

# CHARTER TOWNSHIP OF MONROE

## ORDINANCE NO. 136

An Ordinance to establish rules and regulate certain activities in and usage of parks and park facilities within the Charter Township of Monroe, Monroe County, Michigan, and to provide penalties for the violation thereof.

The Charter Township of Monroe, Monroe County, Michigan ordains:

### **Section 1: TITLE.**

This Ordinance will be known and cited as the Monroe Charter Township "Park Regulation Ordinance."

### **Section 2: GENERAL PROVISIONS.**

#### **2.1 Purpose and Policy**

The purpose of this Ordinance is to establish rules and regulations for public parks and park facilities under the jurisdiction of the Charter Township of Monroe; to provide that violations of such rules and regulations will be civil infractions; to further provide civil infraction penalties for the violation thereof; and to authorize the enforcement of said ordinance by officers, employees, and representatives of the Parks and Recreation Committee and by law enforcement officers.

#### **2.2 Rule of Construction**

Any word or term not defined herein will be considered to be defined in accordance with the Code, or if not defined in the Code, will be in accordance with its common or standard definition.

#### **2.3 Definitions**

- (A) "Motor Vehicle" mean any motorized vehicle, including all-terrain vehicles, golf carts, snowmobiles, motorbikes, mopeds, and motorcycles.
- (B) "Park" means areas of land, with or without water, used for recreational purposes, including landscape tracts, picnic grounds, playgrounds, athletic fields, camps, foot paths, bicycle paths, facilities for boating, hunting, or fishing, and any recreational facilities for the use and benefit of the public, as such are located within the Charter Township of Monroe.
- (C) "Speed Limit" means ten (10) miles per hour, unless otherwise posted.
- (D) "Written Permission" means a park permit, written notice, email, or letter signed by either the Supervisor or the Clerk of the Charter Township of Monroe, or by a member of the Parks and Recreation Committee.

### **Section 3: Park Hours and Use**

3.1 **Park Hours.** Park hours are from sunrise to sunset, or as posted, or as extended by Written Permission.

3.2 **Public Use.** A Park is available for public use by any person during Park Hours, unless the Park has been closed, or if a person has been expelled from any Park in the Charter Township of Monroe.

3.3 **Private Use.** Any person may use specific areas or facilities of a Park to the exclusion of others by Written Permission. Such Written Permission will be conditioned upon the following: (1) the applicant (a) must be at least 18 years of age; (b) accept full responsibility for compliance with all Park Rules and Regulations and this Ordinance; and (c) accept full responsibility for any damage to Park property; and (3) the Park property must be left in the same condition as when reserved. If the purpose of the private use is for a youth organization, which includes any group with participants under the age of 18, the function must be supervised by adults with a minimum ratio of one adult for each 20 youths. The Charter Township of Monroe Board or the Parks and Recreation Committee have the right to access reasonable fees and charges associated with the issuance of the Written Permission. Failure to abide by this Ordinance or pay any fees or costs associated with the Written Permission for Private Use will be grounds for revocation of the Written Permission.

### **Section 4: Prohibited Activities.** No person, while on Park property, will:

4.1 Deposit or abandon any garbage, refuse, trash, waste, or other obnoxious materials except in receptacles specifically provided for such purposes.

4.2 Deposit or abandon in any way, any garbage, refuse, trash, waste, or other obnoxious materials originating outside the Park property.

4.3 Engage in organized activities such as contests, shows, exhibitions, organized sporting or musical events, children's day camp, parades, or any other activity to the exclusion of others, without Written Permission.

4.4 Use a park area, structure, play area, or amenity for a use other than its intended or designed use.

4.5 Conduct any activity, including an authorized use, in any manner that unduly threatens the safety of any individual or threatens to damage or harm Park property or the natural resources therein.

4.6 Occupy or use a Park facility when that facility is reserved for Private Use in accordance with this Ordinance or any policy or procedure adopted by the Parks and Recreation Committee.

4.7 Hinder, interrupt, or interfere with any authorized use or any use for which a permit or Written Permission has been granted, including for private use.

4.8 Build fires except in grills, fireplaces, fire rings, or other areas specifically provided and identified for that purpose, provided that, under no circumstances are charcoal grills permitted.

4.9 Without Written Permission, sell or offer for sale any food or drink; peddle or solicit business of any nature whatever; distribute handbills or other advertising matter; post unauthorized signs on any lands, waters, structures, or other Park property; or use Park property for the purpose of commercial operations.

4.10 Make use of any sound amplification device, loudspeakers, audio devices, or car stereos that produce sound that can be clearly heard 20 feet from the source, bothers or annoys other Park users, Park neighbors, or in any other way disturbs the peace and order of a Park area, provided that the use of loudspeakers or public address systems is allowed, subject to Charter Township of Monroe Ordinance 110 (the "Public Nuisance" Ordinance).

