

PARK RULES



Pursuant to Act 261 of the Public Acts of the State of Michigan of 1965, as amended, the Midland County Parks and Recreation Commission herewith promulgates and publishes the following rules for the use, protection, regulation and control of all of its services, facilities and parks, recreation, conservation, education, historic and scenic areas and preserves and parkways. Amendments may be made to these rules from time to time in accordance with this act.

SECTION 1 MIDLAND COUNTY PARKS AND RECREATION LANDS, MISCELLANEOUS, UNLAWFUL ACTS

It shall be unlawful:

- 1.1 For any person to enter or remain upon property administered by the Commission between the hours of sunset and sunrise, or specifically posted hours of operation without proper written permission.
 - 1a) To enter a county park without first obtaining a permit as required by the park rules.
 - 1b) For any person to enter a park that has been posted temporarily closed to vehicle and pedestrian traffic.
- 1.2 To remove, deface or to injure any building, property or vegetation.
- 1.3 To sell or offer for sale food, drink, ice, newspapers, or other items without first obtaining proper written permission.
- 1.4 To peddle or systematically solicit business of any nature, or to distribute handbills or other advertising matter, to post signs on any lands, waters, structures or property, or to use such areas as a base of commercial operations without proper written permission.
- 1.5 To use a loudspeaker, public address system or sound amplifying equipment of any kind without proper written permission. Permission will not be granted if in the determination of the Parks and Recreation Director such a system is capable of interfering with the use and enjoyment of the park by others. No person may operate any motor boat, motor vehicle, radio, television or any other device in such a manner that it produces excessive noise.
- 1.6 To engage in any violent, abusive, loud, boisterous, vulgar, lewd, wanton, obscene or otherwise disorderly conduct tending to create a breach of the peace or to disturb or annoy others.
- 1.7 The parking lots in all county parks are hereby closed to all park activities except the parking of vehicles and the entry and exit from those vehicles. Activities including, but not limited to picnicking, consuming alcoholic beverages, and game playing are prohibited.
- 1.8 To build fires except in designated places or in approved stoves or grills, as approved by an authorized representative of the Midland County Parks and Recreation Commission.
- 1.9 To deposit refuse or waste material which has originated outside a park in receptacles provided for park users, to litter or discard refuse of any kind except in receptacles provided for park users, to set fire to the contents of a trash container or to place or burn garbage in a fire ring or stove.
- 1.10 To moor, anchor, or otherwise place any boat within 100 feet of any area designated for swimming or bathing and to store or leave a boat between the hours of 10:00 p.m. and 7:00 a.m. without first obtaining proper written permission. Permission will not be granted except in cases of emergency.
- 1.11 For any person to have glass beverage containers outside of designated picnic areas.
- 1.12 To interfere with, or in any manner hinder, any employee or agent of the Commission while they are performing their official duties.

- 1.13 To interfere with any park employee or agent during the discharge of his/her duties; or fail or refuse to obey any lawful command of any Commission employee or agent.
- 1.14 To impersonate any employee or agent of the Commission for any reason whatsoever.
- 1.15 To continuously loiter or cruise in any motor vehicle through and around any park drive, picnic area or campground for the purpose of attracting or distracting persons.
- 1.16 To operate a metal detector within any property administered by the Commission without obtaining permission from the Parks Director or his/her designated park supervisor.
- 1.17 To camp overnight on park property without proper written permission.

SECTION 2 MOTOR VEHICLES, UNLAWFUL ACTS

It shall be unlawful:

- 2.1 To operate or park a motor vehicle except on roads or designated parking areas; to operate a motor vehicle on a road or parking lot at a speed exceeding 10 miles per hour, in an unsafe manner, at a speed greater than that posted, or to disobey traffic signs. When a motor vehicle is found parked in a county park or recreation area, the registration plate displayed on the motor vehicle shall constitute prima facie evidence that the owner of the vehicle was the person who parked it on the location where found.
- 2.2 To operate an off-the-road motor-driven vehicle such as a minibike, motorcycle, dunemobile, snowmobile, converted snowmobile, amphibious vehicle, or any other motorized device except on designated roads, trails or areas posted for such use without proper written permission.
- 2.3 To violate provisions of the Motor Vehicle Code Act #300 of the Public Acts of 1949, as amended. This act is hereby adopted in its entirety and made a part and incorporated herein by reference.

SECTION 3 BICYCLES AND OTHER WHEELED NON-MOTORIZED RECREATION AND/OR TRANSPORTATION DEVICES, UNLAWFUL ACTS

It shall be unlawful:

- 3.1 To operate in a negligent, unsafe or reckless manner or in a way that endangers the life, limb or property of any person.
- 3.2 To operate excessive speeds, especially when passing other trail users, or in areas with short sight distances, or in an irresponsible manner in violation of posted trail rules, etiquette or posted speed limits.
- 3.3 To operate on single track hiking or horseback riding trails.
- 3.4 To operate on any non-motorized trail which has been temporarily closed for safety reasons.

