

**Suttons Bay Township
Leelanau County
Ordinance No. 3 of 2014
Amended by
Ordinance No. 1 of 2022**

AN ORDINANCE TO REGULATE ACTIVITIES WITHIN TOWNSHIP PARKS
THIS ORDINANCE SHALL BE KNOWN AS "THE PARKS ORDINANCE"

Suttons Bay Township Ordains:

Section 1. Definition

In this Ordinance "PARKS" means 45th Parallel Park, Graham-Greene Park, Herman Community Park, Vic Steimel Park, and Ice Rink Park.

Section 2. Hours Parks May Be Used

Unless special arrangements are made in advance with the Township Board, or lawful hunting practices are being followed, the hours of use of the PARKS are from sunrise to sunset except for the hours at the Ice Rink Park which are from sunrise to 10:00pm.

Section 3. General Behavior

- A. No person shall indulge in any noisy, boisterous, disorderly or indecent conduct, or in any manner disturb the peace or good order of the community within the PARKS; nor shall any person play at games of chance, or do any indecent, lascivious, lewd or improper act therein.
- B. No person intoxicated by alcohol or under the influence of alcohol, narcotics, opiates, or any controlled substance shall enter or remain within the PARKS. The use or possession of any controlled substance which is subject to a penalty under state or local law, is prohibited in all PARKS.
- C. No person shall remain within the PARKS who does not abide by conditions and rules adopted and posted by the Township for the preservation of good order and the protection of property within the PARKS.
- D. The use of loud speakers, public address systems, or sound amplifying equipment in the PARKS is prohibited without a permit. Operation of excessively loud radios or similar devices in the PARKS is also prohibited. Under no circumstances shall sound from such devices be audible beyond the borders of the PARKS without a permit.
- E. Only two (2) of the township PARKS can be reserved: Ice Rink Park (warmer months only) and several of the facilities at Herman Community Park. Both require a pre-approved application obtained at the township office. The 45th Park, Graham-Greene Park, and Steimel Park are available on a first-come, first served basis.

Section 4. Vehicles and Campers

- A. Motor vehicles may be operated in the PARKS only upon the roadways and parking lots.
- B. Vehicles may be parked in the PARKS only during time of use.
- C. No tents, campers, trailers or overnight outings or other types of after hour activities are permitted in any of the PARKS.

Section 5. Use and Possession of Alcohol or Illegal Drugs

It is unlawful to serve, possess or consume any alcoholic beverage in the PARKS, except for beer and/or wine in specified areas, unless authorized by special permit by the Township Board. No controlled substances of any kind are permitted in the PARKS.

Section 6. Littering

- A. No person shall deposit, scatter, drop or abandon bottles, cans, hot coals, ashes, sewage, waste or other material in the PARKS except in receptacles provided for such purposes.
- B. No person shall place household, yard, or construction waste generated outside park property into garbage receptacles or anywhere in the PARKS.

Section 7. Fires

- A. No person shall start or maintain a fire within the boundaries of the PARKS except in provided barbecue grills and fire rings. Users may bring and use their personal grills. Personally dug fire pits or stacked fires on beaches are prohibited.
- B. Fires in the PARKS shall not be left unattended and must be fully extinguished after use.

Section 8. Advertising/ Selling

- A. No person shall expose, distribute, or place any sign, advertisement, notice, poster or display in the PARKS without authorization from the Township Board.
- B. No person shall solicit, sell or otherwise peddle any goods, wares, merchandise, services, liquids or edibles in the PARKS except by authorized concession or written permission by the Township Board. Not-for-profit or charitable organizations are welcome to use the PARKS for fund raising activities subject to availability and township approval.

Section 9. Vandalism

- A. No person shall intentionally remove, alter, injure, or destroy any tree, plant, rock, soil or mineral in the PARKS.
- B. No person shall intentionally deface, vandalize or otherwise cause destruction to any park property in the PARKS.

Section 10. Pets

- A. Pets must be caged or kept on a leash in all areas, beaches, athletic fields and facilities of all PARKS unless they are being used for lawful hunting practices which are permitted under this ordinance or are in an off-leash area so designated by the Township Board.
- B. Those responsible for a pet must clean up all pet feces and dispose of same in a sanitary manner from all maintained areas, beaches, and athletic fields in the PARKS.
- C. It shall be unlawful to permit a pet in the PARKS to unreasonably disturb, harass, or interfere with any park visitor, a park visitor's property, or any wildlife.

