



**Ottawa County Parks &
Recreation Commission**
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**Parks Facilities
Rules & Regulations
Ordinance 94-3, as
Amended by Ordinance 17-1**

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.

THE COUNTY OF OTTAWA, STATE OF MICHIGAN, ORDAINS:

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 MCLA 46.11, as amended; to further provide that violations of such rules and regulations shall be municipal civil infractions, as provided for by 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 and by deputies of the Ottawa County Sheriff's Office or other law enforcement officers.

Section 2. RULES AND REGULATIONS

The Ottawa County Board of Commissioners adopts the following rules and regulations for the use, protection, regulation and control of public parks and park facilities owned and 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, Coordinator of Maintenance and Operations, or Parks Manager.
- 3.4 "Designee" shall mean Parks Supervisors or other Commission staff as designated by the Commission, Director, Coordinator of Maintenance and Operations, or Parks Manager.
- 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 establishment of a lodging or sleeping site for a Person on the ground or in any other manner, or in any sleeping bag, tent, hammock, trailer, vehicle camper, motor vehicle, boat, or in any other conveyance erected, parked, or placed on Commission Park Property for overnight or day use.

- 3.7 "Written Permission" shall mean a park permit, a written note, email, or letter signed by the Chairperson of the Commission or its Agent. Written permission for an exception to a rule will be issued in special circumstances or for the benefit of the Commission or the parks in general only.
- 3.8 "Posting" shall mean the display of a sign or other device which is of size, shape, and wording as to convey a clear message to reasonable people.

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 March 1 through October 15; 7:00 a.m. - 8:00 p.m. from October 16 through the last day of February, or as posted.
- 4.1b Willfully remain on Commission Park Property outside of park hours unless prior written 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 or its Agent 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, area, or service for which a fee or charge has been established by the Commission without payment of such fee or charge per Commission procedures unless prior written permission has been obtained.
- 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 Engage in organized activities such as contests, shows, exhibitions; organized sporting or musical events, children's day camp, parades, or any other activity to the exclusion of others, without prior written consent of the Commission or its Agent.
- 6.1d Use a park area, structure, play area, or amenity for a use other than its intended or designed use.
- 6.1e Conduct any activity, including an authorized use, in any manner that unduly threatens the safety of any individual or threatens to damage or harm Commission Park Property or the natural resources therein.

- 6.1f Occupy or use a reserved facility when that facility is reserved by another person per established Commission procedures.
- 6.1g Hinder, interrupt, or interfere with any authorized use or any use for which a permit has been granted, including a permit that allows the use of Commission Park Property to the exclusion of others.
- 6.1h Build fires except in grills, fireplaces, fire rings, or other areas specifically provided and identified for that purpose.
- 6.1i Build a fire in a pedestal grill for any purpose other than cooking or use any fuel other than charcoal and lighter fluid in said grill.
- 6.1j Engage in the activity of Camping, unless prior written permission is obtained from the Commission or its Agent.
- 6.1k 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 for the purpose of commercial operations unless prior written permission is obtained from the Commission or its Agent.
- 6.1l Make use of any sound amplification device, loudspeakers, audio devices, or car stereos which produce sound at a level which can be heard clearly 20 feet from the source, bothers or annoys other park users, park neighbors, or in any other way disturbs the peace and order of a park area unless prior written permission is obtained from the Commission or its Agent as a part of or separately from a facility reservation.
- 6.1m Possess or discharge fireworks, unless prior written permission is obtained from the Commission or its Agent.
- 6.1n Swim or wade in any lake, pond, or watercourse except to retrieve one's property or at such times and places provided by and designated for such purpose by the Commission.
- 6.1o Be allowed to bring any glass bottle or container into a swimming beach or sunbathing area.
- 6.1p Fish from a swimming beach or be in possession of any fishing hooks or tackle while in a designated swimming beach area.
- 6.1q Trespass onto adjacent private property.
- 6.1r Smoke or use a tobacco product, e-cigarette, or similar device or substance in any beach area, including sand areas, grass areas, decks, overlooks and other structures; or adjoining areas, as designated by signing.
- 6.1s Dispose of smoking waste or tobacco product waste in any beach area, including sand areas, grass areas, decks, overlooks, and other structures; or adjoining areas, as designated by signing.
- 6.1t Be in possession of paint or a paint container unless also in possession of a canvas, or other related painting support media, unless said person is a Commission Agent or Designee working on official business.
- 6.1u Hang or use a hammock in any manner that could cause damage to a tree, off-trail area, or manmade structure, or in areas where the trail is either boardwalk or stairs. Hammock may be hung using wide straps on trees over 6 inches in diameter within 10 feet of an established natural surface, gravel, or asphalt trail only.
- 6.1v Hang or use a slack line, tight rope, or clothes line unless prior written permission is obtained from the Commission or its Designee.

- 6.1w Erect a tent or similar structure unless said structure is less than 150 ft², on a beach, and open on at least one side; OR in a designated camping area; OR with written permission as part of or separately from a facility reservation.
- 6.1x 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
 - 7.1b In any manner disturb the peace and quiet or good order of a park area; disturb another person or park neighbor.
 - 7.1c Enter into a restroom intended for the opposite gender, or enter into or remain in any restroom or on any commission property for the purpose of committing any sexual act.
 - 7.1d Be present on any Commission Park Property with completely or partially exposed or visible genitals, pubic region, buttock, or completely exposed female breast.
 - 7.1e Be allowed to remain on Commission Park Property with a blood alcohol level that exceeds the legal limit; or when under the influence of illegal drugs or controlled substances.
 - 7.1f Be allowed to conduct or participate in any form of gambling or games of chance.
 - 7.1g Resist, obstruct, be abusive, or address in a profane or obscene manner any Commission Agent or Designee.
 - 7.1h Allow any Person under eight years of age to use, enter, or be in a playground or swimming beach area without the supervision of an adult.
 - 7.1i Travel on paths, trails, driveways, or other areas on a horse, bicycle, or any other conveyance at a speed that endangers any park visitor or may cause damage to Commission Park Property.

Section 8. ALCOHOLIC BEVERAGES

- 8.1 No person, while on Commission Park Property, shall possess any alcoholic beverage of any kind except at specific locations and at specific times by making application per established Commission procedures; and being granted a permit by the Commission or its Agent.

Section 9. ANIMALS

- 9.1 No person, while on Commission Park Property, shall:
 - 9.1a Bring into, have, or keep any animal other than a dog or horse without prior written permission from the Commission or its designee.
 - 9.1b Bring into, have, or keep any dog in an area which has been designated or signed to prohibit dogs except for disability service dogs or on duty Police K9's.
 - 9.1c Bring into, have, or keep any dog not on a physical leash ten feet or less in length (unless within a designated off-leash area or dog park) and under the immediate control of a competent person who shall remove and properly dispose of any waste produced by the animal immediately and completely.
 - 9.1d Fail to fully obey the posted rules while at a designated dog park or off-leash area.

- 9.1e Bring onto Commission Park Property or be in possession of any animal that is vicious or dangerous to park visitors or other animals.
- 9.1f Ride or allow horses or other riding animals, without written permission, except horses used for mounted patrols or on designated bridle trails.
- 9.1g Pull a cart behind a horse or other animal without written permission, except on the roadway.

Section 10. PRESERVATION OF PARK PROPERTY AND NATURAL FEATURES

- 10.1 No person, while on Commission Park Property, shall:
 - 10.1a Destroy, injure, deface, disturb, remove, or defoul any part of a park area, building, sign, equipment, or other property therein; nor shall any tree, turf, grass, dune grass, flower, shrub, or any other plant, rock, or any other mineral, be removed, injured, or destroyed.
 - 10.1b Mark, paint, chalk, or in any way leave a permanent or temporary mark on any surface within Commission Park Property, including but not limited to trees, buildings, pavement, steps, railings, or signs unless prior written permission is obtained from the Commission or its Agent.
 - 10.1c Release animals, pets, or dispose of plants in a Commission Park Property without prior written consent of the Commission or its Agent.
 - 10.1d Fail to obey the printed or posted rules of a facility reservation whether the renter or attendee at the facility reservation, including but not limited to the prohibitions of moving furniture, use of staples or tacks, and littering, including the use of confetti.
- 10.2 The use of a metal detector is allowed only on sand beaches, during regular park hours, unless prior written permission is obtained from the Commission or its Agent. Metal detecting is not allowed in portions of beach areas with established vegetation. Holes created as part of the act of metal detecting must be promptly filled in.

Section 11. HUNTING, FISHING & TRAPPING

- 11.1 No person, while on Commission Park Property, shall remove, 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 Hunting is allowed during special archery deer hunting programs and other deer management programs at selected park sites during specific time periods per specific deer hunting program rules and regulations; per State of Michigan DNR laws, and per other applicable County Park rules.
- 11.3 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 Discharge or set off a pistol, rifle, shotgun, 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 or by a person carrying a weapon in

accordance with Michigan law and in the legal defense of human life unless prior written permission is obtained from the Commission or its Agent.

- 12.2 The possession of firearms shall be permitted on Commission Park Property in accordance with the laws of the State of Michigan.
- 12.3 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 and designated by the Commission for that purpose.
 - 13.1c Operate a motor vehicle in any way which does not give right-of-way to pedestrians, bicyclists and equestrians; or endangers the safety of people or property.
 - 13.1d 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.
 - 13.1e Park or leave unattended any motor vehicle in a manner that blocks in another parked vehicle; blocks, restricts, or impedes the normal flow of traffic; where parking is prohibited; on or in a turf area, wetland, meadow, prairie, marsh, field woodland; for the purpose of washing or making any repairs or alterations except those of an emergency nature; or in such a way as to occupy more than one provided parking space.
 - 13.1f Use a motor vehicle or any other motorized device to continuously cruise into, out of, or through any area, roadway, or parking lot.
 - 13.1g Exceed 20 mph or posted speed limits, or exceed a reasonable speed for given traffic conditions and special hazards, such as trail crossings, entrances to parking areas, hills, or curves.
 - 13.1h Commit an act of property destruction with a motor vehicle or any other motorized device.
 - 13.1i Operate a snowmobile, off-road vehicle, any motor-driven vehicle or any motorized device in any park area unless specifically designated for such purpose.
 - 13.1j 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.
 - 13.1k Park in a space designated for people with disabilities, or the striped aisle adjacent to that space, unless properly displaying a valid disability parking placard or license plate.
 - 13.1l Fail to obey a traffic control device or the direction of a Commission Designee that is directing traffic.

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, paddleboard, surfboard, 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 Engage in any sport, game, or similar activity while on Commission Park Property which unreasonably interferes, annoys, or bothers the use and enjoyment of an area by others.
 - 16.1b Use or operate any amusement device while on Commission Park Property that would threaten the safety of any person or potentially damage park property; or would interfere, annoy, or bother the use and enjoyment of an area by others.
 - 16.1c Use or operate any remote-controlled airplane, helicopter, drone, car, boat, or similar device unless prior written permission is obtained from the Commission or its Agent.
 - 16.1d 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 is 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, 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.

18.2c Prevent other officers from carrying out their sworn duties within the Commission Park Properties or facilities as defined by the applicable laws of the State of Michigan and the United States or by the ordinances, resolutions, and policies of Ottawa County, Michigan or in accord with any policing agreement approved by the Board.

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 March 14, 2017, and shall be effective on March 14, 2017.