

KENT COUNTY PARKS ORDINANCE

**Adopted by Kent County Board of Commissioners
on March 11, 2004**

Ordinance No. 3-11-04-20

AN ORDINANCE to provide for the use, protection, management, and preservation of Kent County Parks, and for the safety and general welfare of the public therein, together with penalties for violation of its provisions.

THE PEOPLE OF THE COUNTY OF KENT, MICHIGAN, DO ORDAIN:

Section 1: Short Title and Citation

This Ordinance shall be known and cited as the “Kent County Parks Ordinance”.

Section 2: Declaration of Purpose

Kent County Parks are a unique and valuable resource. They represent the County’s commitment to preservation of open space, natural features, natural resources, and local history, and provide scenic beauty and recreational opportunity to the citizens of the County. It is in the best interests of the citizens of Kent County to protect and manage Kent County Parks in such a way that they may be maintained and preserved for present and future generations of users.

Section 3: Statutory and Legislative Authority

- a. By Kent County Resolutions 12-13-01-184 and 7-25-02-101, the operation of the Kent County Parks Department was transferred to the Kent County Board of Commissioners and the Office of the County Administrator effective October 1, 2002, and the County elected to operate and maintain County parks in accordance with MCL § 123.51 et seq.

- b. Pursuant to MCL §46.11(j), Kent County is authorized to pass ordinances that relate to County affairs and do not contravene the general laws of the State of Michigan or interfere with local affairs of a township, city, or village within the limits of the County.
- c. Pursuant to MCL §46.10b, the County may provide lawful sanctions for violations of an ordinance.

Section 4: Rules and Regulations

The Director is hereby authorized and directed to adopt rules and regulations governing the protection, management, maintenance, and preservation of Kent County Parks. Said rules and regulations shall be consistent with, and no less stringent than, the provisions of this Ordinance.

Section 5: Construction

- a. Any term in the singular shall include the plural.
- b. Any term in the feminine shall include the masculine or neuter.
- c. Any requirement or prohibition of any act shall respectively extend to and include the causing and procuring, directly or indirectly, of such act.
- d. No provision herein shall make unlawful any act necessarily performed by any officer or employee of Kent County, the Kent County Parks Department, or any other Kent County department or agency within the scope of her or his duty, or by any independent contractor, or her or his agent or employees, in the proper and necessary execution of the terms of any agreement with the Kent County Parks Department.

Section 6: Definitions

- a. “Alcoholic Beverage” shall be defined as any intoxicating beverage as defined by Michigan statute.
- b. “Amplification” shall be defined as any method by which music, speech, or any other sound or noise is artificially enhanced and

transmitted, or any method by which light is artificially enhanced and transmitted.

- c. “Amusement Device” shall be defined as any contrivance, contraption, machine or structure, whether manmade or an enhancement of a natural feature, used in contests of skill or strength or to effect any sort of riding, lifting, swinging or falling experience.
- d. “Animal” shall be defined as any dog, cat, horse, fowl, tamed bird, or other living creature carried, led, ridden, or otherwise transported into a County park from another location by any person.
- e. “Applicant” shall be defined as any person or organization seeking a permit to use, or conduct an activity in a County park.
- f. “Camping” shall be defined as the overnight lodging or sleeping of any person on the ground or in a sleeping bag, tent, trailer-tent, trailer coach, vehicle camper, or in any other structure erected or placed on the premises or in the waters of any County park.
- g. “Controlled Substance” shall be defined as any substance or its immediate precursor as identified in MCL §333.7211-7220.
- h. “County Park” shall be defined as those parks, park reserves, trails, beaches, water bodies, and other areas within Kent County that are owned, controlled, and maintained by Kent County through the Kent County Parks Department pursuant to the Kent County Parks, Recreation, and Natural Areas Master Plan, and designated for and devoted to active or passive recreation.
- i. “Dangerous Weapon” shall be defined as any firearm or gun, whether loaded or unloaded, including but not limited to the following: revolver; pistol; shotgun; rifle; air rifle; air gun; spring gun; pellet gun; paintball gun; black powder gun; or any other weapon including but not limited to, a bow and arrow; crossbow; slingshot; metallic knuckles; sand club; sand bag; gas ejection device; laser; missile-propelling device; spear or spear gun; switchblade, dirk, dagger, stiletto, razor or knife having a blade over three (3) inches in length; sword; blackjack; billy club; bludgeon; whip; ax; any other form of weapon potentially

dangerous to human or wildlife safety; any instrument that can be loaded with and fire blank cartridges; any kind of trapping device; or any device or explosive designed or used as a weapon and capable of producing death or great bodily harm.

