

STATE OF MICHIGAN  
COUNTY OF WAYNE  
CHARTER TOWNSHIP OF CANTON

CHAPTER 50

AN ORDINANCE TO AMEND CHAPTER 50 OF  
THE CANTON CODE OF ORDINANCES

THE CHARTER TOWNSHIP OF CANTON ORDAINS:

SECTION 1. AMENDMENT TO CODE.

Chapter 50 of the Canton Code of Ordinances, entitled "Parks and Recreation," is hereby amended to read as follows:

Chapter 50 - PARKS AND RECREATION

ARTICLE I. - IN GENERAL

Sec. 50-1. - Possession or consumption of alcoholic liquor in township recreational facility.

It shall be unlawful for any person to possess or consume any alcoholic liquor, including spirits, beer or wine, in any recreational facility operated by the township during any function, sporting event, skating exhibition, dance or other event; unless such alcoholic beverages were purchased on the premises from a duly licensed vendor or served in accordance with a permit issued under Sec. 50-49.

Sec. 50-2. - Smoking on leisure services facility properties.

Beginning January 1, 2020, and except as provided herein, smoking of tobacco or any other substance, or smoking, consumption or use of marijuana products or derivatives, or use of vapor products or nicotine alternatives, is prohibited on all township leisure services facility properties.

- (a) Smoking shall be permitted in designated areas by adults at the Pheasant Run and Fellows Creek Golf Courses Smoking shall not be permitted near programs hosting youth events, programs or tournaments.

ARTICLE II. - DEPARTMENT OF LEISURE SERVICES

Sec. 50-31. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Department* means the department of leisure services of the township.

*Director* means the director of the department of leisure services of the township, or where applicable, their designee.

*Dog exercise area* means a fenced off area designated in a park for the off-leash exercise of dogs.

*Electronic bike or "e-bike"* means a device upon which an individual may ride and that is equipped with all of the following:

- (a) A seat or saddle for use by the rider.  
(b) Fully operable pedals for human propulsion.  
(c) An electric motor of not more than 750 watts (1 horsepower).

*Event* means any performance, ceremony, presentation, meeting, rally or reception held in a township leisure services facility in accordance with a township permit.

*Exhibit* means any display of artwork, including but not limited to paintings, sculptures, arts and crafts, and photographs; public service and educational presentations; and historical displays.

*Leisure services facility* shall mean any park, parkway, trail, trailway, building, land, structure and/or equipment owned by Canton Township and under the supervision of the director of the department of leisure services.

*Lower Rouge Parkway* means the public park owned and controlled by the County of Wayne, Michigan, and is located within various local municipalities within the county including the township.

*Organization* means any for-profit corporation, nonprofit corporation, limited liability company, partnership, or sole proprietorship, and persons accompanying such organization.

*Park* means any of the public parks located in the township and/or under the jurisdiction and the control of the leisure services department.

*Sales of goods/services* means offering goods or services in exchange for any money or services, including an exchange of service.

*Security* means regular police officers, auxiliary officers, and civilian guards employed by the township.

*Trail* means a paved or earthen path to be used for non-motorized recreation located within township park property or operated by the township through an easement or an intergovernmental agreement.

Sec. 50-32. - Department of leisure services; creation; director.

- (a) The township department of leisure services is hereby created. The leisure services department shall be responsible for all leisure services facilities including, but not limited to, the following facilities:

- (1) Summit on the Park, 46000 Summit Parkway;  
(2) Village Theater at Cherry Hill, 50400 Cherry Hill Road;  
(3) B.L.O.C.K. Youth & Teen Center, Administration Building, Third Floor, 1150 South Canton Center Road;  
(4) Canton Sports Center, 46555 W. Michigan Avenue;  
(5) Pheasant Run Golf Club, 46500 Summit Parkway;  
(6) Fellows Creek Golf Club, 2936 S. Lotz Road;  
(7) Canton parks and trails: Heritage Park, Freedom Park, Independence Park, Griffin Park, Flodin Park, Barchester Park, Patriot Park, Preservation Park, Victory Park, Canton Dog Park, Lower Rouge Trail, Fellows Creek Wetland Nature Trail, and ITC Corridor Trail and any other parks and trails owned by Canton;  
(8) Historical sites: Preservation Park, Cherry Hill School, Sheldon School, and the Canton Historical Museum;  
(9) Cemeteries: Kinyon, Sheldon and Downer; and  
(10) Fountain at Village Square.

