

**CHARTER TOWNSHIP OF CALEDONIA
COUNTY OF KENT, MICHIGAN**

At a regular meeting of the Township Board of the Charter Township of Caledonia, held at the Township Hall, 8196 Broadmoor Avenue, Caledonia, Michigan on the 17th day of February 2021.

PRESENT: Snoeyink, Harrison, Henry, Zoller, Robertson

ABSENT: Hermenet, Bradshaw

The following ordinance was offered by Snoeyink and supported by Zoller.

ORDINANCE NO. 2021-01

**AN ORDINANCE TO AMEND AN ORDINANCE TO ESTABLISH REASONABLE
RULES AND REGULATIONS FOR THE USE AND ENJOYMENT OF TOWNSHIP
PARKS AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF**

THE CHARTER TOWNSHIP OF CALEDONIA ORDAINS:

Section 1. Title. This ordinance shall be known and may be cited as the “Caledonia Township Parks Ordinance”.

Section 2. Park Hours.

- A. No person shall remain within or enter any Township park except during the park hours specified herein. The park hours shall be from dawn until dark, but no later than 10:00 p.m. with an event reservation unless;
1. Different park hours are established by Township Board resolution and posted in the park, in which case the posted park hours shall apply; or,
 2. A written permit has been issued for alternate hours by the Township, in which case the park hours specified in the written permit shall apply.
- B. The park, or a portion thereof, may be closed entirely or closed to certain uses during any specified period of time by officers of the Township where it is determined that the physical condition of the park or portion thereof is such that intended use of the park or portion thereof would cause damage

or deterioration to the park or portion thereof in a degree greater than ordinary park wear and tear, or that the intended use of the park or portion thereof would create a health hazard or a safety hazard to park users. No person shall enter upon or occupy a Township park or portion thereof contrary to posted notice of closure.

Section 3. Preservation of Property, Natural Features and Wildlife.

- A. No person shall injure, deface, disturb or befoul any part of the park or any buildings, sign, equipment or other property found within a Township park.
- B. Removal, injury or destruction of any trees, shrub, rock or other mineral in a Township park is prohibited.
- C. No hunting or trapping of any kind shall be permitted in a Township park unless specifically approved by the Township Board resolution.

Section 4. Animal Control.

- A. It shall be unlawful for the owner of any animal, or any person in possession of any animal, to permit or allow said animal to be at large, unrestrained, or outside of his or her custody and control, within a Township park.
- B. No aggressive animals are allowed on Township park property.
- C. It shall be unlawful for any person to permit any dog to be in a Township park unless on a leash no more than 6 feet long within said person's grasp, except in such areas designated as "dog parks" or other similar designation by posted notice of the Township.
- D. All pet waste must be cleaned up and disposed of properly.

Section 5. Traffic Control.

- A. No motor or non-motorized vehicles, unless Township owned, shall be permitted in a Township park other than on public roads and in designated areas.
- B. It shall be unlawful for any person to park or store a vehicle, or any part thereof, within a Township park at any time when said person is not present in the park, or during hours when the park is closed. A vehicle left in the park in violation of these requirements may be removed from the park at the owner's expense.

- C. State laws relating to lights on vehicles shall apply to vehicles within a Township park, including off-road vehicles.
- D. No plowing of trails and most sidewalks (aside from the required Village sidewalks) in the Winter Season.

Section 6. Alcoholic Beverages and Controlled Substances.

- A. It shall be unlawful for any person to possess, deliver, sell or use any controlled substance within a Township park. All violations of this Section shall be prosecuted in accordance with the laws of the State of Michigan.
- B. It shall be unlawful for any person who is intoxicated, and who is either endangering the safety of another person or property or is acting in a manner that causes a public disturbance, to remain within a Township park.
- C. The possession, use, dispensing or consumption of beer, wine and spirits, and other alcoholic beverages of any kind is prohibited in Township parks, except that a person may possess and consume beer or wine in a covered shelter or at a Township park picnic table in connection with and ancillary to a picnic or meal or other activity in which the primary purpose is the consumption of food. The Township may also allow for the possession, use, dispensing or consumption of alcohol pursuant to a permit.

