

CHAPTER 94: PARKS AND RECREATION

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Cross-reference:

Bike paths, see §§ 50.45 et seq.

Sale of parks and cemeteries by Council, see Charter §§ 5.11, 5.31

§ 94.01 NAME.

This chapter shall be known and cited as the City Park Rules and Regulations Chapter.

(Ord. 182, passed 5-7-01)

§ 94.02 PARKS DEFINED.

Parks subject to these rules and regulations are (Parcel numbers are the numbers assigned as of 2010. Maps of park locations may be obtained at City Hall):

(A) Coast Guard Park, approximately 80 acres located at 18161 North Shore Road, Parcel Nos. 70-03-17-100-004 and 70-03-17-200-041.

(B) Fire Barn Park, approximately five acres located at 17411 North Shore Road, Parcel No. 70-03-16-100-041.

(C) William Ferry Park, approximately 1.8 acres located at 110 Pine Street, Parcel No. 70-03-16-451-001.

(D) Kitchel-Lindquist-Hartger Dunes Preserve, approximately 113 acres at 20001 Berwyck Street, Grand Haven.

(E) Ferrysburg Nature Preserve, approximately 40 acres, Parcel No. 70-03-08-400-062.

(F) Mike Herman Memorial Field, approximately 1.75 acres, located in Spring Lake Township, Parcel Nos. 70-03-08-350-009, 70-03-08-350-012, and 70-03-08-350-016.

(G) Sunnyside Park, approximately .5 acres at 17200 Valley City, Parcel No. 70-03-15-104-002.

(Ord. 182, passed 5-7-01; Am. Ord. 192, passed 6-3-02; Am. Ord. 264, passed 5-17-10; Am. Ord. 275, passed 6-4-12)

§ 94.03 AUTHORITY.

The parks defined in § 94.02 shall be under the administrative authority of the City Manager and his or her designees.

(Ord. 182, passed 5-7-01)

§ 94.04 HOURS OF OPERATION.

Parks shall be open from 8:00 a.m. until 10:00 p.m. No person may be in, occupy, or use any portion of any park between the hours of 10:00 p.m. and 8:00 a.m.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.05 OPERATION OF VEHICLES.

(A) No person may operate or park a vehicle in any park except on designated driveways and parking areas. This section shall not apply to authorized maintenance vehicles or to law enforcement vehicles.

(B) As used in this chapter, the term VEHICLE means any automobile, truck, motorcycle, recreational vehicle, mini-bike, moped, or other self-propelled instrument of conveyance. The term VEHICLE does not include a snowmobile.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.06 SNOWMOBILES PROHIBITED.

(A) No person shall operate a snowmobile in a park.

(B) As used in this chapter, the term SNOWMOBILE means any motor driven device designed for travel primarily on snow or ice of a type that utilizes sled-type runners or skis, an endless belt tread or any combination of these or other similar means of contact with the surface upon which it is operated.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.07 SPEED LIMIT.

No person shall operate a vehicle on any park driveway or parking area at a speed in excess of 15 miles per hour.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.08 STORAGE OF VEHICLES AND EQUIPMENT PROHIBITED.

No person shall store or leave a vehicle in a park, except to park a vehicle in a designated parking area while using facilities at a park during open hours. No person shall store any equipment at any park. Any vehicle or equipment found in a park in violation of this section may be impounded by the Police Department. This section shall not apply to law enforcement vehicles or to vehicles or equipment authorized by the City Manager or his designee. This section also shall not apply to passenger vehicles parked in the "park and ride" parking lot at William Ferry Park.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.09 USE OF PARK FACILITIES.

The use of park facilities shall be on a first come, first served basis, except for the use of soccer fields and balls fields scheduled for organized leagues by the Northwest Ottawa Recreation Program.

(Ord. 182, passed 5-7-01)

§ 94.10 PICNICS.

No person shall use any part of a park for a picnic, except in areas specifically designated for picnics. No picnics are permitted at the Kitchel Lindquist Dunes Preserve.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.11 FIRES.

No person may build or start a fire at any park, except a cooking fire within a grill intended and designated for that purpose. No person may leave a cooking fire unattended. All cooking fires within grills shall be completely extinguished by the person who built or started the cooking fire before the person leaves the immediate vicinity of the cooking fire. This section shall not apply to the annual

December carol sing bonfire at William Ferry Park. No fires of any kind may be built or started at the Kitchel-Lindquist Dunes Preserve.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.12 RESTROOM FACILITIES.