- j. “Director” shall be defined as the Director of the Kent County Parks Department.
- k. “Drug Paraphernalia” shall be defined as all equipment, products and materials of any kind which are specifically designed for use, in containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance. Drug paraphernalia shall include, but not be limited to, containers and objects specifically designed for use in storing or concealing controlled substances including but not limited to automotive safes; syringes, needles, and other objects specifically designed for use in parenterally injecting controlled substances into the human body; objects specifically designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body, such as pipes of any composition with or without screens, permanent screens, hashish heads, punctured metal bowls, water pipes, carburetion tubes or devices, smoking and carburetion masks, roach clips, cocaine spoons or vials, cocaine kits, bullets, snorters, chamber pipes, carburetor pipes, electric pipes, air-driven pipes, chillums, bongs, and ice pipes or chillers.
- l. “Employee” shall be defined as any full or part-time, regular, temporary, or seasonal worker employed by the Kent County Parks Department.
- m. “Fireworks” shall be defined as a device made from explosive or flammable compositions used primarily for the purpose of producing a visible display or audible effect or both, by combustion, deflagration, or detonation.
- n. “Independent Contractor” shall be defined as any entity or person who is not an employee of the County and provides goods or services to the County subject to the terms and conditions of a binding agreement.

- o. “Kent County Parks Department” shall be defined as an administrative department of Kent County created and empowered by Kent County Resolutions 12-13-01-184 and 7-25-02-101 in accordance with MCL § 123.51 et seq.
- p. “Nudity” shall be defined as the display by any person of his or her genitals or anus with less than a fully opaque covering, or the display of the female breasts with less than a fully opaque covering of the nipple and areola, provided that breast feeding shall not be considered nudity whether or not the nipple is covered during or incidental to the feeding.
- q. “Park Season” shall be defined as that period of time between “opening day”, generally in May of each year, and “closing day”, generally in October of each year, but which may vary from year to year at the discretion of the Director due to weather conditions and other considerations related to park preservation and maintenance.
- r. “Parks” shall be defined as lands and improvements thereon, purchased by or donated to Kent County in accordance with the Kent County Parks, Recreation, and Natural Areas Master Plan, and operated and maintained by the Kent County Parks Department.
- s. “Permit” shall be defined as a written license issued by or under the authority of the Director of the Kent County Parks Department permitting an activity, use or event within a County park that would otherwise be prohibited.
- t. “Person” shall be defined as any natural person, corporation, company, association, firm, or any other entity or organization.
- u. “Posted” shall be defined as any area of Kent County Parks Department property the use of which is temporarily or permanently restricted or controlled by written notice to park users placed within or near the area subject to restriction.
- v. “Property” shall be defined as all lands, waters, facilities, improvements, fixtures, or installations of the Kent County Parks Department.

- w. “Soliciting” shall be defined as the act of any person not under contract with the County selling goods or services or taking orders for future delivery of goods or services, whether or not such person displays samples or collects advance payments, or seeking contributions in any form.
- x. “Vehicles” shall be divided into two classes and defined as follows:
 - i. “Motor Vehicle” shall be defined as any motorized conveyance for use on land including automobiles, trucks, campers, motorcycles, snowmobiles, all-terrain vehicles, dirt bikes, mini-bikes, go-carts, dune buggies, mopeds, scooters, and any other mode of transportation driven by a motor. Exception is made for motorized wheelchairs and vehicles in the service of the Kent County Parks Department.
 - ii. “Non-Motor Vehicle” shall be defined as any non-motorized conveyance for use on land including trailers of all types, tricycles, bicycles, tandem bicycles, sleds, sleighs, toboggans, pushcarts, animal-drawn carriages or sleds, or any other mode of transportation propelled by human or animal muscular power. Exception is made for baby strollers and carriages, non-motorized wheelchairs and walkers, and vehicles in the service of the Kent County Parks Department.
- y. “Vending” shall be defined as selling or trading any goods, services or privileges.
- z. “Watercraft” shall be defined as any contrivance used or designed for navigation in or on water or on ice, including but not limited to motorboats, personal watercraft or jet skis, paddleboats, kayaks, canoes, sailboards, and rafts, or any vehicle as defined in Section 6.x. above when used in or on water or on ice.
- aa. “Waters” shall be defined as any natural or manmade stream, brook, creek, wetland, pond, tributary, river, storm sewer, or drain on or adjacent to the property of the Kent County Parks Department.
- bb. “Wildlife” shall be defined as any living creature, not human, wild by nature, endowed with sensation and power of voluntary motion,

including quadrupeds, mammals, birds, fish, amphibians, reptiles, insects, crustaceans and mollusks.

Section 7: Preservation of Natural Features

- a. It shall be unlawful for any person to damage, cut, carve, mark, transplant, destroy, or remove any plant, injure or remove any bark or wood, pick flowers or harvest seed of any tree or plant, dig in or otherwise disturb or remove soil, sand, grass, rock, minerals, fossils, stones, metals, artifacts, ground cover, or other surface or subsurface materials, excavate any natural feature by tool, equipment or explosive, or in any other way injure the natural features of any area in a County park. This Section does not apply to the picking or removal of edible mushrooms, berries, fruits, or nuts.
- b. The Director may issue written permits for any activity described in Section 7.a. above, when, in his or her discretion, the activity is of educational benefit or in the public interest.

