

# ALLEGAN COUNTY PARKS & RECREATION COMMISSION

# PARK RULES & REGULATIONS

## AUTHORITY

The purpose of this Ordinance is to establish the rules and regulations for public parks and park facilities under the jurisdiction of the Allegan County Board of Commissioners and the Allegan 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, designees, or agents of the Allegan County Parks and Recreation Commission.

## DEFINITIONS

“Commission” shall mean the Allegan County Parks and Recreation Commission.

“Commission Property” shall mean all lands, waters, and property administered by, or under the jurisdiction of, the Allegan County Parks and Recreation Commission, including, but not limited to, public park property owned by Allegan County.

“Camping” means the lodging or sleeping of person or persons on the ground or in any other manner, or in any sleeping bag, tent, trailer tent, trailer coach, vehicle camper, motor vehicle, boat, or in any other conveyance erected, parked, or placed on the premises or waters within any park or recreation area administered by the Allegan County Parks and Recreation Commission.

“Person” or “Persons” shall mean individuals, male or female, singular or plural: firms, corporations, or any group or gathering of individuals.

“Rules” shall mean the rules and amendments thereto, adopted by the Allegan County Parks and Recreation Commission, applicable to all property administered by or under the jurisdiction of the said Commission, including, but not limited to, public park property owned by Allegan County.

## ARTICLE I - PARK LAND ACCESS

### Section 1 - General Public

- a) Any group may use certain designated park facilities to the exclusion of others by making application, depositing a fee, and being granted a permit by the Commission, or its authorized agent.

### Section 2 - Hours of Operation

- a) No person shall remain upon Commission property between 9:00 PM and 8:00 AM, except at designated park areas. Said hours may be extended upon approval of the Commission. It shall be unlawful for any person to enter parklands or waters, which have been designated as closed for public use or entry.

### Section 3 - Unlawful Obstruction

- a) No person, firm, or corporation shall by force, threats, intimidation, unlawful fencing, enclosing or by other means, prevent or obstruct any person from entering, leaving or making full use of any Commission property.

## ARTICLE II - CONDUCT ON PARK PROPERTY

### Section 1 - Permit Reservation

- a) Application for a permit for reserved park facilities shall be made upon forms furnished by the Commission.
- b) If more applications are received than facilities are available, applications shall be considered in the chronological order received.
- c) Nothing contained herein shall exempt the users of reserved facilities from full compliance with all rules of the Commission relating to use and conduct on Commission property.

### Section 2 - Youth Playground

- a) No person shall fail to exercise supervisory responsibility for minor children entrusted to their care. Children under age nine (9) shall be under the immediate supervision of a responsible adult at all times.

### Section 3 - Vandalism and Destruction of Property

- a) No person shall willfully destroy, deface, alter, change or remove any monument, stone marker, benchmark, stake, post or blaze, marking or designating any boundary line, survey line, or reference point.
- b) No person shall cut, break, mark upon or otherwise injure any building, equipment, bridge, drain, wall, fountain, lamp post, trail feature, fence, gate, hedge, or other structure.
- c) No person shall deface, destroy, or remove any placard, notice or sign, whether permanent or temporary, posted or exhibited within or upon Commission property.
- d) No person shall appropriate, excavate, injure or destroy any historical ruin or prehistorical ruin or any object of antiquity, without permission of the Commission.

### Section 4 - Destruction of Natural Surroundings

- a) No person shall cut, remove, or destroy any tree, sapling, seedling, bush or shrub, whether alive or dead, or chip, blaze, box, girdle, trim or otherwise deface or injure any tree or shrub, or pick, gather, uproot, remove or destroy any flower, plant or grass.
- b) No person shall remove or cause to be removed any sod, earth, humus, peat, boulders, gravel or sand, without written permission of the Commission.

## Section 5 - Fires

- a) No person shall willfully set or cause to be set on fire any tree, woodland, brushland, grassland, or meadow.
- b) No person shall build any fire except within receptacles or open spaces approved and designated for such purposes. No open fires are allowed in any park.
- c) No person shall drop, throw or scatter lighted matches, burning cigars, cigarettes, tobacco paper or other flammable material within or upon Commission property.
- d) No person shall leave fires unattended. Campers and park users shall completely extinguish all fires, (in both grills and firepits) including embers, prior to leaving the boundaries of their assigned campsites or park area.

## Section 6 - Hunting, Fishing, Trapping

No person shall hunt, trap, catch, wound, kill or treat cruelly, attempt to trap, catch, wound or kill any bird or animal, molest or rob any nest of any bird or lair, den or burrow of any animal in or upon Commission property. Fishing will be permitted in accordance with the laws of the Department of Natural Resources of the State of Michigan in such areas designated for such purposes.

