

LITTERING
Ordinance No. 144
Adopted: June 14, 1967

An ordinance to control and prohibit the littering of public and private property and waters; to prescribe penalties for the violation of this ordinance.

THE TOWNSHIP OF FENTON, COUNTY OF GENESEE, MICHIGAN ORDAINS:

SECTION 1. Definition.

The term "**Litter**" as used herein, means all rubbish, refuse, waste material, garbage, trash, debris and other foreign substances of every kind of description.

SECTION 2. Depositing litter on public or private property or waters.

Paragraph A: No person, firm, individual, corporation, association, and/or partnership shall, after the effective date hereof and without the consent of the authorities of Fenton Township, dump, deposit, place, throw or leave, or cause or permit the dumping, depositing, placing, throwing or leaving of, litter on any public or private property or waters other than property designated and set aside for such purposes. The phrase "public or private property or waters" includes, but is not limited to, the right-of-way of any road or highway, any body of water or water course, or the shores or beaches thereof and including the ice above such waters; any park, playground, building, refuge or conservation or recreation area; and any residential or farm properties or timberlands.

Paragraph B: No person, firm, individual, corporation, association, and/or partnership shall, knowingly cause any litter or any object to fall or to be thrown into the path of or to hit a vehicle traveling the highway.

SECTION 3. Penalty for Violation.

Violation of any of the provisions of this Ordinance shall hereafter constitute a misdemeanor and shall be punished by a fine not to exceed five hundred dollars (\$500.00) together with the cost of prosecution and/or imprisonment in the Genesee County Jail or such other place of detention as the court may prescribe for a period of time not to exceed ninety (90) days.

(Amended: Ord. No. 528, 5-18-98; Ord. No. 570, 2-5-01)

SECTION 4. Saving clause.

If any section, or provision of any section of this Ordinance shall be held void, in effective or unconstitutional, such clause shall not affect the validity of the remaining sections thereof.

SECTION 5. Effective clause.

This Ordinance shall take effective action on and after the 22nd day of July, AD, 1967.

SECTION 6. Final clause.

We, the undersigned, Supervisor and Clerk of the Township of Fenton, Genesee County, Michigan, do hereby certify that the above ordinance was passed by the Fenton Township Board on the 14th day of June, AD, 1967.

WATERCRAFT CONTROL; CROOKED LAKE

Ordinance No. 151

Adopted: October 11, 1967

An ordinance to regulate and control waters in the Township of Fenton, County of Genesee, State of Michigan.

THE TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN, ORDAINS:

SECTION 1. Purpose.

The purpose of this ordinance is to promote the public health, safety, morals, general welfare to protect the public by regulating and controlling certain waters in the Township of Fenton, County of Genesee, State of Michigan, namely, Crooked Lake.

SECTION 2. General regulations.

On the waters of Crooked Lake, Township of Fenton, County of Genesee, State of Michigan, no operator of any motorboat shall:

- (a) Operate such motorboat at high speed, which means a speed at or above which a motorboat reaches a planing condition, or
- (b) Have in tow or otherwise assist in the propulsion of a person on water skis, water sled, surfboard or other similar contrivance.

SECTION 3. Penalty for Violation.

Violation of any of the provisions of this Ordinance shall hereafter constitute a misdemeanor and shall be punished by a fine not to exceed five hundred dollars (\$500.00) together with the cost of prosecution and/or imprisonment in the Genesee County Jail or such other place of detention as the court may prescribe for a period of time not to exceed ninety (90) days.

(Amended: Ord. No. 651, 10-17-05)

SECTION 4. Enforcement.

This ordinance shall be enforced as provided by the laws and the statutes of the State of Michigan and by any law enforcement agencies of the State of Michigan that may be so designated by said laws or statutes of the State of Michigan or laws of Genesee County, State of Michigan or the laws of the Township of Fenton, County of Genesee, State of Michigan.

SECTION 5. Validity.

This ordinance and the various parts, sections, subsections, provisions, sentences and clauses thereof are hereby declared to be severable. If any part, section, subsection, provision, sentence or clauses is adjudged unconstitutional or invalid, it is hereby declared that the remainder of this ordinance shall not be affected thereby.

