

**VILLAGE OF MANCHESTER
ORDINANCE NO. 261
PARKS COMMISSION/PARKS AND RECREATION**

THE VILLAGE OF MANCHESTER ORDAINS THAT SECTIONS 31.15 THROUGH SECTIONS 31.31 AND SECTIONS 159.01 THROUGH 159.13 OF THE MANCHESTER VILLAGE CODE ARE HEREBY AMENDED TO READ AS FOLLOWS:

PARKS COMMISSION

§ 31.15 MEMBERSHIP.

(A) The Village Parks Commission is continued and shall consist of six residents of the Village of Manchester, one of whom shall be a member of the Village Council, appointed annually by the Village President, with the consent and approval of the Village Trustees.

(B) The remaining five members of the Parks Commission shall be appointed by the Village President, with the consent and approval of the Village Council each for a term of 3 years, 2 of whom shall be appointed each year for a term beginning in April of each year. (1984 Code, § 3.31)

§ 31.16 COMPENSATION.

Members of the Village Parks Commission shall serve without compensation and shall not be employees. (1984 Code, § 3.32)

§ 31.17 VACANCIES.

In all cases where a vacancy occurs, the Village President, with the consent and approval of the Village Council, shall fill the vacancy within 30 days, for the balance of the term in which the vacancy occurs. (1984 Code, § 3.33)

§ 31.18 REMOVAL OF MEMBERS.

The Village Council shall have power and authority to remove any member of the Parks Commission for malfeasance, misconduct, or neglect of duties, after having given the member notice and an opportunity to be heard. (1984 Code, § 3.34)

§ 31.19 ORGANIZATION; OFFICERS.

The Parks Commission shall within 10 days after their appointment in the first instance, and thereafter in April of each year, organize and elect one of their members Chairperson, one of their members Vice Chairperson, and one of their members Secretary. The Parks Commission may select other officers as it may deem advisable and expedient. A majority of the Commission shall

constitute a quorum for the transaction of business.
(1984 Code, § 3.35)

§ 31.20 DUTIES.

The Parks Commission shall have general charge to provide recommendations for all improvements in all parks which may now be owned, or hereafter acquired by, the Village of Manchester.
(1984 Code, § 3.36)

§ 31.21 MEETINGS.

The Parks Commission shall hold a minimum of quarterly meetings, or other meetings as it determines.
(1984 Code, § 3.37)

§ 31.22 BUDGET.

On or before the second Monday in April of each year, the Parks Commission shall submit to the Village Council its proposed budget showing in detail the amount of money, which according to the judgment of the Parks Commission, will be needed for all park purposes under its control. The proposed budget submitted by the Parks Commission may be increased, modified, or adopted by the Village Council as in its judgment it deems advisable and expedient.
(1984 Code, § 3.38)

§ 31.23 GENERAL REGULATIONS.

It shall be the duty of the Parks Commission to provide the regulations as it may deem advisable and expedient with respect to the use and operation of the village parks not in conflict with this code. All the rules and regulations pertaining to the use and operation of the village parks shall be published.
(1984 Code, § 3.40)

§ 31.24 OPEN MEETINGS; EMPLOYEES.

All Parks Commission meetings shall be open to the public, and it shall keep a record of its official proceedings which shall be open to the public.
(1984 Code, § 3.41)

§ 31.25 GIFTS.

The Parks Commission is empowered and authorized to solicit, receive, and acquire gifts, appropriations, bequests, donations, or endowments of money, or funds, or property from any person, firm, or corporation, all of which shall be used for the improvement, maintenance, and operation of the village parks.
(1984 Code, § 3.42)

The Manchester Village Council may accept inter vivos or testamentary gifts for deposit to the Manchester Parks and Recreation Fund, and all the gifts to the Village of Manchester for park or recreation purposes shall be deposited to the Fund unless the donor specifically directs otherwise.

(1984 Code, § 3.53)

§ 31.26 FUND ESTABLISHED.

