

## Rules and Regulations

1. The use of any facility is at your own risk. The City does not assume responsibility for injury or for any loss, theft or damage to personal items.

2. A person holding a park permit shall maintain such permit in his or her possession at all times while utilizing the municipal facility. Such permit shall be presented by its holder upon request by a City official or employee. A permit does not give its holder exclusive use of the entire park, except for Springdale Shelter.

3. A rental permit is required for reservation of all city facilities which would include rain dates and no refund of the rental fee shall be made due to inclement weather. Park permits may not be assigned or otherwise transferred.

4. All set-up/clean-up must be done by the permit holder.

5. All parks must be maintained and left in a neat and clean condition, with garbage and refuse prepared for proper disposal. The person or entity in whose name the rental permit is issued shall be responsible for leaving the facility in a clean and orderly condition. Further, the permit holder accepts full responsibility for all damage to City property as a result of its activities, ordinary wear and tear excepted. A fee may be assessed should clean up by the City become necessary. This fee shall include, but is not limited to, all labor, equipment and administration expense incurred by the City.

6. Any equipment, valuables, or clothing left in or around the park shelter on closing shall be disposed of by the Department of Public Services.

7. The City reserves first priority with regard to the use of all City Parks. A park permit grants its holder a license to use the specified park and or an area and is revocable by the City. The City may order revocation of a park permit, if warranted at any time, with refund of fees paid. All permits are granted with this understanding.

8. The Director of Public Services may, subject to the approval of the City Manager and the City Commission, establish supplemental regulations for all uses requiring the issuance of a permit for use of municipal facilities, and fees for the use of the various facilities.

9. **No person shall bring into, have in their possession, DRINK, OR CONSUME ANY INTOXICANT OR INTOXICATING BEVERAGE** in any park areas and city owned properties *with the exception of beer and wine sold by the City for consumption at Lincoln Hills Golf Course or Springdale Park, Springdale Park Shelter and Springdale Golf Course in conjunction with golf functions only.*

10. The following city-owned or city-controlled areas shall be closed during the hours specified below. During such hours, no person shall enter into or remain in such property, except those persons whose presence is related to or in connection with a municipal activity or a project or activity which has been licensed to be operated or carried on within such public property, or persons who enter such property for the express purpose of parking or removing a vehicle legally parked upon such property and who, upon entering the parking area, immediately park or remove such vehicle. Such person shall not remain in the park for any other purpose.

(1) Manor Park shall be closed from one hour after sundown to one hour before sunrise.

(2) Adams Park shall be closed from 9:00 p.m. to 8:00 a.m.

(3) Springdale Park hours shall coincide with Springdale Golf Course hours and park rentals. The closing of the park is up to the discretion of the City of Birmingham Representative on duty.

(4) Except as provided in subsections (1), (2) and (3) of this section, all City Parks shall be closed between the hours of 10:00 p.m. and 6:00 a.m.

(5) All public property not included in subsections (1), (2), (3) and (4) of this section shall be closed between the hours of 12:00 midnight and 6:00 a.m. For purposes of this section, public property shall be deemed to be property zoned as public property under the provisions of chapter 126.

11. Leashed dogs are allowed in any public park except in those areas as designated and posted by the Department of Public Services. Dogs are allowed on public property as long as they are restrained by a six foot maximum length chain or leash and under the reasonable control of some person. Owners and walkers of dogs on public property must comply with all City ordinances, including Chapter 18, Article II, pertaining to dogs and cats.

### **Sec. 18-33 Restraint of dogs.**

It shall be unlawful for any owner of any dog to permit the dog to go beyond the premises of such owner unless restrained by a chain or leash and under the reasonable control of some person. (Code 1963, § 9.80(1))

12. Dogs are not permitted in any public playground or in any **other** area designated by the Department of Public Services. These areas shall generally include, but shall not be limited to, areas under and immediately adjacent to play structures and play equipment; sandboxes; the playing surface of ball fields, soccer fields, tennis courts, outdoor ice rinks, golf courses and sledding hills, when such areas are in use; pavilions and stages; fountains; and in areas designated for City permitted events and functions of concentrated use during said event or function.

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13. The owner or walker of a dog is responsible for the collection of all fecal matter and the disposal of such fecal matter in an appropriate waste receptacle in accordance with ordinance Section 18-35.

### **Sec. 18-35 Sanitation.**

(a) It shall be unlawful for any person to permit any animal owned or harbored by him to deposit fecal matter in any place other than the premises where the animal is harbored or kept, unless such fecal matter is immediately collected and removed to the premises where the animal is harbored or kept.

(b) It shall be unlawful for any person to walk any animal on any property not owned by such person, whether public or private, unless such person has an appropriate device for the collection of fecal matter in his immediate possession and an appropriate depository for the transmission of fecal matter to the premises where the animal is harbored or kept. (Code 1963, § 9.95; Ord. No. 1586, 4-18-94)

14. The use of loudspeakers or other equipment for the amplification of sound or music is prohibited, unless allowed by permit issued by the City.

15. Smoking is not permitted in any building or structure in City Parks. No person shall ignite or use ground fire or open fire except with the expressed permission of the Department of Public Services, provided however, that this restriction shall not be applicable to the use of barbecue burners or cooking in the picnic area at Springdale Park. No person shall leave the immediate vicinity of any fire, which he/she has started or used without first extinguishing the fire.

16. No person shall obstruct any walk or drive in any public park or playground. No person shall injure, mar or damage, in any manner, any monument, ornament, fence, bridge, seat, tree, fountain, shrub, flower, playground equipment, or other public property within or pertaining to such parks.

17. No person shall engage in the business of peddling or vending in the city without first obtaining a license from the city clerk.

18. No person shall interfere with any fence constructed in or about any park; or deface, injure, remove, or destroy any tree, shrub, sward, or turf in any park or boulevard; or remove any dirt, sand or earth from any park or boulevard, or otherwise remove, destroy or injure any property therein; or leave or deposit any filth, rubbish, dirt, wastepaper or other refuse in any place in any park or boulevard except in containers provided in parks for that purpose. Dumping or disposal of household or commercial waste transported from off-site to city property is prohibited.

19. No vehicles, except authorized City vehicles, are allowed to be driven across lawns, sidewalks, or any other park surface for any reason.

20. No person shall expose, distribute, place any sign, advertisement, circular notice, or statement, or display any banner, City of Birmingham emblem, or design without written permission from the City.

21. ***Decorations may be attached to the Springdale shelter by means of masking or cellophane tape only.*** There should be no decorations drilled, fastened, or otherwise attached to the shelter with materials such as staples, nails, or tacks.

22. No person shall place or operate any boat propelled by any engine in or upon waters in any park in the city, including the water of Quarton Lake.

23. Fishing in any water park in the City of Birmingham, including Quarton Lake is restricted to minors under the age of fourteen (14) years, and residents' sixty-two (62) years of age and older, subject to State of Michigan fishing licenses regulations.

24. No person shall feed any geese, ducks, birds or other fowl in any City Park or any municipal Golf Course.

25. No person, except an authorized city employee shall injure, kill or capture any wild bird, or disturb any wild bird's nest or the contents thereof.

26. Swimming and/or wading is prohibited in any lake, river, public fountain or public pond in the City of Birmingham.

27. No person shall operate, use, ride, or pull another individual on a wheeled vehicle, on City-owned tennis courts, basketball courts, fountains and stone work ledges. Vehicles not permitted include, but are not limited to in-line skates, skateboards, bicycles, wagons, roller-skates, and scooters.

28. It is unlawful for any person to operate any motorized vehicle, trail bike, all-terrain vehicle, or similar type of sport vehicle anywhere in a park, except for the proper use of golf carts on city golf courses.

29. On-site parking at Barnum Park is limited to 3 hours and is exclusively for use of persons while they are using the Park.

30. Violation of these rules or other posted rules is a misdemeanor punishable by a fine up to \$500, or imprisonment for a term not exceeding 90 days, or both.