

# **PENINSULA TOWNSHIP PARKS COMMITTEE**

**August 24, 2022  
Regular Board Meeting  
7:00 pm**

## **AGENDA**

- 1. Call to Order**
- 2. Pledge**
- 3. Roll Call**
- 4. Approve Agenda**
- 5. Brief Citizens Comments-for items not on the agenda**
- 6. Conflict of Interest**
- 7. Consent Agenda:** any member of the board, staff, or the public may ask that any item on the consent agenda be removed and placed elsewhere on the agenda for full discussion.
  - A. Minutes from July 27, 2022
  - B. Correspondence from Jeff & Kerry Malkiewicz: Use of ARPA funds for BHP Playground
  - C. Correspondence from John Jacobs: Clean out sand at Haserot boat launch
  - D. Correspondence from John Jacobs: Status of Haserot/Kelley Park boat launch
  - E. Correspondence from Terri McDermott: Dogs off leash at Bowers Harbor Park
  - F. Correspondence from MI Urban Forestry: DTE Tree Planting Grant Request
- 8. Business**
  - A. New Parks Committee board member: Ronessa Butler
  - B. Pelizarri Natural Area update (Dave Murphy)
  - C. Park Ordinance (Mike Skurski)
  - D. 5-year Rec Plan (Mike Skurski)
  - E. Playground at Bowers Harbor Park #1 pavillion plan (Michele Zebell)
  - F. Open House at Bowers Harbor (Michele Zebell/Mike Skurski)
  - G. Work session on playground plans at Bowers Harbor Park after meeting – all are welcome.
  - H. Parks Rep for next Town Board Meeting
- 9. Citizen Comments**
- 10. Board Comments**
- 11. Adjournment**

Peninsula Township has several portable hearing devices available for audience members. If you would like to use one, please ask the Clerk.

## PENINSULA TOWNSHIP PARKS COMMITTEE

July 27, 2022

Regular Board Meeting

7:00 pm

MINUTES

1. **Call to Order** by Skurski at 7:00 p.m.
2. **Pledge**
3. **Roll Call** Zebell, Dahl, Shanafelt, Murphy, Milliken, Skurski, Karczewski. Excused Chown.
4. **Approve Agenda** Milliken moved to approve the agenda with a second by Shanafelt.  
approved by consensus
5. **Brief Citizens Comments-for items not on the agenda** None
6. **Conflict of Interest** None
7. **Consent Agenda:** any member of the board, staff, or the public may ask that any item on the consent agenda be removed and placed elsewhere on the agenda for full discussion.
  - A. Minutes from June 22, 2022
  - B. Correspondence from Muriel Garbarino: NW Michigan Invasive Species Network
  - C. Correspondence from Dave Murphy: Aug 3 Volunteer Day for Invasive Removal from PNA
  - D. Correspondence from Chuck Lombardo: Trail Mowing at Ridgewood & Murray Trails
  - E. Correspondence from Brent Wheat: Beach Monitoring Report for July 7<sup>th</sup> & 16<sup>th</sup>
  - F. Correspondence from Jeff & Kerry Malkiewicz: Use of ARPA funds for BHP Playground**Murphy moved to approve the consent agenda with a second by Karczewski.**  
approved by consensus
8. **Business**
  - A. Memorial Park Bench Request – (Andrew & Gwen Moroff) Committee discussed the placement of the bench in Bowers Harbor Park. **Karczewski moved to approve the request with a second by Milliken.**  
approved by consensus
  - B. Tennis/Pickleball Court Resurface (Skurski/Zebell)  
**Skurski:** at the last meeting we discussed the resealing of the tennis and pickleball courts for between \$4,000 and \$6,000. That was pulled from the last town board agenda. In talking with Achorn today, the resealing was bundled in with grant money for work on the volley ball court. My personal opinion is maintenance does not score many points when applying for grant money. The volley ball court did not rank very high in the last several public surveys.  
**Karczewski:** I just want to add the township board approved our budget and now we are not able to get this budgeted project done.
  - C. Prioritization of ARPA Funds (Skurski)  
**Skurski:** asked Shanafelt, who is now a trustee to talk about the prioritization of the ARPA funds.  
**Shanafelt:** nothing has happened regarding the ARPA funds. The winery lawsuit court case is August 18, 2022 so that has taken up most of the town board's time right now.  
**Karczewski:** My understanding is all of the grants were applied through Wayne Schmidt's office and all of Michigan State funds have been allocated in the new budget. I did not see any money provided for any of our requested projects.