Section 8: Preservation of Wildlife

- a. It shall be unlawful for any person to hunt, pursue with dogs, trap, or in any other way pursue, injure, tease, or throw objects at any wildlife, including the young or the habitat of any wildlife, found within the confines of a County park, or to attempt to do any of the above. In certain circumstances and in accordance with state law or local ordinance, hunting may be permissible upon issuance of a written permit from the Director.
- b. Any wildlife killed, taken, bought, sold, or in the possession of any person in a County park who is not in possession of a valid permit shall be considered contraband, and may be seized and confiscated by the Director or his or her designee.
- c. The provisions of this Section shall not apply to law enforcement officers or County park employees within the performance of their duties.

Section 9: Waters

- a. It shall be unlawful for any person to throw, discharge, or otherwise place or cause to be placed in the waters of any natural or manmade stream, brook, creek, wetland, pond, tributary, river, storm sewer, or drain on or adjacent to the property of the Kent County Parks Department, any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters or injury to persons or wildlife.
- b. It shall be unlawful for any person to throw, carry, cast, drag, push or deposit any refuse container, picnic table, barricade, or other moveable or non-moveable property of the Kent County Parks Department or any person into the waters of any natural or manmade stream, brook, creek, wetland, pond, tributary, river, storm sewer, or drain on or adjacent to the property of the Kent County Parks Department.
- c. It shall be unlawful for any person to divert, impound, or alter the course of a body of water within a County park.
- d. It shall be unlawful for any person to enter onto any frozen waters in a County park to skate, fish, slide, walk, or for any other purpose where such activities are prohibited by notice of the Kent County Parks Department.
- e. It shall be unlawful for any person to bring onto frozen waters in any County park any vehicle, watercraft, fishing shanty, snowshoes, skis, or other device where such activities are prohibited by notice of the Kent County Parks Department.
- f. It shall be unlawful for any person to handle, move, or remove buoys located in the water of a County park.

Section 10: Preservation of Real and Personal Property

- a. It shall be unlawful for any person to mark, deface, disfigure, injure, tamper with, displace, or remove any buildings, bridges, fountains, playground equipment, tables, benches, fireplaces,

railings, pavings or paving materials, water lines or other utilities, parts, or appurtenances thereof, mining equipment, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts or other boundary markers, or any other structures, equipment, facilities, appurtenances, or other real or personal property belonging to a County park or any other person or entity.

- b. It shall be unlawful for any person to smoke any cigarette, cigar, pipe, or other smoking material in any enclosed building within a County park.

Section 11: Attachment of Ropes or Cables

It shall be unlawful for any person to attach any rope, cable, or other contrivance to any tree or other plant, fence, railing, bridge, building, bench, table, or other structure in a County park.

Section 12: Erection of Buildings, Shelters, or Other Structures

It shall be unlawful for any person to construct or erect any building, shelter, or other structure of any kind, whether permanent or temporary, or run or string any public service utility into, upon, or across County park property without a permit from the Director.

Section 13: Restrooms and Drinking Fountains

- a. It shall be unlawful for any person to damage, alter, deface, or destroy any restroom or the facilities therein, or any drinking fountain within a County park.
- b. It shall be unlawful for any person to throw, discharge, or otherwise place or cause to be placed, any substance in or on any drinking fountain or the parts thereof within a County park.
- c. It shall be unlawful for any parent or legal guardian to permit her or his child aged seven (7) years or less to use a County park restroom without the supervision of said parent or legal guardian. A parent or legal guardian is permitted to take her or his child of the opposite gender, aged seven (7) years or less, into a restroom designated for the parent or legal guardian's gender.

- d. No person, other than a child as described in Section 13.c. above, shall enter a restroom within a County park set apart for the opposite gender.

Section 14: Picnic Areas

- a. It shall be unlawful for any person to move a picnic table, grill, or other piece of County park equipment unless specifically approved by park personnel, except that unreserved picnic tables may be moved for the limited purpose of creating sufficient seating for a family or group.
- b. It shall be unlawful for any person to use or remain in any portion of a picnic area reserved by another person without the permission of the person who reserved the area.

Section 15: Fire

- a. It shall be unlawful for any person to willfully kindle, build, maintain or use a fire in any County park, except for cooking fires in designated fire pits, fireplaces, grills, or personal grills, and except for camp fires in designated fire pits within County park campgrounds.
- b. It shall be unlawful for any person to leave a cooking fire or camp fire unattended or fail to extinguish a cooking fire or camp fire when not in use.
- c. It shall be unlawful for any person to willfully drop, throw, or otherwise discard any fire-starting device, burning tobacco product, or other burning or inflammable material in a County park.
- d. It shall be unlawful for any person to build a fire or smoke any cigarette, cigar, pipe, or other smoking device or smoking material within a County park when the Director has declared an emergency due to drought and posted notice of same.
- e. Any person who willfully or negligently sets fire to any woods, prairies, or grounds of another may be convicted of a felony under the law of the State of Michigan, MCL §750.78.

