

**WATERLOO TOWNSHIP**

**ORDINANCE 1-21-92-1**

**ACCESS TO LAKES OR STREAMS THROUGH THE USE OF WATERFRONT  
LOTS AND PARCELS HAVING RIPARIAN RIGHTS**

**ARTICLE 1  
General Provisions**

**Section 1.1 Title.** This Ordinance shall be known and cited as the Waterloo Township Key-Holing Ordinance.

**Section 1.2 Purpose.** In its deliberations leading to the adoption of this ordinance, the Township Board has recognized and concluded that the use of water resources, including the Inland lakes situated in the Township should be considered within a frame work of long-term cost and benefits to the Township, and that it is desirable to retain and maintain the physical, cultural and aesthetic characteristics of lakes in the Township. Moreover, it has been recognized that, as the shore lines of lakes become further developed, the cumulative impact of boat usage from each respective property must be regulated in order to preserve and protect the rights of riparian owners as well as the Township as a whole. It has further been recognized that the lack of regulation shall result in a nuisance condition and an impairment of these important and irreplaceable natural resources of the Township, and shall further result in the destruction of property values and threaten the public health, safety and welfare of all persons making use of lakes within the Township and properties adjacent to lakes in the Township. Accordingly, it is the intent and purpose of the Township Board to adopt reasonable regulations for boat usage in the Township.

**Section 1.3 Legal Authority.** This Ordinance is enacted pursuant to the statutory authority granted by the following laws:

- \* Inland Lakes and Streams Act, P. A. 346 of 1972 MCLA 281.951 et seq.
- \* Michigan Environmental Protection Act, P. A. 127 of 1970, MCLA 691.1201 et seq.
- \* Marine Safety Act, P. A. 303 of 1967, MCLA 281.1016 et seq.
- \* The General Township Ordinance Act as passed by the Legislature.
- \* Wetland Protection Act, P. A. 203 of 1979, MCLA 281.701.

**Section 1.4 Applicability.** The provisions of this Ordinance shall apply to all lots and parcels of land providing or having riparian access to all lakes, streams or other bodies of water within Waterloo Township, Michigan.

**Section 1.5 Violations.** Failure to comply with the provisions of this Ordinance shall constitute a misdemeanor. Any person, whether such person be a proprietor or an agent of a proprietor, who violates this Ordinance or fails to comply with any of its provisions shall, upon conviction thereof, be fined not more than five hundred dollar (\$500.00) or imprisoned for not more than ninety (90) days, or both. Each day such violation continues shall considered a separate offense.

In addition to, or in-lieu of, seeking to enforce this Ordinance by proceeding under Section 1.5 above, the Township may institute an appropriate action in court of general juristdiction seeking equitable relief.

**Section 1.6 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 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 navigable body of water situated, within the Township, but shall not mean nor include lakes to which other Ordinance regulations apply so as to prohibit certain boats with engines or motors.
- D. "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.

## ARTICLE II

If a lot provides riparian access to a non-riparian property or a Planned Unit Development (PUD), the following regulations apply to such lot.

**Section 2.1** The deed to such lot or parcel shall specify the non-riparian lots or parcels which shall have rights to its use.

**Section 2.2** Such riparian lot or parcel shall have a minimum frontage of one hundred and fifty (150) feet, a minimum area of thirty thousand (30,000) square feet, and its design, including docking and mooring facilities, shall be subject to special use approval in accordance to the Township Zoning Ordinance.

Ordinance will become effective thirty (30) days after publication. Effective February 18, 1992.