

**OSHTEMO CHARTER TOWNSHIP PARKS**

**APPLICATION FOR OUTDOOR ASSEMBLY LICENSE**

Name of Individual, Partnership, Corporation, Limited Liability Company:

(Provide Articles of Incorporation, Partnership Agreement Or Formation Documents For L.L.C.)  
(Provide Names of All Partners, Officers, Directors)

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Address:

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Official Contact Person:

Name	Address	Daytime Phone	Cell Phone
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Park(s) Sought To Be Used:

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Description Of Assembly - Kind/Character/Type:

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Dates And Hours Of Assembly:

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Estimate Of Maximum Number Of Attendants:

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**OVERSIGHT PLANS**

(Describe how the following issues will be addressed by you and/or your organization)  
(Please include drawings and diagrams where applicable)

A. Police and Fire Protection - Security:

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B. Food And Water Supplies:

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C. Health And Sanitation Facilities:

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D. Vehicular Access And Parking:

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E. Communications:

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F. Clean Up And Waste Disposal:

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G. Insurance And Bonding Requirements:  
(Minimum of \$300,000 Public Liability Insurance And  
Property Damage Not Less Than \$25,000)

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I have received the Park Rules and Regulations and agree to follow them. I submit payment of the License fee in the amount of \$100.00.

\_\_\_\_\_, 200\_\_\_\_\_

\_\_\_\_\_  
(Print Your Name)

## OSHTEMO TOWNSHIP

### **PARK FACILITIES CANCELLATION POLICY**

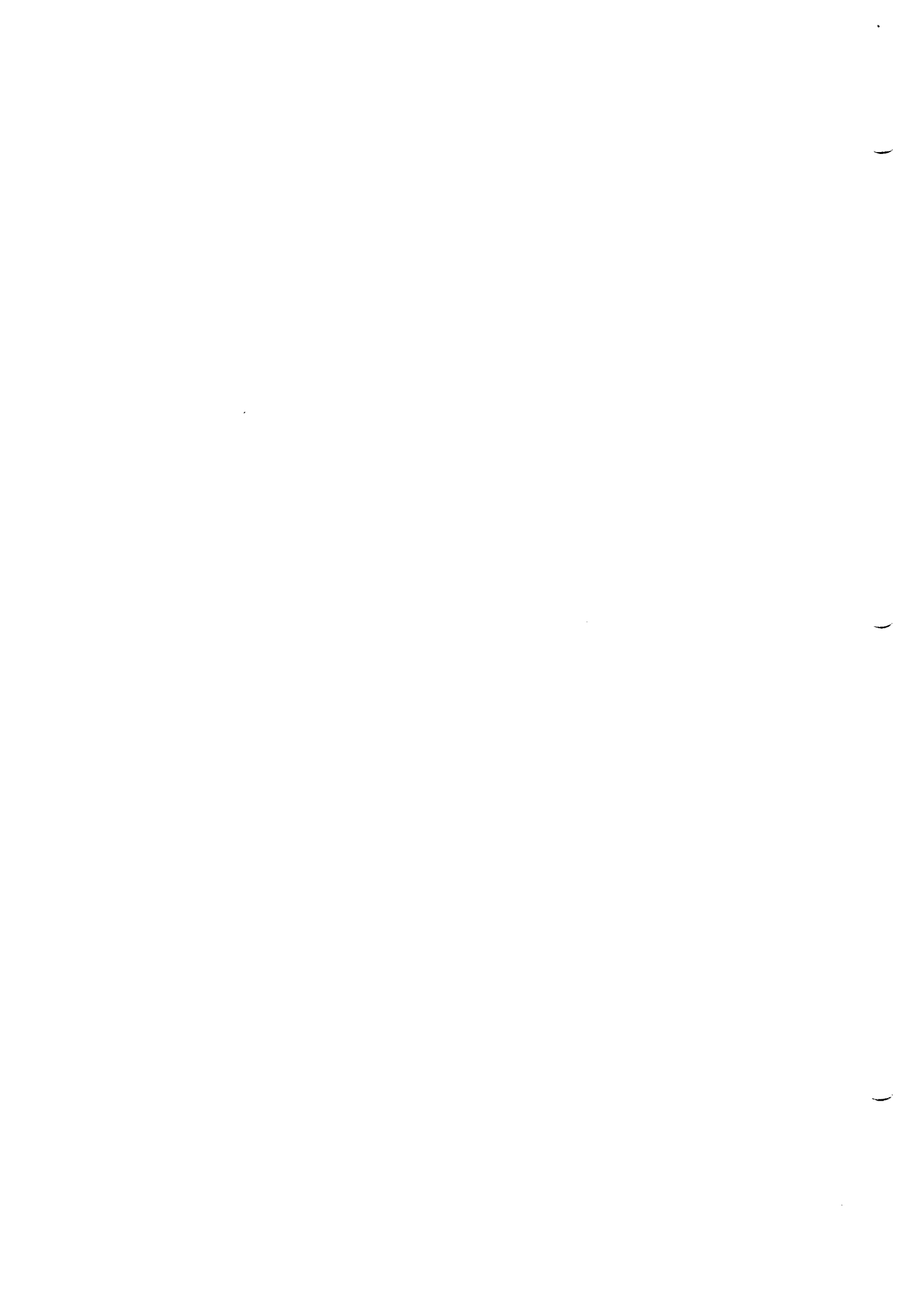
All park facility applications require a rental fee. If the facility rental is cancelled, you must notify the Township in writing at 7275 West Main Street, Kalamazoo, Michigan, 49009. This may be mailed or faxed to the following number (269) 375-7180.

