

# Glenn Shoals Lake

## Recreational Lake Lot Guide and Municipal Code



761 City Lake Road, Hillsboro, IL 62049  
217 532-6778

# Glenn Shoals Lake

Glenn Shoals Lake is popular for its calm atmosphere away from the crowds set in beautiful, natural surroundings. The City of Hillsboro has created its municipal code as a guideline to help maintain and foster these attributes. The City of Hillsboro asks for your assistance in keeping Glenn Shoals Lake clean and attractive to lake users.

Please take time and review this booklet. It has been updated with the most current version of the Recreation portion of the Municipal Code of the City of Hillsboro. Adherence to these rules and policies will be enforced and violations may result in fines and/or loss of lake lot lease privileges.

All repairs, additions and replacement of docks damaged from ice, high water or any other reason must comply with all terms of Section 31-1-86 and all others of the municipal code.

Also, please be advised that ALL lake lots are within the city limits of the City of Hillsboro and, therefore, are also governed by building and zoning codes. Being such, ALL construction of docks, decks or other structures require a building permit and must follow these codes. Additional information about these codes can be accessed at City Hall or by visiting our website at [www.hillsboroillinois.net](http://www.hillsboroillinois.net).

## Please keep our lake safe, clean and beautiful!!

- Keep your lot clean, neat and attractive to all lake users
- Remove all trash daily-dumpsters are conveniently located at both launch areas
- Obey all boating rules & laws
- Obey all federal, state & local fish and game laws
- Take nothing but memories, leave nothing but footprints

## Contact us

City of Hillsboro-City Hall  
447 S. Main St.  
Hillsboro, IL 62049  
217 532-5566  
217 532-5567 (Fax)  
M-F 8a-4:30p

Sherwood Forest Campground  
217 532-5211

Hillsboro Police/Lake Patrol  
217 532-6129 or 911

Hillsboro Fire Department  
217 532-2345 or 911

## CHAPTER 31

### RECREATION

#### ARTICLE I – LAKE GLENN SHOALS

##### DIVISION I - GENERAL REGULATIONS

**31-1-1**        **DEFINITIONS.** The following words when used in this Article shall have the meanings respectively ascribed to them in this Section:

**"CRAFT"**. Any craft not permanently attached to the shore.

**"CUSTODIAN"**. Any lessee from the City of any marginal land for residence purposes located in Zone E.

**"DISTANCE"**. Any statement of distance means the shortest horizontal distance from the point designated, between the points designated or measured at right angles to the line designated.

**"DRAINAGE AREA"**. That entire area of land and water that drains into Lake Glenn Shoals or into Shoal Creek, or any tributary or other stream above the public water supply dam.

**"HIGH WATER LINE"**. The contour known as **six hundred (600)** mean sea level, referred to United States Government elevations, as obtained from the bench mark established in the City.

**"INTAKE"**. The place where the water supply for the City is taken from the lake.

**"LAKE GLENN SHOALS"**. The artificial reservoir and water impounded therein by means of the public water supply dam constructed across the valley of Shoal Creek in the Northeast quarter of Section 36, Township Nine North Range Four, West of the Third Principal Meridian in Montgomery County, Illinois, and by any other structure heretofore or hereafter constructed within the limits of the hereinafter defined area, which are used or for the use as a public water supply for the City, hereinafter referred to as the **"lake"**.

**"MARGINAL LAND"**. The land owned or controlled by the City adjacent to the shoreline and not flooded by the waters of the lake.

**"SHORELINE"**. The extended point where the plane of the surface of the waters of the lake touches the land.

**"WATERCOURSE"**. Any stream, natural or artificial channel, spring or depression of any kind, in which water flows continuously or intermittently over any part of the drainage area, directly or indirectly, into any part of the lake.

**"ZONE A"**. All that portion of the lake lying within a radius of **five hundred (500)** feet from the intake.

**"ZONE B"**. That portion of the lake lying within **two hundred (200)** feet of the shoreline, regardless of the high water line of such lake.

**"ZONE C"**. That portion of the lake which lies more than **two hundred (200)** feet from the shoreline of the lake and exclusive of the area designated for Zone D.

**"ZONE D"**. That portion of the lake especially designated by the City and more than **five hundred (500)** feet from the shore.

**"ZONE E"**. All land in the drainage area or within **one-fourth (1/4)** mile thereof which is or may be owned or controlled by the City, and is not flooded by the water of the lake. Zone E also includes public highways and railroad rights-of-way where the same pass through or over land owned by the City.

**"ZONE F".** All land located within **ten (10) miles** of the limits of the City owned land and within the drainage area and includes all of Zones A, B, C, D, and E except that part of Zone E which is outside of the drainage area.

**31-1-2      APPLICABILITY OF REGULATIONS.** All of the provisions of this Article shall apply to Zones A, B, C, D and E as defined by the preceding section, except where otherwise indicated.

**31-1-3      BUILDINGS AND STRUCTURES – PUBLIC LAND PRESERVATION.** No building or other structure, whether for habitation or otherwise, including any dock, wharf, boathouse or anchored or stationary raft shall be constructed, altered or maintained within the limits of Zones A, B, C, D, or E unless a permit in writing thereof, based upon a written application setting forth the location, specifications and intended use thereof, is granted by the Commissioner of Public Property.

Zones A, B, C, D and E shall be left in its natural state for the life of the lake. There shall be no access to the lake from adjoining privately owned land except upon the execution of a lease agreement between the City of Hillsboro and the owner of said privately owned land, which lease shall not exceed **one (1) year** in terms and for which reasonable compensation shall be paid to the City of Hillsboro. (Ord. No. 1419; 2005)

**31-1-4      SEWAGE DISPOSAL GENERALLY.** No toilet, water closet, urinal, privy, cesspool, septic tank, sewer or other means for the depositing, storing, retaining, or disposing of sewage or sink or bathroom wastes shall be built or maintained within Zones A, B, C, or D and only in Zone B, C, D and E after a written permit has been granted by the applicable health regulatory body based upon a written application disclosing the location and specifications therefor and means for the treatment or disposal of such sewage or sink or bathroom wastes in such manner as may be approved by the appropriate body so as not to pollute or threaten pollution of the lake or tend to create a nuisance, and the construction and maintenance, thereof shall be subject to supervision by the health authority.

**31-1-5      PROTECTION OF SEWERS.** Only sewage and normal sink and bathroom drainage shall be discharged into any sewers of the City. No other solids or liquids, either organic or inorganic shall be permitted to enter directly or indirectly into any sewer of the City. (See Ch. 38 of the City Code.)

**31-1-6      CONNECTIONS TO UTILITY SERVICES.** No person not an authorized employee of the City shall make any connection with, uncover, alter or disturb any water pipe or main, conduit, electric wire or line, sewer or other utility constructed or maintained by the City, or open any manhole, intercepting chamber or any appurtenance thereof without first obtaining a written permit from the City based upon a written application setting forth the location and nature of the work to be done, together with a description thereof or copy of plans or specifications therefor of the contemplated connection or alteration, and depositing with the City such a sum of money as the City shall estimate will fully cover all damage of any kind

which may be caused by the connection or alteration, or filing an appropriate bond, guaranteeing restoration, in form and amount and with surety, as approved by the City, if requested by the City to do so.

After such alteration or connection has been completed, the sewer, water pipe or main, conduit, electric wire or line, manhole or intercepting chamber shall be immediately restored to as good a state or condition as prior to the doing of such work, to the satisfaction of the City or by the City, as the City may elect. If the completion of the restoration be without expense to the City and to its satisfaction the sum deposited shall be refunded, but if any of the work be done by it, the City shall certify the actual expense incurred and shall refund to the holder of the permit the difference, if any, between the amount deposited and the amount certified. In the event the amount so certified shall be in excess of the deposit the holder of the permit shall immediately pay such excess to the City.

