

MAY 2018 NEWSLETTER

Crockery Lake Association



Helpful Links:

Crockery Lake Website: www.crockerylake.org

Facebook Page: www.facebook/crockerylake

Online Firework Donation Page:

<https://rally.org/crockerylakefw>

Merchandise: www.cafepress.com/crockerylake

OPEN LETTER FROM PRESIDENT OF CROCKERY LAKE ASSN—

Hello to our Crockery Lake neighbors,

As many of you may know, there has been a lot of discussion lately regarding the township's newly adopted Dock and Boat Ordinance. The new ordinance replaced an existing ordinance that was in effect since 1993. We are including both ordinances, new and old, in this newsletter to illustrate the new changes. Edits to the old ordinance are illustrated in the updated ordinance.

We, as your representative board, have been discussing revisions to the ordinance during our regular, open-forum lake association meetings since July 2013, since it was brought to our attention by the township that one of our lake residents had no available means to address an inconsiderate neighbor, because there were no current rules in place to prevent such behavior. The revisions were intended to provide a guideline to provide protections to all of us around the lake, and to address ever-changing boating and lake recreation trends.

While some of us may feel the ordinance revisions are an infringement of our personal rights, we, as your representative board, aren't provided the luxury of making decisions based on how they affect us personally. We need to consider the community at large. There was a call out for help, and we responded methodically and thoughtfully over 4½ years, with all public comments having already been discussed and addressed during that span of time. Our recommendations were vetted by the township and their attorney, and modified based on standard, common ordinance language used throughout Michigan. We feel provisions were included in the new ordinance language to address unique, existing conditions. We feel there are no negative repercussions for encroachments into the newly adopted setbacks, if it is acceptable to your neighbor. There are no fee requirements to seek a variance, should one be required. The township intends to enforce the ordinance solely on a complaint-driven basis. We do acknowledge there are opportunities to amend the language to remove some confusion (e.g., overnight mooring at the park), as all ordinances are dynamic and should be reviewed and changed periodically to address changing trends.

We feel the new ordinance reduces the opportunity for unneighborly behavior, and now offers residents a legal mechanism to deal with it. It is the recommendation of the Crockery Lake Board of Directors to allow the ordinance to remain as written during this boating season, and offer a follow-up discussion during our regular October 2018 lake association meeting to address what worked and what didn't.

The township is holding a regular board meeting at 7:00 p.m., next Monday, May 14, 2018, at the township hall to hear your concerns and to facilitate further discussion. It is incumbent on all of us to remain informed and active in decision-making processes that concern us.

Sincerely,

Bruce A. Callen, President

Crockery Lake Board of Directors

CHANGES TO FUNNELLING/DOCK ORDINANCE

Copy of Ordinances and Policy attached. The updated Ordinance will remain in effect this year. If you have questions or concerns, please contact Chester Township. They are happy to work with you. FYI—If we did not have a CLA newsletter, the only way you would know about the significant changes to this ordinance or be able to obtain these documents would be for YOU to go to the Chester Twp website and print them yourself. The township is not required to supply you with this information. This additional printed material will cost CLA board approximately \$30.00 more this month. (Buzz is not charging us extra for color copies) Doesn't seem like much, but we are on a very tight budget and are watching every penny. Please join CLA. **This is one way dues are used for your benefit.**

CLA ANNUAL MEETING

May 16, 2018 | Dinner: 6:00 | Meeting: 7:00 | Grose Park Forest Shelter
FREE Dinner Provided: Hot dogs, beans, veggies, and dessert

- Speaker: Jaimee Conroy, Professional Lake Management
 - Crockery Lake Weed Treatments: Why do we do them?
This is your chance to ask questions.
- Pick up a water testing kit
- Run for a lake board position

SEEKING TWO BOARD MEMBERS

Two three-year positions are open this year. Anyone who is interested, feel free to throw your hat in the ring. You will make a great lake board member if:

- You have an interest in learning about lake health
 - Be a resource for your neighbors on water quality projects, erosion control, weed treatments, lakescaping and more!
- You want to take an active role in making decisions that affect our lake
- You have current concerns for the lake and have ideas how to fix them
 - Make a positive difference to help solve lake problems.

Interested? Contact Bruce Callen, President, or any board member. Phone numbers on last page of newsletter.

