

CHARTER TOWNSHIP OF HAMPTON ORDINANCE NO. 30

TOWNSHIP PARKS ORDINANCE

An Ordinance for the purpose of regulating the use of public parks as is necessary to protect public property and to provide for the public peace, health, safety, and general welfare of persons or property within the Charter Township of Hampton, Bay County, Michigan.

NOW THEREFORE, the Charter Township of Hampton, Bay County, Michigan, ordains:

Section 1 - Short Title

This Ordinance shall be known and cited as the "Township Parks Ordinance."

Section 2 - General Provisions

- (a) This Ordinance shall apply to all public parks owned or maintained by the Charter Township of Hampton, Bay County, Michigan.
- (b) It shall be unlawful for any person, firm, or corporation to violate any regulation governing conduct in the Township's parks.

Section 3 - Regulations Concerning Use of Township Parks

- (a) Each person, firm, or corporation using the public parks shall clean up all debris, extinguish all fires when such fires are permitted, and leave the premises in good order, and the related facilities in a neat and sanitary condition.
- (b) Prohibited Acts. It shall be unlawful for any person, firm or corporation using such parks to either perform or permit to be performed any of the following acts:
 - (1) Willfully mark, deface, disfigure, injure, tamper with or displace or remove any buildings, bridges, tables, benches, fireplaces, railings, paving or paving material, water lines or public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts or other boundary markers or other structures or equipment, facilities or park property or appurtenances whatsoever either real or personal.

- (2) Throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, bay or other body of water in or adjacent to any park or any tributary, stream, storm sewer or drain flowing into such waters, any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters.
- (3) Bring in or dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage or refuse; or other trash. No such refuse or trash shall be placed in any waters in or contiguous to any park, or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided; where receptacles are not provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere. Any refuse or trash disposed shall be that which is normally generated by the direct use of the park, for example, accumulated household or business refuse shall not be deposited in the park receptacles.
- (4) Disturb the peace, or use any profane, obscene or blasphemous language.
- (5) Endanger the safety of any person by any conduct or act.
- (6) Commit any assault, battery or engage in fighting.
- (7) Prevent any person from using any park, or any of its related facilities, or interfere with such use in compliance with this Ordinance.
- (8) Enter, swim, bathe, or wade in any pond, pool, waterway or other waters in or adjacent to any park except in such pond, pool, waterway or other waters and at such places as are specifically authorized for such purposes by sign or general notification.
- (9) Injure, remove, or otherwise mutilate or disturb any plant or wildlife.
- (10) Build an open fire, except in the places or facilities provided for that purpose.
- (11) Discharge any firearm or air gun, spring gun, beebie gun, pellet gun, bow and arrow, sling shot, or any toy gun projecting lead or any missiles; provided, however, that this prohibited activity shall not be construed to prohibit any officer of the law from discharging a fire arm in the performance of his duty; nor to any citizen from discharging a fire arm when lawfully defending person or property.

Section 4 - Other Regulations

- (a) Motor Vehicles. It shall be unlawful to drive or park any motor vehicle, except on a street, road, driveway or parking lot in any park; or to park or leave any such motor vehicle in any place other than one established for public parking.
- (b) Signs. It shall be unlawful for anyone to paste, glue, tack or otherwise post any sign, placard, advertisement or inscription, whatever, in any park, nor shall any person erect or cause to be erected any sign whatever on any public lands or highways or roads adjacent to a park.

Provided, however, that the above provisions relative to motor vehicles and signs shall not apply to any properly authorized government official in pursuit of any official duty.

Section 5 - Hours of Operation

Any public parks owned or maintained by the Charter Township of Hampton shall be opened daily to the public from 4:00 A.M. to 10:00 P.M. Furthermore, any section or part of a park may be declared closed to the public by the Hampton Township Supervisor at any time and for any interval of time, either temporarily or at regular or stated intervals. Further, it shall be unlawful for any person, firm or corporation to enter any park during hours other than hours of operation and when any section or part of any park shall have been declared closed for any time or for any interval of time, either temporarily or at regular stated intervals.

Section 6 - Penalty

Any person who shall violate any of the provisions of this Ordinance shall be subject to a fine of not more than \$100 or imprisonment in the county jail not to exceed 90 days, or both such fine and imprisonment in the discretion of the court.

Section 7 - Separability

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not effect the validity of the remaining portions thereof.

Section 8 - Ordinances Repealed

All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 9 - Emergency Ordinance Declaration

This Ordinance is hereby declared to be an emergency ordinance.

Section 10 - Effective Date

This Ordinance shall take effect immediately upon publication thereof.