- D. BHP Playground Quotes from Sinclair Recreation (Zebell) Committee discussed the various options for playground equipment using specific designs and bids from Sinclair Recreation. Option One costs \$285,845 and was favored (all plans and prices are in the packet for the various options).

**Chris Truck** 1117 Quaker Valley Drive

I would like to get copies of these designs and what finally is going to occur. This park is dangerous. If we are taking our grandchildren to the park, my husband goes the night before to spray for the bees now in the tunnels. After seeing a child fall one day on a step, my husband went down and nailed the step. We have now started going to Bryant Park. It proved an embarrassment for our park as 6 of the couples will no longer take their children or grandchildren to Bowers Harbor Park because it is not safe. Where the children play is nothing but holes, mud, weeds, and now the bees.

**Murphy:** I would suggest your husband not take matters into his own hands. We have a grounds person. I worry for your liability in making your own repairs. It would be better to report these concerns as you are doing here tonight so we can take care of these issues.

**Karczewski:** when I see this playground project, I like to see a path to complete the plan. I am not seeing that here. Are we saying this is our priority for ARPA funds?

**Skurski:** The top project from citizen surveys was the bathrooms at the park and then the playground equipment.

**Milliken:** let's postpone the bathrooms by using porta-potties to get safe playground equipment.

**Karczewski:** Carter Oosterhouse had a program called Carter Cares for Kids. I do not know if it is still going. He deals directly with Game Time, who provides the playground equipment. His organization raises the funds locally. Carter for Kids would gain credit for the fundraising and if we use some of the ARPA funds as well, this project might be accomplished.

- E. Review of Committee Structure (Skurski) This group has been together for about 3 years and we are having some members leaving and some new ones coming onto the committee. So I would like each member to give a comment on what went well, lessons learned, what needs to happen in going forward, and what we accomplished.

**Shanafelt:** The LIAA work set a good baseline structure of what was going on in the township. There are new members on the town board and hopefully this work carries forward. The volunteer effort has come together at Archie Park and PNA and I see more volunteer opportunities. The biggest issue for this committee is not having a fixed, spendable budget and it seems the money for this group is arbitrary.

**Dahl:** I have signed up for another 3 years working with this committee. The biggest frustration is not having money to do anything. The maintenance of the bathrooms at locations is poor and there needs to be accountability for this work getting done.

**Karczewski:** The biggest accomplishment was the work with LIAA. The other immense win was for the PNA purchase. I am wondering if we need 7 people as a committee to get big things done. This seems like a group of thoroughbred race horses unable to get out of the gate. The issue is lack of funds and when we do have a small maintenance budget, we cannot seem to get it spent. Sometimes it takes a second or third approval to spend the money allocated to us and there needs to be streamlining of this budget process.

**Zebell:** The work with LIAA was excellent as was the playground equipment at Haserot Beach. The thing missing is a person at the township who makes sure all of the maintenance work is getting done, especially with the bathrooms at all the parks. The little bit of money we did spend went into Archie Park and improved the park considerably. Hopefully, some of the ARPA money will go into our parks.

