

CITY OF SWARTZ CREEK
Park and Recreation Advisory Board
Tuesday, October 18, 2022, 5:30 P.M.
City Council Chambers of City Hall
Agenda

1. CALL TO ORDER:
2. ROLL CALL: James Barclay, Sandi Brill, Connie Olger,
Samantha Fountain, Mark Gonyea, George Hicks, Rae Lynn
Hicks, Krystle Lynch, Trudy Plumb
3. APPROVAL OF AGENDA:
4. APPROVAL OF MINUTES :
5. MEETING OPEN TO PUBLIC:
6. COMMUNICATIONS TO BOARD:
 - A. September 20, 2022 Minutes
 - B. Staff Letter
 - C. Draft Park Rules, Reservation Form, & User Agreement
7. REPORTS:
 - A. DPW Director & City Manager
 - B.
8. BUSINESS:
 - A. 2022 Park Rules and Reservation Form Discussion
 - B. Park Plan Update
 - C.
9. MEETING OPEN TO PUBLIC:
10. BOARD MEMBER COMMENTS:
11. ADJOURNMENT:

**CITY OF SWARTZ CREEK
VIRTUAL PARK AND RECREATION ADVISORY BOARD
ACCESS INSTRUCTIONS
TUESDAY, OCTOBER 18, 2022 5:30 P.M.**

The **October 18, 2022 Park Board meeting** will commence at 5:30 p.m. and will be conducted virtually (online and/or by phone), due to health concerns surrounding Coronavirus/COVID-19 and rules promulgated by the Michigan Department of Health and Human Services.

To comply with the **Americans with Disabilities Act (ADA)**, any citizen requesting accommodation to attend this meeting, and/or to obtain the notice in alternate formats, please contact Connie Olger, 810-429-2766 48 hours prior to meeting,

Zoom Instructions for Participants

To join the conference by phone:

1. On your phone, dial the teleconferencing number provided below.
2. Enter the **Meeting ID** number (also provided below) when prompted using your touch-tone (DTMF) keypad.

Before a videoconference:

1. You will need a computer, tablet, or smartphone with speaker or headphones. You will have the opportunity to check your audio immediately upon joining a meeting.
2. Details, phone numbers, and links to videoconference or conference call is provide below. The details include a link to **“Join via computer”** as well as phone numbers for a conference call option. It will also include the 9-digit Meeting ID.

To join the videoconference:

1. At the start time of your meeting, enter the link to join via computer. You may be instructed to download the Zoom application.
2. You have an opportunity to test your audio at this point by clicking on “Test Computer Audio.” Once you are satisfied that your audio works, click on “Join audio by computer.”

You may also join a meeting without the link by going to join.zoom.us on any browser and entering the Meeting ID provided below.

If you are having trouble hearing the meeting, you can join via telephone while remaining on the video conference:

1. On your phone, dial the teleconferencing number provided below.
2. Enter the **Meeting ID number** (also provided below) when prompted using your touchtone (DMTF) keypad.
3. If you have already joined the meeting via computer, you will have the option to enter your participant ID to be associated with your computer.

Participant controls in the lower left corner of the Zoom screen:



Using the icons in the lower left corner of the Zoom screen you can:

- Mute/Unmute your microphone (far left)
- Turn on/off camera (“Start/Stop Video”)
- Invite other participants
- View participant list-opens a pop-out screen that includes a “Raise Hand” icon that you may use to raise a virtual hand during Call to the Public
- Change your screen name that is seen in the participant list and video window
- Share your screen

Somewhere (usually upper right corner on your computer screen) on your Zoom screen you will also see a choice to toggle between “speaker” and “gallery” view. “Speaker view” show the active speaker.

Connie Olger is inviting you to a scheduled Zoom meeting.

Topic: City of Swartz Creek Park & Recreation Board Meeting

Time: October 18, 2022 05:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/83096401128>

Meeting ID: 830 9640 1128

One tap mobile

+13017158592,,83096401128# US (Washington DC)

+13126266799,,83096401128# US (Chicago)

Dial by your location

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

Meeting ID: 830 9640 1128

Find your local number: <https://us02web.zoom.us/j/83096401128>

If you have any further questions or concern, please contact 810-429-2766 or email colger@cityofswartzcreek.org. A copy of this notice will be posted at City Hall, 8083 Civic Drive, Swartz Creek, Michigan.

**CITY OF SWARTZ CREEK
VIRTUAL (ELECTRONIC) MEETING RULES AND PROCEDURES**

In order to conduct an effective, open, accessible, and professional meeting, the following protocols shall apply. These protocols are derived from the standard practices of Swartz Creek public meetings, Roberts Rules of Order, and city board & commission procedures. These procedures are adopted to govern participation by staff, councilpersons and members of the public in all City meetings held electronically pursuant to PA 228 of 2020. Note that these protocols do not replace or eliminate established procedures or practices. Their purpose is to augment standing expectations so that practices can be adapted to a virtual meeting format.

The following shall apply to virtual meetings of the city's public bodies that are held in accordance with the Open Meetings Act.

1. Meetings of the City Council, Planning Commission, Zoning Board of Appeals, Downtown Development Authority, Park Board, or committees thereunder may meet electronically or permit electronic participation in such meetings insofar as (1) the Michigan Department of Health and Human Services restricts the number of persons who can gather indoors due to the COVID-19 pandemic; (2) persons have an illness, injury, disability or other health-related condition that poses a risk to the personal health or safety of members of the public or the public body if they were to participate in person; or (3) there is in place a statewide or local state of emergency or state of disaster declared pursuant to law or charter by the governor or other person authorized to declare a state of emergency or disaster.
2. All meetings held hereunder must provide for two-way communication so that members of the public body can hear and respond to members of the general public, and vice versa.
3. Members of the public body who participate remotely must announce at the outset of the meeting that he/she is in fact attending the meeting remotely and by further identifying the specific physical location (by county, township, village and state) where he/she is located. The meeting minutes must include this information.
4. Notice of any meeting held electronically must be posted at the City Offices at least 18 hours before the meeting begins and must clearly explain the following:
 - (a) why the public body is meeting electronically;
 - (b) how members of the public may participate in the meeting electronically, including the specific telephone number, internet address or similar log-in information needed to participate in the meeting;

- (c) how members of the public may contact members of the public body to provide input or ask questions on any business that will come before the public body at the meeting;
 - (d) how persons with disabilities may participate in the meeting.
5. The notice identified above must also be posted on the City's website homepage or on a separate webpage dedicated to public notices for non-regularly scheduled or electronic public meetings that is accessible through a prominent and conspicuous link on the website's homepage that clearly describes the meeting's purpose.
 6. The City must also post on the City website an agenda of the meeting at least 2 hours before the meeting begins.
 7. Members of the public may offer comment only when the Chair recognizes them and under rules established by the City.
 8. Members of the public who participate in a meeting held electronically may be excluded from participation in a closed session that is convened and held in compliance with the Open Meetings Act.

MAINTAINING ORDER

Public body members and all individuals participating shall preserve order and shall do nothing to interrupt or delay the proceedings of public body.

All speakers shall identify themselves prior to each comment that follows another speaker, and they shall also indicate termination of their comment. For example, "Adam Zettel speaking. There were no new water main breaks to report last month. That is all."

Any participants found to disrupt a meeting shall be promptly removed by the city clerk or by order of the Mayor. Profanity in visual or auditory form is prohibited.

The public body members, participating staff, and recognized staff/consultants/presenters shall be the only participants not muted by default. All other members must request to speak by raising their digital hand on the Zoom application or by dialing *9 on their phone.

MOTIONS & RESOLUTIONS

All Motions and Resolutions, whenever possible, shall be pre-written and in the positive, meaning yes is approved and no is defeated. All motions shall require support. A public body member whom reads/moves for a motion may oppose, argue against or vote no on the motion.

PUBLIC ADDRESS OF BOARD OR Commission

The public shall be allowed to address a public body under the following conditions:

1. Each person who wishes to address the public body will be first recognized by the Mayor or Chair and requested to state his / her name and address. This applies to staff, petitioners, consultants, and similar participants.
2. Individuals shall seek to be recognized by raising their digital hand as appropriate on the digital application.
3. Petitioners are encouraged to appropriately identify their digital presence so they can be easily recognized during business. If you intend to call in only, please notify the clerk in advance of your phone number.
4. The city clerk shall unmute participants and the members of the public based upon the direction of the mayor or chair. Participants not recognized for this purpose shall be muted by default, including staff, petitioners, and consultants.
5. Individuals shall be allowed five (5) minutes to address the public body, unless special permission is otherwise requested and granted by the Mayor or Chair.
6. There shall be no questioning of speakers by the audience; however, the public body, upon recognition of the Mayor or Chair, may question the speaker.
7. No one shall be allowed to address the public body more than once unless special permission is requested, and granted by the Mayor or Chair.
8. One spokesperson for a group attending together will be allowed five (5) minutes to address the public body unless special permission has been requested, and granted by the Mayor or Chair.
9. Those addressing the public body shall refrain from being repetitive of information already presented.
10. All comments and / or questions shall be directed to and through the Mayor or Chair.
11. Public comments (those not on the agenda as speakers, petitioners, staff, and consultants) are reserved for the two "Public Comment" sections of the agenda and public hearings.

VOTING RECORD OF PUBLIC BODIES

All motions, ordinances, and resolutions shall be taken by "YES" and "NO" voice vote and the vote of each member entered upon the journal.

CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
PARK AND RECREATION ADVISORY BOARD
MINUTES OF REGULAR MEETING
PAUL D. BUECHE MUNICIPAL BUILDING
SEPTEMBER 20, 2022

Meeting called to order at 5:36 p.m. by Chairperson Barclay

Members Present: Sandi Brill, Mark Gonyea, Jim Barclay, Rae Lynn Hicks, George Hicks, Samantha Fountain, Connie Olger.

Members Absent: Vacant, Trudy Plumb.

Staff Present: Adam Zettel, Rob Bincsik.

Others Present: Nate Henry, Ken Brill.

Virtually Present: None.

APPROVAL OF AGENDA: Motion by Fountain to approve the agenda as of September 20, 2022, support by G. Hicks

Unanimous Voice Vote.
Motion Declared Carried.

APPROVAL OF MINUTES: Motion by R. Hicks to approve minutes as amended of September 7, 2022, support by G. Hicks.

Unanimous Voice Vote.
Motion Declared Carried.

MEETING OPEN TO THE PUBLIC: None.

COMMUNICATIONS TO THE BOARD:

- A. September 7, 2022, Minutes
- B. Staff Letter
- C. 2023 Park Rules and Reservation Form

REPORTS:

- A. DPW Director & City Manager: Adam Zettel update on the trail and issues with GM and the railroad crossing. We are working on SRTS easement issue with the Kincaid family. Mr. Bincsik commented that the Shumaker Bicentennial Park sign has been put up and looks good thanks to DPW employee Rod Gardner. Mr. Zettel noted that the Otterburn Park restoration and parking are being worked on. The Forestry Grant for Abrams Park is being finalized and will be submitted by the end of week. The board will need to plan a planting

day. Mr. Bincsik also noted that we should have electricity at Abrams Park pavilion next year. Mr. Gonyea asked if the graffiti on the playground equipment at Abrams Park was taken care of. Mr. Bincsik believes so.

BUSINESS: A. Park Plan Update: Mr. Zettel remarked the focus group meeting went well; we had good participation. The school did have an interest in recreation partnerships. Maybe some type of event coordinator. There were lots of comments about maintaining and improving the equipment, property we have now. Mr. Zettel doesn't not have a date for the next focus group meeting. He is awaiting news from Mr. Strozier on the next step of the process.

B. 2023 Park Rules and Reservation Form: Mr. Zettel asked members to review the park forms he provided from other municipalities. Several things were suggested to add such as: age requirement for applicant, signature & date line added to the rules, inflatables no longer allowed, increasing rates to nonresidents, adding we reserve the right to stop any event, lowering the capacity of the people allowed in each pavilion, not allowing petting zoos & other attractions. Other things to consider are music, sound amplification and how to monitor that, the use of generators and catering of events such as vending trucks and allowing residents only to be able to reserve for a couple months instead of just January. Mr. Zettel responded we have time to work on this and he will make the changes requested tonight and we can continue to discuss this again at the next meeting. Boardmember Barclay requested a police officer attend the next meeting to get his views on the park rules.

MEETING OPEN TO PUBLIC: Ken Brill commented on donating trees and possible plaques put with the trees. Mr. Zettel tree donations are always accepted. Mr. Brill also suggested during street construction if there are any young trees that need to be removed if they could be replanted at the park. Mr. Zettel commented we have in past try to keep them.

Nate Henry suggested all members go to the park on the weekend. He also agrees with increasing the rates to nonresidents and making it clear on the reservation form that the restroom is not just for pavilion #2 and adding a revision date to the form for reference.

BOARD MEMBER COMMENTS: Boardmember George Hicks does believe we need to change nonresident pricing. Boardmember Fountain agrees with George and likes the idea of allowing only city residents a longer period to reserve and advertising this on the website. Boardmember Gonyea believes we need to increase nonresident rates and adding electricity to the Abrams Park can be added to form. He believes that we are not going by the rules of procedures. Boardmember Barclay agrees with George on the rates and encourages members to go visit parks on the weekends and see what is happening or ask DPW workers what they are seeing when they clean up.

ADJOURNMENT: Meeting adjourned at 7:07 p.m.

NEXT MEETING: October 18, 2022, 5:30 p.m.

Connie Olger, Secretary



Adam Zettel, AICP

City Manager

azettel@cityofswartzcreek.org

Date: October 13, 2022

To: Park Commissioners
From: Adam Zettel, AICP
RE: October 18, 2022 Park Board Meeting

Hello everyone,

We will be meeting at 5:30 p.m. on Tuesday, October 18, 2022. REMINDER: Regular meetings of the park board will now be on the 3rd Tuesday of the month. The time is still 5:30 p.m., and regular meetings will still be at city hall.

Following our September meetings, we have a working draft of the park rules, reservation form, and use agreement. I am also proposing new fees for resident and non-resident use. I am including the current rules and reservation form, which was approved in November of 2021 for reference.

I hope I captured all of the comments on the reservation form and rules. If not, be sure to speak up at the meeting. Note that the biggest change is in the new park use agreement. This covers some of the key rules, as well as some policies related to enforcement and user responsibilities. I used our own requirements, blended with some of what was in the Grand Blanc Township agreement. We will also have a complete set of rules for the user to initial. Take a look. I hope to have a fully intact and well-vetted rule and reservation program by the November 28th council meeting, which gives us this meeting and November 22nd.

Rowe is working on the park plan at this time. There is a draft concept plan of Otterburn park that has been drafted. I expect to have this at the meeting, but it is undergoing some updates at this time. Likewise, Blake has prepared some updates to the draft park goals and objectives. Work is ongoing with this, and I expect to have something to review or discuss sent out prior to the meeting.

Contact me with additional future agenda items, questions, or comments.

Sincerely,

8083 Civic Drive

Swartz Creek Michigan 48473

Phone: (810)-635-4464

Fax: (810)-635-2887

www.cityofswartzcreek.org

<ftp://cityofswartzcreek.org>

October 18, 2022
Park Board



Adam H. Zettel, AICP
City Manager
City of Swartz Creek
azettel@cityofswartzcreek.org

Phone: (810) 635-4464

City of Swartz Creek
Proof of Pavilion Reservation

Fax: (810) 635-2887

Non-Reservable: Playscapes, Restrooms, Play Equipment, Tennis Courts, Volleyball Courts and Basketball Courts. Ball diamonds may be requested during the week by submitting a schedule to the City Offices, including dates, times, ball diamond location and group requesting the reservation; all of which will be reviewed and scheduled administratively.

All monies, including a \$100 refundable deposit, must be paid at time of reservation. Only Cash payments will be accepted for a rental date of five (5) days or less. Any cancellations must be made two (2) weeks prior to event date. **All cancellations are subject to a \$20.00 Cancellation Fee. ABSOLUTELY NO REFUNDS DUE TO WEATHER.**

Park Fees Apply on Fridays, Saturdays, Sundays and Holidays. Fees Charged May through October.

Elms Park- 4125 Elms Rd

- #1 \$100.00 (\$200.00 non-resident)
60 People Electricity
- #2 \$120.00 (240.00 non-resident)
75 People Electricity
- #3 \$70.00 (\$140.00 non-resident)
25 People
- #4 \$100.00 (\$200.00 non-resident)
60 People Electricity
- Ball Field
- Soccer Field

Abrams Park- 5225 Winshall Dr

- #1 \$70.00 (\$140.00 non-resident)
50 People
- #2 \$70.00 (\$140.00 non-resident)
60 People
- #3 \$60.00 (\$120.00 non-resident)
35 People
- Ball Field

Date of Reservation _____

Name of Responsible Party _____

Address _____ Phone: _____

City _____ Zip _____

Number of Guests _____ Nature of Activity _____

Responsible Party Signature _____

E-Mail Address _____

Deposits can be expected to be returned within 30 days of reservation date.

CASH

CHECK#

Receipt # _____

Area restrooms are attended to during the early morning hours in the summertime. Due to high park volume and vandalism, you are strongly encouraged to bring your own paper products and soap or sanitizer for restroom use.

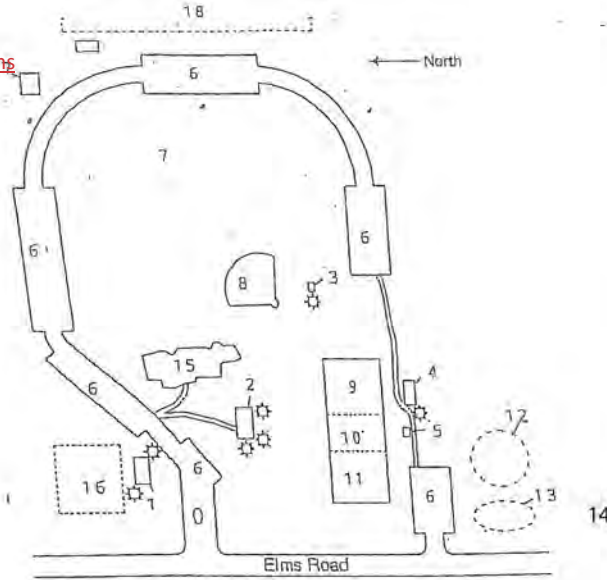
IF THERE ARE PROBLEMS AT THE PARK CONTACT 911.

City Official _____ Date _____

Last Update: Draft

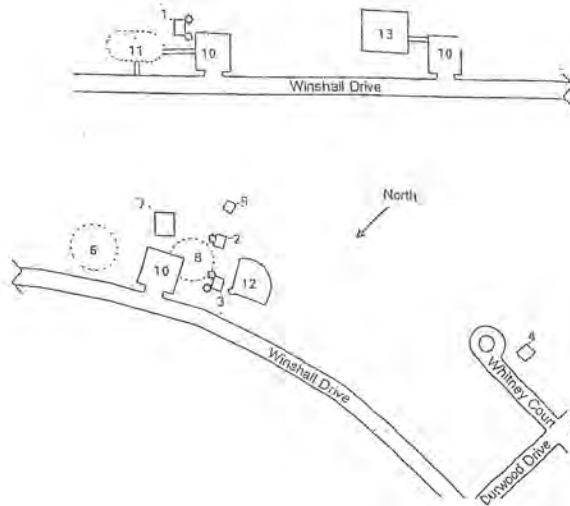
Elms Park

1. Pavilion #1 (~~70-80~~60 people)
2. Pavilion #2 (~~90-100~~75 people) Restrooms
3. Pavilion #3 (~~23-30~~25 people)
4. Pavilion #4 (~~80-90~~60 people)
5. Pavilion #5 (cannot be reserved)
6. Parking
7. Soccer Field
8. Ball Field
9. Basketball Courts
10. Open Area
11. Tennis Courts
12. Sledding Hill
13. Skating Area
14. Dog Park
15. Dragon Area Playscape
16. Playground Area
17. Volleyball with net
18. Football/Soccer Field
- ☀ Grill



Abrams Park

1. Pavilion #1 (~~60-50~~ people)
2. Pavilion #2 (~~60~~80 people)
3. Pavilion #3 (~~35~~40 people)
4. Pavilion #4 (Cannot be reserved)
5. Vacant
6. Sledding Hill
7. Basketball
8. Playground
9. Rest Rooms
10. Parking
11. Playground
12. Ball Diamond
13. Tennis Courts
- ☀ Grill



CITY OF SWARTZ CREEK
PARK RULES AND REGULATIONS

AUTHORITY. These rules are approved by the city council and enforceable pursuant to the provisions of Section 11 of the Code of Ordinances of the City of Swartz Creek, Michigan.

ORDINANCE NO. 453

Any person in violation of the park rules and regulations adopted by the city council, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of \$100 for the first offense, \$250 for the second offense, and \$500.00 for additional offenses or by imprisonment for not more than 90 days or by both fines and imprisonment at the discretion of the court.

APPLICABILITY. These rules apply to City of Swartz Creek parks, play fields, and other recreational public grounds, hereafter called parks.

1. **HOURS.** City parks shall be open to the public, daily, between the hours of 8:00 a.m. to 10:00 p.m. and, excepting as provided in this article, it shall be unlawful to occupy or be present in any public park during such hours when it is not open to the public. Seasonal park provisions, including water, bathroom facilities, and waste collection will be offered May through October or as directed by the city manager.

Exceptions to use of or presence in park after hours.

- 1) It shall not be unlawful for city employees, while on city business, to remain in or on public parks during such times as the park shall be closed to the public.
 - 2) It shall not be unlawful for persons other than city employees to be on or in park property after hours, provided that they have the prior approval and written permission of the city manager and that such approval shall not be granted except in pursuance of and when related to city business.
 - 3) Non-motorized paths and sidewalks, within and outside of the right of way, may be used twenty four hours a day, 365 days a year for permitted non-motorized transportation and recreation.
2. **CREEK ACCESS AND FLOOD STAGE WATER.** Creek access is permitted in Abrams Park at the risk of the user. Swimming and the use of any boat, canoe, or other floatation device within a city park during a flood event is prohibited except by emergency personnel.
 3. **SMOKING.** Smoking, including (tobacco, cannabis, e-cig, or e-cigarettes), personal vaporizers (PV) or electronic nicotine delivery systems (ENDS), is prohibited in ~~the~~all city parks.
 4. **PROHIBITED USES AND ACTS.** No person in any park owned or operated by the city shall:
 - 1) *Drunkenness, alcoholic liquors.* No person shall enter, be in or remain on park property while under the influence of intoxicants or under the influence of unlawful drugs or controlled substances. It shall be unlawful to bring into or use alcohol or drugs of any kind upon park property.
 - 2) *Injuring, removing property.* Willfully mark, deface, disfigure, cut, injure, tamper with, break, displace, or remove any buildings, cables, benches, tables, fireplaces, grills, light poles, fountains, tennis nets, trees, playground equipment, public utilities or parts of appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, flag poles, stakes, posts, fences or other boundary markers, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.
 - 3) *Kindling fires.* No person shall kindle or build or cause to be kindled or built a fire in any park except in designated places. In those areas where fires are permissible, such fires must be contained in a receptacle designed for the purpose of holding a fire and must be attended at all times. No person shall set fire to trash, garbage or the contents of trash receptacles at any time.
 - 4) *Pets, animals.* No person shall bring in, cause, or allow any dog, cat or other pets or animals which he owns or has permission to control to be brought within the confines of any park unless such animal be attached to a leash not to exceed eight feet in length; such leash is to be of sufficient strength to hold such animal in constant check. Disposal of animal waste is required. See Dog Park Regulations.
 - 5) *Hindering employees.* No person shall interfere with or in any manner hinder any employee of the city while engaged in constructing, maintaining, repairing or caring for any park property.
 - 6) *Restricted sections of park.* No person shall enter upon any area of the park system where persons are prohibited from going, as indicated by signs, notices or where secured by fences and gates.
 - 7) *Firearms, bow and arrows, fireworks and devices.* No person shall discharge a firearm or firework of any description while in or on park property, provided that such prohibition shall not apply to any peace officer while in the exercise of his official duties. No person shall shoot any arrow by the use of a bow, excepting in such areas as shall be specifically designated as areas for the use of bows and arrows. Crossbows, bolts, and similar weapons are also prohibited.

- 8) *Peace, disorderly conduct.* No person shall make or excite any disturbance or contention on any public grounds or park. (No person shall use any indecent or obscene language).
- 9) *Drinking fountains.* No person shall throw, discharge or otherwise place in the waters or any fountain, wash basin or toilets any substance, liquid or solid, which may result in water pollution or create a health hazard to the public.
- 10) *Sleeping in parks.* No person shall sleep, whether in a vehicle, trailer, tent, hammock or other manner, on park property during the hours the park is closed, excepting in such areas as shall be specifically designated for such use. Furthermore, such use in such areas shall require the written approval and authorization of the city manager, and such approval and authorization shall clearly designate the time period within which such use may be made.
- 11) *Dumping articles in parks.* No person shall deposit any rubbish, garbage or refuse matter, break glass or bottles in or upon any part of the park system other than such refuse accumulated from organized and acceptable activities within the park, and such refuse must be deposited in receptacles provided for that purpose. No hazardous materials are permitted to be in the park.
- 12) *Posted signs, rules and regulations.* No person shall willfully disregard posted signs which regulate the days, hours for various activities, or any other signs installed, posted or attached for control, maintenance, safety or any other purpose within the park system.
- 13) *Public meetings, parades.* No person, organization, club or group shall hold or participate in any parade, drill, exhibition, political meeting, religious meeting, concert, lecture or public entertainment of any kind within the park system without the express consent and written approval of the city manager.
- 14) *Advertisements.* No person shall post, stencil or otherwise affix any placard, advertisement or notice of any kind upon or to any park property without prior written approval.
- 15) *Offering articles for sale.* No person shall carry on any trade or business or sell or display any goods, wares or merchandise in the park system without permission from the city manager.
- 16) *Inflatable play equipment.* Inflatable play equipment is prohibited, ~~unless arrangements are made in advance and a certificate of insurance from the party providing such equipment is filed with the city and includes a rider naming the city as an additionally insured party.~~
- 17) *Non-Motorized Paths.* No person shall obstruct, occupy, or otherwise use the non-motorized paths in a way that prohibits or unreasonably hinders use of the paths by others.
- 18) *The use of nails, staples, or other permanent fasteners on park structures, equipment or tables is prohibited.*
- 19) *The use of non-biodegradable confetti, streamers, water balloons, and similar party favors or debris is prohibited.*
- 20) *Sound amplification systems; The use of any amplified sound system or speaker, including DJ's, for the purpose of projecting music and related audio/visual entertainment is prohibited.*
- 49)21) *Animal attractions; Petting zoos and other animal attractions are prohibited, unless part of an authorized public educational event.*

Formatted: Font: Not Italic

Formatted: Font: Not Italic

5. **PARK POLICE AND EMPLOYEES.** No person shall resist any police officer or city employee exercising his duty within the park area, or fail or refuse to obey any lawful command of any such police officer or park employee, or in any way interfere with, hinder or prevent any such police officer or park employee from discharging his duty, or in any manner assist or give aid to any person in custody to escape or to attempt to escape from custody, or to rescue or attempt to rescue any person when in such custody.
6. **MOTOR VEHICLES.** The operation of motor vehicles in any park is prohibited, except in that area laid out and appropriated as driving lanes, parking area, or for motor vehicles by the city. No motor vehicle shall be driven or operated on a driving lane at a speed greater than ten miles per hour.
 - 1) No person shall stop, stand or park a motor vehicle except in such areas as may be laid out and designated as a parking area by the city.
 - 2) No person shall operate a motor vehicle on any lane or service drive, whether posted or not, which is laid out as a means of access for maintenance employees to the various sections of the park system.
 - 3) No person shall park or store any motor vehicle during the hours the park is closed in any park, parking area or driving lane owned or operated by the city. Members of the police department are hereby authorized to remove any vehicles so parked or stored.
 - 4) It shall be unlawful for any person, whether a pedestrian or operating a motor vehicle of any type, to fail to obey any such applicable traffic control sign, signal, lane marking or other device, whether permanent or temporary, unless otherwise directed by a police officer or city personnel conducting city business.
7. **FEES.** Fees for pavilion and other facility rentals shall be set by resolution of the city council. Fees may be waived in full if reservations by a non-profit are found to result in a public benefit directly or if proceeds from the reserved event are found to be a benefit to the city. Monies must be paid at the time of reservation. Cancellations must be made two (2) weeks or more prior to event date and all cancellations are subject to a \$20 fee.

Deposits, in an amount set by resolution of the city council, shall also be collected for pavilion rentals. Said deposit shall be forfeited for damage to park facilities, failure to properly clean facilities, or violations of park rules that are found in connection to the rental.

8. **PAVILION RESERVATIONS.** Picnic pavilions shall be available to persons 18 years of age and older on a first-come, first-served basis. Reservations will be taken beginning on the first business day of each calendar year for city residents ~~and thirty (30) days after the~~ and the first business day of ~~each calendar year~~ March for resident and non-resident applications. Fees and exclusive reservations are for weekends (Friday, Saturday, & Sunday) and holidays only.
9. **LIMITED USE FACILITY RESERVATIONS.** Any club, school, association, organization or recognized group desiring the use of specific areas of any park, such as picnic areas, athletic fields or ice rinks, shall file an application with the city manager and shall not use the park or area until the permit is granted.
 - 1) All permits shall require the permittee to clean up the park area after activity has terminated. All applications for permits must give the name, address and phone number of the permittee or the person responsible for the necessary policing thereof.
 - 2) All persons shall honor any special permits issued by the city, for certain areas, days and times, to clubs, organizations, teams or any other groups, including, but not limited to, picnic grounds, ball fields, skating rinks, stadiums, provided that such permit is on official forms when presented.
 - 3) Reservations will be given on a first come, first served basis beginning the first business day of each calendar year. Priority in the use of ball fields, soccer fields and similar athletic facilities in city parks shall be given to organizations scheduling regular games or matches. The city manager shall have the authority to designate organizations to provide for scheduling and oversight of use of athletic fields. Such organizations shall schedule use of the fields in a way that accommodates use by all interested organizations to the greatest extent feasible and to provide for compliance by these rules and regulations by all organizations using the athletic facilities.
 - 4) The city manager shall have the authority to restrict use of athletic fields to avoid excessive wear and tear on facilities.
 - 5) Organizations using athletic fields for scheduled games, matches and practices shall be responsible for removing litter from the areas used for their activities. In addition, organizations shall be responsible for removing and storing any equipment used in their activities. Installation of bleachers or similar facilities must be authorized by the city manager or his/her designee.
 - 6) The city will provide refuse disposal and the maintenance of athletic fields in coordination with the needs and schedules of organizations using the fields. Organizations using athletic fields that undertake specific activities uniquely required for their particular use of the fields such as the installation of bases or nets, the painting of lines on fields, etc. require prior approval.
 - 7) ~~Weekend reservations for facilities shall not be permitted.~~ Playscapes, restrooms, play equipment are not available for reservation.
10. **EXPANDED PARK USE AND RESERVATIONS.** Swartz Creek-based organizations (defined as non-profit organizations or institutions with a principle office or auxiliary presence within the Swartz Creek school district) may be permitted the use of designated areas of city parks, including control during hours the parks are closed to the public, subject to the following conditions:
 - 1) Use must be pre-approved by the city council.
 - 2) The organizations' use of the park area shall not violate any local or state law nor unreasonably interfere with the use and enjoyment of adjacent park areas by others.
 - 3) The organizations shall hold the city harmless from liability for incidents arising out of the organizations' use of the park area and shall provide evidence of insurance coverage.
 - 4) The city reserves the right to direct where organizations' structures are installed and activities conducted to minimize damage to park property and facilities and to limit interference with the use of adjacent areas of the park.
 - 5) Fees shall equal the cost of all pavilion rentals for the park in use on a daily basis. Additional fees may be charged for services requested of the city and negotiated in advance, including use of barricades, additional utilities, port-a-johns, etc.
 - 6) In no case will use result in a charge for or prohibition on general access to the park by the public, by vehicle or other means.
 - 7) Reservations for this category can be granted by the city council beginning December 1 of the previous calendar year.
- 11) **VENDING.** Vending is permitted on a limited basis after application to the city manager and under the administrative rules that may be set by the city, including a background check and administrative fee.
- 12) **DOG PARK REGULATIONS.** Within the designated dog park area in Elms Park, dogs are permitted under the following regulations. Elsewhere in the city, the city code applies.

- 1) All dogs must be leashed when not in the designated and enclosed dog park facility, including the adjacent parking lot.
- 2) Any person bringing a dog or dogs to the dog exercise area must have one leash per dog.
- 3) There shall be no more than three dogs per person allowed in the dog exercise area. Any person bringing a dog or dogs to the dog exercise area must have at least one dog feces waste bag per dog in his or her possession and must remove any feces deposited by the dog(s) in their care.

- 4) Persons under sixteen years of age visiting the dog exercise area must be accompanied and supervised by a parent or guardian or other responsible adult with permission of the parent or guardian.
- 5) Each dog shall always be under visual and voice control of the owner or other responsible person at least 16 years of age.
- 6) All dogs must have current vaccinations and licenses and shall wear a collar.
- 7) Aggressive dogs, as defined below, are not permitted in or around the dog exercise area, including but not limited to, the parking lot. Owners or other responsible persons will be held legally responsible for any injury caused by a dog that they bring in or around the dog exercise area.
An aggressive dog means:
 - i. A dog that bites a person. However, a dog shall not be considered aggressive if the dog bites a person wrongfully assaulting the dog or the dog's owner, or if the dog bites a person after being provoked by that person.
 - ii. A dog that injures or kills another domestic animal without provocation ~~while at the dog exercise area.~~
- 8) Female dogs in heat are not permitted in or around the dog exercise area including, but not limited to, the parking lot.
- 9) Dog owners or other responsible persons shall provide dogs with drinking water while visiting the dog exercise area when weather conditions require.
- 10) Dog owners or other responsible persons shall not keep dogs enclosed in a vehicle during hot weather which may cause injury to the dog.
- 11) Any person having knowledge of a dog having bitten, scratched, or injured a person or other animal within the dog exercise area, including but not limited to the parking lot, shall report the incident to the police department by calling 911.

- 12) **PUBLIC NOTICE.** The public shall be deemed to have been properly notified of the provisions of these rules and regulations upon their publication in a newspaper of general circulation in the city. Signs may be posted to insure substantial compliance with the provisions of these rules and regulations.

City Council Approval: November 8, 2021.
 Draft: [September 21, 2022](#)

CITY OF SWARTZ CREEK PARK & PAVILION RENTAL AGREEMENT

The Renter Agrees:

1. To abide by and enforce all rules and policies as described in this Rental Agreement and the City of Swartz Creek Park Rules and Regulations.
2. The pavilions and grounds are under the supervision of the Metro Police, the City, and its employees/representatives, who shall have the authority to restrict the use of the pavilion and grounds when it is deemed such as well be detrimental to the operation of the facilities or in violation of the Rental Agreement and the City of Swartz Creek Park Rules and Regulations.
3. The pavilions and grounds shall be subject to inspection at any time.
4. Metro Police, the City, and its employees/representatives reserve the right to halt any function that is deemed to be in violation of the city's ordinances, park rules, or this agreement.
5. That they are 18 years of age or older.
6. To indemnify the City of Swartz Creek and its employees or agents for all liability to persons or property on the premises.
7. To reimburse the City of Swartz Creek for any damages to the premises, buildings, landscaping, and equipment.
- 8. To forfeit their deposit for any observed violations to this Rental Agreement and the City of Swartz Creek Park Rules and Regulations.**
9. To accept the premises in its present condition and return it in like or better condition.
10. To vacate the premises at the scheduled time. Cleanup must be done prior to park closing.
11. There shall not be any use of nails, staples, or other fasteners on tables or structures (tape is acceptable).
12. There shall not be use of confetti, streamers, water balloons, and similar party favors that create debris.
13. To clean all tables, remove and dispose of all trash and debris, clean tables, and remove and dispose of all decorations.
14. Not to leave personal property on the premises other than during the rental period.
- 15. There will not be any alcohol consumption within the park.**
- 16. There will not be any inflatables, petting zoos, amplified sound (including DJ's) within the park.**
- 17. All cars are to park in designated areas. At no time are vehicles allowed in grassy areas near pavilions.**
18. To be responsible for cleanup of tables and extinguish all fires in grills. Please do not put coals in garbage.
19. To forfeit payment if cancellation occurs within two weeks prior to rental date, and to pay \$20 for any cancellation. Inclement weather does not negate the cancellation policy stated above.

Applicant Signature: _____ Date: _____