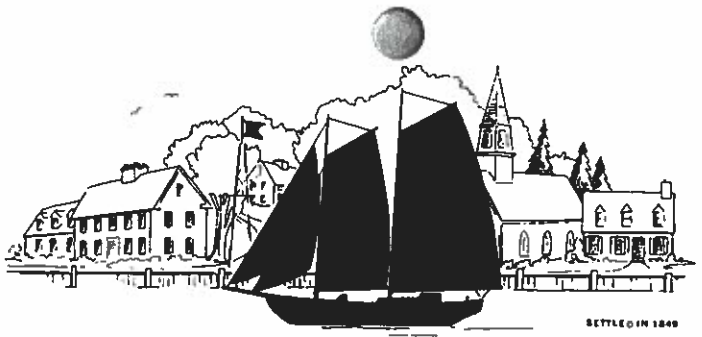


Village of Northport



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VILLAGE OF NORTHPORT

ORDINANCE NUMBER 87

AN ORDINANCE TO ESTABLISH RULES AND REGULATIONS FOR THE USE, OPERATION AND MAINTENANCE OF THE G. MARSTEN DAME MARINA, AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF, PURSUANT TO M.C.L.A. 67.35 ET SEQ:

THE VILLAGE OF NORTHPORT ORDAINS:

SECTION 1. SEWAGE DISPOSAL.

NO SEWAGE DISPOSAL SYSTEM SHALL BE UTILIZED WITHIN THE HARBOR, OTHER THAN THE SELF-CONTAINED VARIETY.

SECTION 2. OPERATION OF BOATS.

THE OPERATION OF BOATS OF ANY TYPE (INCLUDING ROWBOATS, DINGHIES AND SMALL OUTBOARDS) SHALL BE EXCLUSIVELY FOR INGRESS AND EGRESS FROM THE HARBOR. NO BOATS SHALL BE MOORED ON RIP-RAP.

SECTION 3. OPEN-FLAME BURNING DEVICES.

ALL CHARCOAL BURNERS OR OPEN-FLAME DEVICES SHALL BE OPERATED AT DESIGNATED AREAS WITHIN THE HARBOR. ABSOLUTELY NO FIRES OF ANY SORT ALLOWED ON BOARD OF BOATS, WITH THE EXCEPTION OF AN ONBOARD STANDARD GALLEY STOVE.

SECTION 4. SWIMMING.

NO SWIMMING IS PERMITTED IN THE HARBOR.

SECTION 5. FISHING.

FISHING ALLOWED ON BREAKWALLS AND RIP-RAP AT ALL TIMES AND THE DOCKS CAN BE FISHED AFTER THE CLOSING OF THE MARINA.

SECTION 6. CLEANING OF FISH.

NO CLEANING OF FISH, INCLUDING DISCARDING OF FISH ENTRAILS, IS PERMITTED WITHIN THE HARBOR.

SECTION 7. PETS.

PETS SHALL REMAIN ON A LEASH AT ALL TIMES AND MUST BE WALKED OR EXERCISED DIRECTLY TO AND AT THE "DOG WALK AREA" ON THE SOUTH SIDE OF THE PARKING LOT.

SECTION 8. BICYCLES/VEHICLES.

NO BICYCLES OR OTHER VEHICLES SHALL BE RIDDEN ON THE SIDEWALKS, PIERS OR BREAKWALLS; AND MOTORBIKES MUST BE WHEELED TO THE AUTOMOBILE PARKING AREA BEFORE STARTING.

SECTION 9. SKATEBOARDING.

NO SKATEBOARDING IS PERMITTED WITHIN THE HARBOR AREA.

SECTION 10. PARKING.

THE PARKING OF ALL VEHICLES AND VEHICLES WITH TRAILERS SHALL BE LIMITED TO THE AREAS DESIGNATED. ONLY OVERNIGHT PARKING IS ALLOWED IN THE SOUTH PARKING LOT. ONLY WITH PERMISSION OF THE VILLAGE OF NORTHPORT IS OVERNIGHT PARKING ALLOWED IN UNAUTHORIZED AREAS. ENFORCEMENT OF THIS PROVISION, WITH RESPECT TO ANY ABANDONED VEHICLES OR TRAILERS, SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE VILLAGE UNIFORM TRAFFIC CODE [ORDINANCE NUMBER 82].