**Murphy:** Back in 2018, I spearheaded a proposal to eliminate the parks commission. Having two elected bodies manage the parks process over 10 years had not resulted in much being accomplished. The dysfunction within the parks commission and conflicts regarding funding by the town board made

progress difficult. My vision was this committee report directly to the town board, had people who care about parks, and a parks manager within the township monitoring the maintenance. There is a structural problem that remains and this as the biggest frustration. The group is handcuffed with no budget. The LIAA work confirms what we know about the parks. I am really excited about this playground equipment, if this comes to fruition.

**Milliken:** This is a wonderful group of people. There were 4 members of this committee who participated in the volunteer day at Archie Park. There is too much work for the committee members to be the backup on the parks. It is a structural problem which points out how much we need a parks manager. The parks are a huge asset in this community and cannot be run by volunteers alone. I often hear the parks are in bad shape and I tell them we don't have any money. As the peninsula is considered a "wealthy" township, people find it inconceivable there is not money for parks. Without funding, we sit around and talk about stuff and nothing happens.

**Skurski:** I see 3 things. I see maintenance and administration as the same thing. Our issue is one of capacity. We have more work than we have people. The budget process is completely busted. If we get a budget, we should be able to spend the money without needing another approval, which just delays getting anything completed. We need to create another 5 year plan and make sure the financial piece is there for future projects. We don't need expectations higher than capabilities allow.

**Shanafelt:** How many of you are here because of the money we receive? (no one raises their hand). So if that money went to a person making about \$40 per hour, we could probably gain 5 hours a week to have a person help with park priorities. We could vote and make it an actionable item. We are a general township and that is the least large form of government you can have in the state of Michigan. It is designed to not do any government. So a parks committee would probably not exist. That is why there is not enough money. When I joined the town board as a trustee, one item I would like to see is to change the structure of the township.

**Karczewski:** from being the secretary for this committee, I see a whole layer of government. The massive packets, the minutes, the quorums; it does not make sense to have a 7 person board which costs \$22,000. Ideally, this would be on the ballot in 2024 to make this into a charter township.

**Shanafelt:** if this group decides to go from 7 to 5, make sure to lock in the cost of a 7 person board.

- F. Parks Rep for next Town Board Meeting: Skurski to attend the next town board meeting to summarize the review from the committee structure.

## 9. Citizen Comments

**Nancy R. Heller** 3091 Blue Water Road: I have to be careful in how I phrase this. I don't know where this township board is coming from. Call it general appearances. You look at all the weeds in front of the township hall. I don't know how to yank their chain to invest in the parks, which is their own property. Be careful with any ARPA money and know when the money needs to be spent. The town board is pushing for matching grants. Grants don't happen overnight. Being so busy is not an excuse. You heard the women talk about the unsafe playground conditions. We are so concerned about lawsuits and that is a lawsuit just waiting to happen. These are not criticisms, they are concerns. This town board needs to know people who get up and speak are not the enemy; they are voicing concerns. I don't understand all the statutes and procedures required. I do know there is a tremendous amount of duplication to get to an end product. Armen, as a new trustee, I would recommend you go over the invoice list every month. You are going to have a heart attack. The priorities need to be looked at. Our economy is in deep do-do and so are the municipalities and townships. We need to have patience. This is coming from me and just me. There is a real lack of communication. I have lived here 53 years. I have experienced a tremendous amount of committees, boards, and commissions. Let's try to get back to a sense of community. Residents are not the enemy. Wineries are not the enemy. I have

Peninsula Township  
Parks Committee  
July 27, 2022 7:00 p.m.  
Lola Jackson Recording Secretary  
DRAFT MINUTES

always believed we need check and balances. We do need rules, but with a level playing field, not what I call the overkill mechanism. I want to thank Beth and Armen for their service to this committee and wish them good luck.

**10. Board Comments Zebell:** is this Adopt a Park Program still in existence?

**Murphy:** the first request was to the Grand Traverse Land Conservancy, which was Pelizzari, a park they helped to make happen. The conservancy did step up, but I am not aware the program continued.

