

Charter Township of AuSable

State of Michigan

County of Iosco

Ordinance Number 102

PARKS REGULATIONS ORDINANCE

(Replaces Ordinance Number 65)

Adopted: December 03, 2007

Effective: January 03, 2008

AN ORDINANCE TO REPLACE ORDINANCE NUMBER 65 OF THE CHARTER TOWNSHIP OF AUSABLE, AMENDING THE "AUSABLE TOWNSHIP PARK REGULATION ORDINANCE", AND TO PROVIDE FOR PENALTIES FOR VIOLATION THEREOF, PURSUANT TO ACT 359 OF THE PUBLIC ACTS OF 1947, AS AMENDED.

THE CHARTER TOWNSHIP OF AUSABLE ORDAINS:

SECTION 1. PURPOSE:

It is the purpose of this amended Ordinance to preserve and protect the public peace, health, welfare and safety by regulating the use of Township parks and public recreation areas. Specific provisions of this ordinance shall govern the general where applicable.

SECTION 2. GENERAL PROVISIONS:

- (a) Any fires for cooking must be made within the grills provided for the purpose or within other privately owned grills which are designed to retain the ashes and prevent their deposit upon the ground. No fires shall be built directly on the ground.
- (b) All trash, bottles, cans and other debris must be deposited within containers provided for such purpose and must not be allowed to remain upon the ground, not deposited upon and beaches or in any lakes, streams, rivers or other waters situated within or adjoining park or recreational areas.
- (c) Township property shall not be damaged or destroyed, including picking or collecting any flora or fauna, and shall be treated with respect for the next user.
- (d) Township parks and places of recreation shall be open from 6:00 a.m. until 10:00 p.m. of each day and shall be closed to the public during the remainder of the day and night.
- (e) No dogs or other animals shall be allowed within Township parks and places of recreation unless the same are on a leash or kept within a secure container which prohibits their release.

Regulations:

- 1) Dogs must be legally licensed and have a current rabies vaccinations.
 - 2) The owner or custodian of the dog must remain in the dog area with the dog.
 - 3) Dogs must be under control.
 - 4) Dog feces must be cleaned up by the dog owner or custodian immediately.
 - 5) Holes dug by dogs must be filled by the dog owner or custodian immediately.
 - 6) Owners or custodians are responsible for all actions of their dogs.
- (f) No firearms, BB-guns, air guns, compressed air guns, bow and arrows, slingshots or any other weapons shall be used upon and within park or recreational grounds nor shall hunting and trapping activities be allowed.
- (g) No tents, house trailers, or recreational vehicles shall be allowed within Township parks or places of recreation for the purpose of camping.
- (h) Vehicles and trailers shall be operated and parked in a Township park or recreational area only as specifically permitted and posed by the Township and not operated outside of the limits of the automobile parking lot.
- (i) No automobiles, trailers or any other vehicles shall be washed, polished, or repaired in or upon any park grounds.
- (j) No vehicles shall travel within the park grounds at a speed in excess of ten (10) miles per hour.
- (k) No vehicle or trailer shall be parked or left in a Township park or recreational area during closed hours.
- (l) No person shall loiter, sit or lie upon walks, paths, parking areas or park structures and equipment so as to impair the passage of others or the use of park property.
- (m) No person shall destroy, damage or cut any trees, shrubs, planted grasses or other vegetation on park property without permission of the Township.
- (n) No alcoholic beverages or controlled substances shall be permitted upon park property, except in the case of a community Township Board approved "Outdoor Gathering" event open to the public and approval on the "Parks Reservation Form" issued by the Township Clerk. Community sponsored events must meet these criteria:
- 1) A proposed use must clearly serve a public purpose and offer direct benefit to the community in general.

- 2) The proposed use must be open to the general public.
- 3) The Township Board, at its sole and exclusive discretion, may approve the application for events and/or activities, which serve to promote the community through attraction of visitors while creating economic benefit on a widespread basis.
- 4) This provision is restrictive, as opposed to permissive, in nature, and applies to events typically but not exclusive sponsored by the Chamber of Commerce or related non-profit community organizations.

SECTION 3. PROVISIONS REGULATING THE OLD AUSABLE RIVER WALKING AND SKI TRAIL.

- (a) The walking trails are to be used for walking, skiing, nature study, birding, nature photography, and like activities associated with the enjoyment of our natural resources.
- (b) All travel upon, occupation, and utilization of the Old AuSable River Walking and Ski Trail shall be by foot or ski travel by orderly means.
- (c) Any use except by foot or ski travel including, but not limited to, bicycles, roller blades, roller skates, skateboards, snowmobiles, A.T.V.'s, and vehicles including mechanized and motorized vehicles, is strictly prohibited. This provision is not to be construed to prohibit the use by and access to the Trail by handicapped persons and handicapped devices to facilitate access as required by law.
- (d) Cross country skiers shall use that part of the trail that lies outside of the paved portions of the Trail.
- (e) No dogs or other animals shall be allowed within the Trail area.
- (f) No fires or smoking allowed within the Trail area.

SECTION 4. PENALTY:

A violation of this Ordinance shall be a misdemeanor which shall be punishable upon conviction there of by a fine of not less than \$100.00 nor more than \$500.00, or by imprisonment in the county jail not exceeding 90 days, or by both such fine and imprisonment, in the discretion of the Court. In addition to the foregoing, any person violating the provisions of this Ordinance may be required to leave the Township park or place of recreation by the Supervisor in charge thereof, or by any state, county or local law enforcement officer.

SECTION 5. CONFLICTING PROVISIONS:

All ordinances, restrictions or orders, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

SECTION 6. SEVERABILITY:

If any section, paragraph, clause or provisions of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause, or provision, shall not affect any of the other provisions of this ordinance.

SECTION 7. PUBLICATION:

This ordinance shall be published at least once, in full in the Oscoda Press, a newspaper of general circulation within the boundaries of the Township and qualified under State law to publish legal notices, and the same shall be recorded in the Ordinance Book of the Township and such recording authenticated by the signature of the Supervisor and Township Clerk.

SECTION 8. EFFECTIVE DATE:

This ordinance shall become effective thirty (30) days following adoption on December 03, 2007. At a regular meeting of the AuSable Township Board held on the 3rd day of December 2007, adoption of the foregoing ordinance was moved by Kevin Beliveau, and support by Paul Mayville.

Voting for: Kevin Beliveau, Paul Mayville, Lynn Mitchell, Mary Jo Samotis, Jan Baldwin, Alanda Barnes and Dan Hayes.

Voting against: None.

Absent: None.

The Supervisor declared the Ordinance Adopted.

CHARTER TOWNSHIP OF AUSABLE

Dated: 12/03/07

Albert D. Hayes, Jr.

By: Albert D. Hayes, Jr.

Its: Supervisor

Dated: 12/03/07

Lynn A. Mitchell

By: Lynn A. Mitchell

Its: Clerk

CERTIFICATION

The foregoing is a true copy of Ordinance Number 102, which was enacted by the AUSABLE TOWNSHTP Board at a regular meeting on the 3rd day of December 2007.

Lynn A. Mitchell

By: Lynn A. Mitchell

Its: Clerk