



UTILITY/MARINA COMMITTEE

420 N Front St.

Suttons Bay, MI 49682

Wednesday, April 7, 2021 at 10:00 am

VIA Remote Participation

The public may participate in the meeting through Zoom access by computer and smart phone and can find the link on our website at www.suttonsbayvillage.org

AGENDA

Call to Order

1. Reports (staff)
 - a. DPW Director Report
 - b. Marina Report
 - c. WWTP Report
 - d. Treasurer Report
2. Public Comments
Please limit remarks to no more than three (3) minutes or less.
3. Committee Business
 - a. Proposed Amendment to the Marina Ordinance -Verbal Report
 - b. WWTP-Capacity discussion
4. Status Update – Other Committees
 - a. Report VSB-2021-19 Banner Policy
 - b. Report VSB-2021-20 Trailer Parking on Village Streets
 - c. Proposed Amendments to Peddlers Ordinance
 - d. Report VSB-2021-18 Park Signs
5. Public Comments/Written Communication
6. Committee Member Comments
7. Announcements
8. Adjournment

Roberto Larrea is inviting you to a scheduled Zoom meeting.

Topic: Utility Marina Committee Meeting

Time: Apr 8, 2021 08:10 AM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/87055260612?pwd=MUR5eWdyTzhQTEQvTHVSZCtXMmw3Zz09>

Meeting ID: 870 5526 0612

Passcode: 123970

One tap mobile

+13017158592,,87055260612#,,,,*123970# US (Washington DC)

+13126266799,,87055260612#,,,,*123970# US (Chicago)

Dial by your location

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 929 436 2866 US (New York)

+1 253 215 8782 US (Tacoma)


+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

Meeting ID: 870 5526 0612

Passcode: 123970

Find your local number: <https://us02web.zoom.us/j/kdwWcmigcS>

		DEPARTMENT OF PUBLIC WORKS REPORT DPW -2021- 03	
Prepared:	April 1, 2021	Pages:	1 of 3
Meeting:	Gen Serv-Utility/Marina	Attachments:	<input type="checkbox"/>
Subject:	March 2021 Update, DPW		

GENERAL SERVICE HIGHLIGHTS

Broadway St. restoration is near completion. The embankment was reshaped, seeded, and mulch blanket set in place. There were some minor adjustments of the check dams after the first rain/melt off event this past month. Once the ground thawed it was able to absorb the water. Final restoration of the new village easements will be completed once the remaining snow thaws. Asphalt will follow once production begins.

All picnic tables have been refinished and placed out at the parks, shoreline restoration and painting of the pavilion and bathroom at Sutton Park will start soon weather permitting.

Marina beach improvements will start back up the week of April 5th with the goal of building up the low areas where water has been ponding in the park, repositioning of amenities to face the bay, and prep for the new volleyball area.

Street sweeping has been scheduled, once we have a firm date village resident’s will be notified.