**Zebell:** the invasive species is getting bad at Bowers Harbor and I am looking into using goats or other options for dealing with the poison ivy. I am not sure the amount of money available with the committee turning over their money would be enough to get all the tasks we did to get done.

**Skurski:** the committee will need a new secretary. This committee has a secretary that does the work as a volunteer. Other boards and commissions have employees of the township creating the packets. This structure needs to be discussed. I want to thank Beth for all her hard work.

**Murphy:** I want to get it on the public record that PDR money has never been used for Pelizzari.

**11. Adjournment Karczewski moved to adjourn with a second by Shanafelt. approved unan**

Meeting adjourned at 8:49 p.m.

**From:** "Treasurer" <[treasurer@peninsulatownship.com](mailto:treasurer@peninsulatownship.com)>  
**Subject:** FW: ARPA Funds - Bowers Harbor Park Playground  
**Date:** July 18, 2022 at 10:12:46 AM EDT  
**To:** "MIKE SKURSKI", "Michele Zebell", "Beth Karczewski", "Mary Beth Milliken", "Dave Murphy", "Pete Dahl"

I'm forwarding an email from Mr. Malkiewicz. He is interested in assisting with the playground vetting.

All the best,

**Margaret Achorn**

Peninsula Township Treasurer  
13235 Center Road  
Traverse City, Mi 49686  
Office (231) 223 - 4484  
Fax (231) 223 - 7117

**From:** Treasurer [<mailto:treasurer@peninsulatownship.com>]  
**Sent:** Monday, July 18, 2022 9:36 AM  
**To:** 'Jeff Malkiewicz'  
**Cc:** [treasurer@peninsulatownship.com](mailto:treasurer@peninsulatownship.com); 'Becky Chown' <[clerk@peninsulatownship.com](mailto:clerk@peninsulatownship.com)>; 'Isaiah Wunsch' <[supervisor@peninsulatownship.com](mailto:supervisor@peninsulatownship.com)>  
**Subject:** RE: ARPA Funds - Bowers Harbor Park Playground

Dear Mr. Malkiewicz,

Thank you for your suggestion on where ARPA funds should be directed.

At the July 12, 2022 Township Board meeting, the Parks Committee was instructed to research playground equipment for Bowers Harbor Park and prepare to apply for a grant application to stretch the ARPA funds. Please contact the Parks Committee with your offer for assistance.

All the best,

**Margaret Achorn**

Peninsula Township Treasurer  
13235 Center Road  
Traverse City, Mi 49686  
Office (231) 223 - 4484  
Fax (231) 223 - 7117

**From:** Jeff Malkiewicz  
**Sent:** Thursday, July 14, 2022 9:06 PM  
**To:** Treasurer <[treasurer@peninsulatownship.com](mailto:treasurer@peninsulatownship.com)>  
**Subject:** ARPA Funds - Bowers Harbor Park Playground

Greetings

I recently read in the OMP newsletter that you are looking for input on how best to direct ARPA funds. I know the list of priorities is endless but I strongly recommend that some funds be earmarked for a new playground at Bowers Harbor Park. This park is a crown jewel of Peninsula

Twp, but quite frankly the current playscape situation is bordering on unsafe. I would gladly volunteer my time to help with researching new equipment and coordinating the installation.

Thank you for your time and consideration.

Jeff & Kerry Malkiewicz  
Horizon Hills

**From:** Dave Murphy <[davemurphy6943@gmail.com](mailto:davemurphy6943@gmail.com)>

**Subject:** Haserot boat launch question

**Date:** July 15, 2022 at 9:42:20 AM EDT

**To:** MIKE SKURSKI <[parksmike49686@gmail.com](mailto:parksmike49686@gmail.com)>, John Jacobs <[jjacobs@jjacobs.com](mailto:jjacobs@jjacobs.com)>

Mike,

I'm forwarding this to you & copying John Jacobs, hoping you might be able to give John an answer:

Date: Fri, Jul 15, 2022 at 8:41 AM

Subject: Parks Question

To: Dave Murphy <[davemurphy6943@gmail.com](mailto:davemurphy6943@gmail.com)>

Hi Dave,

A parks question for you: Who can I contact to let them know that sand is filling up the boat launch at Haserot? I think they have sent a bulldozer to clean it out a couple of times each summer in the past.

