

TITLE 12

Parks and Recreation

Chapter 1

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Municipal Building Use

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Parks and Recreation

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Sec. 12-1-1 Park Management and Use Regulations.

- (a) **Purpose and Definition.** In order to protect the parks, parkways, recreational facilities and conservancy areas within the Village of Rio from injury, damage or desecration, these regulations are enacted. The term "park" as hereinafter used in this Chapter shall include all grounds, structures and watercourses which are or may be located within any area dedicated to the public use as a park, parkway, recreation facility, play ground, recreational area, river/lake access sites, swimming pool or conservancy area in the Village or under the administration of the Village Board, Park Board or their designees.
- (b) **Parks Management.** The Public Works Department shall be responsible for day-to-day operation of Village parks in accordance with policies established by the Village Board and/or Park Board, as assisted by the Village Administrator.
- (c) **Specific Regulations.**
 - (1) ***Littering Prohibited.***
 - a. No person shall litter, dump or deposit any rubbish, refuse, earth or other material in any park. No such refuse or trash shall be placed in any waters in or contiguous to any park, or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided. Where receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere.
 - b. No person shall throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, public swimming pool, pond, lake, stream, bay or other body of water in or adjacent to any park or any tributary, stream, storm sewer,

or drain flowing into such waters, any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters.

- (2) **Sound Devices.** No person shall operate or play any amplifying system unless specific authority is first obtained from the Police Department.
- (3) **Bill Posting.** No person shall post, paste, fasten, paint or attach any placard, bill, notice, sign or advertising matter upon any structure, tree or other natural object in any park, except park regulations and other signs authorized by the Village Board.
- (4) **Throwing Stones and Missiles Prohibited.** No person shall throw stones or other missiles which may cause harm in or into any park.
- (5) **Removal of Park Equipment Prohibited.** No person shall remove benches, seats, tables or other park equipment from any park, unless specifically authorized by the Village Board, Park Board or Village Administrator.
- (6) **Trapping.** "Trapping" when used in this Section includes the taking, or the attempting to take, of any wild animal by means of setting or operating any device, mechanism or contraption that is designated, built or made to close upon, hold fast or otherwise capture a wild animal or animals; live traps on a person's property are excluded. The trapping of wild animals is hereby prohibited in Village parks, except municipal trapping authorized by the Village Board.
- (7) **Making of Fires.** No person shall start, tend or maintain a fire except in personal grills or designated fireplaces. Personal grills shall be used only in designated picnic areas. The use of personal grills is permitted provided lawns and vegetation are not endangered. Unburned fuel and ashes shall be disposed of in such a manner as to prevent fire or damage to any park property. Control of the fire and the smoke will be the responsibility of the person using such a fire.
- (8) **Protection of Park Property and Wild Animals.**
 - a. No person shall kill, injure or disturb or attempt to injure or disturb waterfowl, birds or animals, wild or domestic, within any park, except as permitted by this Chapter. No person shall climb any tree or remove flowers or fruit, wild or cultivated, or break, cut down, trample upon, remove or in any manner injure, deface, write upon or ill use any tree, shrub, flower, flower bed, turf, soil, sand, fountain, fireplace, monument, railing, waterline improvement, ornament, building, structure, apparatus, bench, table, official notice, sign or other property within any park.
 - b. No person shall deface, by throwing stones, pebbles or other debris at any of the toilets, bubblers or other sanitary facilities located in any Village park; or to deface by drawing with crayon, chalk, paint, or anything else on any of the buildings or equipment at any Village park; or to deface the equipment by means of a sharp instrument.
- (9) **Motorized Vehicles.** Except for authorized maintenance vehicles, no person shall operate an unlicensed or licensed motorized vehicle, including all-terrain vehicles, outside of areas specifically designated as parking areas or areas where the operation of such vehicles is specifically permitted. Motor vehicles are restricted to the roads

and drives and parking areas. No motor vehicles of any nature may be used on the seeded areas except vehicles which have Village Board or Park Board authorization for shows, rides or exhibits and then only for the purpose of loading and unloading. No private vehicle maintenance is permitted in any Village park.

- (10) **Snowmobiles.** Snowmobiles shall not be operated in Village parks except in designated use or trail areas.
- (11) **Speed Limit.** No person shall operate any vehicle in a Village park in excess of fifteen (15) miles per hour unless otherwise posted.
- (12) **Glass Beverage Bottles in Parks Prohibited.** No individual shall possess or consume any beverage in a glass bottle or glass container in any Village park.
- (13) **Reckless Driving in Parks Prohibited.** No person shall operate a motor vehicle in a reckless manner in any of the public parks of the Village of Rio.
- (14) **Parking in Parks.** No person shall park any motor vehicle in any park in the Village except in a designated parking area. The overnight parking of vehicles is prohibited.
- (15) **Horse and Carriages.** No person shall ride a horse or drive a horse-driven vehicle in any park, or lead a horse into a park, except on roads or designated bridle paths, except when approval of the Village Board is first obtained. It shall be unlawful for any person to ride a horse or drive a horse-driven vehicle in a careless, negligent or reckless manner which may endanger the safety and well-being of others. Horseback riding shall be allowed only during the daylight hours. No person shall ride a horse which cannot be held under such control that it may be easily turned or stopped. Horses shall not be left unbridled or unattended. Pedestrians shall have the right-of-way when crossing a bridle path, and whenever people are visible within three hundred (300) feet horses shall be ridden at a slow gait.
- (16) **Removing Tree Protectors.** No person shall remove any device for the protection of trees or shrubs in a Village park or recreation area.
- (17) **Golfing and Sporting Activities.** No golfing or practicing golf in Village parks or recreation areas shall be allowed except with the use of a whiffle ball. All sporting activities must be held in areas so designated for that purpose.
- (18) **Arrows.** No person shall use or shoot any bow and arrow in any Village park.
- (19) **Fees and Charges.** The Village Board shall establish such fees as deemed necessary for use of any park facility, shelter or recreational area. It shall be unlawful to use such areas without payment of such fee or charge when required.
- (20) **Firearms; Hunting.** Discharging of any air gun, sling shot, explosive, firearm or weapon of any kind is prohibited in all Village parks except where so designated.
- (21) **Fish Cleaning.** Cleaning of fish in shelters, toilet facilities or picnic areas is prohibited in all Village parks.
- (22) **Controlled Substances.** Possessing, using or dispensing of a controlled substance in violation of the Uniform Controlled Substances Act and Village ordinances is prohibited in all Village parks.

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- (23) **Vendors Restricted.** No person shall sell, vend or give away any article of merchandise whatever, without a written permit from the Village Board or Village Administrator. No person shall expose or offer for sale any article or thing nor station or place any stand, cart, or vehicle for the transportation, sale or display of any such article or thing, excepting regularly authorized concessionaires acting by and under the authority and regulation of the Village Board unless special permission is granted by the Village Board during a special event.
- (24) **Alcohol Beverages.** The consumption or possession of alcohol beverages in Village parks shall be as regulated by Section 11-4-1. When a civic or community organization has been granted exclusive use of a Village park pursuant to Section 12-1-5, carry-in alcohol beverages are prohibited.
- (25) **Disorderly Conduct.** No person shall engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or other disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance, endangers other persons or property, or interferes with the use of the park by others.
- (26) **Skates.** No skateboards, inline skates or roller skis will be permitted a Village park at any time, except in designated areas.
- (27) **Restrooms and Washrooms.** No person shall fail to cooperate in maintaining restrooms and washrooms in a neat and sanitary condition.
- (28) **Misuse of Equipment.** Jumping, standing or misuse will not be permitted on any bench, bleachers or picnic tables; any misuse or use with intent to do damage will be considered vandalism and may result in dismissal from the park.
- (29) **Loitering on Equipment Preventing Use.** No loitering is permitted on playground equipment so as to disrupt use by persons waiting to use such equipment.
- (30) **Responsibility for Equipment Damage.** Any person or persons causing any damage to property in any Village park shall be punished and/or fined under the appropriate ordinance and be required to make full and complete restitution.
- (31) **Tent Stakes.** No person shall pound or drive into the ground any metal, plastic or wooden stake, except for the Village and nonprofit organizations. The Village Administrator shall be notified one (1) business day prior to staking.
- (32) **Satellite Toilets; Dumpsters.** It will be the obligation of civic organizations or other major park users to provide satellite toilets and extra garbage dumpsters during the time of celebrations or special events if so directed by Village officials.
- (33) **Waste Disposal Restrictions.** No person shall dispose of any garbage, bottles, tin cans or any other solid waste material, including demolition material, in any Village park where the waste is generated from outside of the Village park property.
- (34) **Bicycle Restrictions.** No person shall ride a bicycle or skateboard or rollerblade in a reckless manner or ride in and around any bleacher area or shelter house areas. All bicycles will be properly parked when unattended. No bicycles are permitted in any park building whether ridden or parked there for any reason.

- (35) **Picnic Areas.** No person in a park shall leave a picnic area before a fire in the said picnic area is completely extinguished and before all trash, garbage and other refuse in the said picnic area is placed in the disposal receptacles provided for that purpose.
 - (36) **Bathing and Swimming.** No person in a park shall swim, bathe, or wade in any waters or waterways in or adjacent to any park, except in such waters and at such places as are provided therefor, and in compliance with such regulations as are herein set forth or may be hereafter adopted.
 - (37) **Utility Installation and Construction.** Any private construction which may in any manner encroach upon or affect the parks and parkways shall be under the direction and jurisdiction of the Village Board and no such installation, repair or construction shall commence without the written permission from the Village Board. All public works, including construction and installation of power lines, hydrants, sewers and the like shall be commenced only after notice to the Village Board of the Village's intention to do so. Where practicable, such construction and installation shall be performed pursuant to recommendations by the Village Board.
- (d) **Pets and Animals.**
- (1) **Regulation of Animals In Public Grounds and Facilities.** Except as further restricted by this Subsection, dogs and other animals are not permitted to run at large in any Village parks, except dogs and other pets are allowed on Village pedestrian/biking roads/trails and in other park areas where they will not interfere with the use of parks and recreation areas by other persons, provided that such animal be kept on a leash not more than eight (8) feet in length and be under control at all times. Further, an owner or person having control of any dog or other animal shall not permit said dog or animal to enter into or be upon any specialized use area, such as, but not limited to, a playing field, spectator area, picnic area, park building/shelter or be present during special events/festivals. Dog and animal owners shall at all times be responsible for collecting and properly disposing of animal waste pursuant to Village ordinances.
 - (2) **Exception.** Guide or service dogs, as defined in federal or state law, or any other animal specially trained to guide a person with disabilities are permitted in any Village park. Also excepted is any canine assisting law enforcement personnel in their duties.

Sec. 12-1-2 Operation of Remote or Radio-Controlled Airborne Toys or Devices Prohibited.

It shall be unlawful for any person to fly, operate or make use of any airborne remote or radio-controlled model airplane, helicopter, drone, vehicle or any other such device in, over or upon any park or other public property except in areas specifically designated and posted for such purpose and with the consent of the Village Administrator or Police Department.

Sec. 12-1-3 Turf Protection on Public Property.

Except as authorized by the Village Board or its designee, no person shall dig into the turf of any Village-owned park or recreational property for any purposes whatsoever or remove any trees or flowers. Absent authorization by the Village Board or its designee, the use of metal detectors and digging for buried objects on Village parks or recreational property is prohibited.

Sec. 12-1-4 Park Hours.

(a) Park Hours.

- (1) All Village of Rio parks shall be closed to the general public from the hours of 11:00 p.m. to 7:00 a.m. the succeeding day, and it shall be unlawful for any person or group to occupy or be present in any park during hours which the park is not open to the public. No person shall be in any Village park after 11:00 p.m., except where in compliance with this Section. Permission may be granted, in writing, upon application to the Village Administrator for a group to conduct activity or use specific park facilities or buildings for an activity occurring during normal closed times. In granting such approval, the Village Board, or designee, shall designate the area in which the function shall be carried on and shall designate the person responsible for the conduct of such function.
- (2) The regular closing hours of the Village parks do not apply to persons in attendance at a regularly scheduled sporting event, except that those persons shall vacate the park within thirty (30) minutes after the ending of a regularly scheduled game.
- (3) Any Village park or portion thereof may be declared closed to the public by the Village President, Village Administrator, or a law enforcement officer at any time and for any period of time, either temporarily or for a regular or stated interval. It shall be unlawful for any person to enter or be present in any park or portion thereof which has been declared closed to the public.

- (b) **Exception – Authorized Persons.** The regular closing hours of Village parks do not apply to persons having permission from the Village Board or Police Department to be present in the Village parks during closed hours on specific days and for specific purposes.

Sec. 12-1-5 Park Use Permits.

- (a) **Purpose; Findings.** Village parks, park facilities, and park shelters are generally for the nonexclusive use and enjoyment of Village of Rio residents and visitors. However, the Village has found that large groups and gatherings using Village parks, park facilities, and park shelters have a greater impact on the Village's resources, and that the Village Board has determined that the Village needs to balance the use of Village parks, park facilities,

and park shelters by large groups to help offset costs associated with such uses and to protect the public health, safety, and welfare.

(b) **Permit Required.**

- (1) Any person, group, or organization wanting to use or reserve a park facility or park shelter for an event shall first obtain a Park Use Permit.
- (2) Any person, group, or organization planning an event located within a Village park that is reasonably expected to be attended by fifty (50) persons or more shall obtain a Park Use Permit.
- (3) Any person, group, or organization requesting exclusive use of an entire Village park or planning an event located in a Village park that is reasonably expected to be attended by one hundred (100) persons or more shall obtain a Special Park Use Permit.
- (4) Park use permit fees shall be established by the Village Board in Section 1-3-1.

(c) **Permit Applications.** All applications shall be made in writing on application forms available from the Village Administrator. Park Use Permit applications must be received a minimum of three (3) days prior to the date of the event or requested use. The applicant shall submit payment of required fees with the application, including any cleanup deposits. Permit applications shall contain, at a minimum, the following information:

- (1) Name, address, email address, and telephone numbers (landline, cellphone, fax) of the applicant.
- (2) If the applicant is a group or organization, the name, address, and telephone numbers of the responsible person, officer, or representative.
- (3) The park, park facility, or park shelter the applicant is requesting to use, and whether the applicant is requesting a regular park use permit or a special use permit.
- (4) The date and time of the event, including the time the applicant wishes to begin use for set-up, if earlier.
- (5) The nature of the event and the anticipated number of attendees.
- (6) Details on any planned set-up or temporary structures which may be used during the event.
- (7) The Village may require additional information if necessary to evaluate the application.

(d) **Action on Application; Denial Criteria.**

- (1) Completed Park Use Permit applications submitted to the Village Administrator with the required fees will be processed by the Village Administrator on a first-come first-served basis; however, any Park Use Permit applications for events anticipating more than one hundred (100) attendees and all Special Park Use Permit applications shall be forwarded to the Village Board for consideration and action. Applications for a Park Use Permit or Special Park Use Permit may be denied by the Village for any of the following reasons:
 - a. The application is incomplete or untimely, including non-payment of the required fee.
 - b. A permit has already been issued that conflicts with the event, or a Village-sponsored event will conflict with the requested event.

- c. The anticipated nature of the use would violate local, state or federal law.
 - d. The anticipated nature of the use would create a substantial risk of injury to attendees or bystanders, or of damage to property.
 - e. The anticipated nature of the use would require a level of security, emergency services, utilities and/or other municipal resources which the Village is unable to provide without straining providing services to the rest of the Village of Rio.
 - f. The applicant has outstanding invoices or charges due the Village of Rio.
- (2) The Village Board, or designated officials, may approve or deny the permit application, or may approve the application subject to additional conditions to address concerns or issues deemed necessary to protect public health, safety, welfare, and good order in the Village of Rio.
- (e) **Indemnification.** Prior to granting any permit for exclusive use of the park, the Village may require the permittee to file evidence of good and sufficient sureties, insurance in force or other evidence of adequate financial responsibility, running to the Village of Rio and such other third parties as may be injured or damaged, in an amount depending upon the likelihood of injury or damage as a direct and proximate result of the exclusive use sufficient to indemnify the Village and such third parties as may be injured or damaged thereby, caused by the permittee, its agents or participants. The Village of Rio shall be a named insured.
 - (f) **Permit Not Required For Village Activity.** A permit is not required for exclusive use of the park or a park facility sponsored by the Village of Rio.
 - (g) **Permit Revocation.** The Village President, Village Administrator, or a law enforcement officer may revoke a permit already issued if it is deemed that such action is justified by an actual or potential emergency due to weather, fire, riot, other catastrophe or likelihood of a breach of the peace or by a major change in the conditions forming the basis of the issuance of the permit.
 - (h) **Class B Fermented Malt Beverage Licenses.** When fermented malt beverages are sold at any event authorized by this Section, a valid Fermented Malt Beverage license shall be obtained and the provisions of Section 7-2-11, and Section 11-4-1 shall be fully complied with. Said license must be held by the person who filed the original license and shall be presented to any law enforcement officer upon request.
 - (i) **Care of Facilities.** Persons reserving Village facilities shall be completely responsible for cleaning up the facilities after the event to the satisfaction of Village officials. As a permit approval condition, the Village may require a cleanup deposit. All reserved areas shall be left in a clean condition, with refuse placed in containers provided for such purpose and tables and benches returned to their original locations. Any organization or corporation reserving any area in a Village park shall agree to assume full responsibility for all damage to Village property caused by event attendees and shall make full payment therefore upon billing by the Village Administrator. Failure to do so shall deny future use of park

facilities until such payment be made, in addition to any other remedy which the Village may have.

Cross-Reference: Sections 7-2-11 and 11-4-1.

Sec. 12-1-6 Skateboard Park Use.

If established by the Village Board, a Village of Rio Skateboard Park is a facility for safe and appropriate skateboarding, and the use of similar wheeled, non-motorized recreational devices such as in-line skates and rollerblades. Patrons of this skateboarding facility shall comply with the following user regulations. The Village of Rio reserves the right to evict those who fail to abide by any of these regulations. Users of the skateboarding facility do so at their own risk; the Village assumes no liability for injuries sustained while using this facility:

- (a) **Protective Gear.** All persons using the skateboarding facility are required to wear helmets, kneepads and elbow pads.
- (b) **Use Restricted.** No other recreational activities shall take place at the skateboarding facility other than those allowed by this Section. No more than one (1) person may be on a skateboard at one time.
- (c) **Supervision of Young Children.** Children under the age of ten (10) shall have adult supervision at all times.
- (d) **Prohibited Conduct.**
 - (1) The use of tobacco, alcohol, drugs, profanity and/or abusive language is prohibited.
 - (2) No food, drinks, or glass containers are permitted in the skating plaza area. Refuse shall be properly disposed of.
 - (3) No person shall deliberately vandalize or damage Skateboard Park property or place graffiti on such property.
- (e) **Spectators.** Spectators shall watch skateboarding activities from outside of the active skating plaza area.
- (f) **Hours.** Skateboard Park open hours are sunrise to sunset, seven (7) days a week.

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Municipal Building Use

- 12-2-1** Reservation of Municipal Building
- 12-2-2** Use of Municipal Building for Private Sales or Marketing
- 12-2-3** Municipal Building Keys

Sec. 12-2-1 Reservation of Municipal Building.

- (a) **Policy on Reservation.** The Municipal Building is primarily for the nonexclusive use of the residents of the Village of Rio and the conducting of municipal business. However, under proper circumstances, exclusive use of the same, or portion thereof, may be permitted. This Section is intended to regulate exclusive use of the Municipal Building to the end that the general welfare of the Village is protected.
- (b) **Application.** Applications shall be filed with the Village Administrator at least fourteen (14) business days prior to the date on which the Municipal Building is to be used. The requestor shall provide the Village Administrator with the following information regarding the proposed exclusive use:
 - (1) The name, address and telephone number of the applicant.
 - (2) If the exclusive use is proposed for the group, firm, organization, partnership or corporation, the name, address and telephone number of the responsible and authorized heads or partners of the same.
 - (3) The name, address and telephone number of the person who will be responsible for the use of the Municipal Building.
 - (4) The date when the use is requested and the hours of the proposed exclusive date.
 - (5) The anticipated number of persons to use the Municipal Building.
 - (6) Any additional information which the Village Administrator finds reasonably necessary to a fair determination as to whether authorization should be granted. If the Village Administrator believes that the request raises unique or unusual policy issues, the request may be referred to the Village Board for its action.
- (c) **Reasons for Denial.** Applicants requesting the use of the Municipal Building may be denied for any of the following reasons:
 - (1) If it is for a use which would involve a violation of federal or state law or any provision of this Code of Ordinances.

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- (2) If the granting of the permit would conflict with another permit already granted or for which an application is already pending.
 - (3) If the applicant does not provide the information required by Subsection (b) above.
 - (4) The application is made less than the required time in advance of the scheduled exclusive use.
 - (5) If it is for a use of the Municipal Building at a date and time when, in addition to the proposed use, anticipated nonexclusive use by others of the Municipal Building is expected and would be seriously adversely affected.
 - (6) If the law enforcement requirements of the exclusive use will require so large a number of persons as to prevent adequate law enforcement to the Municipal Building.
 - (7) The exclusive use will reasonably create a substantial risk of injury to persons or damage to property.
 - (8) The exclusive use is so poorly organized that participants are likely to engage in aggressive or destructive activity.
- (d) **Rental Conditions.** The Municipal Building may only be rented if the requesting party agrees to comply with the following conditions, and such conditions contained in the Municipal Building Use Agreement are signed by the responsible party:
- (1) The user will be responsible for cleaning up the Municipal Building to an acceptable level after use.
 - (2) Rental use of the Municipal Building shall be restricted to the areas designated by the Village Administrator, unless otherwise specifically permitted by the Village Board or Village Administrator.
 - (3) Storerooms, whether locked or unlocked, shall be considered off-limits to all renters and members of their groups under any circumstances, and entrance thereto is forbidden.
 - (4) The Municipal Building shall not be rented or reserved on a permanent ongoing basis to any individual or group, unless otherwise specifically permitted by the Village Board.
 - (5) The user shall sign a rental agreement and indemnification agreement and submit the same at the time of application. The user, as a condition of usership, shall comply with applicable use policies required by the Village.
- (e) **Fees.** Rental fees and security deposit amounts shall be as established by the Village Board. Rental fees shall be paid in full at time of application. Security deposits shall be forfeited if damage is found.

Sec. 12-2-2 Use of Municipal Building for Private Sales or Marketing.

- (a) The use of any of the facilities in the Municipal Building for any sale or marketing of products or services by private entities is permitted under the following circumstances:
 - (1) The selling/marketing individual or entity must be either:
 - a. A non-profit organization; or

- b. An invited guest of a nonprofit organization (speaker, product or service representative, etc.).
- (2) Prior approval of the Village Administrator must be obtained. Non-profit organizations seeking such approval must have a current certificate of insurance on file with the Village Administrator. If requested, proof of nonprofit status must also be provided to the Village Administrator.
- (b) Any room used for such purposes must be returned to its pre-event condition; all sales brochures and materials are to be removed from the building at the conclusion of the event. Failure to do so may result in denial of future requests for use of the facility by the responsible organization.
- (c) Exceptions to this Section may be granted on a case-by-case basis by the Village Board.

Sec. 12-2-3 Municipal Building Keys.

- (a) **Issuance.** Keys to the Municipal Building and designated rooms thereof shall be issued to Village officials, Village employees and users of said building as authorized by the policies of the Village Board. Keys may be issued for a limited temporary purpose in like manner.
- (b) **Use of Keys Regulated.** It shall be unlawful for any person in possession of a key to the Municipal Building to admit any authorized person to said building or to enter such building at unauthorized times. It shall also be unlawful for any person in possession of a key to the Municipal Building to admit any unauthorized person to said building or to enter such building at unauthorized times. It shall also be unlawful for any person to duplicate, or cause to be duplicated, any Municipal Building key unless so authorized by the Village Board.
- (c) **Agreement.** The Village Administrator shall keep a list of persons issued keys and their respective numbers. Everyone issued a key or keys, with the exception of Village officials and employees, shall sign an agreement to comply with the provisions of this Section and shall make a deposit per Section 1-3-1 and agree to pay an additional fee per Section 1-3-1 to rekey the door in the event the key is lost or misplaced.