Section 16: Garbage, Refuse, Ashes, Sewage, and Noxious Materials

- a. It shall be unlawful for any person to dump, deposit, scatter, throw, leave, or cause or permit dumping, placing, throwing, or leaving of any litter, waste, wastewater, glass, garbage, refuse, ashes, tobacco waste, sewage, noxious material, or any other material, solid or liquid in a County park, except in receptacles provided for such purposes or in locations designated by the Director by posted notice. Where receptacles or locations are not provided, all such materials shall be carried away from the park by the person responsible for its presence.
- b. It shall be unlawful for any person to bring any hazardous waste, yard waste, household waste, solid or liquid waste, or any material described in Section 16.a. above, into a County park with intent to dispose of said material in the park.

Section 17: Animals

- a. It shall be unlawful for the owner of any animal, or any person in possession of any animal, to permit or allow said animal to be at large, unrestrained, or outside her or his custody and control, within a County park.
- b. It shall be unlawful for any person to permit any dog to be in a County park unless on a leash no more than six (6) feet long within said person's grasp, except in such areas designated as "dog parks" by posted notice of the Director.
- c. Any animal found within any County park, not in the possession of a person or under the control and custody of a person, may be removed from the park by the Director, his or her designee, a Kent County Animal Control officer, or any other peace officer.
- d. It shall be unlawful for any person to bring any nuisance, aggressive, or dangerous animal, as those terms are defined in the Kent County Animal Control Regulations, into any County Park.
- e. It shall be unlawful for any person to leave the fecal matter of an animal within her or his possession anywhere in a County park.

- f. It shall be unlawful for any person to permit an animal within her or his possession on or in any land or water designated as a beach, swimming, or wading area, playground area, or any other area restricted to animals by posted notice.
- g. It shall be unlawful for any person to bring a dog or animal within her or his possession into an enclosed building within a County park.
- h. The provisions of Section 17.a., b., c., e., f., and g. shall not apply to any dog that is used as a guide, leader, hearing, or service dog by a person with a disability or by a certified trainer of such dogs, nor shall they apply to any dog within the custody and control of a law enforcement officer.
- i. It shall be unlawful for any person to bring, ride or lead a horse within a County park, except on designated bridle trails.
- j. It shall be unlawful for any person to ride a horse within a County park in such a manner as to endanger the safety or property of the park or any park employee or visitor.
- k. It shall be unlawful for any person to herd, graze, drive, or permit to run at large within a County park, any cow, horse, mule, donkey, goat, pig, sheep, poultry, or fowl.
- l. It shall be unlawful for any person to tie, hitch or tether any animal to a tree, shrub, plant, fence, building, equipment, or other structure within a County park.
- m. It shall be unlawful for any person to permit an animal within her or his possession to disturb, harass, or endanger the safety of a park visitor, park employee, or park contractor.
- n. It shall be unlawful for any person to permit an animal within her or his possession to damage or destroy the real or personal property or natural resources of the Kent County Parks Department or any other person within a County park.
- o. It shall be unlawful for any person to operate a cart, wagon, sled, or other device or equipment pulled, dragged, or propelled by an animal, unless authorized to do so by written permit of the

Director. A written permit shall not be required to operate an animal-driven conveyance if said conveyance is operated by an individual as her or his regular and customary mode of transportation in lieu of a motor vehicle.

- p. It shall be unlawful for any person to leave or abandon an animal in a County park.

Section 18: Vehicles and Watercraft

A. Motor Vehicles

- a. It shall be unlawful for any person to fail to comply with all applicable provisions of the Michigan Motor Vehicle Code in regard to equipment and operation of motor vehicles, together with such provisions as are contained in this Ordinance, any other applicable local ordinances, or the rules and regulations of the Kent County Parks Department.
- b. It shall be unlawful for any person to drive a motor vehicle anywhere in a County park except on roads designated or established for vehicular travel, or park a motor vehicle anywhere in a County park except in designated or established parking areas, except as otherwise authorized by the Director or his or her designee.
- c. It shall be unlawful for any person to drive, propel, or cause to be driven, along or over any road within the park, any motor vehicle at a rate of speed greater than the posted speed limit or, in the absence of a posted speed limit, at a speed in excess of fifteen (15) mph.
- d. It shall be unlawful for any person to park or store a motor vehicle or any parts thereof, whether operable or inoperable, within any County park at any time when said person is not present in the park or on an established trail originating in or passing through the County park . Exception is made for a person lawfully staying in a County park campground during the duration of her or his stay. Motor vehicles left on Park property after hours by persons who are not lawfully staying in a Park campground may be removed from the park at any time by a law enforcement officer.

