

Chapter 39 - PARKS—GENERAL REGULATIONS<sup>[1]</sup>

## 3:1. - Definitions.

- (1) "Park" means all parks, playgrounds, golf courses, cemeteries, swimming pools, ice rinks, and nature areas, whether developed or undeveloped which are owned or otherwise controlled by the city, together with public bodies of water within or adjacent to such lands and buildings and roads, parking areas, and bicycle paths and other facilities serving such property. Where the grounds of Ann Arbor Public School property are adjacent to a city park, those grounds shall be considered park property for purposes of enforcing subsections (1) through (13) and (15) through (17) of section 3:2. Except that for purposes of 3.2(1) and 3.2(2), park shall not be defined to include Leslie Park Golf Course and its public buildings for any period for which the city has been licensed to sell alcohol at that location by the State of Michigan.

(Ord. No. 43-04, § 16, 1-3-05; Ord. No. 08-13, § 1, 5-5-08)

## 3:2. - Restrictions.

- (1) While in a park, no person shall:
  - (a) Consume any alcoholic liquor. However, when the park is open, consumption of wine and beer is permitted except in park drives, parking lots, pools, skating rinks, tennis courts, play apparatus areas, and areas where consumption of all alcohol is prohibited by posted notice pursuant to City Council resolution. The administrator may issue permits for special events to allow the consumption of wine and beer in areas where such consumption would otherwise be prohibited.
  - (b) Possess any alcoholic liquor in an open or uncapped container in an area where consumption of alcohol is prohibited under subsection (1).
  - (c) Damage, deface or destroy any signage, shrub, tree, flower or other public property, or throw or deposit litter in the park other than in designated containers.
  - (d) Hunt, trap or attempt to trap any animal.
  - (e) Build or maintain any fire except in stoves, fireplaces and fire pits provided for that purpose.
  - (f) Drive or park any motor vehicle (as defined in Chapter 126) except in roads and parking areas designated for the public.
  - (g) Camp overnight.
  - (h) Use any device transmitting electronically amplified sound, including, but not limited to, radios, tape recorders, automobile radios, or music amplifiers at a volume so that the sound may be heard by persons of normal sensitivity at a distance of more than 10 feet in parking lots and 25 feet in all other areas, unless a permit for the use of such device is issued by the Community Services Area Administrator or designee.
  - (i) Play golf at any golf course, enter the premises of any swimming pool facility or indoor skating

rink, or use any other facility for which payment is required without making the required payment and being duly admitted to the use of the facility.

- (j) Drive, park or fail to remove a motor vehicle from any park between 10:00 p.m. and 6:00 a.m. However, this subsection shall not apply to spectators and participants at events specifically authorized by the Community Services Area Administrator, Public Services Area Administrator, or designee if their vehicles are removed promptly after the termination of the event.
  - (k) Drive a motorized boat at a speed in excess of a "slow, no wake, speed."
  - (l) Interfere with any baseball, football or hockey game or other authorized event.
  - (m) Sell or offer to sell any thing or service without having first obtained a permit issued by the Community Services Area Administrator or designee.
  - (n) Obstruct any park walk or drive.
  - (o) Swim, dive or play golf or hockey except in areas specifically designated for such purpose.
  - (p) Between the hours of 10:00 p.m. and 6:00 a.m., make any sound that may be heard by persons of normal sensitivity at a distance of more than 50 feet. However, this subsection shall not apply to spectators and participants at events specifically authorized by the Community Services Area Administrator, Public Services Area Administrator, or designee or to persons using the ice rink or pool facilities.
- (2) The restrictions in subsection (1)(d), (1)(f), and (1)(j) do not apply to persons acting under the direction of the State of Michigan or City of Ann Arbor as part of a wildlife control protocol approved by the City Council of the City of Ann Arbor.

(Ord. No. 41-82, 7-19-82; Ord. No. 46-82, 2-14-83; Ord. No. 43-91, § 1, 8-19-91; Ord. No. 43-04, § 16, 1-3-05; Ord. No. 16-21, § 1, 11-14-16)

**Cross reference**— Trees and other vegetation, Ch. 40; streets and sidewalks, Tit. IV; consumption of alcoholic beverages in public, § 9:75; fire prevention, Ch. 111; traffic, Tit. X.

