

**20.1000 BOAT LAUNCH RULES AND REGULATIONS ORDINANCE
TOWNSHIP OF GRAND HAVEN, MICHIGAN
ord. no. 360 eff. June 1, 2002**

An Ordinance to adopt rules and regulations for the use by permit holders and the maintenance of boat launches owned and operated by the Township and for the governance thereof within the Charter Township of Grand Haven, Ottawa County, Michigan, pursuant to Act 274 of the Public Acts of 1974, as amended, and to provide penalties for the violation thereof.

THE TOWNSHIP OF GRAND HAVEN, OTTAWA COUNTY, MICHIGAN,
ORDAINS:

20.1001 Sec. 1 TITLE

This Ordinance shall be known and cited as the Grand Haven Charter Township Boat Launch Rules and Regulations Ordinance in ordinary and customary usage.

20.1002 Sec. 2 DEFINITIONS

The following words as used in this Ordinance shall be defined as provided herein. All other words and phrases shall be defined as they are in the ordinary and customary usage.

1. Permit: The daily or seasonal sticker or decal issued by the Township evidencing application and payment of required fees for the use of a Township launch facility.
2. Motor Vehicles: Any and all kinds or types of motor driven or motor propelled automobiles, trucks, motorcycles, motor scooters, mopeds, snowmobiles, and any kind or type of off-road or all-terrain vehicle.
3. Litter: Any offal or refuse including, but not limited to, paper, cans, bottles, and animal feces.
4. Pets: Dogs, cats, horses, snakes, or any other domesticated animal or any other animal under the custody or control of a person.
5. Watercraft: Any and all kinds or types of flotation vessels designated for use on the water whether or not motorized including, but not limited to, boats, canoes, kayaks, jet skis, skidoos, pedal craft, pontoon boats, rafts, inflatable craft, tubes, or wind propelled surfboards.
6. Launch Facility Area: The geographic area owned and operated by the Township for the purposes of launching and recovering watercraft including

the water-covered areas from the shore to the center thread of the waterway and bounded by the property lines extended to said center thread.

7. Power Launching/Recovery: Watercraft driven onto or off of trailers by the watercraft's propulsion system. This means that launched vessels must be floated and the trailer then pulled out from beneath; and that recovered vessels must be floated onto or pulled onto the trailer by a winch or other mechanism.

20.1003 Sec. 3 LAUNCH USE PERMITS

Any person, firm, or corporation who desires to use a Township boat launch area for the purpose of launching or recovering watercraft shall first apply to the Township and pay for an appropriate Launch Use Permit. Such person, firm, or corporation shall submit, with application, any required fee or deposit as may be established by the Township Board of Trustees from time to time by resolution. All applications may be made during regular business hours of the Township at the Township offices, or at such other times as may be designated, to the Township Clerk or to such person as the Clerk may appoint. Launch use permits shall be issued by the Township Parks Board, or its designated representative, upon such criteria as the Parks Board shall from time to time establish with the advice and consent of the Township Board of Trustees. No such criteria shall discriminate against any person on the basis of age, sex, race, or national origin. The permit sticker or decal issued by the Township shall be prominently displayed on the vehicle or trailer of the permit holder or as may be otherwise directed by the Township Parks Board.

20.1004 Sec. 4 PROHIBITED CONDUCT

No person, firm, or corporation shall engage in any of the following conduct in a Township Launch Facility area:

1. Occupy or use any portion of a Township Launch Facility area for purposes of overnight camping.
2. Occupy or use the restroom facilities located in any Township Launch Facility area between the hours of 10:00 p.m. and the following 8:00 a.m.
3. Utilize the Township Launch Facility docks for any swimming or diving activities.
4. Fish, hunt, or trap any fish, animals, or birds within any portion of a Township Launch Facility area.
5. Possess any type of firework(s), or explosives within any portion of a Township Launch Facility area.

