

CHAPTER 19

LAKE CARLINVILLE

ARTICLE I - GENERAL REGULATIONS

19-1-1 DEFINITIONS. Whenever the following words or terms are used in this Chapter they shall have the meanings ascribed to them as follows:

"RESERVOIR". The word "Reservoir" shall mean the artificial lake and water impounded therein by means of the public water supply dam constructed across the valley of Honey Creek in Macoupin County, Illinois, and by any other structure or structures heretofore or hereafter constructed within the limits of the hereinafter defined drainage area, which are used or for use as a public water supply for the City.

"DRAINAGE AREA". The words "Drainage Area" shall mean the entire area of land and water that drains into the reservoir or into Honey Creek or any tributary or other stream above said public supply dam.

"WATER COURSE". The words "Water Course" shall mean any stream, natural or artificial channel, spring or depression of any kind in which water flows continuously or intermittently over any part drainage area, directly or indirectly into any part of the reservoir.

"INTAKE". The word "Intake" shall mean the place where the water supply for the City is taken from the reservoir.

"SHORELINE". The word "Shoreline" shall mean the extended point where the plane of the surface of the waters of the reservoir touches land at spillway elevation.

"MARGINAL LAND". The term "Marginal Land" shall mean the land owned or controlled by the City adjacent to the shoreline and not flooded by the waters of the reservoir.

"PERSON". The word "Person" shall mean the feminine as well as the masculine when applicable, and the plural as well as the singular when applicable; it also includes firm, association, club, organization, or other entity.

"CUSTODIAN". The word "Custodian" shall mean any lessee from the City of any marginal land.

"CRAFT". The term "Craft" shall mean any boat or raft not permanently attached to the shore.

"GRAY WATER". The term "Gray Water" shall mean any water that is not clean or fresh water. Any water that has been used for bathing, washing clothes, dishes, etc. shall be considered "Gray Water".

19-1-2 BUILDING; STRUCTURES; PERMIT. No building or other structure whether for habitation or otherwise, including any dock, wharf, boat house, or anchored or stationary raft, shall be constructed, altered or maintained on the said lake

or marginal land unless a permit in writing therefor, based upon a written application setting forth the location, specifications and intended use thereof, be granted by the City.

19-1-3 SEWAGE. No toilet, septic tank, sewer or other means for depositing, storing, retaining or disposing of sewage, or sink, or bathroom wastes, shall be built or maintained on said marginal land unless a written permit, by the City, based upon a written application has been issued and remains unrevoked. Use of the Dump Station located across Carlinville Lake Road from the entrance is provided free to Campground patrons only.

19-1-4 POLLUTION OF WATERS: WATERCOURSES. No person shall in any part of the drainage area, place, throw, discharge or cause to be discharged, any sewage, garbage, decayed or other matter, into and so as to directly or indirectly, pollute or tend to pollute the reservoirs or other waters from which the City obtains a water supply. All discharge must be caught in a portable holding tank.

19-1-5 LIVESTOCK; POULTRY. No person shall cause or permit any domestic livestock or poultry to run at large on the marginal land. Any livestock or poultry found at large thereon 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 damage caused to the City or its property by such livestock or poultry. No animal or poultry shall be allowed to stand, wallow, wade or swim or be washed or watered in the Reservoir. No person shall bring, drive or lead any domestic livestock around said lake, except in lawful use of the public highway and except horses and draft animals while engaged in work or ridden on such portions 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.

19-1-6 SWIMMING; BATHING AND WADING. Swimming, bathing and wading are allowed in Lake Carlinville daily during the hours of **ten o'clock (10:00) A.M.** until **nine o'clock (9:00) P.M.** daily unless the swimming areas are otherwise closed by the authorities in charge. Such swimming, bathing and wading shall be only at the posted and marked areas called "Lake Carlinville Beach Area" and only between **April 1** and **October 31** of each year.

(A) No person having any communicable disease or skin infection shall swim, bathe or wade in Lake Carlinville.

(B) 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 water thereof.

(C) The City, by posting, shall at all times have power and authority to prohibit swimming, bathing and wading in the water of the Lake.

(D) Swimming is permitted within the designated beachfront area only and is undertaken at the swimmer's own risk. No lifeguard is provided. Swimmers under **sixteen (16) years** of age must be accompanied by a swimmer **sixteen (16) years** of age or older. Any violation of any rule posted at the beachfront is grounds for ejection.

19-1-7 BOATING; LICENSES. No inboard engines will be allowed on Lake Carlinville; outside motor craft only. No boat or craft of any kind may be propelled, kept or used in Lake Carlinville or stored or kept on the marginal land until the owner thereof shall have complied with the laws of the State of Illinois in relation to boat ownership and boat operation, and until the owner thereof shall have registered such boat or craft, and secured a written license and registration number from the City based upon a written application setting forth the length and draft of such boat or craft, its means of locomotion, and if propelled by motor or engine, the piston displacement or other power rating thereof, the maximum number of passengers said boat or craft may carry, its contemplated use, whether it is contemplated to be used for racing purposes, and such other further information as the City may from time to time require. Such license, when granted, shall be in writing and shall be further evidenced by an official registration number plate or marker to be furnished by the City if the City desires to do so to the licensee, and such plate or marker or boat identification shall be uniformly placed in such conspicuous position on the boat or craft as may be designated by the City and such boat license shall be exhibited on request to any agent, representative, or policeman of the City.