### a) Ice Shanties:

- 1) Must be made of sturdy materials and be maintained in good repair.
- 2) Must display owner's name and address.
- 3) Must be removed prior to ice melt. If removed by Park Staff, a service fee will be charged.
- 4) Must be placed on lake by using only a designated boat ramp.
- 5) Parks and Recreation Commission will not be responsible for any damage or vandalism to shanties.

### b) Fishing Tournaments

- 1) It shall be unlawful for any person, group, or business to CONDUCT a fishing tournament utilizing Commission property without receiving written authorization from the Commission or its authorized agent. If approval is received from the Commission to conduct such a tournament utilizing park property, authorization will be conveyed through a written permit which will be issued to the applicant.
- 2) It shall be unlawful for any person, group, or business to PARTICIPATE in any way in a fishing tournament utilizing Commission property when such action is not authorized under a permit issued by the Commission.
- 3) To receive a permit, the tournament organizer MUST make application and pay established fee(s) designated by Commission for said permit.
- 4) The issuance of a fishing tournament permit DOES NOT convey exclusive use.
- 5) Parking is available on a first come, first served basis. Permits are issued for functions to utilize NO MORE than 80% of the parking capacity as established by the Commission. Functions that have greater capacity needs are permitted if off-site parking is secured by the tournament organizer and is so noted in the permit application.
- 6) The Commission WILL NOT issue more than one permit for the same time period during the same day.
- 7) The Commission WILL NOT issue tournament permits for holiday weekends.

- 8) It shall be the responsibility of the tournament organizer to collect all necessary daily user fees from tournament participants and convey said fees to the Commission as directed within the permit.
- 9) A copy of the permit may be used by tournament participants as proof of user fee payment and should be displayed prominently on dashboard of vehicle. It is unlawful to use Commission property without payment of applicable fee(s).
- 10) It shall be necessary to secure a Fishing Tournament Permit for only the period of time during the season when the park/facility is open. It will not be necessary to obtain a permit if the park/facility is closed for the season. Contact the Parks Office to obtain opening/closing dates.
- 11) Fishing Tournament Permits will be obtainable beginning the first business day of each calendar year and will only be available for that calendar year.

#### Section 7 - Fireworks

- a) No person shall fire, discharge, or have in his/her possession any firecracker, rocket, sparkler, or other fireworks or any substance of an explosive or dangerous nature unless the Commission shall have authorized it by the issuance of a permit. Any permit issued shall not relieve a person desiring to use fireworks from obtaining the necessary permits as required by law from the local governing authority wherein this park is located.

#### Section 8 - Personal Conduct

- a) It shall be unlawful for any person to be under the influence of intoxicants, controlled substances, narcotics, or other mind affecting drugs, or to engage in any violent, abusive, loud, boisterous, vulgar, lewd, wanton, obscene or otherwise disorderly conduct tending to create a breach of the peace, or disturb or annoy others, while in or on any Commission property.
- b) It shall be unlawful to conduct or to participate in any form of gambling, lottery, or game of chance upon park property except as permitted by state law and approved by the Commission.
- c) **No person shall drink or possess alcoholic beverages in any Allegan County park.**

#### Section 9 - Noise Pollution

It shall be unlawful to use a loudspeaker, public address system or sound amplifying equipment of any kind without proper written permission; or to operate a motor, motor boat, motor vehicle, radio, television, or any device in a manner that produces excessive noise.

#### Section 10 - Littering and Pollution of Waters

It shall be unlawful:

- a) To discard, to deposit refuse of any kind or nature except by placing said refuse in containers provided for such purpose. There will be no littering of the ground.
- b) To throw, lay, drop, or discharge into or leave in waters any substance, matter or thing, liquid or solid, which may or shall result in the pollution of said waters.
- c) To deposit refuse or waste material which has originated outside the campground or park in receptacles provided for county park users; to set fire to contents of a refuse basket or trash container; or to place or burn garbage in a fire ring or stove.

## Section 11 - Contraband

All game animals, fowl, birds, fish and other aquatic life, hunted, killed, taken or destroyed, bought, sold, bartered or had in possession, contrary to any of the provisions hereof, shall be declared to be contraband and shall be turned over to the State of Michigan Department of Natural Resources for disposal. Further, any weapon or object carried or used by any person in violation of these rules shall be subject to seizure by the Commission or its agents and disposed of according to law.

