

LONG LAKE TOWNSHIP
Ordinance No. ____ of 2008

AN ORDINANCE PURSUANT TO ACT 246 OF THE PUBLIC ACTS OF 1945,
AS AMENDED, TO REGULATE ACTIVITIES WITHIN TOWNSHIP NATURAL
AREAS AND TO PROVIDE PENALTIES FOR VIOLATIONS THEREOF

THE TOWNSHIP OF LONG LAKE ORDAINS:

Section 1. Title.

This Ordinance shall be known as the Long Lake Township Natural Area Rules Ordinance.

Section 2. Definitions. As used in this Ordinance,

- (a) "Bullhead Lake Natural Area" means the property situated in Long Lake Township, Grand Traverse County, Michigan and described as follows:

COM SW COR SEC 16 T27N R12W TH N 0 DEG 04'52" E 1316.15 FT TH S 89 DEG 22'42" E 415 FT TO POB TH CONT S 89 DEG 22'42" E 1110.08 FT TH ALG ARC OF CRV TO RIGHT (R=752.99 FT ANG=23 DEG 14'28" CHD=S 42 DEG 29'37" E 303.35 FT) 305.44 FT; TH ALG ARC OF CRV TO RIGHT (R=408.90 FT, ANG=57 DEG 20'27", CHD=S 02 DEG 12'20" E 392.32 FT) 409.18 FT TH S 26 DEG 27'44" W 200.09 FT TH ALG ARC OF CRV TO LEFT (R=904.05 FT ANG=33 DEG 32'06" CHD = S 09 DEG 39'23" W 521.62 FT 529.14 FT TH N 89 DEG 39'13" W 10.66 FT TO SHR BULLHEAD LAKE TH N 04 DEG 38'01" W 165.73 FT TH N 62 DEG 27'06" W 204.57 FT TH N 84 DEG 39'11" W 215.29 FT TH N 64 DEG 57'42" W 140 FT TH S 32 DEG 04'15" W 10.77 FT TH S 19 DEG 58'53" E 212.34 FT TH N 89 DEG 39'13" W 350.81 FT TH N 0 DEG 04'52" E 1071.85 FT TH N 89 DEG 22'42" W 245.04 FT TH N 0 DEG 04'52" E 241.09 FT TO POB. 28.19 A M/L.

- (b) "Natural area" means the Bullhead Lake Natural Area and the South Long Lake Forest Natural Area.
- (c) "Natural area manager" means the person appointed by the Long Lake Township Board to manage and administer the natural area.
- (d) "Person" means an individual, firm, corporation, association, partnership, limited liability company, or other legal entity.
- (e) "South Long Lake Forest Natural Area" means the property situated in Long Lake Township, Grand Traverse County, Michigan and described as follows:

Parcel 1:

SE 1/4 OF NW 1/4 EXC THE N 10 ACRES THEREOF SEC 35 T27N R12W. 30 A.

Parcel 2:

N 1/2 OF SW 1/4 EXC PART LYING NWLY OF E LONG LK RD ALSO EXC BEG AT SELY COR OF PLAT OF DYES ADD TO EVERGREEN BEACH TH S 45 DEG 59' W 150 FT TH S 44 DEG 01' E 300 FT TH N 45 DEG 59' E 444.6 FT TH WLY 420.5 FT TO POB SEC 35 T27N R12W. ALSO COM W 1/4 COR SEC 35 T27N R12W TH S 88 DEG 20'00" E 162.14 FT TO POB TH N 46 DEG 01'01" E 150 FT TH S 88 DEG 20'00" E 125 FT TH S 01 DEG 40'00" W 37.39 FT TH S 88 DEG 20'00" E 306.33 FT TH S 44 DEG 00'26" E 100 FT TH N 88 DEG 20'00" W 607.73 FT TO POB.

Parcel 3:

SW 1/4 OF NE 1/4 & W 1/2 OF SE 1/4 SEC 35 T27N R12W

Section 3. General Regulations. No person shall:

- (a) Unreasonably interfere with ingress and egress to the natural area.
- (b) Cause or create any loud noise or sound that endangers or injures the safety or health of humans or animals or that annoys or disturbs a reasonable person of normal sensitivities using the natural area in a proper manner, including but not limited to:
 - (1) Playing or using a radio, phonograph, compact disc player, tape player, television, musical instrument, sound amplifier, or other electronic or mechanical sound-producing device in such a manner or with such volume so as to disturb the quiet, comfort or repose of a reasonable person of normal sensitivities.
 - (2) Yelling, shouting, hooting, singing, or making other noise that because of its volume, frequency, or shrillness unreasonably disturbs the quiet, comfort or repose of a reasonable person of normal sensitivities.
 - (3) Sounding or using any horn, siren, whistle, bell or other warning device so as to unreasonably disturb the quiet, comfort or repose of another person, unless the sounding or use of such horn, siren, whistle, bell or other warning device is authorized by state law and necessary for safety within the township park.

