

City of Grand Ledge Ordinance #613

An Ordinance Amending the City Code, Chapter 24 – Parks and Park Facilities.

The City of Grand Ledge Ordains:

Section 1. Change. The City Code, Chapter 24 – Parks and Park Facilities, is amended, as follows:

ARTICLE I. IN GENERAL

Sec. 24-1. Scope.

This chapter shall generally relate to and control ~~all~~ city-owned and city-maintained parks and recreation facilities within the boundaries of the city except ~~that Fitzgerald Park is exempt from this chapter so long as Fitzgerald Park is leased to Eaton County~~ for those parks and recreational facilities that are subject to an active lease or other intergovernmental agreement between the city and another entity. ~~All parks and recreational facilities within the scope of this chapter shall be operated and maintained under the supervision of the city parks and recreation commission, hereinafter referred to as the “commission.”~~

Sec. 24-2. Definitions.

The following words, terms, and phrases, when used in this chapter all have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Authorized agent or *agent* means any person or entity so designated by the ~~city parks and recreation commission~~ City Council.

Camp or *camping* means the overnight lodging or sleeping of a person on the ground or in any other manner, or in any sleeping bag, tent, tent-trailer, trailer coach, vehicle camper, motor vehicle, boat, or in any other conveyance erected, parked, or placed on park property.

Commission means the city parks and recreation commission, which serves in an advisory capacity to the City Council.

Park property means any park, parkland, or recreational facility/parkland owned or maintained, in whole or in part, by the city and identified as such.

Person, persons, or his means individuals, male or female, singular or plural, firms, corporations, unincorporated associations, or any group or gathering of individuals. For purposes of this Chapter 24, person excludes any city employee, agent, volunteer, or volunteer group acting on behalf of the city and engaging in properly authorized activities.

Rules means the rules and regulations adopted by the City Council, and all amendments thereto, and all city of ordinances applicable to park property.

Sec. 24-3. Authority.

The City Council or its agent is authorized to operate, maintain, and regulate the use of park property. Pursuant to such authorization, the City Council or its agent is permitted to protect park property, including but not limited to, addressing and acting upon public health, welfare, and safety concerns.

The commission serves in an advisory capacity to the City Council. The commission's authority is further described in City Charter Section 7.15. The commission may exercise its authority under City Charter Section 7.15(G) to regulate the trees, plants, and shrubs in park property or it may delegate its authority to an authorized agent as defined herein or to the City Council and provide recommendations to the delegate regarding the same.

ARTICLE II. PUBLIC USE AND HOURS**Sec. 24-25. Reservation of use by general public.**

Any individual or group may use ~~a park or~~ certain areas of a park or; facilities; or services within park property to the exclusion of others by making application for such exclusive use, having said application approved by the ~~commission's~~ City Council's authorized agent and paying any application fee ~~which may be required,~~ if required and, as set from time to time by resolution adopted by the City Council.

Sec. 24-26. Hours.

- A. All park property shall be open to public use from dawn until dusk unless other hours are posted.
- B. No person or vehicle shall remain on park property except during the hours open to public use unless allowed by the terms of a permit issued ~~pursuant to this article~~ by an authorized agent.
- C. It shall be unlawful for any person to enter upon any park property or any portion thereof which has been designated closed to public use or entry.
- D. The ~~commission~~ City Council or its authorized agent may close any park property or any portion thereof for such period of time as may be deemed to be ~~required in the interest of~~ necessary by the City Council or its authorized agent, including but not limited to for reasons of public health and safety or for permitted private events.

ARTICLE III. PROTECTION OF PROPERTY**Sec. 24-56. Destruction or damage to park property.**

It shall be unlawful for any person, while on park property, to:

- A. Willfully destroy, deface, alter, change, or remove any monument, stone marker, benchmark, stake, post or blaze, marking or designating boundary line, survey line, or reference point.
- B. Willfully, negligently, or maliciously ~~Cutcut~~, break, mark upon, or otherwise injure any building, equipment, bridge, table, wall, fountain, lamp post, fence, gate hedge, or other structure.