## ARTICLE III - FEES AND CHARGES

It shall be unlawful:

- a) To use any facility, land or area for which a fee and charge has been established by the Commission without payment of such fee or charge.
- b) To fail to properly display a valid daily or annual permit in the designated area.
- c) For any person, group, or organization to occupy, use or fail to vacate any facility, building, land area or equipment for which a permit has been granted to another person, group, or organization.

## ARTICLE IV - SWIMMING, BATHING, AND WADING

No person shall:

- a) Swim, bathe, wade or scuba dive in any of the watercourses, lakes, ponds or sloughs, located within or upon Commission property except at such times and places as may be designated for such purposes. Persons must abide by posted swim rules.
- b) Carry or have in their possession any glass container on any beach or in the water adjacent thereto.
- c) Use any flotation device, inflated or otherwise, in any watercourse, lake, pond, or slough located within or upon Commission property except in specifically designated swim areas.
- d) Except in a lifesaving situation, remove, destroy or in any manner what so ever, render useless equipment designated and situated for water safety purposes.
- e) Fail to exercise supervisory responsibilities for minor children entrusted to their care. Children under the age of eleven (11) shall be under the immediate supervision of a responsible adult.

## ARTICLE V - ANIMALS AND PETS

- a) Pets are permitted in County Parks unless posted otherwise.
- b) Pets are NOT permitted within designated beaches, park buildings, shelters, or nature study trails. Trained and working Leader or Assistant Dogs are permitted in all areas of the parks.
- c) Pets shall be kept on a leash no greater than 6 feet in length, under the immediate and continuous control of a competent person and shall not be allowed to disturb or annoy park users.
- d) Pets are not to be left unattended at any time or for any reason while on County Park land.
- e) Horses are allowed at Silver Creek Park in all areas except those designated as Non-Horse Areas including: picnic areas and non-horse campsites.
- f) The person who owns or is in charge of any pet shall immediately remove and dispose of all droppings deposited by such animal by any sanitary method.
- g) It shall be unlawful to torture, ill-treat or neglect any animal or fowl while on Commission property.

- h) Owners of domestic animals shall be held responsible for the presence of their animal in any of the County Parks.
- i) Any animal found not in the possession of, or under the immediate control or supervision of, its owner or the owner's agent, or any animal creating a nuisance or disturbance, may be removed from the park.

## ARTICLE VI - CAMPING

### Section 1 - It shall be unlawful:

- a) To camp except in areas provided and designated for such use.
- b) To camp without a permit. A person may camp in a designated campground or campsite only when established fee is paid. Unregistered campsites will be removed at the owner's expense.
- c) For more than one (1) immediate family unit consisting of two responsible adults and their unmarried children to occupy a single campsite.
- d) For more than four (4) unrelated persons to occupy a single campsite.
- e) For unsupervised children to occupy a campsite. Supervision must be provided by a parent or legal guardian eighteen (18) years of age or older.
- f) For more than two (2) motor vehicles and one (1) major camping unit to occupy a single campsite.
- g) For anyone between the hours of 10:00 PM and 7:00 AM to create disturbance, to disrupt the peace, quiet and tranquility of the camping area.
- h) For persons to wash dishes at pumps or drinking fountains; to fail to clean campsites daily; or to discharge wastes of any type, except into designated containers, or dumping stations.
- i) To occupy a campsite after 3:00 PM on the last day covered by the permit.
- j) To occupy campsites contrary to assignments made by the Commission's authorized representatives.
- k) For unregistered campground visitors to enter or remain in a campground or day use areas between 10:00 PM and 8:00 AM.
- l) For trailers to be parked with tongue facing center of campsite. Trailer tongues MUST face road for easy hook up and removal in case of fire.
- m) To dig a trench or make any excavation on any campsite.
- n) To camp within a County Campground for more than fifteen (15) days in a thirty- (30) day time span.
- o) To leave any campsite unattended for longer than 5 days. If a site is left unattended for five (5) days, equipment will be removed at the owner's expense.
- p) To use a campground for a permanent or semi-permanent residence or as a base for the operation of a business.
- q) To leave a registered campsite continuously unoccupied during the first 24 hours of the permit period.

### Section 2 - Continuous Walking or Cruising in or Near Campgrounds

- a) It shall be unlawful to continuously walk into or cruise with any motor vehicle through and around campgrounds for the purpose of attracting, distracting, or harassing bona fide campers or visitors.