- (c) Engaged in any abrasive, vulgar, obscene, or otherwise disorderly behavior tending to create a breach of peace, or to disturb or annoy a reasonable person of normal sensitivities using the natural area in a proper manner.
- (d) Cause littering, including but not limited to dumping of yard waste and household trash, within the natural area or on adjoining property.
- (e) Park a motor vehicle in other than designated parking areas within the natural area.
- (f) Park a motor vehicle overnight within the natural area.
- (g) Bring a dog or other animal in the natural area, unless such dog or other animal is on a leash or under the immediate control of the owner or person accompanying the dog or other animal into the natural area.
- (h) Fail to clean up manure or other messes caused by the dog or other animal brought into the natural area.
- (i) Possess, consume, or sell alcoholic beverages in the natural area.
- (j) Peddle or solicit business of any nature in the natural area.
- (k) Remove or plant any plant materials, unless authorized to do so in writing by the natural area manager.
- (l) Throw, cast, lay, drop or discharge into or leave in waters in the natural area any substance, matter or thing, either liquid or solid, which may result in the pollution of the waters or wetland areas.
- (m) Fish in the natural area, except in accordance with state law.
- (n) Possess or discharge any fireworks or any substance of an explosive nature in the natural area.
- (o) Start, use, or maintain a campfire, bonfire, or other recreational fire within the natural area at any time.
- (p) Erect, construct or maintain any structure within the natural area for longer than a 24 hour period.
- (q) Create any other nuisance condition.

- (r) Enter or remain in the natural area during hours the natural area is closed. The opening and closing times for the natural area shall be posted at the trailheads.
- (s) Remain within the natural area after being requested by a police officer to leave the natural area.
- (t) Interfere with, or in any manner hinder the natural area manager or employees, agents, and volunteers of the township while performing their official duties.

Section 4. Regulations for Bullhead Lake Natural Area.

In addition to the general regulations specified in Section 3 above, no person shall:

- (a) Camp overnight in the Bullhead Lake Natural Area.
- (b) Hunt or trap wildlife of any nature in the Bullhead Lake Natural Area.
- (c) Except as provided herein, operate any motor vehicles or non-motor vehicles, including but not limited to bicycles, tricycles, and scooters, in the Bullhead Lake Natural Area. The natural area manager or employees, agents, and volunteers of the township may operate motor vehicles and non-motor vehicles in the Bullhead Lake Natural Area while performing their official duties.
- (d) Walk within the Bullhead Lake Natural Area, except on designated, improved trails.
- (e) Violate any posted special access restrictions within the Bullhead Lake Natural Area.

Section 5. Regulations for South Long Lake Forest Natural Area.

In addition to the general regulations specified in Section 3 above, no person shall:

- (a) Camp overnight in the South Long Lake Forest Natural Area, except from December 1 through February 29 of the following year and after obtaining a permit issued by the township clerk, or his or her designee.
- (b) Except as provided herein, operate any motor vehicles in the South Long Lake Forest Natural Area. Provided, however, motor vehicles may be operated on county roads, snowmobiles may be operated on designated trails, and motor vehicles may be operated in the South Long Lake Forest Natural Area by the natural area manager or employees, agents, and volunteers of the township while performing their official duties.

- (c) Operate any non-motor vehicles, including but not limited to bicycles, tricycles, and scooters, in the South Long Lake Forest Natural Area, except on designated, improved trails.
- (d) Violate any posted special access restrictions within the South Long Lake Forest Natural Area.

Section 6. Violations and Penalties.

- (a) Any person who violates any provision of this Ordinance, except Section 3(s) and Section 3(t), shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to the following fines:
 - (1) For a first offense, the offender shall pay a fine of One Hundred and 00/100 (\$100.00) Dollars.
 - (2) For a second offense within two (2) years of the date on which the person was found responsible for the first violation, the offender shall pay a fine of Two Hundred Fifty and 00/100 (\$250.00) Dollars.
 - (3) For a third or subsequent offense within two (2) years of the date on which the person was found responsible for the first violation, the offender shall pay a fine of Five Hundred and 00/100 (\$500.00) Dollars.
- (b) Any person who knowingly violates Section 3(s) or Section 3(t) of this Ordinance shall be guilty of a misdemeanor punishable by a fine of not more than Five Hundred and 00/100 Dollars (\$500) and/or by imprisonment in the county jail for not more than ninety (90) days.
- (c) Each day this Ordinance is violated shall be considered a separate violation.

Section 7. Enforcement Officials.

The Township Ordinance Enforcement Officer and police officers of the Grand Traverse County Sheriff's Department are hereby designated as the authorized officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.

Section 8. Nuisance Per Se.

A violation of this Ordinance is hereby declared to be a nuisance per se and is declared to be offensive to the public health, safety and welfare.

Section 9. Separate Court Action.

In addition to enforcing this Ordinance through the use of a municipal civil infraction proceeding or a criminal prosecution, the Township may initiate proceedings in the Circuit Court to abate or eliminate the nuisance per se or any other violation of this Ordinance.

Section 10. Validity.

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not effect any remaining portions or application of this Ordinance, which can be given effect without the invalid portion or application.

Section 11. Effective Date.

This Ordinance shall become effective thirty (30) days after being published in a newspaper of general circulation within the Township.

TOWNSHIP OF LONG LAKE

By: _____
Karen Rosa, Supervisor

By: _____
Carol Hoffman, Clerk