2018 FIREWORKS – 37 MORE SHOTS THIS YEAR!!!

Thanks to Carl Elliott! Carl attended a demonstration session showing all types of fireworks we could purchase with our monies. He made notes of the shots that were super great and worked with our fireworks company to add those to our show. Carl, thanks so much for all your extra effort. Can't wait to see them!

Carl and Tom sure would like some help with the fireworks—here's what you can do:

Date and time of Set Up is July 3 - 9:00 a.m. until approximately Noon

Date of Clean Up is July 4 - 9:00 a.m. until done

These dates will delay by one day if inclement weather.

The mortar racks weigh from 40 - 60 lbs. so you must be able to lift both to set up and to store the mortar racks. On clean-up day, there is lighter work to do also to clean up the field. Unloading and loading the mortar racks is the heavy work.

This is strictly volunteer per Wolverine. You will not be covered by any insurance.

Anyone interested in becoming a pyro-technician, contact Carl Elliott at 616 822-9250

For the first time EVER we raised \$4,607.67 for the 2018 Fireworks show. Our "must have" amount was \$4,500. No last-minute donations needed for this year's show!!! The fireworks get better and better every year—thanks to your generous donations.

Next year—who knows? With possible tariff wars on the horizon, we can be sure the cost for the fireworks will not decrease. Please plan on contributing to the 2019 fireworks goal. Your continuing support will help us continue this 35+ year tradition.

We are happy to accept donations the “old fashioned way”--when your Lake Board Representative visits you—or donate online, visit <https://rally.org/crockerylakefw> (You are able make a donation using your credit card!) The money goes directly into the 2019 CLA Fireworks Fund account. All funds received will be used for the fireworks. Fireworks donations are tax deductible.

Another way to support next year’s fireworks fund with is by shopping at the Crockery Lake Association on-line store at <http://www.cafepress.com/crockerylake> Firework donations for 2019 are accepted at this or any time throughout the year.

Another way to support the 2019 fireworks fund! Lesha Gustin has volunteered to use her drone to take pictures of your home or boating activities. The profits from these pictures will be donated to the 2019 Fireworks fund. Contact Lesha at: 616-899-2162.

CROCKERY LAKE CONSOLIDATED DRAIN DRAINAGE DISTRICT UPDATE

Per Ryan McEnhill, Engineer with the Ottawa County Drain Commission, they have done some preliminary surveys on all streams where they enter the lake. They will be starting survey work in four of these spots. They met a couple of weeks ago with the DEQ regarding the requirements needed to obtain permits in these areas. The DEQ is sending them this information in the near future.

When asked about the terrible problem with the giant sandbar at Humphrey’s residence, he acknowledged, “it is the worst we have ever seen it. The early heavy spring rain event created an even larger problem.” Let’s hope quick action can be taken to solve this problem. Not only is it almost impossible for Humphreys to use their lakefront, the large amounts of sand deposited into the lake are affecting the shorelines of several other residents. We will continue to monitor their progress. Questions regarding the Drainage District: Joe Bush, 616-994-4530.

WEED GROWTH CROCKERY LAKE--

The first weed to appear is EURASIAN MILFOIL. It is fast growing and often forms a thick canopy shading out other aquatic plants if left untreated. It is happy to reproduce from only a fragment of the original plant. It spreads quickly and if left untreated will quickly take over a lake. If you pull this weed, *take great care to capture all of the plant parts*. Left floating it will take up residence in other parts of the lake. The May chemical treatment kills milfoil. Because of carefully targeted treatments over the years, we have been able to control the spread of milfoil. Only 5 percent of the lake is treated for milfoil. Recommendation: Let the chemical

treatment eradicate the milfoil—save your energy for the native weeds that will follow in about a month!

Is it Eurasian Milfoil (invasive) or is it coontail? Kinda hard to tell them apart—here's a picture of both of them:



2018 CHEMICAL TREATMENT DATES

- 5.14.18 Spring Survey
- 5.21.18 Weed & Algae (Optional), Muck Pellet Treatment
- 6.25.18 Weed & Algae (Optional), Muck Pellet Treatment
- 7.23.18 Weed & Algae (Optional), Muck Pellet Treatment
- 8.20.18 Fall Survey, Muck Pellet Treatment. Dates subject to change re: inclement weather conditions.

REPORT SWIMMERS ITCH

In past years, our lake has had few cases of swimmer's itch. But that can change. CLA is participating in the 2018 Swimmer's Itch Initiative. Its goal is to create a large database of reported swimmer's itch cases in the State. Please contact any CLA Board member if you experience swimmer's itch, or log onto swimmersitch.ca Thank you!

