

CHAPTER XIV-A

VESSEL AND DOCK SAFETY

SECTION 14A.01 INTENT AND PURPOSE. The Township after extensive deliberations, discussions and public hearings has recognized and concluded that the use of water resources situated within the Township must be considered within the framework of the Township's long term cost and benefits. Further, the Township has concluded that it is desirable to retain and maintain the physical, cultural and aesthetic characteristics of lakes within the Township.

Pursuant to its deliberations, discussions and hearings the Township has concluded that a lack of regulation regarding the density of boats and docks on inland lakes within the Township has resulted in a nuisance condition and an impairment of irreplaceable natural resources of the Township. Further, the lack of regulation is resulting in the destruction of property values and constitutes a threat to the public health, safety and welfare of all persons utilizing the lakes within the Township and occupying properties adjacent to the lakes within the Township. Consequently, the Township desires to adopt reasonable regulations regarding boat and DOCK density to protect the public health, safety, welfare, and the irreplaceable natural resources of the Township. (Amendment Ordinance No. 65, 11-10-93)

SECTION 14A.02 DEFINITIONS. As used in this Chapter, the following words and terms are defined as follows.

- (a) "Anchored rafts" means all types of nonpowered rafts used for recreational purposes which are anchored seasonally on inland waters of this Township.
- (b) "DOCK or docking" shall mean the mooring of a vessel directly to a pier, which is a platform or other permanent or seasonal fixture extending from the shore, and directly accessible to a separate frontage; and also shall mean the regular anchoring of a vessel adjacent to a separate frontage.
- (c) "Inland waters of this Township" means Goshorn Lake, Kelly Lake (also known as Tibbie Lake) and Gilligan Lake (also known as Hulst Lake).

- (d) "Launch" shall mean the entry of a vessel into the inland waters of this Township, but not including the entry of a vessel into the inland waters of this Township from a public launch area approved or designated by the MDNR.
- (a) "Person" means an individual, partnership, firm, corporation, company, association, or governmental entity, and includes a trustee, receiver, assignee, or similar representative of any of them.
- (f) "Separate frontage" means that portion of a lot or parcel of land existing on documentation recorded with the Allegan County Register of Deeds, which abuts or intersects with the normal high-water mark of inland waters of this Township, whether such lot or parcel is owned by one (1) or more persons. The length of a separate frontage shall be measured along the waters' edge at the high water mark of the lake. The measurement shall be made along a natural shoreline and shall not include any man made channels, lagoons, canals or the like. (Amendment Ordinance No.105 5-12-99)
- (g) "Vessel" means every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water including individual watercraft such as a kayak, paddleboat or jet ski.
- (h) "Vessel Census" means the inventory of all VESSELS owned by current owners of record of each separate frontage.

SECTION 14A.03 VESSEL REGULATIONS.

- (a) Subject only to the provisions below, not more than one (1) vessel shall be launched from and/or docked adjacent to each separate frontage at any one time. However, the limitation on docking shall not apply to VESSELS registered with the Township during the vessel census.
- (b) If the continuous length of a separate frontage is greater than one hundred fifty (150) feet, one (1) additional vessel may be launched and/or docked for

each one hundred (100) feet of continuous frontage in excess of the initial one hundred fifty (150) feet.

- (c) Following the effective date of this Ordinance, no launching and/or docking shall be permitted with respect to a separate frontage of less than one hundred (100) feet. However, this provision shall not apply to lots or parcels constituting a legal BUILDING site recorded with the Allegan County Register of Deeds prior to the effective date of the Ordinance amendment adding this Chapter (i.e. November 16, 1993).
- (d) Owners of VESSELS registered with the Township during the vessel census may replace registered VESSELS with other VESSELS of the same length, propulsion means, horsepower, style or type (i.e. sail boat, powerboat, canoe, etc.) and overall size so long as they remain owners of record of separate frontage. This provision shall not be construed to allow an owner of record at the time of the vessel census to increase the number of VESSELS exempted from the docking limitation in subsection (a) above beyond that number of VESSELS originally registered with the Township by that owner during the vessel census. To constitute a vessel replacement within this provision, the new vessel must be acquired within thirty (30) days of the sale or other disposition of the vessel originally registered with the Township through the vessel census.

SECTION 14A.04 DOCK REGULATIONS.

- (a) Subject to the provisions below, any seasonal DOCK, extending from the shore shall not extend further than forty (40) feet into inland waters of the Township.
- (b) Subject to the provisions below, prior to the construction or installation of any permanent DOCK subsequent to the effective date of the Ordinance amendment adding this Chapter (i.e. November 16, 1993), the owner of the separate frontage from which the proposed permanent DOCK would extend must submit the plans for the proposed permanent DOCK to the Township and receive Township authorization to construct or install the proposed permanent DOCK. Authorization will be withheld if the proposed permanent DOCK extends more than forty (40) feet from shore or is to extend from a separate frontage of less than one hundred (100)

feet (a permanent DOCK may be authorized to extend from a separate frontage which is less than one hundred (100) feet if the separate frontage is a lot or parcel constitution a legal BUILDING site recorded with the Allegan County Register of Deeds prior to the effective date of the Ordinance amendment adding this Chapter).

- (c) For the purposes of computing the length of a DOCK, the measurement shall be from the high water mark of the inland waters. (Amendment Ordinance No.105, 5-12-99)
- (d) DOCKS in a place prior to the effective date of the Ordinance amendment adding this Chapter (i.e. November 16, 1993) shall be allowed to remain even if their length exceeds forty (40) feet.
- (e) No DOCK shall be used as a "marina", as that term is defined in Section 2 of the Inland Lakes and Streams Act of 1972, Michigan Act 346 of 1972, as amended.
- (f) Anchored rafts shall not be used for vessel docking, launching or mooring purposes.

SECTION 14A.05 VESSEL CENSUS.

- (a) The Township shall promptly appoint a Township official or employee to survey the current owners of record of each separate frontage to conduct the VESSEL census.
- (b) When contacted by the Township, each owner of record of a separate frontage shall submit a list of all VESSELS currently owned by that owner of record. This list shall include all vessel identifying information requested by the Township. If the owner fails to respond to the Township in a timely manner, the owner shall not benefit from the protection accorded to VESSELS included in the VESSEL census.