

Rules and Regulations

Use of Parks & Park Permits

1. The use of any City of Birmingham park or facility is at your own risk. The City does not assume responsibility for injury or for any loss, theft or damage to personal items.
2. A rental permit is required for reservation of all city facilities. No refund of the rental fee shall be made due to inclement weather. Park permits may not be assigned or otherwise transferred. A hold harmless agreement must be executed in order to obtain a permit.
3. A person holding a park permit shall maintain such permit in his or her possession at all times while utilizing the municipal facility. Such permit shall be presented by its holder upon request by a City official or employee. A permit does not give its holder exclusive use of the entire park, except for Springdale Shelter.
4. All set-up/clean-up must be done by the permit holder.
5. All parks must be maintained and left in a neat and clean condition, with garbage and refuse prepared for proper disposal. The person or entity in whose name the rental permit is issued shall be responsible for leaving the facility in a clean and orderly condition. Further, the permit holder accepts full responsibility for all damage to City property as a result of its activities. A fee may be assessed should clean up or repair by the City become necessary. This fee shall include, but is not limited to, all labor, equipment and administration expense incurred by the City.
6. Any equipment, valuables, or clothing left in or around the park shelter on closing shall be kept at the City of Birmingham Parks and Recreation office for two weeks. Contact the office at (248) 530-1642 to make arrangements for pick-up.
7. The City reserves first priority with regard to the use of all City Parks. A park permit grants its holder a permit to use the park or public property for a specified date and time and is revocable by the City. The City may order revocation of a park permit, at any time with refund of fees paid, and all permits are granted with this understanding.
8. The Director of Public Services may, subject to the approval of the City Manager and the City Commission, establish supplemental

regulations for all uses requiring the issuance of a permit for use of municipal facilities and fees for the use of the various facilities.

Alcoholic Beverages & Intoxicants

9. It shall be unlawful for any person to possess or consume any alcoholic liquor, intoxicants, including spirits, beer or wine, in any recreational facility, city owned property or park operated by the City or during any function, sporting event, skating exhibition, dance or other event; unless such alcoholic beverages were purchased on city owned premises from a duly licensed vendor or served in accordance with a Special Event permit issued through the City Clerk's office. Birmingham Golf Courses have MLCC-issued liquor licenses.

Smoking

10. Smoking of tobacco or any other substance, or smoking, consumption or use of marijuana products, or use of vapor producing products such as an e-cigarette or similar device, is strictly prohibited pursuant to city ordinance, in all buildings, facilities, parks and playgrounds operated and maintained by the City of Birmingham.

Park Hours

11. City parks and public property are open between the hours of 6:00 am to 10:00 pm except as noted below or as posted. Between the hours of 10:00 pm to 6:00 am, parks and public property are closed and during such hours, no person shall enter into or remain on such property, except those persons whose presence is related to or in connection with a municipal activity.

- (1) Springdale Park hours shall coincide with Springdale Golf Course hours and park rentals. The closing of the park is up to the discretion of the City of Birmingham Representative on duty.
- (2) The Skate Park is open from 8:00 am to 10:00 pm.

For purposes of this section, public property shall be deemed to be property zoned as public property under the provisions of chapter 126.

Animals

12. Leashed dogs are allowed in any public park except in those areas as designated and posted by the Department of Public Services. Dogs are allowed on public property as long as they are restrained by a six foot maximum length chain or leash and under the reasonable control of some person. Owners and walkers of dogs on public property must comply with all City ordinances, including Chapter 18, Article II, pertaining to dogs and cats.

Sec. 18-33 Restraint of dogs.

It shall be unlawful for any owner of any dog to permit the dog to go beyond the premises of such owner unless restrained by a chain or leash and under the reasonable control of some person. (Code 1963, § 9.80(1))

13. Dogs are not permitted in any public playground or in any **other** area designated by the Department of Public Services. These areas shall generally include, but shall not be limited to, areas under and immediately adjacent to play structures and play equipment; sandboxes; the playing surface of ball fields, soccer fields, tennis courts, outdoor ice rinks, golf courses and sledding hills, when such areas are in use; pavilions and stages; fountains; and in areas designated for City permitted events and functions of concentrated use during said event or function.

Sanitation

14. The owner or walker of a dog is responsible for the collection of all fecal matter and the disposal of such fecal matter in an appropriate city waste receptacle or in accordance with ordinance Section 18-35 Sanitation.

Sec. 18-35 Sanitation.

(a) It shall be unlawful for any person to permit any animal owned or harbored by him to deposit fecal matter in any place other than the premises where the animal is harbored or kept, unless such fecal matter is immediately collected and removed to the premises where the animal is harbored or kept.

(b) It shall be unlawful for any person to walk any animal on any property not owned by such person, whether public or private, unless such person has an appropriate device for the collection of fecal matter in his immediate possession and an appropriate depository for the transmission of fecal matter to the premises where the animal is harbored or kept.
(Code 1963, § 9.95; Ord. No. 1586, 4-18-94)

Sound Amplification

15. The use of loudspeakers or other sound enhancing equipment for the amplification of sound or music is prohibited, unless allowed by permit issued by the City. Any amplification must be reasonable as to not disturb the peace.

Fires

16. Open burning of any kind is prohibited at all city parks and 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, facility or trail. However, the use of barbecue burners or cooking in the picnic area at Springdale Park is permissible. No person shall leave the immediate vicinity of any fire, which he/she has started or used without first extinguishing the fire.

Fireworks & Explosives

17. No person shall bring into a park, or public property or have in his possession, or set off or otherwise cause to explode any firecrackers, torpedo, rocket or other fireworks or explosives, or discharge them or throw them into any park area from land or property adjacent thereto.

Obstructions; Damage; Fences; Disposal

18. No person shall obstruct any walkway or driveway in any public park or playground. No person shall injure, mar or damage, in any manner, any monument, ornament, fence, bridge, seat, tree, fountain, shrub, herbaceous plant, flower, playground equipment, or other public property within or pertaining to such parks.

19. No person shall interfere with any fence constructed in or about any park; or deface, injure, remove, or destroy any tree, shrub, herbaceous plant, flower, or turf in any park or boulevard; or remove any dirt, sand or earth from any park or boulevard, or otherwise remove, destroy or injure any property therein; or leave or deposit any filth, rubbish, dirt, wastepaper or other refuse in any place in any park or boulevard except in containers provided in parks for that purpose. Dumping or disposal of household or commercial waste transported from off-site to city property is prohibited.

Peddling, Vending, Advertising and Signs

20. No person shall engage in the business of peddling or vending in any City of Birmingham Park without first obtaining a license from

the city clerk's office. Contact the office at (248) 530-1880 for additional information.

21. No person shall expose, distribute, place any sign, advertisement, circular notice, or statement, or display any banner, City of Birmingham emblem, or design without written permission from the City.

22. Decorations may be attached to the Springdale shelter by means of masking or cellophane tape only. There should be no decorations drilled, fastened, or otherwise attached to the shelter with materials such as staples, nails, or tacks.

Boating

23. No person shall place or operate any boat propelled by any engine in or upon waters in any park in the city, including the water of Quarton Lake.

Fishing and Wildlife

24. Subject to State of Michigan fishing licenses regulations, fishing in a body of water in a Birmingham park, including Quarton Lake is allowed. Fishing is not allowed at either Lincoln Hills Golf Course or Springdale Golf Course.

25. No person shall feed any geese, ducks, birds or other fowl in any City Park or any municipal Golf Course.

26. No person, except an authorized city employee shall injure, kill or capture any wild bird, or disturb any wild bird's nest or the contents thereof.

Swimming

27. Swimming and/or wading is prohibited in any lake, river, public fountain or public pond in the City of Birmingham.

Vehicles

28. No vehicles, except authorized City vehicles, are allowed to be driven across lawns, sidewalks, or any other park surface for any reason.

29. No person shall operate, use, ride, or pull another individual on a wheeled vehicle, on City-owned tennis courts, basketball courts, fountains and stone work ledges. Prohibited wheeled vehicles

include, but are not limited to, in-line skates, skateboards, bicycles, hover boards, wagons, roller-skates, and scooters.

30. It is unlawful for any person to operate any motorized vehicle, trail bike, all-terrain vehicle, or similar type of motorized sport vehicle anywhere in any park or trail, except for the proper use of golf carts on city golf courses.

Violation of Rules & Regulations

31. Violation of these rules or other posted rules is a misdemeanor punishable by a fine up to \$500, or imprisonment for a term not exceeding 90 days, or both.

City Commission Approval: 3/8/2021
Parks and Recreation Board Approval 12/1/2020