

LEELANAU COUNTY PARKS RULES AND REGULATIONS

AN ORDINANCE TO ESTABLISH RULES AND REGULATIONS FOR THE USE AND MAINTENANCE OF ALL LEELANAU COUNTY PARKS INCLUDING, PICNIC AREAS, BATHING BEACHES, BOAT LAUNCHING RAMP, AND PLACES OF RECREATION, INCLUDING THE HOURS WHICH THE SAME SHALL BE OPEN TO THE PUBLIC, AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF.

Deleted: OLD SETTLERS PICNIC GROUNDS
Deleted: COUNTY PARKS

Section 1. Ordinance Title.

This ordinance shall be known and cited as the Leelanau County Parks Rules and Regulations Ordinance.

Section 2. Definitions.

- A. "Citation" means a written complaint or notice to appear in District Court upon which an authorized local official records the occurrence or existence of 1 or more violations of this Ordinance by the party cited.
- B. "Civil Infraction" means a parking violation prohibited by this Ordinance, for which civil sanctions may be ordered.
- C. "County" means the County of Leelanau, Michigan.
- D. "Group Event" means any gathering of unrelated individuals for an organized purpose that is greater in size than a large family gathering or requiring more than 50% of the allotted parking spaces.
- E. "Misdemeanor" means a violation of this Ordinance which is not designated as a municipal civil infraction by this Ordinance.
- F. "Municipal Civil Infraction" means an act or omission that is prohibited by this Ordinance, but which is not a misdemeanor under this Ordinance, and for which civil sanctions including, without limitations, fines, damages, expenses and costs may be ordered, as authorized by Chapter 87 of Act No. 236 of the Public Acts of 1961, as amended.
- G. "Municipal Civil Infraction Action" means a civil action in which the defendant is alleged to be responsible for a municipal civil infraction.

Deleted: Section 2. Power Boats. No power boats shall be propelled by motors within 100 feet with that area designated as bathing beaches. Boat trailers and motor vehicles shall be parked within that area designated for parking and under no circumstances shall be parked within places of recreation.
Deleted: Section 3. Liquor Prohibition. No beer, wine or intoxicating liquors, of whatsoever nature, shall be consumed within or about the County parks, picnic grounds, bathing beaches, and places of recreation.
Deleted: Section 4. Tents and House Trailers. No tents, housetrailers or campers shall be allowed within county parks, picnic grounds or places of recreation, either temporarily or otherwise.
Deleted: Section 5. General Use of County Parks and Picnic Grounds. Any fires for cooking must be made within the grills provided for the purpose or within other privately owned grills which are designed to retain the ashes and prevent their deposit upon the ground. No fires shall be built directly upon the ground. All trash and debris must be deposited within the containers provided for the purpose and must not be allowed to remain upon the ground. Picnic tables must not be used by one family or one group for an unreasonable length of time and must be allowed to be circulated among the occupants of the park, picnic grounds or place of recreation. County property shall not be damaged or destroyed and shall be treated with respect for the next user. County parks, picnic grounds and places of recreation shall be open from 6:00 a.m. until two (2) hours after sundown of each day and shall be closed to the public during the remainder of the day and night. No dogs or other animals shall be allowed within county parks, picnic grounds and places of recreation unless the same are on a leash or kept within a secure container which prohibits their release.

- H. "Outside Sponsor" means the person or persons, or the group, nonprofit, government agency, public and private schools, etc., responsible for organizing and/or publicizing the event. An Outside Sponsor is a sponsor that is not affiliated with the County.
- I. "Parks" means all parks under the jurisdiction of the County of Leelanau, unless otherwise indicated herein.
- J. "State" means the State of Michigan.
- K. "Violation" means an act which is prohibited by this Ordinance. A violation shall include any omission or failure to act where the action is required by this Ordinance.

Section 3. Park Hours.

- A. Hours of Operation. All Parks under the jurisdiction of the County are open from sunrise to sunset.