No person may urinate or defecate in any park except in a restroom facility provided for that purpose.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.13 NUDITY PROHIBITED.

No person may appear in the nude in any park. At a minimum, a person shall wear opaque clothing which covers the genitals and, for a female, the breasts.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.14 PETS; LEASH REQUIRED.

No person may allow a pet (such as a dog, cat, or other domesticated animal) to run loose and not be under the immediate control of a competent person in a park. Pets must be on a leash of six feet or less. No running of pets off a leash is permitted. A person with a pet in a park shall clean up the pet's droppings and properly dispose of them.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.15 HORSES, LARGE ANIMALS PROHIBITED.

Horses and other large animals are prohibited in any park.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.16 EXCESSIVE NOISE, DISTURBANCE, NUISANCE PROHIBITED.

No person in a park may make any unreasonable or excessive noise or disturbance, or create a breach of the peace or a nuisance.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.17 OBSCENE LANGUAGE OR GESTURE PROHIBITED.

No person in a park may use obscene language or make an obscene gesture.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.18 ELECTRONIC SOUND-PRODUCING DEVICES.

No person in a park may at any time permit or engage in the playing of any electronic sound-producing device (such as a radio, phonograph, stereo, television set, amplified musical instrument, loud speakers, public address system, tape or cassette or compact disc player, or any similar device) in such a manner or with such volume which is unreasonably loud, raucous, or a nuisance to other persons in the park or to persons immediately adjacent to the park.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.19 ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES PROHIBITED.

No person may transport, possess, use or consume any alcoholic beverage or controlled substance in a park. The City Council may authorize an exception to this section to allow alcoholic beverages to be served at a special event in a park.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.20 FIREARMS AND WEAPONS PROHIBITED.

(A) No person may bring into, possess, discharge, set off, or use any firearm or weapon in a park. This section shall not apply to a police officer or other duly appointed law enforcement officer while carrying out official duties.

(B) For purposes of this chapter, a FIREARM is a revolver, pistol, shotgun, rifle, air gun, pellet gun, starting pistol, b-b gun, or other gun which discharges a projectile by explosive substance, air, or any other force. For purposes of this chapter, a WEAPON is a device or article which is intended to be used for fighting or hunting, including but not limited to a crossbow, bow and arrows, slingshot, disk, dagger, stiletto, brass knuckles, or a knife except a knife intended to be used exclusively for meal preparation or service.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.21 HUNTING PROHIBITED.

No person may hunt, trap, catch, wound, or kill any bird or animal in a park. No person may molest or rob any bird nest or any animal lair, den or burrow.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.22 LITTERING PROHIBITED IN PARKS.

(A) Litter defined. Rubbish, refuse, waste material, garbage, offal, paper, glass, cans, bottles, trash, debris or other foreign substance.

(B) Littering prohibited. A person shall not knowingly, without the consent of the public authority having supervision of a park, dump, deposit, place, throw, or leave, or cause or permit the dumping, depositing, placing, throwing, or leaving of litter in a park except in a container designated and set aside for disposal.

(Ord. 231, passed 7-17-06) Penalty, see § 94.99

§ 94.23 DISCARDING IMPORTED TRASH PROHIBITED.

No person may deposit or discard in a park, either in the open or in a designated trash receptacle, any trash, garbage or waste which is not generated by lawful activities in a park.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.24 INJURING OR DESTROYING TREES AND PLANTS PROHIBITED.

No person may injure, cut, deface, destroy, disturb or remove any tree, sapling, seedling, brush, or shrub in a park. No person may chip, blaze, box, trim or otherwise deface or injure any tree or shrub. No person may pick, gather, uproot, remove or destroy any flower or plant. This section shall not apply to maintenance activities of city crews authorized by the City Manager or his or her designee.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.25 DAMAGING PARK PROPERTY PROHIBITED.

No person may deface, injure, destroy or remove any building, equipment, sign, groundcover, landscaping, sand, gravel, asphalt, concrete, or other improvement in a park. This section shall not apply to maintenance activities of maintenance workers authorized by the City Manager or his or her designee.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.26 CAMPING AND OVERNIGHT SLEEPING PROHIBITED.