- (b) The department of leisure services and its employees shall be under the direction and supervision of a director. The director shall be responsible for the management, operation, facilities use and maintenance, and facilities use policies for all department of leisure services facilities. The director shall report to the township supervisor.

Sec. 50-33. - Enforcement.

The township department of public safety shall enforce the provisions of this article and any other ordinances pertaining to leisure services facilities, and shall be charged with enforcing all rules and regulations relating to the use of such leisure services facilities.

Sec. 50-34. - Violation of rules.

It shall be unlawful for any person to violate this ordinance or any duly adopted rule or regulation governing conduct in or on any leisure services facility.

Sec. 50-35. - Operating hours and closed areas.

- (a) Parks and trails shall be open to the public every day of the year from 6:00 a.m. to 10:00 p.m., unless otherwise permitted by the director or their designee in writing, or unless otherwise posted. .  
(b) Any park, trail, or section thereof may be declared closed to the public by the director at any time and for any interval of time, either temporarily or at regular stated intervals (daily or otherwise), either entirely or merely for specific uses, as the director shall find reasonably necessary. The local law enforcement agency shall have the authority to close any park, trail, or section thereof, in the interest of the public safety.

Sec. 50-36. - Permits; application; criteria.

A permit is required is required to reserve Leisure Services facilities or amenities located on any Township-owned property. Furthermore, any group of 15 requesting use of any splash playground owned and/or operated in any Township park must register in advance with the parks division. Permit applications shall be filed with the parks division office in accordance with the following:

- (1) *Application.* Applications for reserved use of leisure services facilities shall be made by completing and filing an application with the parks division. Reservations will be taken on a first come first serve basis for residents based on department policy.
- (2) *Criteria for issuance.* The director or their designee shall issue a permit when:
- a. The proposed activity or use of the leisure services facility will not unreasonably interfere with or detract from the general public enjoyment of the leisure services facility.
- b. The proposed activity and use will not unreasonably interfere with or detract from the promotion of the public health, welfare, safety and recreation.
- c. The proposed activity or use is not unreasonably anticipated to incite violence, crime, or disorderly conduct.
- d. The proposed activity will not entail unusual, extraordinary or burdensome expense or police operation by the township.
- e. The proposed activity will not create noise to the extent that it unreasonably disturbs persons within the township.
- f. The facilities desired have not been reserved for other use at the days and hours requested on the application.
- g. The application has been accompanied by a nonrefundable leisure services facility permit application fee, in an amount to be set by the director.
- (3) *Notice of denial; appeal of denial.* Within seven days after receipt of an application, the director shall notify an applicant in writing of the reasons for denial of a permit and an aggrieved person shall have the right to appeal a denial in writing within five days to the township board, which shall consider the application under the standards set forth in subsection (2) of this section and sustain or overrule the director's decision within two weeks. The decision of the township board shall be final.
- (4) *Liability of permittee.* The person or organization to which a permit is issued shall be liable for any loss, damage or injury to any person or property whatever by reason of the negligence, gross negligence, or recklessness of the person or organization to whom such permit shall have been issued or any of his or her guests.
- (5) *Revocation.* The director or their designee shall have the authority to revoke a permit for any of the following causes:
- (a) Fraud, misrepresentation or false statements contained in the application for the permit.
- (b) Fraud, misrepresentation, or false statements made by the permit holder in the performance of the authorized operation.
- (c) The failure to comply with the provisions of ordinances of the township, including this chapter, or laws of the state.
- (d) The person or organization that received the permit attempts to transfer the permit to any other person or organization not named on the permit.
- (e) The permittee or her or his designee is not present for the entire specified use, and/or fails to present the permit upon request of the director or their designee, a police officer, or an ordinance officer during the reserved time period.

Sec. 50-37. - Damaging or tampering with buildings or other property.

