

# **COHOCTAH TOWNSHIP PARK RULES ORDINANCE**

## **COHOCTAH TOWNSHIP LIVINGSTON COUNTY, MICHIGAN Ordinance No. 20**

An ordinance to provide for the use, protection, regulation and control of the Cohoctah Township Park, located at 1000 Allen Road, Howell, Michigan ("Park"), and to provide for the adoption of fees and scheduling procedures related to the use of and conduct on Township park property.

### **Section 1: Short Title**

This Ordinance may be known and referred to as the Cohoctah Township Park Rules Ordinance.

### **Section 2: Scheduling and Hours**

#### **A. User Agreement and Release.**

1. All users of the Park shall have agreed to and have executed, for keeping on file with the Township, the Township's form Cohoctah Township Park User Agreement & Release.
2. Use of the Park by any person without having submitted a completed form User Agreement and Release is prohibited.

#### **B. Scheduling.**

1. Any use of the Park must be scheduled in advance with the Park Manager based on procedures and priorities as determined by the Township.
2. Township may not honor a reservation until fees are paid and all User Agreements and Releases have been submitted.

#### **C. Fees.**

1. Fees shall be assessed by the Township for the use of Park as determined by the Township Board from time to time.
2. It shall be a violation of this Ordinance for any person to use any Park facility, land or area for which a fee has been established by the Township without payment of such fee or charge.
3. All fees shall be paid to the Township Clerk or otherwise as directed by the Township.

#### **D. Hours.**

1. The Park is open May 1<sup>st</sup> through October 31<sup>st</sup> from 9 am to 7 pm unless otherwise determined by the Park Manager.
2. The Park will be closed November 1<sup>st</sup> to April 30<sup>th</sup>.
3. No person or vehicle shall remain upon Park property between posted closing and opening times.

### **Section 3: Use**

- A. Users of the Park shall remain in areas designated for their use at all times.
- B. Users must provide proof of a negative Coggins test upon request.
- C. All pets must be kept on a leash at all times.
- D. The Park Manager shall determine daily and event-basis maximums for use of the Park.
- E. Approved use of the Park for any individual or group shall be on a non-exclusive basis unless specified otherwise by the Park Manager.
- F. Restrooms

- a. There shall be one portable restroom provided by the Township.
  - b. Additional portable restrooms may be permitted for day or event use on the Park property with written permission of the Park Manager.
- G. Concessions.
  - a. Concessions is permitted on Park property with written approval of the Park Manager. Concessions shall not be placed within 50 feet of any designated horse use area.
- H. Use of potable water is available on Park property.
- I. The Park may be monitored by video and audio surveillance at any time.
- J. The Park shall be left in good and clean condition after the conclusion of use of the Park by any user or group.

#### **Section 4: Traffic and Parking**

- A. Entry and exit into the Park shall be as directed by the Park Manager.
- B. Parking of vehicles and trailers shall occur only in designated areas.
- C. Overnight parking of vehicles and trailers is prohibited.
- D. Trailers and vehicles shall not be hooked up to Park electricity.
- E. It is prohibited for the operator of a vehicle to stop, stand or park said vehicle in any place marked as a passenger or loading zone, other than for the expeditious loading or unloading of users, horses, or for the unloading and delivery or pick up and loading of materials and equipment.
- F. It is prohibited for the operator of a vehicle to stop, stand or park such vehicle upon any roadway or in any parking area in such manner as to form an obstruction to traffic thereon.

#### **Section 5: Prohibitions**

- A. Obstruction.
  - 1. No person shall by force, threats, intimidations, unlawful fencing, enclosing, or by any other means prevent or obstruct any person from entering, leaving or making full use of any Park property.
  - 2. No person shall interfere with or in any manner hinder the Park Manager or agent of the Park Manager while performing their official duties.
- B. Debris and waste.
  - 1. It is prohibited to discard or deposit refuse of any kind or nature in or upon the Park property except by placing said refuse in containers which may be provided for such purpose.
  - 2. Any waste matter, including manure, shall be removed from Park property by the user.
- C. Fencing.
  - 1. No person shall use fencing to hang equipment, tie horses, hold saddles, or any similar type of use.
- D. Park waters, camping, & ground fires, & hunting.
  - 1. It is prohibited to throw, cast, lay, drop or discharge into or leave in waters of the Park or any substance, matter or thing, liquid or solid which may or shall result in the pollution of said waters.
  - 2. There is no swimming, boating, camping, ground fires, or hunting on Park property at any time.
- E. Alcoholic beverages, drugs.
  - 1. No person shall have in their possession any intoxicating beverage while in or upon the Park property.

