**ORDINANCE NO. 94-3**
**(last update 7-14-06)**
**PARK RULES**

An ordinance to establish rules and regulations for **public parks and park facilities** under the jurisdiction of the Ottawa County Parks and Recreation Commission, to establish violations of those rules and regulations as municipal civil infraction violations, to establish penalties therefore, and to provide for the enforcement thereof.

**Section 1.** PURPOSE
The purpose of this Ordinance is to establish rules and regulations for public parks and park facilities under the jurisdiction of the Ottawa County Board of Commissioners and the Ottawa County Parks and Recreation Commission, as permitted by MSA 5.331, as amended, MCLA 46.11, as amended, to further provide that violations of such rules and regulations shall be municipal civil infractions, as provided for by MSA 5.331(m) as amended; MCLA 46.11(m), as amended, to provide civil infraction penalties for the violation thereof, and to further authorize the enforcement of said ordinance by employees of the Ottawa County Parks and Recreation Commission.

**Section 2.** RULES AND REGULATIONS
The Ottawa County Board of Commissioners adopts the following rules & regulations for the use, protection, regulation and control of public parks & park facilities owned & operated by Ottawa County.

**Section 3.** DEFINITIONS
3.1 "Commission" shall mean the Ottawa County Parks and Recreation Commission.

3.2 "Commission Park Property" shall mean all lands, waters and property administered by the Ottawa County Parks and Recreation Commission as park areas.

3.3 "Agent" shall mean the Parks and Recreation Director or Park Operations Superintendent.

3.4 "Designee" shall mean Parks Supervisors or other Commission staff as designated by the Commission, Director or Superintendent.

3.5 "Person" shall mean individuals male or female, singular or plural, or any group or gathering of individuals.

3.6 "Camping" shall mean the overnight lodging or sleeping of a Person on the ground or in any other manner, or in any sleeping bag, tent, trailer, vehicle camper, motor vehicle, boat or in any other conveyance erected, parked or placed on Commission Park Property.

3.7 "Written Permission" shall mean a park permit, a written note or letter signed by the Chairperson of the Commission or its Agent.

**Section 4.** PARK HOURS AND PUBLIC USE
4.1 No person shall:

4.1a Enter a Commission Park Property except during park hours unless prior permission is obtained from the Commission or its Agent. Park hours are 7:00 a.m. - 10:00 p.m. from April 1 through October 31; 7:00 a.m. - 8:00 p.m. from November 1 through March 31, or as posted.

4.1b Willfully remain on Commission Park Property outside of park hours unless prior permission is obtained from the Commission or its Agent.

4.1c Re-enter Commission Park Property once expelled for reason of rule violation for a period of time determined by the Commission or its Agent.

4.1d Enter or use a County Park or portion thereof which has been closed by the Commission and posted as such.

4.2 Any person may use specific areas or facilities within Commission Park Property to the exclusion of others by making application per established Commission procedures and being granted a permit by the Commission or its Agent.

**Section 5.** FEES AND CHARGES

5.1 No person shall:

5.1a Use any facility, land or area for which a fee or charge has been established by the Commission without payment of such fee or charge.

5.1b Fail to display or affix a valid permit in the manner established by the Commission when entering or using a Commission Park Property requiring such a permit.

**Section 6.** PROHIBITED ACTIVITIES

6.1 No person, while on Commission Park Property shall:

6.1a Deposit or abandon any garbage, refuse, trash, waste or other obnoxious materials except in receptacles specifically provided for such purposes.

6.1b Deposit or abandon in any way, any garbage, refuse, trash, waste or other obnoxious materials originating outside the Commission Park Property.

6.1c Build fires except in grills, fireplaces, fire rings or other areas specifically provided. Fires in beach areas and sand dunes are expressly forbidden.

6.1d Camp overnight unless prior written permission is obtained from the Commission or its Agent.

6.1e Peddle or solicit business of any nature whatever; distribute handbills or other advertising matter; post unauthorized signs on any lands, waters, structures, or other Commission Park Property; or use Commission Park Property as a base of commercial operations unless prior written permission is obtained from the Commission or its Agent.

6.1f Make use of loudspeakers or audio devices which produce sound at a level which bothers or annoys other park users, park neighbors, or in any other way disturbs the peace and order of a park area.

6.1g Possess or discharge fireworks.

6.1h Be allowed to bring any glass bottle or container into a swimming beach or sunbathing area.

6.1i Fish from a swimming beach or be in possession of any fishing hooks or tackle while in a designated swimming beach area.

6.1j Occupy or use a reserved facility when that facility is reserved by another person per established Commission procedures and is posted as such.

6.1k Trespass onto adjacent private property.

6.1l Engage in the activities of sledding, skating, skiing or other similar activities except in areas designated by the Commission.

**Section 7.** PUBLIC CONDUCT

7.1 No person, while on Commission Park Property shall:

7.1a Commit, make or engage in noisy, boisterous, disorderly, lewd, lascivious or indecent conduct or in any other manner disturb the peace and quiet or good order of a park area, other person or park neighbors.

7.1b Be allowed to remain on Commission Park Property when under the influence of alcohol or illegal drugs or controlled substances.

7.1c Be allowed to conduct or participate in any form of gambling or games of chance.

7.1d Resist or obstruct, or be abusive or address in a profane or obscene manner any Commission Agent or Designee.

7.1e Be allowed to loiter when it is detrimental to the good order of the Park or preservation of Commission Park Property.

7.1f Allow any Person under 8 years of age to use, enter or be in a playground or swimming beach area without the supervision of an adult.

**Section 8.** ALCOHOLIC BEVERAGES

8.1 No person, while on Commission Park Property shall possess any alcoholic beverage of any kind.

**Section 9.** ANIMALS

9.1 No person, while on Commission Park Property, shall:

9.1a Bring into, have or keep on any Commission Park Property any dog, cat, horse, goat, sheep or other animal except for leader dogs for the blind and horses used for mounted patrols, except in areas and at such times as specifically designated by the Commission and also on a leash not more than six feet in length and under the immediate control of a competent person who shall clean up after the animal as necessary.

9.1b Ride or allow horses or other riding animals, without written permission, except on designated bridle trails.

**Section 10.** PRESERVATION OF PARK PROPERTY AND NATURAL FEATURES

10.1 No person, while on Commission Park Property shall destroy, injure, deface, disturb, remove or befoul any part of a park area, building, sign, equipment or other property therein; nor shall any tree, turf, grass, dune grass, flower, shrub, rock or other mineral be removed, injured or destroyed.

**Section 11.** HUNTING, FISHING & TRAPPING

11.1 No person, while on Commission Park Property shall hunt, trap, wound, kill, molest or in any other way harm any living thing, unless prior written permission is obtained from the Commission or its Agent.

11.2 Fishing on Commission Park Property shall be permitted in accordance with Commission guidelines and the laws of the Department of Natural Resources of the State of Michigan in such areas designated by the Commission for such purposes.

**Section 12.** FIREARMS AND WEAPONS

12.1 No person, while on Commission Park Property shall:

12.1a Be in possession of, discharge or set off a pistol, rifle, shotgun, bow, slingshot or any other instrument which discharges a projectile by air, explosion or any other force except for any deputy sheriff, police officer or other duly appointed law enforcement officer carrying out the duties and responsibilities of their position; unless prior written permission is obtained from the Commission or its Agent.

12.2 Weapons associated with fishing shall be allowed in park areas and at such times as provided for those activities by the Commission, and in accordance with all applicable Federal and State laws and regulations.

**Section 13.** MOTOR VEHICLES

13.1 No person, while on Commission Park Property shall:

13.1a Operate a motor vehicle unless the vehicle is duly authorized and licensed for operation on public roads.

13.1b Operate a motor vehicle except on roads, parking lots and other areas expressly designed by the Commission for that purpose.

13.1c Park or leave unattended any automobile, truck, bus, motor home, trailer or any other similar device except in designated parking spaces or spaces assigned by a Commission designee and during regular park hours.

13.1d Park or leave unattended any motor vehicle which obstructs vehicle or pedestrian traffic into, out of or within Commission Park Property.

13.1e Use a motor vehicle or any other motorized device to continuously cruise into, out of or through any area, roadway or parking lot.

13.1f Exceed posted speed limits.

13.1g Commit an act of property destruction with a motor vehicle or any other motorized device.

13.1h Operate a snowmobile, off-road vehicle, any motor-driven vehicle or any motorized device in any area unless specifically designated for such purpose.

13.1i Park any vehicle in a Commission administered parking lot or space for a period exceeding the designated time limit as determined by the Commission and identified by posted signs noting the applicable time limitation.

**Section 14.** WATERCRAFT

14.1 No person, while on Commission Park Property shall:

14.1a Launch, navigate or use any boat, canoe, jet ski, sailboard, raft or other similar device upon any lake, pond or watercourse except at such times and places provided by and designated for such purpose by the Commission.

14.1b Enter a posted swim area with any boat, canoe, jet ski, sailboard or other similar device.

14.1c Beach, moor, or store any boat, raft, canoe, jet ski, sailboard or other similar device outside of regular park hours unless prior written permission is obtained from the Commission or its Agent.

**Section 15.** BICYCLES, SKATEBOARDS, SCOOTERS, ROLLER-SKATES OTHER DEVICES

15.1 No person, while on Commission Park Property shall:

15.1a Use a bicycle, tricycle or other similar conveyance except upon roadways, parking areas and designated paths or trails.

15.1b Use a skateboard, scooter, roller-skates or similar device except where it is specifically allowed by the Commission.

15.1c At any time obstruct vehicle or pedestrian traffic into, out of or through Commission Park Property by the use of a bicycle, skateboard, roller-skates or similar devices.

15.1d At any time use a bicycle, skateboard, roller-skates or similar device in a careless manner which may result in injury to a person or damage to property.

**Section 16.** SPORTS, GAMES AND HOBBIES

16.1 No person, while on Commission Park Property shall:

16.1a Use or operate any motorized model airplane, car, boat or similar device unless prior written permission is obtained from the Commission or its Agent.

16.1b Launch, land, operate or otherwise engage in the use of hot air balloons, parachutes, hang gliders, or other similar conveyances without obtaining prior written permission from the Commission or its Agent.

**Section 17.** PENALTIES

17.1 Any person who violates the Rules and Regulations of the Ottawa County Parks and Recreation Commission may be expelled from Commission Property and be responsible for municipal civil infraction violations punishable by a municipal civil infraction penalty not to exceed $100 and costs of prosecution.

**Section 18.** ENFORCEMENT

18.1 Notice To Appear.

18.1a Any Ottawa County Sheriff's Deputy, and any Agent or designee of the Commission are authorized to issue and serve municipal civil infraction citations with respect to municipal civil infraction violations if the Deputy, Agent or Designee has reasonable cause to believe that a person has committed a municipal civil infraction violation of this Ordinance.

18.2 Nothing in these rules and regulations shall:

18.2a Prohibit or hinder any Commission employee or agent, or any peace officer from performing their official duties.

18.2b Prohibit the Commission, its Agent or Designee from establishing any emergency rules required to protect the health, welfare and safety of park visitors; to protect Commission Park Property; or to maintain order.

**Section 19**. CONFLICT WITH CRIMINAL LAWS

Nothing in this Section shall be construed to conflict, contravene, enlarge or reduce any criminal liability or responsibility, including fines imposed by a judge for any criminal offense under Michigan law.

**Section 20.** SEVERABILITY

The phrases, sentences, sections and provisions of this Section are severable and the finding that any portion hereof is unconstitutional or otherwise unenforceable shall not detract from or affect the enforceability of the remainder of this Ordinance.

**Section 21**. REPEAL OF CONFLICTING ORDINANCES

All other Ordinances, part of Ordinances, or amendments thereto, any of which are in conflict with the provisions of this Ordinance, are hereby repealed in their entirety to the extent of such conflict.

**Section 22**.

This Ordinance was approved and adopted by the Ottawa County Board of Commissioners on September 13, 1994, and shall be effective on October 31, 1994.