All sewers connected directly or indirectly with any City sewer shall be constructed in manner and with materials, approved by the City and be reasonably free from leakage, and impervious to ground water infiltration, exclude storm and surface water there from and shall be used to carry only domestic sewage and interior basement drainage. No inlet for storm water or land or surface drainage into any sewer shall be made. (Also see Ch. 38; Art. IV of the City Code)

**31-1-7      POLLUTION OF WATERS AND WATERCOURSES.** No person shall within Zone F, or in any other part of the drainage area, place, throw, discharge or cause to be discharged, any sewage, garbage, decayed or fermented fruit or vegetables, offal, dead body, manure, polluted, filthy, decaying, fermenting, putrescible or oily matter or liquid or industrial waste, into or so as to reach any natural or artificial watercourse or open or covered sewer ditch, tile or drain flowing directly or indirectly, continuously or intermittently, into and so as to pollute or tend to pollute the lake or other waters from which the City obtains a water supply. No person shall construct in Zone F or in any other part of the drainage area any open or covered sewer, ditch, tile or drain, or make any change therein or connection therewith so as to cause any pollution or polluted or oily water to flow into or reach more quickly, such lake or water supply of the City. No person shall within Zone F or in any other part of the drainage area construct or cause to be constructed, or use any toilet, water closet, urinal, sink, cesspool, privy, garage, slaughterhouse or other structure, establishment or place, which is so situated that polluted or oily liquid therefrom may continuously or intermittently so flow as to ultimately reach and pollute or tend to pollute the waters of the lake or other waters from which the City obtains or may obtain a water supply unless there is constructed, maintained and operated such sewage treatment and disposal units and facilities for the treatment or disposal thereof, approved by the City, whereby such polluted or oily liquid is treated or caused to be treated, so as not to pollute or tend to pollute or threaten pollution of the waters of such lake or water supply of the City. No connection for water service shall be installed or water service furnished by the City at any place in the drainage area, being that entire area of land which drains into Lake Glenn Shoals, or into Structure No. Fourteen (14) or any tributary or other stream above the impounding dam of such public water supply lake, unless there are constructed and satisfactorily maintained and operated such approved sewage treatment and disposal units and facilities for the treatment or disposal of the sewage from such premises.

**31-1-8      DISPOSAL OF WASTE, GARBAGE, ETC; USE OF MANURE AND FERTILIZER.** No house slop, sink waste, garbage, decayed or fermented fruit or vegetables or other fruit or vegetable refuse, offal, swill, carcass, filthy decaying, fermenting or putrescible matter of any kind or unsanitary waste produce or polluted or oily liquid or solid shall be thrown into the lake or placed, piled or discharged in any manner in Zones A, B, C, D, or E but shall be kept in watertight closed containers, approved by the City, and at regular intervals be buried underground and completely covered in level noneroding soil at least **one hundred fifty (150)** feet from the lake or be destroyed by fire or removed from Zone E in time or manner as required by the City; provided, however, that manure and commercial fertilizer may be used for horticultural purposes in Zone E, but no manure or commercial fertilizer shall be placed, spread or used on or in the grounds within Zone E, in such quantities or in such a manner as to cause or threaten any pollution of the lake or bring about any public or private nuisances, whatsoever.

**31-1-9      INTERMENTS PROHIBITED.** No interment of a human body shall be made within Zones A, B, C, D, or E.

**31-1-10      REGULATION ON LIVESTOCK AND POULTRY.** No person shall cause or permit any domestic livestock or poultry to run at large in Zone E. Any such livestock or poultry found at large in Zones, A, B, C, D or E may be taken up by the City and sold to pay the expense of taking, keeping, advertising and selling such livestock or poultry, and all damages caused to the City or its property by such livestock or poultry. No livestock or poultry shall be kept in Zone E except in such places and to such limited extent as may be expressly authorized by the City by lease and in a manner not tending to pollute any part of the lake or tending to be offensive or annoying to any custodian of any marginal land in such zone. No animal or poultry shall be allowed to stand, wallow, wade or swim or be washed or watered in the lake. No person shall bring, drive or lead any domestic livestock in Zone E except in lawful use of the public highway and except horses and draft animals while engaged in work or ridden on such portions of Zone E as may be designated for riding or driving. No person shall cause or permit any horse or other animal to stand in any street, road or parkway unless securely hitched or in charge of some competent person.

**31-1-11      WASHING CLOTHES, ETC.** No clothing, bedding, carpet, vehicle, receptacle, utensil or article that tends to pollute water shall be washed in Lake Glenn Shoals.

**31-1-12      SWIMMING, BATHING AND WADING.**  
(A) Swimming, bathing and wading is prohibited in Zone A, except as part of an organized event following council approval. (Ord. No. 1496; 04-28-09)  
(B) Swimming, bathing and wading in the remainder of the lake is prohibited except:  
(1) At the municipal bathing beach.  
(2) Under the supervision of **one (1)** or more experienced life guards at such other portions of the lake as may be designated by the



City for such use and which are provided with adequate and sanitary toilet facilities.

- (3) By the respective custodians of the marginal land, their families and guests, within Zone B and at or off the shore of the respective tracts of marginal land leased by the City to such custodians. If the use of the lake by the respective custodians, their families and guests, should in any way tend to create an unsanitary condition in any portion of the lake or tend to create a public or private nuisance in any part of the lake or in Zone E, or should be deemed by the City as unusually hazardous such respective custodians, their families and guests may be prohibited from further swimming, bathing or wading in the lake at or off the shore of such tracts of marginal land by a written notice to such custodians from the City.

(C) No person having any communicable disease or skin infection shall swim, bathe or wade in the lake.

(D) All persons using the lake for swimming, bathing or wading purposes shall use the same so as not to create any unsanitary condition in or about the lake, and so as not to pollute the waters thereof, or make such waters unwholesome or unfit for water supply purposes or injurious to the aquatic life thereof.

(E) Swimming out of boats is hereby prohibited.

(F) Skin diving shall be prohibited except in designated areas.

(G) The City shall at all times have power and authority to prohibit swimming, bathing and wading in the waters of the lake for the purpose of preventing any pollution of or other injury to the lake or to suppress or prevent disease or other danger to public health or human life.

### **31-1-13      WATER SKIING AND SURFBOARD RIDING.**

(A) No water skiing or surfboard riding shall be permitted between sunset and **one (1) hour** before sunrise.

(B) All water skiers or surfboard riders must wear approved life jackets, or belts and high visibility headgears.

(C) All skiers shall hold **one (1) ski** aloft when they fall in the water.

(D) The recreational use of jet skis, wet bikes, wave runners or any other type of personal watercraft is hereby prohibited on Lake Glenn Shoals on the following weekends and legal holidays:

(1) Memorial Day and Memorial Day Weekend.

(2) Fourth of July and Fourth of July Weekend.

(3) Labor Day and Labor Day Weekend.

Every boat pulling a skier shall contain, at a minimum, the following persons: **one (1) driver and one (1) spotter.** (Ord. No. 1185; 06-14-94)

### **31-1-14      BOATING.** The following shall apply to boating at Glenn Shoals Lake:

(A) All boats shall conform to Illinois Boat Safety Regulations.

(B) No boat permit shall be issued without proof of State registration and proof of liability insurance coverage.

(C) No boat shall be operated, south of road and across lake from sunrise to sunset, in excess of **thirty-five (35) miles per hour**.

(D) No boat shall be operated, south of road across lake from sunset to sunrise, in excess of **ten (10) miles per hour**.

(E) In "no wake" areas designated by the City from time to time no boat shall be operated at a speed in excess of **five (5) miles per hour**.

(F) No boat shall be operated, in the lake north of the road crossing the lake, in excess of **ten (10) miles per hour**.

(G) During periods of time during which the level of water shall be high and above average, no boat shall be operated on the lake which causes a wake. That during such periods of times the Commissioner in charge of parks and lakes shall cause a red flag to be posted at each marina in full view of the public. (See also Section 31-2-5)

### **31-1-15      FISHING.**

(A) **Prohibited in Zone A; Rules and Regulations.** Fishing of any kind or character, whatsoever, is prohibited in Zone A. The City is hereby authorized and vested with full power and authority to make, promulgate and enforce such rules and regulations as may be deemed necessary and proper for regulating fishing as prohibited or permitted by this Chapter.

(B) **State License Required; Obedience to State Law.** No person over the age of **twenty-one (21) years**, or other person required to be licensed by the laws of the State shall take, catch or attempt to take or catch any species of fish, frogs or turtles without a State fishing license in full force and effect, issued to such person and in his possession. All persons shall strictly adhere to the Fish Code of the State and amendments thereto.

