

DRAFT: July 31, 2021
Approved: August 23, 2021
Published: August 26, 2021
In effect: September 25, 2021

**GRATTAN TOWNSHIP
KENT COUNTY, MICHIGAN
(Ordinance No. 2021-003)**

At a regular meeting of the Township Board for Grattan Township held at the Township offices at 12050 Old Belding Road on the 9th day of August 2021, beginning at 7:00 p.m., Township Board Member Paul Knoerl made a motion to adopt the following Ordinance/ordinance amendment, which motion was seconded by Township Board Member Dennis Heffron:

**AN ORDINANCE TO AMEND THE GRATTAN TOWNSHIP
DOCK AND BOAT ORDINANCE, BEING ORDINANCE No.
08-01, AS AMENDED IN THE PAST BY ORDINANCE No. 09-
002.**

THE TOWNSHIP OF GRATTAN (the "Township") ORDAINS:

Article I. A new and additional subsection 7.7 is hereby added to Article 7 of the Grattan Township Dock and Boat Ordinance as follows:

Section 7.7 Escrow Fees

In addition to a fixed fee as set by the Township Board for any applicant or appeal to the Board of Safety Appeals, the Zoning Administrator in his or her discretion may also require an applicant to submit to the Township (prior to Township review of an application or appeal) an amount of money determined by the Township to be a reasonable estimate of the fees and costs which may be incurred by the Township and/or the Board of Safety Appeals in reviewing and acting upon any such application or appeal. The Township shall not charge such escrow fees or assess costs to the applicant or appealing party for the time expended by Township employees or for incidental costs and

expenses but may charge or assess the applicant for all other reasonable costs and expenses incurred by the Township during and in connection with the review process, appeal or other related proceedings, whether or not the application or appeal is granted or approved, either in whole or in part. Such costs and expenses to be charged or assessed to the applicant or appealing party, for reimbursement of the Township's reasonable costs and expenses, may include, but shall not be limited to, Township attorney fees, costs and fees for the services of outside consultants, fees and expenses of other professionals who may assist the Township, costs and fees for studies and reports pertaining to the matters in question, special meeting costs and other reasonable costs and expenses. Such monies shall be retained by the Township for reimbursement of such costs and expenses. If insufficient monies are deposited by the applicant or property owner with the Township to cover the Township's reasonable costs and expenses (as mentioned above), the applicant or property owner shall fully reimburse the Township for all such reasonable costs and expenses at any and all times demanded by the Township, whether during the review or appeal process or after the process has been completed. Any monies paid or deposited by an applicant or appealing party which are not used or spent by the Township shall be refunded.

Article IV. The following is hereby added to the Grattan Township Dock and Boat Ordinance as a new subsection 4.5:

Section 4.5 Small Lots

No lawful nonconforming lot (or other lot) with frontage on a lake shall be utilized for a dock, pier, wharf, boat hoist, swim raft or similar item unless the lot has at least 3,000 square feet of area on dry land (and landward of the ordinary

high water mark) and at least 80 feet of frontage on the lake. Furthermore, no lawful nonconforming lot (or other lot) shall have any boat, watercraft or vessel docked, moored, kept or anchored overnight, permanently or seasonally thereon unless the lot has at least 3,000 square feet of area on dry land (and landward of the ordinary high water mark) and also at least 80 feet of frontage on the lake. Where a property with frontage on a lake has a portion of the lot or parcel located between the lake and a road right-of-way or easement and the other portion of a lot or parcel is located across the road easement or right-of-way from the lake front portion of the lot or property, this subsection shall apply to the portion of the lot or parcel located between the lake and the road easement or right-of-way. Sections 6.2 and 6.3 shall apply to such lots only to the extent that a dock or docks were lawfully used on the lot regularly and consistently before January 1, 2021.

Article V. The following is hereby added as a new and additional Section 4.6 to the Grattan Township Dock and Boat Ordinance:

Section 4.6 Ramps

No boat ramp, launch or similar structure or item shall be built, expanded or installed at or in a lake (or the shore thereof) unless owned and operated by a governmental agency. This subsection shall not apply to boat ramps, launches or similar items that lawfully existed on and before January 1, 2021 (but shall not be expanded or replaced).

Article VI. Ordinance Otherwise Unchanged. Except as expressly amended by this Ordinance/ordinance amendment, the Grattan Township Dock and Boat Ordinance (as amended) shall remain unchanged and in full force and effect.

Article VII. Severability. The provisions of this Ordinance/ordinance amendment are hereby declared to be severable. Should any word, clause, phrase or part of this Ordinance/ordinance amendment be deemed to be invalid or unconstitutional by a court of competent jurisdiction, it shall not affect the balance of this Ordinance/ordinance amendment which shall remain and in full force and effect.

Article VIII. 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 in favor of this Ordinance/ordinance amendment was as follows:

YEAS: Frank Force, Michelle Alberts, Sabrina Freeman, Paul Knoerl, Dennis Heffron

NAYS: NA

THIS ORDINANCE/ORDINANCE AMENDMENT IS HEREBY DECLARED
ADOPTED.

CERTIFICATION

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



Respectfully submitted,

By Michelle Alberts
Michelle Alberts
Grattan Township Clerk