

Chapter 37

WATERWAYS*

* **Cross References:** Flood protection, Ch. 14; litter in lakes, streams and fountains, § 18-54; public bathing beaches at outdoor assemblies, § 20-29(8); parks and recreation, Ch. 21; motorboats on Hopkins Lake, § 21-4; planning, Ch. 23; soil erosion control, Ch. 27; subdivision regulations, Ch. 30; swimming pools, Ch. 31; zoning, Ch. 38.

State Law References: Marine safety act, MCL 281.1001 et seq., MSA 18.1287(1) et seq.

Art. I. In General, §§ 37-1--37-25

Art. II. City Waterfront Property, §§ 37-26--37-28

ARTICLE I.

IN GENERAL

Sec. 37-1. Definition.

In the interpretation of this chapter "waterway" shall mean any lake, river, canal or connecting waters within the boundaries of the city, and under its jurisdiction.

(Code 1977, § 9.191)

Cross References: Definitions and rules of construction generally, § 1-2.

Sec. 37-2. Pollution.

No person shall put into the waters of any waterway or on the ice covering any such waters, any filth of any description or throw or deposit or permit to be deposited or placed in any of the waters of any waterway, or on ice covering said waters, any glass, cans or bottles, any metal object, rubbish, garbage, refuse, sewage, or any other substance likely to injure any person, fish, bird or animal, or cause any unsightly or unsanitary conditions, either in or upon such waters or on the shoreline adjacent thereto.

(Code 1977, § 9.192)

Sec. 37-3. Obstructions.

No person shall place any obstruction, or permit the placing of any obstruction, within any waterway which would tend to endanger or impede navigation. Any person offending against the provisions of this section shall be liable to the city for all costs and expense incurred by it in the removal of such obstruction.

(Code 1977, § 9.193)

Sec. 37-4. Encroachment.

No person shall fill any land or place any structure beyond the established dock lines of the city. The established dock lines of the Shiawassee River shall be as set forth in Ordinance No. 52 of the city, approved February 5, 1923, until otherwise provided by the council. Encroachments may be removed and the expense of

such removal charged to the abutting land owner when made or permitted by him or her or suffered to remain by him or her, otherwise than in accordance with the terms and conditions of this chapter. The expense of such removal shall be charged against the owner as a special assessment in accordance with section 10.7 of the Charter.

(Code 1977, § 9.194)

Sec. 37-5. Cleanliness of docks.

Persons in charge of or occupying boats shall at all times keep the docks, seawalls and premises adjacent to such watercraft in a neat and orderly manner and free from trash, rubbish, repair parts, machinery, equipment and debris of all kinds.

(Code 1977, § 9.195)

Secs. 37-6--37-25. Reserved.

ARTICLE II.

CITY WATERFRONT PROPERTY

Sec. 37-26. Recreational use restricted.

No person shall bathe, swim, dive, ice skate, launch any boat or make any other recreational use of any water adjacent to city-owned land except in such areas where the activity engaged in is specifically permitted and signs authorizing such activity are erected, nor shall any person use any city-owned land to gain access to adjacent waters for the purpose of engaging in such activities in such prohibited areas.

(Code 1977, § 9.196)

Sec. 37-27. Posting signs.

The city manager is directed to post suitable signs conspicuously on all city-owned property where any recreational use or activity is allowed under the provisions of this chapter, giving notice to the public of what recreational activities may be authorized in the particular area. The city manager is also authorized to erect signs conspicuously on city-owned property where such recreational use or activity is not authorized, which signs may specify the particular recreational activities prohibited. Notwithstanding the provisions of this section, the absence of any sign shall not constitute a defense to any charge of violation of this section.

(Code 1977, § 9.196)

Sec. 37-28. Regulations.

The city manager is authorized to adopt regulations designating the particular city-owned property on which all or certain recreational activities are prohibited or specifically permitted, which regulations shall be effective upon approval by the council. The city manager is authorized to amend such regulations from time to time subject to approval of the council.

(Code 1977, § 9.196)