

TOWNSHIP OF COLUMBIA
JACKSON COUNTY, MICHIGAN

COLUMBIA TOWNSHIP PARKS AND RECREATION ORDINANCE
Ordinance No. _____

An Ordinance enacted pursuant to the authority of Act 156 of 1917 and Act 246 of 1945.

An Ordinance to protect the public health, safety and general welfare of Columbia Township residents by establishing regulations relating to the operation, control and management of parks, and recreation areas owned by the Township of Columbia, Jackson County, Michigan; to provide penalties for the violation of said ordinance; and to repeal all ordinances or parts of an ordinance in conflict therewith. The Columbia Township Board may, at any time, amend these rules and regulations, as needed, in the future.

The Township of Columbia, County of Jackson, State of Michigan ordains:

Section 1.0 Title

This ordinance shall be known and cited as the Columbia Township Parks and Recreation Ordinance.

Section 2.0 Definitions

A. Firearms: Guns of any type, including, but not limited to B-B guns, pellet guns, "airsoft" or other air or mechanical guns, paint ball guns, and starting pistols.

B. 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, including trailers.

C. Litter: Any refuse, or trash including but not limited to paper, cans, bottles and animal feces.

D. Pets: Dogs, cats, or any other domesticated animal under the control or custody of a person.

Section 3.0 Park Hours and Parking

A. Park Hours: Township park hours will be set by resolution of the Township Board of Trustees. No persons or vehicles shall remain in the parks during hours when the parks are closed.

B. Parking: The parking of any motor vehicle is permitted only in designated parking areas. No parking is permitted along park areas, drives, or near the entrance, or that would hinder access for maintenance or emergency vehicles.

C. Closing of Facilities: The Columbia Township Board of Trustees, or the Board's designated representative, may close any park facility, or cease any park activity at any time if deemed unsafe or if the closing would be in the best interest, general well being, and/or if safety of the public is not being served.

Section 4.0 Prohibited Conduct

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

- A. Drink, consume, possess, be under the influence of, or otherwise bring upon or within any park property any intoxicating liquor, beer, or wine.
- B. Sell, use, be under the influence of, or have in his or her possession any drug or narcotic, the sale, use or possession of which is prohibited by Michigan or Federal law.
- C. Use or discharge a firearm or weapon in, into, or over a Township Park or recreation area, including but not limited to any rifle, shotgun, pistol, handgun, BB gun, pellet gun, air rifle, airsoft gun, bow and arrow, cross bow, sling shot, paintball gun, trap, explosive or any other weapon, unless the person is a sworn law enforcement or police officer acting within the scope of his duties.
- D. No person shall injure, deface, destroy or cause to be injured, defaced or destroyed any building, structure, facility, equipment, sign or other public property within a park. No person shall injure, damage, remove or attempt to remove any tree, shrub, flower or plant, or any rock, soil or mineral within a park. No person shall hunt, trap, kill, harm, pursue, or disturb any wild bird or animal within a park. No person shall fish within any area designated for swimming.
- E. Possess any type of firework(s) or explosives within any portion of a Township Park.
- F. No person shall kindle or maintain a fire in any park except in picnic stoves, fireplaces or other outdoor fire containers furnished by the Township or individual propane fueled grills. No person shall burn garbage or refuse. No fires shall be left unattended and all fires shall be extinguished upon leaving the immediate vicinity.

G. No person shall throw, deposit or abandon refuse, garbage, rubbish, trash, or any waste articles in a park excepting in designated receptacles. No person shall bring, possess, or leave glass containers within a park. Dumping hazardous waste, construction debris, furniture, appliances, tires, or any other item not directly related to a permitted park use, is prohibited. No person shall throw, cast, lay, drop, or discharge into or leave in waters under the jurisdiction of the Township any substance, matter or thing, liquid, or solid which may or shall result in the pollution of said waters. All persons shall not bathe, urinate, or defecate except at such places provided or designated for such purpose. No person shall wash dishes or bathe at pumps or drinking fountains or discharge waste waters or any other wastes, except into designated containers, drains, or dumping stations.

H. Ride or operate any motor vehicles (see Section 2.0 Definitions) in any area of the park other than on the driveway and in the parking area. The exceptions would be a personal battery powered wheel chair, or a 3 or 4 wheel battery powered scooter, when operated by a person with a disability.

I. Loiter, beg, or solicit in any manner, or for any reason, within the Township Park or recreation area.

J. Gather in groups for unlawful purposes. Nor shall any person or group of persons be disorderly or annoy, harass, or inflict property damage, or bodily injury upon another person or persons in the Township Park.

K. Allow pets of any kind except service animals as delineated in the Americans with Disabilities Act ("ADA"). Emotional support, therapy, comfort, or companion animals not considered as service animals under the ADA are not allowed. All service dog owners must promptly pick up and properly discard animal feces. Notwithstanding other provisions of this section, no person shall bring into, harbor, keep or permit a horse or a dangerous animal within a park.

L. Engage in any disorderly conduct, including but not limited to that conduct described in the Columbia Township Ordinances. It shall be unlawful for any person to:

- (1) Toss, throw, or otherwise project any ball, disk, or other object in such a manner so as to annoy or endanger other persons within or upon a park.
- (2) Cause any disturbance or contention in any public building, grounds, park, or other public meeting where citizens are lawfully and peaceably assembled.
- (3) By force, threats, intimidations, unlawful fencing, enclosing, or by any other means prevent or obstruct any person from entering, leaving, or making full use of any property administered by or under the jurisdiction of the Township.
- (4) Engage in any violent, abusive, loud, boisterous, vulgar, lewd, wanton, obscene, or otherwise disorderly conduct, or to disturb or annoy others, while in or on any property administered by or under the jurisdiction of the Township, including parks.

M. Possess or use any tobacco product, including cigarettes, cigars, pipes, chewing tobacco, snuff, electronic cigarettes or other electronic smoking device. No person shall drop, throw, or otherwise scatter lighted matches, burning cigars, cigarettes, tobacco paper, or other flammable materials within or upon any Township park property.

N. No person shall camp, construct a sleeping tent, picnic tent, or inflatable bouncers. No person shall construct a temporary dwelling, tree stand, or any structure in any park. Boats, watercraft of any kind, kayaks, canoes, paddle boards, paddle boats and floats larger than for the use of one person are prohibited in the designated swim area. The use of umbrellas and similar portable devices for individual protection from sun and rain are allowed.

O. Amplification of music and the use of loud speakers are subject to the Township's noise ordinance.

P. No person shall glue, tack or otherwise post, erect or distribute in a park any sign, placard, advertisement or inscription.

Q. No person shall solicit, vend, sell, peddle or offer for sale or advertise by any means any commodity, article or service in a park; but the provisions of this section shall not make unlawful any such activity when conducted by the township or any department or agency of the township, or by persons authorized by contract with the township.

R. No person shall move or damage swim buoys.

S. At the Hyde Road park, the beaching or tying up of any watercraft is prohibited on the shore. Anchoring of watercraft is allowed so long as it is at least twenty five (25) feet from the shore/waterline.

Section 5.0 Safety

Columbia Township Parks exist for the benefit and use of all township residents and guests. The Township will make every attempt to ensure that reasonable care is taken to make the parks safe. Residents and guests are advised and informed that their use of all park facilities is at their own risk.

Section 6.0 AUTHORITY TO PROMULGATE ADDITIONAL RULES AND REGULATIONS.

A. The Columbia Township Board of Trustees is authorized to promulgate other reasonable rules and regulations respecting the use of Township parks, pavilions, and playgrounds and may regulate and limit the use of the equipment and facilities therein. The Township Board of Trustees may post all other rules and regulations

promulgated at the entrance of each Township park or playground and said posted rules and regulations shall be incorporated and made a part of this ordinance and shall be enforced as if they were specifically enumerated herein. The Township Board of Trustees shall have the authority to forbid the use of the equipment and facilities and to prohibit entrance upon Township park and playground property by any person who refuses or neglects to obey the rules and regulations governing the use thereof in addition to any criminal sanction provided.

B. Emergency powers. Nothing in these rules shall:

- (1) Prohibit or hinder duly authorized agents of the Columbia Township Board of Trustees or any peace officers from performing their official duties.
- (2) Prohibit the Columbia Township Board of Trustees or its designated agent from establishing emergency rules required to protect the health, welfare, and safety of park visitors and to protect park property, including, but not limited to, the right to order all persons off Township park property, and close all or any portion of said park.

SECTION 6.0 ENFORCEMENT.

Fines and imprisonment. Any person violating any provision of the foregoing rules shall be deemed guilty of a misdemeanor and upon conviction thereof be fined not more than \$500.00 and costs of prosecution, or imprisoned in the county jail for a period not exceeding ninety (90) days, or both, for each offense.

In the event that the person violating any provision of the foregoing rules is determined to have caused damage to Columbia Township Park property or any of its structures therein, said person shall be responsible for reimbursement to Columbia Township for the full cost to replace or repair said damage.

SECTION 7 REPEALER CLAUSE.

All ordinances or parts of ordinances in conflict, to the extent of such conflict, are repealed.

SECTION 8 SEVERABILITY.

If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected.

SECTION 9 EFFECTIVE DATE.

This ordinance shall be published as required by law, to become effective and in full force thirty (30) days after the date of final publication of this Ordinance.

SECTION 10 PUBLICATION.

This ordinance is ordered to be given publication in the manner prescribed by law.

SECTION 11 ADOPTION.

This ordinance is hereby declared to have been adopted by the Columbia Township Board, Jackson County, Michigan, at a meeting held on the _____, 2017.