

ORDINANCE NO.

**ORDINANCE ADDING CHAPTER 21, ARTICLE XI GOVERNING THE GENERAL
USE AND ACCESSIBILITY OF CITY SQUARE PROPERTY**

WHEREAS, the City of Joliet is a home rule unit of local government under the Illinois Constitution of 1970; and

WHEREAS, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for protection of the public health, safety, morals and welfare, and

WHEREAS, the Mayor and City Council of the City of Joliet, Illinois (City) has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect public health, safety, and welfare of its citizens; and

WHEREAS, the City of Joliet is revitalizing the downtown area for the benefit and enjoyment of all; and

WHEREAS, the Mayor and City Council recognize their role in facilitating the successful revitalization of the downtown area; and

WHEREAS, the Mayor and City Council have determined that it is necessary to create a General Use Ordinance for the City Square property located in the heart of downtown Joliet; and

WHEREAS, the Mayor and City Council recognize that City Square property should be regulated to promote the health, safety, and welfare of its citizens.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF JOLIET, ILLINOIS, PURSUANT TO ITS STATUTORY AND HOME RULE AUTHORITY, AS FOLLOWS:

SECTION 1: The Mayor and City Council hereby find that the recitals contained in the remainder of this Ordinance are true, correct, and complete and are hereby incorporated into this Ordinance by reference.

SECTION 2: That Chapter 21, Article XI is hereby added as follows:

Sec. 21-152 - DEFINITIONS, CONSTRUCTION AND SCOPE

Alcohol means any substance containing any form of alcohol, including but not limited to ethanol, methanol, propanol, and isopropanol. *625 ILCS 5/6-500(1)*

All-Terrain Vehicle means any light utility vehicle or quad bike as defined by the American National Standards Institute, or any vehicle that travels on low pressure tires, with a seat for the operator, handlebars or steering wheel for steering control and that may or may not include seats for passengers.

Alternative Nicotine Product shall have the meaning ascribed under *720 ILCS 675/1.5(a)* and *Joliet Municipal Code Chapter 4, Article VI*: a product or device not consisting of or containing tobacco that provides for the ingestion into the body of nicotine, by chewing, smoking, absorbing, dissolving, inhaling, snorting, sniffing, or otherwise. This includes synthetic tobacco products which are intended to replicate tobacco and tobacco products.

City Square means a certain parcel of real property located in the City of Joliet, Illinois, Will County, Illinois, being described as follows:

Commencing at the westernmost sidewalk edge line along Chicago Street; thence west along the plaza to the eastern most face of the Ottawa Street Parking Deck; thence north to the southernmost sidewalk line along Clinton Street (or northern boundary of said property; thence south to the northernmost sidewalk edge line (or southern edge line of planter areas).

Together with all improvements thereon, including but not limited to public square spaces, sidewalks, paving, landscaping, seating, lighting fixtures, public art, and other permanent or temporary easements, and including any permanent or rights-of-way necessary for public access, utilities, staging, events, maintenance or service.

Total area is approximately the area encompassed by the above boundaries, as depicted on the City-approved “City Square Exhibit A” map, below.

Cannabis means any substance so defined in the Cannabis Regulation and Tax Act (*P.A. 101-0027*) and the Cannabis Control Act (*720 ILCS 550*).

Controlled Substance means any substance so defined in the Illinois Controlled Substances Act, *720 ILCS 570/100 et seq.*; “intoxicating compounds” shall include all substances listed in the Use of Intoxicating Compounds Act, *720 ILCS 690/0.01 et seq.*

Domesticated Animal means an animal kept within a household for purposes of companionship. Such animal shall be legally kept within the household pursuant to Joliet Municipal Code and Zoning Codes.

Drone means any aerial vehicle that does not carry a human operator. *725 ILCS 167/5.*

Electronic Smoking Device means any electronic and/or battery-operated device, the use of which may resemble smoking that can be used to deliver a dose of alternative nicotine product or vapor product as defined under *Joliet Municipal Code Chapter 4, Article VI.*

Emergency Vehicle means any vehicle used by emergency services (police, fire, medical) to respond quickly to incidents; equipped with special lights, sirens, and equipment to save lives, fight fires, or mitigate hazards, often authorized to bypass traffic laws when responding to calls for service.