No person shall intentionally mark, deface, disfigure, injure, tamper with, displace, or remove any Canton Township park building, trail, bridge, table, bench, fireplace, railing, painting material, public utility or appurtenance, sign, notice or placard whether temporary or permanent, or other structure or equipment, facility, or park property or appurtenances whatsoever, either real or personal.

Sec. 50-38. - Damaging trees, shrubbery or lawns; standing or sitting on fences or other property.

- (d) No person shall damage, cut, carve, transplant, or remove any tree or plant or injure the bark of any tree or plant, or attach any rope, wire or other contrivance to any tree or plant in a park for any purpose. A person shall not dig in or

otherwise disturb grass areas, or in any other way injure or impair the natural beauty or usefulness of any area at a leisure services facility, including the placement of stakes, unless permitted by the director or their designee.

- (e) No person shall climb any tree, or walk, stand, or sit upon railings, fences, table tops or any other department of leisure services property not designated to be customarily used for such purposes.

- (f) No person shall store or abandon any vehicle, including any recreational vehicle, on any park property, or in any manner perform maintenance on any vehicle or in any other way interfere with or obstruct proper use of a leisure services facility.

Sec. 50-39. - Injuring wild animals or birds.

- (a) No person shall attempt to harm, injure, or harass any animal, reptile or bird at any leisure services facility.
- (b) No person shall allow any animal or fowl to run at large.
- (c) No person shall build blinds or nesting boxes on department of leisure services facilities without specific written authorization of the director.
- (d) No person shall release any animal upon park property without specific written authorization from the director or their designee.
- (e) No person shall, on department of leisure services facilities, remove or have in his possession, give away, sell or offer to sell, or buy or offer to buy, or accept as a gift, any specimen, alive or dead, of any animal, reptile or bird without permission from the director.

Sec. 50-40. - Pollution of waters.

No person shall throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, or other body of water in or adjacent to any park, trail, tributary, stream, storm sewer or drain flowing into such waters, any substance, matter or thing, liquid or solid, which will result in the pollution of such waters.

Sec. 50-41. - Disposal of refuse.

- (a) No person shall throw or deposit litter, refuse or trash in any park within the township except in a designated trash receptacle.
- (b) Where public receptacles are not provided, all such litter, refuse and trash shall be carried away from the leisure services facility by the person responsible for its presence and properly disposed of elsewhere in accordance with the laws of the township and the state. No person shall bring into or dump, deposit or leave at any leisure services facility any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, or refuse or other trash unless it directly results from an authorized leisure services facility use or function.

Sec. 50-42. - Use of picnic areas.

Use of picnic areas shall be on a first come, first serve basis unless the area is reserved under a Township-issued permit. The director or their designee shall have the authority to regulate activities in such areas when necessary to prevent overcrowding and to secure the safety and comfort of all. Visitors shall comply with any directions given to achieve this end. For pavilion rental, refer to 50-55 [https://library.municode.com/mi/canton\\_charter\\_township%2C\\_\(wayne\\_co.\)/codes/code\\_of\\_ordinances?nodeId=PTIGE-OR\\_CH50PARE\\_ARTIIDELESE\\_S50-57PIPAST](https://library.municode.com/mi/canton_charter_township%2C_(wayne_co.)/codes/code_of_ordinances?nodeId=PTIGE-OR_CH50PARE_ARTIIDELESE_S50-57PIPAST).

Sec. 50-43. - Camping.

No overnight camping of any kind shall be permitted in Township parks, except as part of a township-sponsored event or with director approval.

Sec. 50-44. - Games.

For the safety of park users, games involving the use of balls are permitted in designated areas only.

Sec. 50-45. - Horseback riding.

No person shall ride a horse or pack animal at a park or trail without approval of the director.

Sec. 50-46. - Domestic animals.

