

ORDINANCE NO 24

Section 1. Title

This Ordinance shall be known and may be cited as “Plainfield Township General Offenses Code.”

Section 2. Abandoned Refrigerators and Airtight Containers

No person shall have in his or her possession, either inside or outside of a building, structure or dwelling, in a place accessible to children, or discard or abandon, any icebox, refrigerator or other airtight container of any kind, which was designed and/or manufactured with a snap latch or other locking device thereon, without first removing the snap latch or other locking device, or the doors, from such icebox, refrigerator or other airtight container.

Section 3. Public Nuisances Generally

- A. **Definition.** As used in this ordinance, “Public nuisance” includes whatever annoys, injures or endangers the safety, health, comfort, or repose of the public, offends public decency interferes with, obstructs or renders dangerous any street, highway, navigable lake or stream or in any way renders the public insecure in life or property. “Public nuisance” includes, but is not limited to, whatever is prohibited by any provision of this General Offense Code and Chapter 1460 of the Building Code.
- B. **Prohibition.** No person shall commit, create or maintain any public nuisance.

Section 4. Playing Games on Streets and Sidewalks, Obstructions.

No person shall play any ball game in any public street or sidewalk not set aside as a recognized play area, or otherwise obstruct traffic on any street or sidewalk by collecting in a group thereon, for any purpose.

Section 5. Damaged Structures; Excavations; Unguarded Machinery

- A. No person shall permit to remain on his or her property any building, wall or other structure which has been damaged by fire, decay, or otherwise, or any excavation remaining unfilled or uncovered for a period of ninety (90) days or longer, which building, wall, structure or excavation is so situated as to endanger the safety of the public.
- B. No person shall permit to exist any dangerous unguarded excavation or machinery in any public place, or so situated, left or operated on private property as to attract the public.

Section 6. Unlawful Discharge Into Sewers, Drains, Basins, Etc.

No distiller, dyer, machinist, manufacturer or other person shall discharge or cause to be discharged, out of or from any still house, dyehouse, workshop, factory, machine shop, dwelling house, kitchen or other building, any foul, nauseous, or toxic liquid, water or other substance, into or upon any highway, street, alley, lane, public space, or square, or into any road or ground or deposit or allow to be deposited any refuse, drippings or nauseous or toxic liquids or other substances from distributing, pipes or gas conductors into any sewer, receiving basin, gutter or other place in the Township, or force or discharge into any public or private sewer or drain any stream, vapor or gas.

Section 7. Parks

- A. **Purpose.** It is the purpose of this section to establish regulations governing the operation and use of each of the parks which constitute the park system of the Township Board from time to time shall designate by resolution the areas which are owned by the Township and which are designated as parks and which shall, thereby become subject to the provisions of this section.
- B. **Use of Facilities.** All facilities of the park system shall be open to the general public for use during the hours the pars are open. However, during hours that the various parks are closed, no unauthorized person shall enter on the grounds of any park. In addition, no person shall enter upon any portion of park ands of waters which have been designated as closed to public use or entry.
- C. **Hours; Removal of Portable Equipment.** Between June 15 and Labor Day; inclusive, the park system shall be open from 7 a.m. to one hour after sunset. Between Labor Day and June 14, the park system shall be open from 9 a.m. to one hour after sunset. However, upon application to the Township Board or its authorized agent, the hours may be extended both as to an entire park or as to a special use area. Township Board may provide by resolution for temporary hours other than as specified herein for a stated period of time. Portable equipment shall be removed seasonally at the discretion of the Supervisor.

D. Animals.

1. General Provisions. While in a park, no person shall:

- a) Cause an animal or fowl to run at large;
- b) Bring, drive or lead an animal onto park property, except that a horse or other beast of burden or draft animal may be driven before a vehicle attached thereto, on such portions of park property as may be designated for riding or driving by the Supervisor or his or her designee;
- c) Bring, drive, lead, or carry a dog or other animal or pet which is unleashed or upon a leash more than six feet in length, even though under the immediate control of a competent person, on or upon park property;
- d) Permit his or her dog or pet to enter a public building or to be upon a designated beach, except a trained and working leader dog;
- e) Cause or permit a horse or another animal to stand on park property, unless securely hitched or in charge of some competent person;
- f) Torture, ill-treat or neglect an animal or fowl;
- g) Hunt, trap, catch wound, kill, treat cruelly or attempt to trap, catch, wound, or kill a bird, animal or fish; molest or rob a nest or a bird or a lair, den or burrow of any animal in or upon any park land or waters administered by or under the jurisdiction of the Township.

2. Parks as Wildlife Sanctuaries. All parks of the Township shall be wildlife sanctuaries and shall be treated as such by all users of the parks.

E. Destruction and Fires

1. Destruction of Buildings, Markers, Monuments. No person shall, within any park:

- a) Willfully destroy, deface, alter, change or remove any monuments, stone markers, bench mark, stake, post or blaze, marking or designating any boundary line, survey line or reference point;
- b) Cut, break, mark upon or otherwise injure any building, equipment, bridge, drain, wall, fountain, lamp post, fence, gate, hedge, or other structure;
- c) Deface, destroy, or remove any placard, notice or sign, whether permanent or temporary, posted or exhibited within or upon park property;
- d) Appropriately, excavate, injure or destroy, any historical or pre-historical ruin or any object of antiquity, without permission of the Township Board;
- e) Remove any fixed item of park equipment from its location;
- f) Remove any portable item of park equipment from its general location within a park, or remove the same from any park;
- g) Place any item of park equipment in any stream or body of water within or adjacent to any park.

2. Destruction of Plant Life and Natural Surroundings. No person shall within any park:

- a) Cut, remove, or destroy a tree, sapling, seedling, bush or shrub, whether alive or dead, or chip, blaze, box girdle, trim or otherwise deface or injure a tree or shrub, or break or remove a branch, foliage, flower of a tree or shrub, or pick, gather, uproot, remove or destroy any flower, plant or grass;
- b) Remove, or cause to be removed, any sod, earth, humus, peat, boulders, gravel or sand, without advance written permission from the Township.

3. Fires. No person shall within any park:

- a) Willfully set on fire, or cause to be set on fire, any tree, woodland, brushland, grassland or meadow within or upon any park;
- b) Build any fire upon any park property, except within the fireplaces, receptacles or open spaces furnished, approved and designated by the Township for such purposes.
- c) Drop, throw or otherwise scatter lighted matches, burning cigars, cigarettes, tobacco paper or other inflammable material within or upon any park.

F. Sports, Games and Activities.

1. Swimming, Bathing and Wading. No person shall:

- a) Have in his or her possession any glass container on any beach or in the water adjacent thereto.

2. Camping. No person shall camp, except in such areas as may be provided and designated for such purposes by the Township Board. No area shall be so designated until this section is amended to provide detailed camping regulations.

3. Peddling and Soliciting. No person shall peddle or solicit business of any nature whatsoever, or distribute handbills or other advertising matter, or post unauthorized signs on any lands, waters, structures or other property, or use such lands, waters, structures or other property for any commercial purpose, unless authorized by the Township Board or its authorized agent.

- 4. Unlawful Obstructions.** No person shall, by force, threats, intimidation, unlawful fencing or enclosing or by any other means, prevent or obstruct any person from entering, leaving or making full use of the park.
- 5. Hindering Employees.** No person shall interfere with, or in any manner hinder, any employee or agent of the Township in the performance of his/her official duties.
- 6. Alcoholic Beverages and Drugs.** No person shall have in his/her possession any intoxicating beverage while in or upon any park property. No person shall sell, use, or have in his/her possession any drug or narcotic, the sale, use or possession of which is prohibited by State Law.
- 7. Personal Conduct.**
 - a) No person shall be under the influence of intoxicants, or engage in any violent, abusive, loud, boisterous, vulgar, lewd, wanton, obscene or otherwise disorderly conduct, or disturb or annoy others, while in or on any park property.
 - b) No person shall conduct or participate in any form of gambling, lottery or game of chance or tell fortunes upon any park property.
 - c) No person shall beg or seek charity in any park.
- 8. Use of Loudspeakers.** No person shall use a loudspeaker, public address system or amplifier within or upon any park property without written permit therefore issued by the Board.
- 9. Fireworks.** No person shall fire, discharge or have in his/her possession any rocket, firecracker, torpedo, squib or other fireworks or any substance of any explosive nature within or upon any park property unless the Board or its authorized agent has authorized the same by the issuance of a permit therefore.
- 10. Fireworks.** No person shall, at any time, bring into or upon any park property, or have in his/her possession, or discharge or set off anywhere, upon park property, a revolver, pistol, shotgun, rifle, air rifle, firearm or a bow or other weapon that discharges projectiles either by air, explosive substance or any other force. However, this section shall not apply to any deputy sheriff, or other duly appointed law enforcement officer, while carrying out the duties and responsibilities of his/her position, not to any person while upon designated target ranges or areas.
- 11. Littering and Pollution of Waters.** No person shall:
 - a) Discard, dump or deposit refuse of any kind in or upon any park property, except by placing such refuse in containers provided for such purposes.
 - b) Throw, cast, lay, drop or discharge into or leave in waters administered by or under the jurisdiction of the Township any substance, matter or thing, liquid or solid, which may or does result in the pollution of such waters; or
 - c) Bring refuse into a park for disposal or dumping, whether place in containers or otherwise.
- 12. Skating and Coasting.**
 - a) No person shall use roller skates within or upon any park property except at such times and upon such places as may be designated or maintained therefore.
- 13. Missiles, Slingshots, Archery, Golf.** No person shall, within any park:

- a) Hit or shoot a golf ball or other similar missile, unless within a specially designated area for such activity; or
- b) Shoot a slingshot or a bow and arrow, unless within a range established for such purpose and then only if such range is supervised.