(C) **Hook and Line to be Used.** No person shall take or catch, any fish in the lake by any method whatsoever except that of a hook attached to a single line. The use of any seine of any character, or any dip, book, fyke, gill, pound or basket net or of any trap for the taking or catching of aquatic life is hereby prohibited. The use of snares or firearms for the taking or catching of aquatic life is hereby prohibited. Fishing shall be allowed only when and during the times the lines are attended. No more than **two (2) poles** per person is allowed, and each pole may have no more than **two (2) hooks** or lures attached while fishing.

(D) **Restriction as to Marginal Land Leased by the City.** No person shall take, catch or attempt to take or catch any fish off the shore or within **one hundred (100) feet** of the shore of any marginal land leased by the City to any custodian for residence purposes except with the consent of such custodian.

(E) **Suspension of Privilege.** The privilege of fishing in the lake or any part thereof may be suspended by the City at any time, whenever such suspension shall be deemed proper to conserve aquatic life or to prevent any tendency to pollute the waters of the lake, or to promote the improvement or convenient maintenance or control of Zones A, B, C, D, or E or any part thereof.

The posting of any authorized sign in any part of such zones shall suspend the privilege of fishing at such location.

(F) **Exemption of City and State.** Nothing herein enumerated in Subsections (A) to (E), inclusive, of this Section shall apply to or be construed to prevent or penalize anything done or caused to be done by the City or by agents of the Department of Conservation of the State in protecting or caring for the lake or the aquatic life therein.

(G) **Pollution of Water, Etc.** All persons using the waters of the lake for fishing purposes shall so use the same as not to create any unsanitary condition in or about the



water or on any part of Zone E or so as to pollute or make any part of the waters unwholesome or unfit for use.

(H) There shall be no fishing within two hundred (200) yards of an occupied duck blind.

(I) There shall be no fishing within twenty-five (25) yards of the South Marina, Boat Dock and Ramp in Lake Glenn Shoals.

(Ord. No. 1524; 03-22-11)

**31-1-16 PICKNICKING AND CAMPING.** Picnicking and camping are prohibited in Zones A, B, C, D and E except:

(A) Upon such portions of Zone E as may be designated by the City for such purposes.

(B) By custodians of marginal land, their families and guests, upon such portions of the marginal land as may have been leased to such custodians by the City. If the use of such portions of Zone E by the respective custodians thereof, their families and guests should in any way tend to create an unsanitary condition at any place in the lake or tend to create a public or private nuisance in Zone E, such custodians, their families and guests may be prohibited from further picnicking and camping in Zone E, on their respective tracts of marginal land by a written notice to such custodians from the City.

Any persons picnicking, camping or making other use of Zone E shall keep the premises neat and clean, pick up and remove in a sanitary manner all paper, garbage, rubbish and debris and before leaving the premises put out any fire made by him.

**31-1-17 PROTECTION OF BIRDS AND ANIMALS.** No person shall trap, catch, kill or wound or attempt to trap, catch, kill or wound any bird or animal, take any bird egg or molest or rob any nest of any bird or animal or cruelly treat any bird or animal in Zones A, B, C, D, or E.

**31-1-18 DOGS AND CATS.** No vicious or dangerous dog shall be permitted in Zones A, B, C, D, or E. Any dog or cat found running at large may be taken up by the City, and if not promptly called for may be destroyed or otherwise disposed of all without liability on the part of any officer performing such duty or of the City.

**31-1-19 USE OF FIREARMS AND TRAPS.** No person shall fire or discharge any firearm of any description within the limits of Zones A, B, C, D, or E except the police officers of the City in the performance of their duties. The City may license or authorize any person to use firearms, traps or other means to destroy any predatory or otherwise undesirable animal, bird or aquatic life. The City may issue duck blind permits and authorize such licenses and their authorized guest to take ducks from Lake Glenn Shoals.

**31-1-20 SKATING AND ICEBOATING.** No person shall skate or use any iceboat or icecraft upon any of the ice of the lake in Zone A. A person shall skate or use any iceboat or icecraft upon any of the ice of the lake in Zones B, C, or D except upon such portion

as may be designated by the City for such purpose and except by any custodian, his family and guests on that part of the lake adjoining the marginal land leased to such custodian. Any such skating and iceboating shall not be conducted in a reckless manner or at a speed greater than is reasonable and proper, having regard for the number of persons upon such designated portion. However, nothing herein contained shall be construed to prohibit any exhibition or contest of speed or fancy skating or iceboat racing upon such portion of the ice of the lake as may be set aside for that purpose by the City.

**31-1-21      ICE CUTTING.** No ice cutting shall be permitted in or upon the waters or ice of the lake.

**31-1-22      FIRES.** No fire shall be lighted or used in Zones A, B, C, D, or E except at such places as may be designated by the City for such purpose and except by any custodian, his family and guests on the parcel of marginal land leased to such custodian by the City.

**31-1-23      LIGHTING OR SETTING OFF FIREWORKS OR BALLOONS.** No fireworks or balloons shall be lighted or set off in Zones A, B, C, D, or E except (a) under supervision of or special permit from the City or (b) by any custodian of leased land within the confines of the leased premises in such manner as not to cause any fire or endanger any person or property on other premises.

**31-1-24      INJURY TO PROPERTY.** No person shall willfully, maliciously or negligently cut, break, climb on, carry away, conceal, transfer, tamper with, mark upon or in any way injure, damage flagstone, fence, wall, bridge, balustrade, railing, bench, building or other regulating device, transformer, meter, wire, wiring pole, curbstone, coping, or structure of any kind or property or take down, alter, mar, move, injure or destroy any sign, trail marker, placard, notice, post, pile or buoy posted or placed by the City or authorized to be posted or placed by the City, in Zones A, B, C, D, or E; or drive any motor car, vehicle, boat or craft in such a manner as to cause the same to collide with, run against, strike or cause to strike, injure or deface or damage any such property, but custodians of the marginal land surrounding the lake may make changes and improvements as permitted in their leases from the City. No person shall open any fire hydrant of the City except a duly authorized fireman or agent of the City.

**31-1-25      BUSINESS ESTABLISHMENTS.** Unless duly authorized in writing by the City, no person shall in Zones A, B, C, D, or E maintain or operate any garage, restaurant, confectionery, refreshment parlor, dance hall, hotel, inn, place of amusement for hire, store or stand for the sale of merchandise. Any license issued therefor by the City shall be kept conspicuously posted in such place of business or establishment.

**31-1-26      PEDDLING AND BEGGING.** No person shall beg, solicit money or do anything pertaining to soliciting, peddling or hawking in Zones A, B, C, D, or E. (See Chapter 7 of this Code)

**31-1-27      ADVERTISING.** The erection or maintenance of any sign, bill, poster, placard or card or the distributing of any advertising matter by handbills, or otherwise, within Zones A, B, C, D, or E, except signs posted by the City is prohibited.

**31-1-28      FLYING DEVICES.** No person shall make an ascent in any balloon, aeroplane, hydroplane or any other device or any descent in any aeroplane, balloon, hydroplane or other flying device or parachute in Zones A, B, C, D, or E without a written permit from the City.

**31-1-29      GOING UPON PROHIBITED GROUNDS.** No person shall go upon any portion of Zones A, B, C, D, or E where, by a sign or notice, posted or authorized to be posted by the City, persons are prohibited from going.

**31-1-30      ENCROACHMENTS.** No building or structure or anything erected or constructed on the face thereof or in any way connected therewith shall extend into, upon or over any boulevard, road or parkway in Zones A, B, C, D, or E, unless a written permit for the same shall have been granted by the City, based upon a written application setting for the location and specifications of the encroachment.

**31-1-31      MOVING OF BUILDINGS.** No person shall move any building on, along, or across or obstruct or excavate in any boulevard, road or parkway in Zone E unless a permit in writing therefor shall have been procured from the City, based upon a written application setting forth the dimensions of the building to be moved and its contemplated route or the location or nature and specifications of the proposed excavations or obstructions, and upon depositing with the City such a sum of money as the City shall estimate will cover all damages to the roadway, trees, shrubs, grass, lampposts and other property and improvements upon such boulevard, road or parkway or upon filing an appropriate bond to guarantee such complete restoration as requested by the City.

