

**TOWNSHIP OF PRAIRIEVILLE
BARRY COUNTY, MICHIGAN**

NOTICE OF ADOPTION OF ORDINANCE

TO: THE RESIDENTS AND PROPERTY OWNERS OF THE TOWNSHIP OF PRAIRIEVILLE, BARRY COUNTY, MICHIGAN, AND ANY OTHER INTERESTED PERSONS:

PLEASE TAKE NOTICE that the following is a summary of Ordinance No. 175 which was adopted by the Prairieville Township Board at a regular meeting on April 13, 2022.

**ORDINANCE NO. 175
PRAIRIEVILLE TOWNSHIP PARKS AND RECREATION ORDINANCE**

- SECTION I** **TITLE.** This Ordinance shall be known as the Prairieville Township Parks and Recreation Ordinance.
- SECTION II** **DEFINITIONS.** This section includes applicable definitions.
- SECTION III** **REGULATIONS.** This section includes regulations for use of Township Parks, including site entry fees and general regulations regarding hours of operation, parking, motor vehicle, boats/trailers and fuel powered engines regulations, regulations regarding fires, use of weapons and animals at Township Parks, and regulations for special events.
- SECTION IV** **LIABILITY AND ASSUMPTION OF RISK.** This section includes assumption of risk for using Township Parks.
- SECTION V** **PENALTY.** Violation of this Ordinance is a municipal civil infraction.
- SECTION VI** **SEVERABILITY.** The provisions of this Ordinance are severable.
- SECTION VII** **REPEAL.** All ordinances or parts of ordinances in conflict are repealed.
- SECTION VIII** **EFFECTIVE DATE.** This ordinance is effective thirty (30) days following publication, after adoption.

PLEASE TAKE FURTHER NOTICE that the full text of the above Ordinance is posted in the Office of the Prairieville Township Clerk at the address below and that a copy of the Ordinance may be purchased or inspected at the Township Clerk's office during regular business hours of regular working days following the date of this publication.

PRAIRIEVILLE TOWNSHIP
Rod Goebel, Clerk
10115 S. Norris Road
Delton, Michigan 49046
(269) 623-2664

PRAIRIEVILLE TOWNSHIP ORDINANCE NO. 175

ADOPTED: April 13, 2022
EFFECTIVE: May 21, 2020

PRAIRIEVILLE TOWNSHIP PARKS AND RECREATION ORDINANCE

An Ordinance to regulate the use of Prairieville Township parks and public access areas; to provide penalties for violation of this Ordinance; and to repeal any Ordinance or parts of Ordinances in conflict herewith.

THE TOWNSHIP OF PRAIRIEVILLE

BARRY COUNTY, MICHIGAN

ORDAINS:

SECTION I

TITLE

This Ordinance shall be known and cited as "The Prairieville Township Parks and Recreation Ordinance."

SECTION II

DEFINITIONS

As used in this ordinance, the terms herein have the following meanings:

- A. "Designated" means posted with a sign or signs at the site or otherwise reasonably identified for a particular use.
- B. "Written Permission" means written prior approval issued by the Prairieville Township Parks and Recreation Commission or by a representative authorized by the Commission to issue such a permit.

- C. "Camp" means the erection of any tent, the opening or setting up of a tent-type camper, the parking or occupancy of a travel or house trailer or sleeping in any type of bag or in any other manner during closing times.
- D. "Special Event" or "Activity" means any event or activity that may restrict, impede, prevent, or otherwise interfere with the use of the site by others or any event or activity that may require the temporary suspension of a provision of this Ordinance by the Commission.
- E. This Ordinance shall apply to all municipal parks, ball diamonds, boat launches and recreation areas within Prairieville Township which are owned or operated by Prairieville Township whether they exist at the time of adoption of this Ordinance or are created in the future. Present sites in Prairieville sites in Prairieville Township to which this Ordinance is applicable include:
1. Boat launches at Upper and Lower Crooked Lake
 2. Boat launch at Pine Lake
 3. Boat launch at Gull Lake
 4. Pine Lake Recreation Area
 5. Parker Road Park
 6. Prairieville Municipal Park, including the Municipal Ball Diamond
- F. The Township Board may designate by resolution additional parks or premises to which this Ordinance shall apply.
- G. A "person" violating Section III, Regulations, of this Ordinance is defined as the registered owner[s] of any vehicle, trailer or watercraft found to be in violation of any Regulation contained in Section III.
- H. "Parking Space" means a designated area for which a fee has been paid for the parking of: (1) a vehicle in a standard space, or (2) a vehicle with an attached trailer in an extended space.

