

**HAMBURG TOWNSHIP
PARK FACILITY USE POLICY
(Rules & Regulations)
Effective XXXX (1/29/26 Presented 1st reading)**

1.0 INTENT

To provide for the use, protection, regulation and control of the Hamburg Township park and recreational facilities, including, but not limited to: Manly Bennett Parks East & West, Merrill Field Disc Golf Course “The Gulch”, Winkelhaus Park, the Senior/Community Center, the Mike Levine Lakelands Trail & Hamburg Township trailheads (Village, Merrill, and Pettysville), and other areas concerning recreation & leisure activities and to matters related to the use of and conduct on Township parks which are under the Township’s jurisdiction. For the purposes of this document, the aforementioned facilities shall be referenced as “parklands.”

2.0 GENERAL PARK USE POLICIES

There are a number of general use policies to provide guidelines for proper use, protection, regulation, and control of the Hamburg Township parklands. They include:

- Public Use and Hours
- Protection and Preservation of Property and Natural Features
- Protection of Wildlife
- Traffic Control
- Rules Regarding Business, Vending and Concessions
- Rules Regarding Alcohol Use
- Responsibilities of larger groups regarding Public Safety

2.1 Public Use and Hours:

Township parklands are open to the public daily, consistent with the “Hamburg Township Code of Ordinances, Chapter 24” and this policy, except during hours as authorized by the Township Board. Hours that a specific Township park or facility is closed shall be conspicuously posted at the park. The Park Administrator or staff may also authorize the temporary closing of a Township park, or portion of that park, to meet specific needs of the Township or for maintenance purposes. Persons sixteen (16) years or younger are not permitted in any Township park between the hours of 10:00 p.m. and 5:00 a.m. unless accompanied by a parent or guardian.

The Township may designate portions of the parklands and recreational facilities for specific uses. Certain facilities, such as the ball fields, pavilions, volleyball courts, etc., may be reserved for use by individuals or organizations by permit or agreement with the Township. The organizations granted use through this process are given priority use of the fields, and will provide the Park Administrator a copy of their anticipated schedule prior to their season start. Such uses shall be subject to use fees or deposits as outlined in Parklands and Community Center Use Fee Schedule (Appendix B).

Recreational activities by residents and non-organized groups are permitted on Hamburg Township property within their designated areas when not otherwise scheduled by permit or lease. It is recommended that all recreational activities be limited to daylight hours, and that calendar is checked for scheduling conflicts. No use of any sports field will be allowed prior to April 1st of each year without prior approval of the Park Administrator.

2.2 Protection and Preservation of Property and Natural Features:

No person shall injure, deface, disturb, or remove any part of the park or any building, sign, equipment or other property found therein including but not limited to; trees, shrubs, plants, rocks or minerals. Prospecting, metal detecting, and activities similar in nature, are strictly prohibited in all owned and/or operated Hamburg Township Parks and/or Trails.

All garbage and waste must be deposited in receptacles provided for such purposes. Dumping of garbage, sewage, household refuse, waste or other noxious material on any Hamburg Township property is strictly prohibited. **No glass containers are permitted in the parklands.** Persons and organizations utilizing any Township parkland shall leave them in condition of good repair and cleanliness. Any damage or unclean conditions shall be immediately reported to the Park Administrator or staff. All events that will produce high volumes of garbage, such as Tournaments and Festivals, are required to provide a dumpster at their expense.

No person shall build any fire within any Township parklands except within receptacles provided and designated by the Township for such purposes. Special approval from the Township Board and Hamburg Township Fire Department is required for any fire outside of designated receptacles, or at any event.

No person shall deposit lighted matches, burning cigars, cigarettes, tobacco paper or other flammable materials within any Township parklands. Burning material or hot ashes may not be dumped into any trash containers or elsewhere within the boundaries of the Township Park unless such container or locality is marked as a receptacle for such material.

No person shall install a tent in any parkland, without express permission from the Township Board. A site plan detailing the proposed location of the tent must be submitted to the Park Administrator or staff for review prior to the event.

