

Township Code 129-20.

Park regulations; Permits for Special Events.

§ 129-20. Park regulations; permits for special events.

[Amended 10-4-1967 by Ord. No. 72-1967; 12-18-1974 by Ord. No. 166-1974; 9-3-1975 by Ord. No. 77-1975; 5-17-1989 by Ord. No. 30-1989]

A. It shall be unlawful for any person in a public park or recreation area to:

- (1) Willfully mark, deface, disfigure, injure, tamper with or displace or remove any buildings, bridges, tables, benches, fireplaces, railings, pavings or paving materials, water lines or other public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts or other boundary markers or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.
- (2) Fail to cooperate in maintaining rest rooms and washrooms in a neat and sanitary condition.
- (3) Dig or remove any soil, rock, sand, stones, trees, shrubs or plants or other wood or materials or make any excavation by earthmoving heavy equipment as used in the construction trade or by blasting.
- (4) Construct or erect any building or structure of whatever kind, whether permanent or temporary, or run or string any public service utility into, upon or across such lands, except on special written permit issued hereunder.
- (5) Damage, cut, carve, transplant or remove any tree or plant or injure the bark, or pick flowers or seed of any tree or plant, dig in or otherwise disturb grassed areas or in other way injure the natural beauty or usefulness of any area.
- (6) Tie or hitch an animal to any tree or plant.
- (7) Hunt, molest, kill, wound, trap, abuse, shoot, pursue or throw missiles at, remove or have in his possession any animal, reptile or bird found within a Township park; or disturb its habitat within a Township park; or knowingly buy, receive, have in his possession, sell or give away such animal, reptile, bird or eggs so taken, except as may be specifically provided for and being in accordance with state/federal fish and game laws.
- (8) Throw, discharge or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream or other body of water in any park or any tributary stream, storm sewer or drain flowing into such water any substance, matter or thing, liquid or solid, which will or may result in pollution of said waters.
- (9) Have brought in or dump in, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage or refuse or other trash. No such refuse or trash shall be placed in any waters in any park, or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided; where receptacles are not provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.

- (10) Drive or park any vehicle on any area except the paved park roads or parking areas or such areas as may on occasion be specifically designated temporary areas by the Park and Recreation Department.
- (11) Leave a vehicle standing or parked at night in established parking areas or elsewhere in the park areas. No motor vehicle shall be parked in said park areas from 1/2 hour after sunset until sunrise, except as otherwise permitted.
- (12) Ride a bicycle without reasonable regard to the safety of others.
- (13) Leave a bicycle lying on the ground or pavement or set against trees or in any place or position where a person may trip over or be injured by it.
- (14) Swim, bathe or wade in any waters or waterways in any park, except in such waters and at such places as are provided therefor and in compliance with such regulations as are herein set forth or may be hereinafter adopted; nor shall any person frequent any waters or places customarily designated for the purpose of swimming or bathing, or congregate thereat, when such activities are prohibited by the Park and Recreation Department upon a finding that such use of the water would be dangerous or otherwise inadvisable.
- (15) Erect, maintain, use or occupy on or in any beach or bathing area any tent, shelter or structure of any kind, nor shall any guy wire, rope or extension brace or support be connected or fastened from any such structure to any other structure, stake, rock or other object outside thereof.
- (16) Bring into or operate any boat, raft or other water raft, whether motor-powered or not, upon any waters, except at places designated for boating by the Park and Recreation Department. Such activity shall be in accordance with applicable regulations as are now or will hereafter be adopted.
- (17) Navigate, direct or handle any boat in such a manner as to unjustifiably or unnecessarily annoy or frighten or endanger the occupant of any other boat.
- (18) Fish in any area where bathing is permitted.
- (19) Shoot into park areas from beyond park boundaries. No person shall carry or possess firearms of any description or air rifles, spring guns, bow and arrows, slings or any other forms of weapons potentially inimical to wildlife and dangerous to human safety or any instrument that can be loaded with and fire blank cartridges or any kind of trapping device, except as may be specifically provided for and being in accordance with state/federal fish and game laws.
- (20) Picnic or lunch in a place other than those designated for that purpose. Attendants shall have the authority to regulate activities in such areas when necessary to prevent congestion and to secure the maximum use for the comfort and convenience of all. Visitors shall comply with any directions given to achieve this end.
- (21) Violate the regulation that use of individual fireplaces together with tables and benches follows the generally accepted rule of first-come-first-served.
- (22) Use any portion of the picnic area or any of the buildings or structures therein for the purpose of holding picnics to the exclusion of other persons, nor shall any person use such areas and facilities for an unreasonable time if the facilities are crowded.

