

BOARD OF TRUSTEES

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**SUPERVISOR**  
William J. Fountain

**CLERK**  
Larry N. Ciofu

**Treasurer**  
Kathleen A. Horning

**TRUSTEES**  
Joseph W. Colaianne  
Glenn E. Harper  
Matthew J. Germane  
Joseph M. Petrucci

**RESOLUTION 15-R007**

**RESOLUTION ADOPTING THE HARTLAND TOWNSHIP  
PARKS AND RECREATION ORDINANCE; AND ADOPTING  
ASSOCIATED PARKS RULES AND REGULATIONS**

At a regular meeting of the Township Board of Hartland Township, Livingston County, Michigan, held at the Township Hall in said Township on April 21, 2015 at 7:00 pm.

**PRESENT:** Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Colaianne, Trustee Germane, Trustee Harper, Trustee Petrucci

**ABSENT:** None

The following preamble and resolution were offered by **Trustee Germane** and seconded by **Treasurer Horning**.

**WHEREAS**, the Township General Ordinance Statute, Michigan Public Act 246 of 1945, as amended, authorizes the Township Board to adopt ordinances regulating the public health, safety and general welfare of persons and property; and

**WHEREAS**, the Township has provided parks for public use; and

**WHEREAS**, the Township desires to establish rules and regulations for use of township parks and other recreation areas; and

**WHEREAS**, to achieve those goals, the Township Board finds that it is in the best interest of the Township and the public to adopt the Parks and Recreation Ordinance (the "Ordinance") attached to this Resolution; and

**WHEREAS**, the Ordinance also authorizes the Township Board to adopt rules and regulations for the day to day operation of the Township's parks by resolution.

**THEREFORE**, be it resolved by the Board of the Township of Hartland Township, Livingston County, Michigan, as follows:

1. The Hartland Township Parks and Recreation Ordinance (attached hereto) is hereby enacted.
2. The Township Clerk, in accordance with MCL 41.184, shall publish either a true copy or a summary of the Ordinance once in a newspaper of general circulation in the Township within 30 days after adoption.
3. The Parks Rules and Regulations (attached hereto) are hereby enacted.
4. Any and all resolutions or parts of resolutions inconsistent with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

A vote on the foregoing resolution was taken on April 21, 2015 and was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Matt Germane, Trustee
SECONDER:	Kathie Horning, Treasurer
AYES:	Ciofu, Fountain, Horning, Colaianne, Germane, Harper, Petrucci

STATE OF MICHIGAN                    )  
  )  
COUNTY OF LIVINGSTON            )

I, the undersigned, the duly qualified and acting Township Clerk of the Township of Hartland, Livingston County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Township Board of said Township at a regular meeting held on the 21<sup>st</sup> day of April, 2015.

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Larry N. Ciofu, Hartland Township Clerk

**TOWNSHIP OF HARTLAND  
ORDINANCE NO. 15-R007  
PARKS AND RECREATION ORDINANCE**

**TOWNSHIP OF HARTLAND ORDAINS:**

**SECTION 1.0 TITLE**

This ordinance shall be known and cited as the "Parks and Recreation Ordinance".

**SECTION 2.0 PURPOSE**

An Ordinance to protect the public health, safety and general welfare of Hartland Township residents by establishing regulations related to the operation, control and management of parks and recreation areas owned by Hartland Township, Livingston County, Michigan; to provide penalties for the violation of said ordinance; and to repeal all ordinances or parts of an ordinance in conflict therewith. The Hartland Township Board may, at any time, amend these rules and regulations, as needed, in the future.

**SECTION 3.0 DEFINITIONS**

As used in this Ordinance:

- 3.1 "Board" shall mean the Hartland Township Board of Trustees
- 3.2 "Park" shall refer to any park, open space, arena, special-use area, trail corridor or any other area owned, improved, maintained, operated or otherwise controlled by Hartland Township for recreation or natural resource preservation purposes.
- 3.3 "Permit" shall mean the written permission obtained from Hartland Township to carry out certain activities.

