

CITY OF WAUKEGAN

ORDINANCE NO. 23—O—313

**AN ORDINANCE AMENDING
THE WAUKEGAN CODE OF ORDINANCES
REGARDING WAUKEGAN MUNICIPAL BEACH**

**ADOPTED AND PASSED BY THE CITY COUNCIL
OF THE CITY OF WAUKEGAN**

**ON THE 06th
DAY OF NOVEMBER, 2023**

**Published in pamphlet form by authority of the City Council, of the City of Waukegan, Lake
County, Illinois, on the 07th day of NOVEMBER, 2023**


CITY CLERK JANET E. KILKELLY

/s/ by: Deputy City Clerk David A. Patterson.

ORDINANCE NO. 23—O—313

AN ORDINANCE AMENDING
THE WAUKEGAN CODE OF ORDINANCES
REGARDING WAUKEGAN MUNICIPAL BEACH

WHEREAS, the City of Waukegan is a home rule municipal corporation pursuant to Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, Article IV, entitled “Waukegan Municipal Beach” of the City’s Code of Ordinances (1974), as amended, (“*Code of Ordinances*”) governs Waukegan Municipal Beach hours, rules, and parking (“*Beach Regulations*”); and

WHEREAS, the City desires to amend the Beach Regulations to update and clarify them (“*Proposed Amendments*”); and

WHEREAS, the City Council has determined that it will serve and be in the best interest of the City and its residents to amend Section 11.41, Section 11.42, and Section 11.44 of the City’s Code of Ordinances as set forth in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF WAUKEGAN, ILLINOIS, AS FOLLOWS:

SECTION 1. RECITALS. The recitals set forth above are incorporated into this Section 1 by this reference as findings of the City Council.

SECTION 2. AMENDMENT. Section 11.41, Section 11.42, and Section 11.44 of the City’s Code of Ordinances are hereby amended as set forth *Exhibit A*, attached to and, by this reference, made a part of this Ordinance.

SECTION 3. REPEALER. All ordinances or resolutions or parts of ordinances or resolutions in conflict herewith, to the extent of such conflict, are hereby changed and amended to be in compliance with this Ordinance; and to the extent the same cannot be so amended, are hereby repealed to the extent of such inconsistency.

SECTION 4. EFFECTIVE DATE. This Ordinance will be in full force and effect ten days after its passage, approval, and publication in the manner provided by law.

PASSED THIS 06th DAY OF NOVEMBER, 2023.

[SIGNATURE PAGE FOLLOWS]

ORDINANCE NO. 23—O—313
CITY OF WAUKEGAN


MAYOR ANN B. TAYLOR


CITY CLERK JANET E. KILKELLY

/s/ by: Deputy City Clerk David A. Patterson.

ROLL CALL: Ald Turner, Ald Donnenwirth, Ald Florian, Ald Hayes, Ald Bolton, Ald Guzman, Ald Martinez, Ald Felix, Ald Newsome.

AYE: Ald Donnenwirth, Ald Florian, Ald Hayes, Ald Bolton, Ald Martinez, Ald Felix, Ald Newsome.

NAY: Ald Turner, Ald Guzman.

ABSENT: None.

ABSTAIN: None.

EXHIBIT A

AMENDMENT TO SECTION 11.41, SECTION 11.42, AND SECTION 11.44 WAUKEGAN CODE OF ORDINANCES

[Added text **bold and double underlined**; deleted text ~~struck through~~]

ARTICLE IV. - WAUKEGAN MUNICIPAL BEACH

Sec. 11-40. - Definitions.

As used in this article, the term "*beach*" shall mean all property owned by the city located on the shores of Lake Michigan and which is accessed through a controlled access gate located on Seahorse Drive.

"*Trail*" shall mean designated walkways or paths, marked by signs, that designate an area that people may travel so as not to harm or disrupt the natural habitat or ecosystem.

Sec. 11-41. - Beach hours, special events and entry.

The hours that the Waukegan Municipal Beach shall be open to the public shall be from ~~6:00 a.m. to 9:00 p.m.~~ **dawn to dusk** daily. The city may allow or host special events at other times. Access to the Beach shall be allowed to the public and any vendors or patrons of special events only through the controlled access gate on Seahorse Drive, and all persons entering the Beach through this gate shall be subject to search upon entry. The mayor, or their designee may, based upon existing weather conditions and/or beach attendance, extend the aforementioned schedules in this section of this section, or conversely, when weather or staffing capabilities negatively affect public safety, the mayor, or their designee, may decrease the scheduled hours, reduce the swimming area, or close all beaches and beach facilities. In addition, the mayor, or their designee, may set the annual schedule for the beaches.

Sec. 11-42. - Beach rules.

The following rules shall be in effect at the Waukegan Municipal Beach:

- a. No alcoholic beverages are permitted at the beach other than in a festival zone designated by the mayor pursuant to section 3-30 of this Code during special events which may be specifically permitted by the city council.
- b. No glass containers are permitted at the beach (see section 11-43 below).
- c. No littering permitted at the beach. All litter must be deposited in receptacles provided or carried out.

- d. No pets are allowed on the sandy areas of the beach. Pets may be brought into the parking lots and grassy areas of the beach, but all pets shall be subject to the regulations provided in section 4-42 of this Code.
- e. No vehicles allowed at any location on the Beach other than on the roads and parking lots. City maintenance and emergency vehicles are exempted from this provision as are any vehicles used by vendors pursuant to special event permits.
- f. No loud music as defined and regulated in section 11-34 of this Code.
- g. ~~No motorized watercraft are allowed to land on the beach except in the area north of the designated marker and no such motorized watercraft are allowed to enter the public swimming area adjacent to the public swimming beach.~~ No motorized watercraft are allowed to enter the public swimming area adjacent to the main swimming beach known as South Beach. No motorized watercraft are allowed to land on the beach, except on North Beach, in the area north of the designated marker placed due east of the beach entrance gate on Sea Horse Drive.
- h. No fires or charcoal grilling are permitted on the sand portion of the beach or in the dunes. Charcoal grilling is permitted only in the designated grass picnic areas located adjacent to the parking lots and within Stiner pavilion. ~~other than in designated areas, as outlined by the fire chief or his designee.~~
- i. No walking, or traversing, by means, outside of clearly marked trails or dunes, except as necessary for first responders or maintenance.
- j. No indirect or direct feeding of birds, gulls, or any other wild animals while at the beach.
- k. Penalty: See section 11-45 of this Code.

Sec. 11-43. - Glass containers prohibited at Waukegan City beaches and beach parking lots.

It shall be unlawful for any person to carry in or possess any glass bottle, glass vessel, glass utensil, or any other glass container (hereinafter "glass container(s)") on the Waukegan public beaches, or in any parking lot (not including glass containers which remain in automobiles) which serves the Waukegan public beaches. For penalty, see section 11-45 of this Code.

Sec. 11-44. - Public beach parking.

Public beach parking. City stickers or permit required.

- a. On Saturdays, Sundays, federal holidays, and during special events no motor vehicle shall be authorized to park in any parking lot in the beach unless there is displayed a current city vehicle sticker or current beach parking permit. Beach parking permits for the city beach parking lots for those vehicles without valid city stickers are

available for purchase from an authorized city employee for ~~\$10.00~~ \$20.00 per day and are valid only on the date issued. The price for a daily parking permit will be \$30.00 on the four official summer holidays: Memorial Day, Juneteenth, Fourth of July, and Labor Day. Parking fees for active military, veterans, and first responders will be waived.

- b. Any motor vehicle found parked in the city beach parking lots without a valid city sticker or valid beach parking permit may be towed at the owner's expense.
- c. Trailer parking is permitted at Waukegan Municipal Beach, but only in the designated overflow, gravel parking lot spaces.
- e- d. Penalty: See section 11-45 of this Code.



To: Honorable Members of City Council
CC: George Bridges, Chief of Staff
From: Lisa May, Lakefront Coordinator
RE: Amendments to Waukegan Municipal Code regarding Waukegan Municipal Beach
Date: October 16, 2023

Staff recommends amendments to Chapter 11, Article IV, entitled Waukegan Municipal Beach which governs beach hours, rules and parking as follows:

Section 11-41: Beach hours amended to read “dawn to dusk” to grant visitors legal access to the beach for sunrise and sunset viewing and photography. This change will also enable the Waukegan Police Department to clear the beach upon darkness, which time of day varies throughout the year. The Oxford English Dictionary defines dawn and dusk as follows:

Dawn: the first appearance of light in the sky before sunrise, or the time when it appears; the beginning of daylight; daybreak.

Dusk: The point or period in the evening when most daylight has faded but before it is fully dark; the later part of twilight.

Section 11-42: The Waukegan Police Department receives many complaints from visitors regarding motorized watercraft coming ashore and endangering swimmers. This amendment seeks to clarify the existing rules.

Section 11-44: The proposed amendment seeks to increase the parking fee charged on weekends and holiday to vehicles that do not display a current city sticker from \$10 to \$20 on weekends and from \$10 to \$30 on official holidays. *The parking fee does not apply to Waukegan residents displaying a current city sticker.* The amendment also clarifies the rule for trailer parking, designating specific parking spaces in order to control use of public lots. The amendment also includes “veterans” on the list of parking fee waivers.

Gate revenues are shown on the following page showing a 47.5% increase in parking pass revenue/nonresident weekend attendance, year over year (2022-2023). On the 4th of July, Police personnel counted only 192 city stickers with 1075 parking passes sold. Anecdotally, the police staff working the beach estimate that during Labor Day weekend, about 1 in 20 cars was a Waukegan resident displaying a city sticker; a pattern noticed throughout the season.

2022	2023		2022	2023		2022	2023
Date	Date		# Sold	# Sold		\$ Collected	\$ Collected
28-May	27-May		111	151		1110	1510
29-May	28-May		387	320		3870	3200
30-May	29-May		859	530		8590	5300
4-Jun	3-Jun		32	488		320	4880
5-Jun	4-Jun		152	401		1520	4010
11-Jun	10-Jun		75	344		750	3440
12-Jun	11-Jun		92	52		920	520
18-Jun	17-Jun		249	298		2490	2980
19-Jun	18-Jun		449	392		4490	3920
XXX	19-Jun			300			3000
25-Jun	24-Jun		38	700		380	7000
26-Jun	25-Jun		471	319		4710	3190
2-Jul	1-Jul		389	180		3890	1800
3-Jul	2-Jul		792	56		7920	560
4-Jul	4-Jul		728	1075		7280	10750
9-Jul	8-Jul		237	150		2370	1500
10-Jul	9-Jul		562	663		5620	6630
16-Jul	15-Jul		153	436		1530	4360
17-Jul	16-Jul		191	564		1910	5640
23-Jul	22-Jul		333	346		3330	3460
24-Jul	23-Jul		437	623		4370	6230
30-Jul	29-Jul		331	406		3310	4060
31-Jul	30-Jul		545	603		5450	6030
6-Aug	5-Aug		623	185		6230	1850
7-Aug	6-Aug		58	134		580	1340
13-Aug	12-Aug		168	479		1680	4790
14-Aug	13-Aug		75	225		750	2250
20-Aug	19-Aug		91	317		910	3170
21-Aug-22	20-Aug-23		124	850		1240	8500
27-Aug	26-Aug		156	180		1560	1800
28-Aug	27-Aug		209	283		2090	2830
3-Sep	9/2/2023		245	400		2450	4000
4-Sep	9/3/2023		104	920		1040	9200
5-Sep	9/4/2023		169	860		1690	8600
Totals:			9635	14230		96350	142300