

The Charlevoix City Council met on Monday, August 18, 2025 with Mayor Lyle Gennett presiding. The following is an excerpt from the official records of said meeting.

Motion by Cole, seconded by Hagen to approve the boat launch Ordinance 861 of 2025 as presented.

**CITY OF CHARLEVOIX
ORDINANCE NO. 861 of 2025**

AN ORDINANCE AMENDMENT TO AMEND TITLE VII, TRAFFIC CODE, CHAPTER 71: TRAFFIC AND PARKING

THE CITY OF CHARLEVOIX ORDAINS:

Section 1. Title VII, Chapter 71, Section 71.01 Short Title of the City of Charlevoix Code shall repealed and replaced and shall read as follows:

This subchapter shall be known and may be cited as the "City of Charlevoix Municipal Launch and Parking Ordinance".

The City of Charlevoix Municipal Launch and Parking as established by the City of Charlevoix shall be under the supervision of the Chief of Police as directed by the City Council.

Section 2. Title VII, Chapter 71, Section 71.02 Definitions shall be repealed and replaced and shall read as follows:

When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BOAT. Any watercraft, including sea planes when not airborne, in or upon, or docked or moored at any place in any waterway or upon trailers within the boundaries of the city.

FERRY BEACH PARKING LOT. The contiguous or nearly contiguous area generally located between the limits of Ferry Avenue, Stover Road, the waters of Lake Charlevoix, and the south side of Ferry Beach Park.

TRAILER or BOAT TRAILER. Any vehicle or devise so designed and constructed in such a manner as to allow the transport of a boat.

COMMERICAL USE ACTIVITIES.

For the purposes of this ordinance, Commercial Use Activities include any operations conducted for profit or as part of a business venture, whether by an individual, company, or organization. Such activities may include, but are not limited to: launching or retrieving watercraft; performing watercraft test runs associated with repair, maintenance, or service work; installing or removing piers, docks, boat hoists, or similar structures.

Commercial Use Activities are subject to all applicable regulations, restrictions, and permitting requirements outlined in this ordinance.

Section 3. Title VII, Chapter 71, Section 71.03 Parking shall be repealed and replaced and shall read as follows:

Parking in the City of Charlevoix Municipal Launch parking lot, including, but not limited to, the parking of vehicles and/or trailers, shall be regulated by traffic-control orders issued by the city's traffic engineer. The term TRAFFIC ENGINEER is as defined in the Uniform Traffic Code, as amended.

Section 4. Title VII, Chapter 71, Section 71.04 Permit Required shall be repealed and replaced and shall read as follows:

It shall be unlawful to enter or use the City of Charlevoix Municipal Launch without first obtaining a permit from the City of Charlevoix and displaying it in the vehicle. A permit is required for any person launching a boat, retrieving watercraft, parking a vehicle (with or without an attached trailer), or parking a trailer alone at the City of Charlevoix Municipal Launch.

No person shall park a vehicle (with or without an attached trailer) or park a trailer alone in any designated City of Charlevoix Municipal Launch parking area unless the vehicle and/or trailer was used to actively launch or retrieve a watercraft on that same day. Proof of launch activity may be required upon request by enforcement personnel.

Charges for the permit shall be set by resolution of the City Council, which may also revise or waive fees for special or public events. "Special or Public Events" shall mean tournaments, festivals, or other events—whether open to public participation or observation—that, in the judgment of the City Council, provide an economic benefit to the City, serves a public purpose to the City and its residents, or generate positive publicity for the City.

All launch permits issued by the City shall be affixed to the vehicle for which the permit was purchased. The permit must be permanently and visibly displayed on the driver's side of the front windshield or in another location designated by the City. Permits are non-transferable and valid only for the specific vehicle identified at the time of purchase.

Section 5. Title VII, Chapter 71, Section 71.05 Term of Parking shall be repealed and replaced and shall read as follows:

There shall be no parking at Ferry Beach or Charlevoix Municipal Boat Launch parking lots of any vehicles or trailers between the hours of 2:00 a.m. and 4:00 a.m.

Section 6. Title VII, Chapter 71, Section 71.06 Use of Boat Launching Ramps shall be repealed and replaced and shall read as follows:

It shall be unlawful for any person to moor or tie up at the City of Charlevoix Municipal launching docks unless the moorage is associated with the launching of a boat and in no case shall said moorage exceed 15 minutes in length. The City Police Chief or, his or her designee, or a member of the city's Police Department (hereafter referred to as "city agents") shall have the authority to board any boat moored in violation of any provision of this chapter. These city agents may move the boat which is in violation of this subchapter themselves or may cause it to be moved by an independent contractor. These city agents may hold or cause the boat to be held until all costs incurred in the removal and/or storage have been paid.

