

NEWAYGO COUNTY PARKS RULES AND REGULATIONS

PREAMBLE

An ordinance to regulate and control all lands, waters, and property administered by or under the jurisdiction of the Newaygo County Park Commission.

WHEREAS, MLCA 46.11; MSA 5.331, authorizes the Newaygo County Board of Commissioners to enact ordinances relating to county affairs; and

WHEREAS, MLCA 46.351; MSA 45.570(101) authorizes the Newaygo County Board of Commissioners to make rules and regulations with respect to the County Parks and Recreation Commission as the Board of Commissioners considers advisable; and

WHEREFORE, the County Board of Commissioners of Newaygo County believes that the safety and general welfare of the People of the County would be enhanced by the enactment of a County Ordinance regulating and controlling all lands, waters, and property administered by or under the jurisdiction of the Newaygo County Park Commission.

NOW, THEREFORE, BE IT ORDAINED by the County of Newaygo, Michigan as follows:

DEFINITIONS

1. "Commission" shall mean the Newaygo County Park Commission.
2. "Commission Property" shall mean all lands, waters, and property administered by or under the jurisdiction of the Newaygo County Park Commission.
3. "Person" or "person(s)" shall mean individuals, male or female, singular or plural; firms, corporations, or any group of individuals.
4. "Camping" means the overnight lodging or sleeping of person or persons in a cabin, tent, trailer-tent, motorhome, trailer-coach, vehicle camper, motor vehicle, or in any other conveyance erected, parked or placed on the premises within any park or recreation area administered by the Newaygo County Park Commission.
5. A "campsite" shall not consist of more than one (1) picnic table, one (1) fire pit, one (1) electric outlet (where available), one (1) water spigot (where available). It's boundaries shall be the distance between campsite marking posts on both sides, and a line formed by the electric box in the rear (if available). The size will be determined by the park manager.
6. "Quiet Hours" means a designated period of time during which all noise, conversation or activity shall be confined to the boundaries of the campsite.
7. "Day use" shall mean the use of Commission property between 7 a.m. and sunset by person or persons not registered to camp nor visiting campers.
8. "Motor driven vehicle" means a vehicle, motor vehicle, or vehicle operated or designed for operation upon a public highway by power other than muscular power including motorcycles.
9. "Motorcycle" means a vehicle having a saddle or seat for the use of the rider, designed to travel on not more than 3 wheels in contact with the ground, which is equipped with a motor that exceeds 50 cubic centimeters piston displacement.

APPLICATION OF ORDINANCE

The provisions of this ordinance shall apply to and regulate and control all lands, waters and property administered by or under the jurisdiction of the Newaygo County Park Commission.

HOURS

- a) No person shall enter or remain upon Commission property between sundown and 8:00 a.m., except at designated camping area. Said hours may be extended upon approval of the Commission.
- b) No person shall enter or remain upon Commission property when Parks Commission personnel have posted at the property entrance that such property is closed to public use or entry.

FEES AND CHARGES

- a) No person shall use any facility, land or area for which a fee and charge has been established by the Commission without payment of such fee or charge.
- b) No person shall occupy a site for which a fee is charged until the entire fee has been paid.
- c) Refunding of any unused portion of the camping permit will be permitted in cases of disabling sickness or death only. All refund requests must be submitted to the Park Commission Office. The burden of proving entitlement to the refund shall be on the permittee and the decision of Parks Commission personnel shall be conclusive. An administrative fee, as established by the Commission, shall be charged on each approved refund.

PERMITS AND REGISTRATIONS

- a) Registration shall be by means of an official permit.
- b) The person registering must be at least 18 years or older and the minor persons using the permit must at all times be accompanied by a person 18 years of age.
- c) An organized youth group camping with their leaders' shall be registered on one permit.
- d) The person registering for a permit shall provide the names of the persons at the site, upon request.
- e) A permit holder shall only occupy a site assigned by a park officer.
- f) A person registering for a permit shall comply with the registration line-up procedures as posted at each park.
- g) A valid daily or annual vehicle permit shall be permanently displayed in a location, clearly visible, on the inside lower left side of the windshield of any vehicle entering upon Commission property requiring such a permit.
- h) Removing all personal property from a campsite for a period longer than 24 hours without notifying the Park Manager shall constitute abandonment of the site and shall allow the site to be rented at 8:00 a.m. the morning after abandonment is determined.
- i) Nothing contained herein shall exempt the users of reserved facilities from full compliance with all laws, ordinances, and rules of the Commission relating to use and conduct on Commission property.