WATERCRAFT CONTROL; BARNUM LAKE

Ordinance No. 158

Adopted: May 15, 1968

An ordinance to regulate and control waters in the Township of Fenton, County of Genesee, State of Michigan.

THE TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN, ORDAINS:

SECTION 1. Purpose.

The purpose of this ordinance is to promote the public health, safety, morals, general welfare to protect the public by regulating and controlling certain waters in the Township of Fenton, County of Genesee, State of Michigan, namely Barnum Lake.

SECTION 2. Slow no-wake speed.

On the waters of Barnum Lake, Township of Fenton, County of Genesee, State of Michigan, no operator of any motorboat shall:

"Exceed a 'slow no-wake' speed."

SECTION 3. Penalty for Violation.

Violation of any of the provisions of this Ordinance shall hereafter constitute a misdemeanor and shall be punished by a fine not to exceed five hundred dollars (\$500.00) together with the cost of prosecution and/or imprisonment in the Genesee County Jail or such other place of detention as the court may prescribe for a period of time not to exceed ninety (90) days.

(Amended: Ord. No. 651, 10-17-05)

SECTION 4. Enforcement.

This ordinance shall be enforced as provided by the laws and the statutes of the State of Michigan and by any law enforcement agencies of the State of Michigan that may be so designated by said laws or statutes of the State of Michigan or laws of Genesee County, State of Michigan or laws of the Township of Fenton, County of Genesee, State of Michigan.

SECTION 5. Validity.

This ordinance and the various parts, sections, subsections, provisions, sentences and clauses thereof are hereby declared to be severable. If any part, section, subsection, provision, sentence or clauses is adjudged unconstitutional or invalid, it is hereby declared that the remainder of this ordinance shall not be affected thereby.

WATERCRAFT CONTROL; PINE LAKE

Ordinance No. 183

Adopted: October 28, 1970

An ordinance to regulate and control waters in the Township of Fenton, County of Genesee, State of Michigan.

THE TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN, ORDAINS:

SECTION 1. Purpose.

The purpose of this ordinance is to promote the public health, safety, morals, general welfare to protect the public by regulating and controlling certain waters in the Township of Fenton, County of Genesee, State of Michigan, namely, Pine Lake.

SECTION 2. General regulations.

On the waters of Pine Lake, Township of Fenton, County of Genesee, State of Michigan, no operator of any motorboat shall:

- (a) Operate such motorboat at high speed, which means a speed at or above which a motorboat reaches a planing condition, or
- (b) Have in tow or otherwise assist in the propulsion of a person on water skis, water sled, surfboard or other similar contrivance.

SECTION 3. Penalty for Violation.

Violation of any of the provisions of this Ordinance shall hereafter constitute a misdemeanor and shall be punished by a fine not to exceed five hundred dollars (\$500.00) together with the cost of prosecution and/or imprisonment in the Genesee County Jail or such other place of detention as the court may prescribe for a period of time not to exceed ninety (90) days.

(Amended: Ord. No. 651, 10-17-05)

SECTION 4. Enforcement.

This Ordinance shall be enforced as provided by the laws and the statutes of the State of Michigan and by any law enforcement agencies of the State of Michigan that may be so designated by said laws or statutes of the State of Michigan or laws of Genesee County, State of Michigan or the laws of the Township of Fenton, County of Genesee, State of Michigan.

SECTION 5. Validity.

This Ordinance and the various parts, sections, subsections, provisions, sentences and clauses thereof are hereby declared to be severable. If any part, section, subsection, provision, sentence or clauses is adjudged unconstitutional or invalid, it is hereby declared that the remainder of this Ordinance shall not be affected thereby.

SECTION 6. Effective Date.

This Ordinance shall take effect thirty days after passage and publication thereof.

Enacted at a regular meeting of the Township of Fenton Board of Trustees held on the 28th day of October, 1970.

WATERCRAFT CONTROL; MARL LAKE

Ordinance No. 237

Adopted: December 9, 1974

An ordinance to regulate the speed of vessels and to provide for the safe use of the waters in Fenton Township, Genesee County; enacted under the authority of Act 303, Public Acts of 1967, as amended (MSA 18.1287(17)), being identical to state administrative rules filed in the office of the secretary of state.

THE TOWNSHIP OF FENTON, COUNTY OF GENESEE, MICHIGAN ORDAINS:

SECTION 1. Definitions.