Micromobility Device means a small, lightweight vehicle used for short urban trips, powered by humans, electricity, or a mixture of both, including but not limited to e-bikes, e-scooters, skateboards, and unicycles.

Open Air Meeting means any congregation of citizens held outdoors and upon any alley, highway, or any public way, or on any property belonging to or under the supervision or control of the city government for the purpose of hearing speakers or discussing some matter of common interest, where the number of participants expected may reasonably be assumed to exceed ten (10) persons; this shall include religious and political meetings.

Parade means a march, procession, or other similar activity consisting of persons, animals, vehicles, or things, or any combination thereof, upon a public street, sidewalk, alley, or other public place, which requires a street closing or otherwise requires stopping or rerouting vehicular traffic because the parade will not or cannot comply with normal and usual traffic regulations and controls. “Parade” does not include a political protest, march, demonstration, or other assembly protected by the First Amendment. *725 ILCS 167/5.*

Person means any individual, firm, association, partnership, corporation, or other legal entity, any public or private institution, the State of Illinois, or any municipal corporation or political subdivision. *510 ILCS 55/1.*

Property means all property which is not “real property,” i.e. any tangible or intangible item of monetary value, including but not limited to real estate, money, services, tickets, written instruments, utilities, vehicles, furniture, and personal effects. *720 ILCS 5/15-1 and 240 ILCS 10/2.*

Service Animal means a dog or miniature horse trained or being trained as a hearing animal, a guide animal, an assistance animal, a seizure alert animal, a mobility animal, a psychiatric service animal, an autism service animal, or an animal trained for any other physical, mental, or intellectual disability. *720 ILCS 5/48-8(a).*

Special Event means an event held on public or private property including, but not limited to, parades, festivals, block parties, athletic events, outdoor concerts, circuses, rodeos, firework displays, carnivals, movie or television productions, or other public meetings or events which significantly impact the City or meet some or all of the following criteria:

- (1) Closure of roads, streets, or city blocks;
- (2) issuance of multiple permits or leases;
- (3) use of City-owned property;
- (4) use of City services;

- (5) use of amplified sound; or
- (6) use of food truck(s).

Tobacco Product means any tobacco cigarette, cigar, pipe tobacco, smokeless tobacco, snuff, or any other form of tobacco which may be utilized for smoking, chewing, inhalation or other manner of ingestion as prescribed under *Joliet Municipal Code Chapter 4, Article VI*.

Under the Influence means affected by alcohol, cannabis, controlled substance, or any intoxicating compound, in any determinable manner. A determination of being “under the influence” can be established by a professional opinion or a scientifically valid test as proscribed under *625 ILCS 5/6-501*.

Wildlife means any animal not domesticated, living unconfined in a state of nature, without the care of man.

Sec. 21-153 - CONSTRUCTION AND SCOPE

This Ordinance governs and controls the use, management, and regulation of the City Square as described and depicted in Section 2-152 of this Ordinance. All applicable ordinances of the City of Joliet and all applicable laws of the State of Illinois apply to the City Square and to all activities conducted pursuant to this Ordinance.

Sec. 21-154 – CLOSURE AND OPERATIONAL POLICIES

(a) HOURS

Except as otherwise provided, City Square shall be open to the public daily from 7:00 a.m. to 10:00 p.m. from May 1 through September 30, and from 8:00 a.m. to 9:00 p.m. from October 1 through April 30. Hours may be extended for City-sponsored or permitted events as approved by the City Manager or designee to support programming, public safety, and community use.

(b) SPECIAL CLOSINGS

The City Manager or their designee may close City Square or any part thereof to the public at any time and for any interval of time, either temporarily or at regular intervals, and either entirely or to certain uses, as deemed advisable and in the best interest of the public and City of Joliet.

(c) USE OF CLOSED PROPERTY PROHIBITED

No Person shall use, occupy, be in, or remain upon City Square or leave any personal property in or upon City Square, when City Square is closed to the public, or after closing hours, unless permission has first been obtained from the City. The City maintains the authority to close City Square from time to time; such closure shall be posted on City-managed communication channels a reasonable time in advance of such closure.

