

LAKE ACCESS SITES AT END OF PUBLIC ROADS

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House Bill 4576

Sponsor: Rep. John Stakoe

Committee: Local Government and Urban Policy

Complete to 6-13-05

A SUMMARY OF HOUSE BILL 4576 AS INTRODUCED 3-24-05

The bill would add a new section to the Natural Resources and Environmental Protection Act regarding the construction of boat hoists or seasonal docks at road ends that provide access to inland streams and lakes. The bill would apply to public roads under the jurisdiction of a local unit of government.

Beginning September 15, 2006, unless a recorded deed, recorded easement, or other recorded document provided otherwise, the road could not be used for any of the following:

- Construction, installation, or maintenance of boat hoists on the road or in the adjacent water.
- Construction, installation, or maintenance of a seasonal dock larger than four feet wide or 25 feet long (unless the dock would aid in the public access, and the dock was authorized under Part 301 of the act or the local unit of government). However, a smaller dock for the purpose of aiding in public access could be installed unless otherwise prohibited by Part 131 or the municipality.
- Obstructing ingress or egress to the water in any manner.
- Mooring or docking an unoccupied vessel between midnight and sunrise on bottomland directly offshore from the public road.

A violation would be a misdemeanor punishable by a fine of not more than \$500 for each day of violation. A peace officer could issue an appearance ticket (a complaint or notice that directs a person to appear in court) to a person violating the bill's provisions.

The bill would not prohibit a local unit of government, or other person, from applying for a permit under Section 30104 of the act. It also would not alter the rights of the public to use lawfully accessible inland lakes and streams in a manner authorized by law.

MCL 30111a

FISCAL IMPACT:

The bill would have no fiscal impact on the state. There would be an indeterminate local impact. Revenue realized through fines would be provided to local libraries.

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Fiscal Analyst: Kirk Lindquist

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.