All words and phrases used in this ordinance shall be construed and have the same meanings as those words and phrases defined in Act 303, P.A. 1967, as amended, MSA 18.1287(8).

SECTION 2. Slow no-wake speed.

On the waters of Marl Lake, sections 32 and 33, T5N R6E, Fenton Township, Genesee County, from the bridge at Owen Road, southerly for a distance of 1600 feet, it is unlawful for the operator of a vessel to exceed a slow no-wake speed.

SECTION 3. Repeal.

All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. Penalty for Violation.

Violation of any of the provisions of this Ordinance shall hereafter constitute a misdemeanor and shall be punished by a fine not to exceed five hundred dollars (\$500.00) together with the cost of prosecution and/or imprisonment in the Genesee County Jail or such other place of detention as the court may prescribe for a period of time not to exceed ninety (90) days.

(Amended: Ord. No. 651, 10-17-05)

SECTION 5. Severability.

This ordinance and the various parts, sections, subsections, provisions, sentences, and clauses are severable. If any part of this ordinance is found to be unconstitutional or invalid, it is declared the remainder of this ordinance shall not be affected hereby.

SECTION 6. Effective date.

This ordinance shall take effect 30 days after its publication in the Fenton Independent a newspaper of general circulation in the Township.

WATERCRAFT CONTROL; SILVER LAKE, AREA 2

Ordinance No. 250

Adopted: May 17, 1976

An ordinance to regulate the speed of vessels and to provide for the safe use of the waters in Fenton Township, Genesee County, enacted under the authority of Act 303, Public Acts of 1967, as amended MSA 18.1287(17), being identical to state administrative rules filed in the office of the secretary of state.

THE TOWNSHIP OF FENTON, COUNTY OF GENESEE, MICHIGAN ORDAINS:

SECTION 1. Definitions.

All words and phrases used in this ordinance shall be construed and have the same meanings as those words and phrases defined in Act 303, P.A. 1967, as amended, MSA 18.1287(8).

SECTION 2. Slow no-wake speed.

On that portion of Silver Lake, Township of Fenton, County of Genesee, including all canals and channels located in the south 1/2 of the south 1/2 of the northwest 1/4 and the southwest 1/4 of the northeast 1/4 of section 33, T5N, R6E, it is unlawful for the operator of a vessel to exceed a slow no-wake speed.

SECTION 3. Repeal.

All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. Penalty for Violation.

Violation of any of the provisions of this Ordinance shall hereafter constitute a misdemeanor and shall be punished by a fine not to exceed five hundred dollars (\$500.00) together with the cost of prosecution and/or imprisonment in the Genesee County Jail or such other place of detention as the court may prescribe for a period of time not to exceed ninety (90) days.

(Amended: Ord. No. 651, 10-17-05)

SECTION 5. Severability.

This ordinance and the various parts, sections, subsections, provisions, sentences, and clauses are severable. If any part of this ordinance is found to be unconstitutional or invalid, it is declared the remainder of this ordinance shall not be affected hereby.

SECTION 6. Effective date.

This ordinance shall take effect 30 days after its publication in the Fenton Independent, a newspaper of general circulation in the Township.

WATERCRAFT CONTROL; LAKE PONEMAH

Ordinance No. 264

Adopted: April 18, 1977

An ordinance to regulate the speed of vessels and to provide for the safe use of the waters in Fenton Township, Genesee County; enacted under the authority of Act 303, Public Acts of 1967, as amended MSA 18.1287(17) being identical to state administrative rules filed in the office of the secretary of state.

THE TOWNSHIP OF FENTON, COUNTY OF GENESEE, MICHIGAN ORDAINS:

SECTION 1. Definitions.

All words and phrases used in this ordinance shall be construed and have the same meanings as those words and phrases defined in Act 303, P.A. 1967, as amended, MSA 18.1287(8).

SECTION 2. Slow no-wake speed.

Regulation No. 25, Genesee County.

R 281.725.13. Lake Ponemah channels and canals; slow no-wake speed.

Rule 13. On the waters of the canals and channels connected to Lake Ponemah, including the channel connecting Lake Ponemah to Squaw Lake, sections 15, 21, 22, 27, and 28, T5N, R6E, Fenton Township, Genesee County, it is unlawful for the operator of a vessel to exceed a slow no-wake speed.

