

CHAPTER 1

USE OF PROPERTIES AND FACILITIES
OF THE VILLAGE

[1996 ORDINANCE]

6-1-1: Village Property Defined:

“Village property”, for the purpose of this Chapter, shall mean any property owned by, leased to, dedicated to, or offered for dedication to the Village, including but not limited to the rights-of-way of Village streets, except that Sections 6-1-3, 6-1-23, and 6-1-25 shall not be applicable to the such rights of way.

[SECTION 6-1-2 IS FROM ORD. 80 FROM 1989]

6-1-2: Regulation of Use of Properties and Facilities of the Village:

- A. The Village Board of Trustees shall from time to time determine the permitted, or prohibited, or conditional use(s) or activity(ies) of any of the Village’s property.
- B. Any determination hereunder shall be made by resolution of the Board of Trustees, and the effects of such shall be conspicuously posted upon the building, or land, or portion thereof, where it applies.
- C. Removal of any posted resolution, sign, regulation, or any other notice herein permitted without the authorization from a Village official is prohibited and shall constitute criminal damage to public property.

6-1-3: Animals:

No person shall allow to be loose upon Village property any animal.

6-1-4: Games and Sports:

No person shall engage in any sport, game or amusement on Village property except on such portions thereof as may be designated by the Village Board, or its designate, and then only under such rules and regulations as may be prescribed by them.

6-1-5: Firearms and Fireworks:

No person, other than authorized personnel, shall carry or discharge firearms or air guns, or discharge or set off any rocket, cracker, torpedo, squib or other fireworks or things containing any substance of explosive nature on Village property.

6-1-6: Throwing Stones; Missiles:

No person shall throw, cast, or propel any stones or other missiles, including but not limited to, any dart or arrow, within, onto or across Village property.

6-1-7: Vehicles:

No person, other than authorized personnel, shall bring or use any vehicle upon any Village property except in designated parking areas and then only when said Village property is open to such person.

6-1-8: Hindering Employees:

No person shall interfere with, or in any manner hinder any employee of the Village while such employee is engaged in constructing, repairing, or caring for any Village property.

6-1-9: Offering Articles for Sale:

No person shall conduct any commercial activity, offer or exchange for sale any article or thing, do any hawking, peddling, or soliciting, or buy or offer to buy an article or thing, or take up any collection, or solicit to receive contributions of money or anything of value in Village property, except when authorized to do so by permit from or contract with the President and Board of Trustees (also referred to as “Village Board”), or its designate.

6-1-10: Public Meetings:

No person or persons shall give any concert or public entertainment of any kind on any Village property without express consent of the Village Board or its designate, and then only if the Village Board has been reasonably satisfied as to the evidence of adequate liability insurance coverage naming the Village, and all its officers, employees and agents as additional insured, has been provided for such event.

6-1-11: Restricted Parts of Village Property:

No person shall enter upon any portion of any Village property where persons are prohibited from going by direction of any officer or employee of the Village as indicated by sign or notice.

6-1-12: Improper Speech and Conduct:

No person shall use any abusive, threatening, insulting, indecent, profane, or obscene language, or language calculated to occasion a breach of the peace, nor be guilty of any indecent act or behavior on any Village property.

6-1-13: Begging:

No person shall beg or solicit alms on any Village property.

6-1-14: Sleeping on Village Property:

No person shall sleep on any Village property between sunset and sunrise except when authorized to do so by permit from the Village Board, or its designate.

6-1-15: Use of Playground Equipment by Adult Prohibited:

No adult person shall in any manner use any of the playground apparatus or devices meant exclusively for the use of children on Village property.

6-1-16: Gambling:

No betting, wagering, or gambling is allowed on any Village property at any time.

6-1-17: Fires:

No person shall light or make use of any fire on any Village property, except in such portions thereof as may be indicated by any officer or employee of the Village for such purpose and then only under such regulations and conditions as are prescribed by the Village.