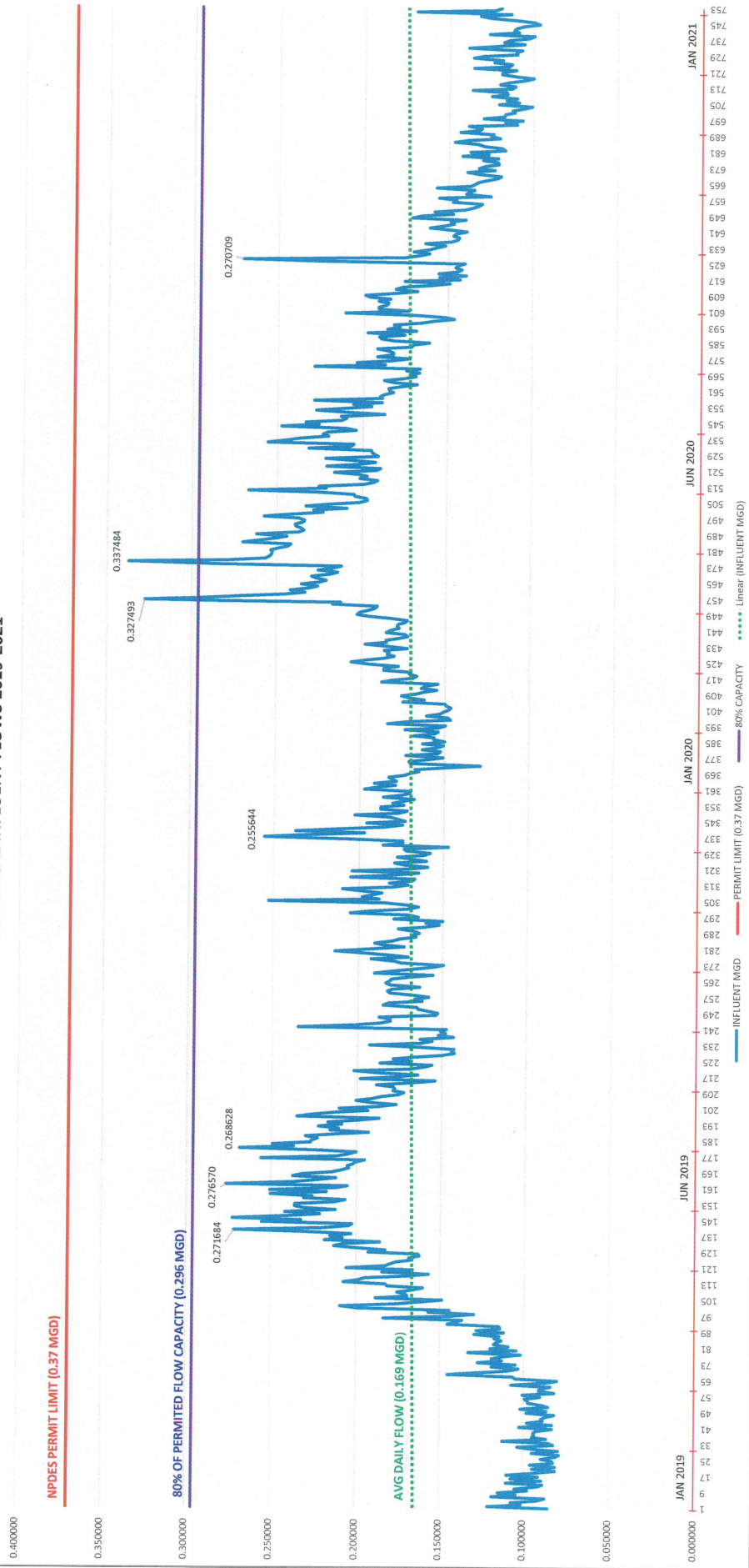
UTILITY MARINA HIGHLIGHTS

Coal dock road was regraded, and walkways installed this past week. Trees that posed a safety hazard were removed. Site walkthroughs were conducted and there is some damage that occurred over the winter months.

Hydrant flushing and system chlorination begins this month, notice will be posted online and robocall.

Sewer system capacity analysis was completed, attached is a chart showing the last two years influent flow data with average daily flow, 80% capacity for expansion phase planning and NPDES permit limits. After reviewing the trend data, significant spikes in flow during the busy summer months and rain events from infiltration and inflow that have pushed the daily totals near or over the 80th percentile. This data is not counting reserve capacity that is already allocated for 453 sites that have already paid into the system. Those values are shown in the attached tables. The plant is operating at 45.91% capacity on daily average with a max daily flow of 91.21%. Clearly pushing the NPDES limit to where it would be a violation of the EGLE operating permit. As it stands, a full buildout of the system within the village limits places us at 344,159 gallons per day (gpd) with our permitted daily limit of 370,000 gpd leave us with 25,841 gpd capacity remaining. A combination of rain, running toilets, leaking fixtures, illicit sump pump connections could push the plant easily over limit.

HISTORICAL INFLUENT FLOWS 2019-2021



SUTTONS BAY WWTP FLOW DATA 2019-2021 YTD

CALCULATED	INFLUENT MGD	EFFLUENT MGD	WASTE FLOW MGD	HAULERS GPD
MIN	0.078600	0.078600	7860	786
AVERAGE	0.169859	0.160739	5,974	3,674
MAX	0.337484	0.419068	32,743	51,955
TOTAL	127.903474	121.036590	4,499,013	2,766,805

TOP 10 FLOW DAYS						
YEAR	MONTH	DATE	DATA POINT	MGD	PLANT CAP%	
2019	MAY	28	140	0.271684	73.43%	
2019	JUNE	14	146	0.272743	73.71%	
2019	JULY	1	163	0.27657	74.75%	
2020	APRIL	29	456	0.327493	88.51%	
2020	APRIL	30	457	0.296168	80.05%	
2020	MAY	1	458	0.271323	73.33%	
2020	MAY	17	474	0.283326	76.57%	
2020	MAY	18	475	0.337484	91.21%	
2020	MAY	19	476	0.278022	75.14%	
2020	OCT	23	627	0.270709	73.16%	

CAPACITY DATA SBWWTP

CURRENT DATA	HOMES	AVG HOUSEHOLD	GPD	TOTAL GAL	STATUS
RESERVED	453	3.5	100	158,550	RESERVED
SBWWTP				169,859	DAILY AVG
TOTAL				328,409	TOTAL
PERMIT				370,000	NPDES LIMIT
CAPACITY %	88.76%				CAPACITY %

FULL BUILDOUT	HOMES	AVG HOUSEHOLD	GPD	TOTAL GAL	STATUS
RESERVED	453	3.5	100	158,550	RESERVED
SBWWTP				169,859	DAILY AVG
HARBOR HEIGHTS	32	3.5	100	11,200	DAILY AVG
BALDWIN DEV	13	3.5	100	4,550	DAILY AVG
TOTAL				344,159	TOTAL
PERMIT				370,000	NPDES LIMIT
CAPACITY %	93.02%				CAPACITY %

W/O RESERVE	HOMES	AVG HOUSEHOLD	GPD	TOTAL GAL	CAPACITY %
SBWWTP				169,859	45.91%
HARBOR HEIGHTS	32	3.5	100	11,200	
				181,059	48.93%

W/O RESERVE: CURRENT FLOW AS CHARTED	TOTAL GAL	CAPACITY %
SBWWTP: AVERAGE FLOW DAY	169,859	45.91%
SBWWTP: MAX FLOW DAY	337,484	91.21%

To: Rob Larrea
Dave Miller

From: Mark Huggard, **Jacobs**

Date: March 31st, 2021

Copy: Kevin Dahl, **Jacobs**
Elizabeth Hart, **Jacobs**

This report describes our activities during the month of March 2021. If there is additional information you would like included in the report, please let us know.

Permit compliance:

Available lab results for the month of March indicate full permit compliance.

Jacobs completed and submitted February’s Discharge Monitoring Report (DMR) to the Michigan Department of Environment, Great Lakes, and Energy (EGLE). The facility was in full compliance.

Treatment Plant Aerial View



Operations:

March Flow Report

Average Influent Flow 2021*	111,432	Gallons per day
Average Influent Flow 2020	168,987	Gallons per day
Total monthly hauled truck waste 2021*	117,351	Gallons
Total monthly hauled truck waste 2020	197,506	Gallons

*Data through March 30th, 2021

Windemuller electric completed the back up of all Programmable Logic Controllers (PLCs) and Human Machine Interface (HMIs) programs to an external storage device. At the same time, we replaced all plant PLC batteries. A copy of the saved programs is stored in the equipment building PLC cabinet.

