

- **Chapter 24 - PARKS AND RECREATION**

- **Sec. 24-1. - Purpose.**

The purpose of this chapter is to promote the public health, safety, comfort, and general welfare of the community through the proper regulation of activities in parks owned or operated by the Township, and to repeal Ordinance No. 88-A.

(Ord. No. 88-B, § 2.0, 8-15-2017)

- **Sec. 24-2. - Definitions.**

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

Alcoholic beverage means any spirituous, malted or fermented liquor, liquid or compound containing 0.05 percent or more alcohol by volume fit for consumption as a beverage.

Motorized vehicle refers to any self-propelled vehicle, specifically including, but not limited to, snowmobiles, all-terrain vehicles (ATVs) and golf carts. Motorized wheelchairs are exempted for the purpose of this chapter.

Obstructing public passage means for one or more persons to engage in any act which causes a physical obstruction or interference to the free and uninterrupted use of or passage on the Lakelands Trail by any other person.

Paint means any paint, varnish, lacquer, stain or similar solvent or substance applied to surfaces to coat, cover, protect or alter.

Public disturbance means any conduct which disturbs or disrupts the peace and good order of the Township, unreasonably interferes with another person's use and enjoyment of a Township park or which would cause a reasonable person to feel intimidated, threatened or harassed.

Township park means all parks and recreational facilities owned, operated or maintained by the Township specifically, including, but not limited to, Manly W. Bennett Memorial Park and the Lakelands Trail.

(Ord. No. 88-B, § 3.0, 8-15-2017)

- **Sec. 24-3. - Public use.**

(a)

All parks and recreational facilities owned or operated by the Township are open for use by the general public for recreational activities consistent with the provisions of this chapter and the Township park facility use policy.

(b)

The Township may designate from time to time portions of Township parks and recreational facilities for specific uses. Certain facilities within Township parks, such as baseball fields, football fields, soccer fields, pavilions, etc., may be reserved by individuals or organizations by permit from the Township Board consistent with the Township park facility use policy.

(Ord. No. 88-B, § 4.0, 8-15-2017)

- **Sec. 24-4. - Hours of usage.**

Township parks are open daily for use by the public, consistent with this chapter and the Hamburg Township park facility use policy, except during hours as determined by the Township Board. Hours that a specific Township park is closed shall be conspicuously posted at the park. The Township Board may authorize the temporary closing of a Township park, or portion of a park, to meet specific needs of the Township or for maintenance purposes. Persons 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.

(Ord. No. 88-B, § 5.0, 8-15-2017)

- **Sec. 24-5. - Vehicle and traffic control.**

(a)

No unauthorized motorized vehicle shall be driven in a Township park except upon roads or areas allowed by the Township Board for those purposes.

(b)

Motorized vehicles are prohibited on the Lakelands Trail except as authorized by this article.

(c)

Snowmobiles and off-road vehicles are prohibited in Township parks.

(d)

No person shall drive, propel or cause to be driven, along or over any designated road or approved area within a Township park, any vehicle at a rate of speed greater than 15 mph.

(e)

No vehicle shall be driven in a reckless or careless manner or in a manner which endangers the life, limb or property of pedestrians, the operator or occupants of other vehicles, or any other person.

(f)

Parking of vehicles shall be in designated parking areas only.

(g)

Commercial vehicles not consistent with use as outlined in the Township park facility use policy and who have not been given prior written permission by the Township Board are prohibited from parking within any Township park.

(h)

There shall be no parking of any vehicles in any Township park between the hours of 12:00 midnight and 5:00 a.m. without the express permission of the Township Board.

(i)

Vehicles parked in violation of this chapter are subject to being ticketed and/or towed at the owner's expense.

(j)

The vehicle and traffic control provisions of this chapter are not applicable to vehicles in use by public safety personnel, Township personnel and public utilities personnel lawfully engaged in the performance of official business within a Township park.

(Ord. No. 88-B, § 6.0, 8-15-2017)

- **Sec. 24-6. - Alcohol.**

The consumption or possession of alcoholic beverages is prohibited within all Township parks without express written permission of the Township Board.

