

SENATE BILL No. 680

November 13, 2013, Introduced by Senator KOWALL and referred to the Committee on Local Government and Elections.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30111b (MCL 324.30111b), as added by 2012 PA 56.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 30111b. (1) A public road end shall not be used for any
2 of the following unless a recorded deed, recorded easement, or
3 other recorded dedication expressly provides otherwise:

4 (a) Construction, installation, maintenance, or use of boat
5 hoists or boat anchorage devices.

6 (b) Mooring or docking of a vessel between 12 midnight and
7 sunrise.

1 (c) Any activity that obstructs ingress to or egress from the
2 inland lake or stream.

3 (2) A public road end shall not be used for the construction,
4 installation, maintenance, or use of a dock or wharf other than a
5 single seasonal public dock or wharf that is authorized by the
6 local unit of government, subject to any permit required under this
7 part. This subsection does not prohibit any use that is expressly
8 authorized by a recorded deed, recorded easement, or other recorded
9 dedication. This subsection does not permit any use that exceeds
10 the uses authorized by a recorded deed, recorded easement, other
11 recorded dedication, or a court order.

12 (3) The local unit of government may prohibit a use of a
13 public road end that violates this section.

14 (4) A person who violates subsection (1) or (2) is guilty of a
15 misdemeanor punishable by a fine of not more than \$500.00. Each 24-
16 hour period in which a violation exists ~~constitutes~~ **REPRESENTS** a
17 separate violation of this section. A peace officer may issue an
18 appearance ticket as authorized by sections 9c to 9g of chapter IV
19 of the code of criminal procedure, 1927 PA 175, MCL 764.9c to
20 764.9g, to a person who violates subsection (1) or (2).

21 (5) This section does not prohibit a person or agency from
22 commencing a civil action for conduct that violates this section.

23 (6) As used in this section:

24 (a) "Local unit of government" means the county, township,
25 city, or village with jurisdiction over a public road. **LOCAL UNIT**
26 **OF GOVERNMENT DOES NOT MEAN A COUNTY ROAD COMMISSION.**

27 (b) "Public road" means a county road or a township, city, or

1 village street that is open for use by the public.

2 (c) "Public road end" means the terminus of a public road at

3 an inland lake or stream.