Jacobs secured the wheel valves in the equipment building to prevent them from falling in the event of a roll pin failure. We have witnessed this occurrence at other projects and took the initiative to ensure all wheel valves are secure at all our projects.

We purchased a new sump pump for the ferric containment structure. The pump will be stored next to the sump pit, ready for quick installation and use. The life of the pump will be extended by not leaving it submerged in the potentially corrosive environment.

On Saturday March 20th, we responded to a faulted waste activated sludge (WAS) pump. The pump was reset, started, and verified for proper operation before leaving. It appears this was an isolated fault, but we'll continue to monitor motor temperature and amperage.

Jacobs machined a new shaft for the spare course screen rake comb assembly. This was the original assembly that was replaced following failure and will now be used as a spare part.

The hauled truck waste flow logs are now recording data correctly following the PLC battery change. We'll continue to monitor the data for accuracy.

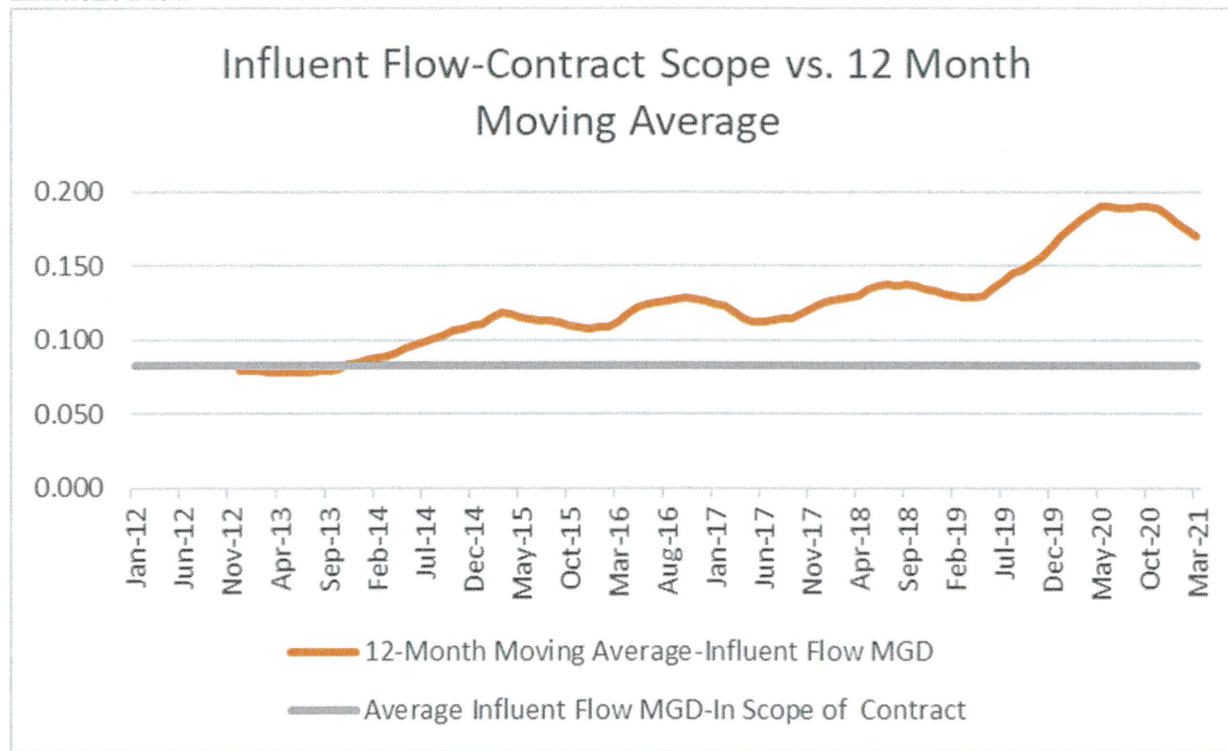
On the Horizon:

- Install an Uninterrupted Power Supply (UPS) on the UV system.
- Installation of the new lower bearing unit for the influent building's fine screen.
- Cloth disk filter media replacement.
- Install SCADA alarm system failure monitoring and phone line monitoring system.
- Repair leaking yard valve by clarifiers. (Spring/Summer)

