Permits shall only be issued to a Legal Adult and that Legal Adult must be present during the permitted activity. Minor changes in the Permit may be made upon the Written Permission of the Director for no additional fee providing that the specific Forest Preserve is not changed, the date or dates involved are not changed, the number or size of the designated areas is not increased, and the request for change is made at least 72 hours prior to the event.

2. The Board may require proof of and establishing the amount of liability insurance required, and/or requiring a Hold Harmless Agreement, or requiring an endorsement naming the District as an additional insured when the activity is deemed to require such.

### **CHAPTER THREE – Protection of Property, Structures, and Natural Resources**

#### **Section I – Destruction or Misuse of Property and Structures:**

No person shall upon or in connection with any Property of the District commit or attempt to commit any of the following acts:

- a. Destroy, deface, paint, alter, change or remove any monument, stone, marker, benchmark, stake, post or blaze marking or designating any boundary line, survey line or reference point;
- b. Cut, break, mark upon or otherwise damage, destroy or remove any post, building, shelter, picnic table, bridge, pier, drain, well, fountain, pump, telephone, lamp post, fence, gate, refuse container, exhibit, display, tool storage box, utility outlet, movie screen, flag post or any other structure, facility, equipment, apparatus or parts thereof;
- c. Climb, stand, sit or walk on any structure, building, shelter, shelter, fence, gate, post, flagpole, picnic table, wall, refuse container or parts thereof, or any equipment, object or apparatus which is not designed or intended for such use;
- d. Deface, destroy, cover, damage or remove any placard, notice or sign, or parts 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 Forest Preserve;
- e. Take, appropriate, excavate, injure, destroy or remove any historical or prehistorical ruin or parts thereof, or any object of antiquity, without prior Written Permission of the Board;
- f. Throw, carry, cast, drag, push or deposit any container or receptacle, picnic table, barricade or any other Property into any Waterway or upon the frozen Waters thereof or otherwise move, stack or hide such Property in such a way as to render it unavailable to the general public for its intended use;



- g. Occupy or inhabit any house, barn, shelter, shed or other structure, or use for storage, or cause to be used for the storage of any goods, any house, barn, shelter, shed or other structure without the prior Written Approval of the Director;
- h. Enter into or upon any Preserve or Waters or Areas thereof or structures closed or Posted against trespass without the prior Written Permission of the Director. These structures or Areas may be, but are not limited to, construction areas, equipment or material storage structures or areas, work shops or stations, tree nurseries, wildlife nesting areas, or Areas undergoing reforestation or restoration of soil or vegetation or areas deemed hazardous to public safety or health;
- i. Enter into or upon and Preserve or Areas thereof for the purpose of collecting, gathering, acquiring or scavenging lost, misplaced or abandoned personal property or any other items of personal property without the prior Written Permission of the Director and then only in accordance with the terms and conditions thereof;
- j. Tamper with in any way, enter or climb upon, damage or remove anything from any District Vehicle, Watercraft, cart, trailer, machine or equipment; or
- k. Misuse any refuse container or receptacle by depositing into it any hot or burning substances, unless such container has been clearly identified for such use.

## **Section II – Destruction or Misuse of Natural Resources:**

No person shall upon or in connection with any Property of the District commit or attempt to commit any of the following acts:

- a. Cut, remove, uproot, damage or destroy by any means, any sod, earth, tree, sapling, seedling, bush, shrub, flower or plant, whether dead or alive, or chip, blaze, box, girdle, trim or otherwise deface or injure any tree, shrub or bush or break or remove any branch or foliage thereof or pick or gather any seed of any tree or other plant without prior Written Permission of the Director;
- b. Remove or cause to be removed any sod, earth, humus, downed timber, wood chips, peat, rock, sand, gravel or any other natural material of the forest floor or earth without the prior Written Permission of the Director;
- c. Hunt, trap, capture, molest, poison, wound or kill any invertebrate, animal, mammal, bird, reptile, or amphibian, or disturb, molest or rob any nest, lair, den or burrow without prior Written Permission of the Director;
- d. Fish in any Waters of the District Posted against fishing, or fish in any District Waters by using a bow and arrow, spear or slingshot, or any device using more than two hooks per line, or seine or trap, or with unattended lines during the hours that the Forest Preserves are closed, as defined by provisions of this Ordinance, or in violation of any applicable laws of the State of Illinois as administered by the Illinois Department of Natural Resources, or in violation of any regulation or

restriction Posted by the Director controlling the size, species and number of fish that can be taken from a designated body of water;

