

**WATERWAYS & MARINE SAFETY**  
**Ordinance No. 793**  
**Adopted December 19, 2016**

An ordinance to adopt, by reference, certain parts of Michigan law relating to marine safety, and to control certain activities upon the waterways within the Charter Township of Fenton, and providing for penalties for violations thereof, as allowed by MCL 324.80113, all for the general health, welfare and safety of the residents of Fenton Township.

**THE CHARTER TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN HEREBY ORDAINS:**

**SECTION 1. Adoption of Provisions of the Watercraft and Marine Safety Act**

- A. The provisions of Michigan Law, specifically MCL 324.80101 to and inclusive of MCL 324.80104, which sets forth definitions, are hereby adopted by reference.
- B. The provisions of Michigan Law, specifically MCL 324.80122 to and inclusive of MCL 324.80124, relating to the conditions for the operation of vessels, providing for exemptions, and relating to the certificate of title and the certificate of the numbers for the vessels, are hereby adopted by reference.
- C. The provisions of Michigan Law, as set forth in MCL 324.80126, which provides for dealer certificates of number and dealer decals on vessels, are hereby adopted by reference.
- D. The provisions of Michigan Law, as set forth in MCL 324.80144 to and inclusive of MCL 324.80153, regulating the operation of vessels, including the speed and other regulations relating to the specific operation of vessels and the use of those vessels, are hereby adopted by reference.
- E. The provisions of Michigan Law, as set forth in MCL 324.80155, regulating divers, the point of submergence, and the distance from diver's flag, are hereby adopted by reference.
- F. The provisions of Michigan Law, as set forth in MCL 324.80166 to and inclusive of MCL 324.80173, providing for the circumstances for an arrest without a warrant, the issuance of a summons, and permitting peace officers to stop a vessel upon reasonable suspicion, and prohibiting the furnishing of false information to a peace officer, are hereby adopted by reference.

## **SECTION 2. Penalties**

- A. A person convicted of violating this Ordinance is guilty of a misdemeanor, and shall be punished by one or more of the following:
1. Community service for not more than forty-five (45) days;
  2. Imprisonment for not more than ninety-three (93) days;
  3. A fine of not less than One Hundred Dollars (\$100.00) or more than Five Hundred Dollars (\$500.00).
- B. That in addition to the penalties provided herein, the Court may order the person to pay the cost of the prosecution, which shall not be less than Fifty Dollars (\$50.00), and the Court shall also impose the sanctions as set forth under Michigan law, being MCL 324.80185 and MCL 324.80186.

## **SECTION 3. Severability**

Each and every article, section and subsection, of this ordinance, and each provision of each article, section and subsection, is declared to be separable and severable, and a judicial determination that any article, section, subsection or provision of this ordinance is invalid or unenforceable, shall not affect the validity or enforceability of any other article, section, subsection or provision.

## **SECTION 4. Effective Date**

This ordinance shall be published as required by law and shall take effect 30 days after adoption and publication.

Enacted at a regular meeting of the Fenton Township Board held on the 19th day of December 2016.

**Bonnie K. Mathis, Supervisor**

**Robert E. Krug, Clerk**