- (23) Leave a picnic area before the fire is completely extinguished and before all trash is placed in the disposal receptacles, where provided. If no such trash receptacles are available, then trash shall be carried away from the park area by the picnicker to be properly disposed of elsewhere.
 - (24) Set up tents, shacks or any other temporary shelter for the purpose of overnight camping, nor shall any person leave in a park after closing hours any movable structure or special vehicle to be used or that could be used for such purpose, such as house trailer, camp trailer, camp wagon or the like, except in those areas designated by the Department of Parks and Recreation.
 - (25) Take part in or abet the playing of any games involving thrown or otherwise propelled objects such as balls, stones, arrows, javelins, horseshoes, quoits or model airplanes, except in those areas set apart for such forms of recreation. The playing of rough or comparatively dangerous games such as football, baseball and lacrosse is prohibited, except on the fields and courts or areas provided therefor. Roller-skating shall be confined to those areas specifically designed for such pastime.
 - (26) Ride a horse, except on designated bridle trails; where permitted, horses shall be thoroughly broken and properly restrained and ridden with due care and shall not be allowed to graze or go unattended; nor shall they be hitched to any rock, tree or shrub.
- B. While in a park or recreation area, all persons shall conduct themselves in a proper and orderly manner, and, in particular, no person shall:
- (1) Bring alcoholic beverages or drink the same at any time nor shall any person be under the influence of intoxicating liquor in a park.
 - (2) Have in his possession, or set or otherwise cause to explode or discharge or burn, any firecrackers, torpedo rockets or other fireworks, firecrackers or explosives of flammable material or discharge them or throw them into any such areas from lands or highways adjacent thereto. This prohibition includes any substance, compound, mixture or article that, in conjunction with any other substance or compound, would be dangerous from any of the foregoing standpoints. At the discretion of the Department of Parks and Recreation, permits may be given for conducting properly supervised fireworks in designated park areas.
 - (3) Be responsible for the entry of a dog or other domestic animal into areas clearly marked by the Department of Parks and Recreation by signs bearing the words "Domestic Animals Prohibited in this Area." Nothing herein shall be construed as permitting the running of dogs at large. All dogs in those areas where such animals are permitted shall be restrained at all times on adequate leashes not greater than six feet in length.
 - (4) Solicit alms or contributions for any purpose, whether public or private.
 - (5) Build or attempt to build a fire, except in such areas and under such regulations as may be designated by the Department of Parks and Recreation. No person shall drop, throw or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper or other flammable material within any park or on any highways, roads or streets abutting or contiguous thereto.
 - (6) Enter an area posted as "Closed to the Public," nor shall any person use or abet in the use of any area in violation of posted notices.
 - (7) Gamble or participate in or abet any game of chance except in such areas and under such regulations as may be designated by the Department of Parks and Recreation.

