

The following Dunton Park Boat Launch Ramp Ordinance was adopted at the Holland Charter Township Board meeting on April 19, 2018.

HOLLAND CHARTER TOWNSHIP
OTTAWA COUNTY, MICHIGAN

ORDINANCE NO. 578

DUNTON PARK BOAT LAUNCH RAMP ORDINANCE

AN ORDINANCE to amend the Code of Ordinances, Charter Township of Holland, Michigan, by adding a new Chapter 37, “Dunton Park Boat Launch Ramp,” to secure the public health, safety, and general welfare of persons within the Charter Township of Holland by regulating conduct at the Dunton Park Boat Launch Ramp, in addition to conduct regulated by Chapter 20 of the Code of Ordinances, “Parks and Recreation;” to provide penalties for violations of this Ordinance; and to provide for the effective date of this Ordinance.

THE CHARTER TOWNSHIP OF HOLLAND, OTTAWA COUNTY, MICHIGAN,
ORDAINS:

Section 1. Addition of Chapter. Chapter 37 of the Holland Charter Township Code of Ordinances, “Dunton Park Boat Launch Ramp,” is added in its entirety to read as follows.

Chapter 37 - DUNTON PARK BOAT LAUNCH RAMP

Sec. 37-1. - Purpose.

The township has installed an automated ticket issuance machine at Dunton Park, for the issuance of daily and seasonal permits for those persons using the launch ramp for trailered water craft. The purpose of this chapter is to describe the township’s expectations regarding behavior at and concerning the launch ramp. This chapter is intended to be in addition to and not in replacement of the requirements in chapter 20 of this code, regarding parks and recreation.

Sec. 37-2. - Definitions.

For purposes of their use in this chapter, the following words and terms are defined. The following definitions shall apply in the interpretation and enforcement of this chapter. Any word or term not defined shall be considered to be defined in accordance with its common or standard definition, unless otherwise defined in this code, in which case the definition given by this code shall apply.

Dunton Park boat launch ramp means the launch owned and operated by the township for purposes of launching and recovering watercraft at Dunton Park.

Dunton Park boat launch ramp area means the Dunton Park boat launch ramp, the Dunton Park parking area used by those utilizing the Dunton Park boat launch ramp, and the areas of Dunton Park walked through or otherwise occupied by persons utilizing the Dunton Park boat launch ramp.

Litter means any offal or refuse, including but not limited to paper, cans, bottles, and animal feces.

Motor vehicles means any and all kinds or types of motor-driven or motor-propelled automobiles, trucks, motorcycles, motor scooters, mopeds, and any kind or type of off-road or all-terrain vehicle.

Permit means the daily or seasonal sticker, decal, or ticket issued by the township evidencing payment of required fees for the use of the Dunton Park boat launch ramp from the pay station located at Dunton Park.

Pets means dogs, cats, horses, or other domesticated animal or any other animal under the custody or control of a person.

Power launching or power recovery means watercraft driven onto or off of trailers by the watercraft's propulsion system. This means that launched watercraft must be floated and the trailer then pulled out from beneath; and that recovered vessels must be floated onto or pulled onto the trailer by a winch or other mechanism.

Watercraft means any and all kinds or types of flotation vessels designated for use on the water, whether or not motorized, including but not limited to boats, canoes, kayaks, jet skis, sea-doo's, pedal craft, pontoon boats, inflatable craft, tubes, or wind-propelled surf boards, but only if transported on a trailer which accesses water for use of the Dunton Park boat launch ramp.

Sec. 37-3. - Required permit.

No person shall use the Dunton Park boat launch ramp to launch any watercraft into or retrieve any watercraft from the waters of Lake Macatawa without first securing a permit and paying the appropriate fee in an amount established by resolution of the township board.

Sec. 37-4. - Posting of permit.

The permit shall be visibly posted on the windshield or dashboard of the motor vehicle used to trailer or transport the watercraft to the Dunton Park boat launch ramp.

Sec. 37-5. - Prohibited conduct.

No person shall engage in any of the following conduct at the Dunton Park boat launch ramp.

- (1) Occupy or use any portion of the Dunton Park boat launch ramp area for purposes of overnight camping.
- (2) Utilize the Dunton Park boat launch ramp area for any swimming or diving activities.
- (3) Possess any type of fireworks or explosives within any portion of the Dunton Park boat launch ramp area.
- (4) Allow a pet to run loose at any time within the Dunton Park boat launch ramp area. For purpose of this subsection, “allow a pet to run loose” shall mean that the pet is neither on a leash held by, nor otherwise under the immediate control of, the person in custody of the pet.
- (5) Damage, destroy, deface, or remove any tree, shrub, planting, fence, sign, marker, or other equipment or structure, including the pay station, within the Dunton Park boat launch ramp area.
- (6) Light or maintain a fire within the Dunton Park boat launch ramp area.
- (7) Deposit or cause any litter to remain in the Dunton Park boat launch ramp area, including but not limited to any fecal material generated by the pets or animals under the control of any person.
- (8) Fail to observe any of the requirements of the permit or fail to abide by the rules and regulations for the use of the Dunton Park boat launch ramp area.
- (9) Leave unattended any launched or moored watercraft at any time in the Dunton Park boat launch ramp area.
- (10) Engage in the practice of power launching or power recovery of any watercraft in the Dunton Park boat launch ramp area.
- (11) The commercial use of the Dunton Park boat launch ramp area, including but not limited to the launching of commercial watercraft, dredge cranes, or pile drivers by a marine contractor; the maintenance of watercraft by a marina; and other similar activities.

Sec. 37-6. - Permit term.

A permit may be terminated or revoked for violating any township ordinance provision; for violating any of the posted rules for use of the Dunton Park boat launch ramp area; for damage to the Dunton Park boat launch ramp area; or for any criminal act in connection with the use of the Dunton Park boat launch ramp area. The township superintendent may make such additional rules and regulations regarding the use of the Dunton Park boat launch ramp area consistent with this chapter, this code, and the laws of this state, as may be necessary to promote and protect the health, safety, and welfare at the Dunton Park boat launch ramp area.

Sec. 37-7. - Penalties.

Any person who violates or participates with another in a violation of any provision of this chapter is responsible for a municipal civil infraction and subject to the provisions of section 1-13 as a municipal civil infraction, including any costs which may be imposed by a court of competent jurisdiction. Each separate act in violation of this chapter (e.g., launching and retrieving are separate acts) shall be separate offenses. The service of citations or municipal civil infractions under this chapter may be served by personal delivery, by first class mail, or by affixing the citation to the motor vehicle, watercraft, or trailer in violation of this chapter. The township may also seek from a court of competent jurisdiction other remedies to prevent future violations and such other remedies as provided by section 1-13 of the code.

In addition to the sanctions provided in this section for the violation of this chapter, any person who is determined to be responsible for a municipal civil infraction because of any damage that the person has caused to the Dunton Park boat launch ramp area shall reimburse the township for the damage for which the person is responsible. If a person is responsible for an act of vandalism (including but not limited to graffiti), that person shall reimburse the township for up to three times the amount of damages, as determined by the court.

Section 2. Effective Date.

This Ordinance was approved and adopted by the Township Board of the Charter Township of Holland, Ottawa County, Michigan, on April 19, 2018, after introduction and a first reading on April 5, 2018, and publication after such first reading as required by Michigan Act 359 of 1947, as amended. This Ordinance shall become effective 30 days after the Ordinance is published following adoption.

Terry Nienhuis, Supervisor

Michael Dalman, Clerk