After such work shall have been completed, the boulevard, road, parkway, grass, trees, shrubs, lampposts and other property and improvements shall be immediately restored to their former condition by the holder of the permit to the satisfaction of the City or by the City, as the City may elect. If restoration be made without expense to the City, and to its satisfaction, the sum deposited shall be refunded; but if any of the work be done by it the City shall certify the actual expense incurred and shall refund to the holder of the permit the difference, if any, between the amount deposited and the amount so certified by the City. In the event the amount so certified should be in excess of the amount deposited the holder of the permit shall immediately pay such excess amount to the City.

**31-1-32      ROAD OBSTRUCTIONS.** No building material, fuel, manure or other product may be deposited on any boulevard, road or parkway in Zone E. Such products may be temporarily deposited in such location, provided a written permit is secured from the City, based upon a written application setting forth the location and approximate time such obstruction will exist, and the amount of the boulevard, road or parkway the same will obstruct.

**31-1-33      REMOVAL OF OBSTRUCTIONS.** Any walk, opening, excavation, projection or obstruction which shall be constructed, erected, placed or maintained in or upon any boulevard, road or parkway contrary to any of the provisions of this Article or other ordinances of the City governing and controlling Zones A, B, C, D and E may be filled up, removed or abated by the City at the expense and risk of the person constructing, erecting, placing, maintaining the same.

**31-1-34      DANGER SIGNALS ON OBSTRUCTIONS.** Every person using or obstructing any portion of any boulevard, road or parkway for any purpose shall cause warning lights to be placed and properly maintained in conspicuous places from sunset until sunrise during the time such obstruction shall remain and shall also construct such other and proper safeguards as may be necessary to properly protect the public from injury, or if necessary, maintain a watchman at such obstruction.

**31-1-35      WALKS AND PRIVATE DRIVES.** No walk or private drive shall be constructed or laid in Zone E without a written permit from the City to construct or lay the same based upon a written application setting forth the location and the specifications for its construction.

**31-1-36      TRAFFIC SIGNS AND SIGNALS.** All persons shall obey all official signs and traffic signals and police officers of the City. The display of unauthorized traffic signs and signals is prohibited.

**31-1-37      VEHICLES NOT TO BE DRIVEN OFF ROADWAYS.** No vehicle shall be driven upon or part of Zone E except upon roadways and parking places constructed or designated by the City for such use; and except by any custodian upon lands leased to him.

**31-1-38      PARKING VEHICLES.** No vehicle shall be permitted to stand in any of the following places in Zone E, except when necessary to avoid conflict with other traffic or to comply with the directions of any police officer:

- (A)                Where parking or standing is indicated to be prohibited by an authorized sign.
- (B)                In any intersection or crosswalk.
- (C)                Upon the roadway of, or approaches to, any bridge or the main impounding dam or dividing dam forming the lake.

(D) At any place where the standing and parking of a vehicle will block the use of any walk or driveway.

(E) At any place where the standing or parking of a vehicle will tend to obstruct the flow of a single line of traffic in each direction or cause either of such lines of traffic to veer from its course in the center of the roadway.

**31-1-39 SPEED OF VEHICLES.** No person shall drive a motor vehicle upon any boulevard, road, driveway or parkway at a speed greater than is reasonable and proper, having regard for the traffic and the use of the way and so as not to endanger the life, limb or injure the property of any person. The City may from time to time designate the maximum rate of speed on all boulevards, roads and parkways based on the location, nature and amount of traffic on the same and shall erect suitable signs indicating such maximum rates of speed. If the rate of speed of any motor vehicle operating on any boulevard, road or parkway shall exceed the rate of speed designated for such location, such rate of speed shall be prima facie evidence that the person operating such motor vehicle was running at a rate of speed greater than is reasonable and proper, having regard for the traffic and use of the highway.

**31-1-40 VEHICLES YIELDING RIGHT OF WAY TO EQUESTRIANS.** The driver of any vehicle shall yield the right of way to any equestrian on any bridle path in Zone E, where such bridle path crosses any boulevard, road or parkway when signaled to do so by such rider; the raising of the arm of the rider shall be considered as a signal suitable for the action.

**31-1-41 DISORDERLY CONDUCT.** No person shall commit in public any indecent, lewd or filthy act, nor use any threatening or obscene language or make any indecent gesture or movement or make any indecent exposure of his person, solicit, pander or sell or offer to sell, give away or offer to give away or have in his possession or display or exhibit in public with or without any attempt to sell or give away, any obscene or indecent book, pamphlet, paper, drawing, lithograph, engraving, picture, photograph, model, case, instrument or any article for indecent or immoral use in Zones A, B, C, D, or E.

**31-1-42 VAGRANTS.** No beggar, peddler, hawker, tramp, mendicant, common drunkard, pickpocket, criminal, dissolute person or person who wanders about and begs or goes about from door to door or person who habitually violates this Article or any of the provisions thereof, or any amendment hereto, or rules or regulations made pursuant hereto shall enter or be in or upon any part of Zones A, B, C, D, or E.

**31-1-43 BREACH OF THE PEACE.** No person shall make, aid or countenance, or assist in making any improper noise, racket, disturbance, breach of the peace or anything tending to a breach of the peace, within Zones A, B, C, D, or E or be guilty of any disorderly or offensive conduct or collect or assemble any body or group of persons for any unlawful purpose or for the annoyance or disturbance of any person or the damage or destruction of property of the City or of any other person in Zones A, B, C, D, or E.

**31-1-44      INTOXICATED PERSONS.** No intoxicated person shall enter or remain in or upon Zones A, B, C, D or public grounds or places in Zone E.

**31-1-45      HINDERING OR INTERFERING WITH CITY EMPLOYEES.** No person shall interfere with or in any manner hinder any employee or agent of the City while engaged in any work or the improvement, care or supervision of any portion of Zones A, B, C, D, or E.

**31-1-46      BRIBERY.** No person shall corruptly, directly or indirectly, give, offer or promise to give any money or other bribe, present or reward, promise or contract, obligation or security for the payment of any money, present, reward or other thing of value to any officer, agent, employee or representative of the City, who is in charge of, controlling, supervising, governing or inspecting Zones A, B, C, D, E, or F, or any part thereof or work thereon, either before or after his selection, appointment or qualifying, for the purpose of influencing his act, vote, opinion, decision or judgment on any matter, question, cause or proceeding which may then be pending or may come or be brought before him in an official or other capacity for the City or to cause him to execute or perform any power vested in him or any duty of him required, with partiality or favor, otherwise than required by law, or as a consideration for some act done or about to be done contrary to the duty of such officer, agent, employee or representative.

**31-1-47      HOUSEBOATS.** It shall be unlawful for anyone to leave a houseboat, as defined in Title 33, Chapter 26, Subchapter III, Section 1322 of the U.S. Code, on Glenn Shoals Lake or Hillsboro Lake for more than seven (7) consecutive days not separated by at least seven (7) consecutive days on which said boat is not on said lake. Any violation of this Section shall result in the revocation of the lake permit for the remainder of the year as well as a fine as provided in the Hillsboro Code of Ordinances. (Ord. No. 1431; 04-25-06)

**31-1-48 - 31-1-50      RESERVED.**

## **DIVISION II - SPECIAL POLICEMEN**

**31-1-51      APPOINTMENT OF LAKE POLICE OFFICERS.** The City may appoint and employ such number of special policemen, deputy sheriffs and deputy game wardens to act as police officers, who shall be known as "lake police", as the City may determine to be necessary to enforce the provisions of this Article. Each such officer so appointed shall have authority to enforce the provisions of this Article and any and all ordinances, rules and regulations of the City or the government, control and protection of the lake and Zone E and all sanitary regulations and ordinances in Zone F, and any and all laws, ordinances, regulations and rulings of any governmental authority applicable to such zones or any of them and it shall be his duty to do so. Said officer shall be designated either a conservator of the peace, or an auxiliary officer. Only officers qualified under Illinois law may be designated a conservator of the peace. The City shall also designate whether the officer, so appointed, may carry a weapon. (Ord. No. 1478; 06-24-08)



**31-1-52      OATH AND BOND.** Each such officer shall before he enters upon the duties of his employment take the oath prescribed by law for public officers, shall give bond to the City in the sum of **One Thousand Dollars (\$1,000.00)** with such sureties as the City shall approve, conditioned upon the faithful performance of all the duties of the office.