6-1-18: Dumping Articles:

No person shall deposit, dump, throw, or place any rubbish, including clippings of trees, shrubs or grass, or junk of any kind, in or upon on any Village property. Paper, garbage, or refuse matter shall not be so deposited except in receptacles provided for that purpose.

6-1-19: Advertisements:

No person shall display any placard or advertisement of any kind on any Village property, nor shall any person distribute, cast, throw or place any hand bill, pamphlet, circular, advertisement, notice of any kind, nor post, stencil, or otherwise affix any notice, or bills, advertisements, or other papers, upon any structure or thing in or about such premises.

6-1-20: Protection of Birds and Animals:

No person, except authorized personnel, shall trap, catch, wound, or attempt to trap, catch, wound, or kill any bird or animal, to molest or rob any nest of any bird or animal on any Village property.

6-1-21: Damage to Village Property:

No person shall cut, break, climb on, or in any way deface any tree, shrub, plant, turf, or any of the buildings, fences or bridges, lamps or posts, or any other structure or property within or upon any Village property.

6-1-22: Breach of Peace - Disorderly Conduct:

No person shall make, countenance, or assist in making any improper noise, riot, disturbance, breach of the peace, or diversion tending to a breach of the peace, on any Village property, or be guilty of any disorderly conduct therein, or collect with any persons, in bodies and crowds, for unlawful purposes, or for any purpose to the annoyance or obstruction or disturbance of other persons.

6-1-23: Resisting or Interfering with Officer and Employees:

No person shall resist any officer or employee of the Village in the discharge of his duty, or fail to refuse to obey any lawful command of any such employee or officer or in any way interfere with or hinder or prevent any such officer or employee from discharging his duty.

6-1-24: Hours of Operation:

That hours of operation of all outdoor facilities owned and/or controlled by the Village shall be open daily to the public during the hours of sunrise and sunset, with the exception of the Village of Holiday Hills Village Hall (1304 Sunset Drive), at which location the building and appurtenant parking area shall be open for use during such hours as authorized from time to time by the Village Board or its designate. It shall be unlawful for person or persons, other than authorized personnel conducting official business to occupy or be present within or upon any Village property during any hours which a Village property is not open to the public. Any section or part of a Village property may be declared closed to the public by an officer or employee of the Village at any time, and for any interval of time, either temporarily, or at a regularly stated time.

6-1-25: No Loitering on any Village Property or Parking Lot:

It shall be unlawful for person or persons to loiter on any Village Property or in any parking lot controlled or owned by the Village.

6-1-26: Noise Pollution:

Unless specifically approved in advance by the Village Board, no person shall generate any sound on any Village property by any means so that (1) the sound pressure level measured at a distance of 10 feet or further from the source exceeds 80 dB(A), or (2) the sound is audible at a distance of fifty feet (50') or more from the point of generation.

6-1-26: Alcoholic Liquors Prohibited:

No person shall bring within, sell, deliver, possess or consume alcoholic liquors on any Village property.

6-1-27: Smoking Prohibited:

No person shall smoke in a public place on Village property except in that portion of a public place which may be established by the Village Board as a smoking area.

“Public Place”, for the purposes of this Chapter, means any enclosed indoor area used by the public or serving as a place of work.

“Smoking” means the act of inhaling the smoke from or possessing a lighted cigarette, cigar, pipe or any other form of tobacco or similar substance used for smoking.

6-1-28: Fines; Penalties; Enforcement:

- A. Any person found guilty by a court of competent jurisdiction of violating any clause or provision of any section of this Chapter shall be fined not less than fifty (\$50.00) dollars and not more than seven hundred fifty (\$750.00) dollars for each offense upon conviction thereof.
- B. Any person, firm or corporation who shall be found guilty by a court of competent jurisdiction of violating a provision of this Chapter or of failing to comply with any requirement thereof shall, in addition to the fines provided, be obligated to reimburse the Village for its attorneys’ fees, Court costs, court reporter costs, and expert witness fees, and all other out-of-pocket costs incurred by the Village in the prosecution of the said violation or violations.