SECTION 3. Repeal.

All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. Penalty for Violation.

Violation of any of the provisions of this Ordinance shall hereafter constitute a misdemeanor and shall be punished by a fine not to exceed five hundred dollars (\$500.00) together with the cost of prosecution and/or imprisonment in the Genesee County Jail or such other place of detention as the court may prescribe for a period of time not to exceed ninety (90) days.

(Amended: Ord. No. 651, 10-17-05)

SECTION 5. Severability.

This ordinance and the various parts, sections, subsections, provisions, sentences, and clauses are severable. If any part of this ordinance is found to be unconstitutional or invalid, it is declared the remainder of this ordinance shall not be affected hereby.

SECTION 6. Effective date.

This ordinance shall take effect 30 days after its publication in the Fenton newspaper.

WATERCRAFT CONTROL; DOLLAR LAKE

Ordinance No. 265

Adopted: April 18, 1977

An ordinance to regulate the speed of vessels and to provide for the safe use of the waters in Fenton Township, Genesee County; enacted under the authority of Act 303, Public Acts of 1967, as amended MSA 18.1287(17) being identical to state administrative rules filed in the office of the Secretary of State.

THE TOWNSHIP OF FENTON, COUNTY OF GENESEE, MICHIGAN ORDAINS:

SECTION 1. Definitions.

All words and phrases used in this ordinance shall be construed and have the same meanings as those words and phrases defined in Act 303, P.A. 1967, as amended, MSA 18.1287(8).

SECTION 2. Slow no-wake speed.

Regulation No. 25, Genesee County.

R 281.725.12. Dollar Lake; slow no-wake speed.

Rule 12. On the waters of Dollar (Hibbard) Lake and the connected canals and channels, sections 11 and 12, T5N, R6E, Fenton Township, Genesee County, it is unlawful for the operator of a vessel to exceed a slow no-wake speed.

SECTION 3. Repeal.

All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. Penalty for Violation.

Violation of any of the provisions of this Ordinance shall hereafter constitute a misdemeanor and shall be punished by a fine not to exceed five hundred dollars (\$500.00) together with the cost of prosecution and/or imprisonment in the Genesee County Jail or such other place of detention as the court may prescribe for a period of time not to exceed ninety (90) days.

(Amended: Ord. No. 651, 10-17-05)

SECTION 5. Severability.

This ordinance and the various parts, sections, subsections, provisions, sentences, and clauses are severable. If any part of this ordinance is found to be unconstitutional or invalid, it is declared the remainder of this ordinance shall not be affected hereby.

SECTION 6. Effective date.

This ordinance shall take effect 30 days after its publication in the Fenton newspaper.

WATERCRAFT CONTROL; LAKE FENTON, RULE 14

Ordinance No. 276

Adopted: September 6, 1977

An ordinance to regulate and control waters in the Township of Fenton, County of Genesee, State of Michigan.

THE TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN ORDAINS:

SECTION 1. Purpose.

The purpose of this ordinance is to promote the public health, safety, morals, general welfare to protect the public by regulating and controlling certain waters in the Township of Fenton, County of Genesee, State of Michigan. No operator of any motorboat shall:

SECTION 2. Slow no-wake speed.

Regulation No. 25 Genesee County.

R 281.725.14 Lake Fenton: Slow no-wake speed zone.

Rule 14. Within, and for a distance of 200 feet either side of, the following described waters of Lake Fenton and the canals and channels connecting thereto, it is unlawful for the operator of a vessel to exceed a slow no-wake speed; southerly from a line drawn from a point where Enid Street, as extended, intersects the water's edge; thence northeasterly to the nearest opposite shore; thence northerly from a point where Haddon Street, as extended, intersects the water's edge; thence easterly to the nearest opposite shore. Section 13, T5N, R6E, Fenton Township, Genesee County.

SECTION 3. Penalty for Violation.

Violation of any of the provisions of this Ordinance shall hereafter constitute a misdemeanor and shall be punished by a fine not to exceed five hundred dollars (\$500.00) together with the cost of prosecution and/or imprisonment in the Genesee County Jail or such other place of detention as the court may prescribe for a period of time not to exceed ninety (90) days.