Section 4. General Park Rules. These rules apply to all County parks.

- A. Preservation of Property. No person shall willfully disturb, destroy, deface, alter, change, or remove any part of the Park or any facility, building, sign, structure, equipment, utility or other property found therein.
- B. Preservation of Natural Resources and Plant Life. No person shall:
 - 1. Remove, or cause to be removed, any sod, earth, humus, peat, boulder, gravel, sand, and water found within any Park without the prior written permission of the County Parks and Recreation Commission.
 - 2. Cut, remove, dig, injure, pick, damage, deface or destroy any tree, flower, shrub or plant, whether alive or dead, found within any Park without prior written permission of the County Parks and Recreation Commission.
- C. Invasive Plant and/or Animal Species. No person shall introduce an invasive plant and/or animal species into any Park, land or water, except as authorized by County Parks and Recreation Commission. An invasive species is one that is not native and whose introduction causes harm, or is likely to cause harm, to Michigan's economy, environment, or human health.
- D. Fires. No person shall build a fire within any Park except in grills or fire rings provided for such purpose. Fires in the beach area are expressly forbidden. Firewood may be collected to be used within the Parks only if dead and not standing.
- E. Disposal or Refuse. No person shall:

1. Deposit or abandon in any Park or in any waters in or adjacent to any Park or on the ice thereof any garbage, refuse, trash, waste or other obnoxious material, except in receptacles provided for such purposes.
 2. Bring into any Park refuse or litter originating outside any Park for the purpose of depositing such in Park receptacles.
- F. Fireworks. No person shall Discharge or have in their possession or control any fireworks within any Park.
- G. Alcoholic Beverages. Alcohol is prohibited in all County parks.
- H. Audio Devices. No person shall use or operate any radio, musical instrument, phonograph, television or other machine or device that produces or reproduces sound in such a manner that produces excessive noise. The use of such a machine or device such that the sound produced therefrom is audible in any direction at a distance in excess of 100 feet, shall be deemed a prima facie violation of this Section, unless prior written permission has been obtained from the County Parks and Recreation Commission.
- K. Other.
1. Bicycles are permitted on designated trails only.
 2. No person shall swim, bath or wade except within those areas so designated. Children under 13 years of age must be accompanied by an adult while in the swimming area of any County Park beach
 3. Dogs and other pets must be on a leash no greater than 6 feet in length. Dogs and other pets are not permitted within the designated bathing beaches, park buildings, shelters and nature studies. This restriction does not apply to service animals. The person who owns or is in charge of any dog or other pet is responsible for cleaning up after said pet.
 4. Fishing is permitted in all County parks.
 5. The speed limit in all County parks is 15 mph unless otherwise posted.
 6. Motor Vehicles may only be parked in designated parking areas. Parking lots are for the parking of motor vehicles only and may not be used for picnicking, games or other recreational activities.

7. Snowmobiles are prohibited in all parks.
8. Off road vehicles are prohibited in all parks.
9. Camping is prohibited in all parks.
10. Radio-controlled vehicles including drones are prohibited in all parks.
11. Solicitation is prohibited in all parks.

Section 5. Specific Rules for each County Park.

Each of the County parks operates under its own set of rules in addition to the General Rules set forth in Section 4. These rules will be displayed clearly on a large Park Rules sign prominently displayed at each park. Each park additionally has specific Group Event policies as included below.

- A. Veronica Valley Park Policy. Veronica Valley is a passive recreational park created by design and as a requirement of the initial funding through a Natural Resources Trust Fund Grant, no Group Event shall be allowed that violates the passive recreation goal.
 1. Beach fires are prohibited.
 2. Launching motorized powerboats from anywhere in the park is prohibited.
 3. Pets are allowed in park and must be on a leash no longer than six feet in length and under control by owner at all times. Owner is also responsible for any cleanup of messes made by pets.
 4. Hunting with dog is permitted in compliance with the State of Michigan statute, P.A. 451 of 1994, Part 401 (Sec. 2.2.7.)
 5. No organized, nonpassive recreation allowed such as baseball, soccer, disc golf, etc.
 6. Swimming is prohibited.
- B. Myles Kimmerly Park Policy.
 1. Pets are allowed in parking lots only, and must be on a leash no longer than six

feet in length and under control by owner at all times. Owner is also responsible for any cleanup of messes made by pets.