TESTING YOUR WELL WATER

[Is your water safe to drink?](#)

Everyone on the lake has a well for drinking water. The only way to know is to have your water tested—every year—to ensure water is free of harmful bacteria and other contaminants.

Your water may have been safe last year and is not safe this year. A nearby farm might have started using a different type of fertilizer that washes dangerous nitrates into your aquifer; your own septic system may be leaching contaminants into your well; everything that comes from the environment ends up in the aquifers (the source of your water). Excerpts from [The Grand Rapids Press](#), January 29, 2017 article.

[The best time to test is in the spring.](#)

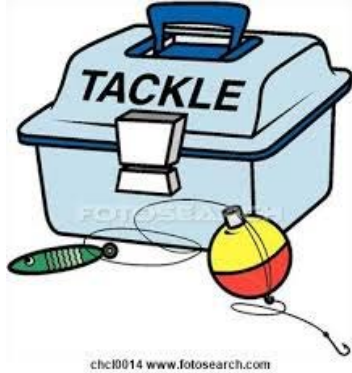
Coliform bacteria, nitrates, dissolved solids and ph levels are included in the test.

[How much does it cost?](#)

\$33 - Water collection kits can be picked up at the annual meeting.

[Where do I submit my test to?](#)

The drop-off station is located at Alliance Analytical Labs, 179 Randall, Coopersville. They are open M-F 8:00-5:00. Saturday 8:00 a.m.-1:00, call 616-837-7670.



JOHN'S TACKLE BOX

Steelhead being caught in good numbers at the Sixth Street Dam. They are using spawn and beads, and flies.

Crappies and bluegills are starting to move in with the warmer weather.

Walleye are going great on the Detroit River.

The State has issued new guidelines for eating fish. They are now calling for limits--

Bluegills and sunfish--4 per month. Bass—2 per month (under 20 inches); 1 if over 20 inches. Pike—2 per month (under 30 inches); 1 per month over 30 inches.

Details can be found on the [Michigan.gov/eat safe fish](http://Michigan.gov/eat_safe_fish) site.

Have fun and be safe. Walleye, pike and muskie opened April 28th in the lower peninsula. Trying my luck this week!

GEESE EAT UP TO 4 LBS. OF GRASS A DAY AND RETURN UP TO 2 LBS OF THAT IN FECES!!!!!!

HOW RESIDENTS CAN “TEAM UP” TO REDUCE NUMBER OF CANADA GEESE ON THE LAKE

Nuisances, nutrient loaders, health risks, toxic to fish, and feces totally gross to step in—the lists goes on and on. Here's a couple of things YOU can to help. If most of us make utilize some of these strategies, the lake will become less attractive to the geese and we will have fewer of them hanging around—

THE PLAN--

--LET THE FIRST FIVE FEET OF YOUR WATERFRONT GRASS GROW TO 5 INCHES TALL—just the part of your lawn where it meets the shoreline may be enough. A strip about 5 feet wide should do it. Geese are lazy and want to be able to cruise the lake, step onto a short-cut grass lawn, eat and nest. If your yard is not “easy pickins”, they may decide to keep on

moving down the lake looking for an easier meal. Their favorite meal is Kentucky bluegrass. If you need to replace your grass pick another type.

--PLANT SOME TALL GRASSES ALONG THE SHORELINE. Geese will likely not venture into a yard with an area of predatory risk. And don't cut the grasses in the fall—leave them year-round. In late March and April, the tall grasses will discourage them from nesting at your house. Grasses are beautiful, they are native plants, are low-maintenance and inexpensive. This works for me (Linda Lane).

--ADD A FEW COYOTES OR OTHER INTIMIDATING EFFIGIES (owls, birds of prey). Available at most home improvement stores. They could be used in your beach /dock area where the tall grasses won't work.

--DO NOT FEED THEM!!

--PARTICIPATE IN A GOOSE ROUNDUP. PERMIT NEEDED. AVAILABLE AT DNR SITE.

Still not convinced to make this change??

Here's some horrifying facts about Canada geese—

--Geese live up to 24 years, keep the same mate for life, and return to nest in the same location.

--geese defecate both on land and in the lake and the droppings are high in organic matter and nutrients. They accelerate aquatic plant growth and algae blooms.

--One goose can contribute about a half pound of phosphorus to the lake each year. Twenty geese on the lake would be the same as dumping two fifty pound bags of fertilizer each year.

--Goose feces contain bacteria that may emerge as a human health risk. Nutrients contained in fecal matter have significant impact—excessive weed growth and algae blooms.

--decomposition of animal waste depletes oxygen levels in shallow warm waters during the summer months, producing a toxic environment for fish.

SPRING JOBS—ESPECIALLY IMPORTANT BECAUSE WE LIVE ON A LAKE

Relandscaping? Add some native plants!

Clean up animal waste—don't let it end up in the lake.

Clean out your firepit and dispose of the ashes—so they don't end up in the lake.

Don't let those TV commercials for lawn fertilizers get to you! According to the MSU Extension Office, most lawns in Michigan have adequate levels of phosphorous without adding chemicals to your lawn.

Use lake water to water your lawn. Your lawn will have more than enough nutrients to keep it green.

You can still use crabgrass killer (without fertilizer) and other insecticides.

No types of fertilizers may be used within 300 feet of the lake.

No grass clippings, leaves, sticks, etc. may be placed in the lake.

Fertilizers applied by lawn fertilizer companies are prohibited. If you see your neighbor violating this ordinance, please remind him of the ban. Violation of this ordinance may result in a \$500 fine.

Put reflectors on your rafts. Phone numbers should be added to your paddleboats and kayaks.

Violations and questions should be directed to the Chester Township Zoning Administrator 616-899-5544.

NEXT CLA BOARD MEETING

Annual Meeting! May 16 6:00 pm. Grose Park Forest Shelter.

Advertisers Corner

Work Wanted

Two teenage boys who live on the lake are looking for summer jobs.

Yard Work Such As:

- Mowing
- Miscellaneous odd jobs
- Kid sitting
- Picking up sticks
- Weeding/Gardening
- Fence painting
- Open to other similar type jobs

While You're On Vacation:

- Pet sitting (checking in on, feeding, and taking for walks)
- Picking up mail
- Watering plants
- Mowing

We have great references!

Contact Zach and Scott Strayer at **887-1001**

Advertising in this newsletter is FREE to Crockery Lake Association Members. Businesses can advertise for \$25/year.

Inclusion of any advertisement in the CLA Newsletter does not equate to an endorsement by the Crockery Lake Association.

est. 1994

PAPA Piccione's

80 Main St.
Kent City, MI 49330
616.678.4478

12432 Stafford St.
Ravenna, MI 49451
616.430.9349

Owners | Jeff and Angela Sabin

papapiccionorestaurant.com

Don Scott | Broker

donscottemail@gmail.com
616-293-9927

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CLA BOARD

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Ph: 616-240-9080 | Email: bcallen@callenengineering.com

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Linda Rexford, Director

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Route: 2392-2516 Van Dyke

Carl Elliott, Director

Ph: _____ | Email: Route: 2081-2211 Van Dyke

Betsy Ludwick, Director

Ph: _____ Email: _____

Route: 2705-2835 Van Dyke; Gooding; Taft

Past Presidents

Pat Wolters and Dianne Berenbrock

Chuck Lane, Webmaster

Email: clane@vdiw.net

Newsletter Publishing Provided by Buzz Holtvluwer

RED WORDING IS NEW LANGUAGE
NEW ORDINANCE

TOWNSHIP OF
CHESTER OTTAWA
COUNTY, MICHIGAN

(Ordinance No. 2018-04-01)

At a regular meeting of the Township Board for Chester Township held at the Township offices on April 9, 2018, beginning at 7:00 p.m., Township Board Member Goodno made a motion to adopt this Ordinance, which was seconded by Township Board Member Redding:

AN ORDINANCE TO REGULATE THE USE OF CROCKERY LAKE BY LIMITING THE NUMBER OF DOCKS **OR PIERS** THAT CAN BE ERECTED ON PARCELS OF LAND OR LOTS ADJOINING THE LAKE AND LIMITING THE NUMBER OF BOATS THAT CAN BE MOORED AT A DOCK **AND RELATED MATTERS.**

THE TOWNSHIP OF CHESTER (the "Township"), OTTAWA COUNTY, MICHIGAN, ORDAINS:

Section 1 - TITLE

This Ordinance shall be known and may be cited as the "Chester Township Crockery Lake Regulation Ordinance".