2.3 Protection of Wildlife and Pet Care

No person within the confines of the Township parklands, unless authorized by written permit of the Township Board, shall hunt, pursue with dogs, trap or in any other way molest any wild bird, nest, egg, den or animal found within Township property.

No persons, except employees or officers of the Township, or those otherwise permitted by law to carry a concealed weapon, shall carry firearms of any description, or air rifle, or slingshot, or bow within the park, or discharge any firearms, fireworks or explosive substances, or air rifle therein without specific permit from the Township.

No person shall bring, drive, lead or carry any dog or other animal or pet which is unleashed, or upon a leash more than six feet in length, upon Township park property. This does not apply to service dogs or to dogs under control of the Township. Persons bringing any animals or pets into the parklands shall properly clean up after them.

Horses are not permitted on Township property except on areas along the Lakelands Trail so designated, or as otherwise approved by the Township Board. Carriages are not allowed in any parklands and/or the Mike Levine Lakelands Trail unless otherwise approved by the Township Board.

Any animals used in conjunction with any Park Use shall be approved by the Hamburg Township Board during the Park Use approval process, and shall be caged, fenced in, or similarly restrained and under the complete control of the applicant and/or workers at all times.

For safety reasons, pets are not allowed to attend any activity and/or event. Residents are welcome to have their leashed pets in areas of the park where the activity and/or event is not taking place or in areas intended for passive recreation such as trails or boardwalks. All owners or handlers of a dog or other domestic animal

must comply with Chapter 24 of the Hamburg Township Code of Ordinances and violation of the provisions are subject to a municipal civil infraction as outlined in the Ordinance.

Service animals are allowed to attend activities and/or events. They are defined as dogs which are individually trained to do work or perform tasks for people with disabilities. Any service animal required because of a disability must be certified and clearly marked as such. Staff may inquire as to what work or task the service animal has been trained to perform.

2.4 Vehicle and Traffic Control:

Except for designated parking areas, or other areas otherwise approved or allowed by Hamburg Township under permit or lease, no motorized vehicles, except for Personal Assistive Mobility Devices (PAMD), will be allowed in the parklands.

The Township Staff or employees may operate motorized vehicles within the parklands if granted the right to do so by the Township Board or Park Administrator

Motorized wheelchairs, electric scooters or other PAMDs are allowed for those with handicaps that prevent them from using the recreational facilities in any other manner. Township Board approval is required for all other types of Off-Road Motorized and/or Animal Driven Vehicles.

Allowed vehicles will comply with the following:

- Will travel at walk speed only
- Will operate during daytime hours only
- Will display handicap symbol on vehicle
- Will be operated by permitted driver only
- Will allow passengers only as necessary

2.5 Business, Vending and Concessions:

No person or organization shall, within the boundaries of the parklands, advertise, offer for hire, vend or sell any service, food, beverage, merchandise or other personal property of advertise, carry on or conduct any other business, commercial or fund-raising activity without the written authorization of the Hamburg Township Board, obtained through the Park Use Application process.

All Board authorizations will require, at the minimum, evidence of conformity to State, County and Local ordinances, licenses and permits by the requesting person or organization as well as proof of General and Products Liability Coverage. Cash operations require evidence of proper accounting and internal financial controls which may be audited at the direction of the Township Board of Trustees at its sole discretion, and subject to revocation of Park Use authorization.

The Board of Trustees may contract for services included in this section with qualified licensed contractors through competitive bidding, as outlined in the Hamburg Township Purchasing Policy & Procedures.

Signage for events held on Township owned or operated parklands is addressed in section 2.11.

2.6 Alcohol:

Alcohol use is strictly prohibited in Parks, Trails or Trailheads owned or operated by Hamburg Township unless specifically authorized in writing by the Township Board.

2.7 *Parking:*

No parking of motor vehicles shall be permitted during the hours of 12:00 a.m. and 5:00 a.m. or as otherwise posted and/or approved by the Park Administrator.

Parking shall be in designated parking areas only, or those areas otherwise approved by the Township Board through the permit or lease approval process. Vehicles parked in unauthorized parking areas or that have been left overnight in any parkland may be ticketed and/or towed at the owner's expense.

