

Suggested Amendments to the Park Rules §33-24

Changes are in red

Current Section	Proposed Amended Sections	Change
<p>A. No person shall enter into, remain in, or use any park at which hours of operation are restricted except during the park's posted hours of operation; nor may a person engage in activities that are prohibited by posted rules. (Originally enacted November 2002).</p>	<p>A. No person shall enter into, remain in, or use any park at which hours of operation are restricted except during the park's posted hours of operation. nor may a person engage in activities that are prohibited by posted rules.</p>	<p>Current subsection makes it a misdemeanor to use park after hours, new proposed section makes it a Civil infraction. Last sentence was omitted to eliminate any ambiguity that individuals only have to follow posted rules.</p>
<p>B. In those parks that are open to the public during nighttime hours, no sleeping is permitted between the hours of 9:00 p.m. and 7:00 a.m. (Originally enacted July 31, 2006)</p>	<p>B. In those parks that are open to the public during nighttime hours, no sleeping is permitted between the hours of 8:00 p.m. and 12:00 p.m.</p>	<p>Current subsection makes it a misdemeanor to sleep in the park between the hours of 9:00 pm to 7 am. Proposed subsection makes it a civil infraction to sleep between the hours of 8:00 pm to 12:00 pm. Contrary to the Reddit article sleeping is not criminalized in this section, it is decriminalized.</p>
<p>C. Fishing is not permitted in any park except where specifically designated at Spring Valley Park, Mayors' Riverfront Park, Rose Park, Verburg Park, and Woods Lake Beach Park. (Originally enacted November 2002).</p>	<p>C. Fishing is not permitted in any park except where specifically designated at Spring Valley Park, Mayors' Riverfront Park, Rose Park, Verburg Park, and Woods Lake Beach Park.</p>	<p>Is a misdemeanor, will be amended to a civil infraction.</p>
<p>D. The operation and the parking of motor vehicles is permitted only on approved surfaces, or in areas specifically designated for the operation and/or parking of motor vehicles, unless otherwise approved by the City. Any vehicle parked in violation of this subsection may be issued a civil parking citation, and, in the City's sole discretion, may be towed and impounded at the owner's sole expense. (Originally enacted November 2002).</p>	<p>D. The operation and the parking of motor vehicles is permitted only on approved surfaces, or in areas specifically designated for the operation and/or parking of motor vehicles, unless otherwise approved by the City. Any vehicle parked in violation of this subsection may be issued a civil parking citation, and, in the City's sole discretion, may be towed and impounded at the owner's sole expense.</p>	<p>Is a misdemeanor, will be amended to a civil infraction.</p>

Suggested Amendments to the Park Rules §33-24

Changes are in red

<p>E. Camping in any park is prohibited without written permission of the City. (Originally enacted November 2002).</p>	<p>E. Camping in any park is strictly prohibited without written permission of the City Manager or his or her designee.</p>	<p>Was a misdemeanor now a civil infraction. Also Camping is clearly defined as “[a]ny activity in City Parks where bedding, sleeping bags, personal belongings or other materials, are established, or maintained for the purpose of maintaining a place to dwell or sleep for a period longer than 2 total hours within a 12 hour period, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure, or any vehicle or part thereof.” The prior ordinance did not define camping making the subsection overly broad and vague. This definition was taken from the City of Portland Oregon.</p>
<p>F. No person shall pick, damage, or remove any flora, whether wild or domesticated, in any park, dig or move soil, or cut or remove a tree or any part of a tree at any park without permission of the City. The spraying, defacing, or painting of any tree, building, or any other portion of any park is prohibited. (Originally enacted November 2002).</p>	<p>F. No person shall pick, damage, or remove any flora, whether wild or domesticated, in any park, dig or move soil, or cut or remove a tree or any part of a tree at any park without permission of the City. The spraying, defacing, or painting of any tree, building, or any other portion of any park is prohibited. Violations of this subsection shall be a misdemeanor punishable by up to 90 days in jail and/or a maximum fine of \$500.</p>	<p>This section stayed a misdemeanor because it deals with the damage or destruction of public property. Fines and jail time are the same as well. Therefore there is no net change in this section.</p>
<p>G. Swimming or wading is prohibited except at Kik Pool and Woods Lake Beach Park during designated hours. (Originally enacted November 2002).</p>	<p>G. Swimming or wading is prohibited except at Kik Pool and Woods Lake Beach Park during designated hours.</p>	<p>Is a misdemeanor, will be amended to a civil infraction.</p>
<p>H. Bicycles, skateboards, scooters, and other similar contrivances may be operated only on surfaces designated for use by motor vehicles or on designated bicycle paths or skateboard areas.</p>	<p>H. Bicycles, skateboards, scooters, and other similar contrivances may be operated only on surfaces designated for use by motor vehicles or on designated bicycle paths or skateboard areas. Bicycles must be walked through Bronson Park. No</p>	<p>Is a misdemeanor, will be amended to a civil infraction.</p>