Notwithstanding anything to the contrary mentioned above, no boat or craft of any kind may be propelled, operated or used on Lake Carlinville on those days designated for hunting waterfowl (**See Sec. 19-2-1**) by the Illinois Department of Conservation. This restriction does not apply to waterfowl hunters.

No person shall operate any water craft, which is propelled by a boat motor in excess of **seventy-five (75) horsepower**, or which is in any manner carrying a boat motor in excess of **seventy-five (75) horsepower** on Lake Carlinville. Special Event Use permits may be issued at the discrepancy of the Committee and Lake Manager. No person shall have any boat motor on or in any water craft on Lake Carlinville unless said motor has the manufacturer's serial number and model number displayed thereon, and unless such motor has the amount of its horsepower as specified by its manufacturer permanently marked on said motor in such manner as to be clearly visible and legible. The letters and/or numerals used in marking such horsepower shall not overlap and each shall be at least **one and one-half (1 1/2) inches** high and at least **one-half (1/2) inch** wide. Boat owners and operators shall show proof of compliance with this Section as deemed necessary by Lake Carlinville law enforcement personnel. (**Ord. No. 1565; 02-18-08**)

19-1-8 LICENSE FEES. A license, unless issued for a special event (daily fee), shall expire on the next ensuing **December 31** and may be annually renewed by filing a like application before said boat or craft may be lawfully propelled or kept or used in and upon Lake Carlinville. In order to provide a fund to be used to defray the expenses of inspection and supervision of boats and crafts on Lake Carlinville, to enforce the navigation and the safety and pleasure of boating, said application or renewal must be accompanied by the payment of annual license fees to an authorized representative of the City as follows:

Class A. For each boat or craft which is not propelled with a motor or engine other than a trolling motor, the license fee for Carlinville Water Users shall be **Twenty-Five Dollars (\$25.00)** and the license fee for those who are not connected onto the City of Carlinville's water system shall be **Forty-Five Dollars (\$45.00)**.

Class B. Thirty Dollars (\$30.00) for each boat or craft, which is propelled with a motor or engine of **two (2) horsepower** to and including **fifteen (15) horsepower**.

Class C. Forty Dollars (\$40.00) for each boat or craft, which is propelled with a motor or engine of over **fifteen (15) horsepower** to and including **twenty-five (25) horsepower**.

Class D. Forty-Five Dollars (\$45.00) for each boat or craft, which is propelled with a motor or engine of over **twenty-five (25) horsepower**, to and including **forty (40) horsepower**.

Class E. Fifty-Five Dollars (\$55.00) for each boat or craft which is propelled with a motor or engine of over **forty (40) horsepower** to and including **sixty (60) horsepower**.

Class F. Seventy Dollars (\$70.00) for each boat or craft, which is propelled with a motor or engine of over **sixty (60) horsepower**.

(A) A **Five Dollar (\$5.00)** discount off the cost of the initial seasonal license fee will be offered to all applicants showing proof of Carlinville City residency.

(B) For the fractional part of any calendar year, the license fee shall be the same as hereinabove specified.

(C) The City may issue a special written permit for a period of **one (1) day** for the fee of **Ten Dollars (\$10.00)**. The discount in (A) above does not apply. **(Ord. No. 1635; 06-06-11)**

(D) Proof of Illinois Boat License is required at the time of purchase of Carlinville Lake Sticker.

(E) Upon the sale of any boat or craft, the license issued therefor shall cease to apply, but such license and the license number may be transferred to any other qualified boat or craft then owned by the vendor upon his written application and payment to the City of a transfer fee of **Fifteen Dollars (\$15.00)**, plus the excess, if any, of the license fee requirements for such other boat, or craft over that of the boat or craft so sold. The boat or craft so sold shall be removed from the Lake or registered by the purchaser as in the case of original registration. **(Ord. No. 1624; 03-07-11)**

19-1-9 EXHAUST GASES. No person shall operate, or cause to be operated any boat or craft equipped with an outboard motor regardless of whether such motor be temporarily or permanently attached to said boat or craft, on any of the water of Lake Carlinville, unless such outboard motor is equipped with an efficient muffler in good working order and constant operation so as to prevent excessive noise and annoying smoke. No outboard motor shall be deemed equipped with an efficient muffler unless the exhaust gases are discharged under water or are so muffled as to be not noisier or more annoying than an internal combustion machine of like power equipped with an underwater exhaust.

19-1-10 CUTOUTS PROHIBITED. No person shall use any boat or craft on the waters of Lake Carlinville, a muffler cutout or any device whatsoever that operates to discharge exhaust gases of any motor or engine without such gases passing through an efficient muffler.

19-1-11 BOATING USE LIMITATION; SPEED; OPERATING HOURS.

(A) **Speed Regulations.** No person shall operate any boat, or craft which is within **one hundred (100) feet** of the shore line at a greater speed than at the rate of **five (5) miles per hour**.

- (1) No boat or craft propelled by an outboard motor shall be operated at a greater speed than at the rate of **ten (10) miles per hour**, except in that area of Lake Carlinville which lies to the west of the recreational peninsula, said point also being known as the picnic ground area point, and from this point, south across the Lake will be the boundary line east of which no boat or craft propelled by an outboard motor shall be operated at a greater speed than **ten (10) miles per hour**, said **ten (10) miles per hour** will only be exceeded even west of said line during the period between **April 1** and **October 31** between the hours of **ten o'clock (10:00 A.M.)** and **thirty (30) minutes** before sundown. During this time, the speed limit will be **thirty (30) miles per hour** on crafts propelled by outboard motors in the above area. After sundown, a no wake rule will apply to all boats. All such power propelled boats and crafts in that area of Lake Carlinville which lies to the west of the recreational peninsula, shall proceed in a counterclockwise traffic pattern. **(Ord. No. 1565; 02-18-08)**
- (2) Nothing herein shall be construed as permitting any boat or craft to be operated at a speed greater than is safe and prudent under the circumstances, and the operator thereof shall observe all signs and other regulations placed by the City on or near Lake Carlinville. During high volume times the City may limit the number of crafts upon Lake Carlinville,

may post a reduced speed limit or prohibit any craft upon said Lake when the interest of the public or health or safety conditions so require. For reasonable and proper cause the City, acting through its authorized representative or agent, may suspend boating privileges or revoke the license of any boat owner.

(B) **Operating Hours.** No boat or craft of any kind or character shall be used, propelled or operated between the hours of sunset and sunrise unless it plainly displays a bright white light in the rear part of the boat or craft, visible from all quarters and twin lights or a combined lantern in the forward part of the same showing a green light to the starboard and a red light to the port side of the boat or craft, each colored light to be so shielded as to be not visible from across the beam of the boat.

No boat or craft of any kind or character shall be anchored between sunset and sunrise more than **twenty-five (25) feet** from the shore unless it displays an adequate light, clearly visible from any quarter by an approaching boat.

19-1-12 LIFE PRESERVERS. No boat or craft of any kind or character shall be operated on Lake Carlerville unless it carries for each occupant an adequate individual life preserver, in good condition, especially designed for that purpose. **(Ord. No. 1565; 02-18-08)**

19-1-13 SIGNALING DEVICES; FIRE EXTINGUISHERS. No boat or craft that may be operated or propelled by means of an outboard motor shall be used, kept or maintained on Lake Carlerville unless it is equipped with an adequate horn or signaling device and unless it is equipped with an adequate fire extinguisher. Sirens are prohibited on all boats and crafts except police craft.

19-1-14 RENTING BOAT; PASSENGERS. The business of renting boats for hire or carrying passengers for hire on Lake Carlerville is prohibited except as may be authorized by special concession granted by the City of Carlerville, but the provisions of this Chapter shall apply to all boats and crafts permitted by special concession, and all such concession boats or crafts shall be inspected from time to time during their period of operation on Lake Carlerville. Any such boats or craft failing to have adequate life preservers in place as when licensed or otherwise failing to pass inspection shall be made to comply with the provisions of this Code before further operation. No individual operator or employee of anyone operating any boat unless he is physically fit for such duty, has adequate knowledge of the boat mechanism, is familiar with the laws, rules and regulations for the operation of boats on Lake Carlerville and with the commonly approved safety regulations and measures to be used in case of accident or emergency, including instruction of passengers in the use of safety equipment and their conduct in

case of emergency. Each such operator or employee shall at all times be subject to examination and approval by the City as to such qualifications; and any determination by the City as to such qualifications shall be conclusive.

19-1-15 STEERING; SAILING RULES. The following steering and sailing rules shall govern the use and operation of boats on Lake Carlerville.

Rule 1. When **two (2) sailing boats** are approaching one another so as to involve risk of collision, one of them shall keep out of the way of the other as follows, namely:

(a) A boat which is running free shall keep out of the way of a boat which is closehauled.

(b) A boat which is closehauled on the left tack shall keep out of the way of a boat which is closehauled on the right tack.

(c) When both are running free, with the wind on different sides, the boat which has the wind on the left side shall keep out of the way of the other.

(d) When both are running free, with the wind on the same side, the boat which is to windward shall keep out of the way of the boat or craft which is to leeward.

Rule 2. When **two (2)** motor or engine driven boats are meeting end on, or nearly end on, so as to involve risk of collision each shall alter her course to right, so that each shall pass on the left side of the other.

Rule 3. When **two (2)** motor or engine driven boats are crossing so as to involve risk of collision the boat which has the other on her own right side shall keep out of the way of the other.

Rule 4. When a motor or engine driven boat and a sailing boat are proceeding in such directions as to involve risk of collision the motor or engine driven boat shall keep out of the way of the sailing boat.

Rule 5. The meeting or crossing of **two (2) boats** propelled by oars or muscular power shall be governed in the like manner as to motor boats under Rule 2 and Rule 3.

Rule 6. When a sailing boat or motor or engine driven boat meets, crosses the course of or overtakes a boat propelled by oars or muscular power, the sailing or motor or engine driven boat shall keep out of the way of the other.

Rule 7. Where, by any of the rules herein prescribed, one of **two (2) boats** shall keep out of the way, the other shall keep her course and speed.