(Amended: Ord. No. 651, 10-17-05)

SECTION 4. Enforcement.

This ordinance shall be enforced as provided by the laws of the statutes of the State of Michigan and by any law enforcement agencies of the State of Michigan that may be so designated by said laws or statutes of the State of Michigan or laws of Genesee County, State of Michigan, or the laws of the Township of Fenton, County of Genesee, State of Michigan.

SECTION 5. Validity.

This ordinance and the various parts, sections, subsections, provisions, sentences and clauses thereof are hereby declared to be severable. If any part, section, subsection, provision, sentence or clauses is adjudged unconstitutional or invalid, it is hereby declared that the remainder of this ordinance shall not be affected thereby.

SECTION 6. Effective date.

This ordinance shall take effect thirty days after passage and publication thereof.

WATERCRAFT CONTROL; LAKE FENTON, RULE 15

Ordinance No. 333

Adopted: October 4, 1984

An ordinance to regulate the speed of vessels and to provide for the safe use of the water in Fenton Township, Genesee County; enacted under the authority of Act 303, Public Acts of 1967, as amended MSA 18.1287(17)), being identical to State Administrative Rules filed in the Office of the Secretary of State.

THE TOWNSHIP OF FENTON, COUNTY OF GENESEE, MICHIGAN ORDAINS:

SECTION 1. Definitions.

All words and phrases used in this ordinance shall be construed and have the same meanings as those words and phrases defined in Act 303, P.A. 1967, as amended, MSA 18.1287(8).

SECTION 2. Slow no-wake speed.

R. 281.725.15 Lake Fenton: Speed restrictions.

Rule 15. On the waters of Lake Fenton, sections 2, 11, 13, 14, and 23, T5N, R6E, Fenton Township, and the City of Fenton, Genesee County except those portions already regulated by a slow no-wake rule, it is unlawful, at any time, to operate a vessel at a speed in excess of 45 miles per hour (72 kilometers per hour).

SECTION 3. Repeal.

All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. Penalty for Violation.

Violation of any of the provisions of this Ordinance shall hereafter constitute a misdemeanor and shall be punished by a fine not to exceed five hundred dollars (\$500.00) together with the cost of prosecution and/or imprisonment in the Genesee County Jail or such other place of detention as the court may prescribe for a period of time not to exceed ninety (90) days.

(Amended: Ord. No. 651, 10-17-05)

SECTION 5. Severability.

This ordinance and the various parts, sections, subsections, provisions, sentences and clauses are severable. If any part of this ordinance is found to be unconstitutional or invalid, it is declared the remainder of this ordinance shall not be affected hereby.

SECTION 6. Effective date.

This ordinance shall take effect 30 days after its publication in the Fenton Independent newspaper.

NO ANCHORING ZONE; LAKE FENTON

Ordinance No. 376

Adopted: August 15, 1988

An ordinance to establish a no anchoring zone on a certain portion of Lake Fenton, in Fenton Township.

THE TOWNSHIP OF FENTON, COUNTY OF GENESEE, MICHIGAN ORDAINS:

SECTION 1. Zone defined.

On the waters of Lake Fenton, Sections 12 and 14, T5N-R6E, Fenton Township, Genesee County, on that portion of Lake Fenton Located within the boundaries of a line from the northernmost portion of Cases Island northeast to the northernmost point of Lot 22, Woodhull Landing, and the southernmost portion of Cases Island southeast to the southernmost portion of Log Cabin Point, it is unlawful to anchor except for emergency purposes.

SECTION 2. Publication; effective date.

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

LAKE ACTIVITY REGULATION

Ord. No. 418

Adopted June 1, 1992

An ordinance to promote the health, safety and welfare of the residents of the Charter Township of Fenton by regulating and limiting watercraft activity and access on lakes and navigable streams in Fenton Township, to provide certain definitions of terms, to require Planning Commission approval for certain expansion of existing facilities, to require Planning Commission approval for new facilities, to provide a right of appeal to the Fenton Township Board of Trustees and to provide for the enforcement of and penalties for the violation thereof.

(Amended by Ord. No. 429 5-17-93)

THE CHARTER TOWNSHIP OF FENTON ORDAINS:

SECTION 1. Short Title.