2.8 *Public Safety:*

Applicants may be required to meet with the Park Administrator and a Public Safety representative to determine what, if any, special precautions need to be taken as relates to the proposed event. Depending on the nature and/or size of the event, Public Safety expenses may be charged at the discretion of the Township Board and the Public Safety Committee. Waivers of these fees may be made by the Township Board as part of the Park Use approval process.

Flying, launching or otherwise operating any type of radio-controlled device, self-propelled rocket, kite or any other device in any area of a Township park that is not specifically designated for its use is strictly prohibited. Flight and radio-controlled related activities are welcome in the Manly Bennett RC Park located in Manly Bennett East Park, southeast of the Baseball Diamonds. Activities of this nature must comply with posted rules and regulations and will be subject to fines and penalties for violation as outlined in Chapter 24 of the Hamburg Township Code Of Ordinances.

Golf practice is strictly prohibited in any area of a Township park that is not specifically designated for its use.

2.9 *Inspection Requirements:*

No Capital Improvements or changes shall be made to any parkland, or trails, without express permission from the Township Board. All proposed improvements shall be submitted in writing to the Parks Administrator who will forward them to the Township Board. Improvements must comply with all Permit and Building Code requirements and once approved, work must be completed by a licensed contractor or as otherwise approved by the Park Administrator.

A certificate of insurance including General Liability and Worker's Compensation for the current policy year shall be provided to the Clerk's office for every contractor that is hired to perform any service on Hamburg Township premises and shall carry limits of liability as required by the Township Insurance carrier.

For any event, carnival or fair connecting to or modifying an existing electrical source or service, the Applicant covenants and agrees to utilize a licensed electrical contractor and secure an electrical permit.

All outside vendors are required to pass a safety inspection, facilitated by the Hamburg Township Fire Department (HTFD). All events who provide this type of service, must submit a Tent Permit Application no less than 2 weeks prior to approved event.

2.10 Restoration, Clean-up & Damage Bond:

Applicant may be required to deposit a restoration, clean-up and damage bond in the form of cash or certified check payable to Hamburg Township in an amount as outlined in the Park Facility Use Fee Schedule, or as determined by the Township Board. The bond shall be returned to the Applicant without interest, within sixty (60) days after the expiration of the requested park use if the Applicant has fully performed the restoration and cleanup of the premises to an "as-is" or better condition as prior to the event as determined by the Township. Should Applicant fail to restore and clean the premises in satisfactory condition, the Township may retain all or a part of the bond. Applicant shall reimburse Hamburg Township for its "out-of-pocket" expenses in excess of the bond amount for items including but not limited to: Labor costs, trash disposal expenses and repair costs to facilities and/or grounds. Township staff is readily accessible to discuss out-of-pocket cost estimates and ways to reduce these costs. All Hamburg Township invoices sent to organizations for reimbursement of out-of-pocket costs are due within thirty (30) days.

2.11 Parklands Use Permit Sign Policy: (effective 10/5/21)

This policy is intended to allow specific signage as it relates to approved use of Township owned or operated parkland properties. The allowed signage will help Hamburg Township better meet the needs of the community and public use of the park systems. The signage will inform people of upcoming events and direct people to the event.

Signage Regulations:

In addition to directional signage, the following signs announcing the approved event are **only allowed with the issuance of a parklands use permit:**

- 1) Temporary freestanding signs:
 - a. On the Township owned/operated parkland where the event is located:
 - i. One 32 square foot sign; and
 - ii. Four 6 square foot signs, with one side 4' max in length.
 - b. On the Township owned property at M-36 and Merrill Road (parcel 15-23-300-028):
 - i. One 32 square foot sign.
- 2) Signage duration:
 - a. If the event is held on between 1-7 consecutive days the signs may be installed 7 days prior to the event and must be removed within 2 days after the last day of the event.
 - b. If the event is conducted over multiple weeks the signs allowed in section 1) a. ii. shall only be allowed the day of the event, all other signs allowed in section 1) may be installed 7 days prior to the event and must be removed within 2 days after the last day of the event.
 - c. If the signs are not removed as required by the code the Township may remove the signage.
- 3) Directional signs shall be approved as a part of the Parks Use Permit and pertain only to Township owned or operated Park/Trail property.
- 4) All signs shall be outside of the road right-of-way and at least 10 feet from a paved roadway or driveway.
- 5) The Township shall be authorized to remove any unapproved signage or additional signage placed unrelated to the scheduled event. Violations or abuses of this rule may result in termination or denial of park use.