Rule 8. Every motor or engine driven boat which is directed by these rules to keep out of the way of another boat, shall on approaching her, if necessary, slacken her speed or stop or reverse.

Rule 9. Notwithstanding anything contained in these rules every boat or craft overtaking any other shall keep out of the way of the overtaken boat or craft.

Rule 10. In obeying and construing these rules due regard shall be had to all dangers of navigation and collision and to any special circumstances which may render a departure from the above rules necessary in order to avoid immediate danger.

Rule 11. Nothing in these rules shall exonerate any boat or craft, or the owner or operator thereof, from the consequences of any neglect to keep a proper lookout, or of a neglect of any precaution which may be required by the exercise of due care and caution or by the special circumstances of the case.

Rule 12. No boat or craft shall collide with, run against, strike, injure, deface or damage any buoy, stake, sign, piling or other structure installed by the City or with the City's consent, or be anchored or moored so as to obstruct the view of any buoy or navigation sign or signal.

(a) No boat or craft commonly known as a houseboat or craft on which the occupants have sleeping accommodations or remain more than a few hours, shall be permitted on the Carlinville Lake.

(b) No boat or craft used or operated on Lake Carlinville shall be equipped with toilet facilities without a special permit in writing from the City therefor, and maintenance and operation of special equipment for the storage of all wastes and disposal thereof on shore, all in a manner approved by the City.

(c) Persons using or operating any boat or craft on the waters of Lake Carlinville shall do so in such a manner as not to create any unsanitary condition in or about said waters and shall not pollute said waters by the discharge, in any material amount, of oil or other polluting liquor or solid tending to make said waters unwholesome or unfit for water supply purposes or injurious to the aquatic life thereof.

(d) No boat or craft shall be used, or operated, nor any horn, or sound device so as to create a nuisance or disturb the peace or quiet of any neighborhood.

(e) The City shall at all times have power and authority to prohibit, restrict or otherwise limit or regulate the keeping, maintenance or operation of any or all boats and craft on the waters of the reservoir should it become necessary to do in the interest of the public health or safety, or for the protection or improvement of Lake Carlinville or other cause.

(f) Any boat or craft found abandoned or adrift in Lake Carlinville or any unlicensed boat or craft thereon shall be taken up by the City and the City shall have a lien thereon for all license fees therefor and the expenses of taking, towing, keeping, advertising and selling of the same and for all damages caused by such craft to property of the City and may enforce such lien by advertisement and sale of such craft in like manner as chattel mortgages may be foreclosed under the laws of this State. Nothing herein shall be construed as exonerating the owner or operator of any boat or craft from personal liability to the City, or any other person, for any damage or injury caused by such boat or craft.

19-1-16 LAUNCHING SITE. The City will designate a launching site from which all boats and crafts entering Lake Carlinville will be launched. The City reserves the right to limit or deny access to the boat ramp at the Carlinville Lake Campgrounds during the time period of **November 1** to **March 31**. Boat and craft owners launching on any other site may have their boat license suspended or revoked by the City.

19-1-17 **VOLUNTARY LAKE PATROL.** The City, by its Mayor and upon an approval by the Council, may appoint persons of reputable character interested in boating at Lake Carlinville and familiar with boats and boating mechanisms as members of a voluntary lake patrol. The duties of said patrol to be set out by the Mayor with the approval of the Council.

19-1-18 **WATER SKIING.** Boats pulling skiers and the skiers themselves are required to stay **one hundred (100) feet** from the shore line. Skiers are required to move in a counterclockwise traffic pattern upon the Lake. Skiers violating the provisions of this Chapter, or not conducting themselves in the proper manner may be directed to cease their skiing activities by an agent of the City. Skiers are required to wear a life jacket or life belt. If the skier falls in the water, he is required to hold up one ski. It is required that **two (2)** competent persons be in the boat in addition to the skier, one to watch the skier and the other to take care of the boat. Skiers are required to leave the water **thirty (30) minutes** before sundown and no skiing is allowed after this time.

19-1-19 **LIQUOR; DRUGS; DISREGARD FOR SAFETY.** No person who is a habitual user of narcotic drugs or who is under the influence of intoxicating liquors or narcotic drugs shall operate any outboard motor boat or craft on the waters of Lake Carlinville. No person shall operate any boat or craft with a willful or wanton disregard for the safety of persons or of property.

19-1-20 **FISHING.**

(A) No person over the age of **sixteen (16) years**, or other person required to be licensed by the laws of Illinois, now or hereafter, shall take, catch, or attempt to take or catch any species of fish, frogs or turtles, without a State of Illinois fishing license, in full force and effect, issued to said person and in his possession. All persons shall strictly adhere to the Game and Fish Code of the State of Illinois, and the amendments thereto. **(Ord. No. 1565; 02-18-08)**

(B) The privilege of fishing in the Reservoir or any part thereof may be suspended by the City at any time.

(C) The posting of any authorized sign on any part of said Lake shall suspend the privilege of fishing at such location.

(D) Fishing within **one hundred (100) feet** of the dam or spillway is prohibited.

(E) Jug fishing is not permitted at Carlinville Lake I and Carlinville Lake II. **(Ord. No. 1612; 07-19-10)**

19-1-21 **PICNICKING; CAMPING.** Picnicking and camping are prohibited on said Lake except:

(A) Upon such portions of said marginal land and at such times as may be designated by the City for such purpose or purposes.

