

PRAIRIEVILLE TOWNSHIP ORDINANCE NO. 155

Adopted: June 8, 2016

Effective: July 23, 2016

AQUATIC INVASIVE SPECIES CONTROL ORDINANCE

An Ordinance to control the further introduction of non-native aquatic invasive plant and animal species into lakes within the boundaries of Prairieville Township, beginning with Upper Crooked Lake; to provide penalties for the violation of this Ordinance; and to repeal any Ordinance or parts of Ordinances in conflict herewith.

THE TOWNSHIP OF PRAIRIEVILLE

BARRY COUNTY, MICHIGAN

ORDAINS:

SECTION I
TITLE

This Ordinance shall be known and cited as the "Prairieville Township Aquatic Invasive Species Control Ordinance".

SECTION II
PURPOSE

The cleanliness and quality of the lakes in the Township are critical to the health, safety and welfare of the residents and property owners of Prairieville Township. The introduction of non-native aquatic plant and animal species threaten the continued health, quality and enjoyment of the Township's lakes. The Prairieville Township Board finds it necessary to control the introduction of such species into the Township's lakes, beginning with Upper Crooked Lake, by adopting regulations regarding the launching of boats and other watercraft and the cleaning of boats, other watercraft and equipment.

SECTION III
DEFINITIONS

"Aquatic invasive species" shall mean any invasive, non-native organism which threatens the cleanliness and health of the waters within the lakes in Prairieville Township and/or threatens the native plant and animal species residing in said waters.

"Watercraft" shall mean a boat, canoe, kayak, pedal boat, jet ski or any similar craft, whether motorized or not, designed for use by persons to navigate a lake, stream or other body of water.

SECTION IV
REGULATIONS

- A. It shall be unlawful for anyone to knowingly introduce any aquatic invasive species (AIS) into Upper Crooked Lake within the boundaries of Prairieville Township.
- B. Any watercraft accessing a Township launch ramp on Upper Crooked Lake at which a wash station is staffed shall be subject to a visual inspection prior to entry into the launch to determine the possible presence of AIS contamination.
- C. Upon inspection, any watercraft (including its live well and bilge areas) determined by Township staff (or other designated agents) to exhibit the possible presence of AIS contamination is prohibited from being launched until it has been washed in such a manner as to remove any visible contamination and water has been discharged from its engine(s).
- D. Upon inspection, any trailer, fishing gear or related equipment determined by Township staff to exhibit the possible presence of AIS contamination must be washed in such a manner as to remove any possible visible contamination prior to entering the launch ramp.
- E. Any person refusing to correct possible AIS contamination shall be prohibited from using the launch ramp.
- F. Any watercraft exiting a Township launch ramp on Upper Crooked Lake at which a wash station is staffed is prohibited from exiting until such watercraft and trailer are washed in such a manner as to remove any possible visible contamination.
- G. All persons accessing a Township launch site on Upper Crooked Lake at which a wash station is available but not staffed shall utilize the self-serve wash equipment in such a manner as to remove any possible visible AIS contamination and repeat use of self-serve wash equipment prior to exiting.
- H. Prior to exiting the launch site on Upper Crooked Lake, all watercraft with drainage capability shall be drained.
- I. It shall be unlawful for anyone to empty a bait box or aquarium into the waters of Upper Crooked Lake within the boundaries of Prairieville Township.

SECTION V
ENFORCEMENT

- A. A violation of this Ordinance is a municipal civil infraction and shall be enforced by Chapter 87 of the revised Judicature Act (MCL 600.8701 et seq.).
- B. Violations of this Ordinance shall be enforced by a Township Ordinance Enforcement Officer who is authorized to issue municipal civil infraction notices and citations pursuant to the authority of and as provided in applicable Michigan law.

SECTION VI
PENALTY

Any person, firm or corporation who violates any of the provisions of this ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute, which shall be punishable by a civil fine of not more than \$500.00. A violator of this Ordinance shall also be subject to such additional sanctions and judicial orders as are authorized under Michigan Law. Provisions of this Ordinance may also be enforced by suit for injunction.

A violation of this Ordinance shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
--- 1st offense	\$ 75.00	\$500.00
--- 2nd offense	\$ 150.00	\$500.00
--- 3rd or subsequent offense	\$ 250.00	\$500.00

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Township has incurred in connection with the municipal civil infraction.

SECTION VII
SEVERABILITY

Should any section, clause, paragraph or provision of this Ordinance be declared by any court of competent jurisdiction on to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so determined to be invalid.

SECTION VIII
REPEAL

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION IX
EFFECTIVE DATE

This Ordinance shall become effective thirty days following its publication, after adoption.

Ted DeVries, Clerk
Prairieville Township
10115 S. Norris Road
Delton, Michigan 49046