**SECTION 4.0 PARK RULES / USE**

- 4.1 Rules: The Township Board may, by resolution, adopt rules and regulations for the day to day operation of the parks. Such rules and regulations shall be entitled "Park Rules and Regulations." The Township Board reserves the right to periodically amend the Rules and Regulations at their discretion.
- 4.2 Park Hours: Parks shall be open to the general public as outlined in the Park Rules and Regulations. No person shall enter or remain in a park after the posted closing hours.
- 4.3 Closing of Facilities: The Township Board, Public Works Director or an on-duty police/fire supervisor is authorized to close a park or portion thereof at any time for the protection of park property or the public's health, safety or welfare. During such periods of time as the park or portions thereof are closed, these closings shall be prominently posted and it shall be unlawful for anyone to enter upon or occupy such park or portions thereof contrary to the posted regulations.

**TOWNSHIP OF HARTLAND**  
**PARKS RULES AND REGULATIONS**

**SECTION 1.0 DEFINITIONS**

1.1 As used in this Policy:

- A. Board: The Hartland Township Board of Trustees
- B. Director: The Public Works Director in charge of administering and enforcing the provisions of the Park and Recreation Ordinance.
- C. Motor Vehicle: Any and all kinds or types of motor driven or motor propelled automobiles, trucks, motor cycles, motor scooters, mopeds, snowmobiles, go-cart, and any kind or type of off-road or all-terrain vehicle.
- D. Park: Any open space, arena, special-use area, trail corridor or any other area owned, improved, maintained, operated or otherwise controlled by Hartland Township for recreation or natural resource preservation purposes.
- E. Permit: The written permission that must be obtained from Hartland Township to carry out certain activities.

**SECTION 2.0 PRESERVATION OF PROPERTY AND NATURAL FEATURES**

- 2.1 No person shall injure, deface, disturb or befoul any part of the park nor any building, sign, equipment or other property found therein.
- 2.2 It is forbidden within any park to cut, remove or destroy any tree, sapling, seedling, bush or shrub, whether alive or dead, or chip, blaze, box or break or remove any foliage, flower or any tree or shrub, or pick, gather, uproot, remove or destroy any flower, plant or grass; or to remove or cause to be removed any sod, earth, humus, peat, boulders, gravel or sand, unless a special written permit has been granted by the Township.
- 2.3 No person shall deposit, permit or suffer to be deposited, in any part of any park, any garbage, ashes, sewage, refuse, waste or other noxious material, otherwise than in receptacles provided for such purposes; nor dump any earth or other materials within the Park.

**SECTION 3.0 HUNTING, FISHING AND MOLESTING WILDLIFE**

- 3.1 No person shall, within any park, hunt, trap, catch, wound or kill or treat cruelly any bird or animal, or rob any nest of any bird, or any lair, den or burrow of any animal, or attempt to do the aforementioned actions.
- 3.2 Except as provided by law, no person shall possess or discharge any firearms, fireworks, explosive substances or air rifles within the park without a specific permit from the Township, or when specifically permitted by Law.

**SECTION 4.0 GENERAL CONDUCT**

- 4.1 Behavior: No person shall engage in any noise, boisterous, disorderly or indecent conduct, or in any manner disturb the peace or good order of the Community within the Park; nor shall any person do any indecent, lascivious, lewd or improper act therein. No person shall annoy, harass, or inflict property damage, or bodily injury upon another person or persons. Sleeping or protractedly lounging on seats or benches or other park areas is prohibited.

