

## Chapter 13

### **PARKS AND RECREATION\***

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#### **ARTICLE I. IN GENERAL**

##### **Sec. 13-1. Investigation and report of accidents.**

(a) In case of an accident or serious injury in the public parks, the police department shall fully investigate and report the details of such accident to the city commission.

(b) The police department shall keep a record embracing all such accident information and shall make a complete report from such records to the Commission.

(Ord. No. 400, §§ 4, 5, 2-6-56)

**Cross reference**—Police department, Ch. 14, Art. II.

##### **Secs. 13-2–13-15. Reserved.**

#### **ARTICLE II. DEPARTMENT OF PARKS AND RECREATION†**

##### **Sec. 13-16. Created.**

There is hereby created for the city a department under the division of public works and engineering to be known as the Ferndale Parks and Recreation Department.

(Ord. No. 583, § 1, 3-8-71)

**Charter reference**—Authority to establish departments, Ch. II, § 2(5).

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**\*Cross references**—Beautification commission, § 2-16 et seq.; police, Ch. 14; streets, sidewalks and other public places, Ch. 16; traffic and motor vehicle code; Ch. 18; vegetation, Ch. 20.

**State law reference**—Authority to operate a system of public recreation and playgrounds, MSA § 5.2421.

**†Cross reference**—Administration, Ch. 2.

**Sec. 13-17. Director.**

A director of parks and recreation, who shall be appointed by the city manager, shall be the executive officer in charge of the use of parks, properties and buildings owned by the city and assigned to the department of parks and recreation and be responsible for the parks and recreation program in buildings or on properties of other public or private institutions that may be used by the city through rental, lease or by gift, and who shall serve as secretary of the board.

(Ord. No. 583, § 9, 3-8-71)

**Sec. 13-18. Appointment of personnel by city manager.**

The city manager shall have the power to appoint such personnel as he may deem necessary to effectively carry out the parks and recreational programs, provided that appropriation has been made for the compensation of such personnel by the city commission.

(Ord. No. 583, § 10, 3-8-71)

**Secs. 13-19–13-28. Reserved.****ARTICLE III. PARKS AND RECREATION BOARD\*****Sec. 13-29. Created.**

There shall be created an advisory parks and recreation board.  
(Ord. No. 583, § 3, 3-8-71)

**Sec. 13-30. Appointment; composition; members' terms of office; compensation.**

The parks and recreation board shall consist of eight (8) members, of which one (1) shall be the director of public services as a nonvoting permanent member, and seven (7) electors of the city who shall have evidence of interest in the development of park and recreation services for public use. Such members, other than the director, shall be appointed by the city commission for a term

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\*Cross reference—Administration, Ch. 2.

of three (3) years. Members of such board shall serve without compensation.

(Ord. No. 583, § 3, 3-8-71; Ord. No. 859, § 1, 4-19-93)

**Sec. 13-31. Meetings; organization.**

(a) The parks and recreation board shall meet at the instigation of the chairman or three (3) or more voting members of the board and shall elect a chairman at the first meeting in January of each year.

(b) The parks and recreation board shall adopt its own rules of order and procedure not inconsistent with the provisions of this chapter.

(Ord. No. 583, § 4, 3-8-71)

**Sec. 13-32. Quorum.**

Four (4) voting members of the parks and recreation board shall constitute a quorum and a lesser number may adjourn any meeting at which a quorum is not present.

(Ord. No. 583, § 8, 3-8-71; Ord. No. 859, § 1, 4-19-93)

**Sec. 13-33. Transmittal of minutes to commission and city manager.**

A copy of the minutes of all parks and recreation board meetings shall be filed with the city clerk for transmittal to the commission and to the city manager.

(Ord. No. 583, § 5, 3-8-71)

**Sec. 13-34. Duties.**

The parks and recreation board shall act solely in a fact-finding recommendatory and advisory capacity to the city commission and it shall be its duty to consider and study the reasonable needs of park and recreational facilities and activities in which the city might properly participate, to formulate and to report to the city commission estimates of public requirements for park and recreational facilities and for the costs thereof and the amounts which

might properly be appropriated by the city commission to provide and maintain such park and recreational facilities.  
(Ord. No. 583, § 6, 3-8-71)

**Sec. 13-35. Expenses.**

Neither the parks and recreation board nor any member thereof may incur any expense or create any obligation or liability upon the city. In the event any expenditure of city funds may be required in connection with the functioning of the parks and recreation board, before such funds shall be expended, approval of such expenditures shall be first obtained from the city manager.  
(Ord. No. 583, § 7, 3-8-71)

**Secs. 13-36–13-45. Reserved.**

**ARTICLE IV. RULES AND REGULATIONS**

**DIVISION 1. GENERALLY**

**Sec. 13-46. Promulgated by police chief—Authority to close or restrict use of parks.**

The chief of police shall have the authority to close any public park or portion of same or restrict the use thereof when required by the public safety and convenience.  
(Ord. No. 400, § 1, 2-6-56)