(B) By any custodian or custodians of the marginal land, their families and guests upon such portions of the marginal lands as may have been leased to them.

(C) Any person picnicking or camping or making other use of said marginal land shall keep the premises neat and clean, pick up and remove in a sanitary manner all paper, garbage, rubbish, debris, and before leaving the premises put out any fire made by them.

(D) Any person camping shall not abandon camping equipment or leave it unattended for **twenty-four (24) hours** or more, and camping equipment may not be placed on any campsite before actual occupancy.

(E) Quiet shall be maintained in all areas at Lake Carlinville between the hours of **ten o'clock (10:00) P.M.** and **six o'clock (6:00) A.M.**

(F) Persons camping at Lake Carlinville shall pay the following fees: Seasonal campsites are **Eight Hundred Seventy-Five Dollars (\$875.00)** for sites with less than 50 amp service and **One Thousand Dollars (\$1,000.00)** for sites with 50 amp service, for the period from **April 1** to **October 31** of each year, due and payable on or before **April 1**. After **July 15**, the cost of said campsites is **Four Hundred Fifty Dollars (\$450.00)** for sites with less than 50 amp service and **Five Hundred Seventy-Five Dollars (\$575.00)** for sites with 50 amp service. A refund may be requested on a forfeited spot prior to **July 15**. All refunds are at the discretion of the City, and no refund will be in an amount greater than **Four Hundred Dollars (\$400.00)**. The title owner of the camper assigned to the site must also be the name on the seasonal campsite agreement. If a Lessee pays **Two Hundred Dollars (\$200.00)** as a winter storage fee before **November 1**, a Lessee may store a camper only on a spot designated by the City from **November 1** until **March 31** of the following year. Upon lease termination by either party, said person have **thirty (30) days** to remove property from the leased lot. Otherwise, it becomes property of the City. The City has the right to clean up and send the Lessee the bill. **One (1) tent** is permitted per seasonal campsite. Proof of insurance must be provided at time of payment and must be carried at all times. No outside freezers and refrigerators are allowed. Absolutely NO telephone service wired direct to any camper other than the Lake Caretaker's office. **(Ord. No. 1623; 03-07-11)**

(G) Temporary camping is available on a first-come, first-serve basis at said rate of **Twenty Dollars (\$20.00)** per night for sites with water and electrical hook-ups, and **Fifteen Dollars (\$15.00)** per night per tent for sites without hook-ups. **(Ord. No. 1623; 03-07-11)**

(H) All campers shall be positioned in a direction so that the hookup is accessible for emergency pull out. Electric and water hook-ups must be physically disconnected and all external furniture must be stored when campsite is not in use so as to prevent wind damage to other units. Lessee shall be responsible for the maintenance of the rental site. **(Ord. No. 1542; 03-19-07)**

(I) Lessee and Lessee's guests are responsible to follow the posted speed limit at all times. **(Ord. No. 1542; 03-19-07)**

(J) No "Gray" water discharge will be allowed at any time. Anyone caught discharging gray water may be asked to leave the park without a refund of fees.

During the Camping Season:

(1) Firewood must be neatly stored off the ground and adjacent to the camper unit.

(2) Waste materials must be kept clear of the site and deposited into the dumpsters provided.

(3) Air conditioners and heaters must be turned off when the unit is unoccupied for more than **twenty-four (24) hours**.

(4) All other permanent structures shall be stand-alone, not affixed to the camper. Structures must have committee approval prior to construction.

(5) No telephone service is allowed to be hard-wire connected to any site except the office.

(6) Noise loud enough to disturb other campers after **10:00 p.m.** is not permitted.

(7) Properly licensed watercraft may be parked on the campsite or on the public lot adjacent to the boat launch, or temporarily moved to the north of the boat launch.

(8) Public intoxication, indecent behavior, wanton disregard for public safety, or recurring abuses are grounds for ejection from the Campground and may be subject to criminal prosecution. Campers are responsible for the behavior of their guests.

(9) The Zeke Building will be opened by the Manager only. Any exception will be at the discretion of the Manager. The building and all its contents are open to the public. All contents must remain inside the building. Patrons of the building are responsible for cleanup, trash removal, replacement of items used, closing of windows, and shut down of lighting and fans.

(10) The Zeke Building can be closed to the public for private parties for a **Seventy-Five Dollar (\$75.00)** fee. An additional deposit of **Seventy-Five Dollars (\$75.00)** will be returned upon the Manager's inspection and approval.

(11) Disregard for any of the above rules are grounds for ejection at the Manager's discretion.

19-1-22 **PROTECTION OF BIRDS; 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 on said Lake or marginal land.

19-1-23 **DOGS, CATS AND PETS.** Dogs, cats and pets are prohibited in recreation and picnicking and camping areas at Lake Carlerville unless they are caged or on a leash no longer than **six (6) feet** at all times. At no time are dogs, cats and pets permitted on the beach areas. Campers are responsible for the noise pollution caused by their pets. Violators of this could be asked to leave at the Manager's discretion.

19-1-24 **FIREARMS.** No person shall fire or discharge any firearm of any description within the limits of said marginal land, but the City may license or authorize any person to use firearms, traps or other means to destroy any predatory or otherwise undesirable bird or aquatic life.

19-1-25 **SKATING; ICE BOATING.** No person shall skate or use any ice craft upon any of the ice of the reservoir, except at their own risk.

19-1-26 **ICE CUTTING PROHIBITED.** No ice cutting shall be permitted in or upon the water or ice of the reservoir.

19-1-27 **FIRES.** No fires should be lighted or used on the marginal land, except at such places as may be designated by the City for such purposes, and except by any custodian on the marginal land leased by him. Campfires must be confined to fire-pits already established at each site and be completely extinguished and all waste materials cleaned before leaving. Firewood must be neatly stored off the ground and adjacent to the camper unit.

19-1-28 **FIREWORKS; BALLOONS.** No fireworks or balloons shall be lighted or set off on said lake or marginal land, except under the supervision of, or special permit from the City.

19-1-29 **INJURY TO PROPERTY.**
(A) 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, or deface any tree, shrub, plant, turf, grass, statue, bust, lamp post, hydrant, regulating device, transformer, meter, wire, wiring, pole, curbstone, capping, flagstone,

fence, wall, bridge, balustrade, railing, bench, building, or other structure of any kind or property or take down, alter, mar, move, injure, or destroy any sign, trailmarker, placard, notice, post, pile or buoy posted or placed or growing by the City or authorized to be posted or placed by the City, on said lake and marginal land, or drive any motor car, vehicle or craft in such manner as to cause the same to deface or damage any such property.

(B) No person shall open any fire hydrant of the City except duly authorized firemen or agent of the City.

19-1-30 BUSINESS ESTABLISHMENTS. Unless duly authorized in writing by the City, no person shall maintain or operate any 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.

19-1-31 PEDDLING; BEGGING. No person shall beg, solicit alms or do anything pertaining to soliciting, peddling or hawking on said lake or marginal land.

19-1-32 ADVERTISING. The erection or maintenance of any sign or bill poster, the posting of or placing of any advertising poster, placard or card or the distributing of any advertising matter by handbills, or otherwise, on said lake except signs posted by the City is prohibited.

19-1-33 PROHIBITED GROUNDS. No person shall go upon any portion of said lake or marginal land whereby a sign or notice, posted or authorized to be posted by the City, persons are prohibited from going or doing.

19-1-34 TRAFFIC REGULATION; SIGNS; 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.

19-1-35 TRESPASSING VEHICLES. No vehicle shall be driven upon any part of said lake or marginal land except:

(A) Upon roadways and parking places constructed or designated by the City for such use; and except;

(B) By any custodian upon lands leased by him.

19-1-36 **PARKING.** No vehicle shall be permitted to stand in any of the following places 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 any authorized sign.

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

(C) 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.

(D) It shall be unlawful for any individual to park any motor vehicle along the roadways in the campgrounds or on any other areas in the park except those designated for parking.

Any individual convicted of violating **Sec. 19-1-36(D)** shall be subject to a fine of **Ten Dollars (\$10.00)** for each and every violation.

19-1-37 **SPEED.** No person shall drive a motor vehicle upon any boulevard, road, driveway or parkway at a speed that is 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 said location, said rate of speed shall be prima facie evidence that the person operating said 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.

Driving motor bikes, snowmobiles or any other recreational vehicles within developed recreational sites, except where otherwise designated by appropriate signs, is prohibited. The driving of such vehicles for any purpose other than access to or egress out of the site also is prohibited.

The operation of a motor vehicle at any time without a muffler in good working order or operating a motor vehicle in such a manner as to create excessive or unusual or annoying smoke, or using a muffler cut off or by-pass or similar device, is prohibited.

19-1-38 **DISORDERLY CONDUCT.** The operation or use of any radio or noise-producing device in such a manner as to unreasonably annoy or endanger persons in any place at Lake Carlerville is prohibited. No person shall commit in public any indecent, lewd or filthy act, or use any threatening or obscene language or make any indecent gesture, movement, or make any indecent exposure of his or her person, solicit, sell or offer to sell, give away or offer to give away, or have in his or her

possession or display or exhibit in public any obscene or indecent book, pamphlet, paper, drawing, picture, model or any article for indecent or immoral use at Lake Carlinville. Violators of these rules shall be asked to leave at Manager's discretion. Campers are responsible for the behavior of their guests.

19-1-39 INTOXICATION. No intoxicated person shall enter or remain in or around said lake or public grounds or marginal land. Violators of this rule shall be asked to leave at Manager's discretion. Campers are responsible for the behavior of their guests.

19-1-40 LAKE POLICE OFFICERS. It shall be the duty of police officers of the City and such special police as may be designated or appointed, to enforce the provisions of this Chapter. The City has the right to refuse anyone accommodations based on previous behavior. The resident manager acts as agent for the City and is available at the campground office.

19-1-41 HUNTING PROHIBITED. It shall be unlawful to hunt waterfowl on Lake Carlinville, but will be permitted on Lake Carlinville II in accordance with the applicable regulations in **Article II.**

19-1-42 LEASED PROPERTIES. The following rules shall govern the subdivision properties leased by the Lessee from the City.

(A) Lessee shall keep all of the leased premises in sanitary condition, decent, neat and free from noxious weeds and debris, and shall maintain all improvements thereon attractive in appearance and in good repair.

(B) Lessee shall install, use and maintain in sanitary condition such toilet, sewage, garbage, ash, and refuse facilities for the storage, treatment or disposal of solid or liquid waste as may be approved or required by the City, the State Department of Public Health or other public authority in charge of sanitation and public health. Lessee will allow the City to have all septic systems inspected at will and make immediate repairs as deemed necessary. Whenever sewer connections are made available to the leased premises and it is ordered by the City that connections are made therewith, the Lessee will connect with such sewer, all water closets, sinks and drains on the leased premises in the manner approved by the City. No gray water discharge is allowed at any time.

(C) Lessee shall be allowed to store one boat and trailer on the leased premises. No outside refrigerators or appliances of any kind are permitted on leased premises. No camping trailers other than the approved primary residence are permitted on the leased premises.

(D) Lessee shall care for and protect from injury all shade and ornamental trees, shrubbery and sod, and shall not remove, trim or permit the removal or trimming of any tree more than **three (3) inches** in diameter without the consent of the City, nor permit any of the premises to be denuded of vegetation or to be cultivated in such a manner as to cause or permit soil erosion.

(E) Lessee shall comply with all rules, regulations and ordinances of the City relating to the premises and to said lake and surrounding lands and will not permit any violation thereof by any member of his/her family, guests, or any other person permitted access thereto by the Lessee, his/her family or guests, and the Lessee will not do, use or permit on or near the premises anything in violation of any state, federal or municipal law or the regulation or requirement of any public authority nor cause or permit any objectionable noise or odor to be emitted from the premises; nor permit on the premises any domestic livestock, poultry or noisy or dangerous dog; nor use or permit the premises to be used for any immoral or illegal purposes; nor do or permit anything to be done or remain on the premises or in/on said lake in any way tending to pollute the waters thereof or to create a nuisance or disturb the peace or quiet of the neighborhood or annoy any occupant or neighboring property.

(F) During the term of this lease, Lessee shall pay to Lessor the rent provided for in the signed lease.

(G) The Lessee shall also be responsible for and pay to the Lessor an annual fire protection fee of **Seventy-Five Dollars (\$75.00)**.

(H) The City reserves the right to refuse a lease to anyone.

(I) Upon lease termination by either party, said person has **thirty (30) days** to remove property from the leased lot. Otherwise, it becomes property of the City. The City has the right to clean up and send the Lessee the bill.
(Ord. No. 1622; 03-07-11)

19-1-43 **VIOLATION.** Any person violating any of the provisions of this Chapter shall be deemed guilty of a misdemeanor. All fines and penalties recovered or received for the violation of this Chapter shall be paid to the City and used for the policing, care, supervision, maintenance and improvement of said lake.

(Ord. No. 1523; 04-03-06)

ARTICLE II

LAKE CARLINVILLE II

DIVISION I – BOAT REGULATIONS

19-2-1 **BOATS PERMITTED.** Bass boats of plastic, aluminum or steel construction not exceeding **twenty (20) feet** in length and canoes shall be allowed on Carlinville Lake II during the designated fishing hours from time to time established. Said boats or canoes shall be allowed to have electric trolling motors of any thrust rating. The use of gasoline motors is prohibited. No such boat or canoe shall be used on Lake Carlinville II until the owner thereof shall have complied with the laws of the State of Illinois in relation to boat ownership and boat operation, and until the owner thereof shall have registered such boat or canoe and secured a written license and registration number from the City based upon a written application setting for the length and draft of such boat or craft and such other and further information as the City may from time to time require. Such license, when granted, shall be in writing and shall be further evidenced by an official registration number plate or marker to be furnished by the City if the City desires to do so to the license, and such plate or marker or boat identification shall be uniformly placed in such conspicuous position on the boat or canoe as may be designated by the City and such boat license shall be exhibited on request to any agent, representative, or policeman of the City.

(A) **Duck Blind Exception.** Boats not exceeding **twenty (20) feet** in length with outboard motors not exceeding **fifty (50) horsepower** may be used for the building and the removal of the duck blinds and for transportation to and from the duck blinds on the days allowed for hunting. Boats will be allowed to be moored at the water's edge only during the duck season. Boats left moored at the lake will be strictly at the owner's responsibility. The City of Carlinville will not be responsible for any loss or damage to property left on lake property. **(Ord. No. 1648; 10-17-11)**

19-2-2 **TYPE OF LICENSE REQUIRED.** The type of license required to be obtained by the City with respect to a boat to be placed on Carlinville Lake II shall be either a Class A license described in **Section 19-1-8** of the Revised Code of Ordinances or a special written permit for a period of **one (1) day** at a cost of **Ten Dollars (\$10.00)**.

19-2-3 **REGULATIONS AND LAUNCH AREA.** The boats and/or canoes authorized to be placed on Lake Carlinville II shall only be launched from or at the designated launch area and shall be subject to all other rules and regulations from time to time established by the Lake Committee or the City Council.

19-2-4 **FLOATING BLINDS.** (Deleted by Ord. No. 1420)

19-2-5 - 19-2-10 **RESERVED.**

DIVISION II - HUNTING

19-2-11 **COMPLIANCE.** A person may hunt waterfowl upon Lake Carlinville II or the marginal lands thereof only upon those days designated for hunting waterfowl by the Illinois Department of Conservation and only when in compliance with the Game Code of Illinois and the following provisions.

19-2-12 **BLIND SITES AND DEPOSITS.** The City shall designate the location of blind sites by use of a stake, and each site will be numerically designated; blind sites are obtained annually only by City water users at a drawing for site numbers in the office of the Clerk, subsequent to **five (5) days'** public notice having been given of the time and place of the blind site drawing, and upon the payment of **Six Hundred Dollars (\$600.00)** annual fee for each blind site to the Clerk, which is non-refundable. Each blind site shall be registered to the name of **three (3)** eligible persons. All blinds shall be constructed within **fifty (50) feet** of the designated stake with numbered marker; it shall be unlawful for any person to construct or use any blind within **two hundred (200) yards** of any other blind. **(Ord. No. 1648; 10-17-11)**

19-2-13 **CONSTRUCTION AND REMOVAL OF BLINDS.** There will be allowed floating blinds only and the construction or the placement of the blinds on the lake shall not begin prior to **September 15** of each year. Blinds must be of a size large enough to accommodate **seven (7) hunters** and suitable blind area provided for concealment of a hunting boat where necessary. Blind construction must be of a sufficient sturdiness to provide adequate strength to withstand daily usage. Persons constructing blinds shall be required to maintain blinds in a proper state of repair during the hunting season. The blinds will be allowed to remain anchored on Lake Carlinville from **October 1** until the end of **two (2) weeks** after the close of the waterfowl season of each year unless a time extension is obtained in writing from the Lake Committee. Within the said **two (2) week** period or any other extension of time granted by the Lake Committee, the blinds will be removed from the blind site and the site cleared and cleaned up completely. All brush and debris used on the blind site shall be removed completely from the lake and surrounding property owned by the City. If a blind is not removed and cleared and cleaned as required above to the satisfaction of the Lake Committee within the required time period, the hunting privileges at Carlinville Lake and the privilege of being in any blinds at Carlinville Lake of each of the persons to whom the blind is registered shall be suspended for at least **three (3) years** by the Lake Committee. **(Ord. No. 1648; 10-17-11)**

19-2-14 MANAGEMENT; CONTROL OF BLINDS. The members of the Council appointed to and serving on the Lake Committee along with the Mayor and Clerk shall manage and control the designation of blind sites, construction of blinds, and allocating of said blinds by formulating rules and regulations consistent with the provisions of this Chapter but in addition thereto.

19-2-15 HUNTING WATERFOWL. All hunting of waterfowl shall be from blinds only. Scull boat hunting shall be unlawful.

A mailbox will be placed at the boat launch area of Lake Carlinville. All hunters must sign in before hunting and must sign out when leaving.

19-2-16 FIRE AND GARBAGE REGULATIONS. It shall be unlawful for any person during the open season to build any fire in the blinds or in the waterfowl hunting area except in stoves or in closed firepots.

All garbage shall be cleaned up and removed from the blind on a daily basis and shall not be disposed of on City property or in any garbage containers located at Lake Carlinville.

19-2-17 COMMERCIALIZATION; BLIND REGULATION. No commercialization of hunting rights, blinds or privileges, either directly or indirectly shall be permitted at Lake Carlinville, no person shall construct more than one blind, and such blind shall be identified by a registration card fastened to the blind giving names and addresses of persons constructing such blind. Only **three (3) hunters** shall be permitted to register in one blind. No blind may be occupied by more than **seven (7) hunters** at any one time. Blinds shall not be locked. **(Ord. No. 1648; 10-17-11)**

19-2-18 ASSUMING RIGHTS TO BLIND. It shall be unlawful for any person to assume or be granted exclusive rights to any waterfowl hunting blinds except that the person constructing blind for hunting purposes shall have the privilege to occupy such blind if said person is present and in the blind prior to **one-half (1/2) hour** before legal shooting time of each hunting day; after such time if blind is unoccupied by the person that constructed it, any person may occupy said blind and shall be privileged to its use until the end of the shooting hours for that day. **(Ord. No. 1555; 10-15-07)**

19-2-19 **INTOXICATING LIQUOR.** No intoxicating liquor shall be brought into or consumed upon the areas designated for hunting waterfowl or into the blinds. No person shall go into the areas or blinds designated for hunting waterfowl who is under the influence of alcohol or drugs.

19-2-20 **FISHING; TRAPPING; MINORS.** No fishing will be permitted on or adjacent to the waterfowl hunting areas during waterfowl season; no trapping of furbearers will be permitted on the waterfowl hunting areas during the waterfowl season; no person under **sixteen (16) years** of age shall be permitted on any of the designated areas unless accompanied by parent or guardian.

19-2-21 **VIOLATIONS AND SUSPENSION OF HUNTING PRIVILEGES.** Any persons violating the provisions herein are subject to being suspended indefinitely from being able to hunt waterfowl at Lake Carlerville and also from being in any of the blinds constructed and/or put on the lake. Prior to any type of a suspension, the offender shall be entitled to a hearing in front of the Lake Committee with a minimum of **five (5) days** notice of said hearing being given.

(Ord. No. 1523; 04-03-06)