4.11 Possess or discharge fireworks without Written Permission.

4.12 Swim or wade in any lake, pond, or watercourse except at such times and places provided by and designated for such purpose as indicated by posted signs.

4.13 Possess or discharge a firearm, gun, pistol, air gun, paintball gun, or any other instrument that discharges a projectile by air, explosion, or any other force except in strict compliance with the laws of the State of Michigan or any law enforcement officer authorized to carry a weapon in strict compliance with such authorization.

4.14 Remove, hunt, trap, wound, kill, molest, or in any other way intentionally harm a living thing. Fishing is prohibited without Written Permission or in compliance with posted signs and the laws of the State of Michigan.

4.15 Smoke or use a tobacco product, e-cigarette, or similar device or substance in any buildings or pavilions, or within 20 yards of a playground.

4.16 Possess or consume alcohol or other intoxicating beverages.

4.17 Conduct, play, or participate in games of chance.

4.18 Destroy, damage, deface, or remove any property in the Park, including trees, shrubs, flowers, or other vegetation.

4.19 Bring, have, or keep any animal in the Park except (a) on a leash no more than 12 feet long; and (b) under the constant and direct control of a competent person, provided that no vicious or dangerous animals are allowed, and no horses or riding animals are allowed, and all animal waste is removed and properly disposed of immediately and completely. Notwithstanding the foregoing, no animals are permitted in or around the ball fields during any baseball or softball games, including, but not limited to, the parking lot, walking trails, or spectator areas around the ball fields.

4.20 Allow any person under the age of eight to use, enter, or be in a playground area without competent supervision.

**Section 5: Motor Vehicles, Bicycles, Skateboards, and Other Devices.**

5.1 **Motor Vehicles.** No person, while on Park property, will:

- (A) operate a Motor Vehicle (i) that is not duly authorized and licensed for operation on public roads; (ii) other than on designated roads and parking lots; and (iii) in excess of the Speed Limit;
- (B) park or leave a Motor Vehicle in the Park (i) other than during Park Hours; (ii) in a manner that blocks, restricts, or impedes another parked Motor Vehicle, the normal flow of traffic, or any walkway, drive, or road; (iii) in a marked “No Parking” or “Tow Away” area; or (iv) in a marked “Handicapped Parking” area without appropriate authorization and in compliance with laws. Violations of this provision may result in vehicles being towed at the owner’s expense.

5.2 **Bicycles, Skateboards, Scooters, Roller Skates, and Other Devices.** No person, while on Park property will operate or use a bicycle, skateboard, scooter, roller skates, or other like-devices (collectively, “Non-Motorized Vehicles”):

- (A) except upon roads, parking lots, and designated paths or trails;
- (B) in a manner that obstructs vehicle or pedestrian traffic; and
- (C) in a careless or reckless manner that may result in injury to a person or damage to property.

**Section 6: Penalties.**

Any person who violates any provision of this Ordinance will be guilty of a misdemeanor and subject to a fine of not more than \$100 and costs of prosecution, or by imprisonment in Monroe County Jail for a period not to exceed 90 days, or both such fine and imprisonment at the discretion of a court of law with jurisdiction, in addition to any other sanctions, remedies, and judicial orders as are authorized under the laws of the State of Michigan.

**Section 7: Enforcement.**

Law enforcement officers are authorized to issue citations to any person violating this Ordinance, or to expel the violator from the Park, or both. Any member of the Charter Township of Monroe Board or the Parks and Recreation Committee may expel a person from the Park for violations of the Park Regulation Ordinance.

**Section 8: Severability.**

This Ordinance and the various parts, sections, subsections, sentences, phrases and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, section, subsection, phrase or clause is adjudged unconstitutional or invalid, it is hereby declared that the remainder of this Ordinance will not be affected thereby. Nothing in this Ordinance will be construed to conflict,

contravene, enlarge, or reduce any criminal liability or responsibility, including fines imposed by a judge for any criminal offense under Michigan law.

**Section 9: Repeal.**

All ordinances or parts thereof which are in conflict in whole or in part with any of the provisions of this Ordinance are hereby repealed to the extent of such conflict, except that terms defined herein for purposes of interpretation, administration, and endorsement of this Ordinance only will in no way, manner or form repeal, modify or otherwise change the definition of any such terms as used in other ordinances of the Charter Township of Monroe.

**Section 10: Effective Date.**

This Ordinance will become effective thirty (30) days after its publication, or publication of a summary thereof, in a newspaper in general circulation within Monroe Charter Township.

This Ordinance was adopted at a Regular Meeting of the Monroe Charter Township Board of Trustees held on April 16, 2019, with seven Board Members being present and seven voting in favor.

**MONROE CHARTER TOWNSHIP BOARD OF TRUSTEES,  
MONROE COUNTY, MICHIGAN**

By: Bob Schnurr  
Bob Schnurr, Monroe Charter Township Clerk

**ATTESTED:**

By: Alan Barron  
Alan Barron, Monroe Charter Township Supervisor