

ALMENA TOWNSHIP
VAN BUREN COUNTY, MICHIGAN

ORIGINAL

PUBLIC LAND ORDINANCE
ORDINANCE NO. 2022-03

At a meeting of the Township Board of Almena Township, Van Buren County, Michigan, held at the Almena Township Hall on 4-15, 2022 at 4:30 p.m., Township Board Member N. Tomlin moved to enact the following Ordinance for adoption, which motion was seconded by Township Board Member K. Friedman:

An Ordinance to Provide for the Use, Protection, Regulation, and Control of the Public Land, Public Facilities and other Matters Concerning Recreation, Conservation, Education, and Scenic Areas and to Provide for the Adoption of Supplementary Rules and Regulations and other Matters Related to the Use of and Conduct on Public Lands.

THE TOWNSHIP OF ALMENA, COUNTY OF VAN BUREN, ORDAINS:

Section 1: Title.

This ordinance shall be known and referred to as the “Almena Township Public Lands Ordinance.”

Section 2: Definitions.

- A. “Camp” means the overnight lodging or sleeping of person or persons on the ground or in any manner, or in any sleeping bag, tent, trailer-tent, trailer coach, vehicle camper, motor vehicle, boat, or in any other conveyance erected, parked, or placed on the premises or waters within any public land under the jurisdiction of Almena Township.
- B. “Parking Area” means any off-street area, whether paved or not, which is designated for public parking.
- C. “Public Land” means the real property owned and controlled by Almena Township identified in the following table:

Tax ID	Address / Commonly Known As	Approximate Acres
08-01-012-002-00	23751 28 th Avenue	79
08-01-011-003-00	28 th Avenue	322.6
08-01-021-013-00	38064 CR 653	9.7
80-01-027-009-00	28001 CR 375	2.9
80-01-028-002-00	42501 CR 653	1.6
80-01-028-033-00	42499 CR 653	0.5
80-01-028-035-00	28001 CR 375	1.1
80-01-027-007-02	27625 CR 375	32.2

- D. "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices exclusively moved by human power or used exclusively upon stationary rails or tracks.

Section 3: Hours.

No person shall be on Public Land earlier than one hour before sunrise or later than one hour after sundown. Anyone wishing extended hours usage may make the request to the Township Board.

Section 4: Prohibited Conduct.

- A. No Overnight Stay. No person shall camp or otherwise remain upon Public Land property between posted closing times and sunrise.
- B. No Structures. A person shall not build, affix, or erect any structure upon Public Lands unless authorized by the Township Board.
- C. No Blinds or Stands. A person shall not build, affix, place, or erect any tree stand, blind, or other structure for hunting at any time.
- D. No Alcohol. It shall be unlawful for any person to have actual possession of any alcoholic beverages on his or her person while on Public Land, or for any person to consume, give, sell, deliver, or offer to give, sell, or deliver, directly or indirectly, any alcoholic beverage to any person on Public Land.
- E. No Vehicles.
- 1) No person shall leave, or cause to be left, any vehicle on Public Lands. Sheriff deputies, Township police and fire departments are authorized to remove or have removed any such vehicle at the owner's expense.
 - 2) No Vehicle shall operate, drive, sit, or stand on any Public Land except for operation on improved roadway designed for vehicle travel or parking within a parking area. Wheelchairs or other ADA ambulatory assistance devices and vehicles necessary for maintenance or emergencies are exempt from this subsection.
 - 3) Overnight parking is prohibited.
- F. No Fires.
- 1) No unauthorized person shall willfully set or cause to be set on fire any tree, woodland, brush land, grassland, meadow or structure on Public Land.

- 2) No person shall drop, throw, or otherwise scatter lighted matches, burning cigars, cigarettes, tobacco paper, or other flammable materials on Public Land.
 - 3) No fires shall be allowed on Public Land except as authorized from time to time by the Township Board for controlling or eliminating nonnative species; promoting or preserving the integrity, quality, and function of the ecological resources; or preserving the public health, safety, or welfare of the Township, its citizens and visitors.
- G. No Firecrackers.** No person shall fire, discharge, or have in their possession any rocket, firecracker, torpedo, squib, or other firework or any substance of an explosive nature within or on Public Land.
- H. No Private Signs.** Other than the Township, no person shall affix, place, or erect any sign on Public Land.

Section 5: Enforcement and Penalties.

- A. A violation of this Ordinance is a municipal civil infraction and shall be enforceable through all the authority granted to the district courts under MCL 600.8701 *et seq.*, as amended, for which the fine shall be established by resolution of the Township Board in an amount not to exceed five hundred dollars (\$500.00) per violation, together with the costs of enforcing this Ordinance including, but not limited to, collection of attorney fees and court costs, pursuant to and as limited by MCL 600.8727(3).
- B. Any law enforcement officer, the code enforcement officer, Township Supervisor, and any person the Township Board shall designate may administer and enforce this Ordinance.

Section 6: Severability.

The provisions of this Ordinance are declared severable. If any part of this Ordinance is declared invalid for any reason by a court of competent jurisdiction, that declaration does not affect or impair the validity of all other provisions that are not subject to that declaration.

Section 7: Repeal.

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 8: Effective Date.

This Ordinance shall take effect thirty (30) days after its publication following final adoption as required by law.

YEAS: K. Redmond, N. Tomaz, G. M. P. P., T. Kloosterman
S. Rickli, B. VanTassel

NAYS: Ø

ABSENT: G. Babik

ORDINANCE DECLARED ADOPTED.

Bill Van Tassel
Bill Van Tassel, Almena Township Supervisor

CERTIFICATION

I hereby certify that:

1. The above is a true copy of an Ordinance adopted by the Almena Township Board at a duly scheduled and noticed meeting of that Township Board held on JUNE 15, 2022, pursuant to the required statutory procedures.
2. A summary of the Ordinance was duly published in the Courier Leader newspaper, a newspaper that circulates within Almena Township on JULY 14, 2022, 2022.
3. Within 1 week after such publication, I recorded the above Ordinance in a book of ordinances kept by me for that purpose, indicating the date of passage of the Ordinance, the names of the members of the township board voting, and how each member voted.
4. I filed an attested copy of the above Ordinance with the Van Buren County Clerk on JULY, 2022.

ATTESTED:

Sandra D. Rickli
Sandra Rickli, Almena Township Clerk

AFFIDAVIT OF PUBLICATION

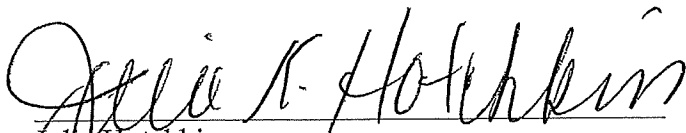
State of Michigan
County of Van Buren

R. Michael Wilcox, being duly sworn says he is one of the principal clerks of the Courier - Leader, a weekly newspaper published and circulated in said county. The annexed is a printed copy of a notice which was published in said newspaper on the following date(s), to wit: 6-23


R. Michael Wilcox

Subscribed and sworn to before me this

12th day of July A.D. 2022


Julie Hotchkiss
Notary Public, Allegan County, Michigan.
Acting In Allegan County, Michigan

My commission expires 03/15/2023

KAEICHELE PUBLICATIONS, INC.

The Allegan County News - The Union Enterprise
The Commercial Record
P.O. Box 189, Allegan, MI 49010 - (269) 673-5534 -
Fax (269) 673-5535

ALMENA TOWNSHIP VAN BUREN COUNTY, MICHIGAN NOTICE OF ADOPTION OF PUBLIC LAND ORDINANCE

Ordinance No. 2022-03

Please take notice that on June 15, 2022, the Township Board of Almena Township adopted Ordinance No. 2022-03, which provides for the use, protection, regulation and control of the public land, public facilities and other matters concerning recreation, conservation, education, and scenic areas and to provide for the adoption of supplementary rules and regulations and other matters related to the use and conduct on public lands and repeal all conflicting ordinance or parts of ordinances in conflict, in order to further the public health, safety, and welfare in Almena Township. Copies of the complete text of the Ordinance may be obtained from Clerk Sandi Rickli at the Township office 27625 County Road 375, Paw Paw, MI 49079 or by e-mail at almenaclerk@comcast.net.

The Ordinance has the following sections and catch lines: Section 1: Title; Section 2: Definitions; Section 3: Hours, being generally one hour before sunrise to one hour after sundown; Section 4: Prohibited Conduct, which among other things, prohibits staying overnight and erecting structures, blinds, or stands on Public Lands; Section 5: Enforcement and Penalties, being a municipal civil infraction; Section 6: Severability; Section 7: Repeal; and Section 8: Effective Date, which is thirty (30) days after this publication.

Published by Order of the Township Board
Almena Township, Van Buren County

Sandi Rickli, Clerk
27625 County Road 375, Paw Paw, MI 49079
(269) 668-6910