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Parks & Recreation

GENERAL PROVISIONS

§ 90.01 PARKS AND RECREATIONAL AREAS BORDERING UPON LAKE MISSAUKEE.

All parks and recreational areas which border upon Lake Missaukee shall include the area into the water commonly known as riparian or littoral rights. (Ord. A-47, passed 3-9-92)

MILTNERPARK

§ 90.15 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

PARKING. The standing in one location of any motor vehicle, any pleasure vehicle, trailers, or other similar vehicles, whether occupied or not, for use on land or water, except when loading or unloading.

TRAILER. Any vehicle drawn by a motorized vehicle, of any construction, for use to transport boats, humans or any other animate or inanimate objects, or for use as a habitation or pleasure for humans and/or animals. ('69 Code, § 5602.1) (Ord. A-13, passed 3-8-76; Am. Ord. A-46, passed 3-9-92)

§ 90.16 PARKING.

The parking of any motor vehicle, trailer, pleasure vehicle, or other similar vehicle, for use on land or in the water, shall be prohibited in Miltner Memorial Park; except that the parking of motor vehicles during daylight hours shall be allowed in the area designated for parking use and located within the north 200 feet of said park. ('69 Code, § 5602.2) (Ord. A-13, passed 3-8-76; Am. Ord. A-46, passed 3-9-92) Penalty, see § 90.99

§90.17 OVERNIGHT CAMPING.

Overnight camping of any kind is prohibited in the park. ('69 Code, § 5602.3) (Ord. A-13, passed 3-8-76; Am. Ord. A-46, passed 3-9-92) Penalty, see § 90.99

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§90.18 STORING PERSONAL PROPERTY.

The stowing, parking, standing, leaving overnight, or in any other way leaving personal property upon and in Miltner Memorial Park is prohibited when the owner thereof shall not have first obtained a permit from the city; the use of personal property upon the beach whereof the owner is in attendance is allowed and excepted from the foregoing prohibition. ('69 Code, § 5602.4) (Ord. A-13, passed 3-8-76; Am. Ord. A-46, passed 3-9-92) Penalty, see § 90.99

§90.19 CONSTRUCTION.

The construction or placement of any appropriate dock, mooring or boat hoist shall be allowed within Miltner Memorial Park if the owner thereof shall have first applied for and obtained the appropriate permit. ('69 Code, § 5602.5) (Ord. A-13, passed 3-8-76; Am. Ord. A-46, passed 3-9-92) Penalty, see § 90.99

§90.20 PERMITS.

Permits as required in preceding sections shall be obtained from the City Clerk or her designee at a fee for each dock and for each hoist; permits are non transferable and shall be issued exclusively to residents and/or property owners of the City until June 1 of each year and then on a first come first serve basis; no permit reservations will be accepted before January 1st of each year for that year; the permit shall be in the form of a number that will be affixed to the permitted dock and hoist along with name address and phone number of the permit holder in 3 inch tall letters. The permit holder shall be responsible for compliance with all rules and ordinances applied to Miltner Memorial Park.

(A) The permit is effective from the first day of April until the first day of November of the year in which it is issued, only,

(B) The permit is revocable upon failure to comply with all rules and regulations and ordinances for use of Miltner Memorial Park,

(C) A full statement of rules and regulations applicable to the use of Miltner Memorial Park shall be issued with the permit,

(D) The permit holder shall be responsible for compliance with all applicable ordinances applied to Miltner Memorial Park, even if not printed thereon,

(E) A full statement of penalties for improper use, or non-compliance, with Miltner Memorial Park herein, shall be posted with the City Clerk,

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(F) A statement that the holder of the permit shall indemnify the city against any loss occurring due to the use of personal property upon or in Miltner Memorial Park and the issuing of the permit therefore; that a signed copy of such indemnification, properly executed by the permit holder and left with the Clerk; also that a Certificate of Insurance showing that proper insurance is carried on the property for which permit is issued, shall be left with the Clerk; and both shall be retained in the files of the city.

(‘69 Code, § 5602.6) (Ord. A-13, passed 3-8-76; Am. Ord. A-46, passed 3-9-92; Am. Ord. A-90.20 & 90.20(E), Passed 3-12-2007)

§ 90.21 LOCATION OF CONSTRUCTION.

Locations of docks, boat hoists or moorings shall be in accordance with the specific plan as developed for said areas; placement and locations of docks, boat hoists or moorings shall be under the supervision of the Superintendent; placement of the dockage shall commence from the south boundary of Miltner Memorial Park proceeding north 877 feet; with four docks permitted by the city. Excepting the beach area subject to the deed restrictions of lot 5 of the Miltner addition the next 580 feet north shall have four docks permitted by the city. Dock locations in the aforementioned areas shall be designated by the Superintendent with survey markers used and numbering to be permanently affixed to the Boardwalk. All boats shall be on a hoist, or moored to approved/permitted docks; auger, swing or multiple point anchor systems shall not be allowed on any City owned beaches.

(Ord. A-13, passed 3-8-76; Am. Ord. A-46, passed 3-9-92; Am. Ord. A-56, passed 4-8-96; Am. Ord. A-58, passed 4-8-96, Am. Ord. 90.21, Passed 3-12-2007) Penalty, see § 90.99

§ 90.22 SWIMMING AREAS.

A swimming area shall be maintained in the next 300 feet of beach, and no boats shall be allowed in this area within 100 feet of the beach. The remaining 700 feet of the beach area at the north end shall be reserved for row boats and for short term mooring. Row boats shall obtain a permit at an annual cost of an amount to be provided for by the Clerk; no more than 15 row boats shall be allowed; row boats shall be beached and turned over when not in use. (‘69 Code, § 5602.8) (Ord. A-13, passed 3-8-76; Am. Ord. A-46, passed 3-9-92) Penalty, see § 90.99

§90.23 TEMPORARY PARKING.

(A) Temporary parking shall be allowed for up to ten boats; boats shall be moored as directed in accordance with the plan; a temporary permit shall be issued for up to two weeks of continuous use; permit fee shall be an amount to be provided for by the Clerk; permit holder will indemnify the city in writing and leaving same with Clerk. A temporary permit may be revoked for any violation of the rules in this section.

(B) For the privilege of obtaining the permit, the holder thereof shall permit occasional public use of any docks constructed thereunder; failure to comply with this provision shall be grounds for

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revocation of the permit.

(C) The applicant for a permit, as set forth above, shall agree to indemnify, and the holder of a permit shall indemnify, the city against any loss, in property or injury, or otherwise, occasioned by the issuance of said permit, or use of the permit holders personal property thereunder, suffered by any person; the indemnification shall be in written form, executed by the applicant for the said permit, acknowledged by the Clerk for the city, and a copy thereof shall be filed with the Clerk and a copy shall be printed upon the permit; the indemnification agreement shall be in the following terms or an approximation thereof:

In consideration of the issuance of a permit allowing the installation and use of docks, boat hoists, or other similar constructions or devices, the holder of the permit agrees that he or she will hereafter, for the term of the permit, indemnify the city against all loss as may be occasioned by the issuance of the permit, or the use of any personal property thereunder, by any person, whether the loss be in the form of loss to property, personal injury or any fees or costs incurred thereto. This indemnification agreement is binding upon and runs to the heirs, executors, administrators and signs of the respective parties hereto.

('69 Code, §§ 5602.9 - 5602.11) (Ord. A-13, passed 3-8-76; Am. Ord. A-46, passed 3-9-92) Penalty, see § 90.99

§ 90.24 INSURANCE.

For a permit issued under § 90.06, a certificate of insurance showing that proper insurance is carried on the property for which the permit is issued shall be left with the City Clerk; a copy of which shall be retained in the files of the city. ('69 Code, § 5602.12) (Ord. A-13, passed 3-8-76; Am. Ord. A-46, passed 3-9-92)

PUBLIC LAKE ACCESS AREAS

§ 90.35 PARKING.

It shall be unlawful to park any motor vehicle, trailer, or water craft on Union Street and Prospect Street, west of Main Street, in any area designated by sign as "Boat Access," for a period of time longer than is necessary for the purpose of loading or unloading any and all types of water craft, except in such areas as are designated by signs or parking lines on said streets. ('69 Code, § 5603.1) (Am. Ord. A-46, passed 3-9-92) Penalty, see § 90.99

§ 90.36 STORAGE OF BOATS.

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(A) Storage of boats shall be permitted on any and all streets in the city wherein there is public access to Missaukee Lake and where the boat storage is so designated by signs and parking lines on the streets.

(B) The storage of any and all types of boats and water craft is prohibited upon any beach area.

(C) The storage of any and all types of boats and water craft in designated areas shall be allowed from April 1 until November 1 of each year only.

('69 Code, §§ 5603.2 - 5603.4) (Am. Ord. A-46, passed 3-9-92) Penalty, see § 90.99

§ 90.37 PUBLIC ACCESS AREAS.

(A) Langley, Lake, Lincoln and Logan streets are all public access areas; the permit schedule and fees under § 90.20 shall apply; moored boats shall be 50 feet from shore and 50 feet apart.

(B) The Englewood public access area and all 20 feet wide easement areas are reserved for swimming only; no boats or docks shall be permitted.

(C) Langley, Lake, Lincoln, and Logan streets are all public access areas; Permits required shall be obtained from the City Clerk or her designee at a fee for each hoist; permits are non transferable and shall be issued exclusively to residents and/or property owners of the City until June 1 of each year and then on a first come first serve basis; no permit reservations will be accepted before January 1 of each year for that year; the permit shall be in the form of a number that will be affixed to the permitted hoist along with name, address and phone number of the permit holder in 3 inch tall letters. The permit holder shall be responsible for compliance with all rules and ordinances applied to use of public accesses; moored boats shall be 50 feet from the shore and 50 feet apart in the center of the access going towards the center of the lake.

('69 Code, §§ 5603.5, 5603.6) (Am. Ord. A-46, passed 3-9-92; Am. Ord. 90.37(E), passed 3-12-07)

§ 90.38

It shall be unlawful for anyone to use the City owned Dock at the Downtown City Park for swimming purposes, which shall include, but not necessarily be limited to, diving or jumping from said dock into the surrounding waters. There shall be no skateboarding or bicycling on the City owned Docks in the City Parks. The City Shall Be authorized to post signs on said dock, which shall be read as follows:

“NO SWIMMING OR DIVING PERMITTED FROM DOCK”\

“NO SKATEBOARDS OR BIKES ON THE DOCK”

(Ord. A-90.38, passed 8-9-2004)

CITY PARK FESTIVAL USE

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§90.40 AUTHORIZATION

The use of the Lake City Park for local festivals shall be by authorization of the City Council of Lake City and shall be administrated by the Superintendent of the City appointed by the Council.

§90.41 INDEPENENCE DAY

The use of the Lake City Park by vendors during the Independence Day Festivities shall be restricted to the parking lot at the west end of the park, excepting areas designated by the City, deemed safe and adequate to the needs of the festival, and where such will minimize damage to the Park. Use of staking in the Park shall be prohibited. Structures such as tents, stands, and trailers etcetera, shall be held in place by a safe, weighted restraining system supplies by the vendor. Vendors unable to comply shall not be allowed to set up in the area.

§90.42 STREET FAIR

Use of the City Park during the Street Fair by vendors shall be restricted to those vendors able to provide a safe weighted restraining system. Staking of tents, trailers or structures shall be prohibited. Vendors unable to comply shall not be allowed to set up in the area.

§90.43 FESTIVAL OF THE PINES

Use of the City Park during the Festival of the Pines by vendors shall be restricted to those vendors able to provide a safe weighted restraining system, staking of tents, trailers or structures shall be prohibited. The staking of Food and Beverage Tent may be done in the parking lot on west end of the City Park. The organization sponsoring/holding the event shall be responsible for filling/patching the holes made in the asphalt surface.

§90.44 GREEN SPACES

Use of staking in the green spaces of the City Park shall be prohibited. Damage caused during the various festival uses of the City Park beyond that generated by normal use, shall be the responsibility of the event holder.

§90.45 OVERNIGHT CAMPING

At no time shall overnight camping or parking be allowed on City streets, municipal parking lots or City Parks not designated as campgrounds by vendors or those associated with the various festivals or events held in the City Park.

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”(‘69 Code, § 5601.2) “(Ord. 90.40-90.45, Passed 11-13-06)

ADMINISTRATION AND ENFORCEMENT

§ 90.50 SUPERVISION.

All parks and recreational areas shall be operated and maintained under the supervision of the Department of Public Works, and the Director thereof shall see to the operation and maintenance of the city parks and recreational areas and shall perform his or her duties subject to the supervision of the Mayor and City Council. (‘69 Code, § 5601.1) (Am. Ord. A-13, passed 3-8-76)

§90.51 ENFORCEMENT OFFICERS.

The Police Department of the city and such other peace officers, along with the Director of the Department of Public Works, if necessary, shall see to the enforcement of all ordinances relating to the city parks and recreational areas as herein set forth. Such peace officer and the Director of the Department of Public Works shall enforce all rules relating to the use of the parks and recreational areas. (‘69 Code, § 5601.2) (Ord. A-13, passed 3-8-76)

§ 90.52 REMOVAL OF UNAUTHORIZED PERSONAL PROPERTY.

(A) All personal property, of any nature, remaining in any public beach, public park, or any other public area as defined in this chapter, which is not in conformity with these provisions or which is not covered under a permit as set forth in this chapter, will be subject to removal by the appropriate city department, at the expense of the owner thereof.

(B) Personal property so removed as set forth above shall be stored in a safe place and shall be restored to the owner upon payment of a fee equal to the cost incurred in the removal and storage of the property.

(C) Upon removal and storage of such personal property, the Enforcement Department shall keep and maintain a record of the type of personal property, and identifying numbers, and the date and hour of removal, the location towed from the location of storage the reason for removal and storage and the name of the officer authorizing such removal and storage, The Enforcement Department shall make an effort if possible to locate and notify the owner of such personal property as to its location and the fees for claiming the same. The City Clerks office shall maintain a record of property that has been removed and stores and shall provide legally entitles person information to reclaim the property. Notification by mail to the last known address shall be sufficient notice.

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(D) Whenever such personal property has remained unclaimed for a period of six months and the person legally entitled to its possession has been given notice as herein provided, the Police Department shall cause it to be sold at public sale to the highest bidder. Notice of the time and place of such sale shall be given to the owner thereof by regular mail to his or her last known address and such notice shall be posted in a public place for at least ten days prior to the sale, such notice shall contain a complete description of the personal property to be sold and what steps must be taken by any legally entitled person to reclaim such property.

(E) A record of any reclamation of personal property by the owner or person legally entitled thereto, or the sale at public sale, shall be maintained in the office of the City Clerk for a period of one year from the date of return or sale.

(F) The proceeds of any public sale under this chapter after the deduction of expenses shall be deposited in the General Fund for the city.

(G) The Police Department, and all members thereof, and the Ordinance Enforcement Department, and all of its members thereof, are authorized to remove personal property under this chapter and to conduct public sale; any police officer or other municipal employee shall not be held to answer or be liable for damage in any action brought by the rightful owner on any other person legally entitled to possession of any personal property when said personal property was sold or disposed of as provided by this chapter.

(‘69 Code, §§ 5604.3 - 5604.9)(Am. Ord. 90.52 (B), (C),(G),passes 3-12-2007)

REEDER PARK

§ 90.60 REEDER PARK.

This ordinance shall be known and cited as the City of Lake City Reeder Park Use Ordinance

§ 90.61 TERMS.

The following words or terms when used herein shall be deemed to have the meanings set forth below:

(A) Reeder Park, hereinafter “Reeder Park,” includes the property in the City of Lake City bordered by Main Street, Prospect Street, Canal Street, and Union Street.

(B) Tricycles, bicycles, skateboards, roller skates, roller blades, inline skates, roller skis, or other wheeled recreational play vehicles are hereinafter referred to as “Wheeled Recreational

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Play Vehicles”

§ 90.62 MONITORING.

Reeder Park shall be subject to video monitoring.

§ 90.63 WHEELED RECREATIONAL PLAY VEHICLES.

Wheeled Recreational Play Vehicles are prohibited on the sidewalks, pathways, walkways, tennis court, and basketball court in Reeder Park.

§ 90.64 BICYCLES.

Bicycles are prohibited anywhere in Reeder Park. Bicycles shall be parked in the bicycles racks which are located in Reeder Park.

§ 90.65 COURTS.

Persons using the tennis court and basketball court in Reeder Park shall wear proper footwear which will not cause damage to the tennis court and the basketball court while using them.

§ 90.66 SKATEBOARDS, ROLLER STAKES, ETC.

Persons operating skateboards, roller skates, roller blades, and in line skates may properly use them in the area designated as the skate park in Reeder Park.

§ 90.67 SAFETY OF SKATEBOARDS, ROLLER STAKES, ETC.

Persons operating skateboards, roller skates, roller blades, and in line skates shall wear protective coverings for their hands, knees, elbows, and heads during the operation of such equipment and those operating a skateboard shall not operate a skateboard while barefoot.

§ 90.68 PENALTY.

A person who violates this section is subject to the penalties prescribed in this Chapter. In addition to

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any penalty prescribed in this chapter, a police officer or other ordinance enforcement agent may confiscate the Wheeled Recreational Play Vehicle and obtain the person's name, address, telephone number, and age. A Wheeled Recreational Play Vehicle confiscated under this subsection shall be returned to the persons 17 years of age or older, not earlier than 24 hours after the violation, to the persons' parent or guardian upon their appearance at the Lake City Municipal Building and the execution of a declaration of ownership. If a wheeled Recreational Play Vehicle is confiscated under this subsection from a person other than the owner of the Wheeled Recreational Play Vehicle, the Wheeled Recreational Play Vehicle shall be returned, not earlier than 24 hours after the violation, to the owner or the parent or guardian of the owner, if the owner is under 17 years of age, upon the appearance of the owner or the parent or guardian of the owner at the Lake City Municipal Building and the execution of a declaration of ownership.

§ 90.69 PENALTY.

Any person who violates any provision of this Section shall be ordered to pay a civil fine of or from \$100.001 to \$500.00, plus costs.

§90.99 PENALTY.

(A) Violations of this chapter shall be punished as provided in the provisions of § 10.99.

(B) In addition to punishments under provisions of par. 10.99, failure to comply fully with all of the provisions of this chapter shall result revocation of any permits and permission granted under this section.

('69 Code, §§ 5604.1, 5604.2) (Am. Ord. A-46, passed 3-9-92; Am. Ord. 90.99(B), passed 3/12/07