

## **Bois Blanc Township**

### **Bois Blanc Township Public Docks and Harbor Ordinance**

#### **Ordinance No. 3**

**(amended March 11, 2009)**

**Adopted: March 11, 2009**

**Published: March 18, 2009**

An Ordinance to establish THE BOIS BLANC ISLAND HARBOR COMMISSION, and to establish rules and regulations for the use and maintenance of the public docks and harbor located in Bois Blanc Township, including the hours of operation, improvements, repairs, rental charges, designation of spaces and to provide penalties for the violation thereof.

#### **THE TOWNSHIP BOARD OF BOIS BLANC, COUNTY OF MACKINAC, STATE OF MICHIGAN ORDAINS:**

##### **SECTION 1. NAME**

- A.** This ordinance shall be known and cited as the BOIS BLANC TOWNSHIP PUBLIC DOCKS and HARBOR ORDINANCE.

##### **SECTION 2. HARBOR COMMISSION**

- A.** There hereby is created a committee of five (5) members which shall be known as THE BOIS BLANC ISLAND HARBOR COMMISSION who shall have supervision control and operation of public harbors and docks located on Bois Blanc Island in the Township of Bois Blanc, County of Mackinac, State of Michigan. Also, the causeway, entrance or exit roads, and all connecting grounds used in connection with the harbor and dock on Lake Huron.
- B.** Terms of the five (5) members shall be staggered, each with a term of five (5) years. They may be of lesser terms to effect staggered term expirations.
- C.** The Commission shall make and shall publish such rules and regulations, they may feel is necessary in the discharge of their duties.
- D.** Each term shall start from the effective date of this ordinance being, December 15, 1969.
- E.** The Commission shall be self governing, and shall have no liability either individually or collectively when acting as member or members of the said Commission.
- F.** The Township Board of Bois Blanc shall appoint a new member to the Dock and Harbor Commission at least 30 days before the expiration of each and every term of the members of the Dock and Harbor Commission with said appointee taking office on the date of the expiration of their respective terms of office.

**SECTION 3. APPOINTMENT AND TERMS OF OFFICE**

- A. The first Bois Blanc Township Harbor Commission shall be the following persons and their terms of office shall be as designated after their respective names.
  - 1. Carl Dunster, Michigan Waterways Commission, Cheboygan, 49721: 1 year
  - 2. Minnie White, Pointe aux Pins, Michigan 49775 2 years
  - 3. David P. Begle, Pointe aux Pins, Michigan 49775 3 years
  - 4. Sven A. Anderson, Pointe aux Pins, Michigan 49775 4 years
  - 5. Charles Juntunen, Pointe aux Pins, Michigan 49775 5 years
  
- B. Vacancies in office shall be filled by appointment of the Bois Blanc Township Board. In so far as possible the Commission shall represent equally the Township Board of Bois Blanc, and it shall be mandatory that all appointments be in writing. Said appointments shall be on file and available during regular business hours at the office of the Bois Blanc Township Clerk's office. If no appointment is made, the member who has completed his/her term of office on the commission shall remain in office until said appointment is properly made. In case of an unfilled vacancy, the remaining members of the Commission shall carry on the business of the Commission as long as three members are active and qualified to hold office.
  
- C. Members of the Bois Blanc Township Board shall be ineligible for appointment or hold office on the Commission during the term of their office.
  
- D. Any member who has three (3) consecutive unexcused absences shall be terminated.

**SECTION 4. SPACE RESERVATIONS AND RENTALS**

- A. The Bois Blanc Harbor Commission shall establish, control and enforce the following:
  - 1. All reservations for boat slips on Bois Blanc Island shall be in writing, and by unanimous vote of the Bois Blanc Harbor Commission. Such reservations shall be made at the discretion of the Harbor Commission.
  - 2. Space rentals shall be determined and fees collected by the Bois Blanc Harbor Commission, and shall be in writing and collected in advance.

**SECTION 5. FUNDS**

- A. All funds paid into the Bois Blanc Township Treasury for docks and harbor use shall be designated in a special account, and shall be used only for repair, upkeep, improvements, and utilities on the public docks and harbors and/or attached facilities in Bois Blanc Township. These funds shall include all income from rentals, donations for dock use, taxes or any money allotted by any state or federal agency to be used in repairs, changes, remodeling or improvement of said public dock or harbor. Taxes shall include all past, present and future taxes allocated to the dock or harbor repair, or development. All expenditures for utilities, repairs, changes, remodeling or improvements of public harbor or docks within Bois Blanc Township shall be approved in writing by the Bois Blanc Harbor Commission before payment by the Bois Blanc Township Treasurer from a special fund set aside for purposes, as enumerated herein, or in any way connected with operation or control of said public harbors and docks within Bois Blanc Township, County of Mackinac, State of Michigan.

**SECTION 6. VALIDITY**

- A. Should any section, clause, or provision of this ordinance be declared by courts to be invalid, the same shall not affect the validity of this ordinance as a whole or any part thereof, other than the part so declared to be invalid.

**SECTION 7. EFFECTIVE DATE**

This Ordinance shall take effect immediately upon publication.

TOWNSHIP OF BOIS BLANC

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Joan E. Schroka, Clerk

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**CERTIFICATE**

I, Joan E. Schroka, Bois Blanc Township Clerk, do hereby certify that the foregoing amended Bois Blanc Township Ordinance No. 3 was adopted by the Bois Blanc Township Board at a regular meeting held on, March 11, 2009 and the same was caused to be published in the Cheboygan Daily Tribune on the 18<sup>th</sup> day of March, 2009 and that the following is a record of the vote of the members of said Township Board on said Ordinance.

AYES; Loren Gibbons, Cheryl Gahn, Joan Schroka

NAYS; None

ABSTENTIONS: None

ABSENT: Shelby Newhouse, Anne Kennedy