#### **General Policy**

Cancellations received four (4) weeks prior to the rental date will receive a full refund of the rental fee. Cancellations received less than four (4) weeks but more than two (2) weeks prior to the rental date, will receive a 50% refund of the rental fee. Any request for a cancellation submitted to the Township less than two (2) weeks prior to the rental date will receive no refund. A receipt for full payment will be issued.

#### **Holiday Policy**

Cancellations for any of the following holidays: CHRISTMAS DAY, NEW YEAR'S DAY, MEMORIAL DAY AND FOURTH OF JULY, shall require a cancellation notice of at least eight (8) weeks to receive a full refund of the rental fee. Cancellation of holiday rentals less than eight (8) weeks but more six (6) weeks prior to the rental date will receive a 50% refund of the rental fee. Any request for a cancellation of a holiday rental submitted to the Township less than six (6) weeks prior to the rental date will receive no refund.



Part 123

123.000

**OUTDOOR ASSEMBLIES\***

**Ord. No. 70**

**Adopted: September 8, 1970**

123.001	Title, purpose and authority.
123.002	Definitions.
123.003	License required.
123.004	Application for license.
123.005	Application; accompanying information.
123.006	Review of application.
123.007	Action upon application; issuance of license; evidence of compliance.
123.008	Denial of license.
123.009	Contents of license.
123.010	Minimum requirements.
123.011	Revocation of license.
123.012	Violations.
123.013	Severability.
123.014	Effective date; repeal.

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\*Cross references— Anti-noise and public nuisance, Pt. 214; off-street parking, fire protection, Pt. 251; traffic and vehicles generally, Pt. 150.



An ordinance to require the regulation, licensing and control of assemblages of large numbers of people in excess of those normally drawing upon the health, sanitation, fire, police, transportation, utility and other public services regularly provided in the Township.

THE TOWNSHIP OF OSHTEMO, KALAMAZOO COUNTY, MICHIGAN ORDAINS:

**123.001 Title, purpose and authority.**

Sec. 1.1. *Title.* This Ordinance shall be known as the Township Outdoor Assembly Ordinance.

Sec. 1.2. *Purpose.* The purpose of this Ordinance is to require the regulation, licensing and control of assemblages of large numbers of people in excess of those normally drawing upon the health, sanitation, fire, police, transportation, utility and other public services regularly provided in the township.

Sec. 1.3. *Authority.* This Ordinance is enacted pursuant to the authority of Act 246 of Public Acts of 1945 as amended, which authorizes the township board to adopt ordinances, to secure the public health, safety and general welfare.

**123.002 Definitions.**

Sec. 2.

- a. "*Outdoor assembly*", hereinafter referred to as "assembly" means any event, attended by more than 5,000 attendants, all or any part of which includes a theatrical exhibition, public show, display, entertainment, amusement or other exhibition, including, but not limited to musical festivals, rock festivals, peace festivals or similar gatherings, but does not mean:
1. An event which is conducted or sponsored by a governmental unit or agency on publicly owned land or property; or
  2. An event which is conducted or sponsored by any entity qualifying for tax exempt status under Section 501(c)(3) of the Internal Revenue Code of 1954, being 26 U.S.C. § 501(c)(3), as incorporated by reference in Section 201 of the Michigan Income Tax Act of 1967, Act 281 of the Public Acts of 1967, being Section 206.201 of the Compiled Laws of 1948; or
  3. An event held entirely within the confines of a permanently enclosed and covered structure.
- b. "*Person*" means any natural person, partnership, corporation, association or organization.
- c. "*Sponsor*" means any person who organizes, promotes, conducts, or causes to be conducted an outdoor assembly.
- d. "*Attendant*" means any person who obtains admission to an outdoor assembly by the payment of money or by the rendering of services in lieu of the payment of money for admission.

123.002

OUTDOOR ASSEMBLIES (Ord. No. 70)

- e. "Licensee" means any person to whom a license is issued pursuant to this Ordinance.

123.003 License required.

Sec. 3. A person shall not sponsor, operate, maintain, conduct or promote an outdoor assembly in the township unless he shall have first made application for, and obtained, as hereinafter prescribed, a license for each such assembly.

123.004 **Application for license.**

Sec. 4. Application for a license to conduct an outdoor assembly must be made in writing on such forms and in such manner as prescribed by the Clerk of the Township and shall be filed with the Township Clerk not more than 150 nor less than 90 days prior to the date of the proposed assembly. Each application shall be accompanied by a nonrefundable fee of \$100.00 and shall include at least the following:

- a. The name, age, residence and mailing address of the person making the application. (Where the person making the application is a partnership, corporation or other association, this information shall be provided for all partners, officers and directors, or members. Where the person is a corporation, a copy of the articles of incorporation shall be filed, and the names and addresses shall be provided of all shareholders having financial interest greater than \$500.00.)
- b. A statement of the kind, character, and type of proposed assembly.
- c. The address, legal description and proof of ownership of the site at which the proposed assembly is to be conducted. Where ownership is not vested in the prospective licensee, he shall submit an affidavit from the owner indicating his consent to the use of the site for the proposed assembly.
- d. The date or dates and hours during which the proposed assembly is to be conducted.
- e. An estimate of the maximum number of attendants expected at the assembly for each day it is conducted and a detailed explanation of the evidence of admission which will be used and of the sequential numbering or other method which will be used for accounting purposes.
- f. The Township zoning district in which the proposed assembly site is located, together with the total acreage included in said site.

(Amended: Ord. No. 166, 9-30-1980)

123.005 **Application; accompanying information.**

Sec. 5. Each application shall be accompanied by a detailed explanation, including drawings and diagrams where applicable, of the prospective licensee's plans to provide for the following:

- a. Police and fire protection.

- b. Food and water supply and facilities.
- c. Health and sanitation facilities.
- d. Medical facilities and services including emergency vehicles and equipment.
- e. Vehicle access and parking facilities.
- f. Camping and trailer facilities.
- g. Illumination facilities.
- h. Communications facilities.
- i. Noise control and abatement.
- j. Facilities for clean up and waste disposal.
- k. Insurance and bonding arrangements.

In addition, the application shall be accompanied by a map or maps of the overall site of the proposed assembly.

**123.006 Review of application.**

Sec. 6. On receipt by the clerk, copies of the application shall be forwarded to the chief law enforcement and health officers for the township and the state fire marshal, and to such other appropriate public officials as the clerk deems necessary. Such officers and officials shall review and investigate matters relevant to the application and within 20 days of receipt thereof shall report their findings and recommendations to the township board.

**123.007 Action upon application; issuance of license; evidence of compliance.**

Sec. 7. Within 60 days of the filing of the application, the Township Board shall, in its discretion and under the guidelines of the within Ordinance, issue, set conditions prerequisite to the issuance of, or deny a requested Outdoor Assembly License. The Township Board may require that adequate security or insurance be provided before a license is issued. Where conditions are imposed as a prerequisite to the issuance of a license or where a license is denied, notice thereof shall be mailed to the applicant by certified mail within 5 days of such action by the Township Clerk and, in case of denial, shall include the reasons therefor.

Notwithstanding the foregoing, no license shall be issued until the applicant has filed with the Township Clerk evidence in the form of executed contracts or written commitments clearly disclosing compliance or ability to comply with all ordinance requirements and all additional conditions imposed by the Township Board for the particular proposed outdoor assembly. Such written evidence shall be so filed not less than 60 days prior to the scheduled event and shall be subject to review for sufficiency and ordinance compliance by the Township Board prior to the issuance of any license.

(Amended: Ord. No. 166, 9-30-1980)

**123.008 Denial of license.\***

Sec. 8. A license shall be denied if:

1. The applicant fails to comply with any or all requirements of this Ordinance or with any or all conditions imposed pursuant thereto, or with any other applicable provisions of state or local law; or,
2. The applicant has knowingly made a false, misleading or fraudulent statement in the application or in any supporting document; or,
3. The site of the outdoor assembly is not located wholly within a "C", "C-1", "I-R", "I-1", "I-2" and "I-3" zoning district classification as defined in the Oshtemo Township Zoning Ordinance and does not comply with all pertinent conditions, limitations and approvals pertinent to such districts, or
4. The site does not contain a minimum of 40 acres per anticipated 5,000 participants and attendants.

(Amended: Ord. No. 166, 9-30-1980; Ord. No. 430, 4-22-2003)

**123.009 Contents of license.**

Sec. 9. A license shall specify the name and address of the licensee, the kind and location of the assembly, the maximum number of attendants permissible, the duration of the license and any other conditions imposed pursuant to this ordinance. It shall be posted in a conspicuous place upon the premises of the assembly, and shall not be transferred to any other person or location.

**123.010 Minimum requirements.**

Sec. 10. In processing an application the township board shall, as a minimum, require the following:

- a. *Security personnel.* The licensee shall employ at his own expense such security personnel as are necessary and sufficient to provide for the adequate security and protection of the maximum number of attendants at the assembly and for the preservation of order and protection of property in and around the site of the assembly. No license shall be issued unless the township board in cooperation with the county sheriff and the Director of State Police is satisfied that such necessary and sufficient security personnel will be provided by the licensee for the duration of the assembly.
- b. *Water facilities.* The licensee shall provide potable water, sufficient in quantity and pressure to assure proper operation of all water using facilities under conditions of peak demand. Such water shall be supplied from a public water system, if available, and if not available, then from a source

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**\*Editor's note**—The zoning district classifications listed in subsection 3 reflect the Zoning Ordinance in effect at the time of adoption of amending Ordinance No. 166. The current zoning districts are "C," "C-1," "I-R," "I-1," "I-2" and "I-3."

constructed, located, and approved in accordance with Act 294, Public Acts of 1965, and the rules and regulations adopted pursuant thereto, and in a manner approved by the Kalamazoo County Health Department.

