

**DEPARTMENT OF NATURAL RESOURCES**  
**FINANCE AND OPERATIONS DIVISION**  
**RECREATION BOND PROGRAM**

(By authority conferred on the department of natural resources, by section 71514 of 1994 PA 451, MCL 324.71514)

**R 318.201 Rescinded.**

History: 1989 AACS; 2014 AACS.

**R 318.202 Rescinded.**

History: 1989 AACS; 2014 AACS.

**R 318.203 Rescinded.**

History: 1989 AACS; 2014 AACS.

**R 318.204 Rescinded.**

History: 1989 AACS; 2014 AACS.

**R 318.205 Rescinded.**

History: 1989 AACS; 2014 AACS.

**R 318.206 Rescinded.**

History: 1989 AACS; 2014 AACS.

**R 318.207 Rescinded.**

History: 1989 AACS; 2014 AACS.

**R 318.208 Rescinded.**

History: 1989 AACCS; 2014 AACCS.

**R 318.209 Post-completion responsibilities.**

Rule 9. The local unit of government shall be required to operate and maintain a site developed with fund assistance as follows:

(a) The site shall be maintained to appear attractive and inviting to the public.

(b) Sanitation and sanitary facilities shall be maintained in accordance with applicable health standards.

(c) Sites shall be kept safe for public use. Fire prevention equipment, life saving equipment, and similar safety efforts shall be maintained for public safety.

(d) Facilities shall be maintained to prevent undue deterioration and to encourage public use.

(e) Sites shall be kept open for public use at times appropriate to the type of area or facility.

(f) Access to a site shall not be denied a person on the basis of residence. Preferential reservation, membership, or annual permit systems are prohibited, except to the extent that differences in admission and other fees may be instituted on the basis of residence. Nonresident fees shall not be more than twice that charged residents. If resident fees are not charged, nonresident fees shall not be more than the rate charged residents at other facilities in the area open to the public.

(g) Local units of government may impose reasonable limits on the type and extent of use of a facility when such limitations are necessary for maintenance or safety. Thus, limitations may be imposed on the numbers of persons who use a facility or the type of users, such as "hikers only" or "bicyclists only."

(h) Any site, or portions thereof, developed with fund assistance shall not be sold, disposed of, or converted to a use other than that use specified in the project agreement without the express approval of the commission. The commission has the authority to deny requests or require mitigation for sale, disposal, or conversion on a case-by-case basis. The denial of requests or the requiring of mitigation shall be based on an evaluation of the effect of such action on the original intent for which the grant was given.

(i) Local units of government are not required to continue the operation of a facility beyond its useful life. The operation of facilities funded under this program may be discontinued upon approval of the commission.

(j) Failure to comply with post-completion responsibilities as specified in subdivisions (a) to (i) of this rule shall be considered cause for the commission to take the following action or actions, as deemed appropriate:

(i) Withholding future payments to the local unit of government on any or all current recreation grant projects until the compliance issue is resolved.

(ii) Withholding action on all pending and future grant applications of the local unit of government submitted under the recreation bond, natural resources trust fund, and land and water conservation fund programs.

(iii) Other mitigation as required by the commission.

History: 1989 AACCS.

**R 318.210 Inspection responsibilities.**

Rule 10. To determine whether sites developed with fund assistance are being maintained for the use specified in the project agreement, these rules, and the act, the department shall conduct compliance inspections not more than 5 years after the date of final payment to the local unit and, thereafter, periodically for the life of the facility.

History: 1989 AACS.

**R 318.211 Rescinded.**

History: 1989 AACS; 2014 AACS.