- (a) No person shall bring any domesticated pet onto a leisure services facility property unless the pet is kept on a leash of not over six feet in length and under the immediate control of some responsible person. The director or their designee may restrict pets from accessing park properties during certain special events. The person who owns or is in charge of the pet shall immediately remove all droppings deposited by such dog or pet by any sanitary method. The droppings shall be disposed of in a trash receptacle.
- (b) The following regulations and limitations shall apply to all dog exercise areas:

- (1) Dog exercise areas will be available for use during posted hours.
- (2) As a condition of admission to such dog exercise areas, the owner of such dog(s) must use a suitable container or instrument to remove dog feces from the designated area and dispose of it in the provided waste containers.
- (3) Aggressive dogs are not permitted in the exercise areas. Owners are legally responsible for any injury caused by their dog.
- (4) All dogs must be under visual and voice control by owners at all times. Dogs shall not be left unattended in the exercise area.
- (5) Dogs under four months old are not permitted in the exercise areas.
- (6) All dogs shall have been vaccinated and legally licensed prior to using the facility.
- (7) Female dogs in heat are not permitted to use the facilities.
- (8) Professional dog trainers may not use the facilities in the conduct of their business.
- (9) Children under the age of 12 shall at all times be accompanied by an adult.
- (10) Patrons shall not scream, shout, wave their arms, run or otherwise excite or antagonize dogs in the exercise area.
- (11) Bicycles, roller blades, roller skates, skateboards, and strollers, and the like, are not permitted in the exercise areas. Wheelchairs are permitted.
- (12) Spiked collars on dogs are not permitted in the exercise area(s).
- (13) Use of dog exercise areas by any dog shall constitute implied consent of the dog's owner to all of the conditions stated in this section and shall constitute a waiver of liability to the township and an agreement and undertaking to protect, indemnify, defend, and hold the township harmless for any injury or damage caused by such dog.
- (c) Public safety K-9 officers are exempt from subsection (a) of this section.

Sec. 50-47. - Fires.

Open burning of any kind is prohibited in all Leisure Services Facilities. No person shall drop, throw, or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper, charcoal or other flammable material at any park or trail area or on any highway, road or street abutting or contiguous thereto. This section shall not apply to prescribed burning or use of designated barbecue grills or fire pits that have been approved in advance by the township fire marshal.

Sec. 50-48. - Use of leisure services facilities for commercial purposes.

No leisure services facility may be used for any commercial purpose without Township Board approval.

Sec. 50-49. - Alcoholic beverages.

No person shall possess or consume any alcoholic beverages, including spirits, liquor, beer or wine, at any township leisure services facility, except as approved by the director or their designee under a facility permit (section 50-36). The Canton Sports Center, Village Theater, Pheasant Run Golf Course, Fellows Creek Golf Course, and the Summit on the Park have MLC-issued liquor licenses which allow provision of alcohol by the township only. Providing liquor at a leisure services facility is contingent on meeting the following conditions:

- (1) A request to serve beer and wine must be made at the time of the site rental request.
- (2) Approval to serve beer and wine must be approved by the director or their designee prior to the rental use.
- (3) The sale of beer and wine must be in compliance with all laws and require authorization from the state liquor control commission.
- (4) Compliance with all state laws regarding the handling and consumption of beer and wine.
- (5) Proof of commercial liability insurance, listing the township as an additional insured must be provided for the event, including proof of special use to serve beer and wine.
- (6) The serving area for the beer and wine must be clearly identified with signs posted stating "NO ALCOHOL BEYOND THIS POINT."
- (7) Compliance with any requirements regarding alcohol risk management guidelines specified by the rental event insurer shall be followed.

Sec. 50-50. - Off-road vehicles; motor-driven vehicles restricted to roadways and parking areas.

(a) No person shall operate or have in his possession within the boundaries of any leisure services facility property any off-road motor-driven vehicle, including, but not limited to, a mini bike, dirt bike, dune mobile, dune buggy, all-terrain vehicle, snowmobile, converted snowmobile, amphibious vehicle or similar motorized device.

(b) No person shall operate, drive, push, or otherwise propel any motor-driven vehicle on any portions of any leisure services facility property covered by grass or other natural vegetation unless authorized by the director or their designee. All motor-driven vehicles must remain on the roadways or in designated parking areas.

Sec. 50-51. - Remote control vehicles.

- (a) No person shall operate within the boundaries of any leisure services facility any gas powered remote control airplanes, helicopters, cars or boats.
- (b) No person shall operate within the boundaries of any leisure services facility any electric or battery powered remote control airplane, helicopter, drone, car or boat without first obtaining a permit in accordance with [section 50-36](#).

Sec. 50-52. - Skateboards and rollerblades.