Section 7. Title VII, Chapter 71, Section 71.07 Boat Rental Prohibited shall be repealed and replaced and shall read as follows:

No person shall conduct any boat rental business on or at the Ferry Beach Park or the City of Charlevoix Municipal launch except with an approved concession agreement from the City of Charlevoix.

Section 8. Title VII, Chapter 71, Section 71.08 Exemptions shall be repealed and replaced and shall read as follows:

Persons parking in the Ferry Beach parking lot for use of the Ferry Beach public beach shall not require a parking permit for their vehicle under § 71.04 of this chapter. This exemption for parking permit contained in this section shall not apply to persons launching a boat from the City of Charlevoix Municipal Boat Launch. The requirement for parking permits to be obtained for the parking of vehicles within the City of Charlevoix Municipal launch parking lot shall not apply to single attended vehicles parked in such a manner to allow the viewing of Lake Charlevoix. Notwithstanding anything to the contrary, no permit shall be required for usage of the Ferry Beach parking lot or boat launch for the time period of November 1 through May 1.

Section 9. Title VII, Chapter 71, Section 71.10 Fish Cleaning Station; Commercial Use Prohibited shall be repealed and replaced and shall read as follows:

No person shall use the fish cleaning station at the City of Charlevoix Municipal Launch for the purpose of cleaning fish for commercial sale or resale.

Section 10. Title VII, Chapter 71, Section 71.11 Mooring Boats; Terms shall be repealed and replaced and shall read as follows:

It shall be unlawful to moor or anchor a boat or other vessel capable of travel on water within 250 feet from the shore of Ferry Beach. Police Chief, his or her designee, or a member of the city's Police Department (hereafter referred to as "city agents") shall have the authority to board any boat moored in violation of any provision authority to board any boat moored in violation of any provision of this subchapter. Prior to the removal of a boat which is moored in violation of this subchapter, an agent of the city shall place a violation notice on the boat specifying the date and time of the violation. The violation notice shall state that the boat is in violation of a city ordinance and is subject to removal after 48 hours.

If the boat remains moored in violation of this subchapter for 48 hours after the placement of the violation notice, then the boat is subject to removal and storage as described below. Upon expiration of the 48 hours, the city agents may move the boat which is in violation of this subchapter themselves or cause it to be moved by an independent contractor. These city agents may hold or cause the boat to be held until all costs incurred in the removal and/or storage have been paid. § 71.99 PENALTY.

Section 11. Title VII, Chapter 71, Section 71.99 Penalty shall be repealed and replaced and shall read as follows:

- (A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.
- (B) Any person violating a traffic control order regarding the parking of motor vehicles and/or trailers, as regulated by §§ 71.01 through 71.10 of this chapter, shall be guilty of a civil infraction with the penalty amount set pursuant to § 10.99 of the codes adopted in § 70.01 of this traffic code. Any person violating a provision of §§ 71.01 through 71.10 unrelated to the parking of motor vehicles and/or trailers shall be guilty of a misdemeanor and subject to the penalty prescribed by state law for a misdemeanor. Every day that §§ 71.06 or 71.11 is violated shall constitute a separate offense and be punished as a separate offense. The term "person," as used in §§ 71.01 through 71.10, includes corporations, partnerships, and associations as well as individuals. Additionally, the violator shall pay costs, which may include all direct or indirect expenses incurred by the City in connection with the violation, with such costs not being less than \$9.00 or more than \$500.00. A violator shall also be subject to any additional sanctions, remedies, and judicial orders authorized under Michigan law. Each day a violation of this ordinance constitutes a separate violation.

Section 12. Severability.

No other portion, paragraph or phase of the Code of the City of Charlevoix, Michigan shall be affected by this Ordinance except as to the above sections, and in the event any portion, section or subsection of this Ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this Ordinance or of the Code of the City of Charlevoix, Michigan.

Section 13. Effective Date.

This Ordinance shall become effective thirty (30) days after its enactment.

Ordinance No. 861 was adopted on the 18th day of August 2025 A.D., by the Charlevoix City Council as follows:

Motion by: Cole

Seconded by: Hagen

Yeas: Parr, Spring, Knapp, Cole, Kalbfell, Hagen

Nays: None

Absent: None

Motion carried.

Sarah J. Dvoracek

Clerk

Lyle Gennett

Mayor

CERTIFICATION

I, the undersigned, the City Clerk of the City of Charlevoix, Charlevoix County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance No. 861 adopted by the City Council of the City of Charlevoix, County of Charlevoix, State of Michigan, at a regular meeting held on August 18, 2025 the original of which is on file in the Clerk's office and available to the public. Public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, Act 267 of the Michigan Public Acts of 1976.

Dated: 08/19/2025

Sarah J. Dvoracek, City Clerk