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Lake Orion, MI General Ordinances

CHAPTER 96: PARKS AND RECREATION

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GENERAL PROVISIONS

§ 96.01 INTENT AND PURPOSE.

The intent and purpose of this chapter is the protection and promotion of the public health, safety and welfare by providing regulations for the hours, use, access to and conduct of visitors in the public parks within the village.

(Ord. 12.04, passed 7-25-05)

§ 96.02 VILLAGE PARKS.

The village parks that are subject to this chapter are Green's Park, Children's Park, Atwater Park, Unger Park, Swiss Village Park, Meek's/Linear Park and any other area of land that the Village Council may designate as a public park of the village.

(Ord. 12.04, passed 7-25-05)

PARK HOURS

§ 96.03 GENERAL PARK HOURS.

Unless otherwise established or allowed by ordinance or resolution of the village, no person shall be in any part of a village park before sunrise or after sunset. For purposes of this section, sunrise and sunset shall be the times of those events on any given day as reported by the National Weather Service for the Metropolitan Detroit Area.

(Ord. 12.02, passed 11-12-96; Am. Ord. 12.03, passed 5-10-05; Am. Ord. 12.04, passed 7-25-05)

§ 96.04 GREEN'S PARK HOURS AND DATES OF OPERATION.

No person shall be in any part of Green's Park outside the established and posted hours and dates that the park is open as determined by resolution of the Village Council and published in a newspaper of general circulation in the village.

(Ord. 12.02, passed 11-12-96; Am. Ord. 12.03, passed 5-10-05; Am. Ord. 12.04, passed 7-25-05)

§ 96.05 VIOLATIONS.

Any person, firm or corporation determined to be in violation of §§ 96.03 and 96.04 shall be guilty of a misdemeanor and subject to the provisions of § 10.99(A)(1).

(Ord. 12.04, passed 7-25-05)

§ 96.06 ENFORCEMENT.

Officers of the Police Department are hereby authorized to remove and eject any persons from the

parks found violating the provisions of §§ 96.03 and 96.04.

(Ord. 12.02, passed 11-12-96; Am. Ord. 12.04, passed 7-25-05)

PARK RULES AND REGULATIONS

§ 96.07 PROHIBITED CONDUCT IN ALL PARKS.

(A) The possession, use and/or consumption of alcoholic beverages is prohibited in all village parks.

(B) The possession of glass containers is prohibited in all village parks.

(C) No person shall start or maintain a fire in any village park unless it is within a village provided grill or designated area or otherwise allowed and in compliance with another provision of this chapter.

(Ord. 12.04, passed 7-25-05)

§ 96.08 PROHIBITED CONDUCT IN INDIVIDUAL PARKS.

(A) Swimming, wading or otherwise entering the waters of Paint Creek within or from Children's Park or Meek's/Linear Park is prohibited.

(B) Bicycles, skateboards, roller blades, roller skates are not allowed to be used or possessed in Children's Park.

(Ord. 12.04, passed 7-25-05)

§ 96.09 ANIMALS.

(A) Except for service dogs of persons who are blind or have some other disability requiring the assistance of the dog and police dogs, animals are not allowed to be in Green's Park or Children's Park.

(B) Except for service dogs of persons who are blind or have some other disability requiring the assistance of the dog and police dogs, in village parks other than Green's Park and Children's Park, animals shall only be allowed in designated areas posted with such notice.

(C) All animals shall be kept on a leash not over six feet in length and shall be under immediate control of a responsible person.

(D) Animal waste shall be removed and properly disposed of by the person in control of or responsible for the animal.

(Ord. 12.04, passed 7-25-05)

§ 96.10 GREEN'S PARK.

The regulations in this section apply to admittance to, the use of and conduct in Green's Park.

(A) *Admission.* Green's Park is open to the public during periods of time and hours established by resolution of the Village Council. No person shall enter Green's Park without first obtaining an admission pass as provided in this section and/or by applicable fee established by resolution of the Village Council.

(1) Admission passes may be applied for and are issued by the village offices and may only be issued to persons who are at least 18 years old upon presentation of photo identification and the payment of any applicable fee established by resolution of the Village Council.

(2) Once issued, a pass is valid for the remainder of the calendar year that Green's Park is open and is for immediate family members of the holder of the pass, and up to one guest per each such family member.

(3) Persons under the age of 12 shall not enter or be in Green's Park unless they are accompanied and subject to supervision by a person who is at least 18 years old.

(B) *Supervision and control of park.* Lifeguards and any other personnel the village may assign to the park are in charge of park usage at all times and are authorized to monitor conduct for compliance with the park regulations, other village ordinances and for situations that present a threat to the public health, safety and welfare. All persons in or seeking to enter Green's Park shall obey requests or directives of such village lifeguards or personnel, including directives to not enter or to leave the park. Failure to obey such a request or directive is a violation of this chapter and shall be grounds for immediate removal from the park and may result in suspension or revocation of the applicable admission pass.