No person shall skateboard or operate a scooter or Segway, or other similar device, at any leisure services facility except at such times and in such places as may be designated by the director or their designee for such use. The director may restrict or prohibit rollerblading on leisure services facility properties when safety is a concern or during certain special events.

Sec. 50-53. - Assemblies.

No person shall conduct any musical program or festival or other large scale event for which admission will be charged, at any leisure services facility, unless a community event permit has been obtained from the director or their designee provided, however, that the provisions of this section shall not apply to students' work when constituting a part of their educational activities under the immediate direction and supervision of the proper school authorities, or to any governmental agency within the scope of its functions.

Sec. 50-54. - Conducting sales for gain.

No person shall engage or participate in the sale of food products or goods for gain or for which a charge is made at any leisure services facility without first obtaining a permit under section 50-36 and, if applicable, Chapter 54.

Sec. 50-55. - Use of pavilions.

Unless reserved for private use, pavilions are open for use by the public.

**Sec. 50-56. - Swimming, bathing, and wading.**

- (a) No person shall swim, bathe, wade or scuba dive in any watercourse, lake, pond or slough on any leisure services facility property.

**Sec. 50-57. - Boating.**

- (a) No person shall bring into use or navigate any boat, yacht, canoe, kayak, raft or other watercraft upon any watercourse lagoon lake, pond, river or slough located at any leisure services facility property except at such times or places as may be provided or designated for such purposes.
- (b) When permitted, all watercraft shall comply with and be used in compliance with Public Act 303 of the Public Acts of the State of Michigan of 1967 as amended and such regulations as may be adopted under the authority of the Act.
- (c) No gasoline powered watercrafts are allowed on any waterway at any leisure services facility property.

**Sec. 50-58. - Loitering and cruising.**

No person shall loiter or cruise in any motor vehicle continuously through and around at any leisure services facility drive or picnic area for the purpose of attracting or distracting persons, except for those selling food or goods in accordance with a permit issued under Chapter 54 of this Code.

**Sec. 50-59. - Hindering, resisting or impersonating employees.**

- (a) No person shall interfere with or in any manner hinder any employee or agent of the township while in the performance of their official duties or fail or refuse to obey any lawful command of the township employee.
- (b) No person shall impersonate any employee or contracted employee of the township for any reason whatsoever.

**Sec. 50-60. - Unlawful obstruction.**

No person, firm or corporation shall by force, threats, intimidation or by placing any kind of barrier or barriers to the entrance of any leisure services facility property, roadway, or designated access way, or by any other means, prevent or obstruct any person from entering, leaving, or making full use of any leisure services facility.

**Sec. 50-61. - Fireworks.**

No person shall fire, discharge or have in their possession any firecracker, sparkler, squib, torpedo, or other fireworks within or upon leisure services facility property unless specifically authorized by the township fire marshal. Sky lanterns are prohibited in accordance with section 46-267 of this Code.

**Sec. 50-62. - Operation of bicycles.**

- (a) Bicycles shall be operated as closely to the right hand side of the path, trail, roadway or designated bikeway area as conditions will permit or on designated bikeway areas, with not more than two bicycles operated abreast. E-bikes shall be permitted on trails in accordance with Public Acts Motor vehicles are prohibited on the public trails.
- (b) No person shall operate any bicycle upon any path, trail, or roadway while carrying any person upon the handlebar or frame of any bicycle; nor shall any person so ride upon the handlebar or frame of a bicycle while said bicycle is being operated by another person.
- (c) Bicycles and e-bikes are allowed where specifically indicated; provided however, that no use shall be allowed outside operating hours.

**Sec. 50-63. - Parking.**

- (a) No person shall operate a motor vehicle to stop, stand or park said vehicle in any place marked as a passenger or loading zone, other than for the expeditious loading or unloading of passengers or for the loading and delivery or pick up of materials.
- (b) No person shall drive or propel any vehicle along or over any park drive at a speed in excess of 25 miles per hour unless otherwise posted.
- (c) No person shall leave or cause to be left any vehicle at a leisure services facility after the hours the leisure services facility is closed or unless approved by the director or their designee.
- (d) No person shall park in a designated handicapped parking space without the required handicapped license plate or parking placard.

