PARK RULES & ORDINANCE

Isabella County Parks & Recreation Commission

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PARK RULES & ORDINANCE AUTHORIZATION

ISABELLA COUNTY PARKS AND RECREATION COMMISSION

Pursuant to Act 261 of the Public Acts of the State of Michigan of 1965, as amended an Ordinance to regulate and control all lands, waters, and property administered by or under the jurisdiction of the Isabella County Parks and Recreation Commission.

MCL 46.11; MSA 5.331, authorizes the Isabella County Board of Commissioners to enact Ordinances relating to County affairs.

MCL 46.351; MSA 45.570 (101) and MCL 46.364, as amended authorize the Isabella County Board of Commissioners to make rules and regulations with respect to the County Parks and Recreation Commission as the Board of Commissioners considers advisable.

The Isabella County Board of Commissioners believes that the safety and general welfare of the People of the County would be enhanced by the enactment of a County Ordinance regulating and controlling all lands, waters, and property administered by or under the jurisdiction of the Isabella County Parks and Recreation Commission.

The County Board of Commissioners authorizes the enforcement of these Park Rules and Ordinances by the County Parks and Recreation Commission employees, designees and agents; and local and state law enforcement agencies.

DEFINITIONS

Commission shall mean the Isabella County Parks and Recreation Commission, its Director, or its authorized agent.

Commission property shall mean all lands, waters, and property administered by or under the jurisdiction of the Isabella County Parks and Recreation Commission.

Person or person(s) shall mean individuals, male and female, singular or plural; firms, corporations, or any group of individuals.

Camping means the overnight lodging or sleeping of person(s) in a cabin, tent, trail-tent, trailer coach, vehicle camper, motor vehicle, or in any other conveyance erected, parked or placed on the premises within any property administered by the Isabella County Parks and Recreation Commission.

Day use area shall mean those park areas containing developed recreation facilities including, but not limited to, picnic grounds, swimming beaches, youth playgrounds, sport fields and parking lots which are used during normal park daytime hours of operation. Campgrounds, undeveloped forest and field areas and hiking trails, unless groomed for cross-country skiing, are not considered to be day use areas.

Campsite is defined as space for camping by reservation as designated by the Commission

Motorized vehicle(s) shall mean any piece of equipment with a motor (internal combustion, electric or other) which is able to transport an individual by converting energy, other than that provided by the person riding the equipment, into motion. This includes but is not limited to; automobiles, all-terrain vehicles (ATVs), go-karts, tractors, mopeds, scooters, motorcycles and snowmobiles.

Motorized wheelchairs, scooters for individuals with a disability, are excluded from this definition provided that the vehicle is used by someone that has a documented physical disability.

Temporary Structure shall mean any equipment used for shelter, shade, privacy or cover that can be assembled for short term use and then disassembled without leaving any permanent damage to a site. This includes but is not limited to tents, canopies, awnings enclosed with tarp or canvas sides, teepees, yurts, or any type of moveable shelter.

Sewage shall mean water and contaminants discharged from the sanitary systems or processes of a camping unit including sinks, shower, toilets, washing machines, dishwashers and other appliances connected to water systems. This includes but is not limited to discharge from greywater and blackwater holding tanks.

To *smoke* means the practice in which a plant or substance is burned, and the resulting smoke or vapor is breathed in and exhaled. Smoking includes, but is not limited to, the use of cigarettes, cigars, marijuana, pipes, e-cigarettes, vaping or other similar devices.

Electric Scooter shall mean any personal transportation device which consists of a narrow platform or deck on which a rider stands, with handlebars for steering and typically has two or three wheels and is powered by an electric motor.

Exceptions to the following rules may be permitted by the Commission. Rules not addressed will be determined by Park Staff.

Violations of any of the park rules may be cause for removal from Commission property with no refund or rain check. Previous Park rule violations may impact a person's ability to reserve/rent Commission property in the future.

SECTION 1 - GENERAL PUBLIC

Any group may use certain designated park facilities to the exclusion of others by making application, depositing a fee, and being granted a permit by the Commission, or its authorized agent.

SECTION 2 - PERMITS

1. Application for a permit for reserved park facilities shall be made upon forms furnished by the Commission.

2. If more applications are received than facilities are available, applications shall be considered in the chronological order received or through random drawing.

3. Nothing contained herein shall exempt the users of reserved facilities from full compliance with all ordinance provisions and rules of the Commission relating to use and conduct on Commission property.