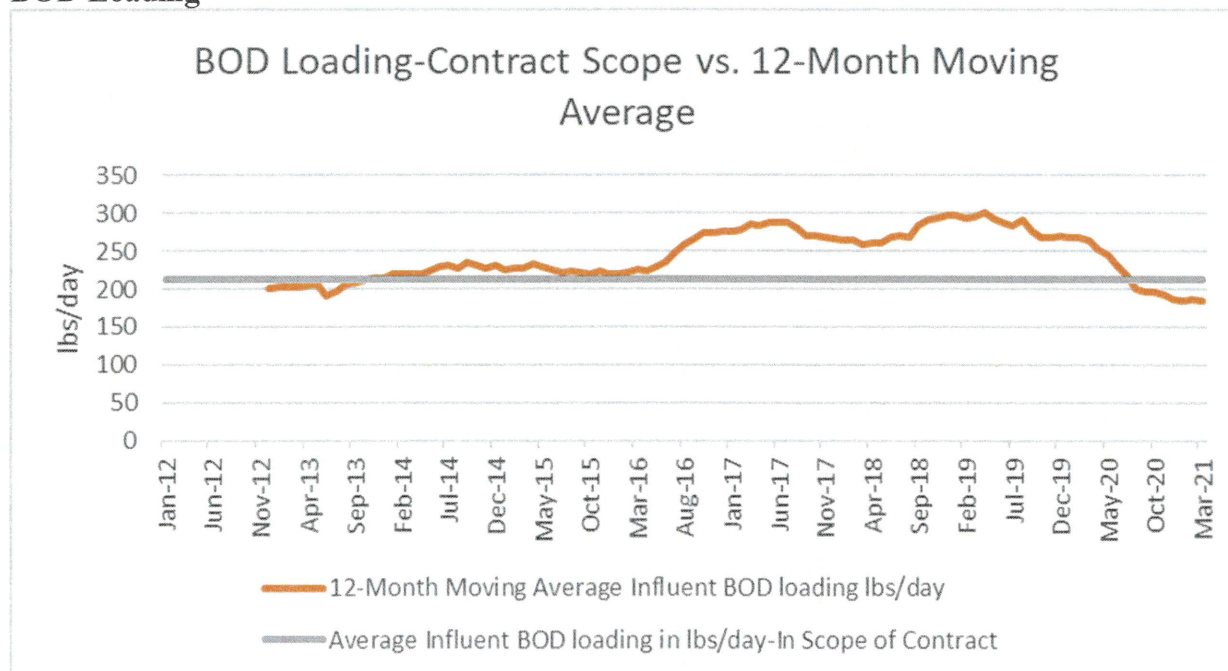
Plant Influent and Effluent Trends

The following graphs illustrate the facility’s influent characteristics encompassed in our scope per Amendment 3 to our 2010 agreement compared to actual influent characteristics. Influent flow characteristics are based on a 12-month moving average.