**31-1-53      UNIFORMS AND BADGES.** Each such officer may wear a uniform of such material and pattern as may be prescribed by the City, to be furnished by each such officer at his own expense except that the metal star or shield shall be furnished by the City. Upon the resignation or removal of such officer the metal star or shield be immediately delivered up to the City.

**31-1-54      SPECIAL LAKE POLICE OFFICERS.** The City may, when in their judgment the protection, regulation or control of Zones A, B, C, D or E or the inspection of Zone F so requires, appoint or employ such special police officers as may be necessary and with such other duties as the City may prescribe. Such special police officers shall possess the powers and be subject to the duties of regular police officers herein provided for.

**31-1-55      POWERS AND DUTIES.** Each such officer herein provided for shall have the power and duty to preserve the peace and good order and to protect all property within Zones A, B, C, D and E; to arrest any person found in the act of violating or attempting to violate any law of this State or Code, rule or regulation of the City for the protection and control of Zones A, B, C, D and E and sanitary regulations and ordinances as to Zone F, or any person aiding and abetting such violation or attempted violation and shall take all persons so arrested before some court of competent jurisdiction. In the event that no such court is in session the person so arrested can be brought before some court of competent jurisdiction for trial; provided, however, that in all cases of violation of such ordinances, rules or regulations of the City, the arresting officer may in the first instance issue an arrest slip to the offending party, thereby notifying him where and in what court he shall appear not less than **six (6) days** after

the service of such notice. It shall be the duty of such arresting officer to file copies of the arresting notice with a brief statement of the offense and name and address of the offender, together with his license number, if any, if known and within **twelve (12) hours** after the service thereof, with the City.

The City when deemed necessary may detail any such officer for the discharge of any special duty and may require such officers to perform police duty at any time of the day or night, although certain hours shall be allotted each such officer for duty, and such officer must be prepared to act on a moment's notice whenever his services may be required in view of any violation or threatened violation of any such ordinance, rule or regulation.

**31-1-56      POWER TO EXECUTE PROCESS.** Each such officer shall have the power and authority within the limits of Zones A, B, C, D, E or F to serve and execute warrants or other legal process for the apprehension and commitment of persons charged with or held for the commission of any crime or misdemeanor or the violation of any ordinance, rule or regulation of the City governing and controlling such zones and while serving and executing or

assisting in the service or execution of any such warrant or legal process, he shall be vested with all the common law and statutory powers of constable for such purposes.

**31-1-57      NEGLECT OF DUTY.** Any such officer who shall neglect or refuse to perform any duty required of him by the City Code, rules or regulations of the City, or who shall in the discharge of his duties as such officer be guilty of fraud, favoritism, extortion, suppression, willful wrong or injury shall in each case be subject to suspension and removal from his duties as such police officer.

**31-1-58      CONDUCT OF LAKE POLICE OFFICERS.** Police officers shall be civil and respectful to the public upon all occasions, perform their duty with good temper and discretion and shall not at any time while on duty make use of violent, intemperate or abusive language. No such officer shall communicate to any person any information which may lead to the escape from arrest or punishment of any person accused of crime.

**31-1-59      MEMORANDA.** Each such officer shall always have with him a memorandum book in which he shall take the names of persons by him taken into custody together with the names of witnesses who may be necessary in the successful prosecution of such persons and also such matters as may be important in the trial of the case.

**31-1-60      ASSISTING LAKE POLICE OFFICERS.** Any such officer herein provided for may at any time call upon any able-bodied male person above the age of eighteen (18) years to aid him in arresting, retaining or holding in custody any person guilty of having committed any unlawful act or charged therewith or to aid such officer in preventing the commission of such unlawful act and whoever shall neglect or refuse to give such aid or assistance when so required shall be guilty of a violation of this Code.

**31-1-61      RESISTING LAKE POLICE OFFICERS.** No person shall resist or in any way hinder or prevent such officer in the discharge of his duty, or shall endeavor to do so, or shall in any manner assist any person in the custody of any such officer to escape or attempt to escape from such custody or shall attempt to rescue any person in such custody.

**31-1-62      IMPERSONATING LAKE POLICE OFFICERS.** Any person who shall falsely impersonate any such officer or other employee of the City or shall maliciously or with intent to deceive, use or imitate any of the signs, signals or devices used by such police officer or who not being such an officer shall wear in public the police uniform herein provided for shall be guilty of a violation of this Code.

**31-1-63 - 31-1-65      RESERVED.**

## **DIVISION III - ACTIONS, PROCESSES AND PROCEDURE**

**31-1-66      ACTIONS; HOW BROUGHT.** All actions or suits to recover any fine or enforce any penalty under the provisions of this Article or any other ordinance for the government or control of Zones A, B, C, D, E or the sanitary regulation of Zone F and all prosecutions for violation of any such ordinance shall be brought and prosecuted in the name of the City before an appropriate Judge of the Circuit Court.

**31-1-67      ARREST WITHOUT PROCESS.** Whenever any person shall be arrested "on view" without process and shall be taken before any court the judge or presiding officer shall note upon the docket and state the name of the officer making the arrest and the arresting officer or other person shall make and file a complaint, and the judge or presiding officer shall thereupon proceed to hear and determine the cause in the same manner as if the defendant had been arrested by warrant.

**31-1-68      COMPLAINT BY WARRANT.** Whenever any person shall make a complaint in writing duly verified by affidavit before any officer authorized by law to issue warrants and shall set forth in such complaint that any provision of this Article or other ordinances of this City for the regulation and control of Zones A, B, C, D and E or the sanitary regulation of Zone F has been violated and that he, the complainant, has reasonable grounds to believe that the party charged in such complaint with such violation is guilty thereof, such officer may issue in the first instance a warrant for the arrest of the person so charged.

**31-1-69      SLIP OR NOTICE.** Whenever such an officer does in the first instance issue a slip or notice to any person for the violation of any provision of this Article or other ordinances of the City for the regulation and control of Zones A, B, C, D, E or the sanitary regulation of Zone F, such officer shall upon the failure of such offender to appear at the time and place therein stated make complaint for a warrant as provided in **Section 31-1-68** of this Code.

**31-1-70      SUMMONS.** All actions and suits for the recovery of any fine or penalty under any provisions of this Article or other ordinance of the City for the regulation and control of Zones A, B, C, D and E and the sanitary regulation of Zone F in cases where no warrant is issued and where arrest is not made "on view" shall be begun by summons.

**31-1-71      BAIL.** Any person arrested for the violation of any provision of this Article or other ordinance for the regulation or control of Zones A, B, C, D, E or F shall have the right to release himself from arrest by giving bail in double the amount of the highest fine prescribed for the violation charged, conditioned on his personal appearance at the time and place fixed for his trial upon such charge.

**31-1-72      PLURAL OFFENSES.** No prosecution, recovery or acquittal for the violation of any provision of this Article or other ordinance for the regulation or control of Zones A, B, C, D, E or F shall constitute defense to any other prosecution of the same party for any other violation of any such provision or ordinance although the different causes or action existed at the same time, and if united would have exceeded the jurisdiction of the court.

31-1-73 - 31-1-75      RESERVED.

#### DIVISION IV - INSPECTIONS

**31-1-76      RIGHT OF ENTRY.** The City, by its authorized representatives shall have the right to go upon and into Zones A, B, C, D and E and every part thereof and the improvements thereon at any and all reasonable times for the purpose of inspecting the same; also to gain access to other land; plant and care for trees and other vegetation; to construct or cause to be constructed and maintained sewer, water and gas pipes, electric and telephone lines and pipes and lines for other services and their appurtenances; to improve and protect the shoreline; and to do any other work pertaining to the improvement, protection, sanitary control and regulation of the lake and its environs.