- C. Deface, destroy, cover, or remove any placard, notice or sign, whether permanent or temporary, posted or exhibited within or upon park property.
- D. Willfully, negligently, or maliciously destroy, injure, or otherwise damage any property.
- E. Take or carry away, or attempt to take or carry away, any property without written permission from the owner thereof.

Sec. 24-57. Destruction of plant life and natural surroundings.

It shall be unlawful for any person, while on park property and without prior authorization by the City Council or an authorized agent, to:

- A. Willfully Cutcut, remove, or destroy any tree, sapling, seedling, bush or shrub, whether dead or alive, or chip, blaze, box girdle, trim or otherwise deface or injure any tree or shrubs, 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, whether dead or alive.
- B. Destroy, remove, or cause to be removed any sod, earth, humus, peat, boulders, gravel or sand, fossil or any geologic object without written permission of the ~~commission~~ City Council or its agent.
- C. Roll, throw, push, or in any manner propel or cause any object to go over the edge of any ledge or cliff, except such items normally used in climbing or rappelling, when being used in the course of ~~climbing~~ such activity.
- D. Use of cliff hangers or driven protection or pinions.
- E. Engage in unauthorized ~~repelling~~ rappelling.

Sec. 24-58. Fires.

It shall be unlawful for any person while on park property to:

- A. Willfully set or cause to be set on fire any tree, woodland, brushland, grassland, or meadow within or upon park property.
- B. Build any fire upon park property except within the fireplaces, pits, receptacles, or open spaces approved and designated for such purpose, without prior written permission of the ~~commission~~ City Council or its authorized agent. No person shall build or maintain a fire within fireplaces, pits, receptacles, or open spaces approved or designated for such purposes in a careless or negligent manner ~~likely~~ which is reasonably anticipated to endanger any person or property.
- C. Drop, throw or otherwise scatter lighted matches, ~~burning cigars, cigarettes,~~ tobacco ~~paper~~ products, or other inflammable material within or upon park property ~~in a careless or negligent manner likely to endanger any person or property~~.

ARTICLE IV. PROTECTION OF WILDLIFE

Sec. 24-90. ~~Domestic Animals~~ animals and birds.

It shall be unlawful for any person while on park property to:

- A. Cause or allow any domestic animal or fowl to ~~run at large~~ remain off-leash or without other restraints, or to permit them to unreasonably annoy or disturb other persons.
- B. Bring, drive, lead, or carry any dog or other animal or pet which is either unleashed or upon a leash more than six feet in length and not under immediate control of an adult person; ~~except for~~ onto park property. The previous sentence shall not apply to animals used in designated shows or programs authorized by the ~~commission~~ City Council or its authorized agent.
- C. Cause or allow any animal or fowl to enter any public building or to be upon any designated beach area except a trained and working leader dog; or to allow his animal or fowl to enter any water body contained therein.
- D. Abuse, mistreat, or neglect any animal or fowl.
- E. ~~Hunt, trap, catch, wound or kill, or treat cruelly, attempt to trap, catch, wound, or kill any bird or animal, molest or rob any nest of any bird or any lair, den or burrow, or any animal on park property; provided, however, that fishing may be permitted on park property in accordance with commission rules, the laws of the state and the rules of the state department of natural resources in areas designated for such purposes by the commission~~ Cause or allow any domestic animal or fowl to enter areas of park property not designated or reasonably intended for such animal or fowl’s use, including but not limited to, planter boxes, flower beds, or other park property improvements.
- F. Fail to promptly remove and dispose of a domestic animal’s or fowl’s fecal discharges on park property.

Notwithstanding any provision of this section, the City Council may, pursuant to its authority in this Chapter, authorize its agent to take actions to address and control animals and birds on park property, to the extent permitted by law and applicable regulations, when determined to be a nuisance or danger to park visitors and/or park property.

ARTICLE V. REGULATIONS GOVERNING SPORTS, GAMES, ACTIVITIES, AND OTHER USES

Sec. 24-109. Swimming, bathing and wading.

It shall be unlawful for any person while on park property to:

- A. Swim, bathe, or wade between sunset and sunrise, in any watercourse, lagoon, pond, or slough located on park property.
- ~~B. Swim, bathe, or wade on park property except such times and places as may be provided and designated for such purposes.~~

Sec. 24-110. Boating.

