

Chapter 10**PARKS AND RECREATION***

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* **Cross References:** Animals, Ch. 3; fire prevention and protection, Ch. 6; garbage and trash, Ch. 7; offenses, Ch. 9; traffic and motor vehicles, Ch. 12.

State Law References: Public buildings, grounds and parks, MCL 67.4 et seq., MSA 5.1288 et seq.; authority to operate recreation areas and playgrounds, MCL 123.51 et seq., MSA 5.2421 et seq.

Sec. 10-1. Unlawful acts.

It shall be unlawful and punishable as provided in this chapter for any person to commit any of the following acts:

- (1) No person shall injure, mar, destroy or otherwise damage in any manner any monument, ornament, fence, bridge, tree, fountain, shrub, flower, playground equipment, fireplaces, picnic tables or other public property within or pertaining to any village park.
- (2) No person shall consume any alcoholic beverage in any village park, except on special occasions and by permit from the village council.
- (3) No person shall place or deposit any garbage, glass, tin cans, paper or miscellaneous waste in any village park or playground within the park except in containers provided for that purpose. No person shall bring to the park and deposit in any container in the park any garbage, glass, tin cans, paper or miscellaneous waste.
- (4) No person shall play or engage in any sport, including baseball, football, softball, soccer, basketball, or other forms of game or sport in any village park, except in areas designated therefor by the village council or its designated representative. Organized sports shall make application for park use by making such application to the village's designated representative for each permit, and the village's representative shall issue the permit for the use of the park upon the applicant paying a fee as the village council shall designate by resolution. No permit will be issued for more than one (1) year in advance of the date reserved. The village's designated representative shall reserve to the applicant the day the applicant has requested upon payment, unless such day has been previously reserved to a prior applicant pursuant to a permit issued to that applicant. All permits shall be issued on a priority system, the highest priority being an established sports league. The village's designated representative shall keep a proper and true record of the issuance of all permits and the receipts therefor along with all reserved dates granted to permit applicants. The designated representative shall pay over all funds to the village treasurer which shall be accounted for and deposited in the village's park funds. Organized sport leagues shall furnish a schedule of times and dates of their respective league's park activities with the application for park use. Each park use permit holder shall be responsible for the cleanup and restoration of the area they are using. Any violation of the rules and regulations, as established by ordinance or by the village council concerning the park, shall result in the forfeiture of the issued park use permit.

- (5) No person shall operate a motor vehicle, including but not limited to an automobile, motorcycle, trail bike, minibike, snowmobile or other motor-driven vehicle within any village park except on roadways designated for vehicular traffic or designated parking areas.
 - (6) No person shall be in or upon the grounds of any village park during the hours that the park is closed.
 - (7) No person shall use or be within the confines of the pavilion located within any village park that has been previously reserved.
 - (8) No person shall use trailer pads within any village park without having obtained a permit from the village as provided in this chapter.
- (Ord. No. 129, § 1, 7-22-85)

Sec. 10-2. Days open; promulgation of rules.

The village park shall be opened each day to the public. Rules and regulations shall be set forth by the village council.

(Ord. No. 129, § 2, 7-22-85)

Sec. 10-3. Use of pavilions; permit.

Any person may apply for a permit for the use of the pavilion in any village park by making application to the village's designated representative for each such permit, and the village's representative shall issue the permit for the use of the pavilion upon the applicant paying a fee as the village council will designate. No permit shall be issued for more than one (1) year in advance of the date reserved. The village's designated representative shall reserve to the applicant the day the applicant has requested and upon payment unless that day has been previously reserved to a prior applicant pursuant to a permit issued to that applicant. All permits shall be issued on a first-come, first-served basis. The village's designated representative shall keep a proper and true record of the issuance of all permits and the receipts therefor along with all reserved dates granted to permit applicants. The designated village representative shall pay over all funds received to the village treasurer which shall be accounted for and deposited in the village's park fund.

(Ord. No. 129, § 3, 7-22-85)

Sec. 10-4. Use of trailer pads; permit.

Any person may make application for a permit for the use of a trailer pad within any village park by making application to the village's designated representative, and the village's designated representative shall issue without charge to the applicant on a first-come, first-served basis a permit for the use of the trailer pad for a period not to exceed fourteen (14) days. The village's designated representative shall keep a true and accurate record of all permits issued for all trailer pads within the village park and for the periods of time for which the permits have been issued.

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(Ord. No. 129, § 4, 7-22-85)

Sec. 10-5. Unauthorized construction, landscaping, etc.

No person, group or organization shall make or cause to be made any changes, modifications, improvements, constructions, landscaping or the depositing of any chemicals or materials on any area of the park without prior village council action. (Ord. No. 129-A, § 1, I, 6- -87)

Sec. 10-6. Vandalism.

(a) It is unlawful to destroy, damage or remove any tree, shrub, wildflower or other vegetation, or to destroy, damage, deface or remove any publicly or municipally owned property in any village or public park or recreation area.

(b) Any person who violates any provision of this section is guilty of a misdemeanor.

(c) Upon conviction of an act of vandalism, as so described in subsection (a) of this section any person shall reimburse the village three (3) times the amount of the damages as determined by the court. If two (2) or more defendants are convicted of the vandalism, the judgment for damages shall be entered against them jointly. If the defendant is a minor, the judgment shall be entered against his parents. Upon collection, the sums shall be credited to the general fund of the village and shall be used for repairs and improvements to the park or recreation area. (Ord. No. 136, § 3, 7-14-86)

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