

HOUSE BILL No. 4576

March 24, 2005, Introduced by Reps. Stakoe, Garfield, Hune, Accavitti, Acciavatti, Robertson, Shaffer, Pastor, Amos, Nitz, Elsenheimer, Palmer and Mortimer and referred to the Committee on Local Government and Urban Policy.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 30111a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 30111A. (1) BEGINNING SEPTEMBER 15, 2006, A PUBLIC ROAD
2 UNDER THE JURISDICTION OF A LOCAL UNIT OF GOVERNMENT THAT
3 TERMINATES AT AND PROVIDES ACCESS TO AN INLAND LAKE OR STREAM SHALL
4 NOT BE USED FOR ANY OF THE FOLLOWING, UNLESS A RECORDED DEED,
5 RECORDED EASEMENT, OR OTHER RECORDED DEDICATION PROVIDES OTHERWISE:

6 (A) CONSTRUCTION, INSTALLATION, OR MAINTENANCE OF BOAT HOISTS
7 ON THE ROAD OR IN THE ADJACENT WATERS.

8 (B) CONSTRUCTION, INSTALLATION, OR MAINTENANCE OF A SEASONAL
9 DOCK LARGER THAN 4 FEET WIDE OR 25 FEET LONG UNLESS THE PURPOSE OF

1 THE DOCK IS TO AID IN THE PUBLIC ACCESS AND THE CONSTRUCTION,
2 INSTALLATION, OR MAINTENANCE OF THE SEASONAL DOCK IS AUTHORIZED BY
3 THIS PART AND THE LOCAL UNIT OF GOVERNMENT. A DOCK THAT IS SMALLER
4 THAN 4 FEET WIDE AND 25 FEET LONG FOR THE PURPOSE OF AIDING IN
5 PUBLIC ACCESS MAY BE CONSTRUCTED, INSTALLED, OR MAINTAINED UNLESS
6 OTHERWISE PROHIBITED BY THIS PART OR THE LOCAL UNIT OF GOVERNMENT.

7 (C) OBSTRUCTING INGRESS OR EGRESS TO THE WATER IN ANY MANNER.

8 (D) MOORING OR DOCKING AN UNOCCUPIED VESSEL AT ANY TIME
9 BETWEEN MIDNIGHT AND SUNRISE ON BOTTOMLAND DIRECTLY OFFSHORE FROM
10 THE PUBLIC ROAD.

11 (2) A PERSON WHO VIOLATES SUBSECTION (1) IS GUILTY OF A
12 MISDEMEANOR PUNISHABLE BY A FINE OF NOT MORE THAN \$500.00 FOR EACH
13 DAY OF VIOLATION. A PEACE OFFICER MAY ISSUE AN APPEARANCE TICKET AS
14 DESCRIBED AND AUTHORIZED BY SECTIONS 9C TO 9G OF CHAPTER IV OF THE
15 CODE OF CRIMINAL PROCEDURE, 1927 PA 175, MCL 764.9C TO 764.9G, TO A
16 PERSON WHO IS IN VIOLATION OF THIS SECTION.

17 (3) THIS SECTION DOES NOT PROHIBIT A LOCAL UNIT OF GOVERNMENT,
18 OR OTHER PERSON, FROM APPLYING FOR A PERMIT UNDER SECTION 30104.

19 (4) THIS SECTION DOES NOT ALTER THE RIGHTS OF THE PUBLIC TO
20 USE LAWFULLY ACCESSIBLE INLAND LAKES AND STREAMS IN A MANNER
21 AUTHORIZED BY LAW.