Sign Application Materials:

The following information shall be submitted with the parklands use permit application:

- 1) Description of the signs including a drawing showing the proposed signs and the sign dimensions;
and
- 2) Map showing the location of the proposed signs within the Township parklands.
- 3) Any signs planned for the Road-Right-Of-Way must be submitted to the jurisdiction that regulates
and oversees those roads.

Road-right-of-way Resources:

Livingston County Road Commission:

<http://www.livingstonroads.org/FAQ/FAQRow.aspx>

State of Michigan (MDot):

https://www.michigan.gov/mdot/0,4616,7-151-9615_11261-147773--,00.html

2.12 Permitting Process for the Lakelands Trail (within Hamburg)

TBD

2.13 Americans with Disabilities

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), Hamburg Township will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs or activities. If you feel that you, or someone you know, has been discriminated against, or you have a recommendation for increasing accessibility of the Township services, programs and activities, please contact the ADA Coordinator at (810) 222-1124 to discuss these items further, or visit our website for more information:

https://www.hamburg.mi.us/government/township_clerk/americans_with_disabilities_act_ada_information_center.php.

3.0 CATEGORIES OF PARK USE:

Anyone wishing to reserve the use of the parklands shall provide documentation as outlined below. No use is allowed to anyone, other than the permit holder, during Blackout Dates.

For the safety of our residents and visitors, areas that have been reserved by others for sport related activities or special events should be respected. If there is a question about availability, a complete list of all scheduled activities and events is maintained by the Parks Coordinator and is available on the Township website.

3.1 Park Use Category #1:

Groups of less than 1000, who don't charge fees, including Individual/Family Use/Small Group.

Casual use by individuals, families, and/or small groups is highly encouraged and generally requires no special action or permission. This type of use is handled on a first-come-first-serve basis, only if no other use has been granted priority, and it is approved and scheduled administratively by the Parks Coordinator. A pre-application form must be submitted to the Parks Coordinator or Clerk for review prior to use.

For the safety of our residents and visitors, areas that have been reserved by others for sport related activities or special events should be respected. If there is a question about availability, a complete list of all scheduled activities and events is maintained by the Parks Coordinator and is available on the Township website.

Outdoor facilities are available for public use during normal park hours. These facilities require no fees, however, donations for maintenance are accepted and appreciated. Donations receipts are available upon request. Outdoor facilities free for casual use include:

- Merrill Field Disc Golf Course AKA "The Gulch"
- Adult Workout Area
- Sand volleyball court
- Outdoor patio behind Senior/Community Center (open to public evenings and weekends)
- Pickleball court (open to public evenings and weekends)
- Hamburg Flyer's Field – Use must be scheduled with Hamburg Flyer's Club
 - Contact: Gene Doncea – E8d68@aol.com.

For Municipal use, such as events hosted by Hamburg Township Hall, Library, Public Safety, Senior/Community Center, and/or their affiliates, a pre-application form must be submitted to the Parks Coordinator or Clerk for review. Should the use require additional information, a long form Park Use Application may be requested. Uses in this category will not be charged, unless the exposure warrants it based on a determination by Public Safety.

Sports groups, in any size, are considered under Category #3.

3.2 Park Use Category #2:

Groups of over 1000, and/or any size group who does charge fees

For any parkland use not otherwise reserved by permit or agreement, a long form Park Use Application must be submitted to the Parks Coordinator. A complete list of all scheduled activities and events is maintained by the Park Coordinator and is available on the Township website.

All uses are required to submit proof of General Liability coverage naming Hamburg Township as additional insured as relates to the proposed activities. All deposits and/or fees for facility use shall be charged as outlined in the Park Facility Use Fee Schedule – Appendix B. Any waivers or reductions in fees is at the discretion of the Township Board, and must be requested at time of application.

