

ORDINANCE NO. _____

ZEELAND CHARTER TOWNSHIP

PARK RULES AND REGULATIONS ORDINANCE

AN ORDINANCE TO REGULATE HOURS AND CONDUCT IN PARKS OWNED AND MAINTAINED BY THE CHARTER TOWNSHIP OF ZEELAND, OTTAWA COUNTY, MICHIGAN; TO PROVIDE PENALTIES FOR THE VIOLATION OF THESE RULES AND REGULATIONS; AND TO ESTABLISH AN EFFECTIVE DATE OF THIS ORDINANCE.

THE CHARTER TOWNSHIP OF ZEELAND, OTTAWA COUNTY, MICHIGAN ORDAINS:

Section 1: Short Title

This Ordinance shall be known and may be cited and referred to as the “Zeeland Charter Township Park Rules and Regulations Ordinance.”

Section 2: Definitions

- A. *Firearms* means revolvers, pistols, shotguns, rifles, airguns, pellet guns, starting pistols, BB guns, or any other guns or other weapons which discharge projectiles either by air, explosive substance or any other force.
- B. *Litter* means any garbage, ashes, sewage, refuse, waste or other noxious or offensive material.
- C. *Motor vehicle* means any self-propelled or towed vehicle designed or used on public highways to transport passengers or property, as defined in section 79 of Public Act No. 300 of 1949 (MCL 257.79), which is required to be registered for use upon the public streets and highways of the state under that Act; any wheeled vehicle which is self-propelled or intended to be self-propelled, including off-road or all-terrain vehicle; and any snowmobile.
- D. *Park use permit* means a permit obtained from the township which authorizes the permit holder to exclusive use of any part of a township park for a designated date and time.
- E. *Pets* means dogs, cats, horses, snakes or other domesticated animals or any other animal under, or intended to be under, the custody or control of a person.
- F. *Township park* means all township owned and maintained places of recreation open to general use by the public, currently consisting of the following:
 - (1) _____ (approximately _____ acres);

- (2) _____ (approximately _____ acres); and
- (3) Any other township owned and maintained place of recreation open to general use by the public which the township acquires or begins to operate or both after this Ordinance takes effect.

G. *Weapon* means any device or article which is intended to be used for fighting or hunting, including but not limited to the following, and excluding any knife intended to be used exclusively for meal preparation or service:

- (1) Crossbows;
- (2) Bow and arrows;
- (3) Slingshots;
- (4) Dirks;
- (5) Daggers;
- (6) Stiletos;
- (7) Brass knuckles; and
- (8) Any knife with a blade longer than 3½ inches.

Section 3: Park Use Permits

- A. Any person who desires to reserve a portion or the entirety of a township park shall first apply to the township for a park use permit. All applications shall be submitted during regular business hours of the township. The holder of a park use permit is responsible for the conduct of any other person which uses or occupies the portion of the township park subject to the park use permit issued to the holder. Park use permits may be issued by the township pursuant to a review of a completed application from an applicant and the consideration of such criteria as the township shall from time to time establish. No such criteria may discriminate against any person on the basis of age, sex, sexual orientation, race, national origin, religion, color, height, weight, marital status, or any other prohibited personal characteristic.
- B. A person may be ineligible for a park use permit if the person has violated this Ordinance in the preceding 12 months. This ineligibility may apply regardless of whether the person was prosecuted for such violation.

Section 4: Prohibited Conduct

- A. No person may occupy or use any portion of a township park except during designated hours of operation, unless in possession of a park use permit allowing occupancy and use at alternate times. The hours of operation shall be:

From _____ through _____: _____ a.m. until _____ p.m.;

From _____ through _____: _____ a.m. until _____ p.m.

- B. No person may transport, use, or possess any alcoholic beverage or controlled substance in a township park. No person may be intoxicated or under the influence of a controlled substance in a township park. For purposes of this section, the term “controlled substance” shall mean any substance defined as a controlled substance under MCL 333.7101 et seq.
- C. No person may discharge, set off, or use any firearm or weapon in a township park. This subsection shall not apply to any deputy sheriff or other duly appointed law enforcement officer while carrying out official duties and responsibilities.
- D. No person may hunt, trap, catch, wound, kill, or treat cruelly, or attempt to trap, catch, wound, kill, or treat cruelly, any bird or animal in a township park. No person may molest or rob any nest of any bird or lair, den, or furrow of any animal.
- E. No person may fire, discharge, or possess any firecracker, rocket, sparkler, or other fireworks or any substance of an explosive or dangerous nature in a township park, unless the person has prior written authorization from the township.
- F. No person in a township park may:
 - (1) Operate a motor vehicle except on designated roads and parking areas;
 - (2) At any time or in any place operate a motorized trail bike, snowmobile, or all-terrain vehicle;
 - (3) Operate, ride, or propel any motor vehicle unless it is duly licensed to be operated on the highways of the state;
 - (4) Operate a motor vehicle on any road or parking area at a speed in excess of 15 miles per hour or at a speed greater than that posted, whichever is lower;
 - (5) Spin or cause to spin the tires of any motor vehicle in such a manner that damage is caused to the road, parking area, or other natural or improved surface;
 - (6) Operate a motor vehicle in a manner contrary to any posted traffic control signs; or
 - (7) Operate a motor vehicle in violation of the laws of the state, specifically but not exclusively as set forth in the Michigan Vehicle Code (MCL 257.1 et seq.).
- G. No person may interfere with the use of a township park by the holder of a park use permit, for the purposes set forth in that permit.
- H. No person may dispose of any litter in a township park receptacle which is not generated through permitted use of the park, but is rather transported to and brought into the park.

- I. No person may deposit or discard in a township park, or cause to be deposited or discarded in a township park, any litter, except by placing it in refuse containers provided for such purposes.
- J. No person may allow a pet to do any of the following.
 - (1) Allow a pet to run loose (i.e., not on a leash of six feet or less in length and under the immediate control of a competent person) within any portion of a township park. Any pet found not in the possession of or under the immediate control of its owner or another competent person, or any animal creating a nuisance or disturbance, may be removed from a township park.
 - (2) Allow a pet, whether or not on a leash, to be on any ball field or soccer field at a township park, whether or not a game is being played on the field.
- K. No person may cut, injure, deface, destroy, disturb, or remove any tree, sapling, seedling, brush, or shrub, whether alive or dead, in a township park. No person may chip, blaze, box, trim, or otherwise deface or injure any tree or shrub. No person may pick, gather, uproot, remove or destroy any flower or plant.
- L. No person may remove, damage, or destroy in a township park any sod, earth, peat, boulder, mineral, gravel, or sand, without the prior written authorization of the township.
- M. No person may destroy, deface, alter, change, or remove any monument, stone marker, benchmark, stake, post, or designation of any boundary line, survey line, or reference point in a township park.
- N. No person may deface, destroy, remove, or injure any building, sign, equipment, or other property or structure in a township park.
- O. No person may set or cause to be set on fire any tree, woodland, brush land, grassland, or meadow in a township park.
- P. No person may build or start any fire in a township park except within receptacles or at other locations specifically approved and designated for such purposes by the township.
- Q. No person may leave any approved fire in a township park unattended. All permitted fires shall be completely extinguished, including the embers, by the person who built or started the fire, before the person leaves the immediate vicinity of the fire.
- R. No person may disobey any authorized sign in a township park.
- S. A person operating a bicycle or other nonmotorized vehicle in a township park shall operate it in single file and as closely to the righthand side of any roadway, path, or trail as conditions permit. In addition, no person may:

- (1) Operate any bicycle or other nonmotorized vehicle in a manner which endangers oneself, pedestrians, or other vehicle operators, or in a manner which obstructs vehicular or pedestrian traffic;
 - (2) Carry any person upon a bicycle handlebar or frame, or be so carried;
 - (3) Operate any bicycle or other nonmotorized vehicle upon any playing field or tennis court or in any other section of a township park except paved or graveled roadways, parking areas, or other specifically designated paths or trails.
- T. No person may use a skateboard, scooter, roller skates, roller blades, or other similar devices in a township park, except in areas specifically designated by the township.
- U. No person may establish or maintain any camp or other temporary lodging place in a township park without obtaining prior approval from an authorized township official, subject to any conditions deemed reasonable by the township official.
- V. No person may operate a business, peddle, or solicit business of any nature, distribute handbills or other advertising material, or post signs in a township park, unless first authorized in writing by the township.

Section 5: Violation: Penalty, Remedies and Enforcement

A violation of this Ordinance constitutes a municipal civil infraction. Any person who violates any provision of this Ordinance, or any person who knowingly or intentionally aids or abets another person in violation of this Ordinance, shall be responsible for a civil infraction. The civil fine for a municipal civil infraction shall be not less than \$100.00 for the first offense and not less than \$200.00 for subsequent offenses, in the discretion of the court, in addition to all other costs, damages, expenses and remedies provided by law. For purposes of this section, “subsequent offense” means a violation of the provisions of this Ordinance committed by the same person within 12 months of a previous violation of this Ordinance for which the person admitted responsibility or was adjudged to be responsible. Each day during which any violation continues shall be deemed a separate offense.

Section 6: Administrative Liability

No officer, agent, or employee of the Township shall be personally liable for any damages which accrue to any person as a result of any act required or permitted in the discharge of duties under and in the enforcement of this Ordinance.

Section 7: Severability and Captions

This Ordinance and its various sections, subsections, sentences, phrases, and clauses are severable. If any section, subsection, sentence, phrase, or clause is adjudged unconstitutional or invalid, the remainder of this Ordinance shall not be affected. Captions appearing at the beginning of any section shall not be deemed a part of this Ordinance and shall have no independent significance.

Section 8: Effective Date

This Ordinance was approved and adopted by the Township Board on _____, 2023, after introduction and first reading on _____, 2023, and publication after the first reading as required by Michigan Act 359 of 1947, as amended. This Ordinance shall be effective on _____, 2023, which is the 30th day after publication of the Ordinance.

Tom Oonk,
Township Supervisor

Kate Kraak,
Township Clerk

CERTIFICATE

I, Kate Kraak, the Clerk for the Charter Township of Zeeland, Ottawa County, Michigan, certify that the foregoing Zeeland Charter Township Park Rules and Regulations Ordinance was adopted at a regular meeting of the Township Board held on _____, 2023. The following members of the Township Board were present at that meeting: _____
_____.

The following members of the Township Board were absent: _____.

The Ordinance was adopted by the Township Board with members of the Board _____ voting in favor, and members of the Board _____ voting in opposition. The Ordinance or Notice of Adoption was published in the Zeeland Record on _____, 2023.

Kate Kraak, Clerk
Zeeland Charter Township