**Sec. 13-47. Same—Effective upon erection of sufficient signs.**

Any safety rules or regulations made by the chief of police for public parks shall be effective upon the erection of signs sufficient in number to apprise the ordinarily observant person of the existence of such rules or regulations.  
(Ord. No. 400, § 2, 2-6-56)

**Sec. 13-48. Same—Approval of commission required for effectiveness beyond thirty days.**

If any rules or regulations made by the police chief shall be effective for more than thirty (30) days then the same shall be subject to the approval of the city commission. (Ord. No. 400, § 3, 2-6-56)

**Sec. 13-49. Organized activities to be authorized by director.**

The conduct of all picnics, meetings and other activities by groups of persons and the playing of all organized games authorized by the director of parks and recreation in the public parks or playgrounds of the city shall be at the places designated and at the times prescribed by the said recreation director of the city. (Ord. No. 331, § 3, 4-3-51)

**Sec. 13-50. Director to designate times and places for bicycle riding, model airplane operation and archery.**

No bicycle riding, model airplane operation or archery shall be permitted in the public parks and playgrounds in the city in the places where organized games are being played. Bicycle riding, model airplane operation and archery shall be permitted only at the times and in those places designated by the director of parks and recreation. (Ord. No. 331, § 5, 4-3-51)

**Sec. 13-51. Hours of closing; exceptions.**

No person shall enter, loiter, idle, wander, stroll, park, play or remain in or upon any public park in the city between the hours of 10:00 p.m. and 6:00 a.m. of the following day, official city time, except that the Marie Mini Park closed hours shall be from 8:30 p.m. to 6:00 a.m. of the following day; provided, however, that the provisions of this section shall not apply to gatherings authorized by the city council or the department of parks and recreation. (Ord. No. 354, 5-25-53; Ord. No. 683, § 1, 4-10-79)

**Sec. 13-52. Erection of structures without commission permission prohibited.**

No booth, tent, stall or other structure shall be erected for any purpose in any public park or playground in the city except by permission of the city commission. (Ord. No. 331, § 12, 4-3-51)

**Sec. 13-53. Selling of articles prohibited without commission permission.**

No hawking or peddling shall be done or article or thing exposed for sale in any public park or playground in the city except by permission of the city commission. (Ord. No. 331, § 12, 4-3-51)

**Cross reference**—Hawkers and peddlers, Ch. 7, Art. VI.

**Sec. 13-54. Advertising prohibited without commission permission.**

No placard, notice or advertisement of any kind or nature shall be distributed or posted in any public park or playground in the city, except by permission of the city commission, and then only for public programs operated by the City of Ferndale, and under such reasonable conditions as the commission may impose to ensure the health, safety, and welfare of the community. (Ord. No. 331, § 15, 4-3-51; Ord. No. 751, § 1, 7-25-83)

**Cross reference**—Business and business regulations, Ch. 7.

**Sec. 13-55. Use of plumbing fixtures.**

No person shall in any manner use any drinking fountain or plumbing fixture or like appurtenances in any public park or playground in the city except for the purpose for which the same were designed and intended. (Ord. No. 331, § 10, 4-3-51)

**Sec. 13-56. Placement of waste materials.**

No person shall place or throw any rubbish, garbage or other waste material on the grounds of any public park or

playgrounds in the city except in the receptacles provided therefor. (Ord. No. 331, § 6, 4-3-51)

**Cross reference**—Garbage and refuse, Ch. 10.

**State law reference**—Similar provisions, MSA § 28.603(1).

### **Sec. 13-57. Smoking by juveniles prohibited.**

It shall be unlawful for any juvenile to smoke on any playground in the city. (Ord. No. 331, § 14, 4-3-51)

**State law reference**—Smoking by minors in public prohibited, MSA § 25.282.

### **Sec. 13-58. Dogs.**

No dog shall be allowed on any park or playground in the city unless said dog is on a leash. Dogs shall be prohibited in areas of any park or playground property in the city so designated by the parks and recreation department. (Ord. No. 592, 9-13-71)

**Cross reference**—Regulation and licensing of dogs, Ch. 5, Art. II.

### **Sec. 13-59. Fires.**

No fire shall be built in any public park or playground in the city except in receptacles and places provided therefor. (Ord. No. 331, § 7, 4-3-51)

**Cross reference**—Fire prevention and protection, Ch. 9.

### **Sec. 13-60. Damaging of vegetation prohibited.**

It shall be unlawful for any person to mutilate or destroy or injure any tree, branch, shrub, flower or flower bed, or turf in any public park or playground in the city. (Ord. No. 331, § 2, 4-3-51)

**Cross reference**—Vegetation, Ch. 20.

### **Sec. 13-61. Discharging or throwing projectiles prohibited.**

No person shall fire or discharge any gun, pistol, firearm or throw stones or other missiles in any public park or playground in the city. (Ord. No. 331, § 8, 4-3-51)

**Sec. 13-62. Fireworks prohibited without commission permission.**

No person shall fire, discharge or set off any rocket, firecracker, torpedo or other fireworks or things containing any substance of an explosive character in any public park or playground in the city without the permission of the city commission. (Ord. No. 331, § 9, 4-3-51)