SECTION 4 ANIMALS, UNLAWFUL ACTS

It shall be unlawful:

- 4.1 To possess a dog or other animal unless the same shall be under immediate control on a leash not exceeding 6 feet in length. To have a dog or other animal within a water or land area designated as a bathing beach, or in any other water area used for swimming or wading; to bring a dog or other animal into an enclosed park building or to leave a dog or other animal unattended at any time; to permit a dog or other animal to run loose, create a disturbance or to fail to properly control a dog or other animal. Any dog found not in the possession or under the immediate control of its owner, or the owner's agent, or any dog creating a nuisance or disturbance, may be removed from the park.
- 4.2 To ride, permit or allow horses or other riding animals, except on bridle trails designated by the Commission.

SECTION 5 ALCOHOLIC BEVERAGES

It shall be unlawful:

- 5.1 To possess or consume alcoholic beverages within the property comprising the Pere Marquette Rail-Trail of Mid-Michigan.
- 5.2 No person shall have in their possession any alcoholic beverages other than beer or wine. Intoxicating liquors (distilled rather than fermented alcoholic beverages) are not permitted.

SECTION 6 FIREARMS AND HUNTING, UNLAWFUL ACTS

- 6.1 To possess firearms, air guns, fireworks and bow-and-arrows within any area under the jurisdiction of the Parks and Recreation 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.
- 6.2 To hunt, trap, fish, 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, 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.

SECTION 7 DEFINITION OF PROPER WRITTEN PERMISSION

- 7.1 "Proper written permission" as used in these rules means a permit issued by the Midland County Parks and Recreation Commission or an authorized representative.

SECTION 8 REIMBURSEMENT FOR DAMAGES; JUDGEMENT; COLLECTIONS; JOINT CONVICTIONS; MINOR DEFENDANT

- 8.1 In addition to the penalties provided for in Act 261 of the Public Acts of The State of Michigan of 1965 for violating its provisions, any person convicted of an act of vandalism or destruction of property shall reimburse the Commission for up to three (3) times the amount of the damage as determined by the court.
- 8.2 In every case of conviction for the offenses, the court before whom such conviction is obtained, shall enter judgment in favor of the Commission and against the defendant for liquidated damages in a sum as provided in subsection 8.1. The Commission shall, with the assistance of the prosecuting attorney, collect the award by execution or otherwise. If two (2) or more defendants are convicted of the vandalism or destruction of property, the judgment for damages shall be entered against them jointly. If the defendant is a minor, the judgment shall be entered against his/her parents. This section is authorized by MCLA 318.255; MSA 13.1064(5).

SECTION 9 WILLFULLY REMAINING ON THE PREMISES

Upon violation of the Park Rules, the Commission may revoke any permits and expel the offending person from the park, provided:

- 9.1 The offending person is notified by the Director of his designee that:
 - 1a) The person is such Director or designee, and;
 - 1b) The offending person is in violation of properly promulgated (enacted) rules of the County of Midland.

- 9.2 It appears to the Director or his designee that the offending person is in fact in violation of such rules.
- 9.3 The offending person is directed to leave Commission property.
- 9.4 The offending person remains, and thereby:
 - 9a) Constitutes a clear and substantial risk of physical harm or injury to other persons or of damage or destruction to Commission property and facilities, or;
 - 9b) Constitutes an unreasonable prevention or disruption of the customary and lawful functions of the Commission.

SECTION 10 EMERGENCY POWERS

Nothing in these rules shall:

- 10.1 Prohibit or hinder duly authorized agents of the Commission or any peace officers from performing their official duties.
- 10.2 Prohibit the Commission, Director, or Parks Supervisor from establishing emergency rules required to protect the health, welfare and safety of park visitors and to protect park property and maintain order.

SECTION 11 PENALTIES

- 11.1 Violation of any rule or failure to perform any act set forth in the rules is punishable by a fine of not more than \$100.00 and costs of prosecution, or by imprisonment in the County jail for not more than 90 days, or both fine and imprisonment in the discretion of the Court.

Rules adopted by the Midland County Parks and Recreation Commission May 26, 1970 as amended and adopted by the Midland County Board of Commissioners on June 16, 1970, April 25, 1978, and December 16, 1986.

The above amendments adopted by the Midland County Parks and Recreation Commission May 4, 1994 and by the Midland County Board of Commissioners June 21, 1994.

The above amendments adopted by the Midland County Parks and Recreation Commission June 6, 2012.