This Ordinance shall be known as the Lake Activity Regulation Ordinance.

SECTION 2. Purpose.

To promote the health, safety and welfare of Fenton Township residents by regulating and limiting watercraft activity and access in an effort to avoid over crowding on lakes in Fenton Township.

SECTION 3. Definitions.

As used in this ordinance:

Watercraft means every vessel, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

Marina means a privately owned commercial facility which extends into or over an inland lake or navigable stream and offers service to the general public or members of the marina for launching, docking, loading or other servicing of recreational watercraft.

Public Access Launch Site means a publicly owned facility which extends into or over an inland lake or navigable stream and offers to the general public a site for launching, docking, loading or other servicing of recreational watercraft or parking of watercraft trailers.

(Amended by Ord. No. 429 5-17-93)

SECTION 4. Standards To Be Applied.

The Planning commission shall analyze both the environmental carrying capacity and the recreational carrying capacity of the body of water on which the facility for which a requested permit is situated. It shall make every effort to insure a balance between recreational objectives and environmental objectives as well as to protect the community character.

(Amended by Ord. No. 429 5-17-93)

SECTION 5. Expansion of Existing Facilities.

- A. Approval of the Fenton Township Planning Commission shall be required for any increase in the number of watercraft allowed to be docked or moored at an existing marina over and above that allowed by the Department of Natural Resources of the State of Michigan at time of adoption of this ordinance.
- B. Approval of the Fenton Township Planning Commission shall be required for any increase in the size, capacity or utilization of an existing public access launch site, including the number of watercraft allowed to be launched from the site and the

number of watercraft trailers allowed to be parked at the facility over and above the size, capacity and utilization of any such site allowed by the Department of Natural Resources of the State of Michigan at time of adoption of this ordinance.
(Amended by Ord. No. 429 5-17-93)

SECTION 6. Approval Required For New Facilities.

Approval of the Fenton Township Planning Commission shall be required for the development and construction of all new marinas and public access launch sites on lakes and navigable streams in Fenton Township. The Planning Commission in giving such approval shall specify the maximum number of watercraft that can be docked or moored at and launched from such facility and the maximum number of watercraft trailers that can be parked or stored on the site.

(Amended by Ord. No. 429 5-17-93)

SECTION 7. Right of Appeal.

Appeal may be taken to the Fenton Township Board of Trustees by any person, firm entity or corporation or by any officer, department, board or bureau affected by a decision of the Fenton Township Planning Commission with respect to the subject matter of this ordinance. Such appeals shall be filed within thirty (30) days from the date of the adverse decision being appealed from by filing with the Fenton Township Clerk a Notice of Appeal specifying the grounds thereof.

SECTION 8. Enforcement.

- A. All persons who violate any of the regulations or provisions of this ordinance whether as owner, lessee, licensee, agent servant, or employee shall be liable as principals.
- B. The violation of any of the regulations or provision of this ordinance is hereby deemed a nuisance, and such violation in addition to the other means of enforcement of this ordinance as set forth herein, shall constitute a basis for injunctive relief, and, at the option of the Township Board, said Board may proceed to obtain an injunction requiring any person to cease and desist from the activity claimed to be in violation of the regulations and provision hereof.
- C. Any persons who shall violate any provision or provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not to exceed five hundred dollars (\$500.00) or by imprisonment in the County Jail for a period not to exceed ninety (90) days or by both such fine and imprisonment in the discretion of the Court, and provided further that each day's violation of this ordinance shall constitute a separate offense.

SECTION 9. Validity.

Should any section, clause or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION 10. Repeal.

All ordinances or parts of ordinance in conflict herewith are hereby repealed.

SECTION 11. Publication and Effective Date.

This ordinance shall be published as required by law and shall be effective thirty days after the date of publication.

WATER COURSE LICENSING

Ordinance No. 522

Adopted: December 1, 1997

An ordinance to regulate the damming and diversion of natural water courses and drains and provide for penalties for the violation thereof.

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

SECTION 1. Purpose.

It shall be unlawful for any person, firm or corporation to dam, block, fill in, divert or in any other way interfere or affect the flow of water through a natural water course or drain without first obtaining a permit therefor in compliance with the provisions of this ordinance.

SECTION 2. Definitions.