2. Hunting with dog is permitted in compliance with the State of Michigan statute P.A. 451 of 1994, Part 401 (Sec. 2.2)
4. Livestock and horses are allowed in 4-H area only (north side of Burdickville Rd.)

C. Old Settlers Park Policy.

1. Beach fires are prohibited.
2. Swim at own risk. No Lifeguard on duty.
3. Launching or removing boats from Glen Lake is prohibited.
4. Pets are allowed on asphalt driveway only and must be on a leash no longer than six feet in length and under control by owner at all times. Owner is also responsible for any cleanup of messes made by pets.
5. Hunting with dog is permitted in compliance with the State of Michigan statute P.A. 451 of 1994, Part 401 (Sec. 2.)
7. No organized, nonpassive recreation allowed such as baseball, soccer, disc golf, etc.
8. The first Sunday in August is reserved for the Old Settlers Picnic which is held at the Old Settlers Picnic Grounds.

Section 6. Permit Requirements for Group Events.

- A. Outside sponsors must obtain a permit from the County Parks and Recreation Commission prior to holding a Group Event in any County Parks,
- B. The Outside Sponsor will be required to provide an estimate for the amount of parking needed for the Group Event and will state whether overflow parking will be needed.
- C. Leelanau County Parks are operated on a first-come, first-served policy. Group Events must not deny or unduly limit other public use of the park or any of the recreational features of the park.
- D. Leelanau County Parks will not be used for fund-raising of any kind by a Group Event without permission of the full County Parks and Recreation Commission.

- E. The Group Event is responsible for all parking preparations and traffic flow and approval from the Emergency Management Director must be obtained before a permit will be issued.
- F. The Outside Sponsor must obtain permission from the County for any planned placement of a tent greater than 10'x10' before a permit will be issued. A sketch of the proposed location of the tent must be included with the permit application.
- G. No Group Event may bring in outside recreational or demonstration equipment, or devices that exceed the designed functions of the park. A permit will not be issued for any Group Event that does not comply with the designed functions of the park.
- H. The permit application will include proof that the Group Event is in compliance with the approved Board Policy on Insurance Requirements.

Section 7. Violations and Penalties.

- A. Any person convicted of violating Section shall be guilty of a misdemeanor under this Ordinance shall be punishable upon conviction by a fine of not to exceed \$500.00 (plus other costs), imprisonment for a term of not to exceed 90 days, or both.
- B. In addition to the foregoing, any person violating the provisions of this ordinance may be required to leave the county park by a county park employee or any peace officer, as the case may be.

Section 8. Construction.

When not inconsistent with the context, words used in the present tense include the future. Words in the singular include the plural and words in the plural include the singular. Masculine shall include the feminine and neuter. The word "shall" is always mandatory and not merely directive. Words or terms not defined herein shall be interpreted as defined in statutes, regulations or codes to which they apply or if not so defined shall be defined in the manner or their common meaning. Headings shall be deemed for convenience and shall not limit the scope of any section of this Ordinance.

Section 9. Severability.

The various parts, sections, subsections, paragraphs, sentences, phrases and clauses of this Ordinance are hereby declared to be severable. If any part, section, subsection, paragraph, sentence, phrase or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, it shall be considered severed from this Ordinance and shall not be construed as affecting the validity of the remaining portions of this Ordinance.

Section 10. Repealer Clause.

Any ordinance or parts of ordinance in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 11. Savings Clause.

This Ordinance does not affect rights and duties matured, penalties that were incurred, and proceedings that were begun, before its effective date.

Section 12. Effective Date.

This Ordinance shall become effective on the ____ day of _____, 20__.