- c. *Restroom facilities.* The licensee shall provide separate enclosed flush-type water closets as defined in Act 266, Public Acts of 1929, and the rules and regulations adopted pursuant thereto and in accordance with any other applicable state or local law. If such flush-type facilities are not available, the township board may permit the use of other facilities which are in compliance with Act 273, Public Acts of 1939, and the rules and regulations adopted pursuant thereto, and in a manner approved by the Kalamazoo County Health Department.

The licensee shall provide lavatory and drinking water facilities constructed, installed, and maintained in accordance with Act 266 of the Public Acts of 1929, and the rules and regulations adopted pursuant thereto, and in accordance with any other applicable state or local law. All lavatories shall be provided with hot and cold water and soap and paper towels.

The number and type of facilities required shall be determined, on the basis of the number of attendants, in the following manner:

<i>Facilities</i>	<i>Male</i>	<i>Female</i>
Toilets	1:300	1:200
Urinals	1:100	
Lavatories	1:200	1:200
Drinking Fountains		1:500
Taps or Faucets		1:500

Where the assembly is to continue for more than 12 hours, the licensee shall provide shower facilities, on the basis of the number of attendants, in the following manner:

<i>Facilities</i>	<i>Male</i>	<i>Female</i>
Shower Heads	1:100	1:100

All facilities shall be installed, connected, and maintained free from obstructions, leaks and defects and shall at all times be in operable condition as determined by the Kalamazoo County Health Department.

- d. *Food service.* If food service is made available on the premises, it shall be delivered only through concessions licensed and operated in accordance with the provisions of Act 269, Public Acts of 1968, and the rules and regulations adopted pursuant thereto, and in accordance with any other applicable state or local law.

If the assembly is distant from food service establishments open to the public, the licensee shall make such food services available on the premises as will adequately feed the attendants.

- e. **Medical facilities.** If the assembly is not readily and quickly accessible to adequate existing medical facilities, the licensee shall be required to provide such facilities on the premises of the assembly. The kind, location, staff strength, medical and other supplies and equipment of such facilities shall be as prescribed by the township board.
- f. **Liquid waste disposal.** The licensee shall provide for liquid waste disposal in accordance with all rules and regulations pertaining thereto established by the Kalamazoo County Health Department. If liquid waste retention and disposal is dependent upon pumpers and haulers, they shall be licensed in accordance with Act 243, Public Acts of 1951, and the rules and regulations adopted pursuant thereto, and in accordance with any other applicable state or local law, and, prior to issuance of any license, the licensee shall provide the township board with a true copy of an executed agreement in force and effect with a licensed pumper or hauler, which agreement will assure proper, effective and frequent removal of liquid waste from the premises so as to neither create nor cause a nuisance or menace to the public health.
- g. **Solid waste disposal.** The licensee shall provide for solid waste storage on, and removal from, the premises. Storage shall be in approved, covered, fly tight and rodent proof containers, provided in sufficient quantity to accommodate the number of attendants. Prior to issuance of any license, the licensee shall provide the township board with a true copy of an executed agreement in force and effect with a licensed refuse collector, which agreement will assure proper, effective and frequent removal of solid waste from the premises so as to neither create nor cause a nuisance or menace to the public health.

The licensee shall implement effective control measures to minimize the presence of rodents, flies, roaches and other vermin on the premises. Poisonous materials, such as insecticides or rodenticides shall not be used in any way so as to contaminate food, equipment, or otherwise constitute a hazard to the public health. Solid waste containing food waste shall be stored so as to be inaccessible to vermin. The premises shall be kept in such condition as to prevent the harborage or feeding, of vermin.
- h. **Public bathing beaches.** The licensee shall provide or make available or accessible public bathing beaches only in accordance with Act 218, Public Acts of 1967, and the rules and regulations adopted pursuant thereto, and in accordance with any other applicable provision of state or local law.
- i. **Public swimming pools.** The licensee shall provide or make available public swimming pools only in accordance with Act 230, Public Acts of 1966, and the rules and regulations adopted pursuant thereto, and in accordance with any other applicable provision of state or local law.
- j. **Access and traffic control.** The licensee shall provide for ingress to and egress from the premises so as to insure the orderly flow of traffic onto and off of the premises. Access to the premises shall be from a highway or road

which is a part of the county system of highways or which is a highway maintained by the State of Michigan. Traffic lanes and other space shall be provided, designated and kept open for access by ambulance, fire equipment, helicopter and other emergency vehicles. Prior to the issuance of a license, the Director of the Department of State Police and the Director of the Department of State Highways must approve the licensee's plan for access and traffic control.