Section 2 - LEGISLATIVE FINDINGS; COVERAGE

The Township Board for Chester Township, Ottawa County, Michigan, finds and determines that it is necessary to adopt this Ordinance in order to provide regulations which are appropriate to prevent nuisance conditions from developing on or near Crockery Lake arising from the use of the lake by lakefront property owners and the public in general; to prevent or avoid impairment of an important irreparable natural resource (Crockery Lake); to avoid or prevent impairment of property values of lands adjoining Crockery Lake; to provide regulations which are designed to protect the public health, safety and welfare related to the uses of the lake; and to minimize or reduce the dangers from overuse of the lake to persons using the lake and riparian property owners. **Any land, easement, road, road end, lake access property, or park under the ownership, possession or control of the Township or any governmental agency or unit having access to or frontage on Crockery Lake shall be fully subject to the provisions of this Ordinance.**

Section 3 - DEFINITIONS

- A. "Dock" a structure, platform or fixture extending from the shore or bottomlands into a lake.
- B. "Docked" or "docking" the anchoring, tethering, or mooring of a watercraft directly to a pier, structure, platform, pole, anchor or dock: and also means the placement of a watercraft in an off-shore boat cradle or

shore station, or the regular or overnight beaching of a watercraft of anchoring or tethering to the bottomlands of a lake.

- C. "Watercraft" any boat, pontoon boat, hydrofoil, hovercraft, jet ski, personal watercraft, jet boat, or similar vessel having a propulsion system or sailboat over 12 feet in length, but does not include canoes, kayaks, paddleboats, rowboats, (without an engine) or other human-powered craft or sailboards.

Section 4 - NUMBER OF DOCKS OR PIERS

From and after the effective date of this Ordinance, no parcel or platted lot which adjoins, fronts on or abuts Crockery Lake shall have thereon, or in the waters of Crockery Lake immediately adjacent to such parcel or platted lot, any dock, pier, wharf, or boat mooring site unless the parcel or platted lot has at least One Hundred feet of frontage on Crockery Lake for each such dock, pier, wharf, or mooring. Provided, however, that lawful parcels or platted lots which were of record at the Register of Deeds Office for Ottawa County as of the effective date of this Ordinance and which have less than One Hundred (100) feet of frontage on Crockery Lake, may have not more than one (1) dock, pier, wharf, or boat mooring erected thereon.

Section 5 - NUMBER OF BOATS PERMITTED PER PROPERTY

No more than three (3) registered watercraft may be moored, stored, anchored or docked at one time for a given lakefront parcel or lot, whether on or at the shoreline or at a dock, pier or shore station, in the waters of the lake, on the bottomlands of the parcel or lot or on the shore. This restriction shall apply to any registered watercraft which is moored, anchored, docked or otherwise present for periods of time in excess of 24 hours. For purposes of this section, the term "registered watercraft" shall mean a boat, vessel, or other device for which a certification and registration (or comparable document) has been issued or is required under the laws of the state of Michigan or the state in which the owner of the watercraft resides.

Section 6 - MAXIMUM LENGTH OF A DOCK AND OTHER DOCK REQUIREMENTS

- A. No more than one (1) dock or pier shall be permitted per lawful parcel or lot.
- B. No dock or pier shall extend into Crockery Lake for a distance greater than fifty (50) feet as measured perpendicularly from the shoreline.
- C. Each dock, pier, shore station and boat hoist shall be completely removed from Crockery Lake during the winter season (i.e. from December 15 through the following March 15). If a permanent dock, pier or other nonconforming dock lawfully existed prior to the adoption of this Ordinance and if any such dock or pier is replaced, reconstructed, moved, or altered, it shall lose its lawful nonconforming structure status, in which case such dock or pier (as well as any replacement dock or pier) shall be fully subject to this Ordinance and shall be completely removed from Crockery Lake from December 15 through the following March 15.
- D. For all properties with frontage on Crockery Lake in any residential or agricultural zone district under the Chester Township Zoning Ordinance, as amended, only boats or watercraft owned by the owner of the lake property involved may be moored, kept, beached, docked, or stored on that property (or the bottomlands thereof) overnight.