Section 7. General Regulations.

- A. **Camping.** There is no overnight camping allowed in Township parks and no person shall establish or maintain any camp or other temporary lodging place in a Township park without a specific written permit from the Township.
- B. **Fires.** No fires by the general public are allowed in Township parks without specific written permission from the Township. Small propane fires for cooking purposes are allowed, however no fires made of wood or charcoal are allowed. All fires shall be put out by the person or persons starting or using the same before leaving the immediate vicinity of the fire. It shall be unlawful for any person to willfully drop, throw, or otherwise discard any fire-starting device, burning tobacco product, or other burning or inflammable material in a Township park.
- C. **Commercial Activities.** No person or organization shall sell or offer for sale any article, privilege, or service or engage in other commercial activity in a Township park without a permit from the Township and/or the Village of Caledonia. Further, no person shall expose, distribute or place any sign, advertisement, circular, notice of statement or display, banner, emblem or design, within the park without a permit from the Township. No soliciting shall be allowed in Township parks.

- D. **Dumping/Trash.** Waste receptacles are for disposing of waste emanating on the park premises. No outside trash shall be brought into a Township park for disposal, and no person shall deposit any garbage or trash other than in receptacles provided by the Township for such purpose within the park.
- E. **Weapons/Firearms.** Except as provided by law, no person shall possess or discharge any firearm or other weapon within a Township park.
- F. **Fireworks.** No fireworks of any kind shall be permitted or discharged within a Township park.
- G. **Swimming/Fishing.** No swimming, wading, ice skating or fishing is permitted in a Township park except in areas specifically designated and posted for that activity by the Township.
- H. **Noise.** The use of loud speakers, public address systems or sound amplifying equipment is prohibited without Township approval. Loud radios, televisions or similar devices are also prohibited.
- I. **General Conduct.** No noisy, boisterous, disorderly or indecent conduct shall be allowed within Township parks.
- J. **Smoking.** Smoking and vaping are prohibited in the park.
- K. It shall be unlawful for any person to use or remain in any portion of a picnic area/pavilion/amphitheater reserved by another person without the permission of the person who reserved the area.

Section 8. Permits, Rules and Regulations.

- A. The Township Board or its designee may adopt rules and regulations and policies consistent with the provisions of this ordinance, including the establishment of charges for and the use of pavilions and other park facilities and the issuance of permits for groups or special uses.

Section 9. Penalties and Enforcement.

- A. Except as provided in subsection B, a violation of this ordinance is a municipal civil infraction, for which the fine should not be less than \$100, no more than \$500 for the first offense, and not less than \$200, no more than \$2,500 for subsequent offenses, in the discretion of the Court, and in addition to all other costs, damages, expenses and actual attorney's fees incurred by the Township in enforcing the ordinance. For purposes of this Section a "subsequent offense" means a violation of this ordinance committed with respect to a separate incident by the same person within 12 months after a previous violation of the ordinance for which such person admitted responsibility or was adjudicated responsible.

- B. A violation of this ordinance which would be a misdemeanor under state law or other Township ordinance shall be a misdemeanor punishable by a fine not to exceed \$500 and costs of prosecution, and court costs, and/or imprisonment in Kent County jail for a period not to exceed 90 days.

Section 10. Publication Effective Date. This ordinance or a summary of its regulatory effect shall be published in a newspaper of general circulation within the Township, within 30 days after adoption. The ordinance shall become effective 30 days after such publication.

AYES: Snoeyink, Harrison, Henry, Zoller, Robertson

NAYS: None

ORDINANCE DECLARED ADOPTED.

Bryan Harrison, Supervisor
Charter Township of Caledonia

Joni Henry, Clerk
Charter Township of Caledonia

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Township Board of the Charter Township of Caledonia at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.

Joni Henry, Clerk
Charter Township of Caledonia

First Reading: January 20, 2021

Second Reading: February 17, 2021

Ordinance becomes effective: March 22, 2021