**Cross reference**—Fire prevention and protection, Ch. 9.

**State law reference**—Similar provisions, MSA §§ 28.440(1).

**Secs. 13-63—13-68. Reserved.**

## DIVISION 2. MOTOR VEHICLES\*

**Sec. 13-69. Restricted to designated areas.**

No private motor vehicles shall travel in the public parks and playgrounds in the city except on designated roadways and no vehicles shall park therein except in designated parking areas, provided, however, upon application granted by the city commission vehicles may travel in the public parks and playgrounds in connection with public programs operated by the City of Ferndale, provided further that such travel shall be for the limited purpose of loading or unloading tools, equipment, foodstuffs, goods, or the like, and then only using the most direct, safe route and at a speed not to exceed five (5) miles per hour, and, provided further that in granting any such application the city commission may impose reasonable restrictions on such travel to ensure the health, safety and welfare of the community. (Ord. No. 331, § 4, 4-3-51; Ord. No. 751, § 2, 7-25-83)

**Sec. 13-70. Speed limit.**

Any person driving a vehicle within a public park shall drive the same at a careful speed not greater nor less than is reasonable and proper, having due regard to the traffic surface and width of the driveway and of any other

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\***Cross reference**—Traffic and motor vehicle code, Ch. 18.

**State law references**—Michigan vehicle code, MSA § 9.1801 et seq.; regulation of streets and highways under local jurisdiction, MSA § 9.2306.

conditions then existing; and no person shall drive any vehicle within a public park at a speed greater than will permit him to bring it to a stop within the assured clear distance ahead; and in no case shall such speed exceed ten (10) miles per hour. (Ord. No. 400, § 6, 2-6-56)

**State law references**—General speed restrictions, MSA § 9.2327; authority to regulate speed of vehicles in public parks, MSA § 9.2306.

**Sec. 13-71. Backing.**

In no case shall a motor vehicle in any public park be backed a distance of more than sixty (60) feet and shall not be backed at all unless preceded by an observer to safely direct the movement. (Ord. No. 400, § 6, 2-6-56)

**Sec. 13-72. Hitching or climbing onto moving vehicle prohibited.**

No person shall climb onto or hitch onto any moving vehicle with or without the operator's consent, and no operator shall knowingly permit such action in any public park in the city. (Ord. No. 400, § 8, 2-6-56)

**State law reference**—Clinging to vehicles, MSA § 9.2359.

**Sec. 13-73. Parking.**

(a) No operator of a motor vehicle shall park his vehicle in a public park unless he shall first ascertain that it can be done safely.

(b) No operator of a motor vehicle shall leave any motor vehicle unattended in a public park unless the operator shall first shut off the motor and lock the motor vehicle or some part thereof so as to prevent the starting and operation of said motor vehicle. (Ord. No. 400, §§ 6, 7, 2-6-56)

**State law reference**—Motor vehicles left unattended, MSA § 9.2376.

**ARTICLE V. SENIOR CITIZENS BOARD**

**Sec. 13-74. Creation.**

There shall be created an advisory senior citizens board to advise the city council on the recreational, social and physical needs and interests of senior citizens of the community. (Ord. No. 812, 3-20-89)

**Sec. 13-75. Appointment, composition, term of office of members and compensation.**

The senior citizens board shall consist of eight (8) members: The senior citizens coordinator, who shall be a nonvoting member; and seven (7) electors of the city, at least four (4) of whom shall be sixty (60) years of age or older. Each member, other than the coordinator, shall be appointed by the city council for a staggered term of three (3) years and shall serve without compensation. (Ord. No. 812, 3-20-89)

**Sec. 13-76. Meetings and organization.**

(a) The senior citizens board shall meet at the instigation of the chairperson or three (3) or more voting members and shall elect a chairperson at the first meeting of each calendar year.

(b) The senior citizens board shall adopt its own rules of order and of procedure consistent with the provisions of this chapter. (Ord. No. 812, 3-20-89)

**Sec. 13-77. Quorum.**

Three (3) voting members of the senior citizens board shall constitute a quorum, and a lesser number may adjourn any meeting at which a quorum is not present. (Ord. No. 812, 3-20-89)

**Sec. 13-78. Transmittal of minutes to city council and city manager.**

A copy of the minutes of all senior citizens board meetings shall be filed with the city clerk for transmittal to the city council and city manager. (Ord. No. 812, 3-20-89)

**Sec. 13-79. Duties.**

The senior citizens board shall act solely in a fact-finding, recommendatory and advisory capacity to the city council. Its duty shall be to consider and study the present and future recreational, social and physical needs and interests of senior citizens of the community; to propose activities and programs to meet said needs and interests; and to report to the city council the amount of funds that may properly be appropriated by the city council to

provide and maintain activities and programs for senior citizens.  
(Ord. No. 812, 3-20-89)

**Sec. 13-80. Expenses.**

Neither the senior citizens board nor any member thereof may incur any expense or create any obligation or liability upon the city. Should any expenditure of city funds be required for the functioning of the senior citizens board, said expenditure first shall be approved by the city manager. (Ord. No. 812, 3-20-89)