2. No person shall sell, use or have in his possession any drug or narcotic; the sale, use or possession of which is prohibited by the state law.
- F. Personal conduct.
1. It is prohibited for any person to be under the influence of intoxicants, or to engage in any violent, abusive, loud, boisterous, vulgar, lewd, wanton, obscene or otherwise disorderly conduct, or to disturb or annoy others, while in or on any Park property.
  2. It is prohibited to conduct or to participate in any form of gambling, lottery or game of chance upon Park property.
- G. Use of loudspeaker. Any use of a loudspeaker, public address system or amplifier, other than the PA supplied by the Park, is prohibited within or upon Park property without written permission of the Park Manager.
- H. Fireworks. No person shall fire, discharge or have in his or her possession any rocket, firecracker, torpedo, squib, or other fireworks or any substance of an explosive nature within or upon Park property.
- I. Firearms.
1. No person shall at any time, bring into or upon Park property, nor have in his or her possession, nor discharge, or set off anywhere upon said properties, a revolver, pistol, shotgun, rifle, air gun, water gun or any gun, rifle, firearm or bow or other weapon that discharges projectiles either by air, explosive substance or any other force.
  2. This section shall not apply to any deputy sheriff, police officer, peace officer, or other duly appointed law enforcement officer while carrying out the duties and responsibilities of his position nor to any person while on or in those areas which may from time to time be designated as hunting areas by the Park Manager or while upon designated target ranges or areas.
- J. Public exhibition. No person shall exhibit any machine or show, or any animal, or indulge in any acrobatic exhibitions in or upon any Park property, nor shall any person carry on any performance or do anything whatsoever which shall cause persons to congregate so as to interfere with the proper use of the Park by other users or to obstruct the passage of vehicles or persons without first having obtained written permission from the Park Manager.
- K. Emergency powers. Nothing in these rules shall:
1. Prohibit or hinder the Park Manager, agents of the Park Manager, or any peace officers from performing their official duties.
  2. Prohibit the Park Manager or the director from establishing emergency rules required to protect the health, welfare and safety of park users and to protect Park property; including, but not limited to, the right of the Park Manager to order all persons off Park property, and close all or any portion of the Park.

## **Section 6: Protection of Property**

- A. Destruction of buildings, markers, gates, arenas, fencing, benches, and other improvements shall be prohibited, and no person shall, on Park property:
1. Willfully destroy, deface, alter, change or remove any buildings, markers, gates, arenas, fencing, benches, and other improvements.
  2. Cut, break, mark upon or otherwise injure any building, marker, gate, arena, fencing, bench, or other improvements.
  3. Deface, destroy, or remove any placard, notice or sign, whether permanent or temporary, posted or exhibited within or upon Park property without the written consent of the Park Manager.
- B. Destruction of plant life and natural surroundings shall be prohibited and no person shall:

1. Cut, remove, or destroy any tree, sampling, seedling, bush or shrub, whether alive or dead, or chip, blaze, box, girdle, trim or otherwise deface or injure 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.
2. Remove or cause to be removed any sod, earth, humus, peat, boulders, gravel, or sand, without written permission of the Park Manager.

#### **Section 7: Enforcement and Fines**

A violation of this Ordinance, and any rule or regulation adopted pursuant to this Ordinance, constitutes a municipal civil infraction and may be prosecuted according to the policies and procedures of any civil infraction ordinance the Township may have. Each day during which any violation continues shall be deemed a separate offense and shall be subject to fines as provided for by the Township Board. The Township reserves for itself any additional remedy at law or in equity including civil proceedings for damages and/or injunctive relief. Commencement of any such proceedings shall not constitute an election of remedies. Any fines or damages resulting from a violation by any one user that is a member of a group, or participant, vendor, guest, or invitee of that group, shall also be the responsibility of the associated group.

#### **Section 8: Severability**

The provisions of this Ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by any judicial determination or statutory or constitutional provision, it shall not affect the remainder of such Ordinance which shall continue in full force and effect.

#### **Section 9: Effective Date**

This Ordinance shall take effect thirty days after publication as required by law.

#### **CERTIFICATION**

I hereby declare the above is a true copy of an ordinance adopted by the Cohoctah Township Board at a meeting held on \_\_\_\_\_, 2021, at the Cohoctah Township Hall, pursuant to the required statutory procedures.

Respectfully submitted,

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Barb Fear, Cohoctah Township Clerk