



City of Novi

Parks, Recreation, and Cultural Services

Park Rules

ARTICLE IV. - PARKS AND RECREATION PROTECTION

DIVISION 1. - GENERALLY

Sec. 25-56. - Definition.

The words "park" and "park area", when used in this article, shall mean any public park, lakeshore park, recreation area or recreation facility operated by the department of parks and recreation pursuant to article II of this chapter, as amended.

(Ord. No. 83-113, § 2.01, 7-11-83)

Cross reference— Definitions and rules of construction generally, § 1-2.

Sec. 25-57. - Hours.

- (a) All parks of the city shall be open from 8:00 a.m. to 10:00 p.m., unless otherwise posted.
- (b) It shall be unlawful for any person to utilize a park other than during park hours.

(Ord. No. 83-113, § 14.01, 7-11-83)

Sec. 25-58. - Protection of structures, plants, earth, waters and wildlife generally.

It shall be unlawful within a park for any person to:

- (1) Mark, deface, disfigure, injure, tamper with or displace or remove any park property or appurtenances whatsoever, either real or personal;
- (2) Misuse or abuse any park restroom, washroom or similar facility to the detriment of its maintenance in a neat and sanitary condition;
- (3) Dig or remove any soil, rock, sand, stones, trees, grass, shrubs or plants or other wood or materials, or make any excavation by tool, equipment, blasting or other means or agency;
- (4) Damage, cut, carve, mark, transplant or remove any plant, or injure the bark, or pick flowers or seed of any tree or plant, or in any other way injure the natural beauty or usefulness of any area;
- (5) Climb, stand or sit upon monuments, planters, trees, fountains, railings, fences or upon any other property not designated or customarily used for such purpose;
- (6) Attach any rope or cable or other contrivance to any tree, fence, railing, bridge, bench, or other structure;
- (7) Throw, discharge, or otherwise place or cause to be placed in the waters of any fountains, ponds, lake, stream or other body of water in or adjacent to 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 the pollution of such waters;
- (8) Tie or hitch an animal to any tree or plant; or
- (9) Hunt, molest, harm, frighten, kill, trap, pursue, chase, tease, shoot or throw any object at any animal, wildlife, or bird.

(Ord. No. 83-113, § 3.01, 7-11-83)

Cross reference— Offenses against property generally, § 22-66 et seq.

State law reference— Malicious mischief, MCL 750.377 et seq., MSA 28.609 et seq.

Sec. 25-59. - Conduct within parks.

It shall be unlawful within a park for any person to:

- (1) Prevent or interfere with another's lawful use of a park or any park facility;
- (2) Conduct or participate in any form of gambling, lottery or game of chance, except as permitted by state law and approved by the council and department of parks and recreation;
- (3) Consume alcoholic liquor unless authorized by resolution of city council and posted with a notice that such consumption; or
- (4) Play any musical instrument, radio, record, tape player or other device in a manner which interferes with the enjoyment of the park by others or which is disturbing to adjacent residents.

(Ord. No. 83-113, § 9.01(4)—(7), 7-11-83; Ord. No. 10-113.02, Pt. I, 3-22-10)

Sec. 25-60. - Rubbish.

- (a) It shall be unlawful for any person to take into, carry through, or put into any park, any rubbish, refuse, garbage or other waste material.
- (b) It shall be unlawful for any person responsible for the presence of rubbish, refuse, garbage or waste material in any park to fail to deposit such in receptacles so provided within a park or fail to remove such from a park for proper disposal elsewhere. Where receptacles are not provided in a park or are filled to capacity, all such rubbish, refuse, garbage or waste material shall be removed from a park by the person responsible for its presence for proper disposal elsewhere.

(Ord. No. 83-113, § 4.01, 7-11-83)

Cross reference— Garbage and refuse generally, Ch. 16.

State law reference— Littering, MCL 752.901 et seq., MSA 28.603(1) et seq.

Sec. 25-61. - Animals.

(a) It shall be unlawful for any person to:

- (1) Take any dog or other pet into any park except when kept on a leash not more than six (6) feet in length and kept under the immediate control of the owner or person having custody of the animal;
- (2) Take any animal on public beaches, in public buildings or other park areas posted so as to prohibit the presence of animals; or
- (3) Fail to remove any animal excrement deposited in a park by any dog or pet taken into a park by such person.

(b) This section shall not apply to guide dogs.

- (c) This section shall not apply to dogs within a City of Novi dog park; provided, however, that any dog within such park shall, and the person on control of the dog shall, at all times comply with any rules or regulations for such city dog park as the city council may adopt and amend from time to time. Failure to comply with such rules or regulations shall be a misdemeanor.

(Ord. No. 83-113, § 5.01, 7-11-83; [Ord. No. 14-113.05, Pt. 1, 7-21-14](#))

Cross reference— Animals generally, Ch. 5.

Sec. 25-62. - Operation and parking of vehicles.

It shall be unlawful for any person to do any of the following with a city park:

- (1) Drive any vehicle in excess of fifteen (15) miles per hour;
- (2) Park a vehicle anywhere except in a designated parking area;
- (3) Park a vehicle when the operator or a passenger is not making active use of the park, or allow a vehicle to remain within a park when the operator or passenger has left the park;
- (4) Leave a vehicle standing or parked during hours when the park is closed;
- (5) Park any type of trailer at any time, except for the purpose of conducting official city business;
- (6) Ride a bicycle without reasonable regard to the safety of others;
- (7) Drive any vehicle on any area except the park roads or parking areas designated as open to public travel or such areas as may on occasion be specifically designated by signs as temporary driving areas;
- (8) If any vehicle or trailer is parked or left standing in violation of the rules set forth in this subsection, the city may immediately remove such vehicle or trailer and impound the same, and thereafter process such vehicle or trailer in accordance with applicable provisions of law or ordinance; or
- (9) Subsections (2) through (7) shall not apply to city personnel engaged in official business.

(Ord. No. 83-113, § 6.01, 7-11-83; Ord. No. 13-113.04, Pt. 1, 7-22-13)

Cross reference— Traffic and motor vehicles generally, Ch. 33.

State law reference— Michigan vehicle code, MCL 257.1 et seq., MSA 9.1801 et seq.

Sec. 25-63. - Firearms and fireworks.

It shall be unlawful for any person to bring into any park or have in his possession in any park:

- (1) Any firearm as defined in Act No. 189 of the Public Acts of Michigan of 1959 (MCL 8.3t, MSA 2.212(20)), as amended, BB gun, pellet gun, air gun, spring gun, slingshot, bow, or other weapon from which a dangerous projectile may be propelled by explosives, spring, gas or air, except as otherwise expressly authorized by law;
- (2) Any starter pistol or other device from which blank cartridges may be discharged; or

- (3) Any fireworks as defined in the Michigan Fireworks Safety Act, Act 256 of 2011, Section 28.452, as amended.

(Ord. No. 83-113, § 7.01, 7-11-83; Ord. No. 12-113.03, Pt. I, 6-18-12)

Cross reference— Fireworks generally, § 22-112; weapons generally, § 22-126 et seq.

Sec. 25-64. - Fires.

It shall be unlawful within a park for any person to:

- (1) Kindle, build, maintain or use a fire except in portable picnic stoves or in such places provided for such purposes;
- (2) Permit a fire to burn unless the fire is continuously under the care and direction of a competent person from the time it is kindled until it is extinguished; or
- (3) Dump any burning or hot ash into any trash receptacle or elsewhere in a park unless the receptacle shall be marked as being a receptacle for such material.

(Ord. No. 83-113, § 8.01, 7-11-83)

Cross reference— Fire prevention and protection generally, Ch. 15.

Sec. 25-65. - Use of lakes, beaches, watercourses generally.

It shall be unlawful for any person, except for city personnel engaged in official business, to violate any of the following rules applicable to lakes, beaches and watercourses:

- (1) No person shall swim, bathe, wade or scuba dive from any city-owned beach or shoreline except at such times and places, and in such a manner, as may be posted at such beach or shoreline.
- (2) Glass containers and pets are prohibited on any city-owned beach.
- (3) City-owned beaches shall be open beginning Memorial Day through Labor Day between the hours of 10:00 a.m. to 8:00 p.m., or as otherwise posted.
- (4) Watercraft of any kind are prohibited from entering into a designated swim area or beach area.
- (5) No person shall dock, moor, tie-up, tether, or otherwise attach any watercraft to any city-owned dock or pier, or to any feature along the shoreline of a park.
- (6) No person shall moor or anchor any watercraft on the bottomland adjacent to any city-owned dock or pier, or within fifty (50) feet of the shoreline of a park.
- (7) No person shall launch any motorized watercraft from any city-owned dock, pier, or shoreline. Non-motorized watercraft such as canoes, kayaks, and stand up paddle boards, may be launched from the shoreline of a park not designated a swim or beach area.
- (8) No person shall skate, sled, snowshoe, ski, walk or otherwise enter upon any ice from a city-owned beach or shoreline, except at such times and from such places as may be posted and pursuant to such conditions as may be posted.