SECTION III
REGULATIONS

A. Site entry fees shall be established and changed by resolution of the Prairieville Township Parks and Recreation Commission. Notice of any such fee shall be posted conspicuously near the entrance of a site. Fees are to be paid by both Prairieville Township residents and nonresidents. The fee paid at each site is good only at that site. Annual passes are good at all sites.

B. The following regulations apply to all persons, firms, corporations, or other organizations using any Prairieville Township parks, grounds, or facilities or lake access areas owned or operated by Prairieville Township; these regulations are in addition to, not in derogation of, any other provisions of these regulations:

1. General Regulations

a. No one shall park vehicles, recreational vehicles, or trailers of any kind within a designated lake public access area without payment of an established parking fee. Payment of such fee is to be made immediately upon entry. At sites employing an envelope system, a proof of payment numbered slip must be prominently displayed on the vehicle's dashboard. At sites equipped with an automated gate, a receipt must be prominently displayed on the vehicles' dashboard. Annual passes may be used for entry to all park sites. Annual pass hang tags must be hung on the vehicle's rear-view mirror. Parks and Recreation Commission members or a Parks' staff members may provide entry to the parks for emergency, repair, construction or like personnel and in unique circumstances which a timely response is required.

b. No one shall enter upon or remain in a Township site (i.e. a park or adjoining beach or swimming area or a lake public access area (except to recover a

boat) during closing times posted on the premises by order of the Prairieville Township Parks and Recreation Commission.

c. No one shall dispose of refuse, trash, garbage or waste material anywhere on the premises except in receptacles provided for that purpose and only if the refuse, rubbish, trash, garbage or waste material resulted from the use of the premises.

d. No one shall lounge, sit or lie upon walks, driving lanes, roads or paths or parking areas so as to obstruct the free passage of other persons.

e. No one shall post signs or distribute commercial advertising materials, erect a fence or barrier, or construct or occupy improvements upon the premises without receiving the prior written permission of the Prairieville Township Parks and Recreation Commission. No person shall post, paste, fasten, or affix any placard, bill, notice or sign on township premises except for temporary directional sign for picnics or special events. Temporary directional signs must be removed at the conclusion of any special event. Temporary directional signs must not mar, damage or stain any portion of a township facility or property.

f. No one shall injure, destroy, damage, mutilate or deface or move or remove any vegetation (whether alive or dead), building, fence, picnic table, equipment or other improvement, rock or mineral located on the premises.

g. No one shall possess, use or distribute anywhere on the premises a "controlled substance" as defined under Article 7 of the Michigan Public Health Code, being 1978PA 368, as it may from time to time be amended hereafter, or to consume alcoholic beverages in any area other than a designated area.

h. No one shall hunt or trap on the premises or in any manner disturb any bird or animal on the premises without the written permission of the Commission. Fishing

is permitted in accordance with the laws of the Michigan Department of Natural Resources in such areas properly designated for such purposes, subject to any special event or activity when applicable.

- i. No one shall swim in any designated boat-launching area.
- j. The use of profane or obscene language is prohibited. All persons within the park shall conduct themselves in an orderly manner consistent with all posted rules and regulations adopted by the Township Parks and Recreation Commission.
- k. Persons playing baseball or softball shall do so only in locations designated for such purposes. Playing baseball or softball should not occur in areas which will endanger other persons, or which could result in damage to buildings or structures on the premises.
- l. No person shall play any radio or any type of device which generates sound, including any musical instrument, with such volume as to unreasonably upset or disturb the quiet, comfort or peace of other persons in the park.
- m. No person shall engage in any violent, abusive, boisterous, loud, illegal, obscene or similar disorderly conduct, which unreasonably interferes with another person's use or enjoyment of the premises.

