

Torch Lake Township

The following ordinance was adopted by the Torch Lake Township Board on APRIL 25, 2025, and replaces relevant sections of PP Ordinance #2020-01.

BOAT LAUNCH & PIER ORDINANCE

PP ORDINANCE # 2023-2

The purpose of this ordinance is to ensure the health, safety and welfare of a township resident(s) and others who use the boat launch, boat parking, tie-down area, and pier. The boat launch ("Ramp") and pier ("Pier") is located at 12283 Public Dock Road, Kewadin, MI 49648 (at the road end).

It is also the intent of this ordinance to create a safe family friendly area where the uses, procedures and limitation will ensure that the facility, as a township entity, is a good neighbor to the surrounding residential area.

Use of the Pier and Mooring of Boats at the Boat Launching Site

The primary uses of the Pier are for temporary tying of a boat while launching or taking a boat out of the water and for access to the water by emergency personnel. Mooring of boats along the Pier, except as needed to launch a boat and to bring a boat out of the water, is prohibited. Long term (longer than ten minutes) or overnight mooring to the Pier is prohibited & subject to civil fines. Beach activities such as sunbathing, picnicking, and games are prohibited on the Pier. Bicycles, chairs, tables, ATVs, golf carts and roller blades or other such objects are prohibited on the Pier. The Pier is not to be used to access the water. No swimming, jumping or diving into the water is allowed from the Pier.

Pier, Ramp & Boat/Trailer Parking Areas Prohibited Activities

- Power loading & unloading.
- Glass Containers.
- Open fireworks anywhere on the property, including parking areas.
- Motorized vehicles not in areas designated as roads and drives, and in designated parking areas.
- Activities that endanger the safety or life of participants and spectators.
- Activities or operation of equipment in a manner that disturbs the quiet, comfort or repose of a reasonable person of normal sensitivities.
- Use of devices that amplify sound, music, and/or voice.
- Conduct in a manner as to create a public or private nuisance.
- Creation of any display exhibition, show, play, entertainment, or amusement of an obscene nature.
- Creation of a disturbance by obscene or disorderly conduct.
- Removal or destruction of any vegetation.
- Destruction of any property, public or private.
- Construction or making of any improvements and/or alterations without the written permission of the Torch Lake Township Board.
- Storage of private property at any time.
- Smoking, vaping, etc. Pier & Ramp are designated as Smoke Free (see Appendix B).

USE OF THE BOAT LAUNCH

The use of the boat launch herein includes the launching or transferring of a boat into the water and the removal of the boat. This includes jet skis, kayaks, specialized watercraft designed for special purposes, and any kind of shoreline or floatation equipment, such as docks, boat hoists, swimming platforms, etc. Any reference in this ordinance to use of the boat launch for launching any kinds of equipment is herein referred to as "boat launching."

TOWNSHIP PROPERTY OWNERS – FEES AND OTHER REQUIREMENTS

Except as noted in #4 below, there is no cost to use the boat launch for Torch Lake Township property owners who meet the following conditions:

1. The boat is within the size limits of this Ordinance (see Appendix A, Section “Boat Size and Power Loading”).
2. Torch Lake Township Property Owners launch their own boat without commercial assistance.
3. Torch Lake Township Property Owners have a current non-transferable township permit displayed in the proper place on the boat trailer.
4. A seasonal permit is required by Torch Lake Township property owners whose self-launched boat is larger than specified in the ordinance (See Appendix A). Torch Lake Township reserves the right to deny such a permit if the boat size is unreasonable for Ramp.

There is no charge to commercial marine businesses located within the Torch Lake Township who launch boats that are owned by Torch Lake Township property owners and are within the size limits of this ordinance.

Oversized boats may be launched with commercial agreement, except those which may be unreasonable for the ramp. See Appendix A.

NON-TORCH LAKE TOWNSHIP PROPERTY OWNERS’ FEES AND OTHER REQUIREMENTS

1. Are required to pay a launch charge for their boat per Appendix A.
2. A launch charge for each non-motorized watercraft is required, regardless if it is self-launched, rented, or launched by an outside provider.
3. The boat must be within the size limits specified in this ordinance (Appendix A) and without the assistance of a Commercial User.
4. The paid launch ticket must be properly & visibly displayed in parked vehicle or owner is subject to a civil parking citation and/or having vehicle towed.
5. The vehicle must be parked in the designated boat/trailer parking area or risk a parking citation and/or having their vehicle towed.
6. Non-Torch Lake Township Property owners are prohibited from self-launching boats whose size exceeds the Ordinance size limitations (See Appendix A)

COMMERCIAL USERS

1. Will be required to sign an annual fee-based seasonal agreement with the Torch Lake Township for the use of the boat launch.
2. Commercial Users with signed agreement from Torch Lake Township, may launch boats in excess of size limitations. Torch Lake Township reserves the right to deny such a permit if the boat size is unreasonable for the ramp. Torch Lake Township reserves the right to not only prevent launches but also to deny future permits if Torch Lake Township deems Commercial User is abusing the Ramp usage.
3. Commercial users are not permitted to use any property for safety procedures briefings, education on the operation of the craft, paperwork, and any other training or instructions.
4. Commercial users will not be required to pay an annual fee if launching only Torch Lake Township boats. However, they must sign the seasonal agreement and will be subject to a fine of \$100.00 and be required to pay the annual fee of not less than \$500 for launching a non-township resident’s boat.

Permits

Residents may obtain a Boat Launching permit at the Torch Lake Township offices during normal business hours. Proof of Torch Lake Township property ownership (driver's license, property tax receipt) as well as boat and trailer registration are required when seeking a permit. Applications are available on the township website www.torchlaketownship.org and can be filled out prior to coming to the township offices or, if requested, they can be mailed. (See Appendix A Fee Schedule).