Thanks,

John



**From:** John Jacobs <[jjacobs@jjacobs.com](mailto:jjacobs@jjacobs.com)>

**Subject:** Can We Meet?

**Date:** August 20, 2022 at 12:03:08 PM EDT

**To:** [supervisor@peninsulatownship.com](mailto:supervisor@peninsulatownship.com), MIKE SKURSKI <[parksmike49686@gmail.com](mailto:parksmike49686@gmail.com)>

Isaiah and Mike,

Would it be possible for the three of us to meet to discuss the Haserot/Kelley boat launch? The subject is becoming a hot button topic. I think there are some good short term solutions we can discuss as well as long term.

By way of background, I've been deeply involved in all discussions about the launch(es) since the Old Moorings property first came up for purchase by the Natural Resources Trust Fund on behalf of the DNR. I have extensive records of the history, plans, environmental studies, etc. I don't want to sound arrogant about it, but I probably have more knowledge about the subject than anyone else at this point.

Thanks,

John Jacobs

# Parks Commission Request

## Inbox

**Terri McDermott**

Fri, Aug 12, 12:27 PM  
(10 days ago)

Hello Michele and Mike,

I am writing this email after a lengthy discussion with neighbors on Old Mission who use the lighthouse trails frequently, as well as, the Bowers Harbor Park trails to walk not only their dogs, but for personal exercise. I am not sure if either of you are privy to the information posted on the site, but someone started a thread referencing walking their dogs and being approached by off leash dogs who “are supposed to be friendly”.

I have personally had my dog, leashed, and had her attacked by another dog at Bower’s Harbor Park by an unleashed dog. While attempting to put my dogs in the SUV, the same dog went after my 7 year old grandson. I deal with my own anxiety when coming in contact with unleashed dogs on trails and my dog is leashed.

Years ago, while walking our dogs, leashed, on the lighthouse trails, I encountered a couple out exercising and the man became terribly frightened by the presence of two other unleashed dogs and hid behind his wife. We attempted to help distract the dogs until the owners contained them. We found out that the gentleman had been viciously attacked by dogs long ago and suffers terrible anxiety when attempting to walk anywhere that unleashed dogs may approach.

Quite simply a dog park alleviates the need for those to break the rules and allow their dogs to run free without anxiety between dogs. Dogs behave quite differently when confronted, while on leash, by other dogs not leashed and vice versa. I know we are moving in October and until then we continue to use the lighthouse trails and Bowers Harbor Park. I am asking that the Parks Commission address the conflicting signage and information that I’ve attached below. Public parties have posted the signage stating that all dogs must be leashed. Contrary to that signage, your Lighthouse Manager, Ginger Schulz, has posted signage that states quite the opposite. If the below paragraph is accurate from the DNR, it is against the law for dogs to be unleashed on the land. I’ve pasted below what was published, as well as, the pics posted.



Please confirm receipt of this email and respond with your thoughts/actions as soon as possible. Thank you for your attention with this matter.

Thank you,

Terri

Terri McDermott,



**Terri McDermott**

Sat, Aug 13, 11:01 AM  
(9 days ago)

to me, MIKE

This came in also in the discussion. Can you help answer it?

Thanks,

Terri

[Jennifer Venegoni](#)

Author

• [Old Mission Peninsula North](#)

Terri



wondering if, in the course of your Parks Commission contact, could you clarify another point for me? I have observed an individual that, while his 2 large dogs run leash free, he wields very large loppers and has been cutting his way down the trails. All of the large branches he cuts lie where they fall and impede the trails. Two questions: 1) Are we all allowed to cut flora at random in our State Park?  
2) If so, what are the rules for clearing the path.

Terri McDermott,  
ERYT200, ERYT500, IYTA, YACEP, CMA, IPC, SOYA Lead Trainer  
616.894.2410

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**Terri McDermott**

Sun, Aug 14, 1:17 PM  
(8 days ago)

to MIKE, me

What can one do if we see someone doing so?

Terri

Terri McDermott, ERYT200, ERYT500, CMA, IPC

**From:** "Treasurer" <[treasurer@peninsulatownship.com](mailto:treasurer@peninsulatownship.com)>  
**Subject:** FW: Update - 2022 DTE Tree Grant Application Reviews  
**Date:** August 22, 2022 at 8:12:54 AM EDT  
**To:** "MIKE SKURSKI" <[parksmike49686@gmail.com](mailto:parksmike49686@gmail.com)>, "Michele Zebell" <[mzebell.parks@gmail.com](mailto:mzebell.parks@gmail.com)>, "Mary Beth Milliken" <[mbmillikenonpeninsula@gmail.com](mailto:mbmillikenonpeninsula@gmail.com)>  
**Cc:** <[treasurer@peninsulatownship.com](mailto:treasurer@peninsulatownship.com)>, "Becky Chown" <[clerk@peninsulatownship.com](mailto:clerk@peninsulatownship.com)>

See attached update on DTE Grant request.

All the best,

**Margaret Achorn**  
Peninsula Township Treasurer  
13235 Center Road  
Traverse City, Mi 49686  
Office (231) 223 – 4484  
Fax (231) 223 - 7117

**From:** Sayers, Kevin (DNR) [<mailto:SAYERSK@michigan.gov>]  
**Sent:** Friday, August 19, 2022 3:03 PM  
**To:** Sayers, Kevin (DNR) <[SAYERSK@michigan.gov](mailto:SAYERSK@michigan.gov)>  
**Cc:** Sobson, Lawrence (DNR) <[SobsonL@michigan.gov](mailto:SobsonL@michigan.gov)>  
**Subject:** Update - 2022 DTE Tree Grant Application Reviews

Good afternoon,

I'm writing to keep you updated on the status of the ongoing DTE Tree Planting grant application reviews. As we approach September, I know many of you are hoping to hear about the grant awards and plan for a fall tree planting project. Unfortunately, the review process was delayed in starting and has taking longer than expected. At this time, I don't anticipate decisions and announcements until later next month.

I realize this may preclude using these funds (if awarded) to support a fall planting unless you can plan it for late fall after the grants are awarded. Please remember, any expenses outside of the grant award dates will not be eligible for reimbursement. For those who do receive a grant, hopefully a spring planting will still be an option. Otherwise, we will be extending the grant deadline to late September 2023 to facilitate early fall 2023 plantings.

I will keep you posted on further progress but feel free to contact me with any questions.

**Kevin Sayers**  
Michigan Urban Forestry Coordinator  
Phone: 517-582-3209  
Email: [sayersk@michigan.gov](mailto:sayersk@michigan.gov)  
[www.mi.gov/ucf](http://www.mi.gov/ucf)



## **PENINSULA TOWNSHIP PARKS REGULATION ORDINANCE NO. 57 of 2022**

TO REPEAL ORDINANCE NO. 5 AND ADOPT PENINSULA TOWNSHIP PARKS REGULATION ORDINANCE IN CONJUNCTION WITH RESOLUTION CREATING PARKS COMMITTEE

### **Section 1.0 – PURPOSE**

The purposes of the Peninsula Township Parks Regulation Ordinance (the “ordinance”) are as follows:

- (a) To repeal previously enacted Ordinance No. 5 enacted in 2007.
- (b) To recognize the resolution creating the Peninsula Township Parks Committee on February 19, 2019, and amended on October 21, 2019.
- (c) To ensure that the ordinance is consistent with the creation of the Peninsula Township Parks Committee and elimination of the Peninsula Township Park Commission and uniform in application.
- (d) To establish rules and regulations for the use and maintenance of Peninsula Township parks and any township board approved public properties (“township parks”).
- (e) For the protection of the health, safety and welfare of the township and its community, as well as the members of the public using such park or property.
- (f) To provide for enforcement and penalties of associated violations of the ordinance.

