

Champaign County Forest Preserve District and the Vermilion County Conservation District Rail Trail Rules and Regulations

ARTICLE 1 - RESTRICTIONS ON CCFPD AND VCCD RAIL TRAILS AND RAIL CORRIDOR

The following restrictions apply to the rail trail(s) and rail corridor(s) built or maintained by the Champaign County Forest Preserve District (CCFPD) and the Vermilion County Conservation District (VCCD) and to all rail trail easements and rights of way under the jurisdiction of CCFPD AND VCCD.

1.1 Motorized vehicles restricted. No motorized vehicles, including automobiles, trucks, farm or agricultural vehicles, motorcycles, motorbikes, motor scooters, go-carts, golf carts, snowmobiles, motorized bicycles, motorized skateboards, mopeds or all-terrain vehicles will be allowed on CCFPD and VCCD rail trail(s) or rail corridor(s) at any time. The following vehicles and uses are exempted from this prohibition:

1.1a Motorized vehicles are restricted to parking areas, driveways and other areas specifically posted for motor vehicle occupancy.

1.1b Government maintenance vehicles, ambulance, law enforcement, fire or other emergency vehicles will be allowed to enter onto CCFPD and VCCD rail trail(s) and rail corridor(s) in the course of carrying out their normal duties.

1.1c Construction or maintenance vehicles owned and operated by private contractors may enter onto CCFPD and VCCD rail trail(s) and corridor(s) subject to specific permission from each agency.

1.1d Agricultural, ranch or personal vehicles belonging to specific owners, their employees or assigns, may enter onto and across CCFPD and VCCD rail trail(s) and rail corridor(s) subject to the terms of easements or agreements between CCFPD and/or VCCD and individual landowners.

1.2 Allowed Uses. Bicycles, pedestrians, skates, skateboards, non-motorized scooters, and baby strollers are allowed on the rail trail unless specifically prohibited and posted otherwise. All trail users will travel at safe speeds at all times. All trail users must stay within the trail footprint. All off trail use is prohibited.

1.3 Right of Way. In areas of mixed use, i.e. bicycles and pedestrians, bicycle or other wheeled traffic is to yield to pedestrians.

1.4 Fishing. Fishing is permitted on public land according to the regulations of the Illinois Department of Natural Resources. A valid fishing license is required. Fishing from bridges is not allowed.

1.5 Camping Prohibited. Overnight camping is prohibited on or in the entire rail corridor(s).

1.6 Fires Prohibited. Fires are prohibited at any location and at all times within the rail corridors, trail, trail easements or trail facilities, including, but not limited to, parking areas, trail shoulders and borders, bridges and structures. Fires are allowed in grills provided by the District(s) in specified areas. The controlled burning by employees of the District(s) is excepted. It is unlawful to burn fires in any location at any time in a careless manner, to leave a fire unattended, to burn any explosive or toxic materials, or to fail to extinguish accidental fires completely.

1.7 Smoking Prohibited. Smoking is prohibited inside of and within 15 feet of any structure or facility including but not limited to restrooms, shelters, pavilions

1.8 Firearms Prohibited. It is forbidden to discharge firearms or projectile weapons of any kind within, onto or across the rail trail(s) or rail corridor(s). This includes paint ball guns or air guns. The exception to this will be law officers discharging weapons in the line of duty.

1.9 Hunting Prohibited. The rail corridor(s) is closed to hunting.

1.10 Closed Areas. Entry onto or use of rail trail(s) or rail corridor(s) lands posted as closed or no trespassing is prohibited.

1.11 Trespass Prohibited. It is prohibited to trespass from trails or corridors onto adjacent private lands except where specifically authorized by the owners or occupants of private lands.

1.12 Equestrian Use. Equestrian use is prohibited in all areas of the rail trail(s) and rail corridor(s).

1.13 Stop Required. Trail users shall stop at all road and driveway crossings and yield to any motorized traffic, except where the trail or rail corridor takes precedence over a driveway crossing, in which case driveway users shall yield to trail or corridor users.

1.14 Dogs and Domestic Pets and Livestock. Dogs and other domestic pets must be leashed or on lead, and under the direct control of the owner or keeper at all times. Pets must remain in the footprint of the trail. Domestic Livestock is prohibited on the rail corridor. Posted leash laws or County or municipal laws or ordinances must be obeyed. Owners of uncontrolled dogs or pets observed on the rail trail(s) will be subject to fines or restrictions from the trail(s). Dogs or other animals are prohibited in areas specifically posted for such prohibition. Pet waste must be picked up and disposed of off-site in a safe and sanitary manner by owners or keepers. Molestation or disturbance of wildlife by pets is prohibited.

1.15 Commercial Activities Limited. Commercial activities, provision of services, or any activity for which a fee may be charged are prohibited on rail trail(s) and rail corridor(s) except when specifically authorized by a special use permit.

1.16 Disorderly Conduct Prohibited. Disorderly conduct of any kind is prohibited anywhere on the entire rail corridor(s). Disorderly conduct includes, but is not limited to, making any coarse, annoying, derisive or obviously offensive utterance, gesture or display which tends to incite an immediate breach of the peace. Also fighting, littering or abandonment of private property, making excessive or amplified noise that would tend to disturb the peace and quiet of adjacent residents or occupants, or any other activity that deliberately infringes on the ability of others to use or enjoy the trail or trails facilities.

1.17 Hazardous Activities Prohibited. Hazardous activities of any kind are prohibited on the rail trail(s) and rail corridor(s). Hazardous activities are defined as those activities, which might constitute or contribute to a hazard to the safety of any person or animal. Such activities include, but are not limited to, use of fireworks or other explosives, use of remote-controlled craft, swimming or wading. Exceptions or additions to these restrictions may be made in specific locations or circumstances.

1.18 Vandalism Prohibited.

Vandalism, property damage or removal of resources or facilities is prohibited on the entire rail corridor(s). It is unlawful to remove, damage, deface, mutilate or destroy any structure, poster, sign, marker, fence, gate, furniture, vegetation, rock, or any object of scientific or historic value or interest.

1.19 Wildlife Protected. Wildlife is protected within the entire rail corridor(s). Hunting, trapping, chasing, molesting, harming, removing, killing or otherwise disturbing wildlife on the rail corridor(s) is prohibited at all times and under all circumstances, with the exception of fishing. Damaging or destroying the habitat of any species of wildlife is prohibited. Removing or destroying, native plants, bird or reptile eggs is prohibited. Nothing in this section shall prohibit trapping for research, management and monitoring purposes.

1.20 Littering and Waste Disposal Prohibited. Any disposal, depositing or abandonment of trash, garbage, grass cuttings, brush, tree limbs and branches, yard wastes, litter, waste paper, waste food products, human or animal wastes, toxic materials, oil and other mechanical waste products, animal parts, fire ash or other combustion byproducts, or other waste products on or within the rail corridor(s) other than in designated containers and locations is prohibited.

1.21 Structures and Notices Prohibited. Construction of any kind not specifically authorized by the CCFPD and VCCD Executive Director(s) is prohibited. Activities prohibited include, but are not limited to, excavations, ground clearing or grading, erection of permanent or temporary structures, erection of signs, posting of bills, notices or posters, fencing or clearing of vegetation.

1.22 Other Restrictions. All other rules, regulations, ordinances and restrictions set forth for all other CCFPD and VCCD properties are in effect for the rail trail(s) and corridors. A full listing of rules and regulations for all properties will be available at CCFPD and VCCD headquarters buildings.

ARTICLE 2 – PERMITS AND SPECIAL USES REVIEW STANDARDS

This Article establishes review standards for uses of rail trail(s) and rail corridor(s) allowed only by permit. CCFPD and VCCD may approve, approve with conditions, or deny applications for special uses of the rail trail and corridor.

2.1 The CCFPD AND VCCD Executive Director(s) may condition a certification of consistency on the applicant agreeing to provide a surety bond in favor of CCFPD and/or VCCD in the event that a Special Use Permit is granted, in an amount to be determined by the CCFPD and VCCD Executive Director(s) or his/her designee. All Financial Security will be held for the duration of any special use permit. The bond will be conditioned upon:

3.1a Faithful compliance with the terms of special use permit regulations, and policies of CCFPD and VCCD.

3.1b The restoration and clean-up of any site affected by the special use. Any revegetation needed to restore the site shall conform to the adopted Champaign County Forest Preserve District and the Vermilion County Conservation District corridor and trail management plans and the state of Illinois Noxious Weed Policy.

2.2 The CCFPD and/or VCCD Executive Director(s) may condition certification on the applicant's agreement to pay a use impact fee which is commensurate with the additional maintenance costs associated with the proposed use.

2.3 The CCFPD and/or VCCD Executive Director(s) shall make a written response to either approve of the proposed special use with or without conditions, or disapprove the proposed special use, within 45 days of receiving a written request for a special use. An applicant may appeal the determination of the CCFPD and/or VCCD Executive Director(s) to the CCFPD and/or VCCD Board of Directors/Commissioners within 15 days of receipt of the determination. The Board of Directors/Commissioners must issue a final determination within 30 days of hearing an appeal pursuant to this section.

2.4 Other Permits and Special Uses. All other CCFPD and VCCD rules and regulations pertaining to special use permits must be followed. A full listing of special use permit regulations will be available at CCFPD and VCCD headquarter buildings.

ARTICLE 3 – EASEMENTS AND AGREEMENTS

The terms and conditions of Conservation Covenants, Access, Permanent, Temporary, Utility, or Trail Easements or other approved agreements between CCFPD and VCCD and private property owners, other governments or grantors are incorporated into these regulations by reference. To the extent of any conflict between these regulations and the terms of conservation covenants, access, permanent, temporary, utility, or trail easements, the terms of such covenants or easements will control. Those terms and conditions shall be enforced under the provisions of this regulation as if they were set forth herein.

ARTICLE 4 – AMENDMENT

The Champaign County Forest Preserve District and the Vermilion County Conservation District Board of Directors/Commissioners may amend these rules and regulations from time to time. These rules shall apply to existing rail trails and rail corridors as well as future rail trail additions or acquisitions

ARTICLE 5 – VIOLATIONS, ENFORCEMENT AND PENALTIES

5.1 Permission to use rail trails and rail corridors. Failure to abide by these rules for use of the rail trails and corridors may cause CCFPD and/or VCCD to revoke permission to use or occupy the property.

5.2 Criminal Enforcement. The Champaign County Forest Preserve District and the Vermilion County Conservation District shall cooperate with local jurisdictions in reporting and enforcing penalties for violations of Federal, State, County and Municipal Codes occurring on rail trail(s) and rail corridor(s).

5.3 Civil Enforcement. In the event of any activity in violation of these Rules and Regulations, the CCFPD and VCCD Attorney(s), in addition to other remedies provided by law or specified herein, may institute an injunction, mandamus, abatement, or other appropriate action or proceeding to prevent, enjoin, or abate any unlawful activity, or to remove any improvements on construction resulting from such unlawful activity. In the event that such unlawful activity has damaged CCFPD and/or VCCD property, the violator shall be liable for any damage to CCFPD and VCCD property resulting from any such unlawful activity, including, but not limited to, compensation for staff time and for use of CCFPD and VCCD equipment to repair such damage, as well as replacement costs for damages. Any civil action or proceeding can include a claim to recover all such money damages.

ARTICLE 6 – POSTING

These regulations, or a summary thereof, will be posted at visible locations on rail trail(s). Full text of these regulations shall be available for public inspection at the CCFPD and VCCD headquarters offices.

Adopted by the Champaign County Forest Preserve District Board of Commissioners on Nov. 21, 2013, pending approval from the Vermilion County Conservation District Board of Trustees.

Adopted by the Vermilion County Conservation District Board of Trustees Dec. 11, 2013.

Full Adoption on Dec. 11, 2013.