### 3:3. - Park closings.

All parks are closed between the hours of 12:00 midnight and 6:00 a.m. The City Council may, by resolution, close parks or establish different closing hours than herein specified, provided that adequate notice of such closing is posted. Specific portions of parks may also be closed at dates and times as ordered by the Community Services Area Administrator, Public Services Area Administrator, or designee. No person shall keep any tent, boat, trailer, camper trailer or houseboat in any park during times that it is closed. No person shall enter or remain on the premises of any pool, skating rink or park building when it is closed, except with specific authorization of the Community Services Area Administrator or designee. Unless otherwise posted per City Council resolution, when a park is closed, no person shall remain in or enter it other than to quietly sit or walk. A person or group of persons making noise audible from a distance greater than 50 feet shall not remain in a closed park.

(Ord. No. 43-04, § 16, 1-3-05; Ord. No. 16-21, § 2, 11-14-16)

### 3:4. - Motor vehicles.

The regulations pertaining to the use and operation of motor vehicles contained in Chapter 126 of this Code are applicable to their use and operation in parks. No person shall violate those regulations. The Community Services Area Administrator, Public Services Area Administrator, or designee, is authorized to establish traffic-control orders, with the approval of the City Administrator, and to erect signs and other traffic-control devices to implement the orders. No person shall violate such orders.

(Ord. No. 43-04, § 16, 1-3-05)

### 3:5. - Persons excluded from parks.

Any person who, while in a park, violates these regulations or other ordinances or laws or engages in activity which unreasonably interferes with the peaceful use of parks or neighboring property by others may be barred from a park or parks by the Community Services Area Administrator, Public Services Area Administrator, or designee, or any police officer. A person so barred shall be informed of the time period during which that person is excluded from the park. An order excluding a person for more than 24 hours must be approved by the Community Services Area Administrator, Public Services Area Administrator, or designee. No person shall enter or remain in a park during the time when that person is barred from the park.

(Ord. No. 43-04, § 16, 1-3-05)

### 3:6. - Group activities.

No person shall organize, advertise or publicize any event or activity to be held in a park for which more than 50 people will be expected to attend without first receiving a permit from the Community Services Area Administrator, Public Services Area Administrator, or designee. There shall be no park rental fee charged in association with a permit, where the permitted event's primary proposed activity is the charitable distribution of goods for basic human needs.

(Ord. No. 43-04, § 16, 1-3-05; Ord. No. 13-27, § 1, 11-18-13)

### 3:7. - Permits.

The function of the park system is to provide persons with the opportunity to peacefully enjoy natural and scenic areas, to provide recreation opportunities, to preserve natural habitats for wildlife and to permit athletic competition in designated areas. Where a permit is required by this chapter, it may be issued by the Community Services Area Administrator, Public Services Area Administrator, or designee, if the Community Services Area Administrator, Public Services Area Administrator, or designee, determines that the proposed

activity is consistent with the foregoing purposes, that adequate sanitary and safety precautions will be taken, that the activity will not unreasonably interfere with the use of parks and of neighboring property by others and that there is adequate security against damages to the city or others.

(Ord. No. 43-04, § 16, 1-3-05)

### 3:8. - Enforcement.

- (1) Violations of this chapter shall be punishable by a fine of up to \$500.00.
- (2) The regulations of this chapter shall be enforceable by the Ann Arbor Police Services Unit. Also, the Public Services Area Administrator or designee may enforce these regulations by the issuance of code violation summonses.
- (3) A decision of the Community Services Area Administrator, Public Services Area Administrator, or designee, to refuse to issue a permit or to bar a person from a park for a period in excess of 7 days may be appealed to the City Administrator.

(Ord. No. 43-04, § 16, 1-3-05)

### 3:9. - Rules.

The administrator is authorized to make rules governing the use of specific parks and park areas. The substance of such rules shall be posted where applicable and violation of those rules shall be punishable as a violation of this chapter.

### 3:10. - Park workers.

Nothing contained in this chapter shall make it a violation for city employees to perform work on parks at the times and in the manner directed by the Community Services Area Administrator, Public Services Area Administrator, or designee and to use vehicles or other equipment for such purposes.

(Ord. No. 43-04, § 16, 1-3-05)