Approval of applications submitted less than 60 days prior to an event cannot be guaranteed. Should the event exceed 1,000 participants, the Public Safety Committee will set a Hazard Level for Public Safety Fees, and make their recommendation to the Township Board for final approval. For events under 1,000, the hazard level will be Low unless use is determined to have need of Public Safety personnel based on the type of event or past experience with the park user. Fees will be charged as outlined in the Hamburg Township Administrative Fee Schedule, or may be waived or amended by the Township Board at their discretion.

3.3 Park Use Category #3:

Recognized or Partnering Sports Group Use – Seasonal Rate

If a group provides approved services and/or improvements that are beneficial to the Township parklands and the residents that use them, they may be designated as a Recognized or Partnering group. In the case of the sports fields, these clubs/organizations assist in the maintenance of the fields i.e.: chalking, striping, maintenance repairs, etc. In exchange, some clubs, organizations, and/or groups may be granted priority consideration and/or waiver or reduction of fees for their use of the facilities applied for. Uses under this category require a long form Park Use Application and are intended for Games, Practices and/or Tryouts. A field use request for the period in question must be submitted to the Clerk's Office and approved by the Board prior to the start of the activity period also known as a season.

Partnering Groups will be granted a seasonal flat-rate fee negotiated at time of application, based on type of fields and the maintenance required/expected, and as set by the Township Board. Spring use must be scheduled by 3/31 and fall by 7/1.

All uses are required to submit proof of General Liability coverage naming Hamburg Township as additional insured as relates to the proposed activities.

Fees will be charged as outlined in the Hamburg Township Administrative Fee Schedule, or may be waived or amended by the Township Board at their discretion.

Approval of applications submitted less than 60 days prior to an event cannot be guaranteed. Anything other than a game, practice or tryout shall require separate Park Use Application, and review process, and shall be considered a Park Use Category #4.

Non-Recognized or Non-Partnering Sports Group Use – Flat Rate per field/2 hours

For any parkland not otherwise reserved by permit or agreement by a recognized or partnering sports group, users may request reservation with a long form Park Use Application. A complete list of all scheduled activities and events is maintained by the Park Coordinator and is available on the Township website.

All uses are required to submit proof of General Liability coverage naming Hamburg Township as additional insured as relates to the proposed activities.

Fees will be charged as outlined in the Hamburg Township Administrative Fee Schedule, or may be waived or amended by the Township Board at their discretion.

Approval of applications submitted less than 60 days prior to an event cannot be guaranteed. Upon review of the intended use, the Township may re-categorize a user group's application. Anything other than a game, practice or tryout shall require separate Park Use Application, and review process, and shall be considered under Park Use Category #4.

3.4 Park Use Category #4:

Event Use – All Categories of Users

For Municipal use, such as events hosted by Hamburg Township Hall, Library, Public Safety, Senior/Community Center, and for events where the anticipated participants are over 1000, a long form Park Use Application must be submitted to the Parks Coordinator or Clerk for review. Requests for fee waivers must be made in writing at time of application, and approved by the Township Board. The Township may also participate as a co-host for an event held by an approved user. A plan and supportive budget, including costs for extra staffing, will be prepared, reviewed and recommended by the Parks & Recreation Committee to the Hamburg Township Board.

For a Non-Township sponsored event, the organizing group shall complete and submit a long form Park Use Application and an event map or design layout showing the area of Parkland or Trail where the event will take place. This category of use requires a review by the Parks and Recreation Committee and assignment of hazard level by Public Safety Committee, after which the Park Administrator will forward event plan to the Township Board for approval. Examples of this category might include a one-day festival, or a three-day art event. These sorts of requests must be scheduled and approved by the Township Board no less than 60 days in advance and are subject to availability. Based on the use, the Board reserves the right to charge additional fees based upon the need for services beyond the scope of those routinely performed by Township staff or its vendors.

Sports fields may be permitted to use by organizations to host soccer games associated with tournaments and league games provided that at no time shall tournament events and league games be permitted at the same time. Tournament permits shall be limited to a maximum number of four (4) designated fields for use at any one time with only 1 game per field. The Township shall designate and mark the playing fields which shall not be changed by the organizations.

