

**FIFE LAKE TOWNSHIP  
GRAND TRAVERSE COUNTY, MICHIGAN  
(Ordinance No. 2022-04-28-304)**

At a regular scheduled meeting of the Township Board for Fife Lake the Township held at the Township Hall on, April 28, 2022 and beginning at 6:00 p.m., the following Ordinance was offered for adoption by Township Board Member Street and was seconded by Township Board Member Zimmerman.:

**AN ORDINANCE TO AMEND ARTICLE 300, CHAPTER 304 OF THE  
CODE OF ORDINANCES FOR FIFE LAKE TOWNSHIP CURRENTLY  
ENTITLED "THE FIFE LAKE TOWNSHIP LAKE ACCESS AND  
MOORING ORDINANCE."**

THE TOWNSHIP OF FIFE LAKE (the "Township") ORDAINS:

Section 1. Amendment of Chapter 304, Article 300, Chapter 304 of the Code of Ordinance for Fife Lake Township entitled the "Fife Lake Township Lake Access and Mooring Ordinance" is hereby amended and reads in its entirety as follows:

**CHAPTER 304 SHORELINE PROPERTY, PUBLIC ACCESS SITES, AND ROAD  
ENDINGS.**

304.001 Definitions.

Unless the context clearly indicates or requires otherwise, the following definitions will apply throughout this Chapter:

1. "Anchor" means the act of dropping a weighted object that is attached to a boat by means of a chain, cable, rope, or other device to the bottom land of a lake or river or the act of placing a weighted object on upland property or other land for the purpose of preventing or restricting the motion of the boat to which it is attached.
2. "Beach" means the act of pulling a boat onto upland property or other land or grounding a boat on the bottomlands for the purpose of preventing or restricting the motion or floating away of the boat.
3. "Boat" means every description of watercraft used or capable of being used as a means of transportation on water, including, but not limited to, vessels, speed boats, paddleboats, fishing boats, wake boats, pontoons, and personal watercraft and also non-motorized boats such as canoes, kayaks, sailboats, rowboats, and rafts. Boat, however, does not include an air mattress, paddleboard, paddleboat, boogie board, or similar device used by one or two persons for floating or paddling.
4. "Bottomlands" means the land beneath the water of a lake or river that attaches to upland and riparian property by operation of law.

5. "Decibel (dB)" means a unit of measuring the volume of sound, equal to twenty times the logarithm of the base ten of the ratio of the pressure of the sound measured to the reference pressure, which is twenty micropascals (twenty micronewtons per square meter).
6. "Dock" means a pier, walkway, platform, or other structure extending from the shore (or shore area) of a lake or river over or in the water to which a boat can be moored.
7. "Hoist" means a mechanical device attached permanently or temporarily to the shore or bottomland of a lake or river and used to raise or lift a boat out of the water for the purpose of preventing or restricting the motion of the boat.
8. "Lake" means an inland lake or portion of an inland lake located within Fife Lake Township.
9. "Moor" or "Mooring" means the act of securing a boat to a buoy attached or anchored to the bottom lands of a lake or river by means of a chain, cable, rope, or other device or to a dock by means of a chain, cable, rope, or other device for the purpose of preventing or restricting the motion of the boat.
10. "Person" means an individual, firm, corporation, association, partnership, limited liability company, or other entity.
11. "Public access site" means the non-road ending, riparian property owned by Fife Lake Township, including its associated bottomlands, intended by the Township to serve as a means for the public to gain access to the lake or river to which it abuts.
12. "River" means a navigable and natural stream of water flowing in a definite course or channel within Fife Lake Township.
13. "Road ending" means a private or public road, alley, street, walkway, platted park, highway, easement or way within Fife Lake Township which terminates at or intersects the water's edge of a lake or river, including its associated bottomlands and shore.
14. "Shoreline property" means riparian property within Fife Lake Township that abuts a lake or river, including its associated bottomlands and shore.
15. "Sound level meter" means an instrument which includes a microphone, amplifier, RMS detector, integrator, or time averager, output meter and weighing networks used to measure sound pressure levels and that meets the standards of ANSI S-14 1983, or its successor.
16. "Weighted sound level" means the sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level so read is designated dB (A) or dBA.

304.002 Regulations and Prohibitions.

1. Except as specifically authorized by this Chapter, no person shall use a road ending, public access site, or shoreline property in any manner that:
  - (a) Unreasonably interferes with the public's right of access to the water.
  - (b) Causes or creates any loud noise or sound that endangers or injures the safety or health of humans or animals or that annoys or disturbs a reasonable person of normal sensitivities, including but not limited to:
    - i. Playing or using a radio, phonograph, compact disc player, tape player, television, musical instrument, sound amplifier, or other electronic or mechanical sound-producing device in such a manner with such volume so as to disturb the quiet, comfort, or repose of a reasonable person of normal sensitivities.
    - ii. Yelling, shouting, hooting, singing, or making other noise that because of its volume, frequency, or shrillness unreasonably disturbs the quiet, comfort, or repose of a reasonable person of normal sensitivities.
    - iii. Sounding or using any horn, siren, whistle, bell, or other warning device on a boat so as to unreasonably disturb the quiet, comfort or repose of another person, unless the sounding or use of such horn, siren, whistle, bell or other warning device is authorized by State law and necessary to the safe operation of the boat.
  - (c) Makes any noise exceeding 60 db (A), weighted sound level, as measured by a sound level meter from the nearest shoreline between the hours of 11:00 p.m. and 5:00 a.m. Evidence of such noise shall serve as prima facie evidence that such noise disturbs the comfort, quiet, and repose of reasonable persons of normal sensitivities in the area. However, this subsection shall not be applied to the noise created by the motor of a boat during the operation of that boat
  - (d) Causes littering on the road ending, public access site, or adjoining property.
  - (e) Results in trespassing on adjoining property or bottomlands.
  - (f) Unreasonably interferes with the use and enjoyment of shoreline properties.
  - (g) Creates any other nuisance condition.
2. Except as specifically authorized by this Chapter, no person may:
  - (a) Construct, use, place, or maintain a dock, hoist, mooring device, seawall, or other structure on a road ending, public access site, or shoreline property.

- (b) Anchor, beach, or moor an unattended boat on a road ending, public access site, or shoreline property for more than five (5) consecutive hours unless in the case of an emergency or the mechanical breakdown of the boat.
- (c) Drive or back a trailer into the water at a road ending or public access site for launching a boat into the lake or river, unless the Township Board designates and approves that road ending or public access site as an official boat-launching site.
- (d) Camp on a road ending or public access site.
- (e) Lounge, sunbathe, or picnic on a road ending.
- (f) Start, use, or maintain a campfire, bonfire, or other recreational fire on a road ending or public access site.
- (g) Pump or otherwise remove water from a lake or river at a road ending or public access site, except for fire suppression or training purposes.
- (h) Park vehicles, trailers, and watercraft between the hours of 11:00 p.m. and 4:00 a.m. at a road ending or public access site.
- (i) Consume alcoholic beverages on a road ending or public access site.
- (j) Store personal property, including, but not limited to, seasonal docks and hoists, on a road ending or public access site.
- (k) Use a road ending or public access site for pet waste.
- (l) Remove, alter, deface, destroy, alter, impair, or modify any Township property within a road ending or public access site.

#### 304.003 Removal of Boat; Report of Emergency or Mechanical Breakdown.

If an unattended boat is anchored, beached, or moored at a road ending, public access site or shoreline property for more than five consecutive hours due to an emergency or mechanical breakdown, the boat must be removed in the shortest time necessary to end the emergency or mechanical breakdown. If the boat is not removed within 24 hours, the owner or operator of the boat shall report the emergency or mechanical breakdown to the Grand Traverse County Sheriff's Department.

#### 304.304 Trespass.

Any person who remains on a road ending, public access site, or shoreline property in violation of Section 304.002 after being ordered to leave by an enforcement official designated in Section 304.007 is guilty of trespass.

304.005 Exemptions, Permissions, and Authorizations.

1. The Township may install, construct, place, and maintain fences, barriers, signage, survey posts, docks, seawalls, and other structures or items within road ends and public access sites.
2. The Township may issue a written license authorizing adjacent landowners or others to erect and maintain seawalls, mow the grass, or take other action consistent with the public interest within road ends and public access sites. The granting of such licenses and the duration of such licenses will be at the sole discretion of the Township Board.

3. Section 304.002(2)(a)-(b), Section 304.003 and Section 304.304 do not apply to a person who is the owner of the shoreline property or a person acting with the permission of the shoreline property owner.