4. Annual Permit Replacement Policy (i.e. stolen, damaged, replaced permits-new windshield).

a. Only registered permits may be replaced for free or at a low cost.

b. Replacement permits will only be approved by the Commission Main Office.

c. Permit holder must provide the Commission with at least one third of the original registered permit and it may be replaced- free of cost or at a low cost.

d. If unable to provide a portion of the original permit, replacement may be given at a reduced cost. Lost or stolen permits will usually require full payment for replacement.

5. Limitations for camping permits, including, but not limited to nightly stay maximums, long-term stay maximums, types of reservations allowed on specific sites, and restrictions on certain types of campsite use will be set by the Parks Commission on an ongoing basis and are subject to change.

SECTION 3 - FEES AND CHARGES

It shall be unlawful:

1. To use any facility, land or area for which a fee and charge has been established by the Commission without payment of such fee or charge.

2. To fail to display a properly placed, valid daily or annual park entrance permit on the windshield, if applicable, or the most practical point of display if no windshield is available, of any vehicle entering Commission property requiring such a permit. Only those entering as pedestrians or on bicycles will be exempt from the permit fee. All forms of transportation, including, but not limited to recreational vehicles, automobiles, motorcycles, horse-drawn vehicles, golf carts and mopeds shall obtain an entrance permit.

3. To fail to display a properly placed, valid watercraft permit.

SECTION 4 - HOURS

No person shall remain upon Commission property between sundown and 8:00 a.m., except at designated park areas. Said hours may be changed upon approval of the Commission. It shall be unlawful for any person to enter park lands or waters which have been designated as closed to public use or entry.

SECTION 5 - VANDALISM AND DESTRUCTION OF PROPERTY

No person shall:

1. Destroy, deface, alter, change or remove any monument, or stone marker.

2. Benchmark, stake, post, blaze, mark or designate any boundary line, survey line or reference point.

3. Cut, break, mark upon or otherwise injure any building, equipment, bridge, drain, wall, fountain, lamp post, trail feature, fence, gate, hedge or other structure.

4. Deface, destroy, or remove any placard, notice or sign, whether permanent or temporary, posted or exhibited within or upon Commission property.

5. Appropriate, excavate, injure or destroy any historical ruin or pre-historical ruin or any object of antiquity, without permission of the Commission.

SECTION 6 - DESTRUCTION OF PLANT LIFE AND NATURAL SURROUNDINGS

No person shall:

1. Cut, remove, or destroy any tree, sapling, seedling, bush or shrub, whether alive or dead, or chip, blaze, box, girdle, trim or otherwise deface or injure any tree or shrub, or pick, gather, uproot, remove or destroy any flower, plant or grass.

2. Remove or cause to be removed any sod, earth, humus, peat, boulders, gravel or sand, without written permission of the Commission.

SECTION 7 - FIRES

No person shall:

1. Willfully set or cause to be set on fire any tree, woodland, brush land, grassland or meadow.

2. Build any fire except within receptacles or open spaces approved and designated for such purposes.

3. Drop, throw or scatter lighted matches, burning cigars, cigarettes, tobacco paper or other flammable material within or upon Commission property.

4. Leave fires unattended. Campers shall completely extinguish all fires, including embers, prior to leaving the boundaries of their assigned campsite.

SECTION 8 - HUNTING, FISHING, TRAPPING

No person shall hunt, trap, catch, wound, kill or treat cruelly, attempt to trap, catch, wound or kill any bird or animal, molest or rob any nest of any bird or lair, den or burrow of any animal in or upon Commission property. Fishing will be permitted in accordance with the laws of the Department of Natural Resources of the State of Michigan in such areas designated for such purposes.

Ice Shanties:

Must be made of sturdy materials and maintained in good repair.
Must display owner's name and address.
Must be removed prior to ice melt. If removed by park staff, a service fee will be charged.
Must be placed on lake by using designated boat ramp.
Are prohibited for use on the waters within Herrick Park.
Parks and Recreation Commission will not be responsible for damage or vandalism to shanties.

SECTION 9 - CONTRABAND

All game animals, fowl, birds, fish and other aquatic life, hunted, killed, taken or destroyed, bought, sold, bartered or had in possession, contrary to any of the provisions hereof, shall be declared to be contraband and shall be turned over to the State of Michigan Department of Natural Resources for disposal. Further, any weapon or object carried or used by any person in violation of these rules shall be subject to seizure by the Commission or its agents and disposed of according to law.

SECTION 10 - SWIMMING, BATHING, WADING

No person shall:

1. Swim, bathe, wade or scuba dive in any of the watercourses, lakes, ponds or sloughs, located within or upon Commission property except at such times and places as may be designated for such purposes. Persons must abide by posted swim rules.

2. Possess a glass container within any land or water area that is designated as a bathing beach or a land or water area that is regularly used for sunbathing, swimming or wading.

3. Use any flotation device, inflated or otherwise, in any watercourse, lake, pond or slough located within or upon Commission property except in specifically designated areas.

4. Except in a lifesaving situation, remove, destroy or in any manner whatsoever render useless equipment designated and situated for water safety purposes.

5. Fail to exercise supervisory responsibility for minor children entrusted to their care. Children under the age of thirteen (13) shall be under the immediate supervision of a responsible adult.

6. Appear on any beach, designated swim area or other property owned or administered by the Commission in a state of nudity, or make any indecent exposure, or engage in any obscene, lewd, lascivious, or indecent behavior.

7. Set up a hot tub, portable hot tub, or portable pool in any park at any time.

SECTION 11 - YOUTH PLAYGROUND

No person shall fail to exercise supervisory responsibility for minor children entrusted to their care. Children under age thirteen (13) shall be under the immediate supervision of a responsible adult.

SECTION 12 - CAMPING

It shall be unlawful:

1. To camp without a permit.

2. To camp except in areas provided and designated for such use.

3. To exceed the maximum site occupancy of 6 people per site.

4. To discharge wastes of any type, except into designated containers, or dumping stations. Per Central Michigan District Health Department Sanitary Code, grey water and black water must be discharged into approved containers or sanitary dump stations. Violation will result in expulsion from the campground.

5. For unsupervised children to occupy a campsite. Supervision must be provided by a parent or legal guardian eighteen (18) years of age or older.

6. For more than two (2) motor vehicles, and one (1) primary camping unit plus one (1) additional soft-sided temporary structure to occupy a single campsite.

7. For anyone between the hours of 10:00 p.m. and 8:00 a.m. to create disturbance to disrupt the peace, quiet and tranquility of the camping area.

8. For person(s) to wash dishes at pumps or drinking fountains; or to discharge wastes of any type, except into designated containers, or dumping stations.

9. To fail to clean campsites or cabins daily. Campsites and cabins must be kept clean at all times, with trash placed in provided dumpsters. Campsites and cabins must be clean before leaving and left in the same condition as found.

10. To occupy a campsite after 1:00 p.m. on the last day covered by the permit.

11. To occupy campsites contrary to assignments made by the Commission’s authorized representative.

12. For a person to use a campground as a permanent or semi-permanent residence or as a base for the operation of a business.

13. For unregistered campground visitors to enter or remain in a campground or day use area between 10:00 p.m. and 8:00 a.m.

14. For trailers to be parked with tongue facing center of campsite. Trailer tongues must face road for easy hook up in case of fire or other emergency.

15. To dig a trench or make any excavation on any campsite.

SECTION 13 - CONTINUOUS WALKING OR CRUISING IN OR NEAR CAMPGROUNDS

It shall be unlawful to pass through and around the parks for the purpose of attracting or distracting campers or other visitors.

SECTION 14 - WATERCRAFT

1. No person shall bring into, launch, moor, use or navigate any boat, canoe, kayak, raft or other watercraft upon any watercourse, river, lagoon, lake, pond or slough located within or upon Commission property, except at such time or place as may be provided or designated for such purpose.

2. All such watercraft shall comply with all Federal and State laws and all rules, regulations and responsibilities governing the use and operation of watercraft. U.S. Coast Guard-approved personal flotation devices must be used as prescribed by state law.

3. Gasoline powered watercraft are prohibited on the waters within Deerfield Nature Park and Herrick Recreation Area. All watercraft are prohibited from operating within the designated swim areas of Herrick Recreation Area, Coldwater Lake Family Park and Deerfield Nature Park.

4. A person must be a current registered camping guest at the park to keep or moor a watercraft and to store or park a watercraft trailer within the park overnight.

5.Only those with permission in writing from the Parks Commission may use long-term mooring areas.

6. Permitted watercraft and trailers must only be kept, stored or parked in designated areas.

7. No person shall use any type of mooring device which protrudes above the surface of the water, except in the licensed mooring area. Only bottom anchors may be used in all other areas.

8. No person shall launch a watercraft without a valid Commission permit from any gate attended park.

9. Mooring areas, unless specifically designated by the Commission, are available on a first-come-first-served basis. Reserving a specific first-come-first-served mooring post or area is prohibited. Attempting to block access to a first-come-first-served mooring post in any way is prohibited.

10. Removal or unmooring of another person’s watercraft from a first-come-first-served mooring post, including tampering with ropes, anchors, buoys or other anchoring or mooring devices is prohibited.

11. Watercraft are not permitted to operate above “slow, no wake speed” within 100 feet of designated swim areas or after “no wake hours” for the body of water.

12. Motor-driven vehicles, watercraft, trailers and other personal property left on Parks Commission property in violation of these rules are subject to removal and impoundment. The owner may reclaim possession of such property upon payment of the charges incurred on such property for its removal and storage.

SECTION 15 - PARKING IN PROHIBITED AREAS

No Person shall:

1. Stop, stand, park or moor in any place marked as a passenger or loading zone, other than for the expeditious loading or unloading of passengers or for the unloading and delivery or pick up and loading of materials.

2. Stop, stand or park a motor driven vehicle, or any trailer, boat, or other towed item, or moor watercraft upon any roadway or in any parking or mooring area in such manner as to form obstruction to traffic thereon.

3. Stop, stand or park in any marked Handicapped Parking space, except when by permanent or temporary permit, properly displayed. Use of such permit is authorized by a legally recognized regulatory authority.

4. Stop, stand, park or moor after hours in any park except in designated areas within designated campgrounds.

5. Stop, stand, park, moor or anchor watercraft in any area not designated for such purpose.

6. Fail to move a motor-driven vehicle, or any part thereof, or any trailer, boat or other vehicle of any kind when directed to do so by a park employee.

SECTION 16 - MOTORIZED VEHICLES, RECREATIONAL VEHICLES AND GOLF CARTS

All golf carts and recreational vehicles must be registered at the park office with a vehicle permit affixed before being used within a park.

It shall be unlawful for any person to:

1. Operate a motor driven vehicle of any kind, other than licensed road vehicles, except on designated roads and parking areas. All motorized vehicles, other than licensed road vehicles, are prohibited from operating on Commission property unless preapproved and issued a special use permit.

2. Operate a motor driven vehicle on any park road at a speed exceeding 5 miles per hour or at any speed greater than that posted.

3. Operate a motor vehicle in violation of any laws of the State of Michigan.

4. Operate a motor vehicle without being a legally licensed driver in possession of a valid driver's license and insurance. Proof of a valid driver's license must be provided upon request.

5. Operate a golf cart or recreational vehicle during quiet hours at any Commission campground.

6. Exceed more than one (1) golf cart or recreational vehicle per site. Registered campers AND golf cart owners, are responsible for their machines and their guests and must ensure guests and children follow all rules.

Park maintenance vehicles, emergency vehicles, and motorized enabling vehicles are exempt from the above rules.

SECTION 17 - OPERATION OF BICYCLES AND WHEELED DEVICES

Bicycles be operated single file as closely to the right-hand side of the path, trail or roadway as conditions permit.

It shall be unlawful for any person to:

1. Operate a bicycle in a manner which endangers pedestrians, oneself and other bicyclists.

2. Carry any other person upon a bicycle handlebar or frame, or for any person to so ride upon such bicycle.

3. Operate a bicycle between sunset and sunrise.

4. Operate a bicycle, or ride-on wheeled device anywhere other than on approved trails or roadways.

5. Operate a bicycle, or other ride-on wheeled device within a building or on walkways around structures, or in any manner that causes damage to facilities or impedes pedestrian or motor traffic.

6. Operate an electric scooter on Commission property, including day use areas, campgrounds and trails. Electric scooters are prohibited on Commission Property.

E-Bikes and Trails:

a. Class 1 e-bikes are allowed on all trails (with the exception of designated mountain bike single track trails). Class 1 e-bikes are pedal-assist only, with no throttle, and have a maximum assisted speed of 20 mph.
b. Class 2 and 3 e-bikes are prohibited on any trails within Commission Property. Class 2 e-bikes have a maximum speed of 20 mph, but are throttle assisted, and Class 3 e-bikes are pedal assist only, with no throttle, and a maximum assisted speed of 28 mph.
c. Pursuant to the Americans with Disabilities Act of 1990 and its regulations, the Commission has authorized persons with mobility disabilities to use certain types of Other Power-Driven Mobility Devices (OPDMD) on park trails. To determine if any particular OPDMD is approved, contact the Parks Main Office.
d. Any e-bike with a throttle or capability to travel over 20 mph is not allowed on Commission Property.

SECTION 18 - UNLAWFUL OBSTRUCTION

No person, firm or corporation shall by force, threats, intimidations, unlawful fencing, enclosing or by other means, prevent or obstruct any person from entering, leaving or making full use of any Commission property.

SECTION 19 - PEDDLING AND SOLICITING

It shall be unlawful for any person to peddle or solicit business of any nature whatever or to distribute handbills, or other advertising matter, to post unauthorized signs on any lands, waters, structures, or property administered by or under the jurisdiction of the Commission, or to use such lands, waters, structures, or property, unless first authorized in writing by the Commission.

SECTION 20 - FIREWORKS

No person shall fire, discharge or have in his/her possession any firecracker, rocket, sparkler or other fireworks or any substance of an explosive or dangerous nature unless the Commission shall have authorized same by the issuance of a permit. Any permit issued shall not relieve a person desiring to use fireworks from obtaining the necessary permits as required by law from the local governing authority wherein this park is located.

SECTION 21 - FIREARMS

No person shall, at any time, bring into or upon Commission property, nor have in their possession, nor discharge or set off anywhere upon said property, a revolver, pistol, shotgun, rifle, air rifle, air gun, or any gun, rifle, firearm or other weapon that discharges projectiles either by air, explosive substance or any other force, except in compliance with the laws of the State of Michigan and rules and regulations of the Department of Natural Resources, and only in areas designated for such purposes. This section shall not apply to any deputy sheriff, police officer, authorized park ranger or other duly appointed law enforcement officer while carrying out the duties and responsibilities of their position nor to any person while on designated target ranges or areas.

SECTION 22 - PERSONAL CONDUCT, ALCOHOLIC BEVERAGES, ILLEGAL SUBSTANCES AND ACTIVITIES

1.It shall be unlawful for any person to be under the influence of intoxicants, narcotics, or other mind-affecting drugs, or to smoke or become excessively intoxicated in public or common spaces of the facilities, or to engage in any of the aforementioned substances or practices in a way that is not in accordance with local, State or Federal law.

2. It shall be unlawful for any person to engage in any violent, abusive, loud, boisterous, vulgar, lewd, wanton, obscene or otherwise disorderly conduct tending to create a breach of the peace, or disturb or annoy others, while in or on any Commission property.

3. It shall be unlawful to conduct or to participate in any form of gambling, lottery or game of chance upon park property except as permitted by state law and approved by the Commission.

4. The sale and/or free distribution of alcoholic beverages is prohibited on Commission property. This rule does not prohibit individuals from consuming moderate amounts of alcoholic beverages from their own personal stock. It does, however, prohibit the sale and distribution of alcoholic beverages from “community” sources such as kegs, balls, ponies, etc. All beverages, whether alcoholic or otherwise, must be served in unbreakable containers in beach and waterfront areas.

5. It shall be unlawful to impersonate any employee or contracted employee of the Commission.

6. No person shall interfere with any park employee in the course of his or her duties or refuse to obey any lawful command of any park employee.

7. No person shall resist, obstruct, be abusive, or address in a profane or obscene manner any Commission agent or employee.

8. No person shall harass, stalk, interfere with, be abusive or address in a profane or obscene manner, any other guests of Park Commission property or facilities.

9. Harassment of Commission staff or agents, vendors hired by the Commission, or other park visitors or registered campers shall be grounds for immediate expulsion from Commission property.

10. No person shall leave minor persons in their care unsupervised while on Commission property. Adult registered campers shall be responsible for all minors in their party or visiting their campsite.

11. No person under age 13 shall use, enter or be in a bathhouse, playground, or beach area without direct adult supervision. Children under age 13 must be accompanied by an adult when not on a campsite.

12. In addition to any other penalty prescribed by law, violation of any Park Rule may result in ejection/eviction from Commission Property without refund or rain check, by Commission Staff or law enforcement.

SECTION 23 - USE OF LOUDSPEAKER

It shall be unlawful to use a loudspeaker, public address system or sound amplifying equipment of any kind without proper written permission of the Commission; or to operate a motor, motorboat, motor vehicle, radio, television, or any device in a manner that produces excessive noise. Even outside of campground quiet hours, use of any speaker within the campground must be kept at a respectful level as determined by Commission staff so as not to disturb other campers.

SECTION 24 - LITTERING AND POLLUTION OF WATERS

It shall be unlawful:

1. To discard or deposit refuse of any kind or nature in or upon Commission Property except by placing said refuse in containers provided for such purpose.

2. To throw, lay, drop or discharge into or leave in waters any substance, matter or thing, liquid or solid, which may or shall result in the pollution of said waters.

3. To deposit refuse or waste material which has originated outside a campground in receptacles provided for campground users; to set fire to contents of a refuse basket or trash container; or to place or burn garbage in a fire ring or stove.

4. To use materials for decoration, recreation or events in any pavilion or building or on any campsite, court, playground, natural surface, open area or trail owned by the Commission that create litter and cannot be cleaned up in their entirety.

SECTION 25 - METAL DETECTORS & GEOCACHING

Metal detectors are allowed in the picnic, campground, beach and other general park areas only when these areas have been closed to the public. Permits issued by the Commission are required for use of all metal detectors and placements of caches in the parks.

SECTION 26 - SKATING AND COASTING

No person shall:

Use inline skates or skateboards within Commission property except at such times and upon such places as may be designated for such use.

SECTION 27 - PUBLIC EXHIBITION

No person shall:

1. Exhibit any machine, animal or product.

2. Indulge in any acrobatic exhibitions in or upon any property of the Commission.

3. Carry on any performance or do anything whatsoever, which shall cause persons to congregate so as to interfere with the proper use of such property by the general public.

4. Obstruct the passage of vehicles or persons, without first having obtained written permission from the Commission.

Exceptions may be made with written permission from the Commission.

SECTION 28 - ANIMALS AND BIRDS

No person shall:

1. Cause any animal or fowl to run at large.

2. Bring, drive or lead any animal onto Commission property, except at such time or place as may be provided or designated for such purpose. Except for working dog guides, pets are prohibited from the day use area of all parks except on designated walking trails.

3. Bring, drive, lead or carry any dog or other animal or pet which is unleashed, or upon a leash more than six feet in length, under immediate control of a competent person.

4. Cause any dog or pet to enter any public building or to be upon any designated beach, youth playground, or picnic area except a trained and working dog guide. No dogs are allowed on any groomed cross country ski trails.

5. Torture, ill-treat or neglect any animal or fowl.

6. Feed any waterfowl found in designated picnic and swimming areas.

7. Walk any dog or other animal without having in possession a device to pick up feces. Owners or caretakers must pick up all animal droppings.

8. Bring, drive, lead or carry any unlicensed dog or any other animal into a park.

9. Fail to display a valid dog license upon checking into a campground.

10. Fail to keep any dog or pet in the direct possession or under the immediate control of its owner or the owner's agent, or be in the possession of any dog creating a nuisance or disturbance. Said pets and owners may be removed from the park.

11. Leave a pet, service animal or working animal unattended within Commission Property.

12. Bring an unruly dog or dogs onto Commission Property. Unruly dogs are defined as dogs that are not controllable by their owners or caretakers, dogs which physically attack, or pin to the ground, or bite other dogs or humans when not provoked. Dogs exhibiting these behaviors are prohibited from Commission Property.

Owners and caretakers of animals assume full responsibility and liability for all animals brought onto Commission Property.

SECTION 29 - SPECIAL PERMITS

1. No construction or maintenance shall be made above or beneath Commission property by any person without first obtaining written permission from the Commission authorizing such construction or maintenance and a permit specifying in detail the work to be done and the conditions to be fulfilled to the terms of such approval.

2. Notwithstanding any of the provisions hereof, the Commission may, upon written application, grant specific use permits for special uses when, in the opinion of the Commission, special consideration is warranted.

SECTION 30 - EMERGENCY POWERS

Nothing in these rules shall:

1. Prohibit or hinder any Commission employee or agent, or any peace officer from performing their official duties.

2. Prohibit the Commission from establishing additional rules required to protect the health, welfare, and safety of park visitors; to protect park property; to maintain order.

SECTION 31 - ENFORCEMENT AND PENALTIES

1. A person violating any provision of these rules shall be guilty of a misdemeanor, punishable by a fine of not more than $100, and/or up to 90 days incarceration in the County jail. Additionally, offenders will be liable to the County for restitution for damages caused by their actions.

2. Anyone who violates these rules is subject to not only the penalties described herein, but any other laws of the State of Michigan. Further, Isabella County may take any civil actions against an offender as permitted by law.

