

## Chapter 306 – Parks Rules

### Section 306.1 – Title

This Ordinance shall be known and cited as the “Lenox Township Parks Rules Ordinance.”

### Section 306.2 - Intent

An Ordinance regulating public utilization of any parks within the Township, prescribing a penalty for a violation thereof, and repealing any and all ordinances and/or resolutions in conflict therewith.

### Section 306.3 – Definitions

As used in this Ordinance, the terms:

**Parks** – Any publicly or privately improved land available for recreational, educational, cultural, or aesthetic use, or scenic purposes together with adjacent vehicle drives, sidewalks, and parking areas, owned and/or operated by the Township.

**Committee** – The Lenox Township Parks and Recreation Committee established pursuant to the provisions of Public Act 157 of 1905; MCL 41.421, *et seq.*, as amended, and Public Act 156 of 1917; MCL 123.51, *et seq.*, as amended.

**Township** – The Township of Lenox, Macomb County, Michigan.

**Recreation Area** – Open or unimproved areas within township-owned or operated properties or parks that are used for passive or non-active recreation activities. This may include picnic areas, environmental preservation areas, open fields, etc.

**Weapons** – A device or object designed or used for inflicting bodily harm or physical damage including but not limited to guns, pistols, firearms, explosives, tasers or other electrified devices, knives, dirks, razors, stilettos, or any other blunt or sharp-edged or pointed instruments capable of such.

**Alcohol** – Liquor or brew containing alcohol as the active agent.

**Commercial Activities** – An activity undertaken as part of a commercial enterprise for the purpose of buying and or selling any goods.

**Vehicle** – Every device in, upon, or by which any person or property is or may be transported or drawn on a highway, except devices which are moved exclusively by human power, or which are used exclusively on stationary rails or tracks and except for a mobile home as defined in Section 2 of Act No. 419 of the Public Acts of 1976 as amended, being 125.1102 of the Michigan Compiled Laws, including but not limited to any snowmobile, off-road vehicle, or vessel.

**Litter** – Rubbish or refuse.

#### **Section 306.4 – Establishment of the Park Rules**

The Lenox Township Parks and Recreation Committee shall recommend to the Lenox Township Board of Trustees changes to this Chapter as established in Chapter 309.12(B)

#### **Section 306.5 – Prohibited Items and Activities**

The Lenox Township Board may by resolution adopt regulations and controls of activities occurring within the boundaries of the park. Such regulation shall be clearly posted within the park.

- A. No person shall litter, deposit, or abandon in or on any land or water areas within the boundaries of any park any garbage, sewage, bottles, refuse, trash, waste, or other obnoxious material except in receptacles provided for such purposes.
- B. No person shall have in his/her possession or control any glass bottle or container in or any sports playing field or court in any park, or in any other locality in the park where possession of glass bottles and containers is not permitted within any park or recreation area posted by the Township.
- C. No person shall have in his/her possession or control any slingshot, pellet gun, air rifle, fireworks, explosives, or other dangerous weapon or material within the boundaries of a park.
- D. No person shall use a skateboard, skate-blades, roller skates, frisbee, football, soccer ball, or other game equipment within the boundaries of any park in any area where the use of such equipment is prohibited by posted notices.
- E. No person shall launch or land any Model Rockets within the boundaries of the Lenox Township Park under the scope of Michigan Act 333 of 1965 (MCL 259.781-789).

#### **Section 306.6 – Unlawful Fires**

- A. No person shall start or maintain a fire within the boundaries of any park, except in the permanent grills provided for such purpose.
- B. No person shall dump any burning material or hot ashes into any trash containers or elsewhere within the boundaries of any park unless such container or locality shall be marked as a receptacle for such material.

#### **Section 306.7 – Alcoholic Beverages & Controlled Substances**

- A. It shall be unlawful for any person under the age of twenty-one (21) years to possess, transport into, or within, or have under his/her control within the boundaries of any park any beer, wine, or other alcoholic beverages.
- B. No person shall sell or furnish any beer, wine, or other alcoholic beverage to any person under the age of twenty-one (21) years within the boundaries of any park.
- C. No person shall have in his/her possession, nor shall said person sell or serve any alcoholic beverage within the boundaries of any park without first securing a permit approved by the township board or its designee. Applications for such permit may be filed with the office of the Director of Parks and Recreation and no fee shall be charged therefor.
- D. No person shall possess, transport into or within, have under his/her control or sell or furnish to another person within the boundaries of any park any marijuana or other controlled substances defined by applicable statute in such case made and provided.
- E. Intoxicated individuals or those under the influence of a controlled substance shall not be allowed to enter or remain in the park.

#### **Section 306.8 – Disorderly Conduct**

- A. No person or group of persons shall engage in any drunken, loud, boisterous, disorderly, or indecent conduct, nor shall any person or group of persons commit or engage in any assault or other activity which shall endanger or annoy other persons or disturb the peace or good order with the boundaries of any park.
- B. No person shall within the boundaries of any park: Intentionally expose the male or female buttocks, genital areas, or the female breasts.
- C. No person shall loiter in or on any road, drive, parking lot, or median within the boundaries of any park in such a manner as to obstruct or hinder the free flow of vehicular traffic or the passage of pedestrians or to create alarm for the safety of persons after having been

requested to cease such obstruction or hindrance or abate such alarm by a police officer or sheriff deputy.