- e. It shall be unlawful for any person to double-park a motor vehicle on any road, or obstruct the ingress or egress of any motor vehicle from a parking area, unless permitted to do so by the Director or his or her designee.
- f. It shall be unlawful for any person to operate or drive an all-terrain vehicle, three-wheel vehicle, snowmobile, dirt bike, mini-bike, go-cart, dune buggy, scooter, or moped on roads, in parking areas, or in any other location in a County park. This provision shall not apply to duly sworn peace officers while carrying out their duties, or to employees of the Kent County Parks Department.
- g. It shall be unlawful for any person to use any location within a County park for the purpose of demonstrating a vehicle, instructing another to drive a vehicle, cleaning a vehicle, or conducting non-emergency repairs of a vehicle, except for such activities conducted by the Kent County Parks Department for park purposes or as authorized by a written permit from the Director.
- h. The provisions of this Section shall not apply to law enforcement, emergency, or rescue vehicles used in the performance of official duties.

B. Bicycles

- a. It shall be unlawful for any person to ride a bicycle on other than a paved road or path designated for bicycle riding.
- b. It shall be unlawful for any person to operate a bicycle in such a manner as to endanger the safety or property of another person.
- c. It shall be unlawful for any person to leave a bicycle lying on the ground or pavement, propped against trees, fences, or other structures, or in any other place or position where other persons are likely to be injured by it. Bicyclists shall use bicycle racks where available.
- d. It shall be unlawful for any person to operate a bicycle after dark without an attached headlight, and without an attached tail light or reflector.

- e. It shall be unlawful for any person aged fourteen (14) years or younger to operate or be a passenger on a bicycle or tandem bicycle within a County park unless said person is wearing a protective bicycle helmet of good fit fastened securely upon the head with the attached straps. Said helmet shall meet or exceed the impact standards for protective bicycle helmets set by either the Consumer Product Safety Commission (CPSC) or the Snell Foundation.
- f. It shall be unlawful for any person to fail to ride a bicycle as closely as possible to the right-hand side of any road, trail or path, as conditions permit.
- g. It shall be unlawful for any person to carry another person on her or his bicycle except on a suitable seat attached to the bicycle for that purpose.
- h. All persons using bicycles in accordance with this Ordinance shall also abide by Michigan statutes as they pertain to bicycle operation, equipment, and safety.

C. Watercraft

- a. It shall be unlawful for any person to place or use watercraft in or on the waters of a County park except at designated boat launches.
- b. It shall be unlawful for any person to launch watercraft from the property of the Kent County Parks Department into a body of water on or adjacent to said property, except in such locations specifically designated by posted notice as launch sites. The process of watercraft launching shall be limited to fifteen (15) minutes.
- c. Except as provided in subsections a. and b. above, the Kent County Parks Department may allow boats to be launched for specific purposes on a per-launch basis upon written approval of the Director.
- d. All persons using watercraft in accordance with this Ordinance shall also abide by Michigan statutes as they relate to the use of watercraft on or in public bodies of water.

- e. It shall be unlawful for any person to leave a watercraft or watercraft trailer unattended in any County park, or to leave said watercraft or trailer in the park when the park is closed, except for the duration of said person's stay at a reserved campsite within a County campground.
- f. It shall be unlawful for any person to operate a watercraft within a designated swimming area.

Section 19: Swimming

- a. It shall be unlawful for any person to wade, swim, or enter the water where such activities are deemed unsafe or otherwise prohibited by the Kent County Parks Department.

It shall be unlawful for any person to swim outside of designated swimming areas marked by buoys.

- c. It shall be unlawful for any person to take or possess glass or breakable containers of any kind onto a beach or into the water.
- d. It shall be unlawful for any person to scuba dive in any water body within a County park, unless authorized to do so by written permit of the Director.
- e. It shall be unlawful for any person to dive from County park property into any water body.
- f. It shall be unlawful for any person to swim at a County park swimming area after the posted closing hour.

Section 20: Fishing

- a. Fishing is permitted in County parks, and shall be in accordance with Michigan Statutes, the rules and regulations of the Department of Natural Resources, and the rules and regulations of the Kent County Parks Department.
- b. It shall be unlawful for any person to fish in an area where fishing is prohibited by posted notice.

- c. It shall be unlawful for any person to fish for, hunt, trap, or in any other way pursue, injure, tease, or throw objects at any turtle or its young within the confines of a County park.
- d. It shall be unlawful for any person to fish within a designated swimming area.
- e. It shall be unlawful to clean fish within a County park, except at a designated fish cleaning station or at the Wabasis Park campground.

Section 21: Camping

- a. It shall be unlawful for any person to establish a camp or other lodging place, or erect a tent, shelter, shack, or other temporary lodging in any County park, or to remain in any County park overnight or any time outside the posted hours of operation, unless authorized to do so by written permit from the Parks Department.
- b. It shall be unlawful for any person less than eighteen (18) years of age to camp in any County park unless accompanied by a parent or legal guardian or other adult authorized by a parent or legal guardian.
- c. It shall be unlawful for any person to make, cause, or create any noise or disturbance which is a hindrance to the peace and quiet of a campground between the hours of 11:00 p.m. and 7:00 a.m.
- d. It shall be unlawful for any person to wash dishes at pumps, sinks, or drinking fountains, or in tubs or other vessels carried into County park service buildings or restrooms.
- e. It shall be unlawful for any person to fail to clean camp sites daily, or to discharge wastewater or other wastes except in designated containers, drains, or dumping stations.
- f. It shall be unlawful for any person to remove or transport hot water from County park service buildings or restrooms for use at another location.

