

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER a: LANDS

PART 110
PUBLIC USE OF STATE PARKS AND OTHER PROPERTIES OF THE
DEPARTMENT OF NATURAL RESOURCES

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AUTHORITY: Implementing and authorized by Section 8 of the State Forest Act [525 ILCS 40]; Sections 1, 2, 4 and 6 of the State Parks Act [20 ILCS 835]; Section 5 of the State Parks Designation Act [20 ILCS 840]; Sections 805-10, 805-520, 805-525, 805-330, 805-335 and 805-515 of the Civil Administrative Code of Illinois [20 ILCS 805]; and Section 5 of the Crematory Regulation Act [410 ILCS 18].

SOURCE: Adopted at 4 Ill. Reg. 11, p. 59, effective March 4, 1980; emergency amendment at 5 Ill. Reg. 8933, effective August 25, 1981, for a maximum of 150 days; codified at 5 Ill. Reg. 10621; amended at 6 Ill. Reg. 7401, effective June 11, 1982; amended at 8 Ill. Reg. 9967, effective June 19, 1984; amended at 10 Ill. Reg. 9797, effective May 21, 1986; amended at 10 Ill. Reg. 13256, effective July 25, 1986; amended at 13 Ill. Reg. 3785, effective March 13, 1989; amended at 15 Ill. Reg. 14423, effective October 1, 1991; emergency amendment at 16 Ill. Reg. 7934, effective May 11, 1992, for a maximum of 150 days; emergency expired October 8, 1992; amended at 16 Ill. Reg. 15435, effective September 28, 1992; amended at 19 Ill. Reg. 6471, effective April 28, 1995; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 22 Ill. Reg. 14832, effective August 3, 1998; amended at 24 Ill. Reg. 12556, effective August 7, 2000; emergency amendment at 25 Ill. Reg. 13786, effective October 12, 2001, for a maximum of 150 days; amended at 26 Ill. Reg. 1206, effective January 16, 2002; amended at 26 Ill. Reg. 6534, effective May 1, 2002; amended at 27 Ill. Reg. 8866, effective May 19, 2003; amended at 28 Ill. Reg. 7061, effective May 3, 2004; amended at 29 Ill. Reg. 2268, effective January 28, 2005; emergency amendment at 30 Ill. Reg. 13536, effective July 27, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 19376, effective November 30, 2006; amended at 32 Ill. Reg. 174, effective December 19, 2007; amended at 37 Ill. Reg. 6652, effective May 1, 2013; amended at

43 Ill. Reg. 1624, effective January 17, 2019; amended at 45 Ill. Reg. 12553, effective September 24, 2021.

SUBPART A: GENERAL PROVISIONS

Section 110.1 Definitions

Conservation event – An event that furthers the mission of the Department and that is in line with outdoor education or conservation.

Department – The Illinois Department of Natural Resources

Director – The Director of the Illinois Department of Natural Resources

Encampment – An event which reenacts what life was like in the State of Illinois during the time periods of the 18th and early 19th centuries.

Event – An outing that is planned by the public on Department property and seeks to claim parts of the site to conduct the outing during a specified time.

Primitive camping – Any shelter that resembles a camping structure as would have been used in the 18th century and is being used during an encampment.

(Source: Added at 45 Ill. Reg. 12553, effective September 24, 2021)

Section 110.4 Department Activity Permits, Site Charges, Facility Usage Fees and Special Events

- a) Activity Permits
 - 1) It shall be unlawful for any group of more than 20 persons to use Department-owned, -leased or -managed property and facilities unless the group complies with this Section and obtains an activity permit.
 - 2) All groups of more than 20 persons seeking to host an event on Department-owned, -leased or -managed property or facilities shall submit an activity permit application, on a form provided by the Department, and pay a \$25 activity permit application fee at the time of submittal. The requirements to obtain an activity permit is in addition to any other

permits or fees required under this Section.

- A) For groups of persons under the age of 18, it is required that at least one adult (age 18 years or older) accompany no more than 15 minor individuals.
 - B) Any groups of more than 20 persons may be denied an activity permit if it is determined by the Site Superintendent that:
 - i) the site's physical layout and infrastructure is not suitable for the group activity, or
 - ii) may be detrimental to the public health and safety of other site visitors or the natural resources at the site.
 - C) The Department may also require a group of more than 20 persons to provide protection against liability claims by:
 - i) purchasing a liability insurance policy (at an amount set by the Department), which shall include Dram Shop coverage if alcohol of any type is being sold or served during a group's event; and
 - ii) agreeing to indemnify and hold harmless the Department, its officers, employees and agents for any damage to property and persons as a result of the willful and/or negligent acts of the group and/or its members and/or those in attendance. The Department will provide the Release, Waiver and Indemnification form for the group to sign and submit to the Site Superintendent.
 - D) The Site Superintendent will evaluate the availability of parking, conflicts with other visitor uses, acreage, toilet facilities and suitable roadways in determining whether to grant an activity permit for the requested group activity.
- b) Department Site Charges
The following fees will be charged for use or reservation of designated facilities, except that Illinois residents who are veterans and disabled or a former prisoner of

war (see 20 ILCS 805/805-305) shall be exempt from this subsection:

- 1) All persons entering a designated swim beach area shall pay a \$2 fee unless otherwise posted at the swim beach area. Illinois Beach State Park beaches are not designated swim beach fee areas.
- 2) All individuals reserving a picnic shelter at sites participating in the Shelter Reservation Program shall pay \$50 each day a shelter is reserved. Reservations are non-refundable unless the area is closed by the Department. Checks are to be made payable to the Illinois Department of Natural Resources (site name). Reservations are not final until payment is received. Upon vacating the site, shelter users are required to remove all personal belongings and place all trash in the appropriate receptacles located at the site. Those who fail to do so will be charged a disposal fee of \$50. Shelter users who fail to pay the disposal fee will be denied future reservations until the fee is paid in full.

c) Facility Usage Fees for Exclusive Use

The Department reserves the right to charge a facility usage fee for exclusive utilization of Department site space and that site space is not available to be reserved by use of an online reservation program. The flat fee will be reflective of the impact to the site, fair market value for the region, and based on evaluative criteria listed in this subsection (c):

- 1) time of day and time of year;
- 2) amount of Department staff involvement required;
- 3) number of people using the facility;
- 4) level of demand for particular site space; and
- 5) impact on the site, natural resources, and other site users.

d) Permit to Sell

- 1) All persons or entities seeking to charge fees to participants, provide items for sale, or otherwise collect money or items as part of an event located on Department-owned, -leased or -managed property or facilities shall

complete a permit to sell application form. All revenue generated from the event shall be subject to a 10% fee payable to the Department upon completion of the event. The activity permit application fee may be deducted from the permit to sell fees owed the Department at the completion of the event. All funds received will be allocated to the site at which the fees were collected. Activity permit, permit to sell, and facility usage fees will be waived if the group is a formally recognized Friends Group of the site at which the event is being held (see Section 110.190).

- 2) All persons or entities seeking to charge fees, to provide items for sale, or otherwise collect money or items as part of the Illinois State Fair or the DuQuoin State Fair and such activity will be located at an area that is under the control or management of the Department shall complete a permit to sell application form. All revenue generated from the permitted activity shall be subject to a 15% fee payable to the Department upon completion of the event. The activity permit application fee for the Illinois State Fair or the DuQuoin State Fair may be deducted from the permit to sell fees owed the Department at the completion of the event. All funds received will be allocated to the site at which the fees were collected.
- e) The Department reserves the right to waive or reduce fees listed in subsections (c), (d) and (f) based upon the:
- 1) amount of staff time required;
 - 2) overall impact on the site and Department resources;
 - 3) event is hosted by a school or educational institution; or
 - 4) event furthers the Department's mission or is a conservation event.
- f) Encampments
All individuals or entities that are participating in an encampment for the following activities shall file a completed application or agreement for the activity that they are participating in, as provided by the Department, at least 30 days before the encampment and shall submit the required fee, if any, with the completed application or pay the required percentage for items that were sold by the vendor at the encampment. Upon review of the applications and agreements

required by this subsection, the Department may grant permission to engage in the activity so applied for. All approved applicants shall follow the rules set out for their approved activity as listed in the application.

- 1) Primitive Camping
A Primitive Camping application.
- 2) Food Vendor
 - A) A Food Vendor Fee Application. This application shall include all food items to be sold at the encampment and the price of the listed items. Any changes to the menu of items to be sold after an application has been approved must be approved by the Department.
 - B) A Food Vendor Fee Agreement.
 - C) Gross sales
 - i) Pay 10% of the gross sales made by the applicant during the encampment. This payment shall be made to the Department at the close of the last day of the encampment.
 - ii) Pay 5% of the gross sales made by a Not-for-Profit applicant. This payment shall be made to the Department at the close of the last day of the encampment. All applicants wishing to apply as Not-for-Profit entities must submit documentation along with their application showing that they are a 501(c)(3) tax exempt organization.
- 3) Merchant
 - A) A Merchant Application.
 - B) A fee of \$200.
- 4) Blanket Trader
 - A) A Blanket Trader Application.

- B) A fee of \$100.
- 5) Traditional Craftsman
 - A) A Traditional Craftsman Application.
 - B) A fee of \$100.
- g) World Shooting Recreation Complex
The Department reserves the right to charge a facility usage fee for exclusive utilization of any part of the World Shooting and Recreation Complex. The flat fee will be reflective of the impact to the site, fair market value for the region, and based on criteria listed in this subsection:
 - 1) time of day and time of year;
 - 2) amount of Department staff involvement required;
 - 3) number of people using the facility;
 - 4) level of demand for particular site space; and
 - 5) impact on the site, natural resources, and other site users.
- h) This Section shall not apply to any activity or event that has been undertaken with the Department in compliance with and pursuant to the Illinois Procurement Code (30 ILCS 500).

(Source: Amended at 45 Ill. Reg. 12553, effective September 24, 2021)

Section 110.20 Alcoholic Beverages – Possession, Consumption, Influence

It shall be unlawful, on Department-owned, -leased or -managed property or facilities for any person to possess or consume intoxicating beverages, including beer or wine, in any Department-owned,-leased or -managed property or facilities that is posted with signs indicating that the possession or consumption is unlawful.

(Source: Amended at 45 Ill. Reg. 12553, effective September 24, 2021)

Section 110.30 Animals – Pets, Dogs, Cats, Equine; Noisy, Vicious, Dangerous Animals; Livestock; Animal Waste

It shall be unlawful, on Department-owned, -leased or -managed property or facilities:

- a) For any person to allow an unleashed dog, cat or other domesticated animal on any area and further for any person to allow any dog, cat or other domesticated animal in any area, on a leash longer than 10 feet, except that:
 - 1) unleashed hunting dogs are allowed during the hunting season for all wildlife species except deer and wild turkey on any Department areas open to hunting and so posted;
 - 2) at field trials unleashed dogs are allowed at sites designated by the Department in accordance with 17 Ill. Adm. Code 910;
 - 3) unleashed hunting dogs are allowed by individual permit for dog training at sites designated by the Department in accordance with 17 Ill. Adm. Code 950;
 - 4) search and rescue dog training is allowed by activity permit. The permit will designate specific areas and times so as not to conflict with other site activities; and
 - 5) dogs on a maximum 50 foot leash being used to track wounded deer are allowed at sites in accordance with 520 ILCS 5/2.26 and 17 Ill. Adm. Code 510.
- b) For any leashed or tied animal to be left unattended and not under the specific physical control of the owner or person designated by the owner.
- c) For any person to bring any domesticated animal onto Department lands without the animal being current on any required federal, State or local vaccinations or health certifications. Proof of required vaccinations or health certifications must be provided to any Department employee upon demand.
- d) For any person to keep a noisy, vicious, or dangerous dog or animal, or one that is disturbing to other persons, on Department-owned, -leased or -managed

properties or facilities, and to remain on the property or facilities after being asked by the Site Superintendent or assigned employee to leave.

- e) For any person to ride or lead any equine in any area, other than a designated equestrian trail or area, except horse drawn conveyances authorized by a Department Activity Permit. Horse patrols of the Department in the performance of their duties are not excluded from any area under the control of the Department. Hikers on equestrian trails must yield to equines.
- f) For any person to allow livestock to roam or graze on any Department-owned, -leased or –managed property or facilities except when authorized by proper lease, license or written agreement approved by the Department in accordance with 17 Ill. Adm. Code 150.
- g) For any person responsible for an animal in a campground or day use area not to dispose of his animal's waste excrement directly into a Department garbage container with a tight fitting lid or have the excrement put into a closed water tight bag or water tight container with the lid closed and placed into an open Department trash container. At equestrian campgrounds, equestrians must deposit their animal's waste in a designated manure collection area.
- h) For any person to allow a dog, cat, or other domesticated animal on any area designated as "NO PETS", except for animals that are being utilized in conformance with the Americans With Disabilities Act (42 USC 12101) or Illinois law with respect to Service Animal Access [720 ILCS 5/48-8]. This prohibition of dogs, cats or other animals will be reserved for beach areas, concession areas, and certain areas within campgrounds and picnic areas where there are concentrations of large numbers of people or the presence of food or children.
- i) For any person to erect or use temporary corrals, except when:
 - 1) there are insufficient hitching posts or tie line areas;
 - 2) there is a large enough open area that can be utilized for a corral without causing damage to State property; and
 - 3) permission has been obtained from the Site Superintendent. Such permission may be given for use of a corral constructed with rope or gates.

Electrified fences or wires are prohibited, unless used for emergency grazing of livestock. Emergency grazing of livestock may occur on Department-owned, -leased or -managed property only after permission has been obtained from the Director.

- j) To tether equines or canines to trees. Tie lines between trees are permissible if sites do not provide hitching posts, tie line posts or tethering structures within campgrounds, day use areas or rest areas. Tie lines, if used, must not allow animals to reach or otherwise do damage to either tree.

(Source: Amended at 45 Ill. Reg. 12553, effective September 24, 2021)

Section 110.40 Boats and Other Watercraft

For purposes of this Section, the term "watercraft" means a watercraft or vessel as defined in the Boat Registration and Safety Act [625 ILCS 45]. It shall be unlawful, on Department-owned, -leased or -managed property:

- a) For any person to operate any watercraft in any pond, lake, river, canal or other body of water where posting clearly indicates that certain specific boating usage is prohibited. However, Department employees operating watercraft in carrying out official duties and personnel of cooperating agents or agencies operating watercraft as authorized by the Department are exempt from boating regulations in this Section or specific site rules as determined by Department supervisory managers in order to provide management actions for enhancing or saving the resource base or the safety and welfare of the using public.
- b) For any person to use a motor driven watercraft on any body of water under the jurisdiction of the Department that has less than 40 surface acres. However, this does not exclude the use of motor driven boats to gain access to duck blinds during blind building activities and during the waterfowl hunting season or electric trolling motors on these bodies of water.
- c) For any person to operate a motor driven watercraft at greater than no wake speed on any body of water posted as no wake.
- d) Horsepower restrictions shall not apply at posted boat launch ramps while loading or unloading a trailered watercraft, provided that the watercraft over the H.P. limit is operated at a nowake speed within 150 feet of the loading ramp itself.

- e) For any person to allow watercraft to remain on any of the public recreational and fishing areas under the jurisdiction of the Department during the month of December each year.
- f) For any person to remain on any Department lake after posted closing time.

(Source: Amended at 45 Ill. Reg. 12553, effective September 24, 2021)

Section 110.45 Abandoned Watercraft

It shall be unlawful for any person to abandon a watercraft on property owned, leased or managed by the Illinois Department of Natural Resources.

- a) Abandoned watercraft is defined as a watercraft left unattended for a single period longer than six hours on Department-managed land or water at an area which is not authorized for boat docking.
- b) The Department shall have the power to remove any abandoned watercraft and store said watercraft until claimed by the owner and fees of \$15.00 for removal and \$5.00 for each day's storage are paid. The fees paid for removal and storage are separate from any criminal penalty and do not affect criminal prosecution.

(Source: Amended at 13 Ill. Reg. 3785, effective March 13, 1989)

Section 110.50 Capacity of Areas -- Usage Limitation

It shall be unlawful:

- a) For any person to violate the rules and regulations pertaining to posted usage capacity of campgrounds, picnic grounds, or other areas where limited facilities make it necessary to control use by persons and/or motor vehicles. Site Superintendents and Law Enforcement Officers of the Department of Natural Resources are authorized to close such facilities to additional persons until such time as the number of users falls below the capacity posted within the area.
- b) For any person to violate the posted closing period for any site except as permitted in 17 Ill. Adm. Code 130.90(a).

(Source: Amended at 24 Ill. Reg. 12556, effective August 7, 2000)

Section 110.60 Camping – Campfires – Firewood

It shall be unlawful, on Department-owned, -leased or -managed property or facilities:

- a) For any person to use a tent or trailer, or any other type of camping device, except in designated camping areas. Persons camping in designated areas shall obtain a camping authorization slip from authorized site personnel as provided by 17 Ill. Adm. Code 130 or for encampments, approval of the Primitive Camping application and instructions as to where the approved applicant is permitted to camp.
- b) For any person to build any fire:
 - 1) in any area except in camp stoves provided by the Department or in charcoal or other types of metal grills furnished by the visitor at a specific designated campfire site; or
 - 2) where bans on open fires are posted by the Department.
- c) For any person to possess or discharge any type of fireworks or other explosive devices, including, but not limited to, model rockets or aerial displays, without a written permit issued by the Department. The decision to grant or deny a permit will be based upon public safety, legal considerations, the impact on public use/enjoyment of parks, and the potential impact on natural resources, such as fire or the disturbance of nesting or feeding patterns.
- d) For any person to bring or possess on Department-owned, -leased or -managed properties firewood from any geographical area where wood exportation has been prohibited by either the State of Illinois or federal quarantine, in violation of 505 ILCS 90/22, or to sell or distribute firewood on Department-owned, -leased or -managed properties without prior written agreement with the Department pursuant to 17 Ill. Adm. Code 150.
- e) For any person to bring firewood onto Department-owned, -leased or -managed properties when the firewood was obtained from greater than 50 miles from the site unless it is U.S. Department of Agriculture certified wood or wood that is certified by an agency of the State of Illinois. Firewood may not be brought into

Illinois from any location outside of Illinois unless it is U.S. Department of Agriculture certified wood or wood certified by another state's regulatory agency.

- f) A Conservation Police Officer may confiscate any firewood brought onto Department-owned, -leased or -managed properties found to be in violation of this Section.

(Source: Amended at 45 Ill. Reg. 12553, effective September 24, 2021)

Section 110.70 Destruction of Property – Flora – Fauna – Man-Made and Inanimate Natural Objects – Collection of Artifacts

It shall be unlawful, on Department-owned, -leased or -managed property or facilities:

- a) For any person to injure or remove any animal, plant or part thereof, or attempt to disturb any agricultural crop, except:
- 1) as otherwise provided by permit, law or regulation;
 - 2) as provided by a Department-sponsored program or activity under the direct supervision of an authorized employee; or
 - 3) in the collection of edible fungi, nuts and berries (not including ginseng berries, removal of which will remain unlawful) on Department-owned, -leased or -managed lands where the collection would not be incompatible with resource management activities or recreational programs at the site. Collection shall not be in conflict with the Natural Areas Preservation Act [525 ILCS 30] and shall occur only when the collection is for personal use only and not for re-sale.
 - A) Collection hours for edible fungi, nuts and berries shall be allowed during the site's regular hours of operation only, except collection is not permitted at any site during the open hours of established hunting seasons at that site.
 - B) Collection contests shall not be allowed on any State site.
- b) For any person to remove, take, alter, hide, construct, mutilate, deface, damage or destroy any natural or man-made property, equipment, improvement, sign, trail or

building when the person does so to any such item which is supported, purchased or maintained by the State without the consent of the State when the value of or damage to the property is \$150 or less, except as otherwise provided by permit, law, regulation, or by Department program activity under the direct supervision of an authorized employee.

- c) For any person to collect or take artifacts and/or mutilate, destroy, deface or excavate any archaeological site, except as provided by permit issued according to 17 Ill. Adm. Code 370.
- d) For any person to withdraw or pump water from any Department-owned, -leased or -managed lake, canal, wetland, river or stream except as authorized by Department permit. The decision to grant or deny a permit will be based upon a balancing between the need of the permittee and the protected water level or flow.
- e) For any person to climb, stand, sit or walk on any structure, building, shelter, fence, gate, post, flagpole, picnic table, wall, refuse container, or parts thereof, or any equipment, object or apparatus owned by the Department that is not designed or intended for that use.
- f) For any person to take, appropriate, excavate, injure, destroy or remove any historical or prehistorical ruin, or parts thereof, or any object of antiquity, the total value of such items being less than \$150 without prior written permission of the Director.
- g) For any person to throw, carry, cast, drag, push or deposit any container or receptacle, picnic table, barricade, or any other Department-owned, -leased or -managed property into any waterway or upon the frozen waters, or otherwise move, stack or hide such property in a way that renders it unavailable to the general public for its intended use.

(Source: Amended at 45 Ill. Reg. 12553, effective September 24, 2021)

Section 110.90 Group/Activity Permits (Repealed)

(Source: Repealed at 45 Ill. Reg. 12553, effective September 24, 2021)

Section 110.95 Demonstrations

The holding or conducting of any public protest, demonstration, public meeting, gathering or parade to express opinions of governmental policies or practices and views on public issues on Department –owned, -leased or -managed property or facilities is prohibited unless a permit for such activity is issued by the Department.

- a) A written request addressed to the Site Superintendent must be submitted at least 5 days in advance of the event. The written request shall state the name of the individual, organization, corporation, association, society, club, or group of whatever kind or nature seeking to use Department –owned, -leased or –managed property. The request shall also list the names and addresses of all officers or leaders, the dates and times sought, equipment to be used, if any, and the estimated number of participants.
- b) Any group seeking a permit for 100 or more participants shall guarantee one person per 25 participants identified as marshals who will be responsible for meeting the conditions of the permit, ensure the demonstration remains peaceful and orderly and the participants remain within the physical boundaries of the permit.
- c) The Department may refuse to issue a permit for the intended activity if it is determined that the intended activity will:
 - 1) create or cause a safety hazard to the participants or other visitors to the site or create a hazard to the natural resources protected by the Department;
 - 2) impede the performance of public business to be conducted in the area;
 - 3) conflict in date, time, and place with a previously scheduled activity of another group; or
 - 4) damage or threaten to damage physical property, cultural resources or other physical attributes of the site.

(Source: Amended at 45 Ill. Reg. 12553, effective September 24, 2021)

Section 110.100 Littering

It shall be unlawful, on Department-owned, -leased or -managed property or facilities:

- a) For any person using Department facilities to discard, abandon, place, or deposit on Department properties, except in containers provided, any wire, cans, bottles, glass, shotgun shells, paper trash, rubbish, garbage, cardboard, wood boxes or other insoluble animal, vegetable, metal, or mineral materials. This prohibition shall not apply to the scattering of cremated human remains in accordance with a valid permit issued pursuant to Section 110.105.
- b) For any person to bring onto Department-owned, -leased or -managed property any of the items listed in subsection (a), with the express purpose of disposing, abandoning, or leaving any of these types of materials on Department-owned, -leased or -managed property, whether they are left or placed in proper containers or not.

(Source: Amended at 45 Ill. Reg. 12553, effective September 24, 2021)

Section 110.105 Scattering of Cremated Human Remains

- a) The scattering of cremated human remains is prohibited, except pursuant to the terms and conditions of a permit issued by the Department. The scattering of cremated human remains shall not be permitted within 100 feet of archaeological sites, within Illinois nature preserves, Illinois land and water reserves, and Illinois Natural Areas Inventory sites, or at State Historic Sites, State Memorials, and Miscellaneous Properties designated pursuant to 20 ILCS 3405/6.
- b) A person seeking a permit for scattering cremated human remains shall submit an application to the Department, on a form approved by the Department, at least 14 days before the requested scattering date, to allow for Department review of the proposed scattering location and to avoid significant archaeological sites and/or environmentally sensitive areas. Applications for a permit for scattering cremated human remains shall be available on the Department's website, at Department headquarters and regional offices, and at State park offices.
- c) The following conditions apply to the permitted scattering of cremated human remains, in addition to any terms and conditions specified in the permit:
 - 1) The proposed scattering location must be out of sight of any public use areas, including, but not limited to, roads, walkways, trails, picnic areas, campgrounds and parking lots;

- 2) The proposed scattering location must be at least 200 feet from any lake, stream, watercourse or creek bed (running or dry);
 - 3) Persons conducting the scattering of cremated human remains shall have a copy of the permit in their possession at all times during scattering activities;
 - 4) Scattering of cremated human remains shall be conducted so as not to disturb other park users;
 - 5) Ashes from cremated human remains must be spread over an area large enough to avoid leaving an identifiable accumulation or remains. The cremation identification disc must not be dispensed or left on site during or after scattering activity;
 - 6) No container, urn, cross, symbol or memorial markers of any kind may be left on Department-owned, -leased or -managed property. The placement or planting of real or artificial flowers and/or memorial trees is also prohibited; and
 - 7) Nothing in the permit shall relieve persons conducting the scattering of cremated human remains from the obligation to comply with any and all other applicable laws and regulations affecting the disposal of human remains and the use of Department-owned, -leased or -managed property.
- d) Violation of the terms and conditions of a permit issued in accordance with this Section is prohibited and may result in the suspension or revocation of the permit in addition to any other applicable penalty.

(Source: Added at 45 Ill. Reg. 12553, effective September 24, 2021)

Section 110.110 Prohibited Fishing Areas – Cleaning of Fish

It shall be unlawful for any person to take fish from the waters of any Department-owned, -leased or -managed property or facilities contrary to the rules and regulations of the Department at 17 Ill. Adm. Code 810, and further, any fish or parts of fish remaining from cleaning must be placed in a proper refuse container with a tight-fitting lid or removed from the area upon leaving.

(Source: Amended at 45 Ill. Reg. 12553, effective September 24, 2021)

Section 110.120 Restricted Areas

It shall be unlawful, on Department-owned, -leased or -managed property or facilities:

- a) For any person not authorized by the Department to enter or remain in any area or on any trail when that area or trail has, in whole or in part, been temporarily closed to use by visitors. Such closure shall be posted at the area or trail. Site Superintendents and Law Enforcement Officers of the Department, as well as other peace officers, are authorized to prohibit the use of closed areas, and it shall be unlawful for any person to disobey the rules and regulations posted relative to the closed area or the instruction/direction of authorized personnel.
- b) For any person to enter or remain on any portion of a dedicated nature preserve area where posted rules and regulations prohibit entry to protect the natural fauna or flora within the area.
- c) For any person to operate a non-handheld metal or mineral detection device. Persons must obtain a permit from the Department through the Chief of Lands, in advance, indicating the location where handheld devices will be used. Further, only a small pen knife, icepick or screwdriver shall be used by the permittee to recover any find in the area designated. After completing detection activity, the permittee must return the work area to its original state. No shovels, picks or entrenching devices of any size shall be used.
- d) For any person to collect firewood or operate a chain saw in any area that has been closed or posted to prohibit that use. Department Site Superintendents shall prohibit such use in any area that does not allow the collecting of firewood, or has experienced illegal cutting of timber.
- e) For any person to use electronic or electrical speakers or sound amplification system that emits sound into the use area of others at a volume that is disturbing or annoying to a reasonable person, except as authorized by Department permit. The decision to grant or deny a permit will be based upon the reason for the request and the time, date and type of activity, balanced against public enjoyment of the park.

(Source: Amended at 45 Ill. Reg. 12553, effective September 24, 2021)

Section 110.140 Soliciting/Advertising/Renting/Selling

- a) It shall be unlawful for any person to place signs or distribute advertising of any type on Department-owned, -leased or -managed property or facilities except as provided in subsection (b).
- b) It shall be unlawful for any person to make or solicit sales or rentals of any kind or place signs or advertisements of any kind on Department –owned, -leased or -managed property or facilities without first obtaining written permission from the Director, the Director's designee or a Department permit to sell in accordance with Section 110.4(d), a lease and/or license in writing in accordance with 17 Ill. Adm. Code 150 or in the case of lands managed by the Department without first obtaining a permit, lease, and/or license from the owner of the property and the Department.
- c) The Department shall only approve commercial signs, displays or advertisements that comply with the following guidelines (except as provided by contract with Department concessionaires):
 - 1) all advertisements will be limited to an area designated by the site;
 - 2) maximum size of advertisement will be 8½" X 12";
 - 3) advertisements shall not be posted for more than 30 consecutive days;
 - 4) vendor will be limited to one advertisement during the 30-day period. Posting will be on a first-come first-served basis; and
 - 5) advertisement cannot espouse any illegal act.
- d) Approval of advertising or displays on Department –owned, -leased or -managed property or facilities does not constitute endorsement of the advertised product, service, event or organization.
- e) Signs, placards, banners, displays or any other form of advertisement related to a demonstration or protest are regulated by permit in accordance with Section 110.95 of this Part.

(Source: Amended at 45 Ill. Reg. 12553, effective September 24, 2021)

Section 110.150 Swimming/Wading/Diving

It shall be unlawful for any person to swim, wade or bodily enter into the water at any Department-owned, -leased or -managed property. The exceptions to this rule include only the following:

- a) areas designated by posting as allowing swimming. Where lifeguards are not posted, no person under 17 years of age may swim or be on the beach without supervision of a parent, guardian, or responsible adult (18 years of age or older) present. Designated swimming beaches shall conform to all rules and regulations of the Illinois Department of Public Health regarding public swimming beaches (77 Ill. Adm. Code 820.360);
- b) areas where a Department employed lifeguard is on duty;
- c) areas posted for other uses such as waterfowl hunting, water skiing, wade fishing or riding personal watercraft or inflatable devices; or
- d) areas authorized for scuba diving. Scuba divers must have in their possession valid diving permits issued by the Site Superintendent. Permits are issued to keep track of name and location of divers, to ensure that divers are certified by a nationally recognized scuba certifying organization and to minimize user conflicts at sites.

(Source: Amended at 45 Ill. Reg. 12553, effective September 24, 2021)

Section 110.160 Vehicles – Operation on Roadway – Speed – Parking – Weight Limit

It shall be unlawful, on Department-owned, -leased or -managed property:

- a) For any person to operate any motor vehicle other than on roadways or trails designated for that activity, except that Site Superintendents shall, if it is to the Department's benefit, grant written permission to individuals or contractors to operate vehicles on areas other than roadways specifically posted as trafficways. These exceptions include, but are not limited to, access by lessees to leased property or adjacent private property; access by contractors to the contract work sites; and access by volunteers to project or program areas that assist the site.

- 1) For any person to operate a snowmobile in any area other than on posted trails, except that Site Superintendents shall, if it is to the Department's benefit, grant written permission to individuals to operate snowmobiles on other than posted trails. These exceptions include, but are not limited to, access by lessees to leased property or adjacent private property; access by contractors to the contract work sites; and access by volunteers to project or program areas that assist the site.
 - 2) For any person to operate any motor driven bicycle (as defined by Section 1-145.001 of the Illinois Vehicle Code), mini-bike, moped (as defined by Section 1-148.2 of the Illinois Vehicle Code [625 ILCS 5]), motorcycle or off-road vehicle unless it is on a roadway designated for vehicular use or on a designated area established by the Department for off-road vehicular use, except that Site Superintendents shall, if it is to the Department's benefit, grant written permission to individuals to operate these vehicles on areas other than those designated for off-road vehicular use. These exceptions include, but are not limited to, access by lessees to leased property or adjacent private property; access by contractors to the contract work sites; and access by volunteers to project or program areas that assist the site.
- b) For any person to operate, or cause to be operated, any motor vehicle (as defined by Section 1-146 of the Illinois Vehicle Code [625 ILCS 5]) upon any road, path, or drive in any manner that is greater than 20 M.P.H. unless otherwise posted.
 - c) For any person to operate, or cause to be operated, any motor vehicle (as defined by Section 1-146 of the Illinois Vehicle Code [625 ILCS 5]) upon any parking area in any manner that is greater than 10 M.P.H. unless otherwise posted.
 - d) For any person to operate, or cause to be operated, any motor vehicle (as defined by Section 1-146 of the Illinois Vehicle Code [625 ILCS 5]) upon any road, path, parking area or drive at a speed which is greater than is responsible and proper with regard to traffic conditions and the use of the road, path, parking area, or drive, or endangers the safety of any person or property. The fact that the speed of a vehicle does not exceed the applicable maximum speed limit does not relieve the driver from the duty to decrease speed when approaching and crossing an intersection, approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, or when special

hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions. Speed must be decreased as may be necessary to avoid colliding with any person or vehicle on or entering the road, path, parking area or drive in compliance with legal requirements and the duty of all persons to use due care.

- e) For any person to disobey a traffic control device.
- f) For any person to park a motor vehicle in any area that is not posted as a parking area, or to park a vehicle in any area for the purpose of repair, except those immediate repairs necessary to remove the vehicle from the area immediately.
- g) For any person to exceed a combined vehicle and content weight limit of 20,000 lbs. (10 ton) unless it is otherwise posted by sign on any Department roadway except that Site Superintendents shall, if it is to the Department's benefit, grant written permission to individuals or contractors to operate these vehicles on posted roadways. These exceptions include, but are not limited to, access by lessees utilizing farm equipment to get to leased property or adjacent private property; access by contractors to the contract work sites; access by vendors delivering materials.
- h) For any person to operate a snowmobile in any portion of a park or recreation area, where snowmobiles are allowed to operate, with less than four inches of snow cover.
- i) Except in cases of emergency, for any person to land or attempt to land any aircraft on Department-owned, -leased or -managed property without prior authorization for each landing or attempted landing from the Department.

(Source: Amended at 45 Ill. Reg. 12553, effective September 24, 2021)

Section 110.165 Bicycles – Operation on Roadway – Designated Trails

It shall be unlawful for any person to ride a bicycle or low-speed electric bicycle as defined by Section 1-140.10 of the Illinois Vehicle Code [625 ILCS 5] on Department-owned, -leased or -managed property or facilities:

- a) except upon a roadway designated for vehicular use, parking lot, or posted bicycle trail or in a direction opposite of a posted one-way trail that bicycles or low-speed

electric bicycles are authorized to use. An authorized employee of the Department may close the trail for safety reasons or to prevent damage to the trail or natural resources.

- b) upon any road, path, bicycle trail, or drive in any manner that is greater than 20 M.P.H. unless otherwise posted.
- c) upon any parking area in any manner that is greater than 10 M.P.H. unless otherwise posted.
- d) upon any road, path, bicycle trail, parking area or drive and at a speed which is greater than is reasonable and proper with regard to traffic conditions and the use of the road, path, bicycle trail, parking area or drive, or endangers the safety or any person or property. The fact that the speed of a vehicle does not exceed the applicable maximum speed limit does not relieve the driver from the duty to decrease speed when approaching and crossing an intersection, approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, or when special hazard exists with respect to pedestrians or other traffic or by reason of weather, highway or trail conditions. Speed must be decreased as may be necessary to avoid colliding with any person or vehicle on or entering the road, path, bicycle trail, parking area, or drive in compliance with legal requirements and the duty of all persons to use due care.
- e) disobey a traffic control device.

(Source: Amended at 45 Ill. Reg. 12553, effective September 24, 2021)

Section 110.170 Weapons and Firearms – Display and Use

Unless otherwise allowed by statute, it shall be unlawful for any person, other than authorized peace officers, to display or use a weapon or firearm on Department-owned, -leased or -managed properties, except as authorized by the Department for hunting (see 17 Ill. Adm. Code 510, 530, 550, 570, 590, 650, 660, 670, 680, 690, 710, 715, 720, 730, and 740), at field trials (see 17 Ill. Adm. Code 910), or at target or special event areas. This includes, but not is not limited to, any firearm including shotgun, rifle, pistol, revolver, air or BB gun, and sling shot, bow and arrow, switchblade knife with spring loaded blade, throwing knife, tomahawk or throwing axe, or martial arts devices.

(Source: Amended at 45 Ill. Reg. 12553, effective September 24, 2021)

Section 110.175 Nudity Prohibited

It shall be unlawful for any person to sunbathe nude, or expose their genital area in a public place on Department owned or controlled property.

(Source: Amended at 24 Ill. Reg. 12556, effective August 7, 2000)

Section 110.180 Violation of Rule

- a) Any person who violates any provision of this Part or Illinois law shall be subject to arrest and/or removal from the premises where the violation occurred.
- b) Anyone who is arrested, removed from Department lands, or cited for a violation of this Part and who has paid an activity fee or a permit fee shall not receive a refund of such fee.

(Source: Amended at 45 Ill. Reg. 12553, effective September 24, 2021)

Section 110.185 Emergency Modification of Site Rules

In the event of a national or State emergency, declared as such by the federal or State government, that directly or indirectly affects the operations or programs at State parks or other properties of the Department, including leased properties, any site specific administrative regulations affected by the emergency situation may be modified by posting the modification at the site and by issuance of a public announcement. The modification shall not extend beyond the period of the declared emergency or disaster, unless adopted through amendment of Department rules under the Illinois Administrative Code. Rescission of the modification shall be posted at the site and publicly announced.

(Source: Amended at 45 Ill. Reg. 12553, effective September 24, 2021)

Section 110.190 Approval of Friends Groups for Department Sites

- a) The Department's Friends Group Program consists of Department approved groups that are dedicated to enhancing, preserving and protecting Department-owned, -leased or -managed sites, including, but not limited to, providing interpretive and educational activities. Groups that participate in the Program volunteer on a regular basis for approved projects and activities to

promote, support, rehabilitate, repair and further develop Department-owned, -leased or -managed sites. Groups may also sponsor activities and outdoor recreation at the site and are exempt from activity permit, permit to sell, and facility usage fees. A Friends Group shall reinvest in, or return to, the site all profits made from:

- 1) fundraisers;
 - 2) recreational events;
 - 3) educational events;
 - 4) the sale of all items, including, but not limited to, souvenirs and other gifts; and
 - 5) monetary donations.
- b) Application Process for becoming a Department Friends Group. A group seeking recognition as a Friends Group shall submit to the Department:
- 1) a letter of intent to organize an official Department Friends Group;
 - 2) the organization's mission statement;
 - 3) the organization's bylaws;
 - 4) documentation of good standing as a not-for-profit corporation under the General Not-For-Profit Corporation Act of 1986 [805 ILCS 105]; and
 - 5) documentation that the organization is a 501(c)(3) entity under federal tax law.
- c) Approval Criteria. Upon receipt of a complete application packet as described in subsection (b), the Department shall consider the following when making a determination to approve or deny a Friends Group request:
- 1) current needs of the site;
 - 2) the organization's experience and past accomplishments;

- 3) size of the organization; and
 - 4) the organization's intent and ability to enhance, preserve and protect Department-owned, -leased or -managed sites, including, but not limited to providing interpretive and educational activities.
- d) The Department reserves the right to approve or deny Friends Group applications based on the criteria listed in subsection (c).
 - e) Upon approval, the Department will provide the organization with a Memorandum of Understanding for execution. Violation of the Memorandum of Understanding by the approved Friends Group may result in loss of Friend's Group status and privileges.

(Source: Added at 45 Ill. Reg. 12553, effective September 24, 2021)

SUBPART B: ADOPT-A-TRAIL

Section 110.200 Purpose

The purpose of the Adopt-a-Trail program is to promote public involvement in and increased public appreciation of the many trails throughout the State of Illinois by allowing volunteer groups to assist in maintaining and enhancing trails on State-owned land.

(Source: Added at 43 Ill. Reg. 1624, effective January 17, 2019)

Section 110.210 Definitions

"Accessibility projects" – means projects that provide improved access to trails or trail amenities for all trail users, but especially for trail users with disabilities.

"Adopt-a-Trail Agreement" – means a legally binding document on and between a volunteer group and the Department in which the volunteer project is fully described and the parties' individual responsibilities as related to the volunteer project are defined.

"Adopt-a-Trail Program" or "Program" – means the program created by Section 805-45 of the Department of Natural Resources (Conservation) Law [20 ILCS 805/805-45].

"Application" – means a request, submitted on a form provided by the Department, by a volunteer group proposing to engage in a volunteer activity on a trail or a segment of a trail.

"Authorized representative" – means an individual who has been approved to act on behalf of the Department.

"Department" – means the Illinois Department of Natural Resources.

"Eligible member" – means an individual who has complied with all existing Department procedures, as well as any other federal, State or local requirements, to participate as a volunteer of the Department.

"Law" – means the Department of Natural Resources (Conservation) Law [20 ILCS 805].

"Public information and assistance" – means projects that are associated with events in which volunteers may provide information and assistance during the event.

"Responsible party" – means an individual who will coordinate an approved volunteer group, and ensure compliance with the submitted project proposal, Section 805-45 of the Law and this Part while that group is engaged in Adopt-a-Trail activities on Department land.

"Special events" – means a function or occasion held on an adopted trail, trail segment or trail system in association with a specific purpose for attendance or participation.

"Spring cleanups" – means projects that assist in the removal of natural debris and plant materials that may have accumulated over the period of closure.

"Trail" – means a named trail, or segment of a named trail, agreed upon and approved by the Department.

"Trail maintenance, enhancement or realignment" – means projects that focus on general maintenance and removal of trash and natural debris. Enhancement means projects that focus on Department approved alterations that enhance and improve the trail and trail user experience.

"Training" – means projects that educate volunteers on the Adopt-a-Trail program or elements associated with projects.

"Volunteer group" – means a group of individuals approved by the Department that consists of at least 6 eligible members who are 18 years of age or older, or a school or scout group that will be supervised by someone 18 or older, who offer to perform services or undertakings approved by the Department through an Adopt-a-Trail project.

(Source: Added at 43 Ill. Reg. 1624, effective January 17, 2019)

Section 110.215 Registration

- a) Volunteer groups must register with the Department to participate in the program.
- b) Individual members must also register with the Department to participate in the program.
- c) No unregistered persons will be permitted to take part in any Adopt-a-Trail activities.
- d) Members, whether a group or an individual, shall be responsible for updating any changes in their personal information.

(Source: Added at 43 Ill. Reg. 1624, effective January 17, 2019)

Section 110.220 Application

Volunteer groups that wish to participate in the Adopt-a-Trail program are required to submit an Adopt-a-Trail application pursuant to Section 110.235. All applications are subject to review, amendment and acceptance by the Department.

(Source: Added at 43 Ill. Reg. 1624, effective January 17, 2019)

Section 110.225 Agreements

- a) After the Department accepts a volunteer group's application, the Department will provide that group with an Adopt-a-Trail Agreement to review, sign and return to the Department's authorized representative. The Department may unilaterally suspend or terminate an Agreement at any time for any reason.
- b) Adopt-a-Trail Agreements shall involve:
 - 1) a two-year term of work, that involves at least 200 hours of service;
 - 2) a group of at least 6 eligible members.

(Source: Added at 43 Ill. Reg. 1624, effective January 17, 2019)

Section 110.230 Type of Work Permitted

- a) Any Adopt-a-Trail Agreement may propose certain volunteer activities to be performed solely by registered volunteers at their own risk. Adopt-a-Trail volunteer activities may include any of the following:
 - 1) Spring cleanups;
 - 2) Accessibility projects;
 - 3) Trail maintenance, enhancement or realignment;
 - 4) Public information and assistance; or
 - 5) Training.
- b) *Volunteer activities shall not include work historically performed by Department employees, including activities that result in a reduction of hours or compensation or that may be performed by a Department employee on layoff, nor shall volunteer activities be inconsistent with the terms of a collective bargaining agreement. [20 ILCS 805-45]*
- c) The Department may approve other proposed volunteer activities on a case-by-case basis.

(Source: Added at 43 Ill. Reg. 1624, effective January 17, 2019)

Section 110.235 Form of Submittal of Adopt-a-Trail Applications

Adopt-a-Trail applications shall be submitted to the Department by providing the application to the site superintendent. Application forms are provided on the Department's website at www.dnr.illinois.gov. Applications shall be submitted during January or at the request of the Department throughout the year, as determined by operation needs.

(Source: Added at 43 Ill. Reg. 1624, effective January 17, 2019)

Section 110.240 Department Approval

The Department has the sole and final authority to accept, modify or deny an Adopt-a-Trail application or Agreement. The Department may elect to have multiple Adopt-a-Trail Agreements for specific trails and may select more than one group to cover any given trail or trail segment. The operational needs of the Department for work at any particular site will determine how proposed volunteer activities are selected and executed.

(Source: Added at 43 Ill. Reg. 1624, effective January 17, 2019)

Section 110.245 Coordination

The Department shall be responsible for coordination of Adopt-a-Trail and similar programs such as Adopt-a-Park.

(Source: Added at 43 Ill. Reg. 1624, effective January 17, 2019)

Section 110.250 Volunteer Responsibilities

Volunteer groups shall, at all times, comply with the Act, this Part, Department application procedures, and any subsequent Adopt-a-Trail Agreement.

(Source: Added at 43 Ill. Reg. 1624, effective January 17, 2019)