Section 7 - LIMITS ON RIPARIAN RIGHTS AND TRANSFERS

No owner of riparian land shall in any way lease, sell, rent or otherwise alienate the riparian rights of dockage or boat moorage to any person, firm or corporation unless the transferee acquires the entire fee ownership to the same riparian land. No riparian landowner shall permit a person, firm or corporation which does not have riparian rights on Crockery Lake to use the riparian land of that riparian owner, with

or without compensation, for a period greater than two (2) consecutive days.

Section 8 - SIZE AND LOCATION RESTRICTIONS

Docks, piers, floating rafts, shore-station, boat hoists, trampolines, floats, ski jumps, or platforms shall not be located in Crockery Lake so as to impede navigation or present a safety hazard to watercraft. No person shall install or maintain a dock, pier, shore-station or boat hoist or anchor a raft, ski jump, trampoline, float or platform on bottomlands not owned by that person. All docks, piers, floating rafts, shore-station, boat hoists, trampolines, floats, ski jumps, or platforms must stay completely on, or float above, the bottomlands of the owner's property.

SECTION 9 - SETBACK REQUIREMENTS

- A. No dock or pier shall be placed or located within ten (10) feet of the side lot lines of the lot or parcel where it is located as extended to the center of the lake.
- B. No shore-station or boat hoist shall be located within two (2) feet of a side lot line as extended to the center of the lake. If the shore-station or boat hoist has a canopy that extends out further than the other parts of the shore-station or boat hoist, the measurement used shall be from the edge of the canopy and not the shore-station or boat hoist.
- C. No watercraft or other boat shall be launched, stored, moored or docked within two (2) feet of the side lot lines of a lake parcel or lot as extended to the center of the lake.
- D. Where a parcel or platted lot lawfully existed as of record prior to the date of this Ordinance and the lake frontage of that lot or parcel is not wide enough to accommodate or allow a dock or pier to be located at least ten (10) feet from both side lot lines, then the parcel or lot may have one dock or pier which must be centered within the lake frontage. The exact location, size and length of the dock or pier, as well as the placement of boats or watercraft thereon, must be approved by the Chester Township Zoning Administrator. In no case, however, shall the dock, pier or moored boats extend beyond or over the bottomlands of the parcel or platted lot involved.

SECTION 10 - BOAT STORAGE DEVICE DESIGN REQUIREMENTS.

No fill or the addition of any permanent or stabilizing structure or material shall be added to the bottomlands of Crockery Lake to support any pier, dock, boat hoist or shore-station.

SECTION 11 - PARKS, EASEMENTS, and COMMON AREAS.

No dock, pier, shore-station, boat hoist or mooring for a watercraft (or any boat) shall be located at or on any road right-of-way, park, road end, common area, alley, dedicated walkway, or easement (or bottomlands thereof) which abuts, fronts on or terminates at Crockery Lake, nor shall any watercraft, boat, canoe, kayak, paddle boat, rowboat, or similar vessel be anchored, moored, beached, or stored at or on any such park, road right-of-way, common area, road end, dedicated walkway, or easement (or bottomlands thereof).

- A. This Section 11 shall apply whether the right-of-way, easement, park, road, common area, alley, or dedicated walkway is public or private.
- B. Exception: If lots or parcels front on a road right-of-way, easement, or similar way which runs along and parallel to the shoreline of the lake and such abutting lots or parcels are deemed to be riparian pursuant to Michigan law, then each individual lot or parcel so deemed to be a riparian property under Michigan law shall be considered a "separate frontage" for purposes of this Ordinance as to each such parcel or lot's portion of the right-of-way, easement, or other way involved, and this

Section 10 shall not apply to each such separate frontage.

Section 12 - NO BOAT RAMPS OR LAUNCHES

No boat launch, boat ramp or similar access for a boat or watercraft to Crockery Lake shall be installed, created or used after the effective date of this Ordinance. Any and all boat ramps, boat launches and similar lake access areas that were lawfully in existence prior to the date of this Ordinance may remain, but shall not be upgraded, widened or expanded.

Section 13 - REPEAL

All ordinances or resolutions of Chester Township which are in conflict with the provisions of this Ordinance are hereby repealed to the extent of any such conflict. In addition, Ordinance No. 1993-10-01, as amended, is expressly repealed by this Ordinance (although this Ordinance is the successor ordinance to prior Ordinance No. 1993-10-01).

Section 14 - SEVERABILITY

If any sentence, section, paragraph or part of this Ordinance is determined to be unconstitutional or unenforceable by a court of competent jurisdiction, it shall be severed from the remainder of the Ordinance and such determination shall not affect the remainder of the Ordinance which shall remain valid and in effect.