SECTION 11. REPAIR/REFINISHING OF BOATS.

NO BOATS SHALL BE REPAIRED OR REFINISHED WITHOUT CLEARANCE THROUGH THE HARBOR MASTER.

SECTION 12. DOCKING/TIE-UPS.

ALL BOATS UPON ARRIVAL SHALL CHECK IN WITH DOCK HOUSE AND A FULL DAY'S DOCKAGE WILL BE PAID IN FULL. CHECK-OUT TIME IS TWELVE (12) NOON. ANY BOAT REMAINING AFTER TWELVE (12) NOON WILL BE SUBJECT TO ANOTHER DAYS DOCKAGE. BOATERS SHALL BE PERMITTED TO TIE-UP OF A MAXIMUM OF TWO (2) HOURS, WITHIN ANY TWENTY-FOUR (24) HOUR PERIOD WITHOUT PAYING DOCKAGE, UNLESS THE FACILITY IS RESERVED. THIS TEMPORARY TWO (2) HOUR TIE-UP WILL BE LOCATED ON THE NORTH

BREAKWALL. ANY BOATS VIOLATING THIS SECTION MAY BE REMOVED IN ACCORDANCE WITH THE PROCEDURES SET FORTH IN SECTION 2.5 OF THE VILLAGE TRAFFIC CODE.

SECTION 13. NUISANCES.

NO PERSON SHALL PARTAKE IN ANY ACTIVITY THAT SHALL CONSTITUTE A NUISANCE TO THE MARINA OPERATION OR A NUISANCE TO PERSONS LAWFULLY ENJOYING THE SAME. IN THIS REGARD, ALL WATERCRAFT IS REQUIRED TO TIE OF HALYARDS AND OTHER LINES IN A MANNER TO PREVENT SLAPPING OF THE RIGGING. MARINA PERSONNEL MAY BOARD ANY VESSEL TO ENFORCE THIS PROVISION.

SECTION 14. RATES/FEES.

RATE AND FEE SCHEDULES, EXCLUDING FUEL, FOR SERVICES RENDERED, SHALL BE ESTABLISHED ANNUALLY BY RESOLUTION OF THE NORTHPORT VILLAGE COUNCIL.

SECTION 15. CLOSE OF MARINA/RAMP.

NO DOCKING OF ANY BOAT SHALL BE ALLOWED IN THE HARBOR PRIOR TO APRIL 1ST. OF EACH YEAR AND AFTER NOVEMBER 15 TH. OF EACH YEAR. THE RAMP WILL BE CLOSED EACH YEAR AT THE DISCRETION OF THE DEPARTMENT OF PUBLIC WORKS. THIS WILL BE BASED UPON THE SAFETY CONDITIONS INVOLVING ICE BUILD UP OF RAMP AREA AND FREEZE UP OF THE HARBOR. THE VILLAGE COUNCIL MAY, BY RESOLUTION, AND ON AN ANNUAL BASIS ONLY, ADJUST THE OPENING AND CLOSING DATES OF THE MARINA/RAMP AND POST SAME ACCORDINGLY.

SECTION 16. DEFINITIONS.

WHEN USED HEREIN, THE WORDS "HARBOR" OR HARBOR AREA" SHALL PERTAIN TO THE DESCRIPTION CONVEYED BY THE STATE OF MICHIGAN TO THE VILLAGE OF NORTHPORT BY A PUBLIC USE AGREEMENT, WHICH DEFINES AREA WITHIN THE CONFINES OF THE BREAKWALLS. IN ADDITION, THE AREA DESIGNATED AS PARKING LOTS AND THE PARK AREA IMMEDIATELY ADJACENT TO HARBOR SHALL BE INCLUDED IN THE DEFINITIONS.