(d) SCHEDULES, FEES, RULES, AND REGULATIONS

Time schedules for the operation of, and the activities to be conducted on City Square, and permitting requirements, and program fees may be reviewed and approved periodically by the City Manager or their designee. The City Manager or their designee may establish policies, rules and regulations for proper conduct by individuals or organizations utilizing City Square. Should any

permit-holder or individual violate any rules prescribed herein, the City Manager or their designee maintains the authority to revoke any permit or license at any time.

Specific policies, rules and regulations pertaining to City Square and programs may be posted at or on the applicable property or published across any City-managed communication channels or otherwise made available to the users of City Square, who shall be charged with actual knowledge and shall obey or comply with all such policies, rules and regulations. All individuals and organizations shall abide by all City Square policies, rules and regulations and with the direct orders or requests of employees and agents of the City.

(e) DISPLAY OF PERMIT OR LICENSE

Every person or agency shall produce or display the applicable permit, license, or contract when requested to do so by the Joliet Police Department, Joliet Fire Department, other law enforcement agency with jurisdiction, or City of Joliet Employee for the purpose of enforcing compliance with all local ordinances, State and Federal Statutes when such permit, license, or contract is required to engage in activity within City Square.

Sec. 21-155 - LOST, FOUND, AND ABANDONED PROPERTY

- (a) No Person shall abandon any property within City Square.
- (b) Property left unattended or property suspicious in nature that interferes with any visitors' safety, orderly management of City Square, constitutes a nuisance, or presents a threat to City Square resources may be impounded or removed by the City at any time and disposed of in any manner deemed appropriate by the Joliet Police Department. The owner of such property shall be responsible and liable for all costs and expenses associated with the impounding, removal, storage, or other disposal of the property.
- (c) Property that has been impounded or found shall be stored depending on space available, the storage period for said property may vary considerably. All property not claimed shall be disposed of in the same or similar manner as found property is disposed of under the Joliet Police Department General Orders.

Sec. 21-156 - PROPERTY USE

No Person shall use any portion of City Square for an event or activity which is not conducted or sponsored by the City unless a permit has first been obtained from the City in accordance with Chapter V of this Ordinance or a license agreement has been executed with the City. All persons utilizing City Square shall comply with the provisions of this Ordinance and with the provisions and conditions of the permit or license agreement along with all other Joliet Municipal Codes, and State and Federal Statutes.

Sec. 21-157 - INTERFERENCE WITH OTHER USERS

No Person shall walk, act, or conduct themselves upon any portion of City Square designated for a particular game, sport, event, amusement or other use in such a way as to interfere with the use of such portion by other Persons who are properly using the same for the particular game, sport, event, amusement or other use for which it has been designated, nor create a public nuisance (e.g., noise, litter) nor unreasonably obstruct or impede the use of City Square.

Sec. 21-158 SPECIFIC RESTRICTIONS ON CONDUCT

(a) COOPERATION WITH AUTHORITIES

A person involved in an incident on City Square resulting in personal injury or property damage shall report the incident to the Joliet Police Department or any local law enforcement agency with jurisdiction within twenty-four (24) hours of occurrence.

(b) ALCOHOLIC LIQUOR

- (1) No person under the influence of alcoholic liquor shall enter into, be, or remain within City Square.
- (2) No person, other than the City or its agent, shall sell or deliver any alcoholic liquor within City Square, unless said Person has first obtained applicable permits, licenses, or contracts from the City or County.
- (3) No person shall distribute, provide or allow any person under 21 years of age to possess or consume alcoholic liquor within City Square. No person under the age of 21 years of age shall possess or consume alcoholic liquor within City Square.
- (4) No person shall bring, possess, consume, take, use, or transfer any alcoholic liquor within City Square without having first obtained the necessary permit, license, or contract from the City unless they are in or on City Square where the possession, consumption, use, or transfer of alcoholic liquor is permitted.
- (5) Every person possessing, using, consuming, or transferring alcoholic liquor pursuant to this section, shall be subject to and comply with *Chapter 4 of the Joliet Municipal Code*, the *Liquor Control Act of 1934* and all other applicable local ordinances, and State and Federal Statutes regarding possession, use, consumption, or transfer of alcoholic liquor.

