

TOWNSHIP OF CALEDONIA

ALCONA COUNTY, MICHIGAN

Ordinance No. 1 of 2017

An Ordinance to amend the Caledonia Township Park Ordinance No. 16-01 to add a Littering and Dumping on Park Properties Section and to amend the Caledonia Township Park Ordinance No. 15-01.

An Ordinance to provide for the use, protection, regulation and control of the public parks, park facilities and other issues concerning recreation, conservation, education, historic and scenic areas.

Section 1. Purpose

The purpose of this Ordinance is to adopt rules and regulations and address other issues related to the use of and conduct on park property.

Section 2. Protection of Property

- A. Destruction of buildings, markers, monuments, etc., shall be prohibited and no person shall:
 - 1. Willfully destroy, deface, alter, change or remove any monument, stone marker, bench marker, 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, dock, bridge, drain, wall, fountain, lamp post, fence, gate, hedge, or other structure.
 - 3. Deface, destroy, or remove any authorized placard, notice or sign, posted or exhibited within or on park property.
 - 4. Appropriate, excavate, damage or destroy any historical ruin or any object of antiquity, unless authorized in writing by the Township Board.
- B. 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 damage any tree or shrub, or break or remove any branch, foliage, flower, or any tree or shrub, or pick, gather, uproot, remove or destroy any flower, plant or grass, unless authorized in writing by the Township Board.
2. Remove or cause to be removed any sod, earth, humus, peat, boulders, gravel, or sand, unless authorized in writing by the Township Board.

C. Fires on Park Property:

1. No person shall willfully set or cause to be set on fire any tree, woodland, brushwood, grassland or meadow within or on park property.
2. No person shall build a fire on park property except within the fireplaces, fire pit receptacles or open spaces approved and designated by the Township Board for such purpose.
3. No person shall drop, throw or otherwise scatter lighted matches, burning cigars, cigarettes, tobacco paper or other flammable materials within or on park property.
4. No person shall leave a fire unattended and shall extinguish such fire before leaving the immediate vicinity.

- D. Glass Containers:** In the interest of safety, glass containers shall not be permitted in boat loading areas or along the shore.

Section 3. Protection of Wildlife

No person shall hunt, trap, or harm any wildlife on park property.

Section 4. Overnight Camping

Overnight camping is prohibited on park property.

Section 5. Traffic and Parking

- A.** No operator of a vehicle shall stop, stand or park a vehicle in any place marked as a passenger or loading zone, other than for the expeditious loading or

unloading of passengers.

- B. No operator of a vehicle shall stop, stand or park a vehicle upon any roadway or parking area, which obstructs traffic.
- C. No person shall park a vehicle in an area designated as a prohibited parking area.
- D. No person shall operate a vehicle in or on park property, which is used for recreational purposes, unless otherwise allowed by this Ordinance.
- E. A reasonable amount of time shall be allowed to launch and retrieve boats at a boat launching site and all vehicles and trailers must be parked in the designated parking area.
- F. ORVs shall be restricted to parking areas only.

Section 6. Sports, Games, Activities, Etc.

Sports, games, activities, etc., are restricted from picnic table areas to prevent injury to people utilizing these areas.

Section 7. Motor-Driven Vehicles

- A. No person shall operate a motor-driven vehicle of any kind except on roads or designated parking areas.
- B. No person shall operate a motor-driven vehicle on any park road in excess of the posted speed.
- C. No person shall operate a motor-driven vehicle on park property in a careless or negligent manner likely to endanger any person or property.
- D. No person shall operate a motor vehicle on park property, which results in excessive noise or disturbs the peace, quiet or tranquility of the area.
- E. The Township reserves the right to remove any illegally parked or abandoned vehicle, trailer, boat or shanty at the owner's expense.
- F. All Michigan laws shall be complied with to operate a vehicle on park property.

Section 8. Trespass

- A. No person shall peddle or solicit business of any nature, or distribute handbills, or other advertising material, or post unauthorized signs on park property, unless authorized in writing by the Township Board.
- B. No person shall fence, enclose, or obstruct, a person from entering, leaving or making full use of park property.
- C. No person shall interfere with or, in any manner, hinder an employee of the Township performing official duties.

Section 9. Personal Conduct

- A. No person shall be intoxicated or impaired by alcohol or controlled substances, or engage in any violent, abusive, loud, boisterous, vulgar, lewd, wanton, obscene or otherwise disorderly conduct, or disturb or annoy others while in or on park property.
- B. No person shall conduct any form of gambling, lottery or game of chance while in or on park property.

Section 10. Loudspeaker, Public Address System, Amplifier

No person shall use a loudspeaker, public address system or amplifier within or on park property, unless authorized in writing by the Township Board.

Section 11. Fireworks

No person shall fire or discharge fireworks within or on park property.

Section 12. Firearms

No person shall discharge firearms within or on park property.

Section 13. Littering and Pollution of Waters

No person shall discard, deposit or discharge any substance, matter or item in any watercourses, lakes, ponds, or sloughs located within or on park property, which may or shall result in pollution of said waters.

Section 14. Littering and Dumping on Park Properties

- A. No person shall discard or deposit refuse of any kind or nature on park property, except in park property containers.
- B. No person shall deposit household trash in park property containers.

Section 15. Clean Up Fees

Fees may be assessed for excessive trash or the need for additional cleanup.

Section 16. Penalties

Any person, firm or corporation who shall violate any provision of this Ordinance shall be punished as subject to the General Provisions of the Township Zoning Ordinance. Each day that the violation continues after due notice has been served in accordance with the terms and provisions hereof shall be deemed a separate offense.

- A. In addition to the penalties provided in this Section for violating its provisions, any person convicted of an act of vandalism on park property owned by or operated by the Township shall reimburse the Township for up to three (3) times the amount of the damage as determined by a court of law.
- B. In every case of conviction for the offenses, the court before whom the conviction is obtained shall enter judgment in favor of the Township and against the defendant for liquidated damages in a sum as provided in subsection (A) herein. The Township with the assistance of the Township Attorney, shall collect the award by execution or otherwise. If two or more defendants are convicted of the vandalism, the judgment shall be entered against them jointly. If the defendant is a minor, the judgment shall be entered against his/her parents.
- C. Use of Funds. Upon collection, the sums herein shall be credited to the general funds of the Township and shall be used for repairs and improvements to park property.

Section 17. Severability

If any section, subsection, clause, paragraph or provision in this Ordinance shall be adjudged invalid by a court of competent jurisdiction, such adjudication shall only apply to the said portion thereof adjudicated invalid, and the full remaining portions or parts of this Ordinance

shall remain in full force and effect.

Section 18. Repeal

All prior Park Ordinances and other ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 19. Effective Date

This Ordinance shall become effective thirty (30) days after publication.

Date of Publication: March 29, 2017.

The above Ordinance was adopted by the Caledonia Township Board of Trustees at its regular meeting held March 8, 2017. Motion to adopt was made by Swinson and seconded by Thornton. 5 Ayes, 0 Nays. Motion carried.

Date Ordinance is effective: April 28, 2017.

DEFINITIONS:

Abandoned: After 36 hours, a vehicle shall be considered abandoned

Refuse: Any waste material except trees, logs, brush, stumps leaves, grass clippings and other vegetative matter.