

**COUNTY OF MONTCALM
STATE OF MICHIGAN**

**MONTCALM COUNTY BOARD OF COMMISSIONERS
COUNTY PARKS ORDINANCE OF 2026**

CHAPTER 1 – GENERAL PROVISIONS

Section 1.1 – Authority

This Ordinance is adopted pursuant to MCL 46.11, MCL 46.351, and all other applicable authority, authorizing counties to regulate and manage public property for the protection of public health, safety, and welfare. Nothing in this Ordinance shall be construed to permit conduct prohibited by federal law or the laws of the State of Michigan. All applicable federal and state statutes, administrative rules, and regulations shall remain in full force and effect within County Parks.

Section 1.2 – Purpose

The purpose of this Ordinance is to establish basic, practical rules for the safe and responsible use of Montcalm County parks in a manner consistent with the County's rural character, while protecting property and ensuring public enjoyment.

Section 1.3 – Definitions

- A. “County” means Montcalm County, Michigan.
- B. “County Park” or “Park” means any land, facility, or outdoor recreation area owned or operated by the County for public use.
- C. “Director” means the Montcalm County Controller or their designee.
- D. “Person” means any individual, group, organization, or entity.
- E. “Reservation Permit” means written authorization issued by the County for exclusive use of a pavilion or designated facility.
- F. “Vehicle” means any motorized conveyance, excluding devices assisting persons with disabilities.

CHAPTER 2 – PARK ACCESS

Section 2.1 – Park Hours

County Parks shall be open to the public during hours established by the County and posted at each Park or published by official County policy. Park hours may vary by park, season, day of the week, or operational conditions.

Section 2.2 – After-Hours Use

No person shall enter or remain in any County Park outside of posted hours except as authorized by a Reservation Permit, written County authorization, or during lawful emergency activity.

CHAPTER 3 – RESERVATIONS, PERMITS AND FEES

Section 3.1 – Permit Required for Certain Uses

A Reservation Permit is required for exclusive use of pavilions, shelters, or for events meeting criteria under Section 9.1 of this Ordinance.

Section 3.2 – Applications

- A. Applications shall be filed on forms approved by the County.
- B. Required fees, as established by resolution from time to time by the County Board of Commissioners, must accompany the application.
- C. Permits shall be issued on a first-come, first-served basis.

Section 3.3 – Cancellations

- A. Cancellations submitted 60 days or more before the reserved date shall receive a full refund for parks with overnight facilities. Cancellations submitted 30 days or more before the reserved date shall receive a full refund for parks with pavilions only.
- B. Cancellations less than 60 days prior to the reserved date shall be non-refundable for parks with overnight facilities. Cancellations less than 30 days prior to the reserved date shall be non-refundable for parks with pavilions only.

Section 3.4 – Fees

- A. Fees for the use of County parks shall be set by the Director and approved by resolution of the County Board of Commissioners from time to time.

- B. It shall be unlawful for any person to assume reservation of an area or facility of a County Park without prior payment of said fee.

CHAPTER 4 – VEHICLES AND TRAFFIC REGULATIONS

Section 4.1 – Roads and Parking Areas

- A. Vehicles shall operate only on established roads and parking areas and in accordance with the Michigan Vehicle Code and all posted traffic and parking signs.
- B. Off-road vehicles, ATVs, and other recreational motor vehicles may be operated in County Parks on established roads and parking areas and are subject to the same traffic regulations as motor vehicles.

Section 4.2 – Speed Limit

The maximum speed limit within any Park is 10 miles per hour, unless otherwise posted.

Section 4.3 – Parking

- A. Vehicles shall park only in designated areas.
- B. No Person shall obstruct driveways, gates, or pedestrian areas.

CHAPTER 5 – FIRES, GRILLS, AND COOKING

Section 5.1 – Authorized Fires

- A. Fires are permitted only in designated fire rings, grills, or fireplaces installed by the County.
- B. All fires must be extinguished before leaving the park or site.
- C. No open fire shall be permitted during a County or State burn ban.

CHAPTER 6 – PETS AND ANIMALS

Section 6.1 – Control of Pets

- A. Pets must be on a leash not exceeding six (6) feet or within a secure carrier.

- B. Pets shall not be left unattended.
- C. It shall be unlawful for any person to permit a pet or animal on or in any land or water designated as a beach, swimming, or wading area, playground area, or any other area restricted to animals by posted notice.

Section 6.2 – Waste Removal

Owners must remove and properly dispose of all pet waste.

Section 6.3 – Service Animals

Service animals are permitted as required by law.

CHAPTER 7 – REGULATED CONDUCT AND PUBLIC SAFETY

Section 7.1 – Alcoholic beverages

Consumption of personal alcoholic beverages is permitted in moderation and in compliance with state law. No person shall engage in disruptive behavior or display visible intoxication. The County may require any intoxicated or disruptive person to leave the park.

Section 7.2 – Firearms and weapons

Firearms and weapons are regulated by state law. Nothing in this Ordinance shall be construed to prohibit the lawful possession of firearms as permitted by Michigan law.

