

**TOWNSHIP OF ARGENTINE
COUNTY OF GENESEE, MICHIGAN**

(THE PLEASANT VIEW PARK PLAT CAUSEWAY ORDINANCE)

At a regular meeting of the Township Board of the Township of Argentine, Genesee County, Michigan, held on June 30, 2014 the following ordinance was adopted. This ordinance shall take effect 30 days after publication.

ORDINANCE NO. 66

**AN ORDINANCE TO REGULATE DOCKAGE, BOAT
MOORAGE, BOAT LAUNCHING AND OTHER
ACTIVITIES ALONG THE CAUSEWAY IN THE
PLEASANT VIEW PARK PLAT ADJACENT TO LOBDELL
LAKE, AND TO PROVIDE PENALTIES FOR THE
VIOLATION OF THESE REGULATIONS.**

THE TOWNSHIP OF ARGENTINE (the "Township") ORDAINS:

ARTICLE 1 INTENT, PURPOSE AND SHORT TITLE.

- A. **INTENT AND PURPOSE.** The Argentine Township Board recognizes that the causeway located between the mainland and the island in the Pleasant View Park Plat adjacent to Lobdell Lake is a unique area that has a potential for vehicle and boat congestion. The Township Board finds and determines that it is essential to the public health, safety and welfare that certain parking, dockage and related uses and activities be regulated along the causeway. Accordingly, it is the intent and purpose of the Township Board to adopt reasonable regulations for dockage, watercraft, parking and other matters along the causeway.
- B. **SHORT TITLE.** This Ordinance shall be known and may be cited and referred to as the "Pleasant View Park Plat Causeway Ordinance," and shall hereinafter be referred to as the "Ordinance."

ARTICLE 2 SCOPE AND APPLICATION.

- A. **MINIMUM STANDARDS.** The terms and provisions of this Ordinance shall be interpreted and applied as minimum standards and requirements for the promotion and protection of the public health, safety and welfare, and for the public peace and preservation of natural resources and public and private property within the Township.
- B. **INTERPRETATION.** This Ordinance is intended to supplement other laws and ordinances. If this Ordinance imposes more stringent requirements than other

ordinances, the provisions of this Ordinance shall govern, except as otherwise herein provided.

- C. APPLICATION TO PLANNED UNIT DEVELOPMENTS. The provisions of this Ordinance cannot be overridden in or by an approved Planned Unit Development under the Argentine Township Zoning Ordinance.

ARTICLE 3 DEFINITIONS.

For the purposes of this Ordinance:

- A. "Restricted Area" shall mean that portion of the north half of Island Drive (also known as "Switzer Drive") in the Plat of Pleasant View Park within the Township as shown on that plat as located between the shoreline of the Island on the west and the shore of the mainland on the east, as well as the shoreline and bottomlands thereof.

ARTICLE 4 GENERAL REGULATIONS.

The following shall not occur within the Restricted Area:

- A. No dock, pier, boat hoist, boat tether or similar boat or watercraft mooring device or item shall be installed, utilized or maintained. No boat or watercraft shall be docked, beached, staired, anchored or moored during the hours between 9:00 p.m. and 7:00 a.m.
- B. No boat or watercraft shall be launched or put into the lake nor retrieved or taken out of the lake.
- C. No boat ramp, launch or similar item, structure or improvement shall be installed, maintained or used.
- D. There shall be no lounging, sunbathing, picnicking or camping.
- E. No parking or storage of automobiles, trucks, trailers or other vehicles shall occur.

- F. No swim raft, water trampoline or similar item shall be installed, utilized or maintained.

ARTICLE 5 EXEMPTIONS.

This Ordinance shall not apply to any of the following:

- A. Use of the waterfront or bottomlands attributable to Lots 20, 21, 22, 23, 24, 29, 30, and 31 of the Pleasant View Park Plat by the owners of those lots.
- B. Emergency use by a municipal or government fire department, police department or emergency rescue personnel while engaged in their official duties.
- C. Road work by the Genesee County Road Commission.

ARTICLE 6 PENALTIES AND ENFORCEMENT.

- A. **PENALTY.** Violation of this Ordinance is a civil infraction, for which the fines shall be not less than One Hundred Dollars (\$100) or more than Five Hundred Dollars (\$500) for the first offense and not less than Two Hundred Dollars (\$200) nor more than Two Thousand Five Hundred Dollars (\$2,500) for subsequent offenses, in the discretion of the Court, and in addition to all of the costs, damages and expenses provided by law. For purposes of this Ordinance, "subsequent offense" means a violation of this Ordinance committed by the same person within twelve (12) months of a previous violation of the Ordinance for which said person admitted responsibility or was adjudicated to be responsible, provided, however, that offenses committed on subsequent days within a period of one (1) week following issuance of a citation for a first offense shall all be considered separate first offenses. Each day that such violation occurs shall constitute a separate offense.
- B. **INJUNCTION.** Any violation of this Ordinance is hereby declared to be a nuisance per se. In addition to, or in lieu of, seeking to enforce this Ordinance by proceeding under subsection A above, the Township or any Township resident may institute an appropriate action in a court of general jurisdiction seeking injunctive or equitable relief.
- C. **ENFORCEMENT AND ADMINISTRATION.** This Ordinance shall be enforced and administered by the Township Building Inspector and/or Argentine Township police officer, or such other Township official as may be designated from time to time by resolution by the Township Board.

ARTICLE 7 SEVERABILITY.

In the event that any one or more sections, provisions, phrases or words of this Ordinance shall be found to be invalid by a court of competent jurisdiction, such holding shall not affect the validity or the enforceability of the remaining sections, provisions, phrases or words of this Ordinance.

ARTICLE 8 EFFECTIVE DATE.

The provisions of this Ordinance shall take effect upon the expiration of thirty (30) days from the date of publication of the Ordinance or a summary of its provisions in accordance with law.

AYES: Members: GRAVES, SCHMIDT, HALLMAN, AND CIESIELSKI

NAYS: Members: COLE

ABSTAIN/ABSENT: Members: _____

ORDINANCE DECLARED ADOPTED.

CERTIFICATION

I hereby certify the foregoing to be a true copy of an Ordinance adopted by the Township Board of the Township of Argentine at a regular meeting held on June 30, 2014, pursuant to the required statutory procedures.



Denise Graves
Argentine Township Clerk