

**METAMORA
TOWNSHIP**

LAKE PROTECTION ORDINANCE
ORDINANCE NO. 28

AFFIDAVIT OF PUBLICATION

An ordinance to prevent overcrowding, protect the shoreline from excessive erosion due to wave action, preserve property values, and protect the public health, safety and welfare of all persons making use of inland lakes and properties adjacent to inland lakes which lie within the jurisdiction of Metamora Township.

THE TOWNSHIP OF METAMORA ORDINAINS:

ARTICLE I. DEFINITIONS

For the purpose of construction and application of this Ordinance, the following definitions shall apply.

A. "Boat" shall mean a water craft having a motor or engine of more than five (5) horsepower.

B. "Dock" or "docking" shall mean the mooring of a boat 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 shall also mean the regular anchoring of a boat adjacent to a separate frontage.

C. "Lake" shall mean a natural or man-made body of water with a surface area of at least five (5) acres.

D. "Launch" or "launching" shall mean the placing of a boat in a lake.

E. "Person" shall mean a human being, partnership, corporation, association, including a condominium association, and any other entity to which the law provides or imposes rights or responsibilities.

F. "Separate Frontage" means that portion of a lot or parcel of land existing on documentation recorded within the Lapeer County Register of Deeds, which abuts or intersects with the normal high water mark of a lake.

ARTICLE II. REGULATIONS

A. No launching or docking shall be permitted on or from a separate frontage of less than 80 feet unless the separate frontage constituted a lot of record prior to the effective date of this Ordinance.

B. Not more than Three (3) boats shall be launched or docked adjacent to each separate frontage at any one time, except as permitted below.

C. If the continuous length of a separate frontage is greater than 80 feet, one (1) additional boat may be launched or docked for each 80 feet of continuous frontage in excess of the first 80 feet.

ARTICLE III. PENALTIES

A. Any person who shall be convicted of a violation of this Ordinance shall be guilty of a misdemeanor and shall be punished by imprisonment for not more than 90 days or by fine of not more than \$500.00, or both such imprisonment or fine, in the discretion of the court.

B. In addition to, or in lieu of, seeking to enforce this Ordinance by proceeding under Article 3.A above, the Township may institute an action in Circuit Court seeking equitable relief.

ARTICLE IV. SEVERABILITY

In the event that any one or more articles, sections, provisions, phrases, or words of this Ordinance shall be found to be invalid by a Court of competent jurisdiction, such holding shall not effect the validity nor the enforceability of the remaining articles, sections, provisions, phrases, or words of this Ordinance unless expressly so determined by the Court.

ARTICLE V. EFFECTIVE DATE

This Ordinance shall take effect thirty (30) days from the date of publication of a notice of adoption, in accordance with Michigan statute.

CERTIFICATION

The undersigned Supervisor and Clerk of the Township of Metamora in the County of Lapeer, Michigan do hereby certify the foregoing is a true and correct copy of the ordinance adopted by the Township Board at its regular meeting held on the 14th day of March, 1994. The Township Board hereby orders a notice of adoption and summary to be published in The County Press on the 23rd day of March, 1994.

Wayne Nolan, Township Supervisor
Marilyn Taylor, Township Clerk

STATE OF MICHIGAN }
COUNTY OF LAPEER } SS

Mark Haney, being first duly sworn, says that (s)

the Editor of THE COUNTY PRESS

newspaper published in the English language for the dissemination of local or transmitted news and intelligence of a general character, legal news, which is a duly qualified paper, and that annexed hereto is a copy of a certain order taken from said newspaper, in which the same was published

March 23, 1994

Mark Haney

Subscribed and sworn to before me this 24th day of March, 1994

Joseph W. Wilkey
Notary Public, Lapeer County, Michigan

SEP. 12 1994

My commission expires _____