(C) *Group activities.* The use of Green's Park by a group of more than ten persons that are not immediate family members of one another must be reserved at least one week in advance through the village offices by completing a written application and paying the required fee as set by resolution of the village council and which may be based upon the day of the week, the size of the group, the length of the gathering, additional lifeguard and/or other staffing required and any other factors the Village Council determines to be appropriate. Reservations shall be confirmed by a group park pass which shall specify the exact hours between which the pass is valid. The group must leave when the pass expires.

(D) *Rules and regulations.*

(1) No person shall start or maintain a fire within the boundaries of the park except in picnic stoves, fireplaces or places provided for such purpose. All fires shall be put out before leaving the park. Charcoal and burning material shall be properly disposed of and shall be placed in receptacles marked for such purposes only.

(2) The beach and lake area are for swimming purposes only. Open swimming is not allowed during scheduled swimming lessons.

(3) Persons wishing to fish must do so at least 100 feet away from the beach and swimming area.

(4) Wind surfing, kayaking, canoeing and/or similar activities are not allowed in or near the beach and swimming areas.

(5) No person may use Green's Park to enter the waters of Lake Orion for the purposes of wind surfing, kayaking, canoeing and/or similar activities.

(6) Any person wishing to use Green's Park to enter the waters of Lake Orion for the purposes of scuba diving must first obtain a scuba diving permit from the Village Office.

(Ord. 12.04, passed 7-25-05)

§ 96.11 DISPLAY OF RULES AND REGULATIONS.

Park rules and regulations shall be posted in a visible area within each park in the village.

(Ord. 12.04, passed 7-25-05)

§ 96.12 VIOLATIONS.

Any person, firm or corporation determined to be in violations of §§ 96.07 through 96.10 shall be responsible for a municipal civil infraction and subject to the provisions of § 10.99(A)(2).

(Ord. 12.04, passed 7-25-05)

§ 96.13 ENFORCEMENT.

Officers of the Police Department are hereby authorized to remove and eject any persons from the parks found violating the provisions of §§ 96.07 through 96.10.

(Ord. 12.04, passed 7-25-05)

BOATING REGULATIONS

§ 96.15 DEFINITIONS.

All words and phrases used in this subchapter shall be construed and have the same meanings as those words and phrases defined in Public Act 303 of 1967, as amended, being M.C.L.A. §§ 281.1001 et seq.

(Ord. 2.05, passed 9-11-78)

§ 96.16 CHANGES TO CODE.

R281.763.9 of the Michigan Administrative Code, 1979 edition, is amended to read as follows:

Regulation No. 63, Oakland County.

R 281.763.9. Lake Orion; prohibited conduct.

Rule 9.

(1) On the waters of Lake Orion and the canals and channels connected thereto, sections 2, 3,

10, and 11, T4N, R10E, Village of Lake Orion and Orion Township, Oakland County, it is unlawful for the operator of a vessel to exceed a slow — no wake speed when within 100 feet of any shore, dock, raft, buoyed or occupied bathing area, or vessel moored or at anchor, except when water skiers are being picked up or dropped off if that operation is otherwise conducted with due regard to the safety of persons and property and in accordance with the laws of this state.

(2) On the waters of Lake Orion and the canals and channels connected thereto, sections 2, 3, 10, and 11, T4N, R10E, Village of Lake Orion and Orion Township, Oakland County, it is unlawful, during the period of one hour after sunset to one hour before sunrise to:

(a) Operate a vessel at high speed.

(b) Have in tow, or otherwise assist in the propulsion of, a person on water skis, a water sled, kite, surfboard, or other similar contrivance.

(3) On the waters of Lake Orion and the canals and channels connected thereto, sections 2,3, 10, and 11, T4N, R10E, Village of Lake Orion and Orion Township, Oakland County, it is unlawful at any time to operate a vessel at a speed in excess of 40 miles per hour (64 kilometers per hour).

(Ord. 2.05, passed 9-11-78)

§ 96.17 MOTORBOATS MUST HAVE MUFFLERS.

(A) A person shall not operate a motorboat on the waters of Lake Orion unless the motorboat is equipped with a muffler, underwater exhaust, or other modern noise reduction device in good working order and in constant operation from which emission measured at not less than 50 feet from the motorboat, does not exceed 86 decibels on the “A” scale on a sound meter having characteristics of a general purpose sound meter as defined by American Standards Association S1, 4-1966.

(B) If a motorboat is equipped with a muffler or any other modern noise reduction device, including, but not limited to, a water injected exhaust, but is also equipped with the capability of disengaging that device through the use of any equipment such as, but not limited to, a water turnoff valve, bypass, or similar device, this shall be prima facie evidence that the muffler or noise reduction device is not in constant use, and shall be considered a violation of this chapter.

(Ord. 2.12, passed 4-27-87) Penalty, see § 10.99

§ 96.18 VIOLATIONS.

Any person, firm or corporation determined to have been in violation of the provisions of this chapter shall be responsible for a municipal civil infraction and subject to the provisions of § 10.99(A)(2).

(Ord. A-3, passed 1-13-97)