- e. Release or cause to be released any wild, domestic or pet animal, bird, fish or reptile, or bring in, plant or distribute the seeds or spores of any flowering or non-flowering plant or fungus, without the prior Written Permission of the Director;
- f. Use or cause to be used any chemical or biological pesticide or other substance, procedure or process designed to alter the anatomy or physiology of any organism for the purpose of directly manipulating their populations, without prior Written Permission of the Director, and then only in compliance with all the applicable laws of the State of Illinois and the United States;
- g. Permit or allow any cattle, horses, sheep, goats, swine or other livestock to graze or browse on District Property; or
- h. Deposit, dump, throw, cast, lay or place, or cause to be laid or placed any ashes, trash, rubbish, debris, litter, grass clippings, brush, leaves or other organic material, or other discarded, used or unconsumed material anywhere but in those receptacles provided for such disposal and only material that was generated on the site in the course of normal, lawful use of Forest Preserve facilities.

### **Section III – Contraband:**

All animals, plants, birds, fish or reptiles, or parts thereof, killed, captured, trapped, taken, bought, sold or possessed contrary to any provision of this Ordinance or applicable laws of the State of Illinois shall be, and are hereby declared, contraband and, as such, shall be subject to seizure by any duly sworn peace officer.

### **Section IV – Destruction by or Misuse of Fire:**

No person shall upon or in connection with any Property of the District commit or attempt to commit any of the following acts:

- a. Knowingly or unknowingly set fire, or cause to be set on fire, any tree, forest, brushland, grassland, meadow, prairie, or marsh, or any other natural resource or Property of the District without first obtaining Written Permission from the Director;
- b. Build a fire anywhere, for any purpose, except in provided fireplaces or provided or privately owned fire receptacles, without first obtaining Written Permission from the Director;
- c. Build a fire or cause a fire to start in or out of a receptacle close to or in any structure whatsoever or close to any tree or plant in such a way as to deface, damage or destroy that structure or scar, injure or destroy the tree or plant or its foliage;

- d. Drop, throw away or scatter any burning, lighted or hot coals, ashes, cigarette, cigar, firecracker or match, except in those receptacles provided for such disposal; or
- e. Build any fire whatsoever for any purpose in or out of a receptacle or fireplace and leave it unattended, until such fire is properly extinguished. For the purpose of this Section, a fire shall be deemed properly extinguished when its ashes, residue, coals and unburned substance is cold to the human touch.

## **CHAPTER FOUR – REGULATION OF SPORTS AND GAMES**

No person shall upon or in connection with any Property of the District:

### **Section I – Swimming:**

Swim, wade or bathe at any time in any of the Waters or Waterways, except at such place or places as may be designated by the Board and then only in accordance with District rules, regulations and restrictions promulgated and Posted.

### **Section II – Watercraft:**

Bring into, attempt to launch, use, or navigate any boat, yacht, canoe, raft or other Watercraft upon the Waters or Waterways, except at such place or places as may be designated by the Board. Where allowed, Watercraft shall be used in accordance with District rules, regulations and restrictions, as well as all applicable statutes of the State of Illinois and the United States.

### **Section III – Engine-Powered or Radio Controlled Models or Toys:**

Start, fly or use any fuel powered, air-propulsioned or electric powered model or toy or any radio controlled model car, aircraft, boat or rocket or any like controlled toy or model, except in those Areas or Waters designated by the Board for such use and then only in accordance with District rules, regulations and restrictions promulgated and Posted, as well as all applicable rules and regulations administered by any federal, state or local agency responsible for controlling such use.

### **Section IV – Horseback Riding:**

Bring into, unload, use or ride any horse, except on those fields, lots, Areas, trails, paths or roadways designated by the Board for horse use and then only in accordance with District rules, regulations and restrictions promulgated and Posted.