- k. *Parking.* The licensee shall provide a parking area sufficient to accommodate all motor vehicles, but in no case shall he provide less than one automobile space for every four attendants.
- l. *Camping and trailer parking.* A licensee who permits attendants to remain on the premises between the hours of 2:00 a.m. and 6:00 a.m. shall provide for camping and trailer parking and facilities in accordance with Act 171, Public Acts of 1970, and the rules and regulations adopted pursuant thereto, and in accordance with any other applicable provision by state or local law.
- m. *Illumination.* The licensee shall provide electrical illumination of all occupied areas sufficient to insure the safety and comfort of all attendants. The licensee's lighting plan shall be approved by the township board.
- n. *Insurance.* Before the issuance of a license, the licensee shall obtain public liability insurance with limits of not less than \$300,000.00 and property damage insurance with a limit of not less than \$25,000.00 from a company or companies approved by the Commissioner of Insurance of the State of Michigan, which insurance shall insure liability for death or injury to persons or damage to property which may result from the conduct of the assembly or conduct incident thereto and which insurance shall remain in full force and effect in the specified amounts for the duration of the license. The evidence of insurance shall include an endorsement to the effect that the insurance company shall notify the clerk of the township in writing at least ten days before the expiration or cancellation of said insurance.
- o. *Bonding.* Before the issuance of a license the licensee shall obtain, from a corporate bonding company authorized to do business in Michigan, a corporate surety bond in the amount of \$50,000.00 in a form to be approved by the township board which shall indemnify the township, its agents, officers, and employees and the township board against any and all loss, injury or damage whatever arising out of or in any way connected with the assembly and which shall indemnify the owners of property adjoining the assembly site for any costs attributable to cleaning up and/or removing debris, trash, or other waste resultant from the assembly.
- p. *Fire protection.* The licensee shall, at his own expense, take adequate steps as determined by the state fire marshal, to insure fire protection.
- q. *Sound producing equipment.* Sound producing equipment, including but not limited to, public address systems, radios, phonographs, musical instruments and other recording devices, shall not be operated on the premises of

the assembly so as to be unreasonably loud or raucous, or so as to be a nuisance or disturbance to the peace and tranquility of the citizens of the township.

- r. *Fencing.* The licensee shall erect a fence completely enclosing the site, of sufficient height and strength as will preclude persons in excess of the maximum permissible attendants from gaining access and which all have sufficient gates properly located so as to provide ready and safe ingress and egress.
- s. *Communications.* The licensee shall provide public telephone equipment for general use on the basis of at least one unit for each 1,000 attendants.
- t. *Miscellaneous.* Prior to the issuance of a license, the township board may impose any other condition(s) reasonably calculated to protect the health, safety, welfare and property of attendants or of citizens of the township.

**123.011 Revocation of license.**

Sec. 11. The township board may revoke a license whenever the licensee, his employee or agent fails, neglects or refuses to fully comply with any and all provisions and requirements set forth herein or with any and all provisions, regulations, ordinances, statutes, or other laws incorporated herein by reference.

**123.012 Violations.**

Sec. 12. It shall be unlawful for a licensee, his employee, or agent, to knowingly:

- a. Advertise, promote or sell tickets to, conduct, or operate an assembly without first obtaining a license as herein provided.
- b. Conduct or operate an assembly in such a manner as to create a public or private nuisance.
- c. Conduct or permit, within the assembly, any obscene display, exhibition, show, play, entertainment or amusement.
- d. Permit any person on the premises to cause or create a disturbance in, around, or near the assembly by obscene or disorderly conduct.
- e. Permit any person to unlawfully consume, sell, or possess, intoxicating liquor while on the premises.
- f. Permit any person to unlawfully use, sell, or possess any narcotics, narcotic drugs, drugs or other substances as defined in Act 343, Public Acts of 1952.

Violation of any of the provisions of this Ordinance or failure to comply with any of its requirements shall constitute a municipal civil infraction.

Upon determination of responsibility, the person, corporation, firm or other entity shall pay a fine according to the following schedule:

First Offense .....	\$ 75.00
Second Offense Within Three Years of First Offense .....	150.00
Third Offense Within Three-Year Period .....	325.00

Fourth and Each Subsequent Offense Within Three-Year Pe-  
riod are Each..... 500.00

If a determination of responsibility is made by the Court, the Court may impose costs as provided for by law in addition to the fines called for above.

Each day during which a violation continues shall be deemed a separate offense. The imposition of a fine shall not exempt an offender from compliance with the provisions of this Ordinance.

Nothing herein contained shall prevent the Township Board, public official or private citizen from taking such lawful action as is necessary to restrain or prevent any violation of this Ordinance.