- g. It shall be unlawful for any person to occupy a campsite for which she or he does not have a permit from the Director, or to occupy a campsite beyond 3:00 p.m. on the last day of said permit.

Section 22: Sports and Amusements

- a. It shall be unlawful for any person to play or engage in any team sport or game in areas posted by notice of the Director that such activities are not permitted.
- b. It shall be unlawful for any person to roller skate, roller blade, or use skateboards where such use is prohibited by the Kent County Parks Department.
- c. It shall be unlawful for any person to hit golf balls or otherwise practice or engage in the sport of golf outside of areas designated by the Kent County Parks Department.
- d. It shall be unlawful for any person to start, fly, or use any fuel- or battery-powered model aircraft, boat, or other similarly powered model vehicle within a County park except in areas designated for such use by the Kent County Parks Department.
- e. It shall be unlawful for any person to start, fly, or use any fuel- or battery-powered rocket or projectile within a County park without a written permit from the Director.
- f. It shall be unlawful for any person to bring in, set up, construct, manage or operate any amusement or entertainment contraption, device or gadget in a County park without a written permit from the Director.
- g. It shall be unlawful for any person to operate cross-country skis in a County park in such a manner as to endanger the safety of other persons.
- h. It shall be unlawful for any person to conduct a race or event using cross-country skis in a County park without a written permit from the Director.

- i. It shall be unlawful for any person to use a sled, sleigh, toboggan, pushcart or go-cart in any County park where such use is prohibited by the Kent County Parks Department.
- j. It shall be unlawful for any person to operate a dog sled in a County park without a written permit from the Director.
- k. It shall be unlawful for any person to construct a permanent or temporary snow ramp or jump for any purpose in a County park.
- l. The Director may, from time to time, provide a written permit for sports, amusements, or events that are in the public interest or serve a park purpose.

Section 23: Aviation

It shall be unlawful for any person to use a County park as a takeoff or landing site for aircraft, parachutes, hang gliders, ultra lights, or any other flying apparatus. Use of hot air balloons shall be prohibited unless their use is authorized in conjunction with a picnic reservation.

Section 24: Tournaments

- a. It shall be unlawful for any person to play, organize, or arrange to be played, any organized and formally established game, match, tournament, or other activity in any area of a County park posted by notice of the Director that such activities are not permitted.
- b. It shall be unlawful for any person to charge admission or a parking fee to any County park or event therein without a written permit from the Director.
- c. It shall be unlawful for any person to organize or participate in any game or competitive sport for money or any other valuable thing without a written permit from the Director.

Section 25: Firearms and Other Dangerous Weapons

- a. Violations or criminal offenses involving the transportation, possession, brandishing or discharge of pistols, other firearms, ammunition, or components of firearms on County park property shall be prosecuted in accordance with local ordinance or state

law. Local ordinances shall be enforced by the appropriate local police department, unless that department has entered into an agreement with the County for a different scheme of enforcement. This subsection shall not apply to any duly sworn law enforcement officer.

- b. It shall be unlawful for any person to bring into or upon County park property, have in her or his possession on County park property, or brandish or discharge on County park property, any dangerous weapon other than those described in Section 25.a. above, without a written permit from the director. This subsection shall not apply to any duly sworn law enforcement officer.

Section 26: Fireworks

It shall be unlawful for any person to possess, ignite, attempt to ignite, or otherwise cause to explode, discharge, or burn, any fireworks, smoke bombs, torpedoes, rockets, or other pyrotechnics or explosives within a County park, or adjacent to a County park where the effects of said ignition, explosion, discharge, or burning are reasonably likely to enter a County park, without a written permit from the Director.

Section 27: Sound and Light Amplification

It shall be unlawful for any person to use sound or light amplification in any County park, unless such use is by written permit of the Director.

Section 28: Commercial Activities

- a. It shall be unlawful for any person to solicit, vend, sell, or offer for sale any goods, wares, merchandise, services, privileges, food, or beverages, or conduct any trade, business, occupation, or profession within a County park without a written permit from, or signed agreement with, the Director or an authorized representative of Kent County.
- b. It shall be unlawful for any person to expose, distribute, post, paint, or affix any sign, advertisement, circular, notice, poster, pamphlet, or statement, or display any banner, emblem, design, or logo in a County park without a written permit from the Director.

- c. Park personnel engaged in park-related activities shall not be subject to Section 28.a. and b. above.

