

DAVISON TOWNSHIP
GENESEE COUNTY, MICHIGAN

ORDINANCE NO: 2011-60

PARK ORDINANCE

AN ORDINANCE TO PROVIDE USE, PROTECTION, REGULATION
AND CONTROL OF THE PUBLIC PARKS AND PARK FACILITIES.

THE TOWNSHIP OF DAVISON, GENESEE COUNTY, MICHIGAN ORDAINS:

SECTION 1 -- SCOPE OF ARTICLE

An ordinance to provide for the use, protection, regulation and control of the public parks and park facilities and other matters concerning recreation, conservation, education, historic and scenic areas and preserves and parkways, and to provide for the adoption of supplementary rules and regulations and other matters related to the use of and conduct on park property.

SECTION 2 -- DEFINITIONS

- A. "Building Department" shall mean the Davison Township Building Department.
- B. "Davison Township property" or "township park property" shall mean all lands, waters, and property administered by or under the jurisdiction of the Davison Township.
- C. "Person" or "persons" shall mean individuals, male or female, singular or plural; firms, corporations, or any group or gathering of individuals.
- D. "Camping" means the overnight lodging or sleeping of person or persons on the ground or in any manner, or in any sleeping bag, tent, trailer-tent, trailer coach, vehicle camper, motor vehicle, boat or in any other conveyance erected, parked or placed on the premises or waters within any park or recreation area administered by the Davison Township Building Department.
- D. "Rules" shall mean the rules adopted by the Davison Township Board of Trustees applicable to all property administered by or under the jurisdiction of the said Building Department and all amendments thereto.

SECTION 3 -- PUBLIC USE AND HOURS

A. Hours

The parks shall be accessible by the public from dawn to dusk unless otherwise posted. No person shall be permitted in the Township parks at any time other than the foregoing hours, except upon permission of the Building Department or building official designated representative of the building department.

B. Special Group Permit

Any group or gathering of 25 or more persons may use certain areas within the public parks in Davison Township to the exclusion of others by making application and being granted a permit by the Davison Township Building Department or building official designated representative of the building department.

C. Permits

- 1) Applications for permits for reserved park space shall be made upon forms to be furnished by the Davison Township Building Department
- 2) The Building Official or its agent may, upon written application, grant specific use permits for special uses when, in the opinion of the Building Department or its agent, special consideration is warranted.
- 3) Application shall be made in advance of the time of the reservation request sufficient to allow at least 24 hours posted notice of reservation of space.
- 4) In the event more applications for reserved space are received than spaces available, such applications shall be considered in the chronological order received.

D. Special permits

No erection, construction or maintenance shall be made above or below ground, across or beneath township park property by any person, firm, or corporation without first having obtained written permission from the Building Department authorizing such installation or construction and a permit specifying in detail the work to be done and the conditions to be fulfilled pursuant to the terms of such approval.

E. Fees and charges

- 1) Fees, charges or bonds may be assessed by the Building Department for the use of any facility, land, area, or program on township park property.

SECTION 4 -- STATE LAWS, LOCAL LAWS AND ORDINANCES

All state laws, local laws, ordinances and administrative rules shall be in full force and effect and shall apply to all Davison Township Park property. The use or possession of alcohol or controlled substances, marihuana is prohibited.

SECTION 5 -- PROTECTION OF PROPERTY

- A. Destruction of buildings, markers, monuments, trees, landscaping, plant life, and other park properties shall be prohibited.
- B. The following rules shall apply to fires on township park property:
 - 1) No person shall willfully set or cause to be set on fire a tree, woodland, brush land, grassland or meadow.
 - 2) No person shall build any fire upon Davison Township property except within the fireplaces, receptacles or open spaces approved and designated by the Building Department for such purpose.
 - 3) No person shall drop, throw or otherwise scatter lighted matches, cigars, cigarettes, tobacco paper or other flammable materials within or upon any property of the Davison Township.
 - 4) Fires shall not be left unattended. All fires shall be extinguished upon leaving the immediate vicinity.
- B. There shall be no hunting, trapping or harming of wildlife on Township Property unless written permission is granted by the Building Department

SECTION 6 -- HORSES, BICYCLES, DOGS

Horses

- A. It shall be unlawful for any person to ride, lead or cause or suffer a horse to be upon any property administered by or under the jurisdiction of Davison Township except on specifically designated and posted areas or bridle paths or by permit on field trail areas.
- B. It shall be unlawful for any person to ride a horse in a careless, negligent or reckless manner so as to create a nuisance or to endanger the life, property or persons of others on any lands administered by or under the jurisdiction of Davison Township.
- C. The driver of any vehicle shall yield the right of way to any person riding a horse on marked bridle paths where such bridle paths cross streets or roadways.

Operation of Bicycles

- A. Bicycles shall be operated as closely to the right-hand curb or right-hand side of the path, trail or roadway as conditions will permit and not more than two bicycles shall be operated abreast.
- B. It shall be unlawful for the operator of any bicycle where upon any path, trail or roadway, to carry any person upon the handlebar or frame of any bicycle, or for any person to so ride upon such bicycle.
- C. Bicycles may be operated upon such paths, trails, or roadways as may be posted allowing such use; provided, however, no such use shall be allowed between sunset and sunrise.

Dogs

- A. Owners and/or possessors of dogs on township property shall obey all State laws and township ordinances unless modified for specific township parks or properties. Rules and regulations of specific parks or properties may be enforced by the township police, building department, or other township designee, and enforcement personnel may order the removal of any animal from township property at any time for any reason.

SECTION 7 -- EMERGENCY POWERS

Nothing in these rules shall:

- 1) Prohibit or hinder duly authorized agents of the Building Department or any peace officers from performing their official duties.
- 2) Prohibit the Building Department from establishing emergency rules required to protect the health, welfare and safety of park visitors and to protect park property; including, but not limited to, the right of Davison Township to order all persons off Davison Township property, and close all or any portion of said park.

SECTION 8 -- PENALTIES

Any person, firm or corporation who violates any of the provisions within the Ordinance here within shall be guilty of a misdemeanor and shall be subject to a fine of up to \$500.00 and/or imprisonment for up to 90 days in jail as may be determined by a court of competent jurisdiction, plus the costs of prosecution. Each day that a violation continues to exist shall constitute a separate offense. Any criminal prosecutions hereunder shall not prevent civil proceedings for abatement and termination of the activity complained of.

SECTION 9 -- SEVERABILITY


The provisions of this ordinance are hereby declared to be severable, and if any part is declared invalid for any reason by a court of competent jurisdiction, it shall not affect the remainder of the ordinance, which shall continue in full force and effect.

SECTION 10 -- REPEAL

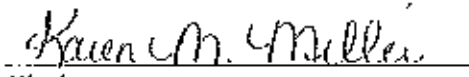
All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION 11 -- EFFECTIVE DATE

This ordinance shall be published as required by law, to become effective thirty (30) days after publication.



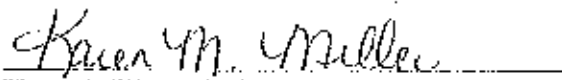
Supervisor



Clerk

CLERK'S CERTIFICATION

I, Karen Miller, the duly elected and acting clerk of the township of Davison, hereby certifies that this ordinance was duly adopted by the township board at a regular meeting of said board at which a quorum was present, held on December 12, 2011, and that copies of the ordinance were transmitted and published as directed.



Karen Miller, Clerk