## ARTICLE VII - BOATING

- a) No person shall bring into, launch, moor, use or navigate any boat, canoe, or other watercraft upon any watercourse, lagoon, lake, pond, or slough located within or upon Commission property, except at such time or place as may be provided or designated for such purpose.
- b) All watercraft shall comply with Public Act 303 of the State of Michigan (1967), as amended. All occupants of watercraft must properly wear a U.S. Coast Guard approved personal flotation devise.
- c) No person shall store, moor, or leave a boat for more than 48 hours without the written authorization of the Commission Director.
- d) No person shall operate, dock or anchor any watercraft within ten (10) feet of a designated swim area.

## ARTICLE VIII - TRAFFIC CONTROL

### Section 1 - State Laws

- a) All motor driven vehicles operated on park roadways or parking lots shall be subject to the laws of the State of Michigan as set forth in the Michigan Vehicle Code Act #300 of Public Acts of 1949, as amended. This act is hereby adopted in its entirety and made part and incorporated herein by reference.

### Section 2 - Parking in Prohibited Areas

It shall be unlawful for a vehicle operator to stop, stand, or park said vehicles:

- a) In any place marked as a passenger or loading zone, other than for the expeditious loading or unloading of passengers or for the unloading and delivery or pickup and loading of materials.
- b) Upon any roadway or in any parking area in such manner as to form an obstruction to traffic thereon.
- c) In any place marked for use by the handicapped, except when by permanent or temporary permit, properly displayed, and authorized by a legally recognized regulatory authority.

### Section 3 - Motor Driven Vehicles

It shall be unlawful for any person to:

- a) Operate a motor driven vehicle of any kind or nature except on designated roads and parking areas. Motorized trail bikes, snowmobiles, ATVs and similar vehicles are prohibited from operating on Commission property.
- b) Operate, ride, or propel any motorized vehicle on park premises unless duly licensed to be operated on the highways of the State of Michigan.
- c) Operate a motor driven vehicle on any park road at a speed exceeding 15 miles per hour or at any speed greater than that posted.
- d) Violate provisions of the Motor Vehicle Code Act #300 of the Public Acts of 1949, as amended.

### Section 4 - Non-Motorized Vehicles

Bicycles shall be operated as closely to the right hand side of the path, trail or roadway as conditions permit and shall be ridden single file. It shall be unlawful:

- a) To operate a bicycle in a manner that endangers pedestrians, one's self and other bicyclists.
- b) To carry any person upon a bicycle handlebar or frame, or for any person to so ride upon such a bicycle.
- c) It shall be unlawful to operate a bicycle between sunset and sunrise.

#### ARTICLE IX - COMMERCIAL ACTIVITIES, PEDDLING AND SOLICITING

It shall be unlawful for any person to operate a business, peddle, or solicit business of any nature whatever, or to distribute handbills, or other advertising matter, to post unauthorized signs on any lands, waters, structures, or property administered by or under the jurisdiction of the Commission, or to use such lands, waters, structures or property unless first authorized in writing by the Commission or its authorized agent. If approval is received from the Commission to operate a business (wholly or in part) within the boundaries of a park, a permit will be issued. To receive a permit, the business MUST show proof of insurance and pay established fee(s) designated by the Commission for said permit.

#### ARTICLE X - HINDERING AND RESISTING COMMISSION EMPLOYEES

No person shall interfere with or hinder any Commission employee or agent in the discharge of his/her official duties; or fail or refuse to obey any lawful command of any Commission employee or agent.

#### ARTICLE XI - IMPERSONATION OF PARK EMPLOYEES

No person shall impersonate any employee or contracted employee of the Commission for any reason whatsoever.

#### ARTICLE XII - EMERGENCY POWERS

Nothing in these rules shall:

- d) Prohibit or hinder any Commission employee, agent or peace officer from performing their official duties.
- e) Prohibit the Commission from establishing emergency rules required to protect the health, welfare, and safety of park visitors; to protect property; to maintain order.

#### ARTICLE XIII - ENFORCEMENT AND PENALTIES

Section 1 - Fines and Enforcement

- a) Any person who violates the Rules and Regulations of the Allegan County Parks and Recreation Commission may be expelled from Commission Property and be responsible for municipal civil infraction violation punishable by a municipal civil infraction penalty not to exceed \$100.00 and costs of prosecution.
- b) Persons violating any of the above provisions may also be evicted from said park or park land upon the day of the offense and for up to a year if deemed necessary by the Director.
- c) Any Allegan County Sheriff's Deputy, and any Agent or Designee of the Commission are authorized to issue and serve municipal 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.

#### ARTICLE XIV - SEPARABILITY

The provisions of this ordinance are separable, and the invalidity of any phrase, clause or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.