Boat Size and Power Loading

The size of the boat that may be launched at the boat launch is limited to the following:

1. Twenty-six feet in length,
2. Combined length (vehicle with boat on trailer) forty-eight feet,
3. Combined weight of boat and trailer no greater than 6500 pounds, and
4. Boat trailers with two axles or less.

Power loading and unloading under any circumstances is NOT ALLOWED and is subject to civil fines.

Parking

Vehicles with boat trailers must park in the designated area in the parking lot following the posted instructions for vehicle/trailer parking. When this area is full, there is no other designated area for vehicle with trailer parking. Improperly parked vehicles with trailers may be ticketed and/or towed. No overnight parking of vehicles, trailers or watercraft is allowed.

Trash

To reduce the cost of trash removal, park users and boaters are asked to take their trash with them when they leave and to use the trash receptacles on a limited basis. It is a violation of this Ordinance to deposit household trash in the park and launch area & violators are subject to civil fines.

Penalties

A violation of this Ordinance is a municipal civil infraction, the sanction shall be a civil fine as set forth below plus any costs, damages, expenses, and other sanctions, as authorized under the Torch Lake Township Municipal Civil Infraction Ordinance, Chapter 87 of Act No. 236 of the Public Acts of 1961, as amended, and other applicable laws.

1. The civil fines for a violation of this Ordinance shall be not less than \$100.00 plus, costs and other sanctions, for each infraction.
2. Increased civil fines may be imposed for repeated violations of this Ordinance. As used in this section, "repeat offense" means a second (or any subsequent) municipal civil infraction violation of the same requirement or provision (i) committed by the same person and (ii) for which the person admits responsibility or is found to be responsible. Unless otherwise specifically provided by this Code or any ordinance for a particular municipal civil infraction violation, the increased fine for repeat offense shall be as follows:
 - A. The fine for any offense that is a first repeat offense shall be not less than \$200.00, plus costs.
 - B. The fine for any offense that is a second repeat offense or any subsequent repeat offense shall be not less than \$400.00 plus costs.

Any person(s) who violates any provision of this Ordinance may be ordered to leave the subject property where the violation occurred and failure to comply with an order shall constitute a separate and additional violation of the Ordinance.

Non-exclusivity

The regulations in this Ordinance shall be in addition to, and not exclusive of other local ordinances or laws or state laws or regulations.

Severability

Should any provision or part of this Ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of the balance of this Ordinance, which shall remain in full force and effect.

Effective Date

This Ordinance shall become effective thirty (30) days after its publication (or publication of a summary thereof) in a newspaper in general circulation within Torch Lake Township. This Ordinance shall take effect 30 days after date of publication. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

This Ordinance was offered for adoption by Township Board Member: Robert Cook and was seconded by Township Board Member: Jason Merchant, the roll call vote being as follows:

ORDINANCE DECLARED ADOPTED.

Township Supervisor – Robert H. Cook Date: April 27, 2023

TORCH LAKE TOWNSHIP BOARD APPROVAL APRIL 25, 2023
ROBERT COOK – YES
SHARON SCHULTZ – YES
KATHY WINDIATE – YES
JASON MERCHANT – YES
ALAN MARTEL – YES
APPROVED 5-0

Appendix A

BOAT* and NON-MOTORIZED WATERCRAFT LAUNCHING FEE SCHEDULE

Boat Size	Property Owners with Permit**	Non-Property Owners	Commercial Users <u>with</u> Agreement	Commercial Users <u>without</u> Agreement
Meets Ordinance Size Limitations	No Fee	\$20/Launch	By Agreement	Not Allowed
Larger than Ordinance Size Limitations	\$100 Seasonal Permit	Not Allowed	By Agreement	Not Allowed
Non-Motorized Watercraft	No Fee	\$5/Launch	Not Allowed	Not Allowed

*Includes any watercraft, shoreline equipment, and swim platforms. Without a special permit or commercial agreement, the size of the boat that can be launched at the boat launch is limited to the following:

1. Twenty-six feet in length,
2. Combined length (vehicle with boat on trailer) forty-eight feet,
3. Combined weight of boat and trailer no greater than 6500 pounds, and
4. Boat trailers with two axles or less.

**Launch permits are available online at www.torchlaketownship.org.

Appendix B

TORCH LAKE TOWNSHIP PIER & BOAT LAUNCH SMOKING PROHIBITION

Smoke Free Environment Further Defines the following Prohibited Smoking Activities:

SMOKING, ELECTRONIC CIGARETTES, VAPORIZERS AND OTHER SIMILAR ACTIVITY:

Section 1-1: Definitions:

For purposes of this section, “smoking” is defined as the smoking of any tobacco product or other plants, including but not limited to marijuana, shisha, or alternative nicotine products, using smoking devices, including but not limited to cigarettes, cigars, pipes, hookah pipes bongs, vaporizers or vape products, or e-cigarettes. E-Cigarette means an electronic, noncombustible device that employs a heating element, power source, electronic circuit, battery, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form and the use or inhalation of which simulates smoking. This term shall include any device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, or under any other such product name or descriptor.

Section 1-2: Prohibited areas:

- a. Boat Launch and Pier

Section 1-3: Posting of signs not required:

- a. The prohibitions in this article are enforceable whether or not signs declaring the prohibitions are posted.

Section 1-4: Penalty:

Although Boat Launch employees, Wm. K. Good Day Park Committee members, patrons or Torch Lake Township employees may request violators to cease smoking immediately, civil infractions may be cited only by persons authorized to do so.

Any violation of a section in this article shall constitute a civil infraction, which shall be punishable by a fine of not less than \$100 and as further defined in the “Penalties” section of this Ordinance.