

**LINCOLN TOWNSHIP
NEWAYGO COUNTY, MICHIGAN
(Ordinance No. 21-01; Amendments to the Lincoln Township
Waterfront Park Ordinance– II, being Ordinance No. 20-01)**

At a regular meeting of the Township Board for Lincoln Township held at the Township Hall October 21, 2021, beginning at 7:00 p.m., Township Board Member Noggle made a motion to adopt this Ordinance/ordinance amendment, which motion was seconded by Township Board Member Stockwell:

**AN AMENDMENT TO THE LINCOLN TOWNSHIP WATERFRONT PARK
ORDINANCE – II (Ordinance No. 20-01)**

THE TOWNSHIP OF LINCOLN (the “TOWNSHIP”) ORDAINS:

Article 1. Subsection 4.3of the Lincoln Township Waterfront Park Ordinance– II (Ordinance No. 20-01) is hereby amended to read in full as follows:

SECTION 4.3 No dock, wharf, pier, shorestation, boat cradle, boat launch, boat tether, buoy or similar item shall be installed, stored, kept or utilized on or at the Parks (or the shoreline or bottomlands thereof), except as follows:

(a) With regard to West Park, no more than four (4) seasonal docks may be installed at the shoreland and bottomlands of West Park as follows: Lots 84, 85, 86 and 87 of the plat shall each be allowed one (1) seasonal dock. No such dock shall be installed at or on the Park unless a written permit has been issued by the Township Zoning Administrator approving the specific size, location and configuration of any such dock pursuant to subsection (c), below. The Township Board can revoke a permit at any time for any violation of this Ordinance or any other Township ordinance. No such dock shall be installed or utilized unless such a permit has been issued by the Township Zoning Administrator and there is full compliance with the permit. No permit shall be issued to the owner of one of the lots specified above until and unless such lot owner provides written proof to the Township that he/she has liability insurance covering such dock in an amount of at least \$500,000. Except for such allowed docks (and one shorestation or boat hoist for each of those lots at such docks), no other boat docks, shorestations, or boat cradles are allowed at West Park (except for a government dock or docks allowed by law as specified in subsection (f), below).

(b) With regard to North Park, no more than five (5) seasonal docks may be installed at the shoreland and bottomlands of North Park as follows: Lots 90, 91, 92, 93 and 94 of the plat shall each be allowed one (1) seasonal dock. No such dock shall be installed at or on the Park unless a written permit has been issued by the Township Zoning Administrator approving the specific size, location and configuration of any such dock pursuant to subsection (c), below. The Township Board can revoke a permit at any time for any violation of this Ordinance or any other Township ordinance. No such dock shall be installed or utilized unless such a permit has been issued by the Township Zoning Administrator and there is full compliance with the permit. No permit shall be issued to the owner of one of the lots specified above until and unless such lot owner provides written proof to the Township that he/she has liability insurance covering such dock in an amount of at least \$500,000. Except for such allowed docks (and one shorestation or boat hoist for each of those lots at such docks), no other boat docks, shorestations, or boat cradles are allowed at North Park (except for a government dock or docks allowed by law as specified in subsection (f), below).

(c) The Zoning Administrator shall not approve a dock permit hereunder unless the Zoning Administrator finds that the proposed dock (and its size, location and configuration) meets all of the requirements of this Ordinance, any other applicable Township ordinance and also all of the following:

- (i) The dock (and its size, location and configuration) will not unreasonably
- (ii) interfere with proper and lawful uses of the park involved by members of the public.
- (iii) The dock (and its size, length, location and configuration) is reasonable. The dock shall not exceed any length or size limitations contained in the Lincoln Township Zoning Ordinance.
- (iv) The dock (and its size, location and configuration) will not present a safety hazard to other lawful users of the park involved.
- (v) The dock (and its size, location and configuration) will not unreasonably interfere with the

proper and reasonable use of other docks lawfully on the park involved.

(d) The Zoning Administrator may attach reasonable conditions to any dock permit issued hereunder.

(e) An aggrieved dock applicant may appeal the denial of a dock permit (or any conditions attached to a dock permit) by filing a written appeal with the Township Board within twenty-one (21) days of a dock permit decision by the Zoning Administrator.

(f) A dock or docks may also be installed for governmental or public day use by the Township or Newaygo County to the extent allowed by law.

Article 2. The balance of the Lincoln Township Waterfront Park Ordinance - II(Ordinance No. 20-01) remains unchanged and in full force and effect.

Except as expressly amended by this Ordinance/ordinance amendment, the Lincoln Township Waterfront Park Ordinance-II (Ordinance No. 20-01) shall remain unchanged and in full force and effect.

Article 3. Severability.

Should any portion of this Ordinance/ordinance amendment be declared by a court of competent jurisdiction to be invalid or unconstitutional, that shall not affect the balance of this Ordinance/ordinance amendment, which shall remain in full force and effect.

Article 4 Effective Date.

This Ordinance/ordinance amendment shall become effective upon the expiration of thirty (30) days after this Ordinance/ordinance amendment (or a summary thereof) appears in the newspaper as provided by law.

The vote to adopt this Ordinance/ordinance amendment was as follows:

- YEAS: Stockwell, Noggle, Rodarmer
- NAYS: Ungrey
- ABSENT/ABSTAIN: Frantz

ORDINANCE/ORDINANCE AMENDMENT DECLARED ADOPTED.

CERTIFICATION

I hereby certify the foregoing to be a true copy of an Ordinance/ordinance amendment adopted by the Township Board for Lincoln Township at the time, date and place as specified above, pursuant to the required statutory procedures.

Respectfully submitted,

By _____
Sharon Noggle
Lincoln Township Clerk