

**VILLAGE OF MATTAWAN
RECREATION AREA ORDINANCE
ORDINANCE NO. 170**

An Ordinance to set rules, regulations, prohibitions and use of Village owned land and to provide penalties for the violation of its provisions.

THE VILLAGE OF MATTAWAN ORDAINS:

SECTION 1 THAT THE FOLLOWING DESCRIBED PROPERTY, OTHERWISE KNOWN AS THE VILLAGE OF MATTAWAN PARK, SHALL BE SUBJECT AND GOVERNED BY THIS ORDINANCE, SAID PROPERTY DESCRIBED:

A parcel of land in the Village of Mattawan, County of Van Buren, State of Michigan, commencing at the East quarter post of Section 14, Town 3 South, Range 13 West, and running thence North along the east line of said section, 436.65 feet; thence West at right angles to said east line, 33.00 feet to the west line of Main Street at the northwesterly line of the New York Central Railroad right-of-way; thence South 52 degrees 36'05" West 67.0 feet along the northwesterly line of the New York Central Railroad right-of-way to the place of beginning of this description; thence continuing South 52 degrees 36'05" West along the northwesterly line of said right-of-way 248.5 feet to the northeasterly line of Murray Street; thence North 35 degrees 40'15" West along said line, 30.0 feet; thence North 52 degrees 36'05" East 248.5 feet; thence South 35 degrees 40'15" East 30.0 feet to the place of beginning.

SECTION 2 NO PERSON SHALL ON THE ABOVE DESCRIBED LAND:

Operate, control or use a motor driven vehicle of any nature, except by lawfully designated persons.

Operate snowmobile or motorcycle, except on designated and marked paths.

Ride or lead horses or other animals nor permit any cat or dog to run unleashed within the park.

Maintain a campfire except in an area so marked.

Picnic, except in marked area and all trash must be removed and placed in proper receptacles.

SECTION 3 INTOXICATING BEVERAGES

No person may possess or consume any intoxicating beverage on said land.

SECTION 4 TREES AND SHRUBS

No person may remove, injure or deface any tree, shrub or grass.

SECTION 5 VENDING AND PEDDLING

No one may expose or offer for sale any article or thing, nor shall he station or place any stand, cart or structure for display except upon authority from a lawfully designated person.

SECTION 6 ADVERTISING

No advertising signs shall be permitted except upon the authority of a lawfully designated person.

SECTION 7 LAWFULLY DESIGNATED PERSON

A designated person shall be one who is directed by the Village Council to perform certain function for said Village.

SECTION 8 PARK HOURS

The above-described land shall be open to the public between the hours of 6:00 a.m. and 11:00 p.m.

SECTION 9 FESTIVALS, FUNDRAISERS, AND COMMUNITY FUNCTIONS

The Village Council may annually designate three consecutive days for the purpose of holding Mattawan Train Festival within the Village Park. During this designated time, the provisions provided for in this ordinance under Sections 3, 5, 6, and Section 8 may be suspended. The full force, meaning, and substance of the suspended sections shall be reinstated at 12:01 a.m. the first day immediately following the final day of the festival as established by the Village Council.

The Village Manager may grant use of the park, and waive any section of this ordinance upon permission of the Village Council, to another organization who's intent is to promote the community or community involvement provided that all other relevant state and local statues are met. (Ord. No. 170, eff. July 31, 1998, amended by Ord. No. 194, eff. April 13, 2001.)

SECTION 10 PENALTIES

Any person convicted of violating or assisting in the violation of any provision of this Ordinance shall be guilty of a misdemeanor and subject to a fine of not more than five hundred dollars (\$500.00) and costs of prosecution or by imprisonment in the County Jail for not more than ninety (90) days, or both at the discretion of the Court. Each violation and every day upon which such violation shall occur shall be a separate offense.

SECTION 11 REPEAL CLAUSE

Any Ordinance or parts of any Ordinance of the Village of Mattawan in conflict with this Ordinance is hereby repealed.

SECTION 12 SEVERABILITY

The provisions of this Ordinance are hereby declared to be severable and if any clause, sentence, paragraph, section or subsection is declared void or inoperable for any reason, it shall not affect any other part or portion hereof.

SECTION 13 EFFECTIVE DATE

This Ordinance shall become effective July 31, 1998.