CITY OF SOUTH LYON PARK USE POLICY

Park Use

The City, by this policy, designates the following parks as public use parks, subject to the regulations, restrictions and other requirements that are established: McHattie Park, Volunteer Park, Paul Baker Memorial Park, Andover Park and Columbia Park. Permits may be obtained for the exclusive use of facilities within McHattie Park and Volunteer Park or for the planning and implementation of events and programs in which a large number of people are expected to participate. Application for such permits may be obtained from the City Clerk's office. All scheduling and reservations for the Witch's Hat Depot, Victorian Gazebo, Little Village Chapel and other facilities of the historic village are handled by the South Lyon Historical Society at (248) 437-9929.

All parks are subject to the other policies and ordinances that have been or may in the future, be adopted to govern those specific locations, including the following sections of the City Codes of Ordinances: Chapter 62, Article III of the City Code of Ordinances regarding the Use of Public Parks.

Park Hours

City parks are open to the public between the hours of 7:00 a.m. to 11:00 p.m. No person or vehicle shall remain within a City park property between posted closing times except at designated special use areas, provided however, that upon application to the City, said hours may be extended.

Protection and Preservation of Property and Natural Features

In the interest of preserving and protecting the beauty of City park property:

1. No person shall injure, deface, or disturb any part of the park nor any building, sign, equipment or other property found therein; nor shall any tree, shrub, rock or other mineral be removed, injured or destroyed.

2. No person shall deposit, or permit to be deposited, in any part of the park, any garbage, sewage, household refuse, waste or other noxious material otherwise than in receptacles provided for such purposes. No glass containers are permitted in the park area.

3. No person shall willfully set or cause to be set on fire any tree, brush or meadow within or upon the park property without written approval of the City Council. No person shall build any fire upon City park property except within receptacles provided and designated by the City for such purposes.

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Protection of Wildlife

1. It shall be unlawful for a person to keep, maintain or permit within or bring into a City park or park grounds, any so-called pet or other animal, except under the following conditions:

a) The animal is tethered by leash and controlled by a person.
b) The person controlling the animal is in possession of items needed for collection, containment, and disposal of animal feces.
c) The person controlling the animal collects and disposes of any of that animal's feces deposited on park grounds.

Any person who violates this Section is deemed responsible for a municipal civil infraction.

2. No person within the confines of the park, unless authorized by written permit of the City Council, shall hunt, pursue with dogs, trap or in any other way molest any wild bird or animal found within the confines of the park, or therein rob or molest any bird nest or take the eggs of any bird.

3. No person shall, bring into, or possess within the park, any of the following: air rifle, BB Gun, slingshot bow, arrows, fireworks, or explosive substances or devices, without obtaining a specific permit from the City.

Traffic Control

1. No vehicle shall be driven in the park except upon roads designated for that purpose. This limitation shall not apply to City maintenance or emergency vehicles.

2. No person shall operate, or have in his possession within the boundaries of the City park property any off-road motor driven vehicle, including by way of example but not by way of limitation, any mini-bike, motorcycle, dune buggy, snowmobile, or all-terrain vehicle.

3. Parking shall be in designated parking areas only. Vehicles parked in unauthorized parking areas will be ticketed and/or towed at the owner's expense. Parking on the grass areas is prohibited.

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Alcoholic Beverages

1. No person shall possess or consume any alcoholic beverages within any City park property. Exceptions may be granted if a group obtains proper authorization. If a group wishes to reserve a City park under permit issued by the Clerk and proposes to possess, serve, consume or sell alcoholic beverages, application must be made directly to City Council through the City Clerk's office not less than 30 days prior to the event and such application must include:

    a. If beer and wine are proposed to be sold, a special license authorizing same must be obtained from the State of Michigan Liquor Control Commission for the date(s) the park is requested.

    b. Proof of an insurance policy, listing the City of South Lyon as first insured, to indemnify the city to a maximum liability coverage in the amount of $1,000,000.00.

    c. A statement of the purpose of the gathering, the relationship, if any, between persons expected to attend, number and ages of those expected to attend, the names and address of persons responsible for organizing the event, and a list of activities expected to take place.

    d. City Council shall within 15 days of application hold a public hearing and approve or disapprove of the application.