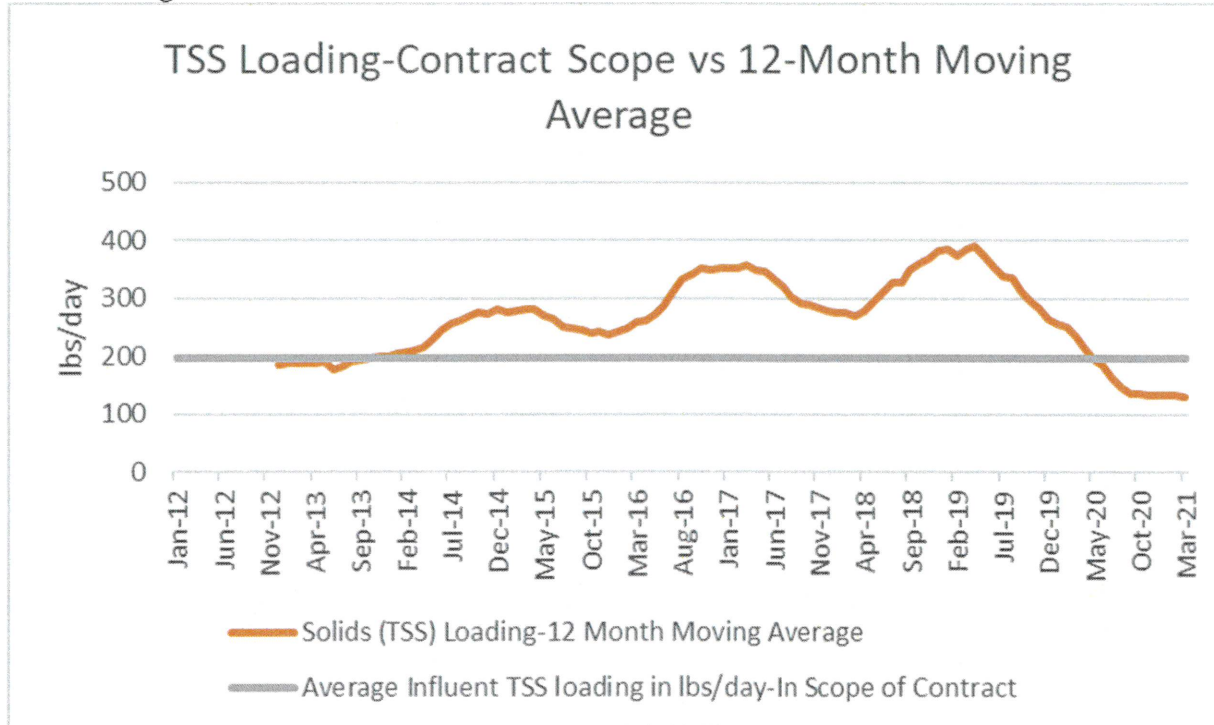
Influent Flow



BOD Loading

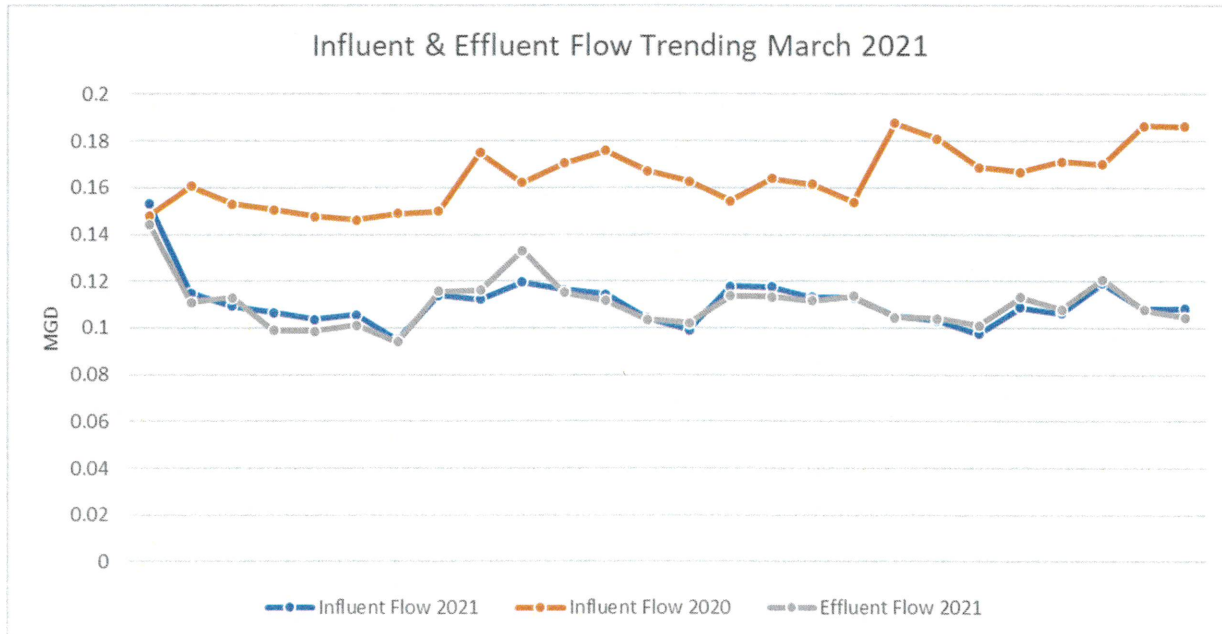


TSS loading



The plant flows graph illustrates the facilities current influent and effluent flow trend for the reporting month and the influent flow for the same month of the previous year. The effluent data graph illustrates the current reporting month’s effluent permit parameter concentrations, the table below the graph provides the permit limit concentrations for each parameter.

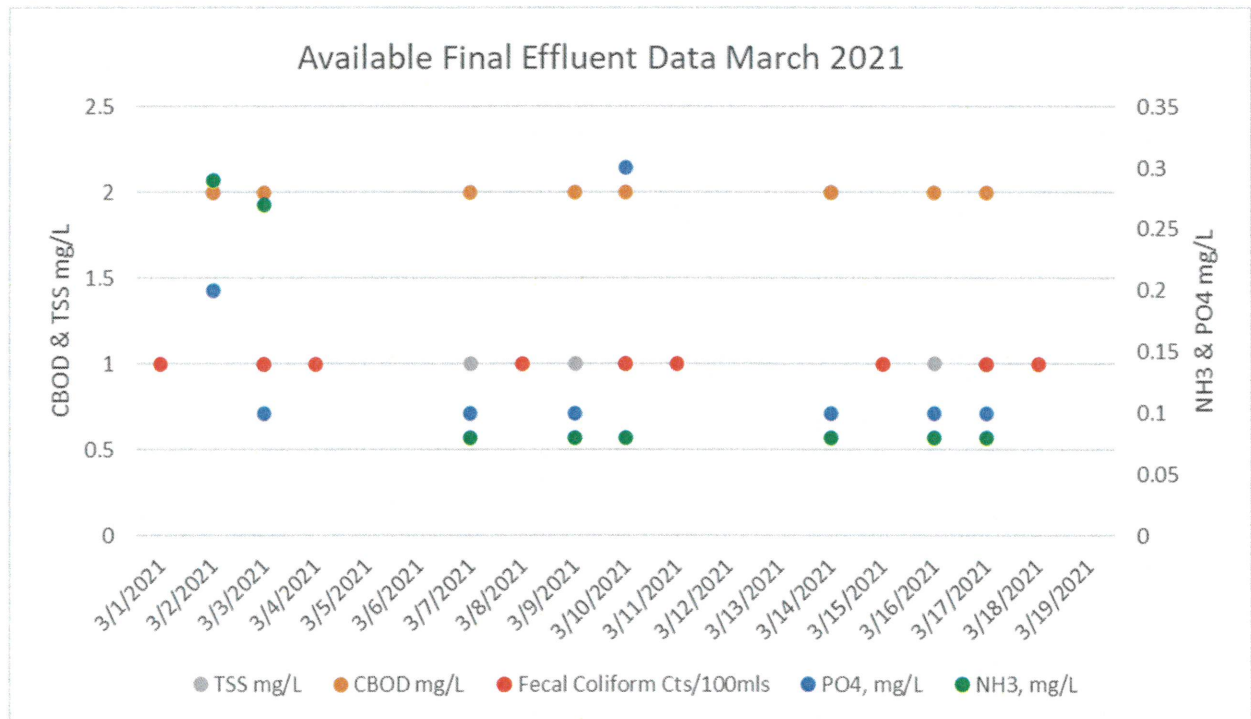
March Plant Flows



NPDES permit limits

Parameters	Monthly average	7-day average
Total Suspended Solids	30 mg/L	45 mg/L
Fecal Coliform	200 counts/100 mls	400 counts/100 mls
Carbonaceous Biochemical Oxygen Demand	25 mg/L	40 mg/L
Total Phosphorus, PO4	0.5 mg/L	No Limit
Ammonia, NH3	Report only, no limit	Report only, no limit
CBOD % Minimum Removal	85%	NA
TSS % Minimum Removal	85%	NA

March Effluent Data



Financial Report

Current Month	21-Mar	Comments
Current Month Repairs	\$1,655.76	\$1,250.00 - Windemuller PLC/HMI backup and battery replacement. \$320.00 - Purchased 2 spare aeration basin LDO probe caps \$85.76 - Spare rake comb assembly shaft machining.
Current Month Repair Labor Hrs	-	
Current Month Chemicals	\$-	
Current Month Utilities	\$3,631.37	
YTD Repairs	\$3,910.94	
Repair Budget Remaining (\$6,000 Limit)	\$2,089.06	
YTD Repair Labor Hrs	26	
Repair Labor Hrs Remaining (Limit 104 hrs)	\$78.00	
YTD Chemicals	\$-	
Chemical Budget Remaining (\$4,500 Limit)	\$4,500.00	
YTD Utilities	\$3,631.37	
Utility Budget Remaining (\$33,000 Limit)	\$29,368.63	

Mark Huggard, Jacobs
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 231-922-4922

Elizabeth Hart, Jacobs
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 231-922-4922

PERIOD ENDING 02/28/2021

GL NUMBER	DESCRIPTION	2021 AMENDED BUDGET	YTD BALANCE 02/28/2021	ACTIVITY FOR MONTH 02/28/2021	AVAILABLE BALANCE	% BGD USED
Fund 101 - General Fund						
Fund 101 - General Fund:						
TOTAL REVENUES		885,725.00	4,796.82	2,269.63	880,928.18	0.54
TOTAL EXPENDITURES		900,321.00	49,970.29	28,266.69	850,350.71	5.55
NET OF REVENUES & EXPENDITURES		(14,596.00)	(45,173.47)	(25,997.06)	30,577.47	309.49
Fund 202 - Major Street						
Fund 202 - Major Street:						
TOTAL REVENUES		178,500.00	38.31	16.06	178,461.69	0.02
TOTAL EXPENDITURES		239,262.00	140,753.55	136,806.88	98,508.45	58.83
NET OF REVENUES & EXPENDITURES		(60,762.00)	(140,715.24)	(136,790.82)	79,953.24	231.58
Fund 203 - Local Street Fund						
Fund 203 - Local Street Fund:						
TOTAL REVENUES		102,500.00	4.56	1.91	102,495.44	0.00
TOTAL EXPENDITURES		158,880.00	8,661.33	4,860.00	150,218.67	5.45
NET OF REVENUES & EXPENDITURES		(56,380.00)	(8,656.77)	(4,858.09)	(47,723.23)	15.35
Fund 248 - DDA Fund						
Fund 248 - DDA Fund:						
TOTAL REVENUES		5.00	2.54	1.06	2.46	50.80
TOTAL EXPENDITURES		7,385.00	547.04	282.74	6,837.96	7.41
NET OF REVENUES & EXPENDITURES		(7,380.00)	(544.50)	(281.68)	(6,835.50)	7.38
Fund 402 - Property Replacement Fund						
Fund 402 - Property Replacement Fund:						
TOTAL REVENUES		178,050.00	20.64	8.65	178,029.36	0.01
TOTAL EXPENDITURES		124,200.00	0.00	0.00	124,200.00	0.00
NET OF REVENUES & EXPENDITURES		53,850.00	20.64	8.65	53,829.36	0.04
Fund 590 - Sewer Fund						
Fund 590 - Sewer Fund:						
TOTAL REVENUES		543,600.00	89,563.74	40,791.94	454,036.26	16.48
TOTAL EXPENDITURES		802,039.00	62,286.80	36,025.30	739,752.20	7.77
NET OF REVENUES & EXPENDITURES		(258,439.00)	27,276.94	4,766.64	(285,715.94)	10.55
Fund 591 - Water Fund						
Fund 591 - Water Fund:						
TOTAL REVENUES		232,900.00	26,675.80	13,308.17	206,224.20	11.45
TOTAL EXPENDITURES		264,725.00	24,026.78	13,980.76	240,698.22	9.08
NET OF REVENUES & EXPENDITURES		(31,825.00)	2,649.02	(672.59)	(34,474.02)	8.32
Fund 594 - Marina Fund						
Fund 594 - Marina Fund:						
TOTAL REVENUES		474,900.00	281,908.63	8,506.04	192,991.37	59.36
TOTAL EXPENDITURES		658,543.00	43,065.14	12,138.29	615,477.86	6.54
NET OF REVENUES & EXPENDITURES		(183,643.00)	238,843.49	(3,632.25)	(422,486.49)	130.06
TOTAL REVENUES - ALL FUNDS						
TOTAL REVENUES - ALL FUNDS		2,596,180.00	403,011.04	64,903.46	2,193,168.96	15.52
TOTAL EXPENDITURES - ALL FUNDS		3,155,355.00	329,310.93	232,360.66	2,826,044.07	10.44
NET OF REVENUES & EXPENDITURES		(559,175.00)	73,700.11	(167,457.20)	(632,875.11)	13.18

**VILLAGE OF SUTTONS BAY
MARINA ORDINANCE
Ordinance No. 2 of 2017**

Proposed Amendment in blue page 8.

AN ORDINANCE TO REPEAL AND REPLACE ORDINANCE NO. 3 OF 2006, AS AMENDED, TO PROVIDE RULES, REGULATIONS AND PROCEDURES FOR THE OPERATION OF THE VILLAGE-OWNED MARINA, BOAT LAUNCHES AND MARINA PROPERTY TO ENSURE THE PUBLIC HEALTH, SAFETY AND WELFARE; TO PROVIDE FOR ORDERLY MARINA CONDUCT; TO PROVIDE FOR PROCEDURES FOR OPERATIONS AS WELL AS VISITORS AND LICENSE HOLDERS; AND TO PROVIDE ENFORCEMENT REGULATIONS.

THE VILLAGE OF SUTTONS BAY ORDAINS:

Section 1. Amendment of Ordinance No. 3 of 2006, As Amended. That Ordinance No. 3 of 2006, as amended, is amended in its entirety to read as follows:

Section 1. Definitions.

The following terms, as used in this Ordinance, are hereby defined to have the following meanings. All other terms shall have their regular dictionary meanings or as defined in other governing regulations.

