

Chapter 50

PARKS AND RECREATION*

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***Cross references**-Environment, ch. 26; outdoor assemblies, ch. 46; streets, sidewalks and other public places, ch. 58.

State law references-Township powers to acquire property for public purposes, MCL 41.2; township parks, MCL 41.421 et seq.; authority to operate system of public recreation, MCL 123.51; playground equipment safety act, MCL 408.681 et seq.

ARTICLE I. IN GENERAL

Secs. 50-1-50-30. Reserved.

ARTICLE II. PARK REGULATIONS

Sec. 50-31. Public use, hours.

(a) Any group or gathering may use certain areas within the public parks in the township to ,the exclusion of others by making application and being granted reservation by the township. Reservations shall be made at the township administrative office.

(b) A reservation shall be made upon forms furnished by the township. The application shall be made in advance of the time of reservation, accompanied by an application fee in an amount to be set by resolution of the township board.

(c) Any person with a reservation to use certain facilities within the public parks in the township shall be bound by the provision of this article and also provisions made as part of the application form.

(d) It shall be unlawful for any person to use any facility or area for which a fee or charge has been established by the township board without payment of such fee or charge, unless waived by the township board.

(e) All public parks of the township shall be open from 7:30 a.m. to sunset, unless otherwise posted, or at designated fishing sites and other special use areas.

Sec. 50-32. Protection of resources.

It shall be unlawful within a park for any person to:

- (1) Mark, deface, disfigure, injure, tamper with, displace or remove any park property or appurtenances whatsoever, either real or personal.
- (2) Misuse or abuse any park restroom, washroom or similar facility to the detriment of its maintenance in a neat and sanitary condition.
- (3) Dig or remove any soil, rock, sand, stones, trees, grass, shrubs or plants, or other wood or materials, or make any excavation by tool, equipment, blasting or other means or agency.
- (4) Damage, cut, carve, mark, transplant or remove any plant, or injure the bark, or pick flowers or seeds of any tree or plant, or in any other way injure the natural beauty or usefulness of any area.
- (5) Climb, stand or sit upon monuments, planters, trees, fountains, railings, fences or upon any other property not designated or customarily used for such purpose.
- (6) Attach any rope or cable or other contrivance to any tree, fence, railing, bridge, bench or other structure.

- (7) Throw, discharge, or otherwise place or cause to be placed, in the waters of any fountain, pond, lake, stream or other body of water in or adjacent to any park or any tributary stream, storm sewer, or drain flowing into such water, any substance, matter or thing, liquid or solid, which will or may result in the pollution of such waters.
- (8) Tie or hitch an animal to any tree or plant.
- (9) Hunt, molest, harm, frighten, kill, trap, pursue, chase, tease, shoot or throw any object at any animal, wildlife or bird.

Sec. 50-33. Unlawful conduct.

It shall be unlawful within a park for any person to:

- (1) Prevent or interfere with another's lawful use of a park or any park facility.
 - (2) Conduct or participate in any form of gambling, lottery or game of chance, except as permitted by state law and approved by the township board.
 - (3) Consume alcoholic liquor in areas posted or designated as to prohibit such consumption.
 - (4) Play any musical instrument, radio, record, tape player or other device in a manner which interferes with the enjoyment of the park by others or which is disturbing to adjacent residents (exception: community concerts/events held at the Bandshell).
 - (5) Engage in any violent, abusive, loud, boisterous, vulgar, lewd, wanton, obscene or otherwise disorderly conduct tending to create a breach of the peace, or to disturb or annoy others.
 - (6) Enter the waters of the pond at Tittabawassee Township Park for any reason.
 - (7) Expose or offer for sale any article or thing, including food and beverages, or station or place any stand, cart, or vehicle for the transportation, sale, or display of any such article or thing, without the express written consent of the township and the obtaining of a license pursuant to the Tittabawassee Township Peddler and Solicitor Licensing and Control Ordinance, section 42-251 et seq.
 - (8) Announce, advertise or call the public attention in any way to any article or service for sale or hire except with the expressed written permission of the township.
 - (9) Expose, distribute, post or otherwise place any sign, placard, advertisement, or inscription whatsoever on park property, nor shall any person erect or cause to be erected any sign whatsoever on any public lands or highways or roads adjacent to a park, without the express written permission of the township.
- (Ord. No. 08-01, 5-13-2008; Ord. No. 12-01, 8-14-2012)

Sec. 50-34. Rubbish and other waste material.

(a) It shall be unlawful for any person to take into, carry through, or put into any park any rubbish, refuse, garbage or other waste material.

(b) It shall be unlawful for any person responsible for the presence of rubbish, refuse, garbage or waste material in any park to fail to deposit such in receptacles so provided within a park or fail to remove such from park for proper disposal elsewhere. Where receptacles are not provided in a park or are filled to capacity, all such rubbish, refuse, garbage or waste material shall be removed from a park by the person responsible for proper disposal elsewhere.

Cross reference-Solid waste, ch. 54.

Sec. 50-35. Animals.

(a) It shall be unlawful for any person to:

- (1) Take any dog or other pet into any park, except when kept on a leash not more than six feet in length and kept under the immediate control of the owner or person having custody of the animal.
- (2) Take any animal on public beaches, in public buildings or other park areas posted so as to prohibit the presence of animals.
- (3) Fail to remove any animal excrement deposited in the park by any dog or pet taken into a park by such person.

(b) This section shall not apply to guide dogs.

Sec. 50-36. Operation of vehicles.

It shall be unlawful within a park for any person to:

- (1) Drive any vehicle in excess of 15 miles per hour.
- (2) Drive any vehicle or recreational vehicle on any area except the park roads or parking areas designated as open to public travel, or such areas as may on occasion be specifically designated by signs as temporary driving areas.
- (3) Park a vehicle anywhere except on a designated parking area.
- (4) Leave a vehicle standing or parked in an established parking area or elsewhere in the park and recreation area during hours when the park and recreation area is closed.
- (5) Ride a bicycle without reasonable regard to the safety of others.

Sec. 50-37. Fireworks; dischargeable weapons.

(a) No person shall fire, discharge or have in his possession any rocket, firecracker, torpedo, squib, or other fireworks or any substance of an explosive nature within or upon the park property, unless the township board authorized such fireworks by the issuance of a permit therefor.

(b) No person shall, at any time, bring into or upon the township park's properties, nor have in his possession, nor discharge or set off anywhere upon such properties, 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 shall not apply to any duly appointed law enforcement officer while carrying out the duties and responsibilities of his position.

Sec. 50-38. Reserved.

Sec. 50-39. Emergency powers.

Nothing in this article shall prohibit or hinder duly authorized agents of the township, or any peace or law enforcement officers, from performing their official duties; or prohibit the township board or its designee from establishing emergency rules required to protect the health, welfare and safety of park visitors and to protect park property.

Chapters 51-53

RESERVED