### **Section V – Bicycling:**

- a. Ride a bicycle on any path, trail, roadway or other Area designated or Posted as prohibiting bicycles;
- b. Fail to ride a bicycle as closely as possible to the right-hand side of any road, trail or path, as conditions shall allow;
- c. Ride a bicycle more than two abreast on any trail, path, or roadway;

- d. Ride a bicycle more than single file when overtaking or approaching other bicycle or equestrian traffic;
- e. Ride a bicycle on any trail, path or other access which is less than eight feet in width; or
- f. Ride a bicycle on any trail, path, roadway, or parking area in a manner which endangers the safety of Persons or property, or at a speed which is greater than is reasonable and proper for the safe operation of the bicycle with regard to existing conditions, including but not limited to, trail or road surface, hills, curves, intersections and other bicycle or pedestrian or equestrian traffic.

#### **Section VI – Skateboarding and Roller-blading:**

Skateboard or roller-blade in any Area Posted as not allowing such activities, or skateboarding or roller-blading in such a manner which endangers the safety of Persons or property, or in such a manner that damages District Property.

#### **Section VII – Sound or Energy Amplification:**

Play or operate any Sound Amplification devices, including radios, television sets, public address systems, musical instruments and the like, or operate any other Energy Amplification device in such a way as to be audible beyond the immediate vicinity of such device or musical instrument or in such a manner as to disturb the quiet of camps, picnic areas or other Preserve Areas without obtaining a Special Event as outlined in Chapter Two, Section IIIb, paragraph 3 of this Ordinance.

#### **Section VIII – Winter Sports:**

- a. Sled, toboggan, ski or slide on any Area Posted by the Director as being “unsafe” or “hazardous” or as being “closed” due to inadequate snow cover or other environmental conditions, or upon being duly notified by the Director.
- b. Enter upon any frozen Waters to skate, fish, slide or walk or for any other purpose whatsoever when such Waters are posted “closed” or “unsafe” or “hazardous” by the Director or when notified of such conditions by the Director.
- c. Fish through the ice on any frozen Waters or parts thereof designated as ice skating areas by the Board.
- d. Bring onto or upon the frozen Waters of any lake, pond or watercourse any iceboat or wind-driven-like device or other vehicle, without the Written Permission of the Director.

#### **Section IX – Field and Team Sports:**

Play or engage in any club, league, or sponsored team sport, athletic event, or any such endeavor which by its nature restricts public use and access of open Areas or fields, except in those Areas designated by the Board as athletic fields or, if none are available, only in those Areas and for such a period of time as defined by special use permit approved by the

Executive Director, or other formal agreement approved by the Board of Commissioners, in order to ensure the safe and equal use of the Preserve by others. This does not restrict use of open Areas or fields by the public to engage in active and/or passive recreational games and activities that limit disturbances and impacts to forest preserve grounds and natural resources.

**Section X – Amusement Contraptions:**

Bring in, set up, construct, manage or operate any Amusement Contraption, without prior Written Permission of the Board.

**Section XI – Aviation:**

Make any ascent in or descent from any balloon, airplane, glider, hang glider, kite, helicopter or parachute, without the Written Permission of the Board.

**Section XII – Gambling:**

- a. Manage, operate or engage in gambling of any form;
- b. Have in their possession any clock, wheel, tape machine, slot machine, pin machine or other machine or device for the reception of money or other thing of value on chance or skill or upon the action of which money is staked, bet, hazarded, won or lost. Any such machine or device shall be subject to seizure, confiscation and destruction by any police officer or employee of the District.

**CHAPTER FIVE – REGULATION OF MOTORIZED VEHICLES, TRAFFIC AND PARKING**

**Section I – State Law Adopted:**

The Illinois Vehicle Code as now or hereafter amended (625 ILCS 5/11-100 et seq.) is adopted by reference as if set forth at length in this section.

No person shall upon or in connection with any Property of the District:

**Section II – Vehicle Operation and Equipment:**

Park, operate, or cause to be operated or parked, a Vehicle that does not comply with the Illinois Vehicle Code or other law or laws of the State of Illinois pertaining to the equipment, control, licensing, registering and use of Vehicles and/or the licensing of operators of such Vehicles.