Section 7.3 – Fireworks

No Person shall possess, ignite, attempt to ignite, or otherwise cause to explode, discharge, or burn, any fireworks, smoke bombs, torpedoes, rockets, or other pyrotechnics or explosives within a County Park, or adjacent to a County Park where the effects of said ignition, explosion, discharge, or burning are reasonably likely to enter a County Park, without a written permit from the Director, subject to all State of Michigan and local laws and ordinances.

CHAPTER 8 – PERSONAL CONDUCT

Section 8.1 – Disorderly Behavior

Disorderly, threatening, abusive, or disruptive conduct is prohibited.

Section 8.2 – Noise

Excessive, disturbing, or unreasonable noise is prohibited. Quiet hours, if any, may be established by posted Park rules or permit conditions. Amplified sound equipment requires a Reservation Permit.

CHAPTER 9 – EVENTS AND GATHERINGS

Section 9.1 – Events Requiring Permits

A Reservation Permit or written authorization is required for:

1. Gatherings of more than 25 persons;
2. Events requiring special equipment or setup;
3. Events requiring or using amplified sound equipment; and
4. Activities affecting public access or resources.

Section 9.2 – County Conditions

The County may impose reasonable conditions to ensure safety and property protection.

CHAPTER 10 – NATURAL RESOURCES AND PROPERTY PROTECTION

Section 10.1 – Property, vegetation, and wildlife

No Person shall damage or remove County property, vegetation, or wildlife.

Section 10.2 – Hunting and Fishing

- A. Hunting and trapping are prohibited unless posted otherwise.
- B. Fishing within County Parks is permitted, subject to applicable regulations under State law and provided that fishing must be more than 20 feet from designated swimming areas.

CHAPTER 11 – LITTER AND WASTE MANAGEMENT

Section 11.1 – Refuse Disposal

All refuse shall be placed in County waste containers or carried out.

Section 11.2 – Outside Waste

Dumping outside waste is prohibited.

Section 11.3 – Hazardous Materials

Hazardous materials may not be disposed of in any Park.

CHAPTER 12 – WATER USE AND SWIMMING

Section 12.1 – Swimming

Swimming and water activities are permitted only where designated and are undertaken at the user's own risk.

Section 12.2 – Watercraft

Watercraft must use designated launch sites and adhere to all applicable State laws and local ordinances.

CHAPTER 13 – CAMPING

Section 13.1 – Camping Prohibited

Camping is prohibited except where designated.

CHAPTER 14 – VENDORS AND SALES

Section 14.1 – Compliance with Sales Regulations

Vendors selling goods, including arts and crafts, must comply with all federal, state, and local laws governing public sales and transient merchant operations.

Section 14.2 – Food Vendors

Food vendors must:

1. Maintain compliance with the Michigan Department of Health and Human Services' (or its successor entity) rules;
2. Comply with Montcalm County Health Department requirements;
3. Obtain required permits and inspections; and
4. Follow all State food safety laws.

Section 14.3 – Vendor Authorization

Vendors must obtain written authorization from the County to sell or provide goods or services within County Parks.

Section 14.4 – Revocation

The County may revoke a Vendor's authorization to sell or provide goods or services within County Parks.

CHAPTER 15 – ENFORCEMENT AND PENALTIES

Section 15.1 – Enforcement

This Ordinance may be enforced by law enforcement or authorized County staff.

Section 15.2 – Removal from Park

Persons violating this Ordinance may be ordered to leave.

Section 15.3 – Civil Infraction

- A. A violation of any provision of this Ordinance shall constitute a municipal civil infraction, and shall be punishable by a fine of not less than \$500.00 plus costs.
- B. The County Sheriff or his or her designee and the Director or his or her designee are hereby designated as the authorized County official to issue municipal civil infraction citations directing alleged violators to appear in court.

Section 15.4 – Additional Remedies; Restitution

- A. Nothing in this Ordinance shall be construed as impairing the right of the County to pursue other legal remedies, including but not limited to, injunctive relief, to enforce the provisions of this Ordinance.
- B. Persons intentionally damaging County property may be held liable for repair or replacement of such property.

CHAPTER 16 – EMERGENCY POWERS

Section 16.1 – Temporary Closure

The County may temporarily close all or a portion of Parks or facilities located therein for safety or maintenance.

CHAPTER 17 – SEVERABILITY

Section 17.1 – Severability

The provisions of this Ordinance are declared to be severable, and if any section, clause, provision, sentence, or word is declared void or unenforceable by any court of competent jurisdiction for any reason, that finding shall not affect any other portion of this Ordinance.

CHAPTER 18 – REPEAL AND EFFECTIVE DATE

Section 18.1 – Repeal

Any ordinances, rules or regulations heretofore enacted and in conflict with this Ordinance are hereby repealed.

Section 18.2 – Publication and Effective Date

This ordinance becomes effective immediately upon publication in a newspaper of general circulation in the County of Montcalm.

Adopted: