

**TOWNSHIP OF CHIKAMING
BERRIEN COUNTY, MICHIGAN**

ORDINANCE NO. 67
Adopted: May 14, 1992

AN ORDINANCE TO REPEAL A CERTAIN ORDINANCE OF CHIKAMING TOWNSHIP AND TO ESTABLISH RULES AND REGULATIONS TO CONTROL AND GOVERN THE USE OF PUBLIC BEACHES, ROAD END BEACHES AND PARKS LOCATED IN CHIKAMING TOWNSHIP, BERRIEN COUNTY, MICHIGAN; AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF.

THE TOWNSHIP OF CHIKAMING, BERRIEN COUNTY, MICHIGAN ORDAINS:

Section 1. Chikaming Township Ordinance No. 39 adopted September 13, 1979, is hereby repealed in its entirety on the effective date of this Ordinance.

Section 2. The following rules and regulations shall be applicable and shall govern the use of the public beaches, road end beaches and parks owned and/or located in and/or maintained by Chikaming Township, Berrien County, Michigan, within said Township, including the following:

Harbert Community Park	Harbert, Michigan
Townline Beach	Union Pier, Michigan
McKinley Avenue Beach	Union Pier, Michigan
Miller Beach	Union Pier, Michigan
Lakeview Beach	Union Pier, Michigan
Pier Street Beach	Lakeside, Michigan
Cherry Beach	Harbert, Michigan
Harbert Beach	Harbert, Michigan
Chikaming Nature Preserve	Harbert, Michigan

The rules and regulations herein shall be enforced by all law enforcement officers.

Section 3. No person shall litter the beaches, road end beaches and parks within Chikaming Township with refuse matter of any kind or sort whatsoever, including but not by way of limitation, sacks, cans, papers, containers, cartons, garbage, food, food scrap, trash, rubbish, refuse, junk or waste material.

Section 4. No person shall take upon any public beach, road end beach or public park within the Township any glass bottle, receptacle, container or object whatsoever except glass eyewear.

Section 5. No person shall bring alcoholic beverages, or controlled substances, drink or use the same at any time nor shall any person be under the influence of alcoholic beverages or a controlled substances on a public beach or road end beach or in a public park in

Chikaming Township. No person shall be in possession of any glass, can or open container containing alcoholic beverages on any public beach or road end beach or in any public park within Chikaming Township.

Section 6. No person shall kindle, build, maintain or use a fire on any public beach, road end beach or public park within Chikaming Township.

Section 7. No person shall camp or stay overnight on any public beach or road end beach or in any public park within in Chikaming Township.

Section 8. It shall be unlawful for any person to permit any domestic animal to run at large in any park. No person shall bring dogs, horses, ponies, or other domestic animals on to any public beach, road end beach or approaches thereto.

Section 9. No person shall play, use, operate or permit to be played, used or operated, any radio, tape recorder, cassette player, compact disc player, or other machine or device for reproducing sound, if it is located on any public beach or road end beach or in any park within Chikaming Township, and if the sound generated is audible at a distance of 30 feet from the device producing the sound. Possession by a person or persons of any of the machines or devices enumerated above shall be prima facie evidence that such person operates, or those persons operate, the machine or device.

Section 10. All of the public beaches, road end beaches and parks in Chikaming Township shall be closed during the hours from 10:30 P.M. to 8:00 A.M., daily and the parking of vehicles in said parks and beaches during such hours is expressly forbidden. All vehicles left unattended and parked within a public beach, road end beach or park in Chikaming Township, during the hours from 10:30 P.M., to 8:00 A.M., will be towed away and impounded at the owner's expense. In addition, any violation of this Section may also be prosecuted as provided in Section 17 of this Ordinance.

Section 11. No person shall block the entrance of any of the public beaches, road end beaches or parks with any automobile or other vehicle nor shall they double park along of the roads leading to an entrance to the above referenced public beaches, road end beaches and parks.

Section 12. From and after the effective date of this ordinance it shall be unlawful for any off the road, or recreational vehicle, to drive over or across, enter or be located on the parks and beaches of Chikaming Township. For purposes of this ordinance off the road vehicles, or recreational vehicles, are vehicles such as dune buggies, snowmobiles, motorcycles, motorized trail bikes, all terrain vehicles or other vehicles of like or similar kind. The enumeration of the foregoing vehicles is intended by way of illustration and not by way of limitation. All such vehicles shall be limited solely to using the

drives and parking lots within the Township Parks.

Section 13. From and after the effective date of this Ordinance, it shall be unlawful to launch any boat from a public park or public beach area except in those areas expressly designated for use as a boat launching ramp.

Section 14. From and after the effective date of this Ordinance, it shall be unlawful for any person, firm or corporation to move construction machinery in, upon or across public parks or beaches without first securing a written permit therefore. Such a permit may be obtained during regular business hours by applying at the Chikaming Township Hall. The express purpose of this provision is to safe guard and prevent the damage of any water intake pipes, structures, dunes and/or beaches located in beach areas.

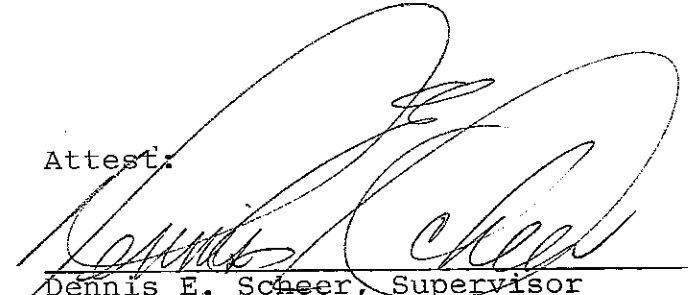
Section 15. No person shall engage in threatening, abusive, insulting or indecent language or engage in any disorderly conduct or behavior tending to breach the public peace on any public beach or road end beach or in any park within Chikaming Township, Additionally, no person shall interfere with or in any manner hinder any employee, contractor or agent of the Park Board or Chikaming Township in the performance of his or her duties.

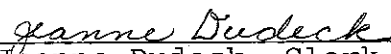
Section 16. If any section, sub-section, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 17. Any person who violates any of the provisions of this Ordinance, upon arrest and conviction, shall be deemed guilty of a misdemeanor and may be punished by a fine of not to exceed \$500 and/or sentenced to the County Jail for a period not to exceed 90 days, or in the discretion of the Court, both such fine and imprisonment. Each day that a violation is permitted to exist shall constitute a separate offense.

Section 18. This ordinance was enacted on the 14th day of May, 1992, by the Chikaming Township Board and ordered to be published in the Southcounty Gazette on the 21st day of May, 1992, being within ten (10) days of its enactment and ordered to be made effective on the 14th day of June, 1992, being more than thirty (30) days after publication thereof.

Attest:


Dennis E. Scheer, Supervisor
Chikaming Township


Jeanne Dudeck, Clerk
Chikaming Township

CERTIFICATION

I do hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. 67, duly adopted by the Township Board of the Township of Chikaming, Berrien County, Michigan, at a regular meeting held on the 14 day of May, 1992. I further certify that Jeanne Dudeck moved the adoption of said ordinance and Jack Gibson supported said motion. The names and the members of the Township Board and their vote on the foregoing ordinance were as follows:

MEMBERS	AYES	NAYS	ABSTAIN
Gibson	<u>X</u>	_____	_____
Sandtveit	<u>X</u>	_____	_____
Smith	<u>X</u>	_____	_____
Dudeck	<u>X</u>	_____	_____
Scheer	<u>X</u>	_____	_____

I further certify that the aforesaid ordinance was recorded in the Ordinance Book for the Township of Chikaming on the 16 day of May, 1992, and such recording has been authenticated by the signatures of the Supervisor and Township Clerk. I further certify that the foregoing ordinance was published in full in the Southcounty Gazette, a newspaper circulated in the Township of Chikaming, Berrien County, Michigan, on the 21st day of May, 1992.

Dated: May 16, 1992

Jeanne Dudeck
 Jeanne Dudeck, Clerk
 Township of Chikaming