All users requesting temporary event signage, for events held in the parklands or on the trails, must provide a sign plan with their Park Use Application which must list number of signs, size of signs, and the specific area they are planned for. For signs outside of the parkland boundaries, such as the ones used in the road-right-of-way, permits must be requested from MDOT, Livingston County Road Commission, or the owner(s) of a private road. See Section 2.11 for more information.

Fees will be charged as outlined in the Hamburg Township Administrative Fee Schedule, or may be waived or amended by the Township Board at their discretion.

4.0 REPORTING REQUIREMENTS

The organization shall provide to the Park Administrator the following:

- Insurance and Risk Management Information
- Public Health and Safety Information
- Plans and receipts for all pre-approved improvements

Each of these is more fully described below.

4.1 Insurance and Risk Management:

There are three levels of risk that will be managed by the Clerk's Office as relates to organizational use of Township property, namely

- Organizational indemnification/hold harmless
- General Liability and/or Property Insurance, with limits as outlined in the Insurance Requirements Guideline, Appendix C.
- Special Events coverage and additional indemnifications including, but not limited to, copies of any 3rd party contracts.

It is expected that each organization will meet Township mandated requirements in each of the above areas of Insurance and Risk Management. Property coverage is required for users who store their private property on Township grounds. It is also understood that private property left on the premises is available for use by Township staff and/or other parkland users. Any approved permanent structures become the property of Hamburg Township.

Also, it is important that the Organization periodically inspect the premises that it has authorization to use, note areas of potential liability and submit a record of that notation to the Park Administrator.

4.2 Public Health and Safety:

Organizations utilizing Township properties must have policies and procedures relating to the performance of background checks for persons working with program participants. Sports related Organizations need to comply with the Michigan Sports Concussion Law, Act 342 & 343, PA of 2012. The minimal requirements are outlined in Appendix A.

4.3 Proof of Non-Profit Status:

Organizations requesting use at the non-profit rate, may be required to provide proof of Non-Profit status. The Township Board may also request Proof of tax filings on an annual basis.

5.0 PARK USE FEE STRUCTURE

All fees for use of the Township parklands are established by the Township Board, and shall be outlined in the Hamburg Township Administrative Fee Schedule. Hamburg Township reserves the right to waive or reduce fees in consideration of contributions of in-kind services, maintenance, repairs and/or Capital Improvements. Approved Park Users will be responsible for cleaning up after their activities. Approved Park Users shall provide sufficient and competent adult supervision, and be responsible for any damage occurring during their use.

No person or organization shall, within the boundaries of the Township park and/or parkland facilities, advertise, offer for hire, vend or sell any service, food, beverage, merchandise or other personal property or advertise, carry on or conduct any other business, commercial, or fund-raising activity without the written permission of the Hamburg

Township Board. If food and/or beverages are approved to be served, the applicant will be responsible for any and all health department permits, approvals, and licenses and must provide copies of such to the Park Administrator prior to the scheduled event.

Reservations/approvals for any event (sports or special) are not transferable and there is absolutely no sub-letting allowed. If the park facility use rules set forth in this policy are not followed, the use privilege and/or priority status may be revoked.

6.0 SCHEDULING OF ALL RECREATIONAL FACILITIES

The Park Administrator and/or staff maintains a master schedule of all facility use including fields, courts, Community Center rooms, etc. in order to reasonably manage their use.

In addition to general scheduling information provided in the pre-application or Park Use Application, the applicant shall provide required documents in a time frame determined by the Park Administrator. Failure to provide the required information in the required timeframe may result in a loss of privilege for use of the facility or priority status.

Blackout dates are assigned to areas where a large event is taking place, and it is necessary to limit access to those areas for public safety and welfare. When a blackout date has been assigned, other uses may be limited in those areas. The organization that has been granted use shall be responsible for the maintenance, repair and any and all liability associated with the use of the fields assigned to them during that period of time. The Parks Coordinator will advise all regular user groups/organizations of pending Blackout dates well in advance of the event, and it is requested that all Blackout dates are respected by both other user groups and residents.