**31-1-77      CITY'S AGENT.** The City, unless otherwise indicated, may act through its Commissioner of Public Property or Department of Public Property or any duly authorized agent or employee of such department.

**31-1-78      EXEMPTION OF ACTS OF CITY.** Nothing herein shall apply to or be construed to prevent or penalize anything done or caused to be done by the City in constructing, operating, improving, repairing, maintaining, patrolling, policing, protecting or caring for the lake, the aquatic life therein, the shores thereof, Zone E, the birds and natural life thereon, or any part of the waterworks system of the City.

31-1-79 - 31-1-80      RESERVED.

#### DIVISION V - PERMITS

**31-1-81      RULES AND REGULATIONS.** The appropriate department of the City shall have the power to establish general rules and regulations for the administration of this Article and such other rules and regulations as may be deemed advisable or necessary to make, in giving full force and effect to the carrying out of the provisions of this Article, and may amend and repeal any such rules and regulations.

**31-1-82      PERMITS AND LICENSES.** All applications for permits or licenses herein provided for shall be directed to the City.

All permits and licenses herein provided for that may be issued by the City shall not be transferable in any way, but all benefits which may be derived therefrom shall accrue only to the person to whom the permit was originally issued by the City.

Each permit or license, whether or not issued for a consideration shall be subject to revocation by the City, unless otherwise expressly provided, whenever the licensee or holder of such permit in any way violates or permits the violation of any law, ordinance, rule or regulation for the regulation, care, protection or control of the lake, drainage area or water supply of the City. All such permits or licenses may be consecutively numbered.

Each custodian of marginal land and each licensee or holder of any permit from the City herein provided for shall at all times keep his post office address on file with the City, and any provisions for written notice to any custodian, licensee or holder of any permit from the City herein provided for shall be deemed for all purposes to have been complied with when the same in writing shall have been deposited in the United States certified mail, postage prepaid and properly addressed to such designated address. The affidavit of the person so mailing such notice together with the registry receipt shall be prima facie evidence of the mailing thereof.

**31-1-83      CAMPING.**

(A) In pursuance of the authority conferred by **65 ILCS 5/11-100-1 of the Illinois Municipal Code**, all persons at the lake or upon the unleased lands and park belonging to the City adjacent to the lake, are required to abide by the following rules and regulations when camping, or using mobile homes, campers, mobile cabins, or tents.

(B) No person shall camp, use a camper, mobile home, mobile cabin, or tent upon the lands or park without first registering with either the City Clerk, or the Commissioner of Public Property or his designee. Any person desiring to register shall give his name, current state license number on any vehicle which will be used by him, and description of the type of accommodation he intends to use, together with his residence address. Upon registration the applicant shall state the duration of his intended stay and shall pay a fee in accordance with the schedule adopted by Resolution of the City Council from time to time. **(Ord. No. 1608; 02-10-15) (See Exhibit "A")**

(C) It shall be the duty of every person obtaining such a permit to remove his camping or other equipment within **one (1) hour** after the expiration time and to obey all rules and regulations pertaining to the use of the park. It shall be unlawful for any person to place camping equipment on the lands without first obtaining the permit required; and any person causing his camping equipment, camper, mobile home, mobile cabin or tent to be placed on the grounds without first obtaining a permit, or to permit such to remain after the permit has expired, agrees to pay in addition to the penalties herein provided, a reasonable charge for removal service and storage and the person furnishing such services may hold the property until such service is paid in full.

(D) **Use of Leased Lots.** The following regulations shall apply to leased lots in addition to all other city ordinances:

- (1) No person shall permit any campfire or any other open flame or fire to be unattended at any time. No burning of garbage is allowed.
- (2) All campfires shall be completely surrounded by a fireproof ring of bricks, stones, blocks, steel metal ring or other fireproof material.
- (3) There shall be no trailers, mobile homes, buildings with solid sides placed or any outhouse or privy placed on any leased lot. This shall not apply to any storage building already on any leased lot adjacent to a platted subdivision where the owner of the storage building on the leased lot is an adjacent property owner, until such time that said storage building is removed, destroyed or becomes dilapidated as defined by the Nuisance Code of the City, at which time it shall not be replaced.
- (4) Lots must be kept in a clean and sanitary condition at all times and maintained in an orderly manner.
- (5) Lots shall be kept free of garbage, litter, trash and small debris, and all containers or receptacles for garbage, trash, litter and

debris shall be removed on a regular basis. Glass containers are discouraged.

- (6) No live trees shall be cut or removed other than saplings or those with diameters less than **three (3) inches**. Dead trees and branches shall be removed by Lessees. Any person found to have cut down or to have intentionally damaged any tree with a diameter in excess of **three (3) inches** causing it to die, shall forfeit their deposit. Presence on a lot of any cut tree and/or stump of a cut tree shall be prima facie evidence that Lessor cut or damaged said tree or that it was done with Lessor's knowledge and/or at Lessor's direction. Flagrant, excessive or recurring violation of the intent of this Section may result in the cancellation of the lease.
- (7) No inflammable substances nor container of flammable substances shall be left unattended on any lot.
- (8) Decks and open-sided pavilions are allowed but must be kept in a safe, orderly and well-maintained condition. Decks, pavilions and any other similar structure shall be supported by piers or treated posts not less than **four inches by four inches (4" x 4")** and shall be anchored not less than **three (3) feet** in the ground. Any roof on any deck, pavilion or other structure erected on a lake lot must be made of metal or shingles, and must be maintained in a neat and orderly manner. Tarps or tarpaulins shall not be utilized as a roof on any structure. Any deck, pavilion or other similar structure must be removed by Lessee upon termination of the lease. Any deck, pavilion or similar structure left after termination of the lease becomes property of the City without right or recourse of the lessee.
- (9) Each lot shall have no more than **one (1) storage box** no larger than **four feet by four feet by eight feet (4' x 4' x 8')** or **four feet by eight feet by four feet (4' x 8' x 4')**. Storage boxes must be secured by not less than **two (2) screw anchors** or **four inches by four inches (4" x 4")** treated posts, anchored not less than **three (3) feet** in the ground, or by **three-eighths (3/8) inch** galvanized steel cable. No refrigerator or freezer shall be used as a storage box.
- (10) Any tarp or tarpaulin or cover utilized on any lot, not including tents, are to be tan, gray or natural wood color. Blue tarps are prohibited. Any metal dock shall be made of galvanized metal or painted with aluminum paint.
- (11) When not occupied overnight, all items on a lot that may float or may be washed into the lake by moving water, such as, for example but not by way of limitation, picnic tables, benches, or garbage cans, shall be attached to a screw anchor or similar device not less than **three (3) feet** in the ground. Cable spools, stored lumber or barrels not in use are prohibited.
- (12) No person shall allow any underage persons to consume alcoholic beverages on any lot. No person shall allow any unreasonable noise or music emanating from said lot to disturb the peaceful enjoyment of other lessees or landowners of their property.



- (13) No person shall leave any domestic animal unattended on any lot. No person shall provide or intentionally leave any food, including garbage, to attract any wild animals such as squirrels, foxes, raccoons or otherwise.
- (14) Every camper or lease holder shall have a lake lot number posted on **six inch by eight inch (6" x 8")** white reflective background with **three and one-half (3.5) inch** black numbers if the lake lot is south of Meisenheimer Avenue, and **three and one-half (3.5) inch** red numbers if the lake lot is north of Meisenheimer Avenue. The sign containing the lot number shall be posted on the southern-most boundary of the lot and staked into the ground. The lot number signs shall not be nailed to a tree and must be visible from the lake. (Ord. No. 1631; 09-22-15)

(Ord. No. 1591; 12-10-13)

31-1-84 - 31-1-85      **RESERVED.**

## DIVISION VI - BOAT REGULATIONS

### 31-1-86      **LEASES, BOAT DOCKS, FEES.**

(A) Boat docks shall be permitted upon the City approving a boat dock permit from the leaseholder. (Ord. No. 1628; 09-22-15)

(B) Boat docks on Glenn Shoals Lake shall meet the following specifications:

- (1) Boat docks shall not exceed **thirty (30) feet** in length from the shoreline unless a variance is granted by the City. The City also reserves the right to limit the length of docks to less than **thirty (30) feet** upon specific areas of the lake where, in the City's opinion, a dock length of less than **thirty (30) feet** could constitute dangerous, unsafe, or hazardous conditions to people using the lake. All docks shall be tied down by a minimum of **three-eighths (3/8) inch** galvanized steel cable from the **two (2) corners** nearest the shoreline to screw anchors not less than **three (3) feet** in the ground. Any dock removed from the lake and placed on shore shall be secured by a minimum of **three-eighths (3/8) inch** galvanized steel cable attached to **two (2) corners** of the dock and screw anchors not less than **three (3) feet** in the ground so as to prevent the dock from floating off shore. All walkways or stairways to docks must either be attached to the dock of the shoreline or attached to treated posts not less than **four inches by four inches (4" x 4")** not less than **three (3) feet** in the ground, so as not to become a danger to be separated from the dock and float into the lake. Any deviations from these requirements shall be granted in writing by the Commissioner of Public Property, after approval by the City Council, and shall only be granted if the nature of the shoreline requires.
- (2) **Two (2) inch** lumber shall be used in the construction of the boat docks and must be treated or painted with only substances which will not harm or contaminate the lake.
- (3) Boat docks shall be of a floating nature supported by marine approved flotation material. Dock floats must be used instead of plastic barrels. All people currently having docks with plastic barrels shall be able to continue the use of the plastic barrels for a period of **three (3) years** after the enactment of this Article. All new construction must use dock floats or Styrofoam encased in plastic housing. At the expiration of

- three (3) years from the date of the enactment of this Article, all docks at the lake must be in compliance in using marine approved flotation material or styrofoam encased in plastic housing.
- (4) The use of oil drums, chemical drums, or any other drum which previously may have contained any type of foreign matter is prohibited. (Ord. No. 1628; 09-22-15)
- (C) (1) Rip-rapping of the shoreline shall be permitted only upon written or verbal advance approval of the City.
- (2) The City may institute a program wherein the City provides the material for the barrier and the rip-rap to a lessee. (Ord. No. 1591; 12-10-13)
- (D) (1) It is the policy of the City to lease land, including the issuance of boat dock permits, to adjacent landowners, City residents and others for purposes of recreation and access to the water on City property or otherwise. Special privileges previously granted to landowners who sold land to the City and the time for exercising those privileges has expired. All persons shall be governed by this Code.
- (2) Owners of real estate adjacent to the lake shall be given the first option to lease lake lots adjoining their property when said lake lots become available. Failure to maintain all aspects of the lease shall result in loss of the lot and assignment of the lease to the next person requesting a lake lot. (Ord. No. 1591; 12-10-13)
- (E) The lot size available for lease shall be **one hundred (100) feet** along the shoreline with a depth of **fifty (50) feet** when available on City owned property.
- (F) The fee for each leased lake lot and boat dock, whether or not a boat dock is constructed upon the leased ground, shall be established by Resolution of the City Council from time to time. (Ord. No. 1608; 02-10-15) (See Exhibit "B")
- (G) Only **one (1) boat dock** shall be constructed on each leased lot, and only **two (2)** leased lots shall be leased to each household. (Ord. No. 1442; 08-22-06)
- (H) Prior year lessee shall have the right to renew the lease, but the prior year lessee must do so on or before the **thirty-first (31st) day of March** of each year; except present lessees shall have **fifteen (15) days** from the passage of this Code to renew their lease for the present year and to have priority.
- (I) The City reserves a right-of-way and easement for passage only across any leased lot which reservation shall inure to the benefit of the public generally.
- (J) Leases. Boat dock permits shall be inspected annually and such inspections shall be conducted by or under the supervision of the Commissioner of Parks. It shall be the responsibility of the Commissioner of Parks to recommend renewal or non-renewal of boat dock permits.
- (K) In addition to the lease fee provided in subsection (F) above, a deposit, established by Resolution of the City Council from time to time, shall be required to insure compliance with terms of the lease and this Chapter, to insure that all leased lots are kept in a clean and well-kept condition and to insure the removal of all improvements after termination of the lease. In the event any lot is left in violation of any provision of this Chapter or term of the lease as determined after **October 1** of the lease year, a warning shall be issued granting a **ten (10) day** grace period for correction. Failure to correct the violation within **ten (10) days** will result in forfeit of the deposit to the City. The City shall provide written notice to the Lessee of said forfeiture by **November 30<sup>th</sup>** of the lease year and said Lessee shall be ineligible to lease a lake lot thereafter. (Ord. No. 1608; 02-10-15)
- (L) No person shall lease or apply to lease any lake for any other person for the purpose of obtaining a more favorable annual fee, or, for the purpose of leasing a lot to a

person who might not otherwise be eligible to lease said lot, or, for the purpose of evading or circumventing the waiting list for lots. Lots may only be leased by the person or persons who will actually primarily use said lot and be subject to the terms of the lease. Any person in violation of this Section shall lose their lease privileges immediate for that year, forfeit their fee and deposit, and be prohibited thereafter from leasing any lake lot. (Ord. No. 1591; 12-10-13)

31-1-87 - 31-1-90      RESERVED.

## ARTICLE II - BOAT REGULATIONS

**31-2-1      DEFINITIONS.** Terms used in this Article mean as follows, unless the context clearly requires a different meaning:

**"BOAT".** Every description of water craft used or capable of being used as a means of transportation on water.

**"MOTOR BOAT".** Any boat propelled by machinery, whether or not such machinery is the principal source of propulsion.

**"OPERATOR".** Any person engaged in the business of buying, selling or exchanging boats or motors, or both, and who has an established place of business for such purpose.

**"SAIL BOAT".** Any water craft propelled by sails or canvas. Any water craft propelled by both sail and canvas and machinery of any sort shall be deemed a motor boat when being so propelled.

**31-2-2      LICENSE OR PERMIT REQUIRED.** No boat shall be placed or operated on Lake Hillsboro or Lake Glenn Shoals, until a license or daily permit for said boat has been issued by the City of Hillsboro; and no such license or daily permit will be issued until the registration requirements of the Boat Registration and Safety Act of the State of Illinois have been complied with.

**31-2-3      BOAT FEES.**

(A)      **General.** The fees for placing boats on Lake Hillsboro and Lake Glenn Shoals shall be established by Resolution of the City Council from time to time. (Ord. No. 1608; 02-10-15) (See Exhibit "D")

(B)      **Transfer of License.** A license may be transferred from one boat to another boat purchased or owned by the license holder upon the payment of a **Three Dollar (\$3.00)** transfer fee and the payment of any additional license fee that might be due to an increase in horsepower. The tags or stickers issued with the license shall be displayed on each side of the licensed boat within **one (1) foot** of the transom. Any dealer's license may be placed on a moveable plaque. (Ord. No. 1020; 05-22-84)

(C)      **Reserved.** (Ord. No. 1453; 01-23-07)

(D)      **Term of License.** All licenses set forth herein shall run from January 1 of each year to January 1 of the following year. No part year licenses shall be issued.

(E)      **Dealer's License.** The fee for a dealer's license shall be **Sixty-Two Dollars (\$62.00)** per year. This fee will entitle the dealer to one dealer's sticker. **Two (2)**

additional stickers may be purchased by the same dealer for the additional sum of **Five Dollars (\$5.00)** each. Each dealer will be entitled to a maximum of **three (3)** stickers per year. Stickers must be displayed in windshield of boat or carried by operator.

(F) **Senior Citizens Reduction.** There shall be a reduction in fee to citizens **sixty-five (65) years** or older which reduction shall be **fifty percent (50%)** of the fee up to ten horsepower motors and a reduction of **twenty-five percent (25%)** to such persons on motors exceeding ten horsepower.

(G) All City boat stickers shall be displayed on the boat's port bow. (Ord. No. 1367; 06-10-03)

**31-2-4      RESERVED.** (Ord. No. 1453; 01-23-07)

**31-2-5      BOAT OPERATING RULES.**

(A) **Speed.** No boat shall be operated on Lake Hillsboro at a speed in excess of **ten (10) miles per hour.**

(B) **Life Saving Devices.** There shall be an approved coast guard life saving device on board all water craft for each person in the craft. **One (1)** approved life saving device shall be in the water craft for each person who is water skiing.

