

STATE OF MICHIGAN  
COUNTY OF OAKLAND  
CITY OF AUBURN HILLS

ORDINANCE NO. 22-927

AN ORDINANCE TO AMEND CHAPTER 50, PARKS AND RECREATION, OF THE CITY OF AUBURN HILLS CODE OF ORDINANCES, AS AMENDED, TO AMEND SECTION 50-3 – REGULATIONS GOVERNING CITY PARKS AND CITY RECREATIONAL GROUNDS

THE CITY OF AUBURN HILLS ORDAINS:

SECTION 1.

**Sec. 50-3. Regulations governing city parks and city recreational grounds.**

- (a) All city parks and the recreational grounds of the city civic center shall be open daily year round to the public from 7:00 a.m. until 5:00 p.m. or dusk, whichever is later. It shall be unlawful for any person or vehicle, other than city employees or vehicles on authorized city business, to be present in a city park or the recreational grounds of the city civic center at any time other than that set forth in this subsection, unless the person is participating in part of and/or viewing a city-sponsored activity and/or function or the person and/or organization that the person is a member of has been granted permission by the city manager and/or his designee to be present in a city park or the recreational grounds of the city civic center at a specific time other than that set forth in this subsection.
- (b) Except as otherwise provided in this subsection, it shall be unlawful for any person at any time to possess, consume, sell, distribute or transport any alcoholic beverages of any kind in or upon the city parks, city facilities or the recreational grounds of the city civic center. The consumption and/or sale of alcoholic beverages in city parks, city facilities and/or the recreational grounds of the city civic center may be permitted by the city administratively subject to the following conditions:
  - (1) The Auburn Hills City Manager and/or his/her designee may, in their sole discretion, issue a permit to allow the consumption of alcoholic beverages during city approved events, including, but not limited to, city or its authorities' sponsored events, weddings, bar/bat mitzvahs, corporate meetings and/or retreats, and/or other similar city approved events taking place in city parks, city facilities and/or recreational grounds of the civic center. The city manager and/or his/her designee may in their sole discretion allow the consumption of alcoholic beverages by those individuals or groups using E. Dale Fisk Hawk Woods Park for lodge rentals, cabin rentals, campground or campsite rentals, provided that said individuals or groups have a signed rental contract (permit) from the city and said individuals and/or groups comply with the rules, regulations and requirements contained in the rental contract (permit), as well as, the laws governing the consumption of alcohol.  
If the Auburn Hills City Manager and/or his/her designee issues a permit, individuals of legal drinking age may bring beer and/or wine to city approved events in city parks, city facilities and/or the recreational grounds of the city civic center and only personal/individual sized coolers are allowed and except for bottles of champagne or wine, no glass containers shall be permitted.

- (2) The Auburn Hills City Manager and/or his/her designee may, in their sole discretion, issue a permit to allow the sale of alcoholic beverages during city approved events in city parks, city facilities and/or the recreational grounds of the civic center, by a city approved, licensed, bonded and insured third party vendor or concessionaire.
- (3) The consumption of alcoholic beverages as permitted in this subsection shall only be allowed in designated areas approved by the Auburn Hills City Manager and/or his/her designee.
- (c) It shall be unlawful for any person to vandalize, burn, deface, or destroy in any fashion any city property located in any city park and the recreational grounds of the city civic center, including, but not limited to, property such as picnic tables, barbecues, fencing and gates, signs, grass, trees and shrubs.
- (d) It shall be unlawful for any person to operate or bring onto any city park and the recreational grounds of the city civic center, except on designated roads and parking areas, any motorized vehicles, including, but not limited to, cars, trucks, vans, motorcycles, mopeds, snowmobiles, and all terrain vehicles of any type.
- (e) It shall be unlawful for any person to engage in any type of hunting or trapping on any city park and the recreational grounds of the city civic center.
- (f) Except as authorized by law, it shall be unlawful for any person to possess any weapon in any city park or the recreational grounds of the city civic center, including, but not limited to, weapons such as firearms, BB guns, pellet guns, slingshots and bows and arrows.
- (g) It shall be unlawful for any person to obstruct any roadway, lane or sidewalk in any city park or the recreational grounds of the city civic center.
- (h) It shall be unlawful for any persons to congregate in any of the parking areas in any city park or the recreational grounds of the city civic center.
- (i) It shall be unlawful for any person to bring onto any city park and the recreational grounds of the city civic center any animals other than dogs on a leash.
- (j) It shall be unlawful for any person to use and/or smoke a cigarette, e-cigarette, cigar, hookah, pipe, or other device that contains tobacco or any other similar combustible product where signs are posted prohibiting smoke and/or smoking, as determined by the city manager, within the following City of Auburn Hills public parks: Civic Center Park (not including the Community Center and the portion of the Civic Center Campus North of the Community Center), Riverside Park, River Woods Park, Manitoba Park, E. Dale Fisk Hawk Woods Nature Center, Auburn Hills Skate Park, Dennis Dearing Jr. Memorial Park, and the Clinton River Trail. A violation of this subsection shall be a civil infraction punishable by a civil fine not to exceed \$100.00 and costs of prosecution.

## **SECTION 2. Repealer.**

All ordinances, or parts of ordinances, in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

**SECTION 3. Severability.**

If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any Court of competent jurisdiction, such section, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

**SECTION 4. Savings.**

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law when they were commenced.

**SECTION 5. Effective Date.**

The provisions of this Ordinance are hereby ordered to take effect upon publication in the manner prescribed by the Charter of the City of Auburn Hills.

**SECTION 6. Adoption.**

This Ordinance is hereby declared to have been adopted by the City Council of the City of Auburn Hills at a meeting thereof duly called and held on the 6<sup>th</sup> day of June, 2022, and ordered to be given publication in the manner prescribed by the Charter of the City of Auburn Hills.

(Ord. No. 353, § 2, 4-1-85; Ord. No. 533, § 2, 1-25-93; Ord. No. 17-888, 2-27-17; Ord. No. 19-911, § 1, 8-26-19; Ord. No. 20-917, § 1, 7-20-20)

AYES: 7 (Carrier, Hawkins, Kittle, Knight, Marzolf, McDaniel, Verbeke)  
 NAYS: None  
 ABSENTS: None  
 ABSTENTIONS: None

STATE OF MICHIGAN )  
COUNTY OF OAKLAND )

)SS.

I, the undersigned, the duly qualified and acting City Clerk for the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance No. 22-927 adopted by the Auburn Hills City Council at a regular meeting held on the 6<sup>th</sup> day of June, 2022, the original of which is in my office.

IN WITNESS WHEREFORE, I hereby affix my signature on this 7<sup>th</sup> day of June, 2022.

Kevin R. McDaniel, Mayor

Laura M. Pierce, City Clerk