



**Grand Traverse County Parks and Recreation Rules Committee Meeting**

**Tuesday, July 9, 2019, 6:30 p.m.**

Commissioners' Committee Room  
Governmental Center, 400 Boardman Avenue  
Traverse City, Michigan 49684

**AGENDA**

**Members:** Rodetta Harrand, Rod Kivell (Vice Chair), William Mouser, John Roth, Shirley Zerafa (Chair), Rob Hentschel

**General Meeting Policies:** Please turn off all cell phones or switch them to silent mode. Any person may make a video, audio, or other record of this meeting. Standing equipment, cords, or portable microphones must be located so as not to block audience view. If you need auxiliary assistance, contact 231-922-4780 or TDD 231-922-4412.

**A. Call to Order**

**B. Roll Call**

**C. First Public Comment**

Any person shall be permitted to address the Parks and Recreation Commission, which is required to be open to the public under the provision of the Michigan Open Meetings Act, as amended (MCLA 15.261, et.seq.). Public comment shall be carried out in accordance with the following rules and procedures:

1. Any person wishing to address the Commission shall state his or her name and address.
2. No person shall be allowed to speak more than once on the same matter, excluding commissioners' questions. The chairperson shall control the amount of time each person shall be allowed to speak, which shall not exceed three (3) minutes. The chairperson may, at his or her discretion, extend the amount of time any person is allowed to speak.

**D. Approvals**

1. Agenda
2. Rules Committee Minutes of March 5, 2019

**E. Proposed Park Rules Amendment**

Amend Grand Traverse County Park Rules to Prohibit Smoking in All County Parks to Which Rules Apply (Discussion; Copy of Rules Attached with proposed amendment indicated on page 2 of the attached Park Rules under Item 5 of Section 2; strikeouts indicate proposed deletions, and underlined type indicates proposed additions)

**F. Second Public Comment**

Please refer to rules and procedures under C. First Public Comment, above.

**G. Adjournment**



**Grand Traverse County Parks and Recreation Rules Committee Meeting**

**Tuesday, March 5, 2019, 6:30 p.m.**

Commissioners' Committee Room  
Governmental Center, 400 Boardman Avenue  
Traverse City, Michigan 49684

**MINUTES**

**A. Call to Order**

Meeting called to order at 5 p.m.

**B. Roll Call**

Members Present: Rodetta Harrand, Rod Kivell (Vice Chair), William Mouser, John Roth, Shirley Zerafa (Chair)

Others Present: Kristine Erickson, Director, Grand Traverse County Parks and Recreation

**C. First Public Comment**

There was no public comment.

**D. Approvals**

1. Agenda

MOTION by Roth, second by Zerafa, to approve agenda, as presented. Motion carried.

2. Rules Committee Minutes of October 6, 2016

MOTION by Harrand, second by Zerafa, to approve minutes of October 6, 2016 meeting of the Rules Committee. Motion carried.

**E. Proposed Park Rules Amendment**

Add language, "possess, consume, or smoke marihuana," as Item 18 under Section 2. "Unlawful acts generally. On lands owned or under the control of the department, it is unlawful for a person or persons to do any of the following," and renumber current Item 18 as Item 19.

MOTION by Zerafa, second by Harrand, to ask legal counsel to write a new rule with different language to prohibit marihuana use in County Parks, to be presented to the Parks and Recreation Commission. Motion carried.

**F. Second Public Comment**

There was no public comment.

**G. Adjournment**

Meeting adjourned at 7:45 p.m.



**Grand Traverse County Parks and Recreation Commission Rules**  
**Amended September 14, 2017**  
**Amended June 13, 2019**

The following rules are promulgated by the Grand Traverse County Parks and Recreation Commission by authority conferred on the Commission by Act 261 of the Public Acts of the State of Michigan of 1965, MCL § 46.364, as amended, for the protection, regulation and control of its facilities and areas, and with the approval of the Grand Traverse County Board of Commissioners.

Section 1. Definitions.

a. "Commission" shall mean the Grand Traverse County Parks and Recreation Commission.

b. "County Park Property" shall mean all lands, waters and property administered by or under the jurisdiction of the Grand Traverse County Parks and Recreation Commission.

c. "Director" shall mean the Grand Traverse County Parks and Recreation Director.

d. "Person" or "persons" shall mean individuals, firms, corporations, or any group or gathering of individuals.

e. "Camping" means the overnight lodging or sleeping of a person or persons in a tent, trailer-coach, vehicle camper, motor vehicle, or in any other conveyance erected, parked or placed on the premises.

Section 2. Unlawful acts generally. On lands owned or under the control of the department, it is unlawful for a person or persons to do any of the following:

1. To enter, use, or occupy County Park Property for any purpose when they are posted against entry, use, or occupancy, as ordered by the commission.

2. To dispose of refuse, rubbish, trash, or garbage not resulting from the use of county-owned lands in receptacles provided on Commission property.

3. To ignite any fire except within fireplaces, receptacles or open spaces designated and approved for such purposes by the Director.

4. To place or burn garbage within a designated fireplace, receptacle or open space designated and approved for the building of fires by the Director, or bury refuse, rubbish, trash, or garbage, regardless of its origin.

5. To use tobacco or smoke at the ~~Grand Traverse County Civic Center~~ County Park Property. As used in this rule, the word “smoke” means any of the following:

- (a) using a cigarette, e-cigarette, cigar, pipe or vapors-tanks-mods or related product that contains tobacco, nicotine or any other related product that is lighted, burning or heated;
- (b) lighting a cigarette, e-cigarette, cigar, pipe or vapors-tanks-mods or related product that contains tobacco, nicotine or any other related product;
- (c) exhaling smoke or vapor from burning or heating tobacco, nicotine, or any other related product that is contained in a cigarette, e-cigarette, cigar, pipe or vapors-tanks-mods or related product.

6. To intentionally smoke, ingest, consume, or otherwise use marihuana, or cannabis, or liquids or solids containing any type of tetrahydrocannabinol on County Park Property. “Smoke” means to inhale the vapor of a solid or liquid substance that has been heated. “Ingest” means to swallow a solid or liquid substance. “Consume” means to take a substance into the body which was previously outside the body.”

7. To cause a noise disturbance, which is defined as sound created by human activity with or without the use of any device, which by reason of its volume, intensity, location, or time of day impairs the health, welfare, or peace of another person of normal human sensibilities. The following acts and activities are declared to be noise disturbances and are prohibited. This enumeration shall not be deemed exclusive.

- a. The playing of any radio, television, phonograph, other sound reproduction device, or musical instrument in such a manner or at such a volume as to be sufficiently audible to annoy or disturb the quiet, comfort, or repose of persons in the vicinity.
- b. The keeping of any animal or bird which, by causing frequent or long continued noise, shall disturb the comfort and repose of any person in the vicinity.
- c. The use of any motor vehicle, in such a manner as to create a disturbing noise, including, but not limited to, the screeching of tires and the discharge into the open air of exhaust from the engine without a sufficient muffler.
- d. Shouting or other raucous or boisterous behavior for an unreasonable length of time.

e. The use of a loudspeaker, public address system without a permit issued by the Director.

f. On the Meadows Trail at the VASA Trailhead Property, on lands owned and under the control of the department it is unlawful for a person or persons to do any of the following:

1. To operate an off-the-road motor-driven vehicle such as a minibike, motorcycle, dunemobile, snowmobile, converted snowmobile, amphibious vehicle, or any other motorized device, except on designated roads, trails, or areas posted for such use without proper written permission.

8. To place or erect a fence or barrier, to construct or occupy improvements, or to enclose the lands or obstruct the passage of another person or persons in any way from entering, exiting or using County Park Property without permission of the Director.

9. To peddle or systematically solicit business of any nature; distribute or post any handbills or other advertising matter or post signs without permission from the Director.

10. To paint, mark, or otherwise apply any chemical or **harmful** substance on any tree, rock, or any other land, water, structure or property without the permission from the Director.

11. To park vehicles of any type in areas posted as no parking; or, where designated parking areas exist, to park vehicles of any type in an area other than the designated parking area. If a motor vehicle is found parked on County Park Property, then the license plate displayed on the motor vehicle shall constitute prima facie evidence that the person who parked it there is the owner of the vehicle.

12. To camp on County Park Property unless approved and designated for such purposes by the Director and with an approved permit issued by the Director.

13. To store or leave property on county lands for more than 24 hours without written permission of the Director. This subdivision does not apply to lawfully occupied, designated camping sites when camping with a permit authorized by the Director.

14. To ride or lead a horse, pack animal, or other riding animal, or any animal driven vehicle on any area, except on roads that are open to the use of motor vehicles, trails, bridle paths, and campgrounds designated for such use by the Director.

15. To possess a dog without a leash or on a leash greater than six-foot in length except upon County Park Property open to hunting.

16. To enter or remain on County Park Property between the hours of 11:00 pm and 6:00 am unless the property is open for events between these hours.

17. To possess a bow and arrow, crossbow, trap or other instrument used for hunting or trapping of animals; or to hunt or trap on any County Park Property unless that property is open to hunting and/or trapping by Rule of the Commission.

18. To possess, consume, or offer for sale alcoholic beverages except for events as authorized by the Director, and in locations approved for such by the Parks and Recreation Commission.

19. To refuse to comply with the above rules upon the demand of an authorized local enforcement officer; or to interfere with the officer's enforcement of the ordinance; or to retaliate against another who has made complaint of a violation of a park rule; or to interfere with an employee or agent of the Grand Traverse County Parks and Recreation Department while performing his or her official duties.

Section 3. Enforcement Officers. The Grand Traverse County Sheriff and deputies are authorized as local enforcement officers of this ordinance.

Section 4. Fines and Imprisonment. Any person violating any provision of the foregoing rules shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$100 and costs of prosecution, or imprisoned in the Grand Traverse County Jail for a period not exceeding 90 days or both, for each offense.

Section 5. Compliance with Other Laws. Nothing in this ordinance impairs or precludes a separate cause of action provided by statute or common law for conduct prohibited herein.

Section 6. Severability. The provisions of this ordinance are severable and if any part is declared void or unenforceable by a court of competent jurisdiction, the remaining parts shall remain in force.