(c) CONTROLLED SUBSTANCES, CANNABIS, AND TOBACCO

- (1) Except in connection with a valid prescription, no person under the influence of any controlled substance or cannabis shall enter, be, or remain within City Square unless they are following Joliet Municipal Codes and State and Federal Statutes regarding cannabis or controlled substances.
- (2) No person under the age of twenty-one (21) shall purchase, possess, consume or transport cannabis or controlled substances within City Square.
- (3) Except in connection with a valid prescription or except when legally permitted under the *Illinois Cannabis Control Act*, no person shall bring into, possess, consume, take, use, sell, or transfer any cannabis within City Square.

- (4) Except in connection with a valid prescription, no Person shall possess, bring into or use drug paraphernalia, except when legally permitted under the *Illinois Cannabis Control Act*, within City Square, with the intent to use it in ingesting, inhaling or otherwise introducing cannabis or a controlled substance into the human body, or in preparing cannabis or a controlled substance for that use.
- (5) No person shall smoke or otherwise ingest tobacco or tobacco related products on the turf located throughout City Square. No person shall distribute, place, leave, throw or scatter tobacco or tobacco-related products in or upon City Square except for in appropriate trash receptacles.

(d) WEAPONS

- (1) Other than as permitted by State law concerning storage and transport of a firearm, no person while within City Square shall possess on or about their person, concealed or otherwise, including but not limited to, any firearm, stun gun, taser, bow and arrow, switchblade knife, sword, martial arts weapon, bludgeon, metal knuckles, or device capable of discharging a projectile or harmful chemical substance, or any weapon, instrument, or substance of like character or design.
- (2) While within City Square, no person shall carry or possess with the intent to use the same unlawfully against another, a dagger, dirk, billy, knife, razor, broken bottle, or other piece of glass, or any other dangerous weapon or instrument of like character. Nothing contained herein shall be construed to prevent any Joliet Police Officer, or any other duly sworn peace officer, from carrying such weapons as may be authorized and necessary in the discharge of their duties.
- (3) In accordance with both the FOID Act and Firearm Concealed Carry Act, no person shall possess on or about their person, concealed or otherwise, any firearm, stun gun, taser, bow and arrow, switchblade knife, sword, martial arts weapon, bludgeon, metal knuckles, or device capable of discharged a projectile or harmful chemical substance, or any weapon, instrument, or substance of like character or design on City Square Property during the time where there is a permitted event on the property.

Scope. This section expressly adopts *430 ILCS 65* (FOID Act), *430 ILCS 66* (Firearm Concealed Carry Act), *Chapter 21 of the Joliet Municipal Code*, and all other applicable State and Federal Statutes in their current form and as they may be amended from time to time.

(e) ANIMALS

- (1) No person shall bring or release onto City Square any wildlife, including without limitation, any animal the capture or killing of which is authorized by the fish and game laws of the State of Illinois, or any other animal, except for service animals subject to the restrictions contained in this section.

- (2) The City may bring, release, or permit another person to bring or release such proscribed animals onto City Square in conjunction with an activity or event conducted, sponsored or permitted by the City or in conjunction with a zoo, museum, nature center, or similar facility controlled, permitted or licensed by the City.
- (3) No person shall feed any wildlife on City Square.
- (4) No owner or person having control of any domesticated dog, cat, or any other domesticated animal shall cause or permit such animal to be within City Square at any time or for any reason other than those animals governed under the Illinois Service Animal Access Act 720 ILCS 5/48-8 and the White Cane Law 775 ILCS 30/4, and the Americans with Disabilities Act of 1990, 42 U.S.C. §12101 et seq. (1990).
- (5) Any animal found on City Square in violation of subsections (a) through (d) may be apprehended, removed to an animal shelter, public pound, or other place provided for that purpose, and disposed of pursuant to *Chapter 6 of the Joliet Municipal Code*, and State or Federal Statutes. The owner or person responsible for such animal shall be responsible for all costs and expenses incurred or encumbered in the removal and housing of such animal and such charge shall be in addition to and not in lieu of any other penalties provided for in the Joliet Municipal Code and State or Federal Statutes.

