

## AGENDA REPORT

**To:** Mayor Pat Humphrey & the Clare City Commission  
**From:** Ken Hibl, City Manager  
**Date:** April 10, 2019  
**RE:** Ordinance 2019-006 - Chapter 30 (Recreation)

For the Agenda of April 15, 2019

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*Background.* Based on enforcement issues the City experienced last summer at the Pettit Park Campground, the City Staff requested the City Attorney amend the current language in Sec 30-75 of the City's current ordinance codes. These changes are outlined in Ordinance 2019-006 (*copy att'd*) for the City Commission's consideration.

All ordinance code changes or amendments require the approval of the Clare City Commission. And all ordinances require two readings and approval of the Clare City Commission subsequent to a public hearing. The required public notice (*copy att'd*) announcing the hearing has been published. Subsequent to the conduct of the hearing, the Commission has the option of allowing a First Reading of the proposed Ordinance or denying the conduct of a First Reading, thereby rejecting the proposed new ordinance.

The City Commission is asked to conduct the required public hearing and approve or deny a First Reading of the proposed ordinance.

*Issues & Questions Specified.* Should the City Commission hold the requisite public hearing and allow a First Reading of the proposed small cell wireless amendment to our Recreation ordinance?

*Alternatives.*

1. Hold the hearing and allow a First Reading of the proposed ordinance.
2. Hold the hearing and allow a First Reading with amendments or modifications to the proposed ordinance.
3. Hold the hearing and deny the First Reading, thereby rejecting the proposed new ordinance.
4. Set aside the decision regarding this matter to a later date.

*Financial Impact.* None.

*Recommendation.* I recommend the City Commission hold the requisite public hearing and allow a First Reading of the proposed Recreation ordinance.

*Attachments.*

1. Ordinance 2019-006.
2. Public Notice.

ORDINANCE NO. 2019 - 006

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF CLARE BY amending the City Code, Chapter 30.

Short Title: CITY OF CLARE – ORDINANCE AMENDMENT

**Chapter 30, Article III, Section 30-75, of the Clare City Code is hereby revoked and restated as follows:**

Sec. 30-75. - Camping in Pettit Park.

It shall be unlawful to do any of the following upon city park lands:

- (1) *Designated camping areas.* Camp in any city park on city owned lands without written permission. Pettit Park is a state licensed campground and camping is permitted only in a designated number of campsites.
- (2) *Camping fees*
  - ~~(a) Camp in any designated campsite without a valid camping receipt showing payment and the dates for which payment was made. The camping permit receipt must be filled out completely with all information requested. The camping receipt (white copy) is the camper's written permission to camp.~~
  - ~~(b) Camp fees shall be paid in accordance with the system designated by the City from time to time.~~
  - ~~(c) Camping without having paid the camping fee is hereby designated as unlawful.~~
- (3) *Visitors.* Be in Pettit Park after curfew 11:00 p.m. to 6:00 a.m. without a proper receipt of payment for camping. The camping receipt (white copy) visibly displayed on the vehicle or camping unit window is written permission for campers to be within the park boundaries after curfew.
- (4) *Registration.* Each camper shall properly register for each night's camping in accordance with the City procedures then established.
- (5) *Quiet hours.* Between the hours of 11:00 p.m. to 6:00 a.m. it shall be unlawful for persons who are not registered campground users to be in the campground or day use area.
- (6) It shall be unlawful for individuals to wash dishes at the water pumps or water supply.
- (7) It shall be unlawful for park users to fail to clean up their camp site daily.

- (8) It shall be unlawful for camp users to discharge waste of any type except into designated containers or the dump station.
- (9) It shall be unlawful for unsupervised children to occupy a campsite. Supervision must be provided by a parent or legal guardian eighteen years of age or older.
- (10) It shall be unlawful for a person to occupy the campground as a permanent or semi-permanent residence or to operate a business from the premises. Campers shall not occupy any campsite within park for more than 14 consecutive days. A minimum of three days before reentry is allowed.
- (11) *Pets.* Possess any animal considered a pet, unless such pet is on a leash no longer than six feet, or allow a pet to disturb or annoy other park users, or fail to clean all ~~droppings~~ scat and other messes created by a pet in such person's possession. Running a pet for the purpose of relieving itself is unlawful, except in designated pet runs. It shall be unlawful for pet owners to relinquish control and supervision of their pet(s) at all times.

Passed by the City Commission of the CITY OF CLARE on \_\_\_\_\_, at its regular meeting with \_\_\_\_\_ commissioners in attendance, \_\_\_\_\_ voting aye, \_\_\_\_\_ nay. Adopted by the City Commission of the City of Clare this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Signed: \_\_\_\_\_, Chair.

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I hereby certify that the foregoing was duly adopted by the CITY COMMISSION of CITY OF CLARE, Michigan, at its regular meeting on the \_\_\_\_\_ of \_\_\_\_\_, 2018, that of \_\_\_\_\_ members of the City Commission, \_\_\_\_\_ were in attendance and \_\_\_\_\_ voted for the adoption of the Ordinance. I further certify that the above and foregoing ordinance is recorded in Ordinances for the CITY OF CLARE.

Effective Date

This Ordinance shall take effect thirty (30) days following date of publication as required by law. All Ordinances or part Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

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Diane Lyon, Clerk

## **NOTICE OF PROPOSED ORDINANCE AMENDMENTS**

### **CITY OF CLARE PUBLIC NOTICE**

The City of Clare City Commission will hold a public hearing on Monday, April 15, 2019, at 6:00 p.m. at Clare City Hall, 202 W. Fifth Street, to receive public comments pertaining to an amendment of the City of Clare Code of Ordinances regarding Chapter 22, Article III, Sections 22-50 & 22-51, Fireworks; Chapter 26, Article IV, Marihuana Civil Infractions; Chapter 28, Article V, Section 124 & 28-125, Disorderly Intoxication and Section 28, Article VII, Section 209, Consumption of alcoholic beverages in public; Chapter 30, Article III, Section 30-75, Camping in Pettit Park; Chapter 41, Special Events, Sections 41-1, thru 41-11 and 41-20; . A copy of the proposed Ordinance amendment is available for review in the Clerk's office, Monday through Friday, 8 am to 5 pm. The City Commission will accept comments at the hearing or in writing if the written comments are received by the City Clerk not later than 5 p.m. on the date of the hearing. The City of Clare is an equal opportunity employer and provider.

Diane Lyon  
Clare City Clerk