“Vessel” means a craft designed to navigate on water

“Village” or “Owner” means the Village of Suttons Bay

“Licensee” means the person assigned to a slip

“Boat Launch” means a sloping surface that allows a vessel to enter and/or exit a body of water

“Commercial” any business concerned with or engaged with commerce

“Day Use” means hourly slip license, not to exceed 24 hours

“Dinghy” is a human powered or outboard powered watercraft, less than 12’ in length

“Harbormaster” means the person in day-to-day charge of the operations of the Marina

“Marina” means any building or property owned or operated by the Village for the purposes of activities associated with the harbor, marina, boat launch and/or use of the waters; such as, but not limited to, operating any type of vessel, fishing, or swimming

“Marine Grade Electric Cord” means twist to lock with marine grade connector with water proof seal

“Power” a vessel navigated by mechanical or electric energy

“Power Loading” using a boat motor to load and unload the boat on and/or off a trailer

“RV’s” a recreational vehicle; camper, motor home, fifth wheel, trailer, any vehicle that may be used for overnight stay

“Sail” a vessel navigated by wind power

“Seasonal” slip licenses lasting for the duration of the marina season, May 15th – October 15th

“Transient” means short term slip license, not to exceed 14 days

“Vessel Overall Length” Vessel length on registration combined with any protrusion which shall

include but limited to, anchors, bow pulpits, bow sprits, outboard motors, swim platforms, fishing gear, dinghies, etc. rounded to the closest foot of measurement.

“Slip” A docking area for vessel located along and/or between finger piers

“User” means any person, including boat owners/operators, marina Licensee’s on the premise of Marina.

Section 2. Rule and Procedure for the Operation of the Waiting List.

- 2.1 The Marina has a waiting list. The waiting list is operated as an annual renewal for which the Village sends out notices. The waiting list fee is due no later than March 1st of each year. If a renewal is not returned to the Village’s offices by March 1st, the name shall be removed from the waiting list
- 2.2 The Village shall establish annually the fee for the waiting list in the Village’s Schedule of Fees. The waiting list fee is non-refundable.
- 2.3 The waiting list fee shall not be considered any part of the license fee if a person obtains a slip license.
- 2.4 The intent of the waiting list renewals is to give each applicant the opportunity to update any information such as mailing addresses, phone numbers or vessel information. All changes and updated information shall be submitted with the annual renewal to allow the Village to update its records.
- 2.5 Reserved for future use.
- 2.6 Reserved for future use.
- 2.7 The Village may reject any application for the waiting list if there has been fraudulent, misleading, or unethical conduct by the applicant with respect to the Marina or other similar situations to protect the best interests of the Village.

Section 3. Determination of Selection from the Waiting List.

- 3.1 Selection from the waiting list for a license shall be granted to the next person on the waiting list whose vessel can be accommodated based on slip size availability. Slip placement shall be based on the vessel information provided by the applicant and may not be substituted without prior authorization of the Harbormaster.
- 3.2 The Village will make reasonable attempts to contact the applicant according to the information provided during the annual renewal process. It is the applicant’s responsibility to notify the Village of any change in their contact information and the Village will not be liable due to a failure or inability to provide notice to an applicant.
- 3.3 The Village will first attempt by telephone or email to notify the next person with the appropriate size vessel of a slip’s availability. The Village shall leave a message if

possible and the applicant then has 48 hours to contact the Village. License payment must be paid within thirty (30) days of notification and prior to placing vessel in the slip.

- 3.3.1 If the Village is not successful in contacting the first applicant as described upon, the Village will contact the next applicant following the above guidelines, and will continue this process until an applicant has been reached and the slip has been assigned.
- 3.3.2 An applicant may reject their first slip offer without risking their place on the waiting list. A second rejection of a slip assignment shall mean the applicant is removed from their place on the list and placed at the bottom of the list. The Village is not required to send notice of placing the applicant at the end of its list.

Section 4. Selection of Seasonal Slip Licensees.

- 4.1 The Village shall send seasonal license renewals to prior year licensees.
- 4.2 Prior-year licensees shall be given first right of refusal for the coming year's licenses. However, the Village reserves the right to refuse any license when it is deemed in the public health, safety or welfare or otherwise in the best interest of the Village.
- 4.3 Full payment of the license is due to the Village no later than February 15th of each year. Any payments received between February 16th and March 1st are subject to a 10% penalty. Any penalties must be paid in full for the license to be fully paid.
- 4.4 Any funds received on or after March 1st shall be returned to the payer and their slip shall be made available for license to another licensee.
- 4.5 All vessels shall be identified at the time of license payment. Licensee shall provide vessel registration which shall include vessel ownership, size, and registered length. Licensee shall also provide overall length, proof of insurance, draft, beam, and power or sail. The vessel shall be registered and insured in the name of the licensee. If the registration or insurance information does not match the application, the application will be returned without being processed.
- 4.6 The Village shall begin assigning all available slips after January 1st.
- 4.7 If a licensee changes to a vessel of a different size during the term of the license, they may risk losing their slip assignment. Licensees who change or will be changing vessels from the prior year shall contact the Harbormaster for prior approval of the vessel. The Village may reject a vessel change in the Marina.
- 4.8 The Village may, at any time, change any slip assignments deemed in the best interests of the Village.
- 4.9 Slip licenses are specifically for the right to use the slip assigned and the right to use the Marina bathhouse... No other amenities are implied or included. The Marina is owned

and operated by the Village on publicly owned land. All other areas are open to the general public. No licensee shall block or infringe the public's right to use or access any portion of public land or areas not specifically limited to licensee.

