

REPEAL ORDINANCE NO 7 AND TO REVISE ORDINANCE NO 5 TO READ AS FOLLOWS
PENINSULA TOWNSHIP PARK REGULATION ORDINANCE
ORDINANCE NO 5

Section 1.0

An ordinance to establish rules and regulations for the use and maintenance of Peninsula Township parks or Town Board approved properties, for the protection of the health, safety and welfare of the community and the members of the public utilizing such facility, and to provide penalties for the violation thereof.

The Township of Peninsula, Grand Traverse County, Michigan ordains:

Section 2.0 NAME

This Ordinance shall be known and cited as the Peninsula Township Park Regulation Ordinance.

Section 3.0 PARK PERMITS

Any group of persons in excess of fifty, whether or not members of any organization, before using any Township Park, may be required to obtain a permit from a person or persons designated by the Peninsula Township Park Commission.

1. Permit fees and/or security deposits shall be as established by the Peninsula Township Park Commission.
2. All fees shall be remitted to the Township Treasurer.
3. Any permits issued may be cancelled for any violation of the Ordinance by any member of the group.

Section 3.1 DENIAL OF PERMIT

A permit may be denied if its issuance shall be likely to be a detriment to public health, safety and welfare in the opinion of the Peninsula Township Park Commission.

Section 3.2 DEADLINE FOR APPLICATION FOR PERMIT

Application for a permit shall be submitted during regular business hours at least 48 hours prior to the time for which the permit is to be issued unless the Peninsula Township Park Commission shall determine otherwise.

Section 4.0 CAMPING

Prior permission from the Peninsula Township Park Commission is required for:

1. Erecting or locating tents or camping trailers; or
2. Overnight camping.

No tents or camping trailers shall be allowed to be erected or located in any township Park that would violate any conservation easement or deed restriction.

Section 5.0 MOTORIZED VEHICLES (INCLUDING ALL TERRAIN VEHICLES AND MOTOR BIKES)

1. Motorized vehicles shall be driven only on designated roadways and at speeds of not more than 10 miles per hour. Drivers shall be responsible and liable for any injury to children or other pedestrians struck by the motorized vehicles they are driving.
2. Motorized vehicle parking will be permitted only in designated parking areas.
3. No overnight parking is allowed in any Township Park unless permission is first obtained from the Peninsula Township Park Commission.

Section 6.0 USE OF FACILITIES

1. Stoves, grills, and picnic tables should not be used or held for longer time than necessary, to permit their use by a maximum number of people.
2. Any fires for cooking must be made within the stoves or grills provided for that purpose or within other privately owned grills which are designed to retain the ashes and prevent their deposit upon the ground.
3. No fires shall be built directly upon the ground.

4. Township property shall not be damaged or destroyed and shall be treated with respect for the next user.
5. The launching or beaching of boats shall be prohibited except at designated sites.
6. Dogs are allowed subject to Grand Traverse County Animal Control Ordinance and the "1919 Dog Law, " MCL 287.261 et seq.
7. No household refuse shall be placed in the trash cans or brought into the parks.
8. No glass or metal objects shall be permitted in the swimming area.
9. Boisterous or obnoxious conduct and the use of profane or obscene language are prohibited.
10. All persons within the Parks shall be expected to be courteous, orderly and to conduct themselves with respect for the rights of others.

Section 7.0 HOURS OF OPERATION

The Peninsula Park Commission shall establish and post reasonable hours for the use of parks provided that the park commission may extend such hours for special events.

Section 8.0 PARK COMMISSION

The Peninsula Township Park Commission shall have the authority to impose additional rules and regulations relating to the use and management of township parks which are designated to protect the health, safety and welfare of those persons using the park facilities and are not inconsistent with the provisions contained in this ordinance. Any such additional rules and regulations shall be first approved by the Peninsula Township Board and be appropriately posted within the parks affected by the same. Any park rule or regulation relating to the use and management of township parkland containing conservation easements or deed restrictions shall not be effective if such rule or regulation violates a provision of the conservation easement or deed restriction pertaining to such park land.

Section 9.0 LIABILITY AND ASSUMPTION OF RISK

Any person using the Peninsula Township Park facilities shall assume the risk of an injury, damage or loss suffered or incurred while within such park. The holder of a park permit shall be liable to Peninsula Township and to all other lawful users of the park facilities for any loss, injury or damage caused by such permit holder and/or his guests or from the negligence or willful or wanton act of such permit holder and/or the holder's guests.

Section 10.0 VALIDITY

Should any section or clause or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of this Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 11.0 PENALTIES

Any person who shall violate any provision of this Ordinance in any particular, or who 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 to exceed \$500.00 at the discretion of the Court, and each day such violation continues shall be deemed a separate offense.

Section 12.0 ENFORCEMENT

The Peninsula Township Board upon the recommendation of the Peninsula Township Park Commission may appoint a Park Officer or Superintendent who shall have authority to enforce the rules and regulations of the Peninsula Township Park Commission as well as the provisions of this ordinance.

Section 13.0 ORDINANCE NO 7 "Peninsula Township Park Commercial Activity Regulation Ordinance" adopted August 7, 1979 is hereby repealed.

Section 14.0 EFFECTIVE DATE

This Ordinance shall take effect thirty (30) days after legal publication.

A copy of this Ordinance may be inspected at 13235 Center Road, Traverse City, Michigan, 49686, between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday.

ROBERT K. MANIGOLD, Supervisor
MONICA A. HOFFMAN, Clerk
Peninsula Township Board
Passed by the Township Board on:
August 14, 2007
Prepared in the law offices of:
Running, Wise & Ford, PLC
By: Richard W. Ford (P13569)
326 E. State Street, P.O. Box 686
Traverse City, MI 49685-0686

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TO THE RECORD EAGLE:

Please publish on: August 23, 2007

Please send affidavit to: Monica A. Hoffman

Please send bill to: Monica A. Hoffman
Peninsula Township Clerk
13235 Center Road
Traverse City, MI 49686

SENT TO THE RECORD EAGLE ON AUGUST 17, 2007