**Sec. 50-64. - Public exhibition.**

No person shall exhibit or show any machine, or indulge in any acrobatic exhibition in or upon any leisure services facility, nor shall any person carry on any performance or do anything whatsoever which shall cause persons to congregate so as to interfere with the proper use of such property by the general public, or to obstruct the passage of vehicles or persons without first having obtained a permit from the director or their designee.

**Sec. 50-65. - Peddling and soliciting.**

Individuals or groups seeking signatures for petitions or distributing literature may do so as long as:

- (a) A free flow of traffic, persons, etc. is maintained to effectively manage crowd control.
- (b) Individuals do not harass park attendees.
- (c) Literature is not allowed to become litter.
- (d) If solicitations are being sought, the individual or group must comply with the peddlers and solicitors ordinance, chapter 54 of this Code.

**Sec. 50-66. - Emergency powers.**

- (a) Nothing in these sections shall prohibit or hinder duly authorized law enforcement officers from performing their official duties.
- (b) Nothing in these sections shall prohibit the U.S. Government, the state, the county, the township, or their duly authorized agents, from establishing emergency rules necessary to protect the health, welfare, and safety of leisure services facility visitors and/or to protect leisure services facility property and to maintain order.

**Sec. 50-67. - Noise and disturbance.**

- (a) No person shall use any loud speaker, public address system or sound amplifying equipment of any kind without approval by the director.
- (b) No person shall operate any motor vehicle radio, or sound equipment or any other device in such a manner as to create noise that disturbs or annoys others.
- (c) No person shall engage in any loud, abusive, boisterous or otherwise disorderly conduct tending to create a disturbance or annoyance to others.

**Sec. 50-78. - Hunting and fishing.**

No person shall hunt or attempt to hunt, trap, catch, wound, kill or treat cruelly any bird, fish or animal or molest or rob any nest, lair, den or burrow of any bird, fish or animal at any leisure services facility property; provided that, unless otherwise posted, fishing shall be permitted at leisure services facility property if conducted in compliance with laws of the state.

**Sec. 50-69. - Public involvement in change to parkland or park facility.**

The department shall be responsible for involving the citizens, park users and interested parties in the planning process for identifying future park development or assessing the impact of proposals to undertake changes to a park or park facility, including the disposal or encroachment of the property. The public involvement shall be in accordance to the comprehensive master plan for the township and the township leisure services comprehensive master plan.

**Sec. 50-70. - Disposition of park property.**

The sale, transfer or other disposition of township property including park property shall only occur as authorized and specifically under the process established by statutes of the state, being specifically Act No. 359 of the Public Acts of 1947, the Charter Township Act.

**Sec. 50-73. - Community Gardening.**

Gardening is only permitted in the designated community garden area(s).

**SECTION 2. SEVERABILITY**

If any clause, sentence, section, paragraph or part of this Ordinance, or the application of thereof to any person, firm, corporation, legal entity or circumstances, shall be for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair or invalidate the remainder of this Ordinance. It is hereby declared to the legislative intent of this body that the Ordinance is severable, and that the Ordinance would have been adopted had such invalid or unconstitutional provisions not have been included in this ordinance.

**SECTION 3. REPEAL OF CONFLICTING ORDINANCES**

All Ordinance or parts of Ordinance in conflict herewith is hereby repealed only to the extent necessary to give this Ordinance full force and effect.

**SECTION 4. SAVINGS CLAUSE**

All rights and duties which have matured penalties which have been incurred, proceedings which have begun and prosecution for violations of law occurring before the effective date of this Ordinance are not affected or abated by this Ordinance.

**SECTION 5. PUBLICATION**

The Clerk for the Charter Township of Canton shall cause this Ordinance to be published in the manner required by law.

**SECTION 6. EFFECTIVE DATE**

This Ordinance, as amended, shall be effective upon publication as required by law.

**CERTIFICATION**

The foregoing Ordinance was duly adopted by the Township Board of Trustees of the Charter Township of Canton at its regular meeting called and held on the 26 day of November, 2019, and was ordered to be given publication in the manner required by law.

Michael Siegrist, Clerk

Introduced: November 12, 2019  
Adopted: November 26, 2019  
Published: December 12, 2019  
Effective: January 1, 2020