

**20.0500A GRAND RIVER SOUTH CHANNEL NO WAKE ZONE ORDINANCE
CHARTER TOWNSHIP OF GRAND HAVEN, MICHIGAN
Ord. No. 521, Eff. January 17, 2014**

An Ordinance to regulate the speed and wake of certain large watercraft in a designated water body to provide for the safe use of the water body within Grand Haven Charter Township, Ottawa County, Michigan; to prescribe certain duties and responsibilities of operators of certain watercraft; to provide penalties for violations of this ordinance; to provide for the enforcement of this ordinance; all pursuant to an ordinance based upon the Provisions of Part 801, marine safety, or the Natural Resources and Environmental Protection Act, Act 451 of the Public Acts of 1994, as amended.

The Charter Township of Grand Haven, Ottawa County, Michigan, Ordains:

20.0501A Sec. 1 TITLE

This Ordinance shall be known as the Grand River South Channel No Wake Zone Ordinance.

20.0502A Sec. 2 SLOW NO WAKE ZONE

It is unlawful for the operator of a vessel which is 26 feet or longer to operate at a speed which creates a wake on the western-most channel of the Grand River, Ottawa County, Section 36 between the following points: north boundary of section 1, Grand Haven Township, GPS coordinate 43.030534/-86.159217, extending north to GPS coordinate 43.041332/-86.162548, Spring Lake Township.

The boundaries of the area described above shall be marked with buoys. All buoys must be placed as provided in a permit issued by the Department of Natural Resources and be in conformance with the State Uniform Waterway Marking System.

20.0503A Sec. 3 ENFORCEMENT

This Ordinance shall be enforced as provided in the Natural Resources and Environmental Protection Act, Act 451 of the Public Acts of 1994, as amended ("NREPA").

20.0504A Sec. 4 SEVERABILITY AND CAPTIONS

This Ordinance and its various parts, sections, subsections, sentences, phrases, and clauses are declared to be severable. If any part, section, subsection, sentence, phrase, or clause is adjudged unconstitutional or invalid, the remainder of this Ordinance shall not be affected. The captions included at the beginning of each Section are for convenience only and shall not be considered as part of this Ordinance.

20.0505A Sec. 5 ADMINISTRATIVE LIABILITY

No officer, agent, employee, or member of the Township Board shall be personally liable for any damage that may accrue to any person as a result of any act, decision, or other consequence or occurrence arising out of the discharge of duties and responsibilities pursuant to this Ordinance.

20.0506A Sec. 6 VIOLATIONS

Any person who violates the provisions of this Ordinance shall be responsible for a municipal civil infraction. The penalty for a violation of this Ordinance shall be a civil fine of not less than \$50.00, plus costs and other sanctions. Increased civil fines may be imposed for repeat violations of this Ordinance by a person. A "repeat violation" of this Ordinance is a second or subsequent violation of this Ordinance committed by a person within six months of a prior violation of this Ordinance, and for which the person admits responsibility or is determined to be responsible. The penalty for a violation of this Ordinance which is a first repeat violation shall be a civil fine of not less than \$250.00, plus costs and other sanctions. The penalty for a violation of this Ordinance which is a second or subsequent repeat violation shall be a civil fine of not less than \$500.00, plus costs and other sanctions. The Township Supervisor, Township Superintendent (Township Manager), an authorized Township official, any law enforcement officer of the Ottawa County Sheriff's Department or the Michigan State Police, the Township Attorney, and any official authorized by the NREPA are authorized to issue municipal civil infraction citations for violations of this Ordinance.

20.0507A Sec. 7 REPEAL AND SUPREMACY

All ordinances or any parts of ordinances which are in conflict in whole or in part with any of the provisions of this Ordinance as of the date of this Ordinance are repealed to the extent of such conflict. Specifically, Ordinance No. 520, adopted September 23, 2013, is repealed by this Ordinance. In the event of a conflict between this Ordinance and the NREPA, the NREPA shall control.

20.0508A Sec. 8 EFFECTIVE DATE

This Ordinance was approved and adopted by the Township Board on January 13, 2014, after its introduction and first reading on December 9, 2013, and after its publication in the manner provided by Public Act 359 of 1947, as amended. This Ordinance shall take effect immediately after its publication in a newspaper of general circulation.