Music & Amplified Sound

The playing of music and amplified sound, either live or recorded, is permissible to the degree that the volume of such music is not offensive to residents bordering the park.

Application Policy

1. You must be 18 years of age or older to reserve a facility.
2. Reservations will be considered on a first come, first served basis.
3. Reservations can be made no more than 1 year in advance.
4. Reservation cancellations must be made at least 7 days prior to the reservation.
5. The City reserves the right to accept or reject any reservation request or to cancel a reservation at any time, including the right to terminate a reservation during the activity if conditions are deemed to be a threat to public health or safety.

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6. The City Clerk will be responsible for approving or not approving a park use request.
7. Facilities must be left in good, clean condition when the activity is complete. All equipment, decorations and trash must be removed at the end of the reservation.
8. Individuals and organizations reserving facilities shall be responsible for all damages to the facility and/or equipment that occur as a result of the reservation. The individual making the reservation must be on site at all times throughout the length of the reservation. Failure to pay fees for damaged property will result in the cancellation of future reservation privileges in addition to any and all other remedies available to the City.

The City Clerk's office may deny an application if they find:

1. The proposed event or activity would present an unreasonable danger to the health or safety of the applicant, or other users of the park, City employees or the public.
2. Adequate parking facilities do not exist and are not available to accommodate the proposed event or activity in the park, based upon recognized standards for provision of adequate parking facilities.
3. Adequate sanitary facilities do not exist and are not available to accommodate the proposed event, based upon recognized standards for provision of sanitary facilities.
4. The event or activity shall cause damage from destruction or overuse of the grounds, equipment, vegetation, buildings, fences or other amenities in the park.
5. The proposed event or activity would unreasonably disturb persons who occupy land which is adjacent to City park property.
6. The park has been reserved for other use at the day and hour required in the application.
7. The applicant has not tendered the required application or fee, insurance certificate or security deposit or other documents as required by the City within the times prescribed by the City Clerk.
8. The use or activity intended by the applicant would conflict with programs organized and conducted by the City and scheduled for the same place and time.

Large Groups and Special Events

The following conditions shall be imposed upon the issuance of a permit for events involving large groups (100 or more people) or groups with special activities (e.g. inflatables, tents,special equipment):

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1. A requirement that the permittee pay in advance an estimate of all City costs that result directly from the permittee's use, event or activity under the permit, and that the permittee reimburse the City for any such costs which exceed the estimate.
2. A requirement that the permittee either provide an insurance policy naming the City of South Lyon as an additional insured, or a security deposit or performance bond, to cover damages that may result from permittee's use, event or activity.

Deposits and Fee Schedule

1. Deposits:

   25-50 people ($25)

   50-100 people ($50)

   101 or more people ($100)

2. Additional staff or equipment charges as set forth by the South Lyon Fee Schedule if required for large groups or special activities.

*The park will be inspected for damage on the next regular work day following the use of the park. If no appreciable damage is found, the full amount of the deposit will be refunded by the City Clerk.

Liability

1. The permittee shall be liable for any damages to the park or to any contents owned by the City during the period of use, whether such damage is caused by permittee or its agents, servants or employees, or by any invitees, permittees, or trespassers.
2. The City shall not be liable for any damage or loss to any property of the permittee or any other person from any cause whatsoever while said property is located on the premises for storage purposes or for any other purpose, nor shall the City be liable for any injuries resulting from the use of the park.
3. The permittee agrees to defend, indemnify, and hold harmless the City of South Lyon, its departments and their representatives, officers, agents or employees from and against all claims of any nature whatsoever for damages, including damages or loss to personal property, personal injuries and death resulting there from the use of the park in connection with the even for which the permit is granted. However, nothing contained herein shall be

construed as rendering the permittee liable for acts of the City of South Lyon, its departments, or their agents or employees.

4. When required that a permittee provides a certificate of insurance, the permittee shall provide comprehensive general liability insurance with minimum limits of liability for bodily injury in the amount of $1,000,000 for each occurrence and minimum limits of liability for property damage in the amount of $1,000,000 for each occurrence. The City shall be named insured under the policy. Additional coverage may be requested when deemed necessary due to the risks posed by the permitted activity.