

Ordinance Number 51
Whiteford Township Park Ordinance

An ordinance to provide for the use, protection, regulation and control of the public parks and park facilities and other matters concerning recreation, conservation, education, historic and scenic areas and preserves and parkways, and to provide for the adoption of supplementary rules and regulations and other matters related to the use and conduct on park property in Whiteford Township, Monroe County, Michigan

The TOWNSHIP OF WHITEFORD, MONROE COUNTY, MICHIGAN ORDAINS:

Section 1: Short Title

This ordinance may be known and referred to as the Whiteford Township Park Ordinance.

Section 2: Public Use and Hours

- A. General Public - Any group or gathering may use certain areas within the public park in Whiteford Township to the exclusion of others by making an application and being granted a permit by the Whiteford Township Clerk.
- B. Permits
 1. Applications for permits for reserved park space shall be made upon forms to be furnished by Whiteford Township.
 2. The Clerk upon written application, grant specific use permits for special uses when, in the opinion of the Township consideration is warranted.
 3. Application shall be made in advance of the time of the reservation request sufficient to allow 72 hours posted notice or reservation space.
 4. In the event more applications for reserved space are received than spaces available, such applications shall be considered in the chronological order received.
- C. Fees and Charges
 1. Fees and charges may be assessed by the Township Board for the use of any facility, land, area, or program on township park property.
 2. It shall be unlawful for any person to use any facility, land or area for which a fee or charge has been established by the Township Board without payment of such fee or charge.
- D. Hours
 1. No person or vehicle shall remain upon property administered by or under the jurisdiction of the Township Board or its agent between posted closing times and sunrise.

Section 3: Protection of Property

- A. Destruction of buildings, markers, monuments and other properties shall be prohibited, and no person shall, on township park property:

1. Willfully destroy, deface, alter, change or remove any monument, marker, bench mark, stake, post or blaze, marking, or designate any boundary line survey line or reference point.
2. Cut, break, mark upon or otherwise injure any building, equipment, bridge, drain, wall, fountain, lamp post, fence, gate, hedge or other structure.
3. Deface, destroy, or remove any placard, notice or sign, whether permanent or temporary, posted or exhibited within or upon park property.
4. Appropriately excavate, injure or destroy any object of antiquity, without permission of the Township Board or its agent.
5. Glass containers of any kind will be prohibited on township property.
- B. Destruction of plant life and natural surroundings shall be prohibited and no person shall:
 1. Cut, remove or destroy any tree, any sapling, seedling, bush or shrub, whether alive or dead, or chip, blaze, box, girdle, trim, or otherwise deface or injure any tree or shrub, or break or remove any branch, foliage, flower or pick, gather, uproot, remove or destroy any flower, plant or grass.
 2. Remove or cause to be removed any sod, earth, humus, peat, boulders, gravel or sand without written permission of the Township Board or its agent.
- C. The following rules shall apply to fires on township park property:
 1. No person shall willfully set or cause to be set on fire any tree, woodland, brush land, grassland or meadow within or upon the property of the Township.
 2. No person shall build any fire upon township property except within the fireplaces or receptacles approved and designated by the Township Board or its agent.
 3. No person shall drop, throw, or otherwise scatter lighted matches, burning cigars, cigarettes, tobacco paper or other flammable materials within or upon any property of the township. NO SMOKING.
 4. Fires shall not be left unattended. All fires shall be extinguished upon leaving the immediate vicinity.

Section 4 Protection of Wildlife.

It shall be unlawful for any person while on township property to hunt or harm wildlife.

Section 5: Camping

Camping is prohibited on township park property.

Section 6: Traffic and Parking

Parking in prohibited areas; standing for loading or unloading in certain places

- A. It shall be unlawful for the operator of a vehicle to stop, stand or park said vehicle in any place marked as a passenger or loading zone, other than for the expeditious loading and unloading of passengers, or for the loading and delivery or pick up and loading of materials.

- B. It shall be unlawful for the operator of a vehicle to stop, stand, or park such vehicle upon any roadway or in any parking area in such manner as to form an obstruction to traffic therein.
- C. It shall be unlawful to park any vehicle in any area which is designated as a prohibited area. Vehicles parked in a prohibited area will be towed at the owner's expense.
- D. It shall be unlawful to drive or park any motor vehicle in or upon Township property which is used for recreational purposes.
- E. Horse riding shall be unlawful on township park property.
- F. Motor Driven Vehicles

It shall be unlawful for any person to:

1. Operate a motor driven vehicle of any kind or nature except on roads or designated parking areas.
2. Operate a motor – driven vehicle on any park road at a speed exceeding 10 (ten) miles per hour. Any person driving a vehicle on park road shall drive carefully and prudently.
3. Operate any motor – driven sled, toboggan, snowmobile, remote control vehicles, ATV's, recreational vehicles, 4x4 or dirt bikes on any township park property.
4. Operate a motor vehicle upon township park property in a speed contest including, but not limited to, a drag race.
5. Operate any vehicle on township park property including but not limited to, any area designated for the parking of vehicles, in a careless or negligent manner likely to endanger any person or property.
6. Drive any vehicle upon township park property while under the influence of intoxicating liquor, narcotic, drug, barbitol or any other derivative of barbitol.
7. Driving any vehicle upon township park property while his ability to do so has been impaired by the use of intoxicating liquor or by the use of drugs or narcotics.
8. Operate any vehicle upon township park property while his or her license to so operate has been suspended or revoked by the State of Michigan.
9. Operate a motor vehicle upon township park property without having a valid operator's license, motor vehicle registration certificate and proof of minimum liability coverage or uninsured motor vehicle fee as required by the State of Michigan vehicle code in his possession.
10. Operate any vehicle upon township park property contrary to posted traffic signs, symbols, rules or regulations or marked roadways.
11. Operate any motor vehicle in any manner upon township park property which results in excessive noise or disturbs the peace, quiet or tranquility of the area.
12. Leave or cause to be left, any vehicle upon township park property between sunset and 8:00 A.M.
13. Operate or ride on a motorcycle or motor driven cycle without wearing a crash helmet approved by the Department of State Police. Rules of the

Department of State Police for the implementation of Section 658, subsection 9d) of 1949, PA 30 as amended, shall apply to this rule.

G. Operation of Bicycles

1. Bicycles shall be operated as closely to the right hand curb or right hand side of the path, trail or roadway as conditions will permit and not more than two bicycles shall be operated abreast.
2. It shall be unlawful for the operator of any bicycle where upon any path, trail or roadway, to carry any person upon the handlebar or frame of any bicycle, or for any person to so ride upon such bicycle.
3. Bicycles may be operated upon such paths, trails or roadways as may be posted allowing such use; provided, however, no such use shall be allowed between sunset and sunrise.

Section 7: Trespass

- A. Livestock: no person shall drive or cause to be driven any horses, cattle, sheep, goats. Swine or other livestock upon township park property.
- B. Peddling and Soliciting: It shall be unlawful to peddle or solicit business of any nature whatsoever, or to distribute handbills or other advertising matter, to post unauthorized signs on any lands, structures or property administered by the Township Board or to use such lands, structures or property unless in writing by the Township Board or its agent.
- C. Unlawful Obstruction: No person, firm or corporation shall by force, threats, intimidations, unlawful fencing, enclosing or by any other means prevent or obstruct any person from entering, leaving or making use of any property administered by the Township Board.
- D. Hindering Employees: No person shall interfere with or in any manner hinder any employee or agent of the Whiteford Township Board.
- E. Resisting Authority: No person shall interfere with any police officer in the discharge of his or her duties; or fail or refuse to obey any lawful command of any police officer.
- F. Alcoholic Beverages, Drugs: No person shall have in their possession any intoxicating beverage while in or upon township park property.
- G. No person shall sell, use or have in his possession any drug or narcotic; the sale, use or possession of which is prohibited by the state law.
- H. Personal Conduct:
 1. It shall be unlawful for any person to be under the influence of intoxicants, or to engage in any violent, abusive, loud, boisterous, vulgar, lewd, wanton, obscene or otherwise disorderly conduct, or to disturb or annoy others, while in or on any township park property.
 2. It shall be unlawful to conduct or to participate in any form of gambling, lottery or game of chance upon park property.
 3. Use of Loud Speaker: It shall be unlawful to use a loud speaker, public address system or amplifier within the township park property without written permit issued by the Township Board.
 4. Fireworks: No person shall fire, discharge or have in his or her possession any rocket, fire cracker, torpedo, squib, or other fireworks or

any substance of an explosive nature within or upon the township park property unless the township board or its agent shall have authorized same by the issuance of a permit.

5. Firearms; No person shall at any time, bring into or upon the township's park property, nor have in his or her possession, nor discharge, or set off anywhere upon said property, a revolver, pistol, shotgun, rifle., air gun, water gun, or any gun, rifle, firearm or bow or other weapon that discharges projectiles either by air, explosive substance or any other force, provided, however that this section not apply to any deputy sheriff, police officer, peace officer or duly appointed law enforcement officer while carrying out the duties and responsibilities of his position.
6. Littering: To discard or deposit refuse of any kind or nature in or upon the property of the commission except by placing said refuse in containers provided for such purpose.
 - I. Skating and Coasting:
 - J. No person shall roller skate, skateboard, ice skate, sled, snowshoe or ski within the township park property except at such times and places that as may be designated.
 3. No person shall within or upon township park property coast with hand sleds, bobs, carts or other vehicles, on wheels or runners, except at such times and places designated and maintained by the township board.
 - J Balloons, airplanes and parachutes: No person shall make any ascent in any balloon or airplane or any descent in or from any balloon or airplane on any lands administered by the township board without first having written permission from the township board or its agent.
 - K. Public Exhibition: No person shall exhibit any machine or show or any animal or indulge in any acrobatic exhibitions in or upon the township park property, nor shall any person carry on any performance or do anything whatsoever which shall cause persons to congregate so as to interfere with the proper use of such property by the general public or to obstruct the passage of vehicles or persons without first having obtained written permission from the township board or its agent.
 - L. Special Permits: No reception, construction or maintenance shall be made above or below ground, across or beneath township park property by any person, firm or corporation without first having obtained written permission from the township board authorizing such installation or construction and a permit specifying in detail the work to be done and the conditions to be fulfilled pursuant to the terms of such approval.
 - M. Emergency Powers: Nothing in these rules shall;
 1. Prohibit or hinder duly authorized agents of the Whiteford Township or any peace officers from performing their official duties.
 2. Prohibit the township board or its agents from establishing emergency rules required to protect the health, welfare and safety of park visitors and to protect park property; including, but not

limited to, the right to commission to order all persons off the township park property, and to close all or any portion of said park.

- N. Enforcement: Fines and imprisonment; Any person violating any provision of the foregoing rules shall be deemed guilty of a misdemeanor and upon conviction thereof be fined not more than \$500.00 and costs of prosecution, or imprisoned in the county jail for a period not exceeding 90 days or both, for each offense.

Section 8: Definitions:

- A. Township park property shall mean all lands, waters and property administered by or under the jurisdiction of the Whiteford Township Board of Trustees.
- B. Rules shall mean the rules adopted by the Whiteford Township Board of Trustees applicable to all property administered by or under the jurisdiction of the Whiteford Township Board.

Section 9: All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 10: Effective Date:

This ordinance or a summary of it shall be published as required by law, to become effective 30 days immediately following the date of publication.

**THE TOWNSHIP BOARD OF THE
TOWNSHIP OF WHITEFORD, COUNTY
OF MONROE, STATE OF MICHIGAN**

By: _____
Bernice Heidelberg,
Whiteford Township Clerk

AUTHENTICATED:

By: _____
Pamela Dressel,
Whiteford Township Supervisor

I, Bernice Heidelberg, do hereby certify that I am the duly elected and acting clerk of the Township of Whiteford, and I do hereby certify that this Ordinance was adopted by the Township Board of the Township of Whiteford, County of Monroe, State of Michigan, at a regular meeting of the Township Board

held at that Whiteford High School, Ottawa Lake, Michigan, on the 19 day of May, 2009.

The vote on said Ordinance, 5 members being present and 0 members being absent, was as follows:

	Member's Last Name	
Voting in Favor:	<u>L. Dressel</u>	<u>D. Sahloff</u>
	<u>P. Dressel</u>	<u>B. Heidelberg</u>
	<u>T. Hill</u>	
Voting Against:	<u>Ø</u>	
Abstained:	<u>Ø</u>	
Absent:	<u>Ø</u>	

I, Bernice Heidelberg, the Township Clerk of the Township of Whiteford, do hereby certify that this Ordinance or a summary of it, was published on the 23 day of May, 2009 in the Monroe Evening News, located in the City of Monroe, Monroe County, Michigan, a newspaper of general circulation in the Township of Whiteford, within thirty (30) days after adoption of the Ordinance.

Dated: _____

Bernice L. Heidelberg
Bernice Heidelberg,
Whiteford Township Clerk

ATTEST:

Pamela Dressel,

Whiteford Township Supervisor

ADOPTED: 5-19-09

PUBLISHED: 5-23-09

EFFECTIVE: 6-23-09