There is hereby established a Parks and Recreation Fund for the Village of Manchester, and there shall be established and maintained a separate depository account, which shall be designated as the Manchester Parks and Recreation Fund.

(1984 Code, § 3.51) (Am. Ord. 137, passed 7-29-1986)

§ 31.27 DEPOSITS.

The Manchester Village Council may from time to time provide for the transfer of funds as may be permitted by law from the general fund of the village to the Parks and Recreation Fund.

(1984 Code, § 3.52)

§ 31.28 USE OF FUND.

(A) The funds in the Parks and Recreation Fund shall be used as the Manchester Village Council shall from time to time direct by appropriate resolution for the purchase and/or construction of capital items, including land for parks and recreation purposes to be used by the citizens of Manchester, Michigan.

(B) The Manchester Parks and Recreation Fund shall also be used for maintenance and repair of presently existing or hereafter-acquired park and recreation facilities belonging to or located in the Village of Manchester.

(1984 Code, § 3.54)

§ 31.29 SEPARATION OF FUND.

The Manchester Parks and Recreation Fund shall not be commingled with any other monies or funds of the Village of Manchester.

(1984 Code, § 3.55)

§ 31.30 PAYMENTS FROM FUND.

Money shall be paid out of the Parks and Recreation Fund in like manner as are other funds of the Village of Manchester.

(1984 Code, § 3.56)

CHAPTER 159: PARKS AND RECREATION

Section

- 159.01 Purpose
- 159.02 Application
- 159.03 Parking
- 159.04 Dangerous or obnoxious materials or equipment
- 159.05 Signs and handbills
- 159.06 Unlawful fires
- 159.07 Closing of park
- 159.08 Dogs, pets, horses and livestock
- 159.09 Preservation of property and natural resources
- 159.10 Musical instruments, radios, record or tape players and sound amplifying devices
- 159.11 Disorderly conduct
- 159.12 Disabled vehicles

§ 159.01 PURPOSE.

It is the purpose of this chapter to regulate the use by all persons, organizations, and groups thereof of all public parks and playgrounds, within the confines of the village.
(1984 Code, § 3.1)

§ 159.02 APPLICATION.

This chapter shall not apply to any use of parks or playgrounds operated by the Manchester School District within the confines of the village which use or uses are authorized by the Manchester School District.
(1984 Code, § 3.2)

§ 159.03 PARKING.

(A) No persons shall park any vehicle so as to obstruct the free flow of traffic within parks and playgrounds.

(B) All vehicles shall remain on the drive portion of the park and playground.

(C) All vehicles shall be removed from the park or playground at the close of the park or playground hours, as posted.

(D) In addition to the penalties imposed by § 10.99, of this code, the owner or operator of any vehicle in violation of this section may have his or her vehicle towed and impounded, and shall be liable for the costs of the towing and storage.
(1984 Code, § 3.3)

§ 159.04 DANGEROUS OR OBNOXIOUS MATERIALS OR EQUIPMENT.

(A) No person shall deposit or abandon in or on any lands or water areas within the boundaries or any park or playground any garbage, sewage, bottles, cans, refuse, trash, waste or other obnoxious materials except in receptacles provided for such purposes.

(B) No person shall have in his or her possession or control any slingshot, pellet gun, air rifle, fireworks, explosives or other dangerous materials within the boundaries of any park or playground, unless such person shall apply for and receive a written permit from the Village Council to possess and operate said dangerous materials.
(1984 Code, § 3.4)

§ 159.05 SIGNS AND HANDBILLS.

(A) Handbills, newspapers or other circulars may be offered or distributed only within the automobile parking lots of parks and playgrounds unless the prior written permission of the Village Council is obtained for offering or distribution outside such automobile parking lots.

(B) No persons shall post, fasten, paint, or affix any placard, bill, notice, or sign upon any structure, tree or automobile within the boundaries of any park or playground except that temporary directional signs for group picnics or events may be placed on signposts designated for such purposes and must be removed at the conclusion of the event.
(1984 Code, § 3.5)

§ 159.06 UNLAWFUL FIRES.

(A) No person shall start or maintain a fire within the boundaries of any park or playground, except in picnic stoves, fireplaces or spaces provided for such purpose.

(B) No person shall dump any burning material or hot ashes into any trash containers or elsewhere within the boundaries of any park or playground unless such container or locality shall be marked as a receptacle for such material.
(1984 Code, § 3.6)

§ 159.07 CLOSING OF PARK.

(A) No person shall enter or remain in any park between the hours as determined by resolution of the Village Council and posted by written notice within any park from time to time.

(B) No person shall use or occupy any area or facility of any park or playground when such area or facility is closed to the use of the public by order of the Village Council.
(1984 Code, § 3.7)

§ 159.08 DOGS, PETS, HORSES AND LIVESTOCK.

(A) No person shall bring into or have in his or her possession or control within the boundaries of any park or playground any dog or pet unless such dog or pet shall be kept on a leash not over 6 feet in length and under the immediate control of some responsible person.

(B) No person shall ride or lead any horse within the boundaries of any park or playground except in areas designated by Village Council.
(1984 Code, § 3.8)

§ 159.09 PRESERVATION OF PROPERTY AND NATURAL RESOURCES.

(A) No person shall injure, deface, disturb, defoul not in any manner destroy or cause to be destroyed any portion of any park or playground or any facility, building, sign, structure, equipment, utility or other property found therein.

(B) No person shall dig for, remove, injure or destroy any tree, flower, shrub, plant or growing thing or any rock, mineral, artifact or other material within the boundaries of any park or playground without written permission from the Village Council.
(1984 Code, § 3.10)

§ 159.10 MUSICAL INSTRUMENTS, RADIOS, RECORD OR TAPE PLAYERS AND SOUND AMPLIFYING DEVICES.

No person shall operate or play any musical instrument, radio, mechanical record or tape player, loudspeaker, public address system or sound amplifying equipment of any kind within the boundaries of any park or playground in such a manner as to cause the sound emanation therefrom to disturb the peace of any other individual or to otherwise interfere with the peaceable use and enjoyment of the park or playground by the general public, without a written permit issued by the Village Council.
(1984 Code, § 3.11)

§ 159.11 DISORDERLY CONDUCT.

No person or group of persons shall engage in any drunken, loud, boisterous, disorderly or indecent conduct, nor shall any person or group of person commit or engage in any assault or other activity which shall endanger or annoy other persons or disturb the peace or good order within the boundaries of any park or playground.
(1984 Code, § 3.12)

§ 159.12 DISABLED VEHICLES.

No disabled vehicle shall remain within the confines of any park or playground after notice to remove the same has been given by the Village Police Department. No vehicle shall be repaired within the confines of any park or playground unless such repair is necessitated by an emergency as defined by § 814 of the Michigan Vehicle Code, as amended, which is incorporated herewith by reference.
(1984 Code, § 3.13)

The Village Clerk shall cause this Ordinance, or a summary of this ordinance, to be published in the manner required by law within 15 days after it has been duly adopted by the Village Council. The effective date shall be 20 days after the date of passage or the date of publication, whichever occurs first.

Date of Adoption: 05/21/2007
Date of Publication: 05/31/2007
Effective Date: 06/10/2007

Certification

I, Julie A. Schaible, am the Clerk for the Village of Manchester and certify that the above Ordinance was offered by member Newman and supported by member DuRussel and the following council members voted:

AYE: -Newman, DuRussel, Conaway, Dresch, Herron, Way, Vaillencourt

NAY:

ABSTAINED OR ABSENT:

Further, this Ordinance, or a synopsis of this Ordinance, was published in the Manchester Enterprise, a newspaper circulated in the Village of Manchester on May 31, 2007.

Julie A. Schaible
Village Clerk
Dated: 05/22/2007