**Section III – Vehicle Types and Access Allowed:**

- a. Park, operate, or cause to be operated or parked, any Vehicle except on the roads, drives and parking areas provided, and then only in compliance with the directions and restrictions Posted on regulatory signs, issued Permits, or at the direction of any District staff or duly sworn peace officer;
- b. Park, operate, or cause to be operated or parked, any snowmobile, go-cart, trail bike, mini-bike or other all-terrain off-road Vehicle without prior Written

Permission of the Board and then only in those Areas specified and in accord with the rules and restrictions set forth;

- c. Operate or move, or cause to be operated or moved, any Vehicle locked in as a result of the closing of the Forest Preserves at the designated time, until such time that the Preserve is officially opened; or
- d. Park, operate or cause to be operated or parked, any Vehicle on any road, drive or parking area Posted, gated or barricaded as being closed to public traffic.

#### **Section IV – Right-of-Way:**

Operate a Vehicle in such a manner as to fail to yield the right-of-way to pedestrians, bicyclists and equestrians.

#### **Section V – Parking:**

- a. Park a Vehicle overnight without prior Written Permission of the Director;
- b. Park a Vehicle in such a way as to block in another parked Vehicle;
- c. Park a Vehicle in such a way as to block, restrict or impede the normal flow of traffic;
- d. Park or stop a Vehicle in a zone or Area posted as prohibiting parking;
- e. Park a Vehicle on turf, meadow, prairie, marsh, field or woodland, except in an emergency or as directed by any District staff or duly sworn peace officer for the purpose of crowd control or special event parking;
- f. Park a Vehicle for the purpose of washing it or for the making of any repairs or alterations, except those of an emergency nature; or
- g. Park or stop a Vehicle in such a way as to occupy more than one provided parking stall or space unless otherwise directed to do so by District staff or duly sworn peace officer.

#### **Section VI – Speed Limit:**

Operate or propel a Vehicle or cause a Vehicle to be propelled on any road, drive or parking area at a speed greater than the speed limit posted along the right-of-way or, in absence of such posted limit, at a speed in excess of ten (10) miles per hour.

#### **Section VII – Special Speed and Operating Restrictions:**

Operate or cause to be operated any Vehicle upon any road, path, drive or parking area in any manner which endangers the safety of Persons or property, or at a speed which is greater than is reasonable and proper for the safe operation of the Vehicle, with regard to traffic conditions and special hazards such as trail crossings, entrances to parking areas or campgrounds,

narrow or winding roads, hills, curves, weather or road conditions, and pedestrian, equestrian or bicycle traffic.

## **CHAPTER SIX – REGULATION OF PERSONAL CONDUCT AND BEHAVIOR**

No person shall upon or in connection with any Property of the District:

### **Section I – Vending and Advertising:**

- a. Collect fees, admission or cover charges or display or offer for sale any articles or things, or conduct or solicit any business, trade, occupation or profession, or offer without charge any articles or things, without a valid Concessionaire Agreement approved by the Board and then only in accordance with the terms and conditions thereof, it being the intention to control commercial enterprises or sales on District lands; or
- b. Display, distribute, post or fix and placard, sign, handbill, pamphlet, circular or any other written or printed material or objects containing advertising matter or announcements of any kind whatsoever, or mark with paint any ground, trees, roads or parking areas without prior Written Permission of the Director and then only in compliance with the terms of such permission or in compliance with the terms of a valid Concessionaire Agreement approved by the Board, except those groups holding a valid Picnic, Camping, or Special Event Permit may display signs to identify their location or direct others to it, providing such signs are temporary, not more than 24" x 36" in size and are removed by the Permittee at the termination of the activity and are not attached to any tree or shrub or any District sign, gate, or building.

### **Section II – Unlawful Obstructions:**

- a. Set or place or cause to be set or placed any goods, wares or merchandise, or any stand, cart or vehicle for the transportation or vending of any such goods, wares or merchandise, or any other article upon any property of the District to the obstruction of use of any Preserve or to the detriment of the appearance of any Preserve;
- b. By force, threat, intimidation or by unlawful fencing or enclosing or any other unlawful means prevent or obstruct or combine and conspire with others to prevent or obstruct any Person from peacefully entering upon any Property of the District, or prevent or obstruct free passage or transit over through any lands or Waters of the District, or obstruct the entrance into any facility within the District, except that nothing in this section shall be construed to deny lawful enforcement of a valid Permit granting a certain Person or Persons use to the Exclusion of others as defined and provided for in this Ordinance.

### **Section III – Unlawful Construction, Maintenance or Encroachment:**

- a. Erect, construct, install, or place any structure, building, shed, fences, machinery, equipment, or apparatus of any type, or stockpile, store or place any organic or

inorganic material used for construction of such items on, below, over or across a Preserve without prior Written Permission from the District and then only in accordance with the terms and conditions set forth in a valid License, Easement or Contract agreement.

- b. Perform or cause to be performed any mowing, trimming, cutting, or grooming of District lands, or perform any singular grounds maintenance for any purpose, or in any like manner encroach onto District property from privately or publicly owned lands without Written Permission from the Director; or
- c. Place, stockpile or store any gravel, stone, dirt, sand, wood, lumber or any other organic or inorganic material on District property.

#### **Section IV – Drug or Alcohol Use:**

For the purpose of this section, the words or terms used shall have the following meaning:

- a-1. “Cannabis” shall have the meaning ascribed to it in Section 3 of the Illinois Cannabis Control Act.
- a-2. “Controlled Substance” shall have the meaning ascribed to it in Section 102 of the Illinois Controlled Substance Act.
- b. Possess, bring into, or use any Controlled Substance or Cannabis or any derivative thereof;
- c. Possess, produce, plant, cultivate, tend or harvest the Cannabis sativa plant;
- d. Possess, bring into, or consume any alcoholic beverages on District property or any facility thereof, with the following exceptions:

Alcoholic beverages may be consumed at Ellis House at Baker Woods Forest Preserve, and Meadowhawk Lodge at Hoover Forest Preserve within 250 feet of these buildings as part of an approved facility rental agreement, which includes the service of prepared meals, with the service of alcohol exclusively controlled by:

- 1. A catering business enrolled in the Kendall County Forest Preserve District’s Preferred Caterers Program that possesses a current Class I license in accordance with the Kendall County Liquor Control Ordinance;
- 2. A not for profit corporation or organization that possesses a current Class G or Class J license in accordance with the Kendall County Liquor Control Ordinance;
- 3. A pre-approved bartending service business serving, but not selling, alcohol and employing BASSET (Beverage and Alcohol Sellers and Servers Education Training) certified alcohol servers in accordance with 235 ILCS 5/6-27.1; or



4. A charitable organization hosting an event wherein alcohol is served, but not sold, by volunteers of the organization.

All entities serving alcohol on Forest Preserve property must satisfy District insurance requirements.

- e. Be present in an intoxicated condition or under the influence of alcoholic beverages, drug or narcotic to the extent of being unable to perform normal bodily functions, such as maintaining balance or coherent speech, or because of the influence of such or like substances engage in behavior or speech that intimidates others or interferes with or unreasonably disrupts others in the normal, safe use of the Forest Preserves or any facility thereof.

#### **Section V – Weapons and Harmful Substances:**

At any time have in their possession or on or about their Person, Vehicle or any other conveyance, concealed or otherwise, any firearm, stun gun, taser, bow and arrow, slingshot, cross bow, spear or spear gun, switch-blade knife, stiletto, sword, blackjack, billy club, martial arts weapon or any air rifle, paint gun or device capable of discharging a projectile or harmful chemical substance, or any weapon, instrument or substance of like character or design except at those ranges or Areas designated for their use by the Board and then only in accordance with the rules and restrictions set forth for the proper use of such ranges or Areas. Nothing contained herein shall be construed to prevent any duly sworn peace officer from carrying such weapons as may be authorized and necessary in the discharge of their duties nor shall it apply to a Person summoned by any such Officer to assist in making arrests and preserving the peace while such Person is engaged in assisting.

#### **Section VI – Disorderly Conduct:**

Engage in behavior or speech that provokes a breach of the peace or disrupts, alarms, disturbs, intimidates, or unreasonably interferes with others in the normal, safe use of the Forest Preserves or any facility thereof.

#### **Section VII – Disobeying a Lawful Order:**

Disobey, ignore, or in any manner fail to comply with any request, direction, or order given by any duly sworn peace officer charged with the control, management, or protection of District Property or resources when such request, direction or order is given in the lawful performance of his duties.

#### **Section VIII – Hindering or Bribing Employees:**

- a. Interfere with, unreasonably disrupt, delay, or in any manner hinder any Employee engaged in the performance of his duties; or
- b. Give or offer to give any Employee any money, gift, privilege or article of value on or off District Property in order to violate the provisions of this Ordinance or any other District Ordinance, Contract or Permit or Statute of the State of Illinois and the United States or in order to gain or receive special consideration in applying

for any use or privilege or to gain special consideration and treatment in the use of any District Property of facility.

#### **Section IX – Control and Treatment of Animals:**

- a. Bring, lead or carry any dog that is unleashed or on a leash longer than 10 feet, except in those Areas designated by the Board for dog training and then only in accordance with the rules and restrictions duly promulgated for the control of such Area or Areas. Where Posted, Persons bringing a dog into a Preserve or Areas thereof shall be responsible for immediate clean-up and removal of the animal's excrement;
- b. Willfully or neglectfully cause or allow any domestic animal to run or remain at large, or to release any wild or domestic animal, for any purpose, except within those Areas designated by the Board and then only in accordance with the rules and restrictions duly promulgated for the control of such Area or Areas;
- c. Torture, whip, beat or cruelly treat or neglect any animal;
- d. Bring in, drive, ride or lead any animal, except that horses, sled dogs and other draft animals may be ridden or led, or driven ahead of Vehicles or sleds attached thereto on such portions of the Forest Preserves as may be designated by the Board and then only in accordance with the rules and restrictions duly promulgated for the control of such Area or Areas; or
- e. Hitch or tie any horse or other animal to any tree, bush or shrub;
- f. Bring in, lead, drive, ride or carry any wild, domestic or pet predator, leashed or unleashed into or upon any Forest Preserve, or part thereof, designated as a Nature Preserve or Nature Area or Historic Site, without Written Permission of the Director, unless such animal is kept confined within a closed vehicle or trailer.
- g. Nothing in this Ordinance shall be construed to prohibit the controlled use of certain animals approved by the President for the purposes of public safety, such as, but not limited to, the protection of District property or the protection of Employees in the performance of their duties or in the performance of search and rescue operations.
- h. Nothing in this Ordinance shall be construed to prohibit the controlled use of animals used for aiding physically challenged individuals.

#### **Section X – Honoring Permits:**

By act or speech willfully or unreasonably hinder, interrupt or interfere with any duly permitted activity or unreasonably or willfully intrude on any Areas or into any structure designated for the use of a certain Person or Persons to the Exclusion of Others by Written Permission of the District.

## **Section XI – Pyrotechnics:**

Set off or attempt to set off or ignite any firecrackers, fireworks, smoke bombs, rockets, black powder guns or other pyrotechnics.

## **Section XII – Illinois Compiled Statutes Violation:**

Do or cause to be done any act in violation of: the Illinois Criminal Code of 1961 as amended, the Illinois Cannabis and Controlled Substances Acts of 1971 as amended, the Illinois Dram Shops Acts as amended, or any applicable Illinois Compiled Statutes as amended while in or on any property administered by or under the jurisdiction of the District.

## **CHAPTER SEVEN – ENFORCEMENT**

### **Section I – Police:**

All Police, Deputy, Sheriff, State Policeman or any other duly sworn peace officer has the power and is authorized to arrest, with or without process, any persons found in the act of violating any Ordinance of the District or law of the State of Illinois.

### **Section II – Two Penalties – One Judgment:**

In all cases where the same offense shall be made punishable or shall be created by different clauses or sections or this or any other ordinance or statute, a duly sworn peace officer or person prosecuting an offender may elect under which to proceed, but not more than one judgment shall be entered against the same person for the same offense.

### **Section III – Fines and Penalties:**

Any person found guilty of violating any provision of this Ordinance shall be fined an amount not less than \$75.00 but not more than \$500.00 for each offense.

### **Section IV – Authority of Other Agencies:**

Nothing in this Ordinance shall be construed to prevent other officers from carrying out their sworn duties within the territories of the District as defined by applicable laws of the State of Illinois and the United States or Ordinances of Kendall County, Illinois or in accord with any Policing Agreement approved by the Board.