(Ord. No. 83-113, § 10.01, 7-11-83; Ord. No. 13-113.04, Pt. II, 7-22-13)

Cross reference— Waterways generally, Ch. 36.

Sec. 25-66. - Pedal boats.

Persons renting boats from the department of parks and recreation shall be subject to the following rules and regulations:

- (1) No one under twelve (12) years of age may rent a pedal boat.
- (2) Persons between the ages of twelve (12) and sixteen (16) years of age may rent a pedal boat but only with written parental approval.
- (3) Everyone in a pedal boat shall be required to wear lifejackets approved by the U.S. Coast Guard.
- (4) The number of persons in a pedal boat shall not exceed the number of seats in the pedal boat except that an additional person under three (3) years of age may be present in a pedal boat with his parent.
- (5) All pedal boats must be on shore by the posted time.
- (6) There shall be no rough play in pedal boats.
- (7) Swimming and fishing from pedal boats is not allowed.
- (8) Food and drink is not allowed in pedal boats.
- (9) Pedal boats cannot be landed or docked except at the rental dock.
- (10) Pedal boats are not allowed in the swimming area.
- (11) Pedal boats cannot be taken out beyond two hundred (200) yards of the rental dock.
- (12) Parks and recreation personnel may, in their discretion, refuse to rent a pedal boat if:
 - a. The renters appear to be under the influence of alcoholic liquor or any drug or controlled substance;
 - b. The renters previously disregarded safety rules or lifeguard warnings; or
 - c. It appears that potentially unsafe conditions are present which may serve as a threat to patrons.

(Ord. No. 83-113, § 11.01, 7-11-83)

Sec. 25-67. - Rates for use of Lakeshore Park facilities.

The rates for the use of Lakeshore Park facilities shall be prescribed by council resolution.

(Ord. No. 84-113.1, Pt. I, 6-11-84)

Sec. 25-68. - Conviction of violation of section 25-58.

- (a) In addition to the penalties provided in section 1-11, any person convicted of violating section 25-58 shall reimburse the department of parks and recreation for up to three (3) times the amount of resulting damage to park property as determined by the court.
- (b) In every case of conviction for a violation of section 25-58, the court before whom such conviction is obtained, shall enter a judgment in favor of the department of parks and recreation and against the defendant for liquidated damages in the sum as provided in subsection (a) of this section. The department of parks and recreation shall, with the assistance of the prosecuting attorney, collect the award by execution or otherwise. If two

(2) or more defendants are convicted for a violation of section 25-58, the judgment for damages shall be entered against them jointly and severally. If a defendant is a minor, the judgment shall be entered against his parents.

(Ord. No. 83-113, § 15.01, 7-11-83)

Secs. 25-69—25-80. - Reserved.

DIVISION 2. - PERMIT FOR ADVERTISING, ASSEMBLAGES, EXHIBITIONS, PARADES, SALES

Sec. 25-81. - Scope.

A permittee shall be bound by the provisions of this article and any other applicable ordinance as though the provisions were made a part of the permit required by this division, unless a variance is granted and expressly made a part of the permit.

(Ord. No. 83-113, § 13.01, 7-11-83)

Sec. 25-82. - Required.

- (a) It shall be unlawful for any person to do any of the following in a park without first obtaining a permit from the department of parks and recreation:
- (1) Post, paint, affix, distribute, deliver, place, cast or leave about any bill, billboard, placard, ticket, handbill, circular or advertisement;
 - (2) Operate for advertising purposes any musical instrument, soundtrack or drum;
 - (3) Conduct a public assemblage;
 - (4) Conduct an exhibition;
 - (5) Hold a parade; or
 - (6) Expose or offer any article or product for sale.
- (b) It shall be unlawful in a park for any person to fail to produce and exhibit a required permit upon the request of any authorized person desiring to inspect the same for the purpose of enforcing this article.
- (c) No permit shall be required for any event sponsored by the city or the department of parks and recreation.

(Ord. No. 83-113, § 12.01, 7-11-83)

Sec. 25-83. - Contents of application.

A person seeking a permit required by this division shall file with the department of parks and recreation an application accompanied by an application fee in an amount to be set by resolution of the council and containing the following information:

- (1) The name, business address and telephone number of the applicant;
- (2) The name, business address and telephone number of any person, corporation, association or other entity sponsoring the activity;
- (3) The day and hours for which the permit is requested;
- (4) The part or area within a park where the activity is to be conducted;

- (5) The nature of the activity for which the permit is requested;
- (6) Any other information deemed necessary by the department of parks and recreation for evaluating whether a permit should be issued; and
- (7) Whether a variance is requested from any of the provisions of this article governing the use of parks.

(Ord. No. 83-113, § 13.01(1), 7-11-83)

Sec. 25-84. - Evaluation of application.

The director of the department of parks and recreation shall grant or deny a request for a permit required by this division based upon an evaluation of the following factors:

- (1) Whether the proposed activity or use of the park will unreasonably interfere with or detract from the general public's enjoyment of the park;
- (2) Whether the proposed activity or use will unreasonably interfere with or detract from the promotion of the public, health, welfare, safety and recreation;
- (3) Whether the proposed activity or uses that are reasonably anticipated will include violence, crime or disorderly conduct;
- (4) Whether the proposed activity will entail extraordinary or burdensome expense or police operation by the city; and
- (5) Whether the facilities desired have been reserved for other use on the date and hour requested in the application.

(Ord. No. 83-113, § 13.01(2), 7-11-83)

Sec. 25-85. - Insurance.

- (a) The applicant for a permit required by this division may be required to obtain and file with the city clerk a policy of liability insurance issued by a responsible insurance company authorized to do business in the state providing liability insurance covering injuries to members of the general public and damage to property arising out of the permitted activity.
- (b) Such policy of insurance shall name the city and its agents, servants and employees as an additional named insured.
- (c) Such policy of insurance shall provide insurance protection in an amount approved by the city attorney.
- (d) Such policy of insurance shall provide for continuing liability thereunder to the full amount thereof, notwithstanding any recovery thereon, and that the insolvency or bankruptcy of the insured shall not release the company.
- (e) Such policy shall further provide that it shall not be cancelled, surrendered or revoked by either party except after ten (10) days' written notice to the city, furnished by the insurance company issuing the policy.
- (f) The cancellation, surrender or other termination of any insurance policy issued and filed with the city in compliance with this section shall automatically terminate the permit covered by such insurance policy unless another policy complying with this section shall be in effect and deposited with the city prior to the time of such cancellation or termination.

(Ord. No. 83-113, § 13.01(7), 7-11-83)

Sec. 25-86. - Hearing following denial.

An applicant who is denied a permit required by this division shall have a right to a hearing before the council, provided a written request therefor is filed with the city clerk and the department of parks and recreation within ten (10) days following the date of the notice of denial. Upon receiving a written request for a hearing, the department of parks and recreation shall immediately forward the application and the reasons for the denial to the council. The council shall conduct a hearing within fifteen (15) days after receipt of the written request for hearing or at its first meeting after receiving the request, whichever is later. The council, upon consideration of the factors set forth in section 25-84, shall determine whether a permit is to be granted and may grant a permit subject to such conditions as it deems advisable, which conditions shall become a part of the permit issued.

(Ord. No. 83-113, § 13.01(5), 7-11-83)

Sec. 25-87. - Conditions.

The director of the department of parks and recreation may grant a permit required by this division subject to such conditions as deemed advisable, which conditions shall become a part of the permit issued.

(Ord. No. 83-113, § 13.01(3), 7-11-83)

Sec. 25-88. - Notification of applicant of department's decision.

Within ten (10) days after the receipt of an application for a permit required by this division the department of parks and recreation shall notify an applicant in writing of its decision to grant or deny a permit. In the event of a denial, the notification shall include the reason for the denial.

(Ord. No. 83-113, § 13.01(4), 7-11-83)

Sec. 25-89. - Issuance.

Permits granted by the director of the department of parks and recreation or the council shall be issued by the city clerk; provided, however, if the applicant is required to obtain and file a policy of insurance as provided in section 25-85, no permit shall be issued until the city shall receive the liability insurance policy and the approval by the city attorney that the policy complies with the terms of this article.

(Ord. No. 83-113, § 13.01(8), 7-11-83)

Secs. 25-90—25-99. - Reserved.