(C) **Wake.** No person shall drive a boat near the launching site in such manner that his wake will create a hazard to boats moored, being launched, or taken from the water.

(D) **Passenger Location.** No person may operate a watercraft with anyone riding the gunwhales or the decking over the bow.

(E) **Intoxication.** It shall be unlawful for anyone to drink intoxicating beverages, use narcotic drugs or barbitol before or while operating a boat.

(F) **Overloading Boats.** No boat shall be loaded with passengers or cargo, or both, beyond its safe carrying capacity, taking into consideration weather and other normal operating conditions.

(G) **Careless Operation: Speed.** No person shall operate any boat in a careless or heedless manner so as to be grossly indifferent to the person or property or other persons, or at a rate of speed greater than will permit him in the exercise of reasonable care to bring in the motor boat to a stop within the assured clear distance ahead.

(H) **Reckless Operation.** No person shall operate any motor boat in such a manner as to endanger the life or limb, or damage the property of any person.

(I) **Boat Exhaust.** All inboard and inboard/outboard boats equipped with a captain's switch shall be operated with the switch in the position to direct the engine exhaust below water level. (Ord. No. 1367; 06-10-03)

**31-2-6      SWIMMING.** There shall be no swimming in Lake Hillsboro except in the assigned and designated area which is the City operated Lake Beach. Further, there shall be no swimming in the designated area except during those hours the area is open to the public. The Commissioner of Public Property is authorized to promulgate additional regulations with regard to swimming in Lake Hillsboro by means of appropriate signage posted at said Lake Beach. All such regulations are subject to review and revocation by the City Council. (Ord. No. 1526; 03-22-11)

**31-2-7      ACCIDENTS.** The operator of any boat involved in an accident resulting in injury or death to any person or in damage to property shall immediately stop such boat at the scene of the accident and shall give his name, address, full identification of his boat and the name and address of the owner, to the person struck or the operator or occupants of the boat collided with, and shall render to any person injured in such an accident reasonable assistance, and shall report such accident to the nearest or most convenient law enforcement agency or office.

**31-2-8      OPERATION BY UNQUALIFIED PERSON.** The owner of any motor boat, or any person having such in charge or in control, shall not authorize or knowingly permit the same to be operated by any person who by reason of age or physical or mental disability is incapable of operating such motor boat under the prevailing circumstances.

**31-2-9      FIRE PREVENTION.** Except for open boats, all motorboats which use fuel having a flashpoint of **one hundred ten degrees Fahrenheit (110°F)** or less shall have at least **two (2)** ventilator ducts, fitted with cowls or their equivalent for the efficient removal of explosive or inflammable gases from the bilges of every engine and fuel tank compartment. There shall be at least **one (1)** exhaust duct installed so as to extend from the open atmosphere to the lower portion of the bilge and at least **one (1)** intake duct installed so as to extend to a point at least midway to the bilge or at least below the level of the carburetor air intake. The cowl shall be located and trimmed for maximum effectiveness and in such a manner as to prevent displaced fumes from being recirculated.

**31-2-10      PARENTS RESPONSIBILITY.** Parents or guardians shall be held responsible for their minor children, should they violate any portion of this Article. No person under **twelve (12) years** of age may operate any vessel propelled by a motor of **ten (10) horsepower** or more unless the person is under the direct supervision of a person **sixteen (16) years** or older who is qualified and capable of operating the vessel.

**31-2-11      ADDITIONAL REGULATIONS.** The Council and Park Commissioner shall have authority to adopt any further regulations necessary to carry out the intent of this Article.

**31-2-12      GLENN SHOALS BOATING RESTRICTIONS.**

(A) The Commissioner of Property shall investigate and determine those areas of Lake Glenn Shoals which might cause a hazard to person and property if boating was allowed thereon.

(B) The Commissioner shall designate by buoys, those areas in which no boats shall be allowed on Lake Glenn Shoals.

(C) The Commissioner shall designate those areas, by buoys, on Lake Glenn Shoals, on which no wakes shall be created by boats.

(D) No person shall maintain or operate a boat in those areas so designated by the Commissioner.

(E) No person shall cause wakes in those areas designated by the Commissioner.

**31-2-13      AIRBOATS PROHIBITED AT TIMES.** Boats propelled by an airfan driven engine mounted above the deck, commonly known as an airboat shall be prohibited at all times on Glenn Shoals Lake and Lake Hillsboro except for **one (1) day** during each of two time periods: **April 1 – 15** and **October 1 – 15**, for the sole purpose of breaking in engine or performing maintenance. Days must be coordinated through the Park Superintendent and a daily boat permit shall be required. (Ord. No. 1366; 06-10-03)

**31-2-14      PENALTIES.** Any person who violates any of the provisions of Article I or Article II, upon conviction thereof, shall be punished by a fine of not less than **One Hundred Dollars (\$100.00)** and not more than **Seven Hundred Fifty Dollars (\$750.00)** for each offense, or by having his daily permit revoked, or his boat license suspended for a period of time not to exceed **thirty (30) days**, or both; or his lease and boat dock permit suspended for **thirty (30) days**, or both; and upon repeated convictions, may have his boat license revoked or lease and boat dock permit revoked.

## **ARTICLE V – GENERAL REGULATIONS**

**31-5-1      SKATEBOARDS, ETC.** Skates, skateboards, scooters, bicycles, in-line skates and other wheeled vehicles are prohibited on all tennis courts of the City of Hillsboro or Hillsboro Sports Association. (Ord. No. 1378; 11-25-03)

**31-5-2      FISH SIZE RESTRICTIONS AND LIMITS.** The Commissioner of Public Property is authorized to promulgate regulations with regard to the size and/or number of fish taken from Lake Glenn Shoals and from Lake Hillsboro. All such regulations promulgated by the Commissioner of Public Property shall be made known to the public by means of appropriate signage posted at said lakes near the boat docks and ramps of the respective lakes, as applicable, and at such other locations as may be deemed appropriate by the Commissioner. All such regulations are subject to review and revocation by the City Council. For purposes of any "Catch-and-Release" limitation that might be imposed, the term shall mean that such fish must be returned to the lake alive and unharmed immediately after catching, except that, for fishing tournaments approved by the Commissioner, persons shall be allowed to hold fish for weigh-in before returning fish to the lake alive. Any person violating the provisions of any limitations imposed pursuant to this Section shall be fined not less than **Fifty Dollars (\$50.00)** nor more than **Five Hundred Dollars (\$500.00)**, except that violations with regard to fish designated as "Catch-and-Release Only" shall be punished by a fine of not less than **One Hundred Dollars (\$100.00)** nor more than **Seven Hundred Fifty Dollars (\$750.00)**. (Ord. No. 1524; 03-22-11)



## EXHIBIT "B"

### LAKE LOT AND BOAT DOCK FEE SCHEDULE

Pursuant to **Section 31-1-86(F)**, and effective **November 1, 2015**, lake lot fees and boat dock fees shall be as follows:

<b>City Residents</b>	<b>County</b>	<b>Out of County</b>
\$175.00	\$225.00	\$275.00

A deposit of \$200.00 per lot shall be required in advance of leasing.

## EXHIBIT "D"

### BOAT PERMIT FEE SCHEDULE

Pursuant to **Section 31-2-3(A)**, and effective **January 1, 2016**, the fees for placing boats on Lake Hillsboro and Lake Glenn Shoals shall be as follows:

	<b>City Residents</b>	<b>County</b>	<b>Out of County</b>
1-20 horsepower	\$30.00	\$40.00	\$45.00
21-50 horsepower	\$40.00	\$50.00	\$60.00
51-100 horsepower	\$45.00	\$70.00	\$85.00
101-200 horsepower	\$65.00	\$105.00	\$155.00
201 and up and inboard	\$75.00	\$135.00	\$185.00
Sailboats	\$30.00	\$45.00	\$50.00
Other non-motorized			
Watercraft	\$20.00	\$25.00	\$30.00
Jet-ski	\$150.00	\$185.00	\$235.00
Daily permit all boats (except Jet-skis)	\$10.00	\$15.00	\$20.00
Tournament Daily Fee	\$8.00	\$8.00	\$8.00