No person shall bring into, use, or navigate any boat, yacht, canoe, raft, or other floating device upon any watercourse lagoon, lake, pond, or slough located on park property, except at such time or place as may be provided or designated for such purpose by the ~~commission~~ City Council. All watercraft shall comply with and be used in compliance with the laws of the state and this article.

Sec. 24-111. Camping.

It shall be unlawful to camp except in such areas as may be provided and designated for such purpose by the ~~commission~~ City Council. No person shall camp without a written permit issued ~~under the terms of article II of this chapter~~ by the City Council or its authorized agent.

ARTICLE VI. TRAFFIC CONTROL**Sec. 24-136. Motor-driven vehicles.**

It shall be unlawful for any person to:

- A. Operate a motor-driven vehicle of any kind or nature except on roads or designated parking areas. A person who violates this section is responsible for a civil infraction.
- B. Operate a motor-driven vehicle on any park road at a speed exceeding 15 miles per hour or at any speed greater than that posted. A person who violates this section is responsible for a civil infraction.
- C. Operate any ~~motor-driven sled, ski, toboggan, or snowmobile~~ or similar motorized vehicle or equipment on park property except where provided or designated for such purpose by the ~~commission~~ City Council. A person who violates this section is responsible for a civil infraction.
- D. Continuously cruise in or on any motor-driven vehicle in or through any areas of park property. The term "continuously cruise" means the repeated driving of a motor-driven vehicle in or through park property without stopping for the purpose of using park property. A person who violates this section is responsible for a civil infraction.

ARTICLE VII. PROHIBITED USES**Sec. 24-156. Peddling and soliciting.**

It shall be unlawful for any person to peddle or solicit business of any nature whatsoever, to distribute handbills or other advertising matter, or to post signs on park property, unless first authorized in writing by the ~~commission~~ City Council or its agent.

Sec. 24-157. Unlawful obstruction.

No person, group, firm, or corporation shall by force, threats, intimidations, fencing, enclosing, or by any other means prevent or obstruct:

A. ~~any~~ Any person from entering, leaving, or making full use of any park property; provided, however, that any group may use certain areas, facilities, or services within park property to the exclusion of others as ~~described~~ permitted in section 24-25.

B. Any employee, agent, volunteer, or volunteer group acting on behalf of the city from engaging in properly authorized activities.

Sec. 24-158. Alcoholic liquors.

Alcoholic liquors within ~~city parks~~ park property are subject to the provisions of City Code ~~chapter~~ Chapter 6 – Alcoholic Liquors ~~of this Code.~~

Sec. 24-159. Personal conduct.

It shall be unlawful to engage in any violent, abusive, loud, boisterous, vulgar, lewd, wanton, obscene or otherwise disorderly conduct, or to unreasonably disturb or annoy others while in or on park property.

Sec. 24-160. Use of loudspeaker.

It shall be unlawful to use a loud speaker, public address system, or amplifier on park property unless written permission has been obtained from the ~~commission~~ City Council or its agent.

Sec. 24-161. Fireworks.

No person shall fire, discharge, or have in his possession any rocket, flare, firecracker, torpedo, squib, or other fireworks or any substance of an explosive or incendiary nature on park property unless the ~~commission~~ City Council or its agent shall have authorized the same by the issuance of a permit therefor.

Sec. 24-162. Firearms, bows, and weapons.

No person shall at any time:

A. ~~bring on park property, have in his possession, discharge, or set off anywhere upon park property a revolver, pistol, shotgun, rifle, firearm, bow, or other weapon that~~ Engage in conduct prohibited by City Code Section 22-72 – Discharge of Firearms Prohibited; Exceptions.

B. Discharge a bow and arrow, crossbow, or similar device.

C. Bring onto park property or have in his possession or control any bow or arrow, crossbow, or similar device.

D. Engage in weapon-related conduct that is prohibited by state law.

~~discharges projectiles either by air, explosive substance, or any other force; provided, however, that this section shall not apply to any deputy sheriff, police officer, park ranger, or other duly appointed law enforcement officer while carrying out the duties and responsibilities of their position~~ This section shall not apply to any law enforcement officer while carrying out the duties and responsibilities of their position.

Sec. 24-163. Skating, coasting, and skiing.

