



Legislation Details (With Text)

**File #:** 16-1442      **Version:** 1      **Name:** 10/17/16 Ordinance to Amend Chapter 39  
**Type:** Ordinance      **Status:** Passed  
**File created:** 10/17/2016      **In control:** City Council  
**On agenda:** 11/14/2016      **Final action:** 11/14/2016  
**Enactment date:** 10/17/2016      **Enactment #:** ORD-16-21

**Title:** An Ordinance to Amend Sections 3:2 and 3:3 of Chapter 39 (Parks - General Regulations) of Title III of the Code of the City of Ann Arbor (Ordinance No. ORD-16-21)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 16-21 Parks and Regulations Ordinance Briefed and Approved.pdf, 2. 16-21 Chapter 39 Parks and Regulations Amendments.pdf, 3. Chapter 39 Amendments.pdf, 4. Chapter 39 Amendments.pdf

Date	Ver.	Action By	Action	Result
11/14/2016	1	City Council	Held and Closed	
11/14/2016	1	City Council	Adopted on Second Reading	Pass
10/17/2016	1	City Council	Approved on First Reading	Pass

An Ordinance to Amend Sections 3:2 and 3:3 of Chapter 39 (Parks - General Regulations) of Title III of the Code of the City of Ann Arbor (Ordinance No. ORD-16-21)

The attached ordinance amends the general regulations for the parks system consistent with Council's resolution on deer management on public property.

Prepared by: Mary Joan Fales, Senior Assistant City Attorney

Reviewed by: Derek Delacourt, Community Services

Approved by: Howard S. Lazarus, City Administrator

ORDINANCE NO. ORD-16-21

First Reading: October 17, 2016

Approved: November 14, 2016

Public Hearing: November 14, 2016

Published: November 18, 2016

Effective: November 28, 2016

PARKS AND REGULATIONS

An Ordinance to Amend Sections 3:2 And 3.3 of Chapter 39 (Parks-General Regulations) of Title III of The Code of the City of Ann Arbor

The City of Ann Arbor Ordains:

Section 1. That Section 3:2 of Chapter 39 of Title III of the Code of the City of Ann Arbor be amended to read as follows:

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.

Section 2. That Section 3:3 of Chapter 39 of Title III of the Code of the City of Ann Arbor be amended to read as follows:

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.

Section 3. Severability. In the event any court of competent jurisdiction shall hold any provision of this Ordinance invalid or unenforceable, such holding shall not invalidate or render unenforceable any other provision thereof.

Section 4: Effective Date. This Ordinance shall take effect on the tenth day following legal publication.

## **CERTIFICATION**

I hereby certify that the Council of the City of Ann Arbor, Michigan, adopted the foregoing ordinance at its regular session of November 14, 2016.

Jacqueline Beaudry, City Clerk

Date

Christopher Taylor, Mayor

I hereby certify that the foregoing ordinance received legal publication on the City of Ann Arbor website on November 18, 2016.

Jacqueline Beaudry, City Clerk