Suggested Amendments to the Park Rules §33-24

Changes are in red

<p>Bicycles must be walked through Bronson Park. No bicycles are permitted in Blanche Hull Park, except on bike trailways that are identified as such by posted signs. (Originally enacted November 2002).</p>	<p>bicycles are permitted in Blanche Hull Park, except on bike trailways that are identified as such by posted signs.</p>	
<p>I. Leashing of dogs.</p> <p>(1) All dogs must be securely held and controlled on a leash no longer than six feet in length, except in such areas as the City may post and identify by appropriate signs as permitting dogs to be at large. Under no circumstances, however, shall a person allow a dog (other than a service dog), on or off a leash, to be upon the sandy beach near, or in the water at, the public swimming area at the Woods Lake Park or upon the golf course at Milham Park at any time of year.</p> <p>(2) This subsection shall not apply to City parks that are a designated dog park. Dog owners must, however, abide by the specific rules posted in the dog parks.</p>	<p>I. Leashing of dogs.</p> <p>(1) All dogs must be securely held and controlled on a leash no longer than six feet in length, except in such areas as the City may post and identify by appropriate signs as permitting dogs to be at large. Under no circumstances, however, shall a person allow a dog (other than a service dog), on or off a leash, to be upon the sandy beach near, or in the water at, the public swimming area at the Woods Lake Park or upon the golf course at Milham Park at any time of year. If a person violates this rule they shall be guilty of a Dog at Large under §7-19 of the Kalamazoo City Code.</p> <p>(2) Section I shall not apply to City Parks that are a designated dog park. Dog owners must however abide by the specific rules posted in the dog parks.</p>	<p>Only change is to clarify the ordinance since dog at large under §7-19 of the Kalamazoo City Code is a misdemeanor.</p>
<p>J. All dog owners and those in control of any dog shall immediately pick up any fecal matter deposited in any park and dispose of it in a proper receptacle. (Originally enacted November 2002).</p>	<p>J. All dog owners and those in control of any dog shall immediately pick up any fecal matter deposited in any park and dispose of it in a proper receptacle.</p>	<p>Is a misdemeanor, will be amended to a civil infraction.</p>

Suggested Amendments to the Park Rules §33-24

Changes are in red

<p>K. No person shall build or maintain a fire in any park except in a City-provided grill or in grills brought to the park by the user. Where permitted, grills shall be used only for the preparation of food, shall never be placed upon a picnic table, and shall be elevated such that the bottom of the grill is no less the 25 inches above the ground. Under no circumstances shall a person build or maintain a fire, in a grill or otherwise, in Bronson Park or on the grounds adjacent to City Hall unless specially permitted in writing by the City. (Originally enacted November 2002) (Amended 2010).</p>	<p>K. No person shall build or maintain a fire in any park except in a City-provided grill or in grills brought to the park by the user. Where permitted, grills shall be used only for the preparation of food, shall never be placed upon a picnic table, and shall be elevated such that the bottom of the grill is no less the 25 inches above the ground. Under no circumstances shall a person build or maintain a fire, in a grill or otherwise, in Bronson Park or on the grounds adjacent to City Hall unless specially permitted in writing by the City Manager or his or her designee. Violations of this subsection shall be a misdemeanor punishable by up to 90 days in jail and/or a maximum of \$500.</p>	<p>Stayed a misdemeanor since it deals with fires in parks which is a public safety issue. The penalty for this misdemeanor is also the same. Therefore there is no net change in this section.</p>
<p>L. No person shall set up a tent, or awning, or similar structures that are held up by stakes or similar devices without written approval from the City. (Originally enacted November 2002).</p>	<p>L. No person shall set up a tent, or awning, or similar structures that are held up by stakes or similar devices without written approval from the City Manager or his or her designee.</p>	<p>Is a misdemeanor, will be amended to a civil infraction. Also clarifies who the written approval must come from.</p>
<p>M. Sleeping or lying down to rest is not permitted at any time on a paved or otherwise improved surface, including stages or other elevated areas. (Originally enacted July 31 2006).</p>	<p>M. Sleeping or lying down to rest is not permitted at any time on a paved or otherwise improved surface, including stages or other elevated areas. Violations of this subsection shall be a misdemeanor punishable by up to 90 days in jail and/or a maximum fine of \$500.</p>	<p>This subsection remains a misdemeanor since it deals sleeping on sidewalks which blocks pedestrian foot traffic. Additionally in amphitheaters or stages were they are designed for performances. The penalty for this misdemeanor is also the same. Therefore there is no net change in this section.</p>
<p>N. No person shall consume or possess alcoholic beverages in a park except during events where such possession or</p>	<p>N. No person shall operate any sound-producing or sound-amplifying device unless earphones are used without</p>	<p>The original subsection N was moved to § 33-25. This ordinance is not aimed at curbing protected speech. Bull horns for protest would be protected,</p>

Suggested Amendments to the Park Rules §33-24

Changes are in red

<p>consumption is expressly permitted by the City. (Originally enacted July 31 2006).</p>	<p style="color: red;">expressed authorization by the City Manager or his or her designee. Violations of this subsection shall be a misdemeanor punishable by up to 90 days in jail and/or a maximum fine of \$500.</p>	<p>in the parks. The use of these devices could also be authorized by the City Manager. This authorization can be made orally as long as the authorization is expressed.</p>
<p>O. No person shall wash clothing or other objects in or under park fountains, drinking fountains, faucets, spigots, pools, lakes, rivers or creeks within a park. (Originally enacted July 31 2006).</p>	<p>O. No person shall, bathe wash clothing or other objects in or under park fountains, drinking fountains, faucets, spigots, pools, lakes, rivers or creeks within a park. Violations of this subsection shall be a misdemeanor punishable by up to 90 days in jail and/or a maximum fine of \$500.</p>	<p>The only substantive change to this ordinance is the word bathe. The ordinance and the penalties are otherwise the same.</p>
<p>P. No person shall use an electrical outlet found within a park unless such use is expressly authorized by the City. (Originally enacted July 31 2006).</p>	<p>P. No person shall use an electrical outlet found within a park unless such use is expressly authorized by the City Manager or his or her designee.</p>	<p>Is a misdemeanor, will be amended to a civil infraction. .</p>
<p>Q. Park equipment, fixtures, and other objects found within parks shall be used only for their intended purpose. (Originally enacted July 31 2006).</p>	<p>Q. Park equipment, fixtures, and other objects found within parks shall be used only for their intended purpose.</p>	<p>Is a misdemeanor, will be amended to a civil infraction.</p>
<p>R. Areas that are publicly posted to be used for only specified uses shall be used only for said uses. (Originally enacted July 31 2006).</p>	<p>R. Areas that are publicly posted to be used for only specified uses shall be used only for said uses.</p>	<p>Is a misdemeanor, will be amended to a civil infraction.</p>
<p>S. A Public Safety Officer may require any person violating this article or any other</p>	<p>S. A Public Safety Officer and Recreation employee may require any person violating this or any other</p>	<p>Any City employee who is authorized to do so can ask an individual to leave the park after violation of the rules. This is consistent with our</p>