RESERVATIONS

Reservations will be accepted at Henning Park, Sandy Beach Park and Pettibone Lake Park.

CAMPING

No person shall:

- a) Camp except in areas provided and designated for such use.
- b) Camp without a permit.
- c) Allow a campsite to be occupied by more than 8 individuals.
- d) Allow minors to occupy a campsite without adult supervision.

- e) Allow more than two motor driven vehicles and one primary camping unit to occupy a single campsite between the hours of 10 p.m. and 7 a.m.
- f) Create a disturbance to disrupt the peace, quiet and tranquillity of the camping area during quiet hours of 11 p.m. and 7 a.m.
- g) As a non-camper visit campers, or as a camper allow non-camper visitors, between the hours of 10 p.m. and 7 a.m.
- h) Wash dishes at pumps or drinking fountains; fail to clean campsites daily; or discharge water of any type. except in designated containers, drains or dumping stations.
- i) Occupy a campsite after checkout time (3 p.m.) on the last day covered by the permit.
- j) Use the parks for permanent residence or business operations.

UPON VIOLATION OF CAMPING RULES, IN ADDITION TO ANY OTHER REMEDY PROVIDED FOR, A PARK OFFICER MAY REVOKE THE PERMIT AND EXPEL THE OFFENDING PERSON(S) FROM THE PARK. **(NO REFUND.)**

FIRES

No person shall:

- a) Willfully set fire to or cause to be set fire to any tree, woodland, brushland, grassland or meadow.
- b) Build any fire except within receptacles or open spaced approve and designated for such purposes or allow fires to be outside the confines of the designated receptacle or approve open space.
- c) Drop, throw or scattered lighted matches, burning cigars, cigarettes, tobacco paper or other flammable material within or upon Commission property.
- d) Dispose of coals or ash except in designated areas provided for such purposes.
- e) Leave a fire unattended.
- f) Leave infants or children unattended near fires or hot receptacles.
- g) Build a fire of a size larger than that approved by a park manager, which size may be limited, or prohibited entirely in the interests of fire safety based on existing conditions or circumstances.

MOTOR DRIVEN VEHICLES (see additional rules for motorcycles)

No person shall:

- a) Operate a motor driven vehicle of any kind or nature except on designated roads and parking areas.
- b) Operate a motor driven vehicle on any park road at a speed exceeding 10 miles per hour or at any speed greater than that posted.
- c) Violate provisions of the Motor Vehicle Code Act #300 of the Public Acts of 1949, as amended.
- d) Operate any non road licensed motor driven vehicle on an Commission property.
- e) Form an obstruction to traffic upon any roadway or in parking area.

Park maintenance vehicles, emergency vehicles, and motorized enabling vehicles are exempt from the above rules.

MOTORCYCLES

- a) Appropriate vehicle stickers must be purchased and affixed to the motorcycle, as directed by the park officer.
- b) In order to be admitted to the park the motorcycle must be licensed for on road travel.

c) Shall comply with all other rules and regulations governing motor driven vehicles, not inconsistent with this paragraph.

PARKING IN PROHIBITED AREAS

No person shall stop, stand or park:

a) A motor driven vehicle in any place marked as a passenger or loading zone, other than for expeditious loading or unloading and delivery or pick up and loading of materials.

b) A motor driven vehicle, or any trailer, boat, or other towed vehicle of any kind, upon any roadway or in any parking area in such manner as to form an obstruction to traffic thereon.

BOATING

a) No person shall bring into, launch, moor, use or navigate any boat, canoe, raft, or other watercraft upon any watercourse, lagoon, lake, pond or slough located within or upon Commission property, except at such time or place as may be provided or designated for such purpose. All such watercraft shall comply with all Federal and State laws and all rules and regulations governing the use and operation of watercraft.

b) No person shall launch a watercraft from Commission property without paying appropriate launch fees, set by the Commission.

c) Watercraft must be removed from the park and surrounding water when camping permit expires. A person must be a registered camper at the park to leave a boat overnight.

d) Watercraft may only be moored or anchored in designated areas.

e) Boat docks, including mooring or other tie down devices or structures may not be constructed or installed. Any of the above, not constructed by the Park Commission will be removed.

f) No watercraft are allowed within 100 feet of designated swimming areas.

g) Day use watercraft trailers may be parked in designated camping areas only and must remain attached to tow vehicle.

h) Campers must keep their watercraft trailers on their campsite.

i) Motor driven vehicles, watercraft, trailers, and other property left on Commission property in violation of these rules are subject to removal and impoundment. The owner may reclaim possession of such property upon payment of the charges incurred on such property, for its removal and storage.

j.) No person shall violate a boating rule or regulation established by the Parks Commission and posted at the boat launch.

OPERATION OF BICYCLES

Bicycles shall be operated as closely to the right-hand side of the path, trail or roadway as conditions permit and shall be ridden single file. No person shall:

a) Operate a bicycle in a manner which endangers pedestrians, oneself and other bicyclists.

b) Ride upon or carry any person upon a bicycle handlebar or frame.

c) Operate a bicycle between sunset and sunrise.

PEDDLING AND SOLICITING

No person shall peddle or solicit business of any nature whatever, or distribute handbills, or other advertising matter, or post unauthorized signs on and lands, waters, structures, or property of the Commission, unless first authorized in writing by the Commission or its authorized agent.

LOUDSPEAKERS

No person shall use a loudspeaker, public address system or amplified equipment within or upon Commission property without written permit issued by the Commission or its authorized agent.

LITTERING

No person shall:

- a) Discard, or deposit refuse of any kind or nature except by placing said refuse in containers, provided for such purpose.
- b) Throw, lay, drop or discharge into or leave in lands or waters any substance, matter or thing, liquid or solid, which may or shall result in the pollution of said lands and waters.

PERSONAL CONDUCT

No person shall:

- a) Be under the influence of intoxicants, narcotics, or other mind affecting drugs, unless prescribed by a physician.
- b) Bring alcoholic beverages onto Commission property except for personal consumption in moderate amounts in conjunction with day use activities, camping and reserved group functions. The sale, furnishing, and/or distribution of alcoholic beverages in any manner whatsoever is prohibited. Additionally, alcoholic beverages in kegs or bulk containers are prohibited.
- c) Engage in any violent, abusive, loud, boisterous, vulgar, lewd, wanton, obscene or otherwise disorderly conduct tending to create a breach of the peace, or disturb or annoy others, while in or on any Commission property.
- d) Conduct or participate in any form of gambling, lottery or game of chance upon Commission property except as permitted by state law and approved by the Commission.
- e) Play a radio, boombox or other stereo equipment in a loud, boisterous, or annoying manner.

SWIMMING, BATHING AND WADING

No person shall:

- a) Swim, bath, wade, snorkel or scuba dive in any of the watercourses, lakes, ponds or sloughs, located within or upon Commission property except at such times and places as may be designated for such purposes.
- b) Have glass containers on any beach area or in the water adjacent thereto.
- c) Tamper with, remove, destroy or in any manner whatsoever render useless equipment designated and situated for water rescue and safety purposes.
- d) Use such equipment for any purpose other than water rescue or safety purposes.

DESTRUCTION OF PROPERTY

No person shall:

- a) Willfully destroy, deface, alter, or change or remove any monument, marker, survey line, post or other Park reference point.
- b) Cut, break, deface, engrave or otherwise injure in any manner Park property, facilities, fixtures, fencing or structures.

DESTRUCTION OF PLANT LIFE AND NATURAL SURROUNDINGS

No person shall:

- a) Cut, remove, chip, blaze, box, girdle, trim, pick, gather, uproot, remove, deface or destroy any flower, plant, grass, tree, sapling, seedling, bush or shrub.
- b) Remove or cause to be removed any sod, earth, humus, peat, boulders, gravel or sand, without written permission of the Commission.

Park maintenance operations are exempt from the above rules.

HUNTING, FISHING, TRAPPING

No person shall:

- a) Hunt, trap, catch, wound, kill or treat cruelly any bird or animal. Molest or rob, any nest, lair, den or burrow of any bird or animal in or upon any land or waters administered by the Commission.
- b) Fish, hunt or trap on lands and waters administered by the Commission, except, in compliance with the laws of the State of Michigan and rules and regulations of the Department of Natural Resources, and only in areas designated for such purposes.

FIREARMS

No person shall:

- a) Have in possession a firearm or bow unless licensed and only during the appropriate hunting season.
- b) Carry or have in possession a firearm unless unloaded in both barrel and magazine.
- c) Carry or have in possession a bow with an arrow in the release position.
- d) Carry or have in possession an uncased firearm or bow unless properly licensed and only during the appropriate hunting season and only while traveling to and from the hunting area.
- e) Store firearms and ammunition unless kept on locked cases and/or trigger guards attached when not in use.
- f) Discharge a weapon of any kind, including an air rifle, air pistol, pellet gun, sling shot or crossbow, on Commission property except at times and in locations authorized by the Commission for such purpose.

PETS

If you have a pet, you must abide by the following rules, Failure to comply shall subject you to any remedy provided for violation of these rules, including immediate eviction of the pet and owner.

- a) The only pets allowed are domesticated dogs, cats and small birds in cages. The park staff may allow a pet not specifically defined above if they find it to be similar in size, characteristics to a domestic dig or cat, however the following specifically are not allowable as pets:

POISONOUS OR POTENTIALLY DANGEROUS SNAKES AND OTHER REPTILES,
SPIDERS OR INSECTS.

BIRDS OF PREY SUCH AS EAGLES, HAWKS, AND OWLS.

SMALL FUR BEARING ANIMALS: RACCOONS, SKUNKS, SQUIRRELS, MONKEYS,
MINKS, FERRETS, FOX, ETC.

BOBCAT, LYNX OR LIONS.

WOLF, HALF WOLF OR COYOTE.

LARGE ANIMALS SUCH AS BEARS OR LIVESTOCK.

The park staff , at the time of registration, has final approval as the admittance of a pet in question.

The park staff may refuse to admit any domestic dog or cat which exhibits dangerous or vicious behavior which could be a hazard to other persons in the park.

Any animal which serves as an enabling aid to a vision impaired or physically handicapped person shall be allowed as an exception to these rules at any Newaygo County Park.

- b) Never leave your pet unattended.
- c) Your pet must be on leash, not to exceed 6 feet in length.
- d) Pets are not allowed on the beach or in picnic areas.
- e) Clean up after your pet!
- f) All owners shall be responsible to keep their pets quiet.
- g) There shall only be 2 pets allowed per campsite.
- h) Your pet must have current rabies shot, and/or usual and customary shots required for the type of pet. Proof may be required before entrance into the park.

EMERGENCY POWERS

Nothing in these rules shall:

- a) Prohibit or hinder any Commission employee or agent, or any peace officer from performing their official duties.
- b) Prohibit the Commission from establishing emergency rules required to protect the health, welfare, and safety of park visitors; to protect park property; to maintain order.

VIOLATION OF RULES

In addition to any administrative penalty provided for herein, any person violating any provision of the foregoing rules shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$100, as well as ordered to pay prosecution and court costs and to pay for the restitution or repair of any damaged Park property. Any person violating any portion of this Ordinance may also be imprisoned in the county jail for a period not exceeding 90 days, in the discretion of the court.

AVAILABILITY

A copy of this Ordinance and any other rules or regulations at the main office at the Parks Commission and at the office of any Park property with an office. Actual knowledge of any of the provisions of this Ordinance or other Park rule is not, however, a requirement to its effectiveness or enforcement of this Ordinance or the rule.

SEPARABILITY

The provisions of this ordinance are separable, and the invalidity of any phrase, clause or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

EFFECTIVE DATE

This Ordinance shall become effective on the date that Notice of Adoption is published in a newspaper of general circulation in the County. At the time this Ordinance takes effect the existing Park rules promulgated under the authority of Public Act 261 of the State of Michigan (1965), as amended are hereby repealed.

Authenticated by: Larry M. Hansen, Chair, Newaygo County Board of Commissioners
Attested By: Morey L. Butler, Newaygo County Clerk