



CITY of NOVI CITY COUNCIL

Agenda Item 1
July 8, 2013

SUBJECT: Approval of Parks and Recreation Ordinance Text Amendment 13-113.04, an ordinance to amend Chapter 25, "Parks and Recreation," of the City of Novi Code to update language pertaining to the operation of vehicles on lakes, beaches, and watercourses. **FIRST READING**

SUBMITTING DEPARTMENT: Parks Recreation and Cultural Services *JSM*

CITY MANAGER APPROVAL: *[Signature]*

BACKGROUND INFORMATION:

With the upcoming opening of Pavilion Shore Park, the PRCS Department will need to address potential issues that will be unique to this park due to the nature of its location and the amount of shoreline along Walled Lake. While the park was designed to allow residents the ability to enjoy open space along the lake's edge, it was not designed to support swimming or boating traffic and facilities. Regulations for use of City parks are found in Chapter 25 of the City Code, so the attached draft ordinance amendment expands on and clarifies those existing regulations with the new park in mind.

The changes are generally:

- prohibition on parking of trailers (e.g., for boats)
- clarification of existing parking limitations
- prohibition on docking or mooring any kind of watercraft on city-owned docks, piers, or other structures, or on bottomland adjacent to park shoreline
- limitation on launching non-motorized watercraft (canoes, kayaks)

The rules set forth in the ordinance remain applicable to all parks, not just Pavilion Shore Park.

RECOMMENDED ACTION: Approval of Parks and Recreation Ordinance Text Amendment 13-113.04, an ordinance to amend Chapter 25, "Parks and Recreation," of the City of Novi Code to update language pertaining to the operation of vehicles on lakes, beaches, and watercourses. **FIRST READING**

	1	2	Y	N
Mayor Gaff				
Mayor Pro Tem Staudt				
Council Member Casey				
Council Member Fischer				

	1	2	Y	N
Council Member Margolis				
Council Member Mutch				
Council Member Wrobel				

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF NOVI

ORDINANCE NO. 13- 113.04

AN ORDINANCE TO AMEND THE CITY OF NOVI CODE OF ORDINANCES, CHAPTER 25, PARKS AND RECREATION, ARTICLE IV, PARKS AND RECREATION PROTECTION, DIVISION 1, GENERALLY, IN ORDER TO ADD NEW REGULATIONS RELATING TO THE PARKING OF VEHICLES AND USE OF THE LAKESHORE AND PUBLIC DOCKS/PIERS.

THE CITY OF NOVI ORDAINS:

PART I. That Chapter 25, Parks and Recreation, Article IV, Parks and Recreation Protection, Division 1, Generally, of the City of Novi Code of Ordinances, is amended to read as follows:

Sec. 25-62. Operation and parking of vehicles.

It shall be unlawful ~~within a park~~ for any person, except for City personnel engaged in official business, to do any of the following with a City park:

- (1) Drive any vehicle in excess of fifteen (15) miles per hour; or
- (2) ~~Drive any vehicle on any area except the park roads or parking areas designated as open to public travel or such areas as may on occasion be specifically designated by signs as temporary driving areas. This subsection shall not apply to police, fire or other emergency vehicles, or to department of parks and recreation maintenance vehicles while on official business;~~
- (~~3~~) Park a vehicle anywhere except ~~on~~ in a designated parking area; or
- (~~3~~) Park a vehicle when the operator or a passenger is not making active use of the park, or allow a vehicle to remain within a park when the operator or passenger has left the park;
- (4) Leave a vehicle standing or parked ~~in established parking areas or elsewhere in the park and recreation areas~~ during hours when the park ~~and recreation area~~ is closed; or
- (~~5~~) Park any type of trailer at any time, except for the purpose of conducting official City business; or
- (~~5~~) Ride a bicycle without reasonable regard to the safety of others.
- (~~7~~) Drive any vehicle on any area except the park roads or parking areas designated as open to public travel or such areas as may on occasion be specifically designated by signs as temporary driving areas.

- (8) If any vehicle or trailer is parked or left standing in violation of the rules set forth in this subsection, the city may immediately remove such vehicle or trailer and impound the same, and thereafter process such vehicle or trailer in accordance with applicable provisions of law or ordinance.

PART II.

Sec. 25-65. Use of lakes, beaches, watercourses generally.

It shall be unlawful for any person, except for City personnel engaged in official business, to violate any of the following rules applicable to lakes, beaches and watercourses:

- (1) No person shall swim, bathe, wade or scuba dive from any city-owned beach or shoreline except at such times and places, and in such a manner, as may be posted at such beach or shoreline.
- (2) Glass containers and pets are prohibited on any city-owned beach.
- (3) City-owned beaches shall be open beginning Memorial Day through Labor Day between the hours of 10:00 a.m. to 8:00 p.m., or as otherwise posted.
- (4) ~~Boats-Watercraft of any kind~~ are prohibited from entering into a designated swim area or beach area, ~~unless operated by department of parks and recreation personnel on official business.~~
- (5) No person shall dock, moor, tie-up, tether, or otherwise attach any watercraft to any city-owned dock or pier, or to any feature along the shoreline of a park.
- (6) No person shall moor or anchor any watercraft on the bottomland adjacent to a park within 100 feet of the shoreline of a park.
- (7) No person shall launch any motorized watercraft from any city-owned dock, pier, or shoreline. Non-motorized watercraft such as canoes, kayaks, and stand up paddle boards, may be launched from the shoreline of a park not designated a swim or beach area.
- (58) No person shall skate, sled, snowshoe, ski, walk or otherwise enter upon any ice from a city-owned beach or shoreline, except at such times and from such places as may be posted and pursuant to such conditions as may be posted.