### **Section V – Permits and Designated Areas – Authority:**

To carry out the terms of this Ordinance, the Director or his designee is hereby given authority to issue Permits, Post notices or take other action as called for herein, subject to the guidelines set forth.

- a. The Director shall have the authority to close Preserves, or parts thereof, in the interest of public health, safety or general welfare or in order to protect the natural resources from unreasonable harm; to promulgate and issue Permits where required by this Ordinance; and to collect such fees as established by the District in accordance with the following guidelines:

1. No Person shall be discriminated against because of age, race, sex, creed, color, national origin, or physical or mental handicap;
  2. The proposed use or activity shall not unreasonably interfere with or detract from the general public's use and enjoyment of the Forest Preserves and surrounding property or facilities;
  3. The proposed use or activity is not reasonably likely to result in violence or in serious harm to Property or Persons;
  4. The proposed activity or use shall not entail extraordinary expense or operation costs by the District or expose it to unusual or extreme liability;
  5. The Area desired has not been reserved for another activity at the same time;
  6. The proposed activity is not reasonably expected to detract from the promotion of public health; and
  7. The proposed activity is reasonably compatible with the type of Preserve, the size and character of the Area or Waters involved and the facilities available, and that it is not reasonably expected to cause irreparable harm or extreme damage to the natural environment of the Preserve.
- b. The Director may impose reasonable restrictions on the granting of a Permit, including, but not limited to any of the following:
1. Restricting the open dates for reserved Area use; the length of time an Area will be held for reserved use; the use of ground fires; off-the-road vehicle access; the number of Persons present; the use of domestic or trained animals; the use of shelters or structures; the collecting for any purpose of any Water, soils, minerals, flora or fauna; the type and location of sports and games or any other activity which appears likely to unreasonably interfere with the use and enjoyment of the Preserve by others or cause damage to District property; and
  2. Requiring the name, address, telephone number and driver license number of a legal adult responsible for the use or activity requested, as well as the name, address and telephone number of the group represented by the applicant.
- c. All Permits required by this Ordinance and issued by the District shall be issued at the District headquarters at 110 West Madison Street, Yorkville, Illinois. All applications for Permits shall be submitted at least 72 hours in advance of the earliest requested date, provided that the Director may waive the 72-hour time period in the interest of public safety or for such events that are of a significant civic nature.

- d. The Director is authorized to seek reasonable information regarding any proposed use, activity or privilege and require a record of such information on a Permit application. No Person shall misrepresent, falsify or withhold such required information.
- e. No Person granted a Permit shall violate the requirements, terms, conditions, restrictions or rules duly set forth under the authority of this Ordinance as part of any granted Permit.
- f. The Board may set forth in other Ordinances guidelines and standards regulating such Permit or registration fees as it deems proper and may change them from time to time.
- g. No Person shall obtain or use any Permit without having first paid the established fee.
- h. All designated Areas, Waters or facilities and all Permit restrictions, rules, regulations or conditions are subject to review at any time by the Board. Any aggrieved Person shall have the right to petition the Board, in writing, regarding denial or restriction of use or activity and be properly heard by the Board, as the President shall direct.

#### **Section VI – Civil Suits:**

Nothing in this Ordinance shall be construed to prevent or preclude the lawful use by the District of a civil remedy at law, or correct an abuse or loss suffered by the District as a result of a violation of this Ordinance or any law of the State of Illinois.

#### **Section VII – State’s Attorney Authorized to Prosecute:**

The Kendall County State’s Attorney shall be authorized to prosecute any violations of this Ordinance until such a time that the District opts to employ its own attorney for representation of the District. Should the District employ a District Attorney for the purpose of prosecuting violations of this Ordinance, then said attorney shall be authorized to do so.

#### **Section VIII – State, United States and Local Laws:**

All Persons within the Forest Preserves are subject to all Ordinances, rules and regulations of the District, as well as all applicable laws of the United States and the State of Illinois, as amended and changed from time to time. These laws include, but are not limited to, the Downstate Forest Preserve Act, the Illinois Vehicle Code, the Criminal Code of 1961, the Wildlife Code and the Fish Code of the State of Illinois, as amended and changed from time to time.