(Amended: Ord. No. 318, 9-6-1994)

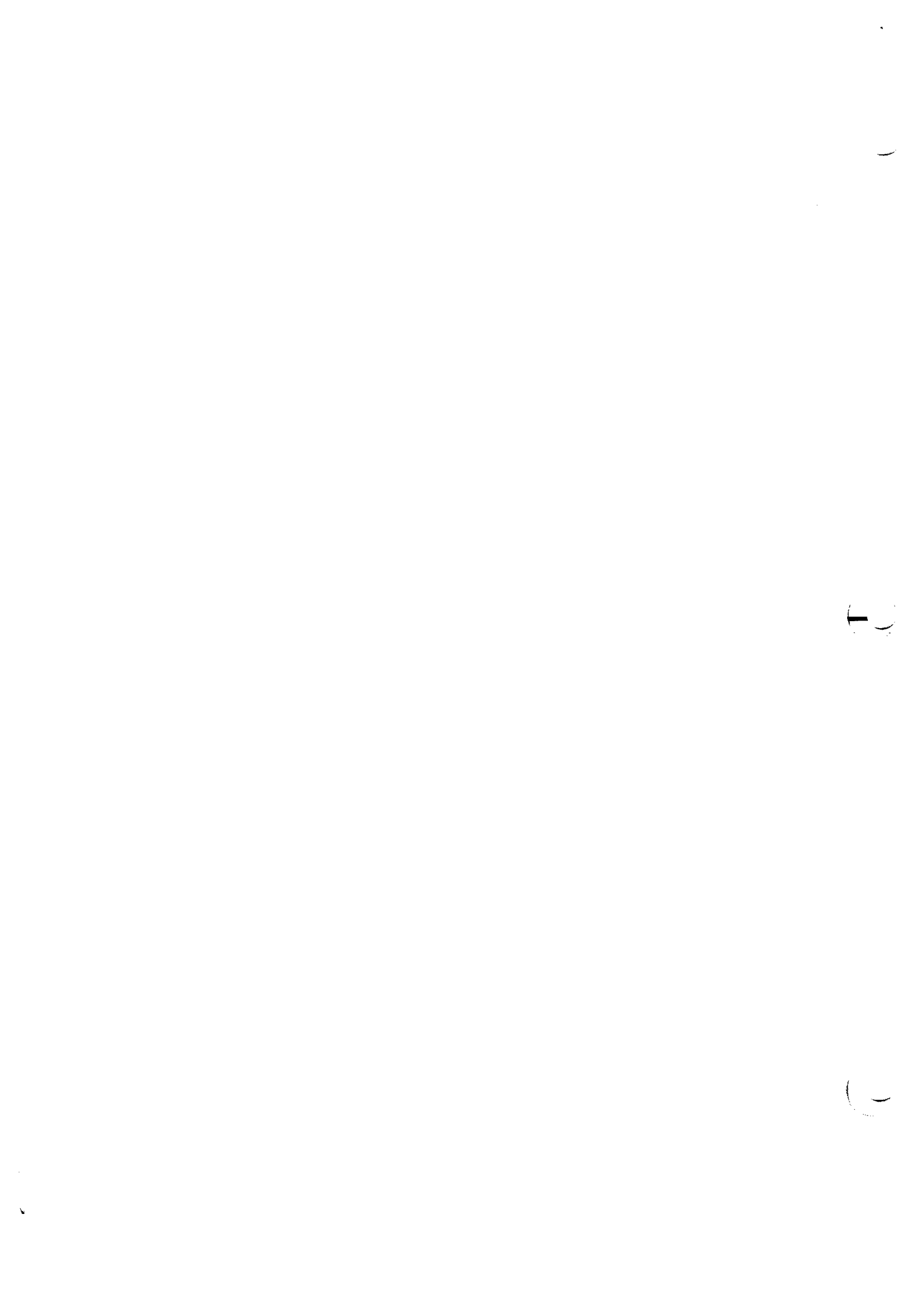
**123.013 Severability.**

Sec. 13. If any portion of this Ordinance or the application thereof to any person or circumstances shall be found to be invalid by a court, such invalidity shall not affect the remaining portions or applications of this ordinance which can be given effect without the invalid portion or application, provided such remaining portions are not determined by the court to be inoperable, and to this end this ordinance is declared to be severable.

**123.014 Effective date; repeal.**

Sec. 14. This Ordinance shall be effective from and after October 12, 1970.

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.



**215.000 PARKS REGULATION ORDINANCE Ord. No. 267 Adopted: January 8, 1991**

- 215.001 Title.
- 215.002 Definitions.
- 215.003 Regulations.
- 215.004 Posting of park rules.
- 215.005 Penalties.
- 215.006 Validity.
- 215.007 Repeal.
- 215.008 Effective date.

An ordinance to regulate the use and enjoyment of the parks within the Oshtemo Charter Township and provide for the enforcement of such regulations.

WHEREAS, the Charter Township of Oshtemo is authorized to acquire real estate and control such as a public park, and

WHEREAS, the Charter Township of Oshtemo has in fact acquired real estate to be used for public park purposes, and

WHEREAS, the Charter Township of Oshtemo is authorized to promulgate rules and regulations concerning the control and maintenance of those parks, and

WHEREAS, it is necessary to establish rules and regulations governing the Charter Township of Oshtemo parks to assure the protection of the health, safety and general welfare of the citizens of the Charter Township of Oshtemo and those utilizing the Township parks:

NOW, THEREFORE, THE CHARTER TOWNSHIP OF OSHTEMO, KALAMAZOO COUNTY, MICHIGAN, ORDAINS:

**215.001 Title.**

Sec. 1. This Ordinance shall be known as the "Parks Regulation Ordinance of Oshtemo Charter Township" and will be referred to herein as "this Ordinance".

**215.002 Definitions.**

Sec. 2.

(a) *Community Center Building.* References to the Community Center Building shall be construed to refer to the property more accurately described as:

39-05-35-205-120

SEC 35-2-12 BEG AT PT ON N LI SEC 35 425.04 FT E OF N 1/4 POST THEREOF TH E ALG N LI SD SEC 66 FT TH S 132 FT TH W 66 FT TH N 132 FT TO BEG \* H 35-17

(b) *Drake House.* References to the Drake House shall be construed to refer to the property more accurately described as:

39-05-13-230-024

SEC 13-2-13 COMM AT NE COR TH S00°07'50"W ALG E SEC LI 1017.37' TH S87°47'49"W 206.01' TO POB TH CONT S87°47'49"W 1195.15' TH S00°07'50"W 311.40' TH S87°47'49"W 196' TH N02°12'11"W 593.98' TO SLY ROW OF CROYDEN AVE TH N87°30'11"E ALG SD ROW 392.68' TH S02°12'11"E 184.13' TH S 86°30'53"E 1016.16' TO BEG

\*\*\*\*12/04 SPLIT FROM 13-230-015 INTO 13-230-020, 024, 028\*\*\*\*

(c) *Flesher Field*. References to Flesher Field shall be construed to refer to the property more accurately described as:

39-05-35-185-010

SEC 35-2-12 COM AT N 1/4 COR SEC 35 TH S 1161.04 FT ALG N&S 1/4 LI SEC 35 TO INT WITH S ROW LI AT&T CO SD INT BEING PL BEG TH S ALG N&S 1/4 LI 1189.36 FT TH W 1870.68 FT TO S ROW LI AT&T CO TH N 57°33MIN10SEC 2216.68 FT ALG S ROW TO PL OF BEG EXC E 50FT THEREFROM\* \*\*6-92 1992 DESCRIPTION REVISION H 35-60-2

(d) *Grange Hall*. References to Grange Hall shall be construed to refer to the property more accurately described as:

39-05-05-455-060

SEC 5-2-12 BEG AT S 1/4 POST SEC 5 TH E ALG S LI SD SEC 24 R TH N 16 R TH W 24 R TO N&S 1/4 LI SD SEC TH S THEREON 16 R TO BEG \*

(e) *KL Avenue Property*. References to the KL Avenue Property shall be construed to refer to the property more accurately described as:

39-13-04-151-020

SEC 4-4-12 S 1/2, SW 1/4, NW 1/4 ALSO N 150 FT W 1/2, NW 1/4, SW 1/4

SPLIT FOR 2007 ROLL FROM 04-301-010

(f) *Old Township Hall*. References to the Old Township Hall shall be construed to refer to the property more accurately described as:

39-05-15-480-120

SEC 15-2-12 BEG AT SE COR SEC 15 TH W ALG S LI SD SEC 147.58 FT TH N PAR TO E LI SD SEC 147.58 FT TH E PAR TO S LI SD SEC 147.58 FT TO E LI SD SEC TH S THEREON 147.58 FT TO BEG \* (H 15-27)

(g) *Oshtemo Charter Township Park*. References to Oshtemo Charter Township Park shall be construed to refer to the property more accurately described as:

39-05-15-405-011

SEC 15-2-12 COM E 1/4 POST TH WLY ALOG E & W 1/4 LI 1648.63 FT TO P 333FT W OF E LI W 1/2 SE 1/4 TH SLY PAR SD E LI 400FT FOR PL BEG TH WLY PAR SD 1/4 LI 450FT TH SLY PAR E LI SD W 1/2 SE 1/4 700FT TH ELY PAR SD 1/4 LI 450FT TH NLY PAR E LI 600FT TH ELY PAR SD 1/4 LI 333FT TO E 1/8 LI TH SLY THEREON 442.9FT TO S LI N 10A OF W 30A E 1/2 SE 1/4 TH ELY ON SD S LI 30R TO E LI SD W 30A TH SLY ON SD E LI TO S LI TH WLY THEREON 90R TO E LI W 1/4 SE 1/4 TH NLY THEREON TO SLY LI HWY M-43 AS DESC IN L 865 P 142 REG OF DEEDS OFF KAL CO TH ELY ON SD SLY LI TO 333FT W OF SD E 1/8 LI T H SLY 284.04FT TO BEG \* \*\*10-89 1089 SPLIT FROM 15-405-010 & 15-430-020

(h) *Park*. References to Park shall be construed to refer to the Community Center Building, Drake House, Flesher Field, Grange Hall, KL Avenue Property, Old Township Hall, Oshtemo Charter Township Park, Parkview Property, or Stadium Park Way Property.