3. VIOLATION OF RULES: Upon a violation of any provision of the foregoing rules, the Commission Director or designee, Park Supervisor, Assistant Park Supervisor, a park manager, or other designated Commission employee, a member of the Isabella County Parks Board or law enforcement officer may revoke user privileges and order the offending person(s) to leave park property. Any person who has been evicted from park property pursuant to a violation of park rule(s) shall be deemed ineligible to use and/or be present on any Isabella County Parks property. A time limit may be given in writing up to and including a permanent eviction based on the severity of offense or frequency of offenses. Upon eviction notice, any continued use or re-entry to Commission property will lead the Commission to pursue a permanent eviction or trespass violation of the law.

4. REINSTATEMENT OF USER PRIVILEGE: Any person who has been evicted from park property pursuant to a violation of park rule(s) shall be deemed ineligible to use and/or be present on any Isabella County Parks Commission property for the specified term. To appeal the terms of an eviction, a written request is required to the Parks Main Office so that the requesting party can be given a time and date to come before the Commission for re-determination. Commission members may evaluate any eviction notice and term for re-determination. Reinstatement of user privileges requires a majority vote of the Commission members present.

SECTION 32 - NOTICE TO APPEAR

Appearance ticket means a complaint or notice to appear upon which the Commission shall record an occurrence involving one or more violations of this ordinance. The Commission is specifically authorized to issue and serve appearance tickets with respect to misdemeanor offenses if the Commission has reasonable cause to believe that a person has violated a provision of this ordinance for which a fine, imprisonment or both may be levied as a result of such violation.

SECTION 33 - SEPARABILITY

The provisions of this ordinance are separable, and the invalidity of any phrase, clause or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 34 - EFFECTIVE DATE

This ordinance shall become effective on the date that notice of adoption is published in a newspaper of general circulation in the County. At the time this Ordinance takes effect, the existing Park rules

promulgated under the authority of Public Act 261 of the State of Michigan (1965), as amended, are hereby repealed.

SECTION 35 - AMENDMENTS

The Isabella County Board of Commissioners may~~, from time to time,~~ amend this Ordinance by a majority vote of the Board, and the Amendment may be shown by either revising the Section amended or by attaching the Amendment to this Ordinance.

MISSION STATEMENT

Isabella County Parks Commission strives to protect local natural resources while providing positive outdoor recreation experiences for all.

Revised October 7th, 2026

POLICY ADDENDUM 1 - WILLFULLY REMAINING ON THE PREMISES

Upon violation of the park Rules, the Commission may revoke any permits and expel the offending person from the park, provided:

1. The offending person is notified by the Commission that:
    A. The contacting person is such Commission, Director or designee, and;
    B. The offending person is in violation of properly promulgated (enacted) rules of the County of Isabella.
2. It appears to the Commission that the offending person is in fact in violation of such rules.
3. The offending person is directed to leave Commission property.
4. The offending person remains, and thereby:
    A. Constitutes a clear and substantial risk of physical harm or injury to other persons or of damage or destruction to Commission property and facilities, or;
    B. Constitutes an unreasonable prevention or disruption of the customary and lawful functions of the Commission.
5. VIOLATIONS ENFORCEMENT POLICY

A) Purpose.

The purpose of this policy is to provide County Park Staff a process for addressing violations of the Isabella County Parks Rules and Ordinance. This Violations Enforcement Policy will set forth

the process and procedure for violations of all Park policies. Nothing in this policy will prevent Law Enforcement from lawfully enforcing the County Parks Ordinance.

B) Parks and Recreation Director/Designee's Right to Suspend Privileges.

Pursuant to this Policy, upon determining that a Park policy has been violated, the Parks and Recreation Director or the Director's designee may restrict access to Park Property with immediate dismissal of the patron from the Park Property, by suspending the patron's access to Park Property, or by denying access to specific services and/or programs. When appropriate, law enforcement may be called to intervene or assist Park Staff.

I. Incident Reports. Park staff shall record in writing in the form of an Incident Report any violation of this Policy that may result in a suspension of Park privileges.

II. Violation of the Policy – Suspension of Privileges. Unless otherwise provided in this Ordinance, the Park shall handle violations as follows:

1. Initial Violation: Park patrons or groups observed violating this Policy will be asked to cease the violation with a verbal request and educated about the Policy.

2. Subsequent Violations: If the park patron or group is observed violating Policy after the initial violation, the Park Manager, Operations Supervisor or Director will make contact to address the additional violation. At that time Park Staff may ask the patron or group to leave immediately or may elect to give a final warning. A final warning shall be made verbally or in writing and shall include an explanation of next steps including removal, and possible suspension proceeding.

If the patron/group refuses to leave, law enforcement may be contacted.

The Parks and Recreation Director or the Director's authorized designee may further institute proceedings to suspend that patron from all parks and properties owned or operated by the Parks Commission. The Parks and Recreation Director shall send an official trespass warning letter to the individual outlining why they are being considered for suspension and the date, time and location of a hearing to consider the suspension. The hearing shall be held promptly following mailing of the trespass warning letter, but not less than seven (7) days.

If the violator cannot attend the hearing, they may request the hearing be done over the phone or other audio or video conferencing platform, or submit a written statement to be reviewed during the hearing

The hearing will be held by the Park Board Vice-Chairman and two other Park Commissioners. The committee will review the incident reports, interview staff or witnesses and listen to and/or read the violator's statement at the scheduled hearing. The committee will then determine whether to limit or suspend privileges indefinitely, for a definite period, or not at all.

III. Violations that Affect Safety and Security. Violations involving verbal abuse, violence, threatening behaviors, sexual harassment, vandalism, drug sale or use or attempted drug sale or use, intoxication, theft or attempted theft, physical harassment, sexual misconduct, or any behavior that threatens the safety and security of staff and/or patrons shall be handled as follows:

1. Violation: Law enforcement will be called immediately if the conduct constitutes a violation of local, state, or federal law; arrest or criminal prosecution may ensue.

Violations of this nature will result in an immediate suspension of Park privileges and trespass from Park Property. The Parks and Recreation Director shall send an official trespass warning letter within ten business (10) days to the individual outlining why they are being suspended and the date, time and location of a hearing to consider extending the suspension. The hearing shall be held not less than seven (7) days, but not more than thirty (30) days following mailing of the trespass warning letter. The hearing shall be held in the same manner as set forth in section b(II)(2) above.

IV. Appeal. The patron whose privileges have been limited or suspended (and the patron's parent or guardian if the patron is a minor) may elect to appeal the initial decision pursuant to the Appeal Procedure outlined in the Park Commission Bylaws and listed below.

C) Right of Appeal.

Following proceedings under Section b(II)(2) or after a decision to extend or modify under Section b(III)(1), Patrons may appeal (1) a decision to limit or suspend privileges or (2) the conditions placed on reinstatement, by sending a written appeal to the Parks and Recreation Director within ten (10) business days of the date of the suspension or trespass. The Director will notify the Chair of the Parks and Recreation Commission of the appeal request. The decision of the Parks and Recreation Commission is final.

D) Appeal Procedure.

All appeals shall follow the Appeal Process Policy as outlined in the current Park Rules and Ordinance as seen below:

I. Appeal is requested by violator in writing to the Parks and Recreation Director.

II. The Board Chair will set an appeal hearing date, time, and location and mail the violator a letter describing the location, date and time. The hearing may not be sooner than 7 days after the letter is sent to the violator.

1. If the violator cannot attend the hearing, they may request the hearing be done over the phone or other audio or video conferencing platform, or submit a written appeal to be reviewed during the hearing

2. If the violator fails to appear at the hearing or file an appeal within the ten (10) day appeal period, the original decision is final and may not be re-appealed.

III. The Appeals Committee hearing the appeal will review the incident reports, interview staff or witnesses and listen to and/or read the violator's appeal at the scheduled appeal hearing. The Appeals Committee shall consist of a group of three Park Commissioners including the Chair of the Park Board and two others. None of the three members of the Appeals Committee shall be the same as those who served at the suspension hearing set forth in section b above.

IV. The Appeals Committee will make a recommendation to do the following to the Parks Board: reverse the original decision, affirm the original decision, or modify the penalty.

V. The Appeals Committee will designate one member to serve as a representative. The Appeals Committee representative will present the recommendation to the Parks Board at the next scheduled meeting. The Parks Board will not hold another hearing on the appeal.

VI. The Parks Board will then vote to approve, deny or modify the Appeals Committee's recommendation at the next available Parks Board meeting following the appeal hearing. The Parks Board may ask the appellant/violator questions regarding the appeal, but the appellant/violator is not entitled to make further presentation on the appeal other than during the general public comment portion of the Parks Board meeting.

VII. All decisions voted on by the Parks Board are final and may not be re-appealed.