- 4.2 Minors: No parent, guardian or custodian of a minor shall permit or allow such minor to do any act or thing in any township park or facility prohibited by the provisions of this article. Parents, guardians and custodians of minors shall be held responsible for the acts of said minors.
- 4.3 Sound: The use of loud speakers, public address systems, or sound amplifying equipment is prohibited without a permit. Excessively loud radios, televisions or other equipment are also prohibited.
- 4.4 Camping: No person shall light or maintain an open fire, nor establish or maintain any camp or other temporary lodging place in the park without prior approval from the Township.
- 4.5 Water: No person(s) shall swim, wade or bathe in any body of water in a park. Launching a boat into any body of water on park property, or transporting a boat across park property for purposes of launching the boat on an adjacent body of water is strictly prohibited.
- 4.6 Park Hours of Operation: All Hartland Township parks are open from sunrise to sunset unless otherwise permitted through the Township Public Works Department. The park facilities are classified as seasonal and are generally not open to the public during the winter season.
- 4.7 Additional Rules: The Public Works Director may enforce additional rules and regulations pertaining to the conduct and use of parks as are necessary to administer the same and to protect public property and the safety, health, morals and welfare of the public.

## **SECTION 5.0 ANIMALS**

- 5.1 Pets, specifically defined as domesticated dogs and cats, shall be controlled and on a chain or retractable leash not exceeding twenty (20) feet in length, except in areas where off-leash activities are designated. No pet shall be destructive to other birds and animals. This section does not apply to guide, leader, hearing and service animals.
- 5.2 The horses and the riding of horses or other animals is prohibited in Township Parks.
- 5.3 It shall be unlawful for any owner of any pet to allow or permit such animal to soil, defile, defecate, or to commit any nuisance within any park, unless:  
  
Such owner shall immediately remove any droppings deposited by such animal by any sanitary method, and for such purposes, shall possess a container of sufficient size to collect and remove the above-mentioned droppings. Such owner shall deposit said droppings or container of droppings in a receptacle ordinarily used for garbage or waste and covered by a lid, or in an otherwise lawful and sanitary manner.

## **SECTION 6.0 TRAFFIC CONTROL**

- 6.1 A speed limit of ten miles per hour (10 M.P.H.) is prescribed for all parks.
- 6.2 No person shall ride or operate any motor vehicle(s) in any area of the park other than on the driveway and in designated areas. No vehicle, including off-road type vehicles, shall be driven in the park except upon roads or trails for that purpose.
- 6.3 No person shall park, store or cause to remain any motor vehicle overnight in any park owned by the Township without written permission of the Township. The vehicle may be towed at the owner's expense.

## **SECTION 7.0 PERMITS.**

- 7.1 Permits may be granted for certain activities in parks owned by the Township. Permits shall be applied for and approved at the Township.
- 7.2 Applications for permits may be subject to a fee and other specific rules and regulations as determined by the Public Works Director. Permit applicants may be required to obtain insurance and/or security bonds prior to events.
- 7.3 The following activities are unauthorized without a permit obtained through the Township:
- A. To erect a structure, booth, tent or signage on park property;
  - B. The exclusive or special use of all or portions of park areas, buildings, trails, or for the use of park areas and facilities when they are otherwise closed to the public;
  - C. Any activities or special use which can reasonably be expected to have twenty-five (25) or more persons involved;
  - D. Use of a loudspeaker, public address system, amplifier or other sound amplifying device during approved events;
  - E. Special events where alcoholic beverages will be sold;
  - F. Firework displays by licensed professionals;
  - G. Vending activities, solicitation of business, fundraising activities;
  - H. To bring, land or cause to ascend or descend or alight within or above any Hartland Township property, any airplane, helicopter or other controllable apparatus for aviation including all unmanned aerial vehicles.
  - I. Notwithstanding any of the provisions of this article, the Public Works Director may grant specific use permits for particular purposes when, in the opinion of the Public Works Director, such use deserves special consideration.

## **SECTION 8.0 DISCLAIMER**

- 8.1 Every person who enters, remains in and travels within a Township park does so at their own risk. The Township is not responsible for any injury, accident or other calamity that might occur to any person present in a Township park. Any person who enters, remains in and travels within a Township park hereby releases, waives, indemnifies and holds harmless the Township for, from and against any injury, damages, causes of action, claims, costs and expenses associated with, relating to and/or involving the park. Such waiver, release and hold harmless provision shall apply not only to the Township, but also to any Township trustee, employee, officer, official, designee or agent.