### **Section 2.0 – PARKS COMMITTEE**

The Peninsula Township Parks Committee (the “parks committee”) was created by Peninsula Township via board resolution adopted on February 19, 2019, and amended on October 21, 2019. The Peninsula Township Parks Committee replaced the Peninsula Township Park Commission and has been acting in an advisory manner since the creation of the parks committee. The parks committee acts as an advisory body consistent with the board resolution referenced herein. The township board has actual authority regarding this ordinance and shall accept, review, and determine the validity of recommendations from the parks committee as necessary.

### **Section 3.0 – TOWNSHIP PARK PERMITS**

Any group of persons in excess of 50, whether or not members of any organization, before using any township park, is required to obtain a permit from the township by submitting a permit application to the parks committee with such permit pending final approval by the parks committee.

**Any group that would reserve a park facility such as a pavilion, ball field or building will need to obtain a permit.**

Further:

- (a) Fees and/or security deposits regarding permit applications and events shall be established by the parks committee and may be amended from time to time.
- (b) All such fees associated with a permit shall be remitted to the township treasurer.
- (c) All such security deposits shall be held by the township treasurer until such time that the permitted event has completed and compliance with this ordinance by the participants is confirmed, not more than 14 days after such event.
- (d) Any such group of persons in excess of 50 shall submit a certificate of liability insurance naming the township and the parks committee as additional insured for general liability of at least one million dollars per occurrence and of at least two million dollars aggregate prior to any use of the pavilions at Bowers Harbor Park, only.
- (e) The township reserves the right to cancel any permit issued and/or previously approved for any violation of this ordinance or other applicable local, state, or federal law.
- (f) The township reserves the right to deny issuance and/or approval of a required permit if the issuance and/or approval of the same is likely to be a detriment to the public health, safety, and welfare of the township and its citizens in the opinion of the township board.

#### **Section 4.0 – PERMIT APPLICATION REQUIREMENTS**

Any person or entity seeking a permit under Section 4.0 of this ordinance shall submit an application for said permit at least four weeks prior to the planned time for the permitted event , **in order to provide the committee time to review and approve such permit** , unless the township board and/or parks committee determines otherwise.

Such an application shall contain the information required and listed on the Peninsula Township Special Event Application on the township website and/or available at the township offices, including the applicant's name, address, phone number, e-mail address, proposed date of event, type of event, number of proposed attendees, name of park requested for event, whether the application will be bringing tables, chairs, and/or any other equipment, and details reasonably calculated to inform the township of the type, size, nature, and intention of the proposed event.

Any such applicant is to submit its application to the parks committee in accordance with this ordinance along with any fees and/or required security deposit(s).

#### **Section 5.0 – CAMPING & Fires**

Under this ordinance, no camping **or fires are** is allowed on Peninsula Township property.

#### **Section 6.0 – MOTORIZED VEHICLES, EQUIPMENT, TRAILERS AND BOATS**

The use of motorized vehicles (inclusive of automobiles, all-terrain vehicles, motorcycles, motor bikes, and other similar vehicles) in township parks is permissible subject to the following conditions:

- (a) Any such vehicles shall be driven only on designated roadways at speeds of not more than 10 miles per hour. Drivers shall be responsible and liable for any injury to any pedestrians struck or **any material damage** caused by the motorized vehicles **they that** are driving **driven** and/or operating.
- (b) Motorized vehicle parking is permitted only in designated parking areas.
- (c) No overnight parking is permitted in any township park unless said parking is approved by the township in the manner described herein.
- (d) Boats shall be launched and/or beached only at the township's designated sites.

#### **Section 7.0 – USE OF TOWNSHIP FACILITIES**

The use of stoves, grills, and picnic tables already located at the township parks shall be used for no longer than is necessary as to permit their use by the maximum number of people. All such use shall be conditioned on the following:

- (a) Any fires for cooking or any purpose shall be made within the stoves or grills provided for that purpose or within privately owned grills or stoves that are designed to retain ashes and prevent their deposit onto the public grounds.
- (b) No fires are permitted to be built, lit, or continued directly upon the ground.

The following shall also apply to the general use of the township parks:

- (c) Township property shall not be damaged or destroyed and shall be treated with respect for the next user. Any person(s) who damage or destroy township property will be liable for said damages or destruction.
- (d) Dogs and/or other pets brought into township parks shall be subject to the Grand Traverse County Animal Control Ordinance, MCL §287.261, *et seq.* (Michigan's "Dog Law") and any other applicable local and/or state laws.
- (e) No glass or metal objects shall be permitted in the park swimming areas.
- (f) No household refuse shall be brought into the township parks and placed in the trash cans or otherwise deposited within the park. **other than that consistent with the intended use of the parks.**
- (g) All persons within the township parks shall be expected to be courteous, orderly, and to



conduct themselves with respect for the rights of others and to act in accordance with local, state, and federal laws.

### **Section 8.0 – HOURS OF OPERATION**

The township shall establish, as may be amended from time to time, and post reasonable hours for the use of township parks, and may, upon application and permit, extend such hours as it deems reasonably acceptable and in accordance with this ordinance.

### **Section 9.0 – LIABILITY AND ASSUMPTION OF RISK**

Any person(s) using the township parks and/or their facilities and/or motorized vehicles and/or engaging in any other activity on township park property shall assume the risk of any injury, damage, or loss suffered or incurred while within such property. Any person or entity with a park permit shall be liable to the township and to all other lawful users of the township parks as indicated in this section for any loss, injury, or damages caused by such permit holder and/or his/her/its guests and/or from the negligent or reckless use or action associated with the activity, permit, event, or action in which such person, entity, or its guests is engaged.

### **Section 10.0 – VALIDITY AND SEVERABILITY**

Should any section, subsection, and/or provision of this ordinance be declared by any court of competent jurisdiction to be invalid for any reason, the same shall not affect the validity of the ordinance as a whole or any remaining section, subsection, and/or provision of the same, other than the part so declared to be invalid.

### **Section 11.0 – PENALTIES**

Any person, entity, and/or guest of the same who shall violate any provision of this ordinance, who otherwise fails to comply with any of the regulatory measures or conditions of the township board adopted pursuant hereto, shall be subject to a civil infraction, and upon conviction thereof, be fined not in excess of \$500.00 at the discretion of the court with each day such violation continues, or each separate instance of violation shall be deemed a separate offense.

### **Section 12.0 – ENFORCEMENT**

The township board, acting upon its own power and/or at the recommendation of the parks committee, may appoint a park officer, manager, or superintendent who shall have the authority to enforce the rules and regulations of this ordinance and any rules and regulations promulgated by the township. **Any other person or position designated by the township will have the authority to enforce the rules and issue approved fines.**

### **Section 13.0 – REPEAL**

Peninsula Township Park Regulation Ordinance, Township Ordinance No. 5, titled "REPEAL ORDINANCE NO. 7 AND TO REVISE ORDINANCE NO. 5 TO READ AS FOLLOWS PENINSULA TOWNSHIP PARK REGULATION ORDINANCE NO. 5", enacted on September 22, 2007, is hereby repealed upon adoption of this ordinance.

### **Section 14.0 – EFFECTIVE DATE**

This ordinance shall be effective 30 days after legal publication of the same.

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Isaiah Wunsch, Township Supervisor  
Peninsula Township

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Rebecca Chown, Township Clerk  
Peninsula Township



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