For the purposes of this Ordinance, the following words and phrases shall have the meanings respectively ascribed to them by this section:

- A. **Natural Water Course.** A channel, defined bed or other topographical feature formed or determined by the general conformation of the surrounding land in which a flow of water occurs, either continuously or intermittently.
- B. **Drain.** A channel, ditch, ravine, storm drain, catch basin, or any other man-made structure designed to direct and control the flow of water.
- C. **Township Building Inspector.** The person appointed by the Township Board to enforce the Zoning Ordinances of the Township
- D. **Township Ordinance Enforcement Officer.** The person appointed by the Township Board to enforce all ordinances of the Township.
- E. **Township.** The Charter Township of Fenton.

SECTION 3. Application.

Applicants for a permit under this Ordinance, whether a person, firm or corporation, shall file a written, sworn application signed by the applicant, if an individual, and by an authorized officer if a firm or corporation, with the Township Building Inspector, showing:

- A. The name and address of the applicant
- B. The name and address of the record owner of the land upon which the flow of water is proposed to be affected or interfered with.
- C. The reason for the permit to interfere with or affect the flow of water.
- D. A detailed description of what the applicant proposes to do which will affect or interfere with the flow of water.

SECTION 4. Required Documentation.

The following must accompany the application when it is filed with the Township Building Inspector, to-wit:

- A. A drawing prepared by a registered engineer showing the location of:
 - 1. The natural water course or drain upon the particular parcel of land for which the permit is requested.
 - 2. The location of the land adjacent upstream and the location of the land adjacent downstream to the land for which the permit is requested.
 - 3. The location of any lands which are contiguous to the land for which the permit is requested that are:
 - a. under the jurisdiction of the Board of County Road Commissioners of Genesee County.

- b. within a right-of way or easement which is under the jurisdiction of the Genesee County Drain Commissioner.
- A. An opinion of a registered engineer as to the effect of the proposal on the:
 - 1. Land upon which the request is requested.
 - 2. Land adjacent upstream.
 - 3. Land adjacent downstream.
 - 4. Land under the jurisdiction of the Board of County Road Commissioners of Genesee County.
 - 5. Land within a right-of-way or easement which is under the jurisdiction of the Genesee County Drain Commissioner.
- B. The written consent of the record owner of the premises for which the permit is requested, (if the applicant is not the record owner).

SECTION 5. Building Inspector Review.

Upon receipt of the application, the Township Building Inspector shall review the application and the accompanying drawings. The Township Building Inspector may also, at his discretion, require written opinions and/or approvals from the Genesee County Drain Commissioner, the Board of County Road Commissioners of Genesee County and/or the Township Engineer.

SECTION 6. Approval.

If the Township Building Inspector finds that the proposal will not substantially adversely affect the adjacent land upstream and downstream and will not create any unsafe or hazardous health or safety conditions or create a nuisance condition to the detriment of adjoining land users or the general public, the application shall be approved and the appropriate permit issued.

SECTION 7. Fees.

A filing fee of fifty dollars (\$50.00) shall be paid to the Township at the time of filing the application. If the Building Inspector determines that it is necessary for the Township Engineer to review the application and drawings, any resulting fees shall be passed on to the applicant.

SECTION 8. Nuisance.

Any damming, blocking, filling in, diverting or in any other way interfering with or affecting the flow of water through a natural water course or drain in violation of this Ordinance is hereby declared to be a nuisance per se. The Court shall order such nuisance abated.

SECTION 9. Enforcement and Penalty for Violation.

This ordinance shall be enforced by the Township Building Inspector and/or the Township Ordinance Enforcement Officer.

Violation of any of the provisions of this Ordinance shall hereafter constitute a misdemeanor and shall be punished by a fine not to exceed five hundred dollars (\$500.00) together with the cost of prosecution and/or imprisonment in the Genesee County Jail or such other place of detention as the court may prescribe for a period of time not to exceed ninety (90) days.

(Amended: Ord. No. 528, 5-18-98; Ord. No. 570, 2-5-01)

SECTION 10. Effective Date.

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

SECTION 7 – ENVIRONMENTAL PROTECTION

Enacted at a regular meeting of the Fenton Township Board held on the 1st day of December, 1997.