(Ord. No. 88-B, § 7.0, 8-15-2017)

- **Sec. 24-7. - Disorderly conduct.**

The following conduct is strictly prohibited and it shall be deemed a violation of this chapter for any person to engage in any of the following within the boundaries of a Township park:

(1)

Causing or engaging in a public disturbance;

(2)

Obstructing public passage;

(3)

Jumping or diving off any bridge or overpass;

(4)

Discharging any slingshot, bow air rifle, pellet gun, firearm of any description, firework or other explosive substance without written authorization from the Township Board;

(5)

Golfing in any area of a Township park unless in a posted designated area;

(6)

Flying, launching or otherwise operating any type of radio-controlled airplane, self-propelled rocket or other device in any area of a Township park that is not specifically designated for such use;

(7)

Interfering with any person, group or organization in the use of a designated portion of any Township park reserved through the permit process outlined in the Township park facility use policy and authorized by the Township Board.

(Ord. No. 88-B, § 8.0, 8-15-2017)

- **Sec. 24-8. - Preservation of property and natural features.**

(a)

No person shall injure, deface, or disturb any part of a Township park nor any building, sign, equipment or other property found therein; nor shall any tree, shrub, rock or other mineral be removed, injured or destroyed.

(b)

No person shall deposit, or permit to be deposited, any park use related garbage on park premises in anything other than receptacles provided for such purposes. Any other garbage, sewage, household refuse, waste or other noxious material dumping or depositing on any Township property is strictly prohibited.

(c)

No person shall set or cause to be set on fire any tree, woodland, brush land, grassland or meadow within or upon any Township park or recreational facility without written approval of the Township Board.

(d)

No person shall build any fire upon Township park property except within receptacles provided and designated by the Township for such purposes.

(e)

No person shall drop, throw or otherwise scatter lighted matches, burning cigars, cigarettes, tobacco paper or other flammable materials within or upon any Township park property. Burning material or

hot ashes may not be dumped into any trash containers or elsewhere within the boundaries of a Township park unless such container or locality is marked as a receptacle for such material.

(f)

No person shall possess any type of paint with the intent to commit an unlawful act within a Township park.

(Ord. No. 88-B, § 9.0, 8-15-2017)

- **Sec. 24-9. - Protection of wildlife and pet care.**

(a)

No person within the confines of any Township park shall hunt, pursue with dogs, trap or in any other way molest any wild bird or animal found in a park unless specifically authorized by the Township Board.

(b)

No person shall molest any bird nest or take the eggs of any bird found within any Township park.

(c)

Horses are not permitted in any Township park except on areas along the Lakelands Trail so designated, or as otherwise approved by the Township Board.

(d)

Domestic animals are permitted in Township parks, provided that they are properly restrained and controlled consistent with the provisions of the Township Domestic Animal Control Ordinance and the Township park facility use policy.

(Ord. No. 88-B, § 10.0, 8-15-2017)

- **Sec. 24-10. - Business, vending and concessions.**

No person or organization shall, within the boundaries of any Township park, 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 fundraising activity without the written authorization of the Township Board.

(Ord. No. 88-B, § 11.0, 8-15-2017)

- **Sec. 24-11. - Signs and handbills.**

(a)

No person shall post, fasten, paint or affix any placard, bill, notice or sign upon any structure, tree or automobile within any Township park, except that temporary directional signs for group picnics or

events may be placed on signposts designated for such purposes and must be removed at the conclusion of the event.

(b)

Handbills, newspapers or other circulars may be offered or distributed within Township parks only by passing them out hand-to-hand.

(Ord. No. 88-B, § 12.0, 8-15-2017)

- **Sec. 24-12. - Public safety exception.**

The prohibitions outlined in this article are not applicable to any law enforcement officer, firefighter or medical service personnel engaged in the lawful exercise of their duties.

(Ord. No. 88-B, § 13.0, 8-15-2017)

- **Sec. 24-13. - Removal.**

(a)

Any person found in violation of this article by a law enforcement officer having jurisdiction to enforce this article shall immediately be ordered to leave the Township park.

(b)

Any person given a lawful order to leave any Township park by a law enforcement officer shall immediately comply with the order or be subject to custodial arrest in accordance with appropriate state statutes.

(c)

The order to leave a Township park shall in no way diminish a law enforcement officer's ability or authority to take any other appropriate or authorized enforcement action.

(Ord. No. 88-B, § 14.0, 8-15-2017)

- **Sec. 24-14. - Penalties.**

(a)

Any person who shall violate any of the provisions of this chapter shall be responsible for a municipal civil infraction. The fines and penalties as set forth in section 1-45 are incorporated herein by reference.

(b)

For purposes of assessing fines and penalties only, a violation under this section shall be classified as a Class D municipal civil infraction.

(Ord. No. 88-B, § 16.0, 8-15-2017)