

**TOWNSHIP OF LAKE**  
**Huron County, Michigan**

**LAKE TOWNSHIP WATERCRAFT HOISTS AND DOCK ORDINANCE**

**(ORDINANCE NO: 2023-1)**

At a regular meeting of the Township Board for Lake Township held at the Lake Township offices on August 21, 2023 at 7:30 p.m., this Ordinance was offered for adoption by Township Board Member Clay Kelterborn and was seconded by Township Board Member Nicole Collins:

**AN ORDINANCE TO PROTECT THE HEALTH, SAFETY AND GENERAL WELFARE OF PERSONS AND PROPERTY WITHIN THE TOWNSHIP OF LAKE BY THE ADOPTION OF REGULATIONS AND REQUIRING REGISTRATION AND IDENTIFICATION OF WATERCRAFT HOISTS AND DOCKS IN LAKE TOWNSHIP; TO IMPOSE PENALTIES FOR THE VIOLATION THEREOF; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.**

**THE TOWNSHIP OF LAKE (the "Township"), HURON COUNTY, MICHIGAN, ORDAINS:**

**Section 1. Intent**

The intent of this Ordinance is to regulate and establish mandatory registration and identification of all watercraft hoists and docks placed in the waters of Lake Huron and Saginaw Bay along the shoreline within Lake Township, as well as the reasonable regulation of such items.

**Section 2. Purpose**

The purpose of this Ordinance is to protect the public health, safety and general welfare of persons and property within the Township of Lake by regulating and requiring registration and identification and of all structures placed in the waters of Lake Huron and Saginaw Bay within or adjacent to Lake Township.

**Section 3. Registration**

Before installing, using or placing any structure or item, including but not limited to, boat hoists, personal watercraft hoists, docks and piers, in the waters or on the shore of Lake Huron or Saginaw Bay within or adjacent to the Township, a copy of the permit obtained from the U.S. Army Corps of Engineers, as required, shall be provided to Lake Township for registration of the permitted structure or item. If no such federal or state permit is required, the owner of the item shall obtain a permit from Lake Township.

#### **Section 4. Dates In/Dates Out of Saginaw Bay and Lake Huron Waters**

- A. No boat hoist or cradle, personal watercraft hoist or cradle, pier or dock shall be allowed to be stored or kept on the beach (i.e. that area between the lake waters and the upland portion of the lot or parcel at least 20 feet landward of the ordinary high water mark) between the Memorial Day Weekend and Labor Day Weekend, but shall either be installed in the waters of Lake Huron or Saginaw Bay or be kept upland from the beach or shore area (i.e. at least 20 feet landward of the ordinary high water mark). All of the aforementioned structures and items must be fully removed from the waters of Saginaw Bay and Lake Huron by November 1<sup>st</sup> and shall not be placed back in lake waters before the following April 15.
- B. If a lake access easement, road end, platted park or similar common or joint use area or land is involved, then no boat hoist or cradle, personal watercraft hoist or cradle, pier or dock shall be allowed to be stored or kept on the beach or dry land portion thereof between the Memorial Day Weekend and Labor Day Weekend, but shall be installed in the waters of Lake Huron or Saginaw Bay (and shall not be kept on dry land during that time period within the lake access easement, road end or similar common or joint use area or land). Except as modified by this Subsection B, the balance of Subsection A shall apply.

#### **Section 5. Condition and Repair**

Every boat hoist or cradle, personal watercraft hoist or cradle, pier, dock or similar item shall be kept in good condition, maintenance and repair at all times.

#### **Section 6. Severability**

Should any provision or part of this Ordinance be declared by a court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of the balance of this Ordinance, which shall remain in full force and effect.

#### **Section 7. Penalty and Remedies**

- A. A violation of this Ordinance constitutes a municipal civil infraction. Any person who violates, disobeys, omits, neglects, or refuses to comply with any provision of this Ordinance, or any amendment thereof, or violates any permit or approval issued pursuant to this Ordinance, or any person who knowingly or intentionally aids or abets another person in violation of this Ordinance, shall be in violation of this Ordinance and shall be responsible for a civil infraction. The civil fine for a municipal civil infraction shall be not less than one hundred dollars (\$100.00) for the first offense and not less than two hundred dollars (\$200.00) for subsequent offenses, in the discretion of the court, in addition to all other costs, damages, expenses and remedies provided by law. For purposes of this section, "subsequent offense" means a violation of the provisions of this Ordinance committed by the same owner or person within twelve (12) months of a previous violation of the same provision of this Ordinance or

similar provision of this Ordinance for which said person admitted responsibility or was adjudged to be responsible.

- B. Each day during which any violation continues shall be deemed to be a separate offense.
- C. The prohibitions and penalties of this Ordinance shall apply not only to the person, firm, entity, corporation or association who or which does anything prohibited by this Ordinance, but also those who aid and abet any such prohibited uses or activities.
- D. In addition to the above remedies, the Township or any person may institute a civil lawsuit to abate any violation of this Ordinance. Any violation of this Ordinance is a nuisance *per se*. The Township's remedies under this Ordinance are cumulative and not exclusive or preclusive.
- E. The Township may remove from Township property and dispose of any item which violates this Ordinance or for which Township approval was not obtained without any liability or reimbursement to the owner thereof.

#### **Section 8. Repeal**

Once this Ordinance becomes effective, prior Lake Township Ordinance No. 2004-001 shall be deemed to be permanently repealed in its entirety.

#### **Section 9. Effective Date**

This Ordinance shall become effective upon the expiration of thirty (30) days after this Ordinance (or a summary thereof) appears in the newspaper as provided by law. The date of publication will be August 31, 2023.

The vote to adopt this Ordinance was as follows:

YEAS: Clay Kelterborn, Valerie McCallum, Nicole Collins, Dale Hartsell, Jim Deming

NAYS: None

ABSENT/ABSTAIN: None

THIS ORDINANCE IS DECLARED TO BE DULY ADOPTED.

### **CERTIFICATION**

I hereby certify that the above is a true copy of the Ordinance adopted by the Township Board for Lake Township as of the date, time and place as specified above, pursuant to the required statutory procedures.

  
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Jim Deming  
Lake Township Clerk