Openlands Lakeshore Preserve General Use Policy

Section I – Definitions

1. “Adult” means a person who has reached 21 years of age.

2. “Amusement Device” means any a) device or machine that is played primarily for amusement, entertainment, or excitement and is operable, or is of a type that is operable, by the insertion of coins or tokens, and all similar devices or machines, or b) device that carries or propels passengers along, around, or over a generally fixed course for the primary purpose of amusement, entertainment, or excitement.

3. “Authorized Use” means a use on Openlands Property that has been authorized on that property by the Board through Policy or Resolution or by Openlands through the posting of a notice or the establishment of a written Policy.

4. “Board” means the Board of Directors for Openlands.

5. “Designated Trail” means any trail with specific designated uses including walking, hiking, jogging, running, motorized and non-motorized wheelchair operation, and bicycling.

6. “Employee” means any full time, part time, regular, temporary, or intern employee of Openlands.

7. “Expressive Use” means speech or other expressive activity protected by either the First Amendment to the United States Constitution or Article I, Section 4 of the Illinois Constitution.

8. “Gambling Device” means any device actually used for gambling, or designed for gambling and incapable of a lawful use, including any slot machine or other device designed to receive, or cause the user thereof to pay money or other things of value and to return, or cause the return on chance of money, property, or the right to receive money or property to the user.

9. “Hours of Operation” means the time periods during which a particular area or the entirety of Openlands Property is open to the public, as established or revised from time to time by Openlands.
10. “Openlands” means the organization Openlands.

11. “Openlands Property” means any land owned or controlled by Openlands, including the Openlands Lakeshore Preserve, and also includes any natural resources, waters, structures, and amenities on or within the land.

12. “Openlands Structure” means any structure on Openlands Property including without limitation any building, shelter, bridge, pier, groin, breakwater, well, fountain, pump, post, gate, barricade, fence, monument, stone marker, stake, pole, art installation, sign, overlook, bench, trestle, staircase, or any remains or remnants thereof.

13. “Openlands Waters” means any river, stream, lake, pond, wetland, creek, ravine or bluff discharge, or any other waters owned or controlled by Openlands.

14. “Permit” means a license or other permission issued or granted by Openlands in accordance with Section III of this Policy or other Rules allowing the use of Openlands Property for a particular use or function.

15. “Police Officer” means any sworn member of local police forces authorized to patrol and issue citations on or within Openlands Property.

16. “Preserve Property” means the Openlands Property that comprises the Openlands Lakeshore Preserve.

17. “Rules” means rules, regulations, or conditions applicable to Permits or Authorized Uses that are established by the Board through Policy or Resolution or by Openlands through the posting of a notice, the establishment of a written policy, or through the Permit review process established in Section II.C of this Policy.

18. “Sound and Energy Amplification” where used means music, speech, or any sound or noise transmitted by artificial means including but not limited to amplifiers, loud speakers, radios, or any similar devices or lights, rays, lenses, mirrors, or laser beams or the like.

19. “Vehicle” means any device intended to transport a person or people or another Vehicle or Vehicles from one place to another, including without limitation cars, trucks, vans, buses, motorcycles, mopeds, scooters, all-terrain vehicles, trailers, recreational vehicles, snowmobiles, animal-pulled carts, golf carts, and any other motorized device.

20. “Water Craft” means any Vehicle intended to be used for transportation on water or ice, including without limitation motorboats, rowboats, canoes, kayaks, inflatable or non-inflatable rafts, personal flotation devices, Jet-Skis or similar watercraft, and any other watercraft device.
Section II - Purpose of Policy and Classification of Uses

1. **General Purpose:** The general purpose of this Policy is to set forth rules and regulations governing the use of Openlands Property at the Openlands Lakeshore Preserve (herein after referred to as the “Preserve Property”). These rules and regulations are intended to protect and preserve the Preserve Property and the flora, fauna, and scenic beauty therein, and to provide opportunities for the education, pleasure, and recreation of the public, all in a manner that will result in the greatest benefit to the populations served by Openlands’ mission and work in the Chicago region.

2. **Classification of Uses:**
   
   A. **Uses Authorized with a Permit:** There are some uses of the Preserve Property that, because of their nature, are allowed only with a Permit. Through the Permit application and review process, Openlands can determine whether these uses can be conducted in a manner that protects public safety, the Preserve Property, Openlands’ objectives and goals for the Preserve Property sought to be used, and the rights and interests of other members of the public. These uses are identified in Section III.

   B. **Uses Authorized without a Permit:** There are some uses of Preserve Property that may be conducted without a Permit. These uses are identified in Section IV.

   C. **Uses Prohibited:** There are some uses of Preserve Property that are prohibited. These uses are identified in Section V.

Section III – Uses Authorized With a Permit

1. ** Permit Required:** No person shall use the Preserve Property for any of the following uses, unless the person has first obtained, and has physical possession of, a Permit allowing such use, all in accordance with and subject to Section III.2.C:

   A. Any use on the Preserve Property, if that area of the Preserve Property is not open to the general public at the time of the proposed use;

   B. Any use on the Preserve Property that is not an Authorized Use on that property;

   C. A picnic, self-guided tour, or other gathering with more than 25 people;

   D. A picnic, self-guided tour, or other gathering at an area on or within the Preserve Property where such purposes are not Authorized Uses;

   E. Uses that are intended or likely to either exclude or interfere with use of or enjoyment by other members of the public of a particular area of the Preserve
Property, including weddings, receptions, meetings, assemblies, parades, races, marches, drills, maneuvers, rallies, pickets, speeches, and addresses;

F. Research for any scientific study or survey;

G. Accessing any part of the Preserve Property with a Vehicle if such property is not available for access to the General Public. Openlands reserves the right to determine, on a case by case basis, if a special permit or parking pass is required for any staff, NAVFAC, maintenance, contractor, or approved volunteer or special use vehicles;

H. Use of the Preserve Property in any manner that uses Sound and Energy Amplification or emits other sound a) that unreasonably interferes with the enjoyment of the Preserve Property by other members of the public, or b) that may disturb sensitive natural resources areas, or c) that is at a decibel level in excess of that which is permitted by State or local laws, whichever is more stringent;

I. Building, lighting, and using a campfire on the beach as part of an educational program or special event;

J. Taking any still or motion pictures or painting or drawing pictures for commercial purposes or for use in commercial advertising; or

K. Offering or providing any goods or services for sale or conducting or soliciting any business, trade, occupation, or profession.

2. Permit Rules:

A. Establishment of Rules: In addition to the Rules identified in this Policy, Openlands may promulgate additional Rules governing a Permit or the Permit application and review process if those Rules are designed:

   i. To protect or minimize damage to the Preserve Property and the flora and fauna within that property;

   ii. To protect the physical safety of people using the Preserve Property;

   iii. To minimize the interference by the proposed use with the use and enjoyment of the Preserve Property by others;

   iv. To ensure an orderly and organized use of the Preserve Property; or

   v. To assure compliance with applicable laws and other Rules.
B. **Duration of Permit:** Openlands may, at its discretion, make the Permit valid for a period of one to 365 days or any portion thereof, or on an annual or seasonal basis. Permits are not transferable and Permit fees paid to Openlands are not refundable.

C. **Compliance with Rules:** The person or entity to whom a Permit has been issued (Permittee) shall comply with all applicable laws and Rules. Openlands may revoke a Permit for any violation of such laws or Rules, and holds the right to refuse issuance of future Permits to the same Permittee. Any misuse or damage to the Preserve Property will be the responsibility of the Permittee.

D. **Openlands’ Reserved Rights:** Even if a Permit has been granted, Openlands reserves the right to restrict access to or close the Preserve Property temporarily or to revoke a Permit because of:

   i. A threat to the safety of those using such property, including threats posed by the weather;

   ii. Potential damage to sensitive natural areas; or

   iii. Interference by the Permittee with the use and enjoyment of the Preserve Property by others.

3. **Application for Permit and Review of Application:**

   A. **Application:** All Permits shall be issued on a first-come first-served basis within a calendar year cycle starting on January 1 of each year in which the proposed activity will take place. Openlands reserves the right to issue a Permit earlier than January 1 if it is determined it is in the best interests of Openlands to do so because of the size, impact, or nature of a proposed event or other relevant factors. Each person or entity desiring a Permit shall apply for it at a location designated by Openlands and on forms provided by Openlands. Each application shall include such information that Openlands deems relevant to the proposed use.

   B. **Review of Application:** Openlands shall grant the Permit unless it is determined that:

      i. The proposed use would interfere or be inconsistent with a) Openlands’ current or designated use of the Preserve Property, b) Openlands’ future plans for the Preserve Property, or c) a license issued by Openlands for use of the Preserve Property;
ii. The proposed use may materially damage the Preserve Property or materially impact sensitive natural resource areas;

iii. The proposed use will delay, hinder, or prevent Openlands’ implementation of planning, development, or restoration activities associated with the Preserve Property;

iv. The proposed use will interfere with other scheduled or existing uses of the Preserve Property sought to be used or would occur at a time when the Preserve Property sought to be used is not open to the public;

v. The proposed use violates Federal, State or local laws or Rules;

vi. The proposed use poses a substantial threat or danger to public safety or, if it is a contest or sporting event, poses a reasonable likelihood of physical injury;

vii. The Permit applicant has misrepresented, falsified, or withheld required information;

viii. The applicant has, within the previous year, violated this Policy or Rules and, based on such violation(s), the applicant’s future use of the Preserve Property may interfere with others’ use and enjoyment of the said property; or

ix. The proposed use would interfere with others’ enjoyment and use of the Preserve Property.

4. **Designated Expressive Uses:** In considering whether to grant a Permit for a proposed use that includes Expressive Uses, in addition to the factors identified in Section III.2.C, Openlands shall consider the following:

A. No Permit shall be denied or conditioned based upon the viewpoint of any Expressive Use or in any manner that unlawfully discriminates against any person because of race, sex, religion, color, ethnicity, national origin, handicap, disability, or age. If Openlands denies a Permit, the applicant may amend his or her application so that the proposed use would not be inconsistent with this Policy; however, Openlands reserves the right to make all final decisions regarding issuance of a Permit.
Section IV – Uses Authorized Without a Permit

1. **Authorized Uses:** The following uses are allowed, but only in areas where they are Authorized Uses and only in accordance with this Policy and all Rules:

   A. Hiking, walking, jogging, or running on Pedestrian Trails;
   
   B. Use of non-motorized and motorized wheelchairs on Pedestrian Trails;
   
   C. Bicycling on Bicycle Trails and public rights-of-way;
   
   D. Walking a dog on leash in designated areas only;
   
   E. Fishing in Lake Michigan from Preserve Property in accordance with all Federal, State, and local laws and regulations and as described in Section V.2.F of this Policy;
   
   F. Holding a picnic, self-guided tour, or other gathering with 25 or less people in attendance;
   
   G. Birdwatching, nature observation, and other passive recreation activities in keeping with the Preserve Property’s Rules and Authorized Uses;
   
   H. Geocaching for caches approved by Openlands in designated locations; and
   
   I. All other Authorized Uses not identified in this Section.

2. **Establishment of Rules:** In addition to the Rules identified in this Policy, Openlands may promulgate additional Rules governing Authorized Uses identified in this Section, if those rules are designed:

   A. To minimize damage to the Preserve Property and the flora and fauna within that Property;
   
   B. To protect the physical safety of people using the Preserve Property;
   
   C. To minimize the interference by the proposed use with the use and enjoyment of the Preserve Property by others;
   
   D. To ensure an orderly and organized use of the Preserve Property; or
   
   E. To ensure compliance with applicable laws and other Rules.
3. **Fees:** Openlands reserves the right, pursuant to other Policies and decisions, to establish fees and charges for any Authorized Use.

**Section V – Prohibited Uses**

1. **Protection of Openlands Property:** No person shall commit any of the following acts on the Preserve Property:

   A. Destroy, deface, paint, alter, hide, change, break, mark upon, damage, take, remove, or excavate any Openlands Property or the Preserve Property;

   B. Tamper with, enter, climb upon, damage, take, or remove anything from Openlands Property or the Preserve Property;

   C. Deposit into any refuse container any garbage, trash, refuse, or other material that was not generated in the course of normal, lawful use of the Preserve Property;

   D. Deposit, dump, or place any ashes, trash, rubbish, paper, garbage, refuse, debris, animal waste, or junk, except in containers provided by Openlands for such purpose;

   E. Climb, stand, sit or walk on any Openlands Property or areas of the Preserve Property not designed or intended for such use;

   F. Collect, gather, acquire, or scavenge for lost, misplaced, or abandoned personal property, including without limitation golf clubs, balls, clothing, money, or valuables, other than personal property owned by that person; or

   G. Operate any kind of treasure-hunting device such as metal detectors at any time on the Preserve Property.

2. **Protection of Natural Resources:** No person shall commit any of the following acts on the Preserve Property, unless part of restoration, maintenance, educational, or management activities approved and authorized specifically by Openlands:

   A. Cut, remove, uproot, destroy, chip, blaze, burn, box, paint, girdle, trim, deface, injure, break, pick, or gather any portion of any tree, tree sapling, seedling, bush, shrub, flower, plant, fungi, mushroom, branch, foliage, seed, sod, earth, humus, downed timber, driftwood, wood chips, peat, rock, sand, gravel, or any other natural material;

   B. Cut, move, remove, destroy, chip, blaze, burn, box, paint, deface, injure, break, or gather any portion of any cultural artifacts such as brick, metal, wood, china, ammunition, glass, paper, concrete, stone, or any other cultural material;
C. Erect or build any structure on the Preserve Property, perform any mowing, trimming, cutting, or grooming of the Preserve Property, or perform any maintenance of the Preserve Property;

D. Place, stockpile, or store any gravel, stone, dirt, sand, wood, lumber, or any other material on the Preserve Property;

E. Hunt, pursue, trap, catch, disturb, molest, poison, remove, wound, or kill any animal or disturb, molest, or rob the nest, lair, den, or burrow of any animal;

F. Fish in any waters of the Preserve Property except for Lake Michigan. All fishing activities, including those within Lake Michigan, are prohibited a) if a sign prohibiting fishing has been posted, b) by using a bow and arrow, spear, or slingshot, c) by using a hook baited with amphibian, reptile, or bird, d) with any device using more than two hooks per line, d) with any net, seine, or trap, f) in violation of any Rules posted by Openlands controlling the size, species, or number of fish that can be taken, or g) in violation of any applicable Federal, State, or local fishing regulations;

G. Release any animal, or bring in, plant, cultivate, harvest, or distribute the seeds or spores of any plant or fungi;

H. Use any chemical or biological pesticide, herbicide, or other substance or measure designed to kill or restrict any plant, insect, or animal;

I. Set fire to any Openlands Property, including setting fire to downed wood, driftwood, and other materials collected on site or brought in from other locations and used for a campfire;

J. Build a fire anywhere on the Preserve Property unless a Permit has been issued for a campfire related to an educational program or special event;

K. Build a fire in a manner that threatens Openlands Property;

L. Drop, throw away, or scatter any burning, lighted, or hot coals, ashes, cigarettes, cigars, firecrackers, matches, or other burning matter;

M. Leave a fire unattended or before it is extinguished to the point that its ashes, residue, and coals are cold to the human touch, unless such ashes, residue, or coals are deposited in a container designated by Openlands for such purpose;

N. Search off-trail for any geocache not authorized by Openlands;
O. Conduct any activity, including an Authorized Use, in any manner that threatens to damage or harm Openlands Property, the Preserve Property, or the natural resources thereon; or

P. Perform, or fail to perform, any act if such act or failure violates a provision of the Illinois Wildlife Code, 520 ILCS 5/1.1 et seq., the provisions of which are incorporated into this Policy by this reference, or the Illinois Fish and Aquatic Life Code, 515 ILCS 5/1-1 et seq., the provisions of which are incorporated into this Policy by this reference.

3. **Protection of Public Safety:** No person shall commit any of the following acts on the Preserve Property:

   A. Swim or wade in any waters on or from the Preserve Property, including Lake Michigan;

   B. Operate any kind of Water Craft on or from the Preserve Property, including Lake Michigan;

   C. Fish on or through any frozen waters on or from the Preserve Property, including Lake Michigan;

   D. Cause any Vehicle, including any Water Craft, to go upon frozen or partially frozen waters on or from the Preserve Property, including Lake Michigan; or

   E. Conduct any activity, including an Authorized Use, in any manner that threatens public safety.

4. **Regulation of Personal Conduct:** No person shall commit any of the following acts on the Preserve Property:

   A. Manage, operate, or engage in gambling of any form or possess any Gambling Device;

   B. Interfere with, unreasonably disrupt, or delay any Employee engaged in the performance of his or her duties;

   C. Hinder, interrupt, or interfere with any Authorized Use or any use for which a Permit has been granted, including a Permit that permits the use of an area of the Preserve Property to the exclusion of others;

   D. Set off or attempt to ignite any firecracker, fireworks, smoke bombs, rockets, black powder guns, or other pyrotechnics;
E. Partake in any use for which a fee has been established pursuant to Openlands’ Policies without first paying the required fee;

F. Use Openlands’ utilities if not authorized to do so;

G. Engage in behavior or speech that provokes a breach of the peace or intimidates or unreasonably interferes with others in the normal, safe use of the Preserve Property;

H. Enter into a restroom intended for the opposite gender, or enter into or remain in any restroom or on any part of the Preserve Property for the purpose of committing any sexual act;

I. Be present on the Preserve Property with completely or partially exposed or visible genitals, pubic region, buttock, or completely exposed female breast;

J. Disobey, ignore, or fail to comply with any lawful direction or order given by an Employee or other Openlands representative, or by any duly sworn Peace Officer;

K. Prevent or obstruct any person from peacefully entering or traveling upon any part of the Preserve, except that a person may advise others of his or her rights to occupy or use the Preserve Property pursuant to a Permit;

L. Be legally intoxicated or under the influence of any illegal controlled substance;

M. Consume or possess any alcoholic beverage, if such person is under the age of 21 years;

N. Possess, use, plant, cultivate, tend, or harvest any illegal controlled substance, including cannabis or any derivative thereof;

O. Give or deliver any alcoholic beverages to any person under the age of 21 years, to any intoxicated person, or to a person known to be under a legal disability;

P. Consume any alcoholic beverage within 100 feet of any parking area, unless such alcoholic beverage was served by Openlands or by their designated server;

Q. Use or possess any weapon including without limitation handguns, rifles, shotguns, bows and arrows, slingshots, cross bows, spears, spear guns, switchblade knives, stilettos, swords, blackjacks, billy clubs, whips, axes, any weapon capable of discharging a projectile by air, spirit, gas, or explosive, any
explosive substance or harmful solid, liquid, or gaseous substance, or any other
dangerous weapon;

R. Display, distribute, post, or fix any placard or sign, except that a group of people
who are picnicking or who have a Permit that allows the use of certain Preserve
Property to the exclusion of others may display signs to identify their location or
direct others to it, providing such signs are: a) temporary; b) have been
approved by Openlands through the Permit process; c) are removed by the
Permittee at the termination of the activity; and d) provided that such signs are
no larger than 10” x 24” and are not attached to any tree, shrub, fence, or other
structure;

S. Conduct any use on the Preserve Property that is not an Authorized Use on such
property; or

T. Perform, or fail to perform, any act if such act or failure is a misdemeanor, petty
offence, or violation of any provision of the Illinois Criminal Code, the provisions
of which are incorporated into this Policy by this reference, except for any act or
failure to act that is a felony under Illinois or Federal law.

5. **Regulation of Vehicles, Traffic, Bicycles, and Parking:** No person shall commit any of
the following acts on the Preserve Property, unless part of restoration, maintenance,
educational, or management activities approved and authorized specifically by
Openlands, or unless the person has been pre-approved for vehicle access and/or issued
a Special Needs Permit or Volunteer Permit by Openlands allowing them to operate a
Vehicle on the Preserve Property:

A. Operate a vehicle in a manner that violates the Illinois Vehicle Code or other
laws of the State of Illinois having to do with the equipment, control, licensing,
operation, registering, and use of such Vehicle;

B. Operate a Vehicle anywhere except on designated roads, trails, drives, and
parking areas where such use is an Authorized Use;

C. Operate any Vehicle on any road, trail, drive, or parking area if such Vehicle is
not permitted to be operated thereon under State law, which Vehicles may
include snowmobiles, mini-bikes, go-carts, trail bikes, all-terrain vehicles, golf
carts, and other off-road vehicles;

D. Operate or move any Vehicle at any time other than the Hours of Operation for
the Preserve Property;

E. Operate a motorized Vehicle on any road, trail, drive, or parking area closed to
public traffic;
F. Operate a Vehicle in such a manner as to fail to yield the right-of-way to pedestrians and bicyclists;

G. Allow a Vehicle under his or her control to remain parked on the Preserve Property at a time other than the Hours of Operation for the Preserve Property;

H. Park a Vehicle a) in a manner that blocks in another parked Vehicle, b) blocks, restricts, or impedes the normal flow of traffic, c) where parking is prohibited, d) on or in a turf, wetland, meadow, prairie, beach, marsh, field, woodland, slope, or exposed roots of any tree or shrub; e) if the Vehicle is over 20 feet in length, except in areas designated for such Vehicles, f) for the purpose of washing it or making any repairs or alterations to it, except those of an emergency nature, g) in such a way as to occupy more than one provided parking stall or space, and h) in a designated handicapped space unless the Vehicle is displaying a current handicapped permit per Federal and State regulations;

I. Operate a Vehicle at a speed greater than the posted speed limit or, in the absence of such posted limit, at a speed in excess of 20 miles per hour;

J. Operate any Vehicle in any manner that endangers the safety of people, wildlife, or property, or at a speed which is greater than reasonable and proper for safe operation of the Vehicle, with regard to traffic conditions and special hazards, such as trail crossings, entrances to parking lots, narrow or winding roads or trails, hills, curves, weather or road conditions, and pedestrian and bicycle traffic;

K. Perform, or fail to perform, any act if such act or failure is a violation of the Illinois Vehicle Code, 625 ILCS 5/1-100 et seq., the provisions of which are incorporated herein by this reference;

L. Ride a bicycle on any part of the Preserve Property other than a trail designated for bicycle use or public right-of-way where bicycles are permitted;

M. Ride a bicycle on any designated trail more than two abreast or on any public right-of-way in any manner other than single-file;

N. Ride a bicycle in a manner that endangers the safety of persons or property, or at a speed that is greater than is reasonable and proper for the safe operation of the bicycle, such as for racing or training for a race, with regard to existing conditions including but not limited to trail or road surface, hills, curves, intersections, and other bicycle, Vehicle, and pedestrian traffic;
O. When riding a bicycle on a designated trail, fail to ride the bicycle a) within the lane designated for travel by signs or Rules, or b) if no specific lane is designated for travel, on the right side of the trail;

P. When riding a bicycle on a designated trail, fail to ride a bicycle single-file when overtaking or approaching another bicycle, Vehicle, or pedestrian;

Q. When riding a bicycle on a designated trail, fail to yield to a pedestrian;

R. When riding a bicycle on a designated trail, fail to comply with all of the duties applicable to the driver of a Motor Vehicle except as to special regulations or provisions which by their nature can have no application; or

S. Ride a skateboard, Rollerblades, rollerskates, or trick bicycle on any trail, road, drive, overlook, bench, wall, or parking area anywhere within the Preserve Property at any time.

6. **Control and Treatment of Animals:** No person shall commit any of the following acts on the Preserve Property:

   A. Bring in or allow to remain any dog or other animal that is not controlled on a leash, with such leash no longer than ten feet in length, except with a valid Permit;

   B. Bring in or allow to remain any vicious or dangerous dog or other animal;

   C. Cruelly treat or neglect any animal;

   D. Ride any animal or use any animal to pull a Vehicle of any kind, including dogs or horses, cattle, sheep, goats, swine, mules, donkeys, or any other livestock;

   E. Bring in or allow to remain any cattle, horses, sheep, goats, swine, or other livestock;

   F. Hitch or tie any horse or other animal to any tree, bush, shrub, fence, or other structure;

   G. Allow any fecal matter emitted by an animal owned or controlled by that person to remain on the Preserve Property unless it has been properly discarded in a designated receptacle; or

   H. Allow any animal, on leash or off leash, in any area of the Preserve Property expressly designated as off-limits for animals, including the entire length of the beach and all off-trail areas.
Section VI – Enforcement

1. **Highland Park, Highwood, and Lake County Police Officers:** All officers from these jurisdictions have the power and are authorized to arrest, and issue a complaint and notice to appear to, any person found in the act of violating any Policy or Rule of Openlands or law of the State of Illinois, including without limitation the Illinois Criminal Code, the Illinois Vehicle Code, the Illinois Wildlife Code, the Illinois Fish and Aquatic Life Code, or any other law prohibiting a conservation offense. All officers have the authority to issue violations for any non-custodial offense including a violation of this Policy.

2. **Fines and Penalties:** All fines and penalties are issued by officers in accordance with State of Illinois and local laws and regulations. Officers, along with Openlands, may suspend a person violating this Policy for a period not to exceed 12 months from using any part of the Preserve Property, if the officer and Openlands determine that, based on such violations, the person’s future use of the Preserve Property may interfere with others’ use and enjoyment of the Preserve Property and the protection of the Preserve Property’s natural resources. Any person suspended may appeal the suspension to the President and CEO of Openlands within five days after the person receives the notice of suspension. The decision of the President will be final.

3. **Processing of Complaints and Citations:** All complaints and citations are processed according to the normal operations of the respective Police Departments referenced in Section VI.1.

4. **Employees Exempt:** Employees, law enforcement officers, fire fighters, paramedics, and emergency personnel are exempt from the provisions of this Policy when lawfully and properly fulfilling their obligations and responsibilities. Contractors and other people authorized to use the Preserve Property pursuant to a contract or other agreement with Openlands may use the Preserve Property in a manner that is inconsistent with this Policy, but only as necessary to perform in strict accordance with their contract.

5. **Remedies:** Nothing in this Policy shall be construed to prevent or preclude Openlands from pursuing any remedy, including civil remedies at law or equity, to correct or abate any violation of this Policy.

6. **Compliance with Laws:** Use and visitation of the Preserve Property are subject to all applicable Policies and Rules of Openlands as well as all applicable laws, statutes, rules, regulations, ordinances, policies, restrictions (recorded and unrecorded), legal designations, and resolutions of the United States, State of Illinois, and local governments, as amended and changed from time to time.

7. **Incorporation of Certain State Laws:** All laws of the State of Illinois that make any act or omission a misdemeanor, petty offense, or violation of State law (other than a felony)
that are not already incorporated herein, are incorporated into this Policy by this reference as if set out at length herein.

8. **Contraband:** All plants, trees, flora, fauna, animals, birds, fish, reptiles, or parts thereof; Gambling Devices; and weapons, that are taken or possessed in violation of this Policy are hereby declared contraband and shall be subject to seizure by any Employee or representative of Openlands or by any duly sworn peace officer.

9. **Captions and Headings:** The captions, headings, and bold-type face in this Policy are for convenience of reference only and do not define or limit its contents.

**Section VII – Repealer**

All Openlands Policies, resolutions, orders, motions, or any parts thereof as they pertain to the operation or Rules of the Preserve Property, are repealed to the extent they are inconsistent with part of this Policy.

**Section VIII – Effective Date and Publication**

This Policy shall be in full force and effect from and after the time of its adoption by the Board of Openlands and approval as required by law, including its publication as needed.

**Section IX – Severability**

The provisions of this Policy shall be deemed to be severable and the invalidity or the lack of ability to enforce any provision shall not affect the validity and enforceability of the other provisions hereof.

*The Openlands Board of Directors adopted the Openlands Lakeshore Preserve Operations Manual on May 2, 2013, including this Policy which is incorporated into the Manual.*