WATERCRAFT CONTROL; McCULLY LAKE

Ordinance No. 676

Adopted November 20, 2006

An ordinance to regulate and control waters in the Township of Fenton, County of Genesee, State of Michigan.

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

SECTION 1. Purpose.

The purpose of this ordinance is to promote the public health, safety and welfare, and to protect the public by regulating and controlling certain waters in the Township of Fenton, County of Genesee, State of Michigan, namely McCully Lake.

SECTION 2. General regulations.

On the waters of McCully Lake, Section 13, Town 5 North, Range 6 East, Charter Township of Fenton, County of Genesee, State of Michigan, it is unlawful for the operator of a vessel to:

- (a) Operate a vessel powered by a motor except an electric motor.
- (b) Operate a vessel at a speed greater than slow – no wake speed.

The boundaries of the area described immediately above shall be marked with signs and buoys. All buoys must be placed as provided in a permit issued by the Department of Natural Resources and be in conformance with the State Uniform Waterway Marking System. For the purpose of this Ordinance, a slow – no wake speed is a very slow speed whereby the wake or wash created from a motorized watercraft would be minimal.

SECTION 3. Violations.

Violation of any of the provisions of this Ordinance shall hereafter constitute a misdemeanor and shall be punished by a fine not to exceed five hundred dollars (\$500.00) together with the cost of prosecution and/or imprisonment in the Genesee County Jail or such other place of detention as the court may prescribe for a period of time not to exceed ninety (90) days.

SECTION 4. Enforcement.

This Ordinance shall be enforced as provided by the laws and the statutes of the State of Michigan and by any law enforcement agencies of the State of Michigan that may be so designated by said laws or statutes of the State of Michigan or laws of Genesee County, State of Michigan or the laws of the Charter Township of Fenton, County of Genesee, State of Michigan.

SECTION 5. Validity.

This ordinance and the various parts, sections, subsections, provisions, sentences and clauses are severable. If any part of this ordinance is found to be unconstitutional or invalid it is declared the remainder of this ordinance shall not be affected thereby.

SECTION 6. 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 20th day of November 2006.

FLOODPLAIN MANAGEMENT

Ordinance No. 713

Adopted: August 3, 2009

An ordinance to affirm an enforcing agency to discharge the responsibility of the Charter Township of Fenton, located in Genesee County, and to designate regulated flood hazard area under the provisions of the State Construction Code Act, Act No. 230 of the public Acts of 1972, as amended.

THE CHARTER TOWNSHIP OF FENTON ORDAINS:

SECTION 1. Agency Designated

Pursuant to the provisions of the state constructions code, in accordance with Section 8b(6) of Act 230 of the Public Acts of 1972, as amended, the Building Official of the Charter Township of Fenton is hereby designated as the enforcing agency to discharge the responsibility of the Charter Township of Fenton under Act 230, of the Public Acts of 1972, as amended, State of Michigan. The Charter Township of Fenton assumes responsibility for the administration and enforcement of said Act throughout the corporate limits of the community adopting this ordinance.

SECTION 2. Code Appendix Enforced

Pursuant to the provisions of the state construction code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, Appendix G of the Michigan Building Code shall be enforced by the enforcing agency within the Charter Township of Fenton.

SECTION 3. Designation of Regulated Flood Prone Hazard Areas

The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) Entitled Genesee County, Michigan (All Jurisdictions) and dated September 25, 2009 and the Flood Insurance Rate Maps (FIRMS) panel numbers of 26049C, 0406D, 0407D, 0408D, 0409D, 0416D, 0417D, 0426D, 0427D, 0428D, 0429D and 0436D, dated September 25, 2009, are adopted by reference for the purposes of administration of the Michigan Construction Code, and declared to be part of Section 1612.3 of the Michigan Building Code and to provide the content of the "Flood Hazards" section of Table R301.2 (1) of the Michigan Residential Code.

SECTION 4. Repeal

All ordinances inconsistent with the provisions of this ordinance, including Fenton Township Ordinance No. 263 and Ordinance No. 312, are hereby repealed.

SECTION 5. Effective Date

This ordinance shall be published as required by law and shall take effect immediately after its enactment and publication.

Enacted at a regular meeting of the Board of Trustees of the Charter Township of Fenton, held on the 3rd day of August 2009.