**Draft**

**April 5, 2017**

**TOWNSHIP WATERCRAFT AND DOCKAGE REGULATION**

(Used in conjunction with any existing ordinance framework/modifications)

**An Ordinance pursuant to the Township Ordinance Act (Police Power).**

**DEFINITIONS (and regulations)**

**ACCESS OR EASEMENT PROPERTY:** As used herein “access or easement property” shall mean any waterfront parcel of land or lot adjoining or abutting a lake or other body of water connected to a lake, not designated as residential lot, is free of any buildings, and which is used or intended to be used, for providing access to a lake by pedestrian or vehicular traffic to and from non-waterfront land regardless of whether said access to the water is gained by easement, common fee ownership, single fee ownership, lease, license, gift, business invitation or any other form of dedication or conveyance.

**Regulation**

**The installation, maintenance or use of any private dock, as well as any overnight registered or non-registered watercraft moorage, dockage or storage at the terminus of any private access property or easement shall be prohibited unless allowed by original recorded deed or dedication.**

**RIPARIAN PROPERTY:** As used herein “Riparian Property” shall mean a parcel of land which is bounded by, abuts or includes therein, a natural watercourse and having rights which are associated with the ownership of the bank or shore of an inland lake or stream.

Riparian rights shall mean those rights which are reserved for an owner of riparian property, such as access to water, install a dock anchored to the bottomland, anchor a boat on his bottomland or secure it to his dock, use water from the lake or stream for domestic purposes, controls any temporarily or periodically exposed bottomland from the water’s edge to the high watermark against trespass.

**Regulation**

**Riparian rights in this Township are reserved for those defined as Riparian property owners by way of the above definition.**

**Access or easement lots, dedicated to the use of non-riparian owners shall not be used for any commercial purposes.**

**Any Riparian who allows the dockage or mooring of watercraft not registered to the riparian property owner shall be considered the proprietor of a “Marina” and in violation of the township ordinance.**

**DOCKS:** For lakefront lots, one (1) dock per lot or one (1) dock for each fifty (50) lineal feet of water frontage may be permitted, not to exceed two (2) docks per property, not to exceed six (6) feet in width and thirty-five (35) feet into the lake, unless necessary to reach a water depth of four (4) feet. Any dock shall not be located closer than twenty (20) feet from any other dock. Docks running parallel and adjacent to the shoreline are exempt from these requirements. No dock shall be of such length or width as to present a hazard to navigation.

**WATERCRAFT:** As used herein “Watercraft” shall mean a contrivance used or designed for navigation on water including a boat, vessel or other device for which a certificate of registration has been issued or is required under the laws of the state of Michigan.

**BACK LOT:** As used herein, “back lot” shall mean any parcel of property which does not abut the natural shoreline of any lake or stream.

**KEYHOLE OR FUNNELING:** As used herein, “Keyhole or Funneling” shall mean the use of a waterfront lot as common open space for waterfront access for a larger number of users than are typical from a single family lake front lot. This shall include a riparian’s waterfront lot used to provide water access to back lot owners or others who normally would not have rights to the lake, except at public access sites.

**Regulation**

**Keyhole or funnel lake access is not allowed on or from a direct lake access lot or private access property. No more than four (4) watercraft, shall be docked or moored at a lakefront property serving a single residence. All such watercraft shall be lawfully registered to the property owner where the watercraft is docked or moored. The temporary docking or mooring of a watercraft of a guest is permitted for a period of not more than fifteen (15) cumulative days in a calendar year not to exceed the four (4) watercraft limit.**

**ROAD END:** As used herein, “Road End” shall mean the terminus at an inland lake or stream of a public or private road or alley.

**Regulation**

**A road end shall not be used for any of the following unless a recorded deed, recorded easement, or other recorded dedication or court order expressly provides otherwise:**

**Construction, installation, maintenance, or use of boat hoists or boat anchorage devices.**

**Overnight mooring or docking of a watercraft.**

**Any activity that obstructs ingress to or egress from the inland lake or stream.**

**A road end shall not be used for the construction, installation, maintenance, or use of a dock other than a single seasonal public dock that is authorized by this Township, subject to any required permit.**

Additional Notes:

An ordinance should be enacted to prohibit the development of any further commercial or multi-unit residential developments.

Would a separate enforcement section be needed for the stand alone ordinance or be incorporated by way of existing zoning ordinances?