### **Section 306.9 – Signs and Handbills**

- A. No handbills, newspapers, or other circulars may be offered or distributed within the boundaries of any park.
- B. No person, excepting employees and officials of the Township or committee, shall post, fasten, paint, or affix any placard, bill, notice, or sign upon any structure, tree, or automobile within the boundaries of any park, except temporary directional signs for group picnics or events, may be placed on signposts designated for such purposes by the township and must be removed at the conclusion of the event.
- C. No person, firm, or corporation shall conduct any activity within the boundaries of any park which is prohibited by township posted signs conspicuously displayed at the park entrance or other areas of the park.

### **Section 306.10 – Closing of Park**

- A. The Board of Trustees, the Township Supervisor, or the Director of Parks and Recreation may order the closure of the park for a specified period of time for any reason that it may be deemed necessary.
- B. No person shall enter or remain in any park after the posted hours except by written permission of the Township.
- C. No person shall use or occupy any area or facility in any park including the pavilion when such area or facility is closed to the use of the public by order of the Township.

### **Section 306.11 – Dogs, Pets, Horses, and Livestock**

- A. No person shall bring into or have in his/her possession or control within the boundaries of any park any dog or pet unless such dog or pet shall be kept on a leash not over six (6) feet in length and under the immediate control of such responsible person.
- B. No person shall bring into or have in his/her possession or control any dog or pet in any area of any park where the same is prohibited by posted notices, provided that this Section shall not apply to leader dogs for the blind, police dogs or similar working dogs.

- C. No person who brings into or has in his/her possession or control a dog or pet which deposits fecal matter within any park shall permit said matter to remain in the park, said person being obligated to remove said matter upon his/her departure from said park.
- D. No person shall ride or lead any horse within the boundaries of any park, except in areas designated by the Township.
- E. No person shall permit or allow the running at large, herding, grazing, or driving of any livestock of any kind within the boundaries of any park.

### **Section 306.12 – Commercial Activities**

No person or organization other than the Township, its agents, and licensees shall within the boundaries of any park, advertise, offer for hire, vend offer, or sell any service food, beverage, merchandise, or other personal property or advertise, carry on or conduct any other business or commercial activity for profit or not. Further, no person or organization shall beg or solicit contributions or donations within the boundaries of any park without first obtaining a permit issued by the Township.

### **Section 306.13 – Off-The-Road Vehicles; Bicycles**

- A. No person shall operate or have in his/her possession within the boundaries of any park any off-the-road motor-driven vehicle, including by way of example but not by way of limitation, any minibike, motorcycle, dune mobile, snowmobile, converted snowmobile, all-terrain vehicle, an amphibious vehicle, or similar motorized device.
- B. No person shall, operate or have in his/her possession or control within the boundaries of any park a moped, motor-driven cycle, or motor vehicle except on the surfaced area of a roadway (excluding any roadway posted for use of authorized vehicles only or for pedestrian traffic) or designated parking area.
- C. No person shall operate a bicycle or similar non-motorized vehicle on designated jogging and/or hiking paths or trails, when prohibited by township, posted notice.
- D. The Motor Vehicle Code, being MCL 247.1 *et seq.*, as amended, is in full force and effect in any and all parks and may be enforced by any law enforcement officer, a Macomb County Sheriff Deputy, or Michigan State Trooper.

### **Section 306.14 – Preservation of Property and Natural Resources**

- A. No person shall injure, deface, disturb, nor in any manner destroy or cause to be destroyed any portion of any park or any facility building, sign, structure, equipment, utility, or other property found therein any park.
- B. No person shall dig for, remove, injure, or destroy any tree, flower, shrub, plant or growing thing or any wildlife, except as otherwise provided by law, or any rock, mineral, artifact, or other material within the boundaries of any park without written permission from the Township or Committee.
- C. The Lenox Township Department of Public Works shall be charged with the maintenance, and preservation of property, equipment, and natural resources of the township parks under the direction of the Township Director of Parks and Recreation.

#### **Section 306.15 – Musical Instruments, Radios, Record or Tape Players, and Sound Amplifying Devices**

No person shall operate or play any musical instrument, radio, mechanical record, tape player, loudspeaker, public address system, or sound-amplifying equipment of any kind within the boundaries of any park in such manner as to cause the sound emanating to exceed a loudness of sixty-five (65) decibels when measured on the dB scale as measured at any township park boundary property lines without first obtaining a written permit issued by the Township.

#### **Section 306.16 – Receipt of Service, Privilege, or License Without Payment of Fee**

- A. Where a fee or charge is requested for any service, privilege, or license offered by the Township or their licensees within the boundaries of any park, no person shall obtain or attempt to obtain such service, privilege, or license without payment of such fee or charge, and shall comply with all requirements of any permit pertaining to the service, privilege, or license. The fees and/or charges for which shall be established by resolution by the Township Board of Trustees.
- B. Sporting field use agreements shall be filed with the Director of Parks and Recreation to reserve a township park sports field. A field permit will then be issued by the Director of Parks and Recreation to the organizer, manager, or coach.

### **Section 306.17 – Penalty**

Every person convicted of any violation of any provision of this Ordinance shall be guilty of a misdemeanor and punished by a fine of not more than five hundred dollars (\$500.00), or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.