(i) *Parkview Property*. References to the Parkview Property shall be construed to refer to the property more accurately described as:

39-05-35-205-131

SEC 35-2-12 BEG AT A PT ON NLY ROW LI OF AMERITECH PROPERTY SD PT BEING 537.49FT E & S 00°43MIN35SEC W 649.41FT OF N 1/4 POST TH N 00°43MIN35SEC E 649.41FT TH W ALG N SEC LI 41.25FT TH S 132FT TH W 66FT TH S TO NLY ROW OF AMERITECH PROPERTY TH N 58°22MIN47SEC E 126.93FT TO BEG ALSO BEG 537.49FT E & S 00°43MIN35SEC W 649.41FT OF N 1/4 POST TH S 00°43MIN35SEC W 106.53FT TO N LI OF ATLANTIC ST TH S 58°22MIN47SEC W THEREON TO A PT 520FT N 58°22MIN47SEC E OF N & S 1/4 TH N 31°37MIN13SEC W TO A PT 430.36FT E OF N & S 1/4 LI TH N 00°43MIN35SEC E TO NLY ROW OF AMERITECH PROPERTY TH N 58°22MIN47SEC E 126.93FT TO BEG \*\*\*12-98 1998 SPLIT FROM 35-205-130

(j) *Stadium Park Way Property.* References to the Stadium Park Way Property shall be construed to refer to the property more accurately described as:

39-05-34-130-050

SEC 34-2-12 COMM AT NW COR TH N89°14'37"E ALG N SEC LI 714.28' TO POB; TH CONT N89°14'37"E 865.26' TH S00°34'58"E 863.03' TH S 89°14'37"W 965.25' TH N00°34'58"W 112.03' TH N89°14'37"E 100' TH N00°34'58"W 751' TO BEG

12/05 SPLIT 34-130-024 & 34-155-021 INTO 34-130-050, 34-155-030, 040, 050 & 060

(Amended: Ord. No. 481, 8-28-2007)

### 215.003 Regulations.

Sec. 3. The following regulations shall govern park use and activities:

- (a) No alcoholic beverages or controlled substances shall be permitted upon park property.
- (b) No firearms or archery equipment shall be permitted at or used upon park property. Hunting or trapping activities are prohibited.
- (c) No ground fire shall be permitted upon park property. Above-ground fires are permitted for cooking within receptacles.
- (d) No littering is permitted on park property. All paper, trash and refuse left on the premises must be placed inside trash receptacles.
- (e) All pets on park property must be on a leash and kept under control so as not to cause a disturbance to others using the park.
- (f) The hours of operation for each park shall be 8:00 a.m. until 6:00 p.m. from October 1 through April 30 of each year, and 8:00 a.m. until 10:00 p.m. from May 1 through September 30 of each year. No person shall be on park property except during hours of operation, except with the prior written approval of the Park Committee.
- (g) No motorized vehicle of any kind shall be permitted in "Oshtemo Charter Township Park" outside of the limits of the automobile parking lot.
- (h) No persons shall leave a vehicle unattended on park property overnight or in any area not designated for vehicle parking without permission of the Township.
- (i) No person shall loiter, sit or lie upon walks, paths, parking areas or park structures and equipment so as to impair the passage of others or the use of park property.
- (j) No person shall destroy, damage or cut any trees, shrubs, planted grasses or other vegetation on park property without permission of the Township.
- (k) All gatherings on Township park property of 250 persons or more shall constitute an

outdoor assembly to which Ordinance No. 70 shall apply requiring application and licensure by the Parks Committee.

(Amended: Ord. No. 345, 8-13-1996; Ord. No. 374, 7-13-1999; Ord. No. 424, 10-22-2002; Ord. No. 487, 12-11-2007)

#### **215.004 Posting of park rules.**

Sec. 4. A brief statement of the park rules and hours shall be posted at each park.

#### **215.005 Penalties.**

Sec. 5. Violation of any of the provisions of this Ordinance or failure to comply with any of its requirements shall constitute a municipal civil infraction.

Upon determination of responsibility, the person, corporation, firm or other entity shall pay a fine according to the following schedule:

First offense . . . \$ 75.00

Second offense within three years of first offense . . . 150.00

Third offense within three-year period . . . 325.00

Fourth and each subsequent offense within three-year period are each . . . 500.00

If a determination of responsibility is made by the Court, the Court may impose costs as provided for by law in addition to the fines called for above.

Each day during which a violation continues shall be deemed a separate offense. The imposition of a fine shall not exempt an offender from compliance with the provisions of this Ordinance.

Nothing herein contained shall prevent the Township Board, public official or private citizen from taking such lawful action as is necessary to restrain or prevent any violation of this Ordinance.

(Amended: Ord. No. 305, 9-6-1994)

#### **215.006 Validity.**

Sec. 6. Should any section, clause or provision of this Ordinance be declared by the courts to be invalid, the same shall not effect [affect] the validity of this Ordinance as a whole or any part thereof other than the part or portion to be declared invalid.

#### **215.007 Repeal.**

Sec. 7. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

#### **215.008 Effective date.**

Sec. 8. This Ordinance shall take effect February 21, 1991 (30 days after publication.)