Suggested Amendments to the Park Rules §33-24

Changes are in red

<p>City ordinance to leave any park for the balance of that day. A person who refuses to leave after being requested to do by a Public Safety Officer may be charged with and/or arrested for trespassing. (Originally enacted November 2002).</p>	<p>City ordinance to leave any park for the balance of that day. A person who refuses to leave after being requested to do by a Public Safety Officer may be charged with and/or arrested for trespassing.</p>	<p>trespass ordinance. This rule makes it clear that park officials have the authority to ask someone to leave the park if a rule is violated. Only a public safety officer can arrest and/or charge a trespass.</p>
<p>T. No person shall smoke in an area or at an event that is posted or otherwise designated as being smoke-free. (Originally enacted May 17, 2010).</p>	<p>T. No person shall smoke in an area or at an event that is posted or otherwise designated as being smoke-free. This includes the use of electronic smoking devices.</p>	<p>Is a misdemeanor, will be amended to a civil infraction. Also includes vaping in City Parks.</p>
<p>U. No person shall interfere with an event or activity, public or private, that has been specially permitted in writing by the City. (Originally enacted May 17, 2010).</p>	<p>U. No person shall interfere with an event or activity, public or private, that has been specially permitted in writing by the City Manager or his or her designee.</p>	<p>Is a misdemeanor, will be amended to a civil infraction. Also clarifies who the written approval must come from.</p>
<p>V. No person shall charge or receive money or other consideration for admission into, activities in, or commodities of any type sold in, a park, unless specially permitted in writing by the City. (Originally enacted May 17, 2010).</p>	<p>V. No person shall charge or receive money or other consideration for admission into, activities in, or commodities of any type sold in a park, unless specially permitted in writing by the City Manager or his or her designee.</p>	<p>Is a misdemeanor, will be amended to a civil infraction. Also clarifies who the written approval must come from.</p>
<p>W. Unless otherwise specified, a violation of any of the above provisions shall be a misdemeanor. (Park rules have been misdemeanors since 1983, however under section 23-4 the City Manager had the unfettered authority to implement</p>	<p>W. Unless otherwise specified, a violation of any of the above provisions shall be a civil infraction.</p>	<p>Original default was a misdemeanor now with decriminalization the default is a civil infraction. This is the reason that the subsections in all the Chapters are now explicitly stating that they are misdemeanors</p>

Suggested Amendments to the Park Rules §33-24

Changes are in red

<p style="color: red;">any park rule he or she wanted. The park rules at the time were administrative rules not listed in the Kalamazoo City Code until 2002. This section was repealed in 2010).</p>		
<p>X. The fact that areas that are not formally dedicated parks are treated herein as if parks for this section does not otherwise change the designation of said areas, nor make such areas a City park. (Originally enacted May 17, 2010).</p>	<p>X. The fact that areas that are not formally dedicated parks are treated herein as if parks for this section does not otherwise change the designation of said areas, nor make such areas a City park.</p>	<p>No Change.</p>
<p>Y. In the event a person is convicted of a violation of any provision of this section, or if a person is otherwise convicted of causing damage to any park, the court shall, as part of any sentence imposed for such an offense, require that the defendant pay full restitution to the City for any expenses incurred by the City as a result of the violation and further may, as a term of probation, prohibit the person for a period of not more than one year from entering into or using one or more specified parks. The court shall liberally construe this provision in order to make the City whole. (Originally enacted July 31, 2006).</p>	<p>Y. In the event a person is convicted of a violation of any provision of this section, or if a person is otherwise convicted of causing damage to any park, the court shall, as part of any sentence imposed for such an offense, require that the defendant pay full restitution to the City as a result of the violation and further may, as a term of probation, prohibit the person for a period of not more than one year, from entering into or using one or more specified parks. The court shall liberally construe this provision in order to make the City whole.</p>	<p>No Change.</p>

Suggested Amendments to the Park Rules §33-24

Changes are in red