4. If a lot or parcel fronts on a road right-of-way, park, walkway, alley, easement, or similar way which runs along and parallel to the shoreline of the lake or river and such abutting lot or parcel is deemed to be riparian pursuant to Michigan law, then each such individual lot or parcel so deemed to be a riparian property under Michigan law shall be considered a "shoreline property" for purposes of this Chapter as to each such parcel or lot's portion of the right-of-way, easement, park, walkway, or other way involved, and Section 304.002(2)(a)-(b), Section 304.003 and Section 304.304 shall not apply to each such shoreline property for docks, piers, boats, canoes, kayaks, vessels, boat hoists and swim rafts that are owned and used by the owner(s) of such a riparian lot or parcel on their own property.

304.006 Violations and Penalties.

1. A person who violates any provision of Section 304.302 – 304.303 is responsible for a municipal civil infraction and subject to a fine (and other penalties) in an amount determined from time to time by resolution of the Township Board.
2. A violation of this Chapter is deemed to be offensive to the public health, safety, and welfare and is declared a nuisance *per se* subject to abatement.
3. A person who violates Section 304.304 is guilty of a misdemeanor punishable by a fine of not more than \$500 and/or imprisonment for not more than 93 days.
4. Each day a violation continues constitutes a separate violation.
5. Nothing in this Section 304.006 precludes the Township from pursuing any other remedies available at law or equity.

304.007 Enforcement Officials.

The Township Supervisor, the Township Code Enforcement Official, the Grand Traverse

County Sheriff's Department and such other officials as designated by the Township Board are authorized to enforce this Chapter.

Section 2. Conflict.

- A. Nothing in this Ordinance is to be construed to conflict with any existing Township ordinances except as otherwise stated herein.
- B. Nothing in this Ordinance is to be construed to conflict with the law of the State of Michigan.

Section 3. Repealer.

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of any such conflict.

Section 4. Savings Clause.

The provisions of this Ordinance are severable. If any part of this Ordinance is declared void or inoperable for any reason by a court of competent jurisdiction, such declaration does not void any or render inoperable any other part or portion of this Ordinance.

Section 5. Effective Date.

This Ordinance shall become effective upon the expiration of 30 days following its publication in the manner required by law.

YEAS: 5

NAYS: 0

ABSENT/ABSTAIN: 0

ORDINANCE DECLARED ADOPTED.

  
Grianne Street  
Township Supervisor


  
Leigh Ann Gifford  
Township Clerk

CERTIFICATION

It is hereby certified that the foregoing Ordinance was adopted by the Township Board for Fife Lake Township, Grand Traverse County, Michigan, at a meeting of the Township Board duly called and held on April 28, 2022

Adopted: April 28, 2022  
Published: May 05, 2022  
Effective: June 05, 2022

By:



Leigh Ann Gifford  
Fife Lake Township Clerk

T. C. RECORD-EAGLE, INC.  
120 WEST FRONT STREET  
TRAVERSE CITY MI 49684  
(231) 946-2000  
Fax (231) 946-8273

ORDER CONFIRMATION

Salesperson: DENISE LINGERFELT Printed at 05/04/22 14:20 by dling

Acct #: 20557 Ad #: 584851 Status: New WHOLD

FIFE LAKE TOWNSHIP Start: 05/08/2022 Stop: 05/08/2022  
134 MORGAN ST. Times Ord: 1 Times Run: \*\*\*  
P.O. BOX 87 STDAD 9.00 X 20.48 Words: 2164  
FIFE LAKE MI 49633 Total STDAD 184.32  
Class: 147 LEGALS  
Rate: LEGAL Cost: 635.60  
# Affidavits: 1

Ad Descrpt: LEGAL NOTICE FIFE LAKE TO  
Given by: EMAIL LEIGH GIFFORD  
P.O. #:  
Created: dling 05/04/22 12:56  
Last Changed: dling 05/04/22 14:20

Contact: (231) 879-3963  
Phone: (231) 879-3146  
Fax#: FflTwnsh@aol.com fltclerk  
Email: Agency: Last Changed: dling 05/04/22 14:20

PUB	ZONE	EDT	TP	START	INS	STOP	SMTWTFSS
RE	A	97	W	Sun 05/08/22	1	Sun 05/08/22	SMTWTFSS
IN	AIN	97	W	Sun 05/08/22	1	Sun 05/08/22	SMTWTFSS

AUTHORIZATION

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Please be sure to check your ad on the first day it appears. Although we are happy to make corrections at any time, the Record-Eagle is only responsible for the first day's incorrect insertions. Also, we reserve the right to edit or reclassify your ad to better serve buyers and sellers.

No refunds or rebates will be issued if you cancel your ad prior to the stop date.

We appreciate your business.

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