6. Use, park, or operate any motor vehicle outside of the traveled portion of the roadway or designated parking areas, or in any manner contrary to posted traffic controls within the Township Launch Facility area.
7. Spin or cause to spin, the tires of any motor vehicles in such a manner that damage is caused to the roadway or parking area, or any ground within the Township Launch Facility area.
8. Allow a pet to run loose at any time within any portion of a Township Launch Facility area. For the purpose of this Ordinance, “allow a pet to run loose” shall mean that the pet is neither on a leash held by, nor otherwise under the immediate control of, the person in custody of the pet.
9. Damage, destroy, deface, or remove any tree, shrub, plant, building, fence, sign, table, bench, marker, or any other equipment or structure within a Township Launch Facility area, unless necessary for the maintenance of the area as determined by the Parks Board.
10. Light or maintain a fire within a Township Launch Facility area except as is necessary for the maintenance of the park or recreation area as determined by the Parks Board.
11. Suffer or cause any litter to remain in a Township Launch Facility area including; but not limited to, any fecal matter generated by the pets or animals under the control of any person within the Township Launch Facility area.
12. Fail to observe any of the requirements of the Township Launch Use Permit, or fail to abide by the rules and regulations for the use of a Township Launch Facility area.
13. Engage in the cleaning or gutting of any animal or fish within a Township Launch Facility area; or the disposal of the waste generated therefrom.
14. Leave unattended any launched or moored watercraft at any time.
15. Engage in the practice of power launching or power recovery of any watercraft.
16. The commercial use of the boat launch including, but not limited to, the launching of dredge cranes or pile drivers by a marine contractor, the maintenance of watercraft by a marina and other similar activities.
(ord. no. 404 eff. March 31, 2005)

17. The launching or recovery of any watercraft greater than 28 feet in overall length, per the boat's certificate of registration or title.
(ord. no. 497 eff. April 25, 2011)

20.1005 Sec. 5 VIOLATIONS

Any person, firm, or corporation who violates the provisions of this Ordinance shall be responsible for a municipal civil infraction. The sanction for a violation of this Ordinance shall include the following:

1. Civil fine of not less than fifty dollars (\$50.00), plus costs and other sanctions.
2. Increased civil fines may be imposed for repeated violations of this Ordinance by a person, firm, or corporation. A "repeat violation" of this Ordinance is a second or subsequent violation of this Ordinance committed by a person, firm, or corporation within six months of a prior violation of this Ordinance; and for which the person, firm, or corporation admits responsibility or is determined to be responsible.
3. The sanction for a violation of this Ordinance which is a first repeat violation shall be a civil fine of not less than two hundred fifty dollars (\$250.00), plus costs and other sanctions.
4. The sanction for a violation of this Ordinance which is a second or subsequent repeat violation shall be a civil fine of not less than five hundred dollars (\$500.00), plus costs and other sanctions.

The Township Supervisor, the Township Superintendent (Township Manager), any law enforcement officer of the Ottawa County Sheriff's Department or the Michigan State Police, the Township's Public Works Director, the Assistant Public Works Director, the Township Ordinance Enforcement Officer, and Township Attorney are authorized to issue municipal civil infractions citations for violations of this Ordinance. The service of citations or municipal civil infractions under this Ordinance may be served by personal delivery, by first class mail, or by affixing the citation to the vehicle, boat, or trailer parked in violation of this Ordinance.

In addition to the sanctions provided in this Ordinance for violation of its provisions, any person who is determined to be responsible for a municipal civil infraction because of any damage that he or she has caused to a Township Launch Facility area shall reimburse the Township for the amount of damages suffered by the Township to repair the damage for which the person is responsible, as determined by the court. If a person is responsible for an act of vandalism, that person shall reimburse the Township for up to three times the amount of damages, as determined by the court. (amend. by ord. no. 364 eff. Dec. 1, 2002)

20.1006 Sec. 6 REPEALER

This Ordinance shall have no effect upon the scope of any Ordinance, to the extent that such other Ordinances do not conflict herewith.

20.1007 Sec. 7 SEVERABILITY

Should any court declare any provision or section of this Ordinance unconstitutional or invalid, then such decision shall affect only the section or provision so passed upon, and shall not affect any other section or provision of this Ordinance.

20.1008 Sec. 8 EFFECTIVE DATE

This Ordinance shall take effect immediately after its publication in the manner provided by Law.
(ord. no. 360 eff. June 1, 2002)