Pleasanton Township Park Ordinance

January 2019

An ordinance to provide for the use, protection, regulation and control of the public parks and park facilities and other matters concerning recreation, conservation, education, historic and scenic areas and preserves and parkways, and to provide for the adoption of supplementary rules and regulations and other matters related to the use of and conduct on park property.

THE TOWNSHIP OF PLEASANTON, MANISTEE COUNTY, MICHIGAN ORDAINS;

Section 1: Short Title

This ordinance may be known and referred to as the Pleasanton Township Park Ordinance.

Section 2: Definitions

1. “Township” shall mean Pleasanton Township.
2. “Township park property” shall mean all lands, waters, and property administered by or under the jurisdiction of the Pleasanton Township Board.
3. “Person” or “persons” shall mean individuals, male or female, singular or plural, firms, corporations, or any group or gathering of individuals.
4. “Rules” shall mean the rules adopted by the Pleasanton Township Board applicable to all property administered by or under the jurisdiction of the said board and all amendments thereto.

Section 3: Public Use and Hours

1. General Public
	1. Pleasanton Township Parks are open to all people.
2. Hours
	1. No person or vehicle shall remain upon property administered by or under the jurisdiction of the township between posted closed times and sunrise.

Section 4: Protection of Property

1. Destruction of buildings, markers, or monuments and other properties shall be prohibited, and no person shall, on township park property without written authorization of the township:
	1. Willfully destroy, deface, alter, change or remove any monument, stone marker, bench mark, stake post or blaze marking, or designated boundary line, survey line, or reference point.
	2. Cut, break, mark upon or otherwise damage any building, equipment, bridge, drain, wall, fountain, lamp post, fence, gate, picnic table, grill, garbage container, hedge or other structure.
	3. Deface, destroy, or remove any placard, notice or sign, whether permanent or temporary, posted or exhibited within or upon park property.
	4. Appropriate, excavate, injure or destroy any historical or prehistorical ruin or any object of antiquity.
2. Destruction of plant life and natural surroundings shall be prohibited, and no person shall:
	1. 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 remove or destroy any flower, plant or grass, except for normal maintenance approved by the township.
	2. Remove or cause to be removed any sod, earth, humus, peat, boulders, gravel, or sand, without approval of the township.
3. The following rules shall apply to fires on township park property:
	1. No person shall build any fire upon township property except within grills provided by the township for such purpose.
	2. Grills shall not be left unattended. All fires in grills shall be extinguished upon leaving the immediate vicinity. Section 5: Glass containers

No person shall:

Have in their possession any glass container on any Township Park area or in the water adjacent thereto.

Section 6: Boating

1. No motorized watercraft shall be allowed in designated swim areas marked by buoys.
2. Launching of motorized watercraft shall not be allowed.

Section 7: Camping

It shall be unlawful to camp on township park properties.

Section 8: Motor Driven Vehicles

It shall be unlawful for any person to:

1. Operate a vehicle of any kind except on roads or designated parking area.
2. Operate any vehicle upon township property, including but not limited to, any area designated for the parking of vehicles, in a careless or negligent manner likely to endanger any person or property.
3. Drive any vehicle upon township property while his/her ability to do so has been impaired by the use of alcohol or drugs.
4. Operate a vehicle upon township property without having a valid operator’s license.
5. Operate any vehicle upon township property contrary to posted traffic signs, symbols, rules or regulations on marked roadways.
6. Operate any vehicle in any manner upon township property which results in excessive noise or disturbs the peace, quiet or tranquility of the area.
7. Leave, or cause to be left, any vehicle upon property administered by or under the jurisdiction of the township outside of posted hours.

Section 9: Unauthorized Activities

1. Peddling and soliciting – It shall be unlawful for any person to peddle or solicit business of any nature whatsoever, or to distribute handbills, or other advertising matter, to post unauthorized signs on any lands, water, structures, or property administered by or under the jurisdiction of the township.
2. Unlawful obstruction – No person, firm or corporation shall 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.
3. Hindering employees – No person shall interfere with or in any manner hinder any employee or agent of the township while performing their official duties.
4. Resisting authorized township employee – No person shall interfere with any authorized township employee or police officer in the discharge of his/her duties; or fail or refuse to obey any lawful command of any authorized township employee or police officer. E. Alcoholic beverages shall not be allowed on township property.
5. No person shall sell, use or have in his possession any drug or narcotic; the sale, use or possession of which is prohibited by the Michigan law.
6. Personal conduct
	1. It shall be unlawful for any person to be under the influence of intoxicants, or to engage in any violent, abusive, loud, boisterous, vulgar, lewd, wonton, obscene or otherwise disorderly conduct, or to disturb or annoy others, while in or on any township property.
	2. It shall be unlawful to conduct or to participate in any form of gambling, lottery or game of chance upon park property.
	3. It shall be unlawful to smoke or vape on township park property.
7. Use of loudspeaker – It shall be unlawful to use a loudspeaker, public address system or amplifier within or upon township property.
8. Fireworks – No person shall fire, discharge or have in his/her possession any rocket, firecracker, torpedo, squib, or other fireworks or any substance of an explosive nature within or upon the property of the township.
9. Firearms – No person shall at any time, bring into or upon the township park property, nor have in his or her possession, nor discharge, or set off anywhere upon said properties, a revolver, pistol, shotgun, rifle, air gun or any gun, rifle, firearm or bow or other weapon that discharges projectiles either by air, explosive substance or any other force, provided however, that this section shall not apply to any deputy sheriff, police officer, peace officer or other duly appointed law enforcement officer while carrying out the duties and responsibilities of his/her position
10. Littering and pollution of waters

It shall be unlawful to discard or deposit refuse of any kind or nature in or upon the property of the township except by placing said refuse in containers provided for such purpose. L. Emergency powers

Nothing in these rules shall:

* 1. Prohibit or hinder authorized agents of the township or any peace officers from performing their official duties.
	2. Prohibit the township 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 of the township to order all persons off township property, and close all or any portion of said park.

M. Compliance: Township shall abide by all local, state and federal laws.

Section 10: 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 and costs of prosecution or imprisoned in the county jail for a period not exceeding 90 days, or both for each offense.

Section 11: All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

**Severability.**

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect any remaining portions or application of this Ordinance, which can be given effect without the invalid portion or application.

**Violations; Penalties.**

A violation of any of the provisions of this ordinance shall be subject to the penalties and sanctions provided for in Section 9804 of the Pleasanton Township Zoning Ordinance.

**Effective Date.**

This Ordinance shall become effective eight (8) days following publication in a newspaper of general circulation with the Township, as provided by law.

At their meeting held Tuesday, January 8, 2019, by Pleasanton Township Board, a motion to adopt the foregoing ordinance was made by Monk and supported by Girven; Roll call vote:

 Voting For: Schweyer, Monk, Merrill, Cross, Girven.

 Voting Against: None.

 Absent: None.

The Supervisor declared this approved.