2. Motor Vehicles

- a. No one shall park vehicles, recreational vehicles, or trailers of any kind within a designated lake public access area without payment of an established parking fee.
- b. No one shall park vehicles of any kind in any area other than designated parking areas and no vehicle shall be parked in such a manner that more than

one designated parking space is utilized. Where some of the parking spaces on the premises are specially designated for the parking of boat trailers and trailer rigs, the parking of such equipment shall be confined to these designated parking spaces unless directed otherwise by an authorized representative of the Commission.

c. Motor vehicles and non-motorized vehicles must be driven only in designated areas driving lanes and parking areas. One-person motorized vehicles designed and used to provide a disabled person with access to facility may be operated in pedestrian areas.

d. No one shall camp or park vehicles on the premises overnight.

e. Twenty-five miles per hour (25 mph) is the maximum permitted speed for all motor vehicles operated on township property unless otherwise posted.

f. Washing, polishing, or repairing of motor vehicles on township premises governed by this Ordinance is prohibited unless specifically authorized by the Parks Commission.

g. Unless otherwise designated, persons may operate a snowmobile, ATV, ORV, mini-bike, go-cart, golf-cart, or similar motorized device on any township premises covered by this Ordinance. Motorized devices designed for and used to provide disabled persons in need of such devices access to and use of township facilities are always permitted.

h. Persons driving vehicles towing a trailer carrying a watercraft are required to launch the watercraft within one (1) hour of entry into the park.

i. The parking or placement of a boat trailer that is carrying a watercraft in any parking space (as defined in Section II, H.) that is not attached to a vehicle is

considered, under this Ordinance, as unlawfully reserving that space. Any person(s) parking and/or placing a boat trailer that is not attached to a vehicle in a parking space is on notice that the boat trailer may be removed without prior warning at the owner's expense.

3. Boats and Items Towed to the Parks

- a. No one shall launch or retrieve a boat from any designated lake public access area without payment of any established fee for the same.
- b. No one shall store or leave a boat, trailer, vehicle, duck blind, ice shanty, raft or other property on a Parks & Recreation Commission site during the hours such site is closed. All vehicles left on such sites during closed hours shall be subject to towing or removal at owner's expense. The hours which the site is to be closed shall be established by the Parks and Recreation Commission and posted at the entrance to the site.
- c. No one shall operate a watercraft motor or engine at more than idle speed while launching or reloading unless the propeller is disengaged. "Powering" off or on is strictly prohibited.
- d. No vessel shall be docked, moored or anchored overnight on submerged littoral or riparian lands owned by Prairieville Township and located within 250 feet of the shoreline of a Prairieville Township park or public access area.

4. Use of fuel-powered or jet type engines

Unless otherwise designated, persons may fly, or use fuel-powered engine, or jet-type, or electric-powered model aircraft, boat, rocket, or like powered toys or models.

5. Fires

- a. No materials shall be burned on park premises except food may be cooked in grills provided on the premises. Portable barbecue grills or other containers for

cooking over fires or coals are strictly prohibited. No open or ground fires of any kind are permitted on the premises.

b. Cooking grills and picnic tables should not be used or held longer than necessary to permit their use by a maximum number of people.

6. Weapons or Explosive Materials

a. No one shall bring or use any unlawful firearm or illegal weapon upon the premises.

b. No person shall possess, bring or use explosive materials including any type of fireworks, or any dangerous substance, or any device which discharges projectiles by means of air pressure, explosive device, chemical reaction or similar means on the premises subject to this Ordinance unless carried by a duly authorized law enforcement officer or by a person licensed to carry a concealed weapon in accordance with state law, or by written permission of the Commission.

7. Animals

a. No one shall bring a dog or other pet animal onto the premises unless the following limitations are met:

1. An animal must be kept on a leash which can be no greater than 6 ft. maximum.
2. The animal must be kept under control at all times.
3. The person accompanying the animal shall pick up any of the animal's feces and place them in a waste disposal container.
4. Animals, with the exception of service dogs, shall not be allowed in playground areas, park building, or any area designated by sign as being prohibited to entry by dogs or other animals. Only service dogs are permitted in all pedestrian areas.

5. No animal, except a service animal, shall be allowed in any designated beach or swimming area.

6. Excessive barking or noise from any animal is prohibited.

b. No one shall ride or lead a horse or other riding animal or pack animal on or allow such an animal or any animal-drawn vehicle to use or travel areas other than established roads or trails designated for such use without the prior written permission of the Prairieville Township Parks and Recreation Commission.

8. Special Events or Activities

No one shall use the premises for business or commercial purposes or for any special event or activity of any organization or club without prior permission of the Prairieville Township Parks and Recreation Commission. The Prairieville Township Parks and Recreation Commission may in its discretion, and in consideration of conduct addressed by his ordinance, grant permission, with or without conditions, to individuals and organizations to use a township property covered by this ordinance in Section II E, including the use of such property to the exclusion of others for a specified time.

a. To obtain permission for special event or activity an individual or organization must do the following:

1. Make an application to the Prairieville Township Parks and Recreation Commission by following directions on the website.

2. Submit such request to the Recreation Director at least ten (10) business days before the date of the event for which permission is being requested.

3. Agree to comply with any conditions and requirements imposed by the Parks Commission. The Commission reserves the right to place conditions on the special event or activity or may, at its discretion, deny the request for permission.

4. Pay any reasonable fees and charges for such special use. Such fees and charges will be established in consideration of the nature of the use,

the time at issue, the number of people who will use the park, and the expense to the township or Commission. The Commission reserves both the right to establish a fee for use and to change the amount of such fee at its discretion.

b. Any fishing tournament or competition regardless of the number of participants is considered a special event or activity and must be registered. Make an application to the Prairieville Township Parks and Recreation Commission by following directions on the website.

1. Any fishing tournament or competition beginning prior to 9:00 a.m. shall employ an event starting method that creates a minimal noise level and minimal wake.

2. Persons or organizations seeking prior permission for a fishing tournament or competition shall follow the same procedures set forth for any entity seeking permission for a special activity or use.

c. A special event or activity may only be conducted with permission unless such permission is waived by an authorized representative of the Commission because it is determined that the special event or activity will not require Commission oversight and the event or activity is anticipated to have minimal impact on the use of the site by others.

SECTION IV

LIABILITY AND ASSUMPTION OF RISK

Any person using the Prairieville Township parks or grounds which are the subject of this Ordinance shall assume the risk of injury, damage or loss suffered or incurred while on the premises.

SECTION V

PENALTY

A violation of this Ordinance (as amended by Ordinance 160, adopted April 19, 2017) is a municipal civil infraction as defined by Michigan statute and shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
... 1st offense	\$100	...
... 2nd offense	\$150	...
... 3rd offense	\$250	...

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Township has incurred in connection with the municipal civil infraction.

SECTION VI

SEVERABILITY

Should any section, clause, paragraph, or provision of this Ordinance be declared by any court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so determined to be invalid.

SECTION VII

REPEAL

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION VIII
EFFECTIVE DATE

This Ordinance shall take effect 30 days after its publication and supersedes all previous publications.

Rod Goebel, Clerk
Prairieville Township
10115 S. Norris Rd.
Delton, MI. 49046

CLERK'S CERTIFICATE

I, Rod Goebel, Township Clerk of the Township of Prairieville, Barry County, Michigan, do hereby certify that in pursuance of law and statute provided, at a regular meeting of the Prairieville Township Board held on April 13, 2022, at 6:30 o'clock p.m., at the Prairieville Township Hall, located at 10115 S. Norris Road, Delton, Michigan, at which the following members were present: STONEBURNER, GOEBEL, PENCE, DEVRIES, DOSTER, the Board enacted and passed Ordinance No. 175, hereinbefore recorded, to become effective 30 days following publication after adoption as required by law and that the members of said Board present at said meeting voted on the adoption of said Ordinance as follows:

Ayes: STONEBURNER
GOEBEL
PENCE
DEVRIES
DOSTER

Nays: —

Absent: —

I do further certify that a summary of Ordinance No. 175, including where the same could be examined or purchased, was published in the Hastings Banner, a newspaper printed in Hastings, Michigan, and circulated in Prairieville Township, on Thursday, April 21, 2022; a copy of Ordinance No. 175 was posted at the Township Hall on APRIL 13, 2022; and that said Ordinance No. 175 was recorded in the official Ordinance Book on APRIL 13, 2022.

Dated: MAY 3, 2022

Rod Goebel
Rod Goebel, Clerk
Prairieville Township