Section 11. Weapons and Fireworks

- A. No person shall have in their possession or control, fire or discharge, or cause to be fired or discharged into or within the boundaries of the PARKS, any pistol, BB gun, rifle or other firearm, spear, bow and arrow, crossbow, slingshot, air or gas weapon or projectile, except for the purposes designated by the Township Board in areas and at times designated by the Township Board as provided in Section 12. of this Ordinance.

- B. No person shall possess, set off or attempt to set off or ignite any firecracker, fireworks, rockets or other pyrotechnics in the PARKS without authorization from the Township Board.

Section 12: Hunting, Fishing, Trapping, and Firearm Use

Per State Law, hunting, fishing and trapping are allowed with valid state licenses and adherence to State hunting regulations. Persons must first present a valid driver's license and Michigan hunting license to officials at the township office. Permission will be granted on a first-come, first-served basis. No target practice or careless and reckless use of firearms is allowed in the PARKS.

Section 13. Use of PARK Facilities

- A. Certain facilities within Herman Community Park and the Ice Rink Park (during warmer months only) may be reserved/scheduled for use by individuals or organizations by permit from the township office. General Use Rules and fees or charges for the use of the Pavilion and Ice Rink can be found on the respective Reservation Form.
- B. Use of the recreational courts, disc golf course, athletic fields, and any other athletic facility at Herman Community Park are on a first-come, first-serve basis. (unless previously reserved/scheduled as noted above) The party using these facilities shall only be permitted one (1) hour use if others are waiting for the same.
- C. When reserved, those facilities are closed to the general public.
- D. In-line skates (roller blades), roller skates, skate boards, motorized vehicles (snowmobiles, 4 wheelers, golf carts, etc.) and other devices which may damage a surface are prohibited from use on all recreational courts and athletic surfaces in any of the PARKS.
- E. Persons using the PARKS cannot install or use portable or permanent structures (ex. tents, stages, sound systems) unless approved by the township. Additional chairs, tables, and small portable sporting activities (ex. corn hole, frisbee, badminton, horse shoes, etc.) are permitted but must be removed by the end of the day.
- F. Users of PARK facilities must adhere to all publicly posted rules and regulations.
- G. Use of the soccer field at Herman Park requires permission from the Leelanau Soccer Club.

Section 14. Penalties

- A. Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in Public Acts 12 of 1994, amending Public Act 236 of 1961, being Section 600.101-600.9939 of the Michigan Compiled Laws and shall be punished as follows:
 - 1. For a first offense, the person shall be fined not less than \$100.00, nor more than \$200.00 plus the costs of prosecution and other sanctions provided by law.
 - 2. For a second offense occurring within two (2) years of the date the person was found responsible for the first or immediately preceding offense, the person shall be fined not less than \$300.00 nor more than \$500.00, plus the cost of prosecution and other sanctions provided by law.
 - 3. For a third or subsequent offense occurring within three (3) years of the date the person was found responsible for the first or immediately preceding offense, the person shall be fined not less than \$1,000.00 nor more than \$5,000.00, plus the costs of prosecution and other sanctions provided by law.

- B. The Township Code Enforcement Officer and other persons appointed by the Suttons Bay Township Board are hereby designated as the authorized township officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.
- C. Nothing in this Ordinance shall prohibit the Township or any interested party from seeking such other relief as may be permitted in law or in equity regarding the existence of a nuisance. A violation of this Ordinance is deemed to be a nuisance per se.

Section 15. Previous Park Ordinances Rescinded

All previous Suttons Bay Township Park Hours-of-Operation and Parks Ordinances are hereby rescinded and replaced by this Ordinance.

Section 16. Severability

If any section, clause or provision of this Ordinance is deemed unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the validity of the remainder of the Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 17. Effective Date

This Ordinance shall become effective thirty (30) days after being published in a newspaper of general circulation within the township.

Amended Ordinance No. 1 of 2022 was adopted on the 14th day of December 2022 by the Suttons Bay Township Board of Trustees.

Motion by: Slocombe
Supported by: Petroskey

Roll Call Vote:

Yeas: Periard, VanHuystee, Nixon, Slocombe, Petroskey

Nays: None

Absent: None

Motion Carried/Failed: Carried

I certify that this true copy of Ordinance No.1 of 2022 was adopted at the regular meeting of the Suttons Bay Township Board of Trustees on December 14, 2022 and published in the *Leelanau Enterprise* on _____, 2022.

Date of Township Approval: December 1, 2022

Date of Publication: _____, 2022

Sandra VanHuystee: _____ Date: _____
Suttons Bay Township Clerk