PART III.

Severability. Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

PART IV.

Savings Clause. The amendment of the Novi Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Novi Code of Ordinances set forth in this Ordinance.

PART V.

Effective Date: Publication. The provisions of this Ordinance shall become effective fifteen (15) days after its adoption and shall be published within 15 days of its adoption by publication of a brief notice in a newspaper circulated in the City, stating the date of enactment and the effective date of the ordinance, a brief statement as to the subject matter of this Ordinance and such other facts as the Clerk shall deem pertinent, and that a copy of the Ordinance is available for public use and inspection at the office of the City Clerk.

Made, Passed and Adopted by the Novi City Council this ____ day of _____, 2013.

Robert J. Gatt, Mayor

Maryanne Cornelius, City Clerk

Certificate of Adoption

I hereby certify that the foregoing is a true and complete copy of the ordinance adopted at the regular meeting of the Novi City Council held on the ____ day of _____, 2013.

Maryanne Cornelius, City Clerk

Adopted:
Published:
Effective:

Pavilion Shore

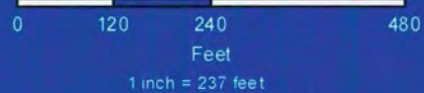
Mooring and Boat Parking Ord.



Map Produced Using the
City of Novi, Michigan
Internet Mapping Portal

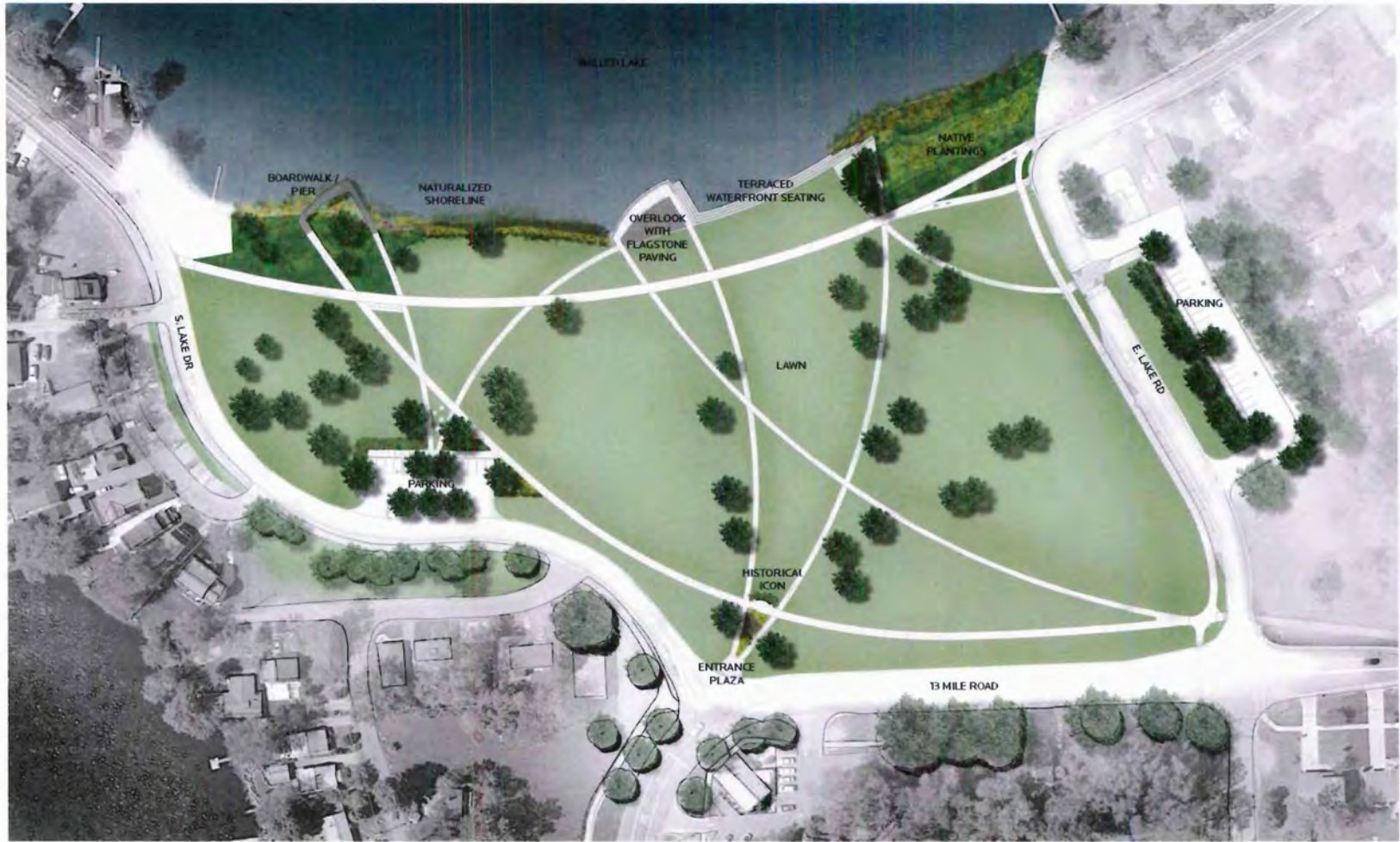


Author:
Date: 7/3/2013



MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map. This map was produced under the terms of the City's Internet Site Use Policy available at <http://cityofnovi.org/Resources/SiteUsePolicy.asp>



PHASES 1 AND 2
PAVILION SHORE PARK