- 4.10 Reserved for future use.
- 4.11 No licensee may sub-license or license their slip to any person at any time.
- 4.12 The Licensee shall be responsible for any property damage, nuisance or violations of this Ordinance, including those caused by their visitor, or invited guest.
- 4.13 Any license granted by the Village to a licensee to use a slip within the Marina, including a seasonal license, a day license, or a transient license, shall be expressly contingent upon the full payment by the licensee of all license amounts due and upon full compliance by the licensee with all regulations in this Ordinance and other laws. By accepting a license to use a slip within the Marina, the licensee agrees that any violation of this Ordinance and/or Marina policies and procedures may, in the sole discretion of the Harbormaster or other Village official authorized by resolution of the Village Council, result in the termination of the license and immediate eviction from the Marina. In the event a license is terminated as provided herein, the licensee shall receive a refund of the pro rata license payment to the date of termination. Any such payment shall be made by the Village within thirty (30) days of the license termination.

Section 5. Marina Season.

- 5.1 Subject to the terms of this Ordinance, the Village Marina season begins May 15th and ends October 15th of each year. The Marina bathhouse and restrooms, water service, electric, pump outs or gas pumps might not be open or functional other than during this period.
- 5.2 Vessels may be placed in the Marina between April 15th and May 15th only with the express permission of the Harbormaster and only after the licensee has provided updated copies of vessel registration and proof of insurance to the Village for the Harbormaster's review and approval.
- 5.3 All vessels and personal equipment must be removed from the Marina and public lands no later than October 31st.
- 5.4 If any vessel remains in the Marina after October 31st without the express permission of the Harbormaster, the owner shall be liable for a fee of twice the established daily rate.
- 5.5 If any vessel remains in the Marina after November 15th, it shall be removed from the Marina and impounded by the Village. The licensee shall be responsible for one and one-half times the costs incurred by the Village for the removal and impound of the vessel. The impound fees shall be established in the Village's Schedule of Fees.

5.6 The Village or company removing any vessel from the Marina shall not be liable for damages to any vessel which was removed from the Marina as provided in this Ordinance.

Section 6. Hours of Operation.

6.1 Unless otherwise specified the Marina's hours of operation shall be:

May 15 through June 23: 8:00 a.m. to 6:00 p.m.

June 24 through Labor Day: 8:00 a.m. to 8:00 p.m.

Day after Labor Day through October 15th: 8:00 a.m. to 6:00 p.m.

After October 15th: by Appointment

Section 7. General Provisions.

7.1 It is the responsibility of every Marina user, licensee, or transient to know and comply with this Ordinance. The Village shall supply any current or new licensee with a copy of this Ordinance upon request. A copy of this Ordinance shall be made available on the Village's website and shall be posted at the Harbormaster's office in plain view for all transient users to review. This Ordinance shall supersede any and all prior rules or regulations.

All Licensee's shall comply with this Ordinance and Marina policy and procedures and at the time they accept a seasonal, day use, or transient license, affirm they will comply with this Ordinance and Marina policy and procedures by paying the Marina slip seasonal license, day license or transient license fee.

7.2 Slip Holders shall notify the Harbormaster if leaving the slip for 24 hours or longer. Slips vacated for 24 hours or longer may be licensed at the discretion of the Harbormaster. In the event of extended absences from the slip, the slip holder may have to use an alternative (assigned slip up to 3 days) until his or her slip is available.

7.3 The Marina is a no wake zone. Vessels must operate at the minimum speed that allows a vessel to maintain steering and make headway, usually idle speed.

7.4 Licensees shall supply their own bumpers, lines and marine grade electrical cord. Licensees are responsible to ensure the vessel is secure before and after weather events.

7.5 All licensees shall immediately report any damage or deficiencies in the Marina to a Marina employee.

7.6 Licensee may place one enclosed dock box, with dimensions of no more than 48 inches in length, 28 inches in width, and 28 inches in height, near the entrance to their dock, in which personal effects may be stored. Other than those objects stored in the dock box or on the boat, licensee shall not keep any personal effects on the premises. All personal property must be contained within the dock box or vessel. If licensee uses such a dock

box, it must be removed no later than October 31st, or the dock box and its contents will be deemed abandoned, and Owner may, without further notice, dispose of the dock box and any contents in the manner it deems appropriate, without any liability to Village whatsoever.

- 7.7 No grilling or open flame is permitted on any vessel docked within the main basin or coal dock section. Cooking shall be permitted in vessels with below deck kitchens and a designated marina cooking locations.
- 7.8 Licensees shall keep pets on a leash at all times while on land and shall not permit the pet to run at-large. The licensee is responsible for cleanup of their pet and disposal of droppings in approved waste containers.
- 7.9 It is unlawful for any licensee to turn-off, dismantle, or damage lighting in or around the Marina.
- 7.10 Licensee may have only the registered vessel in the slip. Licensee may keep a dinghy in the slip, provided the dinghy is tied to or placed on the vessel, and does not protrude into any other slip or beyond the dock. No dinghy may be kept in a slip unless the registered vessel is also in the slip. Any motorized dinghy must also be registered with Owner, who must also provide the insurance and registration information required for a Vessel, and the dinghy must be registered and insured in the name of licensee.
- 7.11 Minor maintenance and repairs are permissible in the slips. Exterior painting, varnishing or restoration work shall not be done with the vessel in the slip; all major work shall only be done on dry docked vessels.
- 7.12 No swimming is permitted in the main marina basin, coal dock basin, off the north or south pier, off the fishing pier, or off the Inland Seas pier.
- 7.13 If any vessel has a gas or oil leak, the owner is responsible for the immediate containment of the leak. If any vessel is found with a gas or oil leak it shall be immediately removed from the Marina by its owner. If the vessel's owner cannot be immediately located the Village may remove the vessel without the owner's prior consent. The owner shall be responsible to the Village for all cost of removal of the vessel and/or the clean-up cost. The Village shall not be responsible for damage to the vessel in the event of such removal.
- 7.14 The owner is responsible for ensuring their vessel is in proper working order and afloat. The owner is responsible for any vessel that may be in danger of sinking and shall immediately remove the vessel from the Marina. