

20.0300

**PARK RULES AND REGULATIONS ORDINANCE
TOWNSHIP OF GRAND HAVEN, MICHIGAN
ord. no. 59 eff. Sept. 15, 1983**

An Ordinance to adopt rules and regulations for the use and maintenance of places of recreation and for the government of Township Parks within the Township of Grand Haven, Ottawa County, Michigan, pursuant to Act 274 of the Public Acts of 1974, as amended and to provide penalties for the violation thereof.

THE TOWNSHIP OF GRAND HAVEN, OTTAWA COUNTY, MICHIGAN,
ORDAINS:

20.0301

Sec. 1 TITLE

This Ordinance shall be known and cited as the Grand Haven Township Park Rules and Regulations Ordinance.
(ord. no. 59 eff. Sept. 15, 1983)

20.0302

Sec. 2 DEFINITIONS

The following words as used in this Ordinance shall be defined as provided herein. All other words and phrases shall be defined as they are in the ordinary and customary usage.

1. **FIREARMS:** Guns of any type, including, but not limited to B-B guns, pellet guns, and starting pistols.
2. **MOTOR VEHICLES:** Any and all kinds or types of motor driven or motor propelled automobiles, trucks, motor cycles, motor scooters, mopeds, snowmobiles, and any kind or type of off-road or all-terrain vehicle.
3. **LITTER:** Any offal or refuse, including, but not limited to paper, cans, bottles, and animal feces.
4. **PETS:** Dogs, cats, horses, snakes, or any other domesticated animal or any other animal under the custody or control of a person.
5. **TYPE I PARK USE PERMIT:** A permit which allows overnight camping in a Township Park or recreation area for the use by nonprofit organizations which are approved therefore by the Township's Parks and Recreation Board, or its designated representative.
6. **TYPE II PARK USE PERMIT:** A permit which allows the transportation into and usage of alcohol or alcoholic beverages in a Township Park or recreation area.

7. **TYPE III PARK USE PERMIT:** A permit which provides for the reservation of a baseball or softball field for nontournament usage. The holder of such a permit has the right to the exclusive usage of the ball field during the time stated in the permit.
8. **TYPE IV PARK USE PERMIT:** A permit which provides for the reservation of a baseball or softball field for tournament usage. The holder of such a permit has the right to the exclusive usage of the ball field during the time stated in the permit.
9. **TYPE V PARK USE PERMIT:** A permit which provides for the reservation of park facilities (excluding picnic shelters) for corporate parties. The holder of such permit has the right to use all park facilities (except the picnic shelters).
10. **TYPE VI PARK USE PERMIT:** A permit which provides for the reservation of a picnic shelter. The holder of the permit is required to post the permit at the picnic shelter at least one (1) hour before the use of the shelter, in an area as designated by the Township Parks and Recreation Board. The holder of the permit has the exclusive use of the shelter for the period of time stated in the permit.
11. **TYPE VII PARK USE PERMIT:** A permit which provides for the reservation of park facilities (excluding picnic shelters). The holder of such permit has the right to use all park facilities (except picnic shelters).
12. **WEAPON:** Any device or article which can be used for fighting or hunting, including, but not limited to, the following: crossbow, bow and arrows, blowguns, slingshots, dirks, daggers, stilettos, brass knuckles, and any knife with a blade longer than three and one-half inches (3.5"), except any knife legitimately being used for meal preparation or service.
(ord. no. 59 eff. Sept. 15, 1983; amend. by ord. no. 156 eff. June 11, 1991)

20.0303 Sec. 3 PARK USE PERMITS

Any person, firm, or corporation who desires to use a Township Park or recreation area for the purpose of overnight camping, or who desires to transport or use alcoholic beverages or alcohol in a Township Park or recreation area, or who desires to reserve a baseball or softball field for non-tournament or tournament play shall first apply to the Township for an appropriate Type I, II, III, or IV Park Use Permit. Such person, firm, or corporation shall submit with the application any required fee or deposit as may be established by the Township Board of Trustees from time to time by resolution. All applications shall be submitted during regular business hours of the Township or at such other times as may be designated to the Township Clerk or to such person as the Clerk may appoint. All fees shall be non-refundable.

Deposits shall be refundable to the applicant if the park or ball field is left in substantially the same condition it was in before it was used or occupied by the applicant, which includes the absence of litter. The holder of a permit is responsible for the conduct of any other person, firm, or corporation which uses or occupies the Township Park or recreation area while under the custody, control, auspices, sponsorship, or encouragement of the permit holder. Park Use Permits shall be issued by the Township Parks Board, or its designated representative, upon such criteria as the Parks Board shall from time to time establish with the advice and consent of the Township Board of Trustees. No such criteria shall discriminate against any person on the basis of age, sex, race, or national origin. (ord. no. 59 eff. Sept. 15, 1983)

20.0304 Sec. 4 PROHIBITED CONDUCT

No person, firm, or corporation shall commit any of the following conduct in a Township Park or recreation area:

1. Occupy or use any portion of a Township Park or recreation area between the hours of 10:00 p.m. and 8:00 a.m., unless in possession of a valid Type I Park Use Permit.
2. Transport or use any alcoholic beverage in a Township Park or recreation area unless in possession of a valid Type II Park Use Permit.
3. Possess a firearm or weapon in a Township Park or recreation area, unless the person is a sworn police officer acting within the scope of the officer's duties or has a valid concealed pistol license, and except as otherwise allowed by federal or state law. (ord. no. 536 eff. November 3, 2015)
4. Hunt or trap any animals or birds within any portion of a Township Park or recreation area.
5. Possess any type of firework(s), or explosives within any portion of a Township Park or recreation area.
6. Use, park, or operate any motor vehicle in a manner contrary to posted Traffic Control signs within a Township Park or recreational area.
7. Spin or cause to spin, the tires of any motor vehicle, in such a manner that damage is caused to the roadway or parking area, or any ground.
8. Allow a pet to run loose within any portion of a Township Park or recreation area. Pets are strictly prohibited from Mercury Park and Pottawattomie Park except that a pet may be transported in a vehicle in said parks if continuously enclosed within the vehicle. For the purpose of this Ordinance, the phrase

"allow a pet to run loose" shall mean that the pet is neither on a leash held by nor otherwise under the immediate control of, the person in custody of the pet. For purposes of this Ordinance, the phrase "otherwise under the immediate control of the person" shall mean that the pet is subject to the control of a person because of training, familiarity, and proximity to the person.

9. Damage, destroy, deface, or remove any tree, shrub, plant, building, fence, sign, table, bench, marker, or any other equipment or facility within a Township Park or recreation area, unless necessary for the maintenance of the park or recreation area as determined by the Parks Board.
10. Light or maintain a fire within a Township Park or recreation area, except in a facility or area provided therefore, or except as is necessary for the maintenance of the park or recreation area as determined by the Parks Board.
11. Suffer or cause any litter to remain in a Township Park or recreation area.
12. Fail to observe any of the requirements of a Park Use Permit, or fail to abide by the rules and regulations for the use of Township Parks or recreation areas.
13. Ride or operate a bicycle, moped, motorized bicycle, motorcycle, horse, motorized three-wheeler or motorized four-wheeler on or within the confines of any playing field (including, but not limited to, softball field or soccer field), or in any other area of a Township Park where any such items have been prohibited. It is the intention of this Subsection to prohibit the mere riding or operating of a bicycle, moped, motorized bicycle, etc., in any playing field or posted area, regardless of whether any damage is caused. (amend. by ord. no. 306 eff. Jan.18, 1999)
14. Smoke, light or chew tobacco in the designated waterfront area of Pottawattomie Park. The waterfront area of Pottawattomie Park is that portion of Pottawattomie Park that is about two hundred feet (200 ') from the water's edge as delineated by signage and shown on Exhibit "A", which is attached to and incorporated into this Ordinance. The Township shall post and maintain signage to give reasonable notice to persons of this prohibition. (amend. by ord. no. 452 eff. May 25, 2008)

20.0305 Sec. 5 VIOLATIONS

Any person, firm, or corporation who violates the provisions of this ordinance shall be responsible for a municipal civil infraction. The sanction for a violation of this Ordinance shall include the following:

1. Civil fine of not less than fifty dollars (\$50.00), plus costs and other

sanctions.

2. Increased civil fines may be imposed for repeated violations of this Ordinance by a person, firm, or corporation. A “repeat violation” of this Ordinance is a second or subsequent violation of this Ordinance committed by a person, firm, or corporation within six (6) months of a prior violation of this Ordinance; and for which the person, firm, or corporation admits responsibility or is determined to be responsible.
3. The sanction for a violation of this Ordinance which is a first repeat violation shall be a civil fine of not less than two hundred fifty dollars (\$250.00), plus costs and other sanctions.
4. The sanction for a violation of this Ordinance which is a second or subsequent repeat violation shall be a civil fine of not less than five hundred dollars (\$500.00), plus costs and other sanctions.

The Township Supervisor, the Township Superintendent (Township Manager), any law enforcement officer of the Ottawa County Sheriff’s Department or the Michigan State Police, the Township’s Public Works Director, the Assistant Public Works Director, the Township Ordinance Enforcement Officer, and Township Attorney are authorized to issue municipal civil infractions citations for violations of this Ordinance. The service of citations or municipal civil infractions under this Ordinance may be served by personal delivery, by first class mail, or by affixing the citation to the vehicle, boat, or trailer parked in violation of this Ordinance.

In addition to the sanctions provided in this Ordinance for violation of its provisions, any person who is determined to be responsible for a municipal civil infraction because of any damage that he or she has caused to a Township Launch Facility area shall reimburse the Township for the amount of damages suffered by the Township to repair the damage for which the person is responsible, as determined by the court. If a person is responsible for an act of vandalism, that person shall reimburse the Township for up to three times the amount of damages, as determined by the court. (ord. no. 59 eff. Sept. 15, 1983; amend. by ord. no. 93 eff. Aug. 21, 1987; amend. by ord. no. 220 eff. June 11, 1995; amend. by ord. 364 eff. Dec. 1, 2002)

20.0306 Sec. 6 REPEALER

This Ordinance repeals and replaces Ordinances number 11 and number 34. This Ordinance shall have no effect upon the scope of any other Ordinance, to the extent that such other Ordinances do not conflict herewith.
(ord. no. 59 eff. Sept. 15, 1983)

20.0307 Sec. 7 SEVERABILITY

Should any court declare any provision or section of this Ordinance unconstitutional or invalid, then such decision shall affect only the section or provision so passed upon, and shall not affect any other section or provision of this Ordinance.
(ord. no. 59 eff. Sept. 15, 1983)

20.0308 Sec. 8 EFFECTIVE DATE

This Ordinance shall take effect thirty (30) days after its publication in the manner provided by law.
(ord. no. 59 eff. Sept. 15, 1983)

EXHIBIT A

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