Section 15 - PENALTIES

- A. A violation of this Ordinance constitutes a municipal civil infraction. Any person who violates, disobeys, omits, neglects, or refuses to comply with any provision of this Ordinance, or any amendment thereof, or any person who knowingly or intentionally aids or abets another person in violation of this Ordinance, shall be in violation of this Ordinance and shall be responsible for a civil infraction. The civil fine for a municipal civil infraction shall be not less than one hundred dollars (\$100.00) for the first offense and not less than two hundred dollars (\$200.00) for subsequent offenses, in the discretion of the court, in addition to all other costs, damages, expenses and remedies provided by law. For purposes of this section, "subsequent offense" means a violation of the provisions of this Ordinance committed by the same person within twelve (12) months of a previous violation of the same provision of this Ordinance or similar provision of this Ordinance for which said person admitted responsibility or was adjudged to be responsible. Each day during which any violation continues shall be deemed a separate offense.
- B. Anyone who assists another in violating this Ordinance, or who aids and abets another in violation of this Ordinance, shall also be deemed to be in violation of this Ordinance.
- C. In addition to the above-mentioned remedies, the Township is also authorized (at its option and discretion) to pursue a civil lawsuit to enforce and/or ensure compliance with this Ordinance in the Ottawa County Circuit Court.
- D. This Ordinance may be enforced by the Township Zoning Administrator, the Township Building Inspector, the Township Zoning Enforcement Officer, a Deputy Sheriff, and such other Township official or agent as the Township Board may designate from time to time by resolution.
- E. A violation of this Ordinance is also hereby declared to be a nuisance *per se* and is declared to be offensive to the public health, safety and welfare.

Section 16 - EFFECTIVE DATE

This Ordinance shall take effect upon the expiration of thirty (30) days after its **publication (or a summary thereof)** in the manner provided by law.

The vote to adopt this Ordinance was as follows:

YEAS: Berenbrock, Dunnuck, Goodno, Meerman and
Redding NAYS: None
ABSENT/ABSTAIN: None

ORDINANCE DECLARED ADOPTED.

CHESTER TOWNSHIP GENERAL POLICY

Zoning Violation Complaint Process

Chester Township does not actively seek out “nuisance” type violations of the Zoning Ordinance such as junk cars or trash. However, if a case is brought to our attention we will investigate. If it is found that there is a violation, a letter will be written to the property owner making them aware of the ordinance requirements and asking that they correct the problem. If after 2 weeks the violation has not been taken care of, a second letter will be written. This will explain the final deadline for compliance at which time a citation may be written. If you would like to report a violation, you may do so by contacting the Township Office or by filing a written [complaint form](#). These complaints may be made anonymously.

OLD ORDINANCE

TOWNSHIP OF CHESTER OTTAWA COUNTY, MICHIGAN

Ordinance Number 1993-10-01

(Amended)

An Ordinance to regulate the use of Crockery Lake by limiting the number of docks that can be erected on parcels of land or lots adjoining the lake and limiting the number of boats that can be moored at a dock.

THE TOWNSHIP OF CHESTER (the “Township”), OTTAWA COUNTY, MICHIGAN, ORDAINS:

Section 1 TITLE

This Ordinance shall be known and cited as the “Chester Township Crockery Lake Regulation Ordinance”.

Section 2 LEGISLATIVE FINDINGS

The Board of Trustees of Chester Township, Ottawa County, Michigan finds and determines that it is necessary to adopt this ordinance in order to provide regulations which are appropriate to prevent nuisance conditions from developing on or near Crockery Lake arising from the use of the lake by adjoining property owners and the public in general; to prevent or avoid impairment of an important irreparable natural resource (Crockery Lake); to avoid or prevent impairment of property values of the land adjoining Crockery Lake; to provide regulations which are designed to protect the public health, safety and welfare related to the uses of the lake; and to minimize or reduce the dangers from overuse of the lake to persons using the lake and riparian property owners.

Section 3 NUMBER OF DOCKS

From and after the effective date of this ordinance, no piece of land or platted lot which adjoins to or abuts to Crockery Lake shall have erected thereon, or in the waters of Crockery Lake immediately adjacent to such piece of land or platted lot, a dock, wharf, or mooring unless the piece of land or platted lot has at least One Hundred (100) feet of frontage on Crockery Lake for each dock, wharf, or mooring. Provided, however, that pieces of land or platted lots, which are of record at the Register of Deeds Office for Ottawa County as of the effective date of this ordinance, and which have less than One Hundred (100) feet of frontage on Crockery Lake, may have not more than one dock, wharf, or mooring erected thereon.