- (8) Go onto the ice or any of the waters, except such areas as are designated as skating field, and provided that a safety signal is displayed.
- (9) Upon request, fail to produce and exhibit any permit from the Park and Recreation Department he claims to have to any authorized person who shall desire to inspect the same for the purpose of enforcing compliance with any ordinance or rule.
- (10) Disturb or interfere unreasonably with any person or party occupying any area or participating in any activity under the authority of a permit.
- (11) Expose or offer for sale any article or thing, nor shall be station or place any stand, cart or vehicle for the transportation, sale or display of any such article or thing. Exception is hereby made as to any regularly licensed concessionaire acting by and under the authority and regulation of the Department of Parks and Recreation.
- (12) Paste, glue, tack or otherwise post any sign, placard, advertisement or inscription whatever, nor shall any person erect or cause to be erected any sign whatever on any parklands or highways or roads in any park.

C. Public use and availability of park and recreation areas.

- (1) Except for unusual and unforeseen emergencies, parks shall be open to the public every day of the year during designated hours. The opening and closing hours for each individual park shall be posted therein for public information and shall be determined from time to time by the Department of Parks and Recreation.
- (2) No person shall, on the grounds of race, color, national origin, religion, age, sex or handicap, be excluded from participation in, be denied the benefits of or be otherwise subjected to discrimination in any park facility, program or activity.

D. Permits for special events in parks shall be obtained by application to the Department of Parks and Recreation in accordance with the following procedures:

- (1) A person seeking issuance of a permit hereunder shall file an application with the Park and Recreation Department stating:
 - (a) The name and address of the applicant.
 - (b) The name and address of the person, persons, corporation or associations sponsoring the activity, if any.
 - (c) The day and hours for which the permit is desired.
 - (d) The park or portion thereof for which such permit is desired.
 - (e) Any other information which the Park and Recreation Department shall find reasonably necessary for a fair determination as to whether a permit should be issued hereunder.
- (2) Standards for issuance of a use permit by the Department of Parks and Recreation shall include the following findings:

- (a) The proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the park.
 - (b) The proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation.
 - (c) The proposed activity or uses that are reasonably anticipated will not include violence, crime or disorderly conduct.
 - (d) The proposed activity will not entail extraordinary or burdensome expense of police operation by the Township.
 - (e) The facilities desired have not been reserved for other use at the date and hour requested in the application.
- (3) Within five days after the receipt of an application, the Department of Parks and Recreation shall apprise an applicant, in writing, of its reasons for refusing a permit, and any aggrieved person shall have the right to appeal to the Township Council by serving written notice thereof on the Township Clerk within five days of said refusal. A copy of said notice shall also be served on the Department of Parks and Recreation within the same time, and said Department shall immediately forward the application and the reasons for its refusal to the Township Council which shall consider the application under the standards set forth under Subsection D(2) hereof and sustain or overrule the Department of Parks and Recreation's decision within 10 days from the receipt of the appeal by the Township Clerk. The decision of the Township Council shall be final.
- (4) A permittee shall be bound by all park rules and regulations and all applicable ordinances fully as though the same were inserted in said permits.
- (5) The person or persons to whom the permit is issued shall be liable for all loss, damage or injury sustained by any person whatever by reason of the negligence of the person or persons to whom such permit shall have been issued. The Department of Parks and Recreation shall have the right to require any permittee to submit evidence of liability insurance covering injuries to members of the general public arising out of such permittee's activities in such amounts as may be from time to time determined by the Department prior to the commencement of any activity or issuance of any permit.
- (6) Revocation. The Department of Parks and Recreation shall have the authority to revoke a permit upon a finding of violation of any rule or ordinance, or upon good cause shown.

E. Enforcement.

- (1) The Department of Parks and Recreation and park attendants shall, in connection with their duties imposed by law, diligently enforce the provisions of this article.
- (2) The Department of Parks and Recreation and any park attendant shall have the authority to eject from the park area any person or persons acting in violation of this article.
- (3) The Department of Parks and Recreation and any park attendant shall have the authority to seize and confiscate any property, thing or device in the park, or used, in violation of this article.
- (4) This article shall also be enforced by the Police Department of the Township of Wayne.