No person may establish or maintain any camp or other temporary lodging place in a park.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.27 AMUSEMENT RIDES AND ATTRACTIONS PROHIBITED.

No person shall bring an amusement ride or attraction into any park, unless permission has been applied for and obtained from the City Manager or his or her designee.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.28 COMMERCIAL ACTIVITIES PROHIBITED.

No person may conduct a commercial business, peddle, or solicit business of any nature in a park. If permission has been applied for and obtained from the City Manager or his or her designee, a person may offer food and non-alcoholic beverages for sale to participants and spectators of scheduled or organized special events.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.29 ADVERTISING PROHIBITED.

No person may post any advertising signs or advertisements, or distribute handbills or flyers or other advertising media in any park.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.30 STRUCTURES PROHIBITED.

No person may erect, place, or maintain a structure (such as a lean-to, blind, shed, treehouse, or other construction) in a park. Any structure found in a park may be removed by city-authorized personnel. This section shall not apply to structures authorized by the City Council.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.31 TENNIS COURT SURFACE USES PROHIBITED.

No person may use in-line skates, roller skates, scooters or skateboards on tennis court surfaces.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.32 HOT AIR BALLOONS, PARACHUTES, HANG GLIDERS PROHIBITED.

No person shall launch, land, or use a hot air balloon, parachute, or hang glider in a park.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.33 LAUNCHING OR LANDING MOTORIZED WATERCRAFT PROHIBITED.

No person shall launch a motorized watercraft from any park, land a motorized watercraft on a park or secure a motorized watercraft to a park. This section shall not apply to authorized law enforcement personnel or to authorized maintenance crews.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.34 OTHER REGULATIONS.

Other regulations may be established by the City Manager to regulate the use of specific park facilities, such as the use of soccer fields, ball diamonds, basketball courts, sand volleyball courts, ice skating rinks, play structures, and other improvements. Such regulations shall be posted in a park. A violation of a posted regulation will constitute a violation of this chapter and is subject to the provisions of City Code § 94.99.

(Ord. 182, passed 5-7-01) Penalty, see § 94.99

§ 94.35 PUBLIC EVENTS, RESOLUTION OF CITY COUNCIL.

The foregoing rules and regulations may be modified by resolution of the City Council for the purpose of facilitating the use of parks in connection with public events.

(Ord. 252, passed 6-5-09)

§ 94.36 USE OF MOTORIZED MODEL AIRPLANE, CAR, BOAT, DRONE PROHIBITED.

(A) No person shall use or operate any motorized model airplane, car, boat, drone or similar device in a park or on city property located at 17290 Roosevelt Road and 408 Fifth Street.

(B) Permitting. Use of a drone may be allowed for commercial uses and amateur hobby clubs, and formed groups under certain circumstances. On forms provided by the city, a permit application shall be submitted to the City Manager. The City Manager shall either issue the permit as applied for, or shall deny the permit as applied for and shall state the reasons for the permit denial.

(Ord. 286, passed 6-1-15)

§ 94.99 ENFORCEMENT AND PENALTIES.

(A) Any person in Coast Guard Park, Fire Barn Park, William Ferry Park, or Sunnyside Park who violates any provision of this chapter shall be deemed guilty of a misdemeanor subject to a fine of up to \$500 and costs of prosecution or a jail sentence of up to 90 days, or both. A person who violates any provision of this chapter may also be evicted from the park where the violation occurred. In addition, any person convicted of an act of vandalism or property destruction shall reimburse the city for the total amount of damages as determined by the court plus costs of prosecution.

(B) The city may recover damages from the parents or parent of an un-emancipated minor, living with his or her parents or parent, who has maliciously or willfully destroyed real or personal property in a park.

(C) Any person in Kitchel-Lindquist-Hartger Dunes Preserve or Mike Herman Memorial Field who violates any provision of this chapter is trespassing.

(D) Violations of this chapter may also be enforced by civil actions at law or at equity. Violations of this chapter are nuisances per se.

(E) Parking violations arising from the parking of a vehicle in a park are subject to the parking regulations of the City Code, as amended.

(Ord. 182, passed 5-7-01; Am. Ord. 286, passed 6-1-15)