

# HOUSE BILL No. 4698

May 1, 2007, Introduced by Rep. Stakoe and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

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) A PERSON SHALL NOT DO ANY OF THE FOLLOWING AT  
2   A PUBLIC ROAD UNDER THE JURISDICTION OF A LOCAL UNIT OF GOVERNMENT,  
3   WHICH ROAD TERMINATES AT AND PROVIDES PUBLIC ACCESS TO AN INLAND  
4   LAKE OR STREAM, UNLESS A RECORDED DEED, RECORDED EASEMENT, OR OTHER  
5   RECORDED DEDICATION OR EVIDENCE REGARDING THE SCOPE OF THE  
6   DEDICATION PROVIDES OTHERWISE:

7           (A) CONSTRUCT, INSTALL, OR MAINTAIN A BOAT HOIST ON THE ROAD  
8   OR IN THE ADJACENT WATERS.

9           (B) CONSTRUCT, INSTALL, OR MAINTAIN A SEASONAL DOCK LARGER

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

8 (C) OBSTRUCT INGRESS INTO OR EGRESS FROM THE WATER IN ANY  
9 MANNER.

10 (D) MOOR OR DOCK AN UNOCCUPIED VESSEL AT ANY TIME BETWEEN  
11 MIDNIGHT AND SUNRISE ON BOTTOMLAND DIRECTLY OFFSHORE FROM THE  
12 PUBLIC ROAD.

13 (2) A PERSON WHO VIOLATES SUBSECTION (1) IS RESPONSIBLE FOR A  
14 STATE CIVIL INFRACTION AND MAY BE ORDERED TO PAY A CIVIL FINE OF  
15 NOT MORE THAN \$500.00.

16 (3) THE LEGISLATIVE BODY OF A LOCAL UNIT OF GOVERNMENT MAY  
17 ADOPT AN ORDINANCE SUBSTANTIALLY SIMILAR TO THIS SECTION. A  
18 VIOLATION OF THE ORDINANCE IS A MUNICIPAL CIVIL INFRACTION. THE  
19 ORDINANCE SHALL PROVIDE FOR A CIVIL FINE OF NOT MORE THAN \$500.00.

20 (4) THIS SECTION DOES NOT PROHIBIT A LOCAL UNIT OF GOVERNMENT,  
21 OR OTHER PERSON, FROM APPLYING FOR A PERMIT UNDER SECTION 30104.

22 (5) THIS SECTION DOES NOT ALTER THE RIGHTS OF THE PUBLIC TO  
23 USE LAWFULLY ACCESSIBLE INLAND LAKES AND STREAMS IN A MANNER  
24 AUTHORIZED BY LAW.