SECTION 17. SUPPLEMENTARY REGULATIONS.

THE NORTHPORT VILLAGE COUNCIL MAY FROM TIME TO TIME ADOPT REGULATIONS SUPPLEMENTING THIS ORDINANCE. THESE REGULATIONS SHALL BE PUBLICLY POSTED AT THE HARBOR AND THE VIOLATION OF WHICH SHALL CONSTITUTE A VIOLATION OF THIS ORDINANCE.

SECTION 18. VIOLATION/PENALTY.

ANY PERSON, FIRM OR CORPORATION WHICH VIOLATES ANY OF THE PROVISIONS OF THIS ORDINANCE OR REGULATIONS, PROMULGATED PURSUANT THERETO, SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND SHALL BE PUNISHED BY IMPRISONMENT FOR NOT MORE THAN NINETY (90) DAYS OR A FINE OF NOT MORE THAN FIVE HUNDRED (\$500.00) DOLLARS OR BOTH.

SECTION 19. CONFLICTING ORDINANCES REPEALED.

VILLAGE ORDINANCE NUMBER 83 IS HEREBY REPEALED.

SECTION 20. SEVERABILITY.

THE PROVISIONS OF THIS ORDINANCE ARE HEREBY DECLARED TO BE SEVERABLE AND IF ANY CLAUSE, SENTENCE, WORD, SECTION OR PROVISION IS DECLARED VOID OR UNENFORCEABLE FOR ANY REASON BY ANY COURT OF COMPETENT JURISDICTION, IT SHALL NOT AFFECT ANY PORTION OF THE ORDINANCE OTHER THAN SAID PART OF PORTION THEREOF.

SECTION 21. ENFORCEMENT.

THE PROVISIONS OF THIS ORDINANCE SHALL BE ENFORCED BY THE NORTHPORT POLICE DEPARTMENT AND/OR THE LEELANAU COUNTY SHERIFF DEPARTMENT AND/OR THE MICHIGAN STATE POLICE.

SECTION 22. COMMERCIAL ACTIVITY.

THAT COMMERCIAL FISHING VESSELS LICENSED AS SUCH SHALL NOT, UNDER ANY CIRCUMSTANCES, BE PERMITTED THE USE OF THE SAID FACILITIES CONSTRUCTED FOR THE MOORING OF RECREATIONAL WATERCRAFT. ALL COMMERCIAL VESSELS OF ANY TYPE, INCLUDING BUT NOT LIMITED TO CHARTER FISHING VESSELS, SHALL NOT BE PERMITTED TO REGULARLY USE ANY OF THE G. MARSTEN DAME MARINA FACILITIES WITHOUT FIRST SECURING THE APPROVAL IN WRITING OF BOTH THE VILLAGE OF NORTHPORT AND THE DEPARTMENT OF NATURAL RESOURCES.

SECTION 23. EFFECTIVE DATE.

THIS ORDINANCE SHALL TAKE EFFECT TWENTY (20) DAYS AFTER PASSAGE BY THE VILLAGE COUNCIL.

VILLAGE OF NORTHPORT
VILLAGE COUNCIL

BY: Betty L. Mork
BETTY L. MORK, CLERK

BY: Edward S. Reinsch
EDWARD S. REINSCH, PRESIDENT

CLERK'S CERTIFICATE

THE UNDERSIGNED, CLERK OF THE VILLAGE OF NORTHPORT, HEREBY CERTIFIES THAT THE ABOVE ORDINANCE WAS DULY ADOPTED BY A MAJORITY OF THE VILLAGE COUNCIL AT A REGUALR MEETING ON OCTOBER 21, 1993; THAT THE ORDINANCE WAS PUBLISHED IN LELAND, MICHIGAN, BY THE LEELANAU ENTERPRISE ON OCTOBER, 28, 1993; AND THAT IT WAS THEREAFTER, ON NOVEMBER, 9, 1993, ENTERED IN THE VILLAGE RECORD OF ORDINANCES, WHICH RECORD REFLECTS THE TIME AND PLACE OF PUBLICATION