### **CHAPTER EIGHT – MISCELLANEOUS**

#### **Section I – Enactment:**

This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by statute.

**Section II – Captions and Headings:**

The captions and headings used herein are for the convenience of reference only and do not define or limit the contents of each paragraph.

**Section III – Severability:**

The provisions of this Ordinance shall be deemed to be severable and the invalidity or unenforceability of any provisions shall not affect the validity and enforceability of the other provisions hereof.

**Section IV – Copies:**

The Secretary of the Forest Preserve District shall transmit a copy of this Ordinance to the President, Director and Attorney of the District, respectively, and shall cause it to be published as provided by law.

**Section V – Conflict:**

All Forest Preserve District ordinances and all resolutions and orders, or any parts thereof, in conflict with this ordinance, or any parts thereof, are hereby repealed.

**Section VI– Amendments:**

The District may amend this Ordinance from time to time.

**Passed and approved by the President and Board of Commissioners of the District this 6th day of June, 2017.**

Approved: \_\_\_\_\_  
Judy Gilmour, President

Attest: \_\_\_\_\_  
Elizabeth Flowers, Secretary

Amended November 7, 2012.  
Amended August 15, 2016.  
Amended June 6, 2017

To: Kendall County Forest Preserve District Board of Commissioners

From: David Guritz, Director

RE: Harris Shop Roof Repair Proposals

Date: June 6, 2017

Attachment

URC Roof Repair and Gutter Replacement Proposal

The District contacted local contractors to submit cost estimates for the repair and/or replacement of the Harris Shop roof. The roof is beginning to leak. Repairs are needed to prevent rotting of structural members and mold growth.

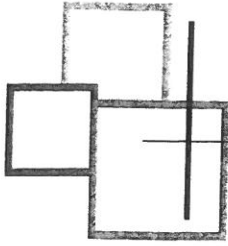
Proposals received were presented to the District's Finance Committee at the May 25, 2017 meeting.

The Committee recommended forwarding the Ultimate Roof Coaters of Aurora proposal for Commission approval.

The repair proposal and scope of work received from Ultimate Roof Coaters of Aurora includes a 10-year material and labor guarantee, and includes power washing and wire brushing of the roof's heavy rust areas, refastening and sealing all damaged seams, sealing all rusted areas with roofing membrane, and painting the roof for longer-term protection for \$3,500.00, and gutter and downspout replacement for \$1,200.00.

Recommendation:

District staff recommends approval of the Ultimate Roof Coaters proposal in the amount of \$4,700.00 for the cleaning, surface preparation, sealing, and painting of the Harris Shop roof, and installation of new gutters and downspouts, with a 10-year material and labor warranty for the work performed.



Ultimate Roof Coaters

**Industrial & Commercial Exterior Coatings  
Metal Roof Restorations & Flat Roof Restorations  
Leak Repair & Siding Repair**

## Proposal

**TO:**

Kendall County forest preserve  
Yorkville IL

Proposal #1722  
Date 5/1/17

We herby propose to provide the material and labor for the completion of

Morton Roof and gutters

1. Pressure clean roof with 4000 psi. Wire Brush all heavy rust. Tighten loose fasteners replace missing or stripped fasteners with oversized screws. Seal all damaged seams with Lucas 5500 seam sealant. Seal all areas rusted through with Peal & Seal roof membrane. Seal around all membrane and all fasteners with Geocel 2330 metal sealant. Seal all vents and pipes with Geocel 2015 LFR. Prime entire roof with Sherwin Williams Kem Bond HS. Coat entire roof with Sherwin Williams Metalatex Pro Industrial coating

10 year material & labor warranty

Material & Labor three thousand five hundred dollars \$3,500

2. Remove gutters and down spouts. Install all new 6 in seamless gutters with two downspouts per side

Material And labor twelve hundred dollars \$1,200

Proposal valid for 15 days.

Proposal prepared by Bernie Hamilton

Payment to be made as follows upon completion

To accept this quotation, sign here and return: \_\_\_\_

Industrial Commercial Exteriors  
Owner Bernie Hamilton  
Cell 630 776 8580  
WWW.UltimateRoofCoaters.com

3015 E New York St Unit A2-162  
Aurora IL 60504

Phone: 800 409 3312  
E-mail: uroofc@gmail.com