14. Balloons, Airplanes and Parachutes, Public Exhibitions. No person shall make an ascent in any balloon or airplane, or a descent in or from a balloon, airplane or parachute, on any park lands or waters.

15. Public Exhibitions. No person shall exhibit any machine or show, or any animal, or indulge in any acrobatic exhibition, in or upon any park property or carry on any performance or do anything that will cause persons to congregate so as to interfere with the proper use of such property by the general public or to obstruct the passage of vehicles or persons, without first having obtained written permission therefor from the Township Board.

G. Littering:

1. Unlawful Deposits; Undesirable Accumulations

- a) No person shall throw, place or allow, through insecure fastening or improper maintenance or otherwise, or cause, allow, permit or suffer to be placed or thrown or to fall in or upon any street, alley, sidewalk or other public thoroughfare, place or park in the Township, any loose paper, rubbish, dirt, dust or other substance of a nature apt to be blown about by the wind or by normal public use.
- b) No person shall throw, place, deposit or leave, or cause to be thrown, placed, deposited or left, in any street, highway, lane, alley, public place, square or sidewalk, or in any private place or premises, any glass, of any nature likely to cause injury to travelers, pedestrians, carriages, motor vehicles, bicycles, other vehicles, horses or other animals, or which might injure, cut or puncture any pneumatic tire, nor shall any person throw, place, deposit or leave, or cause to be thrown, placed, deposited or left, in any street, highway, lane, alley public place, square or sidewalk, or in any private place or premises, any animal or vegetable substances, dead animal, fish, shavings, paper, dirt, rubbish, filth, slops, unclean or nauseous water, liquid or gaseous fluids, soot, offal, garbage, swill or any offensive article or substance.
- c) No person shall throw, place, deposit or leave, or cause to be thrown, placed, deposited or left, in any street, highway, lane, alley public place, square or sidewalk, or in any private place or premises where such throwing, placing, depositing or leaving is, in the opinion of the Health Officer, dangerous or detrimental to the public health, or likely to cause sickness or attract flies, insects, rodents or vermin, any animal or vegetable substance, dead animal, fish, shell, tin cans, bottles, glass, other rubbish, dirt, excrement, filth, unclean or nauseous water or fluids, soot, garbage, swill, animal bones, hides or horns, rotten soap, grease or tallow, offal or any other offensive article or substance.
- d) Violations. Whoever, having been duly notified in writing by the code Enforcement Officer of a violation of this section, fails to take such action as is necessary to comply with the provisions of this section, shall, for each and every

offense, be punished as described in Ordinance #30 of this code. A separate offense shall be deemed committed each twenty-four hour period which elapses between notice of violation as herein provided and termination of each violation. Such person shall, in addition, be liable to the Township for the costs incurred by the Township for the removal, storage and disposal of the litter in question.

- e) Penalty (Editor's Note: See Ordinance NO. 30 for general Code penalty if no specific penalty is provided.)
- f) Publication: This ordinance shall be published in the same manner as other ordinances of the Township pursuant to MCLA 691.1051 of the statute, made and provided, as amended.
- g) Effective Date: This ordinance is hereby approved and shall take effect thirty (30) days after publication, in accordance to Michigan Township laws effecting and mandating unchartered townships.

Adopted this 13th day of December, 1989 by the Plainfield Township Board of Iosco County, Michigan.

(Signed by Donna D. Chrivia, Supervisor)

(Signed by Beverly Caverly, Clerk)

Prepared by:

James A. Ruhala

Plainfield Township Attorney

AMENDMENT TO ORDINANCE NO. 24 SEC 7

AMEND SECTION 7 E.

ADD: Penalty for violation of this ordinance shall be: who ever violates or fails to comply with any such provision shall be fined not less than \$00.00 or imprisoned not more than 5 days or both for the first offense, and \$500.00 or imprisoned not more than ninety days or both, for each offense after that. A separate offense or shall be deemed committed each day during or on which a violation or noncompliance occurs or continues, unless otherwise provided.

SURCHARGES, EQUITABLE REMEDIES. The imposition of any penalty provided for in this section shall be in addition to any surcharge levied for a violation of or noncompliance with a provision of these ordinance, or a provision of a technical or other code adopted by reference in these ordinances, or a rule, regulation or order promulgated or made under authority of either, and shall be in addition to any equitable remedy provided by a provision of a technical or other code adopted by reference in these ordinances, or a rule, regulation or an order promulgated or made under authority of either, or provided by State Law, or a rule, regulation or order promulgated or made under authority of State Law, including the enforced removal of prohibited conditions.

COMPLICITY. Every person concerned in the commission of a offense under these ordinances, whether he or she directly commits the act constituting the offense of procures, counsels, aids or abets in its commission, may be prosecuted, indicated, tried and on conviction shall be punished as if he or she had directly committed such offense.

Amendment adopted this 14th day of April, 1993 by the Plainfield Township Board of Iosco County, Michigan.

(Signed by Joseph Kimmerer, Supervisor)

(Signed by Beverly S Bernard, Clerk)