No person shall while on park property skate, walk, or go upon any ice, ~~or coast with handsleds, toboggans, other such coasting devices, or ski~~ except at such times and places as may be provided or designated for purposes by the ~~commission~~ City Council or its agent.

Sec. 24-164. Balloons, airplanes, and parachutes.

No person shall make any ascent, descent, or landing in any balloon, airplane, parachute, or other airborne vehicle on park property without first obtaining written permission from the ~~commission~~ City Council or its agent.

Sec. 24-165. Special permits.

- A. No erection, construction, or maintenance shall be made on, above, or below park property by any person, firm, or corporation without first having obtained written permission from the ~~commission~~ City Council 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.
- B. The ~~commission~~ City Council or its agent may, upon written application, grant specific use permits for special uses when in the opinion of the ~~commission~~ City Council or its agents such permit is consistent with use of the park by the public.

Sec. 24-166. Fees and charges.

- A. It shall be unlawful for any person to use any facility, land, or area for which a fee or charge has been established by the ~~commission~~ City Council without payment in advance.
- B. It shall be unlawful for any person, group, firm, or corporation to charge an admission fee or charge for entry or use of any park property or facility without first obtaining written permission from the ~~commission in accordance with article II of this chapter~~ City Council.

Sec. 24-167. Emergency powers.

Nothing in this article shall:

- ~~A. Prohibit or hinder a duly authorized agent of the commission or any law enforcement officer from performing his official duties.~~
- B.A. Prohibit the ~~commission~~ City Council or its agents from ~~establishing~~ taking emergency ~~rules~~ actions required to protect the health, welfare, and safety of park visitors and to protect park property, including, but not limited to, the right of the ~~commission~~ City Council or its agents to order all persons off park property, or to close all or any portion of said property.

ARTICLE VIII. ENFORCEMENT

Sec. 24-188. Validity.

Wherever the requirements of this chapter are at variance with the requirements of any other applicable rules, regulation, or laws, the most restrictive or that imposing the highest standard shall govern.

Sec. 24-189. Violations and penalties; civil sanctions.

- A. Any person violating provisions of this chapter, with the exception of section 24-136, shall be deemed guilty of a misdemeanor as provided in chapter 1 of this Code.
- B. Any person violating the provisions of section 24-136, which concern the unlawful use, operation, and parking of motor-driven vehicles, will be deemed responsible for a civil infraction or guilty of a misdemeanor as provided by the uniform traffic code promulgated pursuant to MCL 257.951 et seq., provided, further, that the state may hereafter change or amend these penalties and civil sanctions.

Section 2. Severability. The provisions of this ordinance are severable, and if any section, sub-section, paragraph, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of all remaining sections, sub-sections, paragraphs, sentences, clauses, phrases or portions of this ordinance.

Section 3. Section Headings. The section headings used in this ordinance are for convenience only and are not a part of this ordinance.

Section 4. Effective Date. This ordinance shall take effect seven days after it has been adopted by the City Council.

Introduced by the City Council this 12th day of November, 2024.

Motion by Gillespie

Second by Logel

Ayes: Gillespie, Jancek, Lantz, Logel, MacDowell, Mulder, Willems

Nays: None

Absent: None

Adopted by the City Council this 25th day of November, 2024.

Motion by Gillespie

Second by Jancek

Ayes: Gillespie, Jancek, Lantz, Logel, MacDowell, Mulder

Nays: None

Absent: Willems

Approved:

Keith O Mulder

Keith O Mulder (Nov 26, 2024 07:52 EST)

Keith O. Mulder, Mayor

I, Gregory Newman, City Clerk, certify this is Ordinance #613 adopted by the City Council at a meeting held the 25th day of November, 2024, a meeting held according to the Open Meetings Act, Public Act No. 267 of 1976, as amended. I further certify Ordinance #613 was published in the Grand Ledge Independent, a newspaper of general circulation in the City, the 04th day of December, 2024, subsequent to its adoption.

Gregory Newman

Gregory Newman (Nov 26, 2024 10:06 EST)

Gregory L. Newman, City Clerk

Introduced: 12 November 2024

Public Hearing: 25 November 2024

Adopted: 25 November 2024

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