Section 29: Disorderly Conduct

- a. It shall be unlawful for any person to resist, fail or refuse to obey any lawful command of, interfere with, or in any manner hinder, the Director, any law enforcement officer, or any employee or agent of the Kent County Parks Department in the performance of his or her official duties.
- b. It shall be unlawful for any person to impersonate an employee of Kent County or the Kent County Parks Department for any reason.
- c. It shall be unlawful for any person to engage in indecent or obscene conduct in a County park which shall include, but not be limited to, appearing in a state of nudity.
- d. It shall be unlawful for any person to intentionally spit at another person, or urinate or defecate in a County park, except in such facilities provided and intended for such activities.
- e. It shall be unlawful for any person to willfully enter or remain upon the property of a County park after having been prohibited from doing so by the Director, his or her designee, or a law enforcement officer upon violation of any of the provisions of this Ordinance or any rules or regulations of the Director.
- f. It shall be unlawful for any person to engage in threatening, inflammatory, sexually explicit, profane, or discriminatory language in any County park. This subsection does not purport to limit free speech, but does intend to prohibit the use of language reasonably expected to cause a breach of the peace or public disturbance or interfere with any other person's peaceful enjoyment of a County park.
- g. It shall be unlawful for any person to beg or solicit contributions in any County park for any purpose, whether public or private, without a written permit from the Director.

- h. It shall be unlawful for any person to sit or lie upon walks, passages, steps, porches, or any other feature whereby such person is obstructing the free passage of others.

Section 30: Alcoholic Beverages and Controlled Substances

- a. It shall be unlawful for any person to possess, deliver, or use any controlled substance within a County park. All violations of this Section shall be prosecuted in accordance with the laws of the State of Michigan including, but not limited to, MCL §§333.7401-7401b, 7402, 7403, 7404.
- b. A person over eighteen (18) years of age who possesses a controlled substance in a public park, possesses a controlled substance in a public park with intent to deliver to a minor in a public park or within 1,000 feet of a public park, or delivers a controlled substance to a minor in a public park or within 1,000 feet of a public park shall be prosecuted in accordance with MCL §333.7410a.
- c. It shall be unlawful for any person to use, sell, or possess with intent to use or sell, drug paraphernalia specifically designed to contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance.
- d. It shall be unlawful for a person who is intoxicated, and who is either endangering directly the safety of another person or of property or is acting in a manner that causes a public disturbance, to remain within a County park.
- e. Kent County may prohibit or regulate by ordinance the possession or consumption of alcoholic beverages in a public park. MCL §436.1915(3).

It shall be unlawful for any person to serve, possess, consume, sell, barter, furnish, purchase, attempt to purchase, or transport within any County park any alcoholic beverage, except that a person may possess and consume beer or wine within a County park from June 15 to October 31 of each year, possess and consume beer or wine before June 15 of each year with a picnic or campground permit, possess and consume beer or wine on the three days of the Memorial Day weekend in each year, and possess

and consume beer or wine in the enclosed shelter in Douglas Walker Park at any time with a picnic permit.

- f. It shall be unlawful for any person under the age of twenty-one (21) to purchase, consume, or possess, or attempt to purchase, consume or possess, any alcoholic beverage within a County park. Violators of this Section shall be prosecuted in accordance with the laws of the State of Michigan, MCL §436.1703.
- g. It shall be unlawful for any person to possess or consume any alcoholic beverage on an athletic field or playground within a County park or on the beach at Millennium Park within the fenced area, or to consume any alcoholic beverage in a motor vehicle or parking area within a County park.

Section 31: Gambling

It shall be unlawful for any person to engage in gambling or gaming within a County park in contravention of state law, except that legal raffles or other games of chance may be conducted by those who hold valid park permits for other activities within the park.

Section 32: Park Hours

- a. During the park season, it shall be unlawful for any person to enter upon or occupy a County park at any time before its posted opening time or after closing time at dusk without a written permit from the Director. This subsection shall not apply to persons using a reserved enclosed shelter, who may remain until 10:00 p.m., persons using a campground or the Wabasis Park boat launch for the duration of a reservation, persons using the Johnson Park boat launch, or persons using a County park before or after the park season. Other exceptions to park opening and closing times may be made by posted notice of the Director.
- b. It shall be unlawful for any person to enter a building, lodge, outbuilding, garage, or any other structure on County park property at a time when said structure is closed to the public.

Section 33: Park Closings

- a. Any County park or a portion thereof may be partially or entirely closed to all or certain uses by posted notice during any period of time designated by the Director or upon order of a law enforcement officer when it is determined by the Director or law enforcement officer that the physical condition of the park or a portion thereof is such that the intended use of the park or portion thereof would cause damage and deterioration to the park or portion thereof in a degree greater than ordinary wear and tear, or that use of the park or portion thereof would create a health or safety hazard to park users.
- b. It shall be unlawful for any person to enter upon or occupy a County park or portion thereof contrary to posted notice of closure.