Section 4 NUMBER OF BOATS PERMITTED PER PROPERTY

No more than three (3) registered watercraft may be moored, stored, anchored or docked at one time for a given property or lot, whether on or at the shoreline or a dock or shore station, in the waters of the lake or the bottomlands of the property or lot. This shall apply to any registered watercraft which is moored, anchored, docked or otherwise present for periods of time in excess of 24 hours. For purposes of this section, the term "registered watercraft" shall mean a boat, vessel, or other device for which a certification and registration (or comparable document) has been issued or is required under the laws of the state of Michigan, or the state in which the owner of the watercraft resides.

Section 5 MAXIMUM LENGTH OF A DOCK AND OTHER DOCK REQUIREMENTS

No dock shall extend into Crockery Lake for a distance greater than Fifty (50) feet from the high water mark on shore. However, all docks lawfully in existence (as of the date of enactment of this Ordinance in 1993) which exceed this length are permitted to remain in place. When such docks are repaired or replaced, the dock shall then be brought into full compliance with this section. No more than one (1) dock shall be permitted per lawful property or lot. Docks shall be seasonal in nature and shall be completely removed from the waters of the lake from December 1st through March 15th of each year.

A. Multi-family or multiple uses

No lot or property (or bottomlands thereof), lake frontage, boat anchorage, dock or boat moorage shall be used by or for more than one family or for anything other than use by one single family unless such use is approved by the Township Board pursuant to the notice and hearing requirements of Section 6 hereof. The Township

Board may impose reasonable terms or conditions pursuant to any such approval. This section shall apply to any multiple or joint use situation or device including, but not limited to, a lake access easement, jointly-owned property, private park, common area or similar device.

Section 6 EXCEPTIONS

The Township Board of Chester shall have authority to grant exceptions to the limitations provided in Section 3 & Section 5 of this Ordinance, where unusual conditions pertaining to a particular piece of land or platted lot imposed significant difficulties or hardship on the property owner. The property owner shall apply to the Township Board, which shall conduct a public hearing on the request prior to making a decision. The Township Board may impose reasonable terms or conditions upon its approval of an exception. Any exception granted is subject to suspension or revocation if the property owner violates the terms of this Ordinance, other pertinent Township ordinances, or applicable state and federal laws or regulations. Prior to suspension or revocation of an exception, the Township Board shall give notice to the property owner and opportunity for the property owner to respond to the notice.

Section 7 LIMITS ON RIPARIAN RIGHTS

No owner of riparian land shall in any way lease, sell, rent or otherwise alienate the riparian rights of dockage to any person, firm or corporation unless the transferee acquires the entire fee to the riparian land. No riparian owner shall permit a person, firm or corporation which does not have riparian rights to use the riparian land of the riparian owner, with or without compensation, for a period greater than two (2) consecutive days.

Section 8 REPEAL

All ordinances or resolutions of Chester Township which are in conflict with the provisions of this Ordinance are hereby repealed to the extent of any such conflict.

Section 9 SEVERABILITY

If any sentence, section, paragraph or part of this ordinance is determined to be unconstitutional or unenforceable by a court of competent jurisdiction, it shall be severed from the remainder of the ordinance and such determination shall not affect the remainder of the ordinance.

Section 10 PENALTY

Any person, firm or corporation which violates a provision of this ordinance shall be guilty of a misdemeanor, and shall be punished by a fine of up to Five Hundred Dollars (\$500.00) plus court costs or by confinement in the county jail not to exceed Ninety (90) days, or by both such fine and confinement. Each day that a violation continues or exists shall be considered a separate violation.

Section 11 EFFECTIVE DATE

This ordinance shall take effect thirty (30) days after its publication in the manner provided by law.

The above ordinance was offered for adoption at a regular meeting of the Chester Township Board held on March 21, 2000 by Township Board Member Berenbrock, and was seconded by Township Board member Joiner, the vote being as follows:

Yeas-Meerman, Redding, Berenbrock, Joiner, Denhof

Nays-none

Absent/Abstain-none

Ordinance declared adopted.