(f) BEGGING AND PANHANDLING

No person within City Square shall obstruct or impede pedestrians; harass City Square visitors with physical contact or persistent demands; misrepresent their affiliations; misrepresent what the solicited funds will be used for; or interfere, interrupt, or engage in conduct incompatible with the purpose of any program, activity, function, and/or special event conducted, sponsored licensed or otherwise permitted by the City Square; or coerce or intimidate another person into giving money, goods or services.

(g) CAMPING AND SLEEPING

No person shall place, erect, or use any hammock, swing, tent, shelter or any other type of temporary or permanent camping equipment or otherwise camp in any manner within City Square.

- (1) No person shall sleep on benches, stages, tables, sidewalks, or other City Square property.
- (2) No person shall use City Square in a manner designed or calculated to act as a substitute for a residence or means of support.

(h) FIRES AND PYROTECHNICS

Scope. This section expressly adopts *Chapter 8, Article IV and Chapter 21 of the Joliet Municipal Code* and all other applicable State and Federal Statutes in their current form and as they may be amended from time to time.

(i) DUMPING, SANITATION, LITTER

- (1) No person shall litter, cast, throw, drop, leave, scatter, place, pile, or otherwise dump or deposit in any manner any kind of dirt, rubbish, placard, handbill, pamphlet, circular, book, notice, flyer, other promotional material, paper of any kind, ashes, garbage, waste material, snow, ice, or other substance, whether liquid or solid, or any other refuse in or upon City Square, except as specifically permitted by the City.
- (2) The organization, individual, or business who obtains a permit to host an event within City Square shall be solely responsible for the removal of all trash and general clean-up of the property at the end of such event. Failure to comply with this provision may result in fines, penalties, and the inability to obtain future permits.
- (3) Paper, glass, cans, bottles, garbage and other refuse arising from lawful use of City Square shall be deposited in receptacles provided by the City for that purpose. Where receptacles are not provided, are missing, or are full to capacity, all such garbage, refuse, or other material shall be carried away from the area of use by the person responsible for its presence and properly dispose of it elsewhere. No person shall place household garbage, yard or construction waste, trash, rubbish or other matter generated outside of City Square into garbage receptacles provided by the City. No person shall discard, store, leave, or pile any form of yard waste, grass clippings, tree or shrub trimmings or any other form of landscape waste on City Square.
- (4) No person shall urinate or defecate on or within City Square unless within an approved City-provided receptacle.
- (5) No person shall utilize the City Square water features for any purpose.

(j) UNLAWFUL CONSTRUCTION, MAINTENANCE, OR ENCROACHMENT

No person shall construct upon or in connection with any property owned and/or managed by the City, unless contracted or employed to do so by the City and with a validly enacted contract:

- (1) Erect, construct, install, or place any structure, building, improvement or other item, on or within City Square, without the written authorization from the City, and then only in accordance with the terms and conditions set forth in a license agreement, easement or other written agreement. Businesses, individuals, or other organizations may be cited for a violation of this Section when an agent of the corporation performs the conduct that is prohibited.

- (2) Plant vegetation of any kind within City Square without written authorization of the City.
- (3) Allow, authorize, build, construct, or place the discharge point of any sump pump, water feature, or foundation drainage, or any storm water management measures, including but not limited to swales, drains and contouring, that directs or is intended to direct sump pump or foundation drainage discharge, onto City Square . All discharge of sump pumps and foundation drainage adjacent to City Square, shall (1) be directly connected to storm sewer structures where feasible or (2) discharged onto the originating property and flows in accordance with Illinois drainage law.
- (4) Any person, who violates any part of Section 2-158, shall, after receiving written notice of violation from the City and in accordance with the timeframe and directions outlined in such notification, shall comply with the City's directives, whether in writing or delivered orally by an individual with authority to enforce this Ordinance. The City shall have the discretion to address the encroachment with a negotiated agreement, civil remedy at law, or any other lawful remedy available to the City, including the physical removal of the encroachment.
- (5) Any City representative, employee, or local law enforcement agency with jurisdiction may remove any encroachment(s) from City Square and assess the person(s) who violated this Section the cost of removing such encroachment(s), and such charge shall be in addition to and not in lieu of any other penalties or remedies provided for in this Ordinance or any applicable Joliet Municipal Codes and State or Federal Statutes.
- (6) Any person who commits a violation of any part of this Section, in addition to any other civil or criminal penalty imposed, may be subject to a City of Joliet ordinance violation under Chapter 3 and may be subject to applicable fines as delineated in *Chapter 1 of the Joliet Municipal Code*.

No parade, procession, theatrical or dramatic presentation, meeting, assembly, gathering or demonstration shall be held on any portion of City Square unless Permitted by the City through the permitting process as delineated under *Chapter 26, Article V of the Joliet Municipal Code*.

Scope. This section expressly adopts *Chapter 26 of the Joliet Municipal Code* and all other applicable State and Federal Statutes in their current form and as they may be amended from time to time.

(k) RESTRICTED AREAS

- (1) No person shall enter City Square when it is reserved or scheduled for a specific group or activity, unless invited by the individual, group, or agency responsible for such activity and, if applicable, has paid all appropriate admission and/or registration fees.
- (2) No person whose admission privileges to City Square have been terminated, revoked, forfeited or suspended by the City Square pursuant to City of Joliet

Municipal Code shall enter or remain in City Square that is the subject of the termination, revocation, forfeiture or suspension.

(1) RESTRICTIONS APPLICABLE TO SPECIFIC ACTIVITY

(1) Picnics.

- i. No fire or grills are allowed within City Square unless applicable permits have been obtained. Events desiring to use a grill for purposes of cooking food may do so only in those areas where fireplaces, stoves, grills, or firepits have been provided for that purpose, or as permitted by the City, all in accordance with Chapter V of this Ordinance.
- ii. No group of persons exceeding twenty-five (25) in number shall picnic within City Square unless a permit has first been obtained from the City in accordance with this Ordinance. The City may designate areas for preparing, consuming, and dispensing food and beverages. Persons holding a permit and dispensing any food or beverage products may do so only in the area designated in the permit.

(2) Classes and Camps. No person shall bring or cause to be brought onto City Square any class, day camp, group or individual lesson, or similar organized group activity of any kind unless a permit allowing such use or activity has first been obtained from the City.

(3) This Section does not apply to City-sponsored programs or activities. Where a conflict between City-sponsored programs or activities and a requested activity occurs, City Square programs and activities shall take precedence.

Sec. 21-159 VEHICLES, PARKING, AND TRAFFIC CONTROL

(a) ALL-TERRAIN VEHICLES

No person, other than as authorized by the City, Joliet Police Department, or local law enforcement agency with jurisdiction, shall drive, ride, or otherwise operate an All-Terrain Vehicle, or utility vehicle, within City Square.

(b) MICROMOBILITY DEVICES

- (1) “Low speed electric scooters” as defined by the Illinois Vehicle Code, *625 ILCS 5/1-140.11*, are not Micromobility Devices as defined herein and are prohibited within the City Square.
- (2) When two (2) or more persons in a group are operating Micromobility Devices on City Square, they shall ride in single file. No person operating a Micromobility Device on City Square shall cling or attach themselves or their Micromobility Device to any other moving vehicle.

- (3) Micromobility Devices shall not, at any time, in any place, be indiscriminately parked within City Square in such a manner as to interfere with pedestrian traffic. All Micromobility Devices shall be properly parked and secured on a designated bicycle rack provided and there is space available.

(c) PEDESTRIAN PROTECTION

No person using Micromobility Devices on City Square shall interfere with pedestrian use of sidewalks, nor otherwise act negligently, recklessly or without due caution, or in any manner so as to endanger any person or property, nor use same where such use has been posted as prohibited.

(d) AVIATION/DRONES

Scope. This section expressly adopts *Title 14, "Aeronautics and Space," of the Code of Federal Regulation*, all Federal Aviation Administration (FAA) Regulations, and all other applicable State and Federal Statutes in their current form and as they may be amended from time to time.

- (1) No person shall cause any drone to take off or land within three hundred (300) feet of City Square during a special event absent prior written approval by the City.
- (2) This section does not apply to any law enforcement agency operating drones within the fines of State and Federal Statutes.

(e) WINTER ACTIVITIES

- (1) No person shall ice skate, sled, toboggan, inner tube, ski, snowboard, slide, or engage in similar activities within City Square except at such times and places as the City may designate for such purposes.
- (2) No person shall engage in any such activity in a reckless manner that endangers that person or others, or at a speed greater than is safe and under proper circumstances.
- (3) No person shall tow, push, pull, or otherwise propel another person on skis, sled, or other sliding device by use of any vehicle within City Square.

(f) BICYCLES AND SKATEBOARDS

No person operating a bicycle within City Square shall carry another person on the same bicycle. This restriction does not apply to tandem bicycles equipped with two or more seats or saddles or an ordinary bicycle equipped with a seat or saddle for an infant or small child.

No person shall use roller skates, in-line skates, skateboards, roller skis, coasting vehicles, or similar devices within City Square.

(g) EMERGENCY VEHICLES

The provisions of this chapter regulating the movement or parking of vehicles on City Square shall not apply to the operator of any emergency vehicle when responding to an emergency call or pursuing an actual or suspected violator of the law. However, such operator shall exercise extreme caution when on or approaching City Square. When not responding to an emergency call or in the pursuit of an actual or suspected violator of the law, the operator of an emergency vehicle shall

obey the provisions of this Chapter, Joliet Municipal Code of Ordinances, and State and Federal Statutes.

(h) PARKING

- (1) No person shall park a vehicle within City Square in other than established or designated parking areas, and such shall be in accordance with the posted directions and markings or with the directions of any attendant who may be present.
- (2) No person shall park any vehicle or allow any vehicle to remain parked in any area of City Square beyond the normal closing hour of the park system, unless permission has first been obtained from the City.

Sec. 21-160 PERMITS AND OTHER AUTHORITY

(a) PERMITS

- (1) It shall be unlawful for any person, business, or other entity to hold an event, class, or activity within City Square without having the proper special event permit.
- (2) Every person, business, or other entity requesting a permit shall complete and file an application with the Department of Cultural Affairs and Special Events on forms provided by the City and pay the applicable fees. The date on which the application is received shall be recorded and a receipt or response shall be issued to the applicant.
- (3) Applications for permits must be received by the City of Joliet Department of Cultural Affairs & Special Events at least 21 days prior to the activity for which a permit is sought. The City Manager or their designee may waive or shorten this requirement for good cause shown or in the best interests of the City.
- (4) Except as provided in this Section, the City shall issue the permit without unreasonable delay unless:
 - i. The application for permit is not fully completed and executed; or,
 - ii. The applicant has not timely tendered the applicable application fee, user fee, security deposit, proof of insurance, indemnification or hold harmless agreement, or other required materials; or,
 - iii. The proposed activity violates any City Ordinance or State or Federal Statutes; or
 - iv. A prior application for a permit for the same date, time, and location has been or will be granted and the activities authorized by that permit do not reasonably allow multiple occupancy of that particular area; or
 - v. The proposed activity is of such a nature that it cannot reasonably be accommodated in the particular location applied for, considering, without limitation, the likelihood of such things as damage to City Square or the surrounding area, unreasonable interference with City Square functions,

operations, programs or activities, or unreasonable interference with the use or purpose of the City Square applied for; or

- vi. The proposed activity would substantially impair the operation or use of facilities or services of City Square concessionaires or contractors; or
 - vii. The proposed activity is deemed to be in conflict or in competition with previously scheduled City Square programs; or
 - viii. The City does not have adequate time to plan for the security services required to adequately address the proposed activity.
- (5) The City shall have five (5) business days after receiving a permit application to review the application. However, the City reserves the right to take additional time to review any application. If the City determines that it will require additional time for review, it shall notify the applicant within two business days after the receipt of the application. The review period is subject to the schedule identified on the City of Joliet's Special Event Application Process webpage.
- (6) If the application is approved, the City will issue a written permit to the applicant. If the application is denied, the City shall issue a written explanation for the denial to the applicant.
- (7) If an application is denied on the basis of a scheduling conflict or inappropriateness of the location, duration, or time of the activity, the City will make reasonable efforts to arrange an acceptable alternative. If an application is denied, or the applicant is dissatisfied with such Permit as issued, the applicant may appeal the decision to the City Manager within ten (10) days after the decision is rendered. If the City Manager rejects the appeal after full review, or if time for full review is not available, the applicant may appeal the decision to the appropriate court.
- (8) Permit applications may contain lawful prerequisites to the issuing of the permit and restrictions on the conduct of the permitted activity including without limitation: general liability insurance coverage; an agreement to fully indemnify and hold the City harmless from any liability or costs resulting from the activity; a requirement that the persons involved in the activity obey or comply with all Local Ordinance, and State and Federal Statutes; time, duration, and location restrictions; security deposit; a written agreement by the applicant to fully restore any portion of City Square soiled or damaged by the activity; and, any reasonable restriction necessary for the efficient and orderly contemporaneous administration of the activity, other activities with a permit, and regular City Square uses, functions, programs, and activities.
- (9) Any person or entity holding a valid permit issued by the City for use of City Square shall take precedence for use of City Square over any person or entity not holding a valid permit for the same.
- (10) The City may make necessary and reasonable changes or place necessary and reasonable additional restrictions on any permit after it has been issued.

- (11) Violation of the terms and conditions associated with the Permit may result in the suspension or revocation of the permit or the inability to obtain a future permit.
- (12) No permit shall be issued for a period in excess of seven (7) consecutive days. A permit may be extended for like periods of time upon a new application, unless another person or entity has requested use of the same location and multiple use of that location is not reasonably possible.

Sec. 21-161 INSURANCE AND HOLD HARMLESS

(a) Except as provided in Section, applicants for a permit shall acquire general liability insurance to protect themselves and the City from liability resulting from their use of City Square and provide proof of such insurance to the City before the City will issue a permit to an otherwise valid applicant. The City must be named on such policy as additional insured.

(1) For activities involving the exercise of First Amendment rights, including without limitation parades, public gatherings, speeches and rallies, this requirement may be waived by the City if the applicant can demonstrate that their organization cannot procure general liability insurance or that the cost of procuring such insurance or acquiring a rider to the City insurance policy is prohibitive.

(b) Every applicant must execute and deliver to the City an agreement to indemnify and hold the City and its designees harmless from legal liability, property damage or injury to persons caused by the negligent or unlawful acts of the applicant or any member, volunteer, employee, agent, participant, or other person associated with the applicant or their organization. Such agreement shall be a standard form provided by the City of Joliet Department of Cultural Affairs and Special Events.

Sec. 21-162 SECURITY OR DAMAGE DEPOSIT

A security or damage deposit may be required for any permit to be issued. The City shall refund the deposit if the individual or organization responsible for the activity restores City Square to the condition it was in prior to the activity. If the City is required to clean up or restore any part of City Square after the permitted activity, the cost of such clean up and restoration shall be deducted from the security or damage deposit. If there are funds remaining after all necessary deductions, those funds shall be returned to the permit-holder. If the costs exceed the amount of the security or damage deposit, the City reserves the right to pursue any and all legal options.

Sec. 21-163 - ENFORCEMENT AND PENALTIES

(a) ADMINISTRATIVE ADJUDICATION

Scope. All sections throughout this Code are subject to *Chapter 3 of Joliet Municipal Code "Administrative Adjudication."*

(b) RESTITUTION

In addition to, or instead of, the fines and penalties provided for in *Chapter 1 of the Joliet Municipal Code*, any person violating or disobeying any section or part of this Ordinance, or any other federal, state, local, or City Square law, rule, or regulation, shall be required to make restitution to the City for damage resulting from such violation(s).

(c) NON-EXCLUSIVITY OF PENALTIES

The penalties provided for in this Chapter VII are in addition to and not exclusive of any other remedies available to the City Square as provided by applicable law. The penalties provided for under *Chapter 1 of the Joliet Municipal Code* may be imposed or assessed in addition to the penalties provided for in Section 21-163, and vice versa.

SECTION 3: All City Square ordinances, resolutions, policies, rules and regulations or parts thereof in conflict or inconsistent with any of the provisions of this Ordinance, are hereby repealed.

SECTION 4: Provisions of this Ordinance shall be deemed to be severable. Should any section or part of this Ordinance be declared invalid or unenforceable by a court of competent jurisdiction, the remaining part or parts of such section and/or the other sections, as the case may be, of this Ordinance shall nevertheless be valid, binding and subsisting.

PASSED this _____ day of _____, 2026.

MAYOR

CITY CLERK

VOTING YES: _____

VOTING NO: _____

NOT VOTING: _____