Section 34: Permits

- a. Permits from the Director shall be required for uses of a County park as specified in this Ordinance and in the rules and regulations promulgated by the Director.
- b. The policies and procedures for application and issuance of permits shall be established by the Director.
- c. Unreserved open shelters and picnic areas may be occupied on a first-come, first-served basis.
- d. Permits shall be required for use by any group which has or is reasonably expected to have one hundred (100) or more persons. Violation of this provision shall constitute a civil infraction.
- e. It shall be unlawful for any person to transfer a permit to any other person not named on that permit.
- f. A permittee or her or his designee shall be present for the entire specified use, and shall have physical possession of the permit. Violation of this provision shall constitute a civil infraction.
- g. It shall be unlawful for any person to fail to produce her or his permit upon request of an employee of the Kent County Parks Department.

- h. A permittee shall be bound by the provisions of this Ordinance and any rules or regulations promulgated by the Director and in effect at the time the permit was issued.
- i. A permit may be revoked for good cause by the Director or his designee upon violation of any of the provisions of this Ordinance and any rules and regulations promulgated by the Director and in effect at the time the permit was issued.
- j. A permit shall not be issued for exclusive use of any County park, and it shall be unlawful for any permittee to exclude any member of the public from a County park.
- k. At his or her discretion, the Director may condition receipt of a permit upon the provision of insurance by any person, organization, or group whose use of a County park has the potential to create a significant risk of public injury or property damage.

Section 35: Fees

- a. Fees for the use of County parks shall be set by the Director and approved by the Kent County Board of Commissioners.
- b. It shall be unlawful for any person to use an area or facility of a County park or engage in any activity within a County park for which a fee has been established without prior payment of said fee.

Section 36: Enforcement

This Ordinance shall be enforced by the Kent County Sheriff Department. Other law enforcement agencies may, from time to time, be authorized to enforce this Ordinance in Kent County parks by deputization and under agreement with the Kent County Sheriff Department.

Section 37: Fines and Penalties

- a. A violation of any of the following sections of this Ordinance shall constitute a misdemeanor, and shall be punishable by a fine of not more than \$500.00 or imprisonment for not more than 90 days, or both.

7.a	17.j	28.b
8.a	17.k	29.a
9.a	17.l	29.b
9.b	17.o	29.c
9.c	17.q	29.d
9.d	18.C.e	29.e
9.e	18.C.g	29.f
9.f	19.c	29.g
10.a	19.d	29.h
12	21.a	30.c
13.a	21.c	30.d
14.b	21.g	30.e
15.a	23	30.g
15.b	24.b	31
15.c	24.c	32.a
15.d	25.b	32.b
16.a	25.c	33.b
16.b	26	34.d
17.e	28.a	

- b. A violation of any of the following Sections of this Ordinance shall constitute a municipal civil infraction, and shall be punishable by a fine of not less than \$25.00 nor more than \$500.00.

10.b	18.B.d	22.b
11	18.B.e	22.c
13.b	18.B.f	22.d
13.c	18.B.g	22.e
13.d	18.B.h	22.f
14.a	18.C.a	22.g
17.c	18.C.b	22.h
17.g	18.C.d	22.i
17.h	18.C.f	22.j
17.p	19.a	24.a
18.A.b	19.e	27
18.A.c	19.f	29.i
18.A.d	19.g	34.d
18.A.e	20.b	29.i
18.A.f	20.c	34.e
18.A.g	20.d	34.f
18.A.h	20.e	34.g

18.B.a	21.b	34.j
18.B.b	21.e	35.b
18.B.c	21.f	
18.B.d	22.a	

- c. A violation of any of the following Sections of this Ordinance shall be prosecuted in accordance with the Kent County Animal Control Regulations.

17.a	17.m
17.b	17.n
17.f	

- d. A violation of any of the following Sections of this Ordinance shall be prosecuted in accordance with local ordinance or applicable laws of the State of Michigan.

15.e	25.a
18.A.a	30.a
19.b	30.b
	30.f

- e. Nothing in this Ordinance shall be construed as impairing the right of Kent County or the Kent County Parks Department to pursue other legal remedies, including but not limited to, injunctive relief, to enforce the provisions of this Ordinance.

Section 38: Amendments

This Ordinance may be amended from time to time at the discretion of the Kent County Board of Commissioners during a regularly scheduled meeting by majority vote of the members present.

Section 39: Severability

Any provision of this Ordinance that is found by a court of competent jurisdiction to be invalid, void or illegal shall in no way affect, impair or invalidate any other provisions contained herein, which shall remain in full force and effect.

Section 40: Repeal

Any ordinances, rules or regulations heretofore enacted and in conflict with this Ordinance are hereby repealed.

Section 41: Effective Date

Pursuant to MCL §46.11(j), this Ordinance shall become effective fifty (50) days from the date upon which it is adopted by the Kent County Board of Commissioners and notice of said adoption is published in a newspaper of general circulation in Kent County, Michigan.

David J. Morren, Chairman
Kent County Board of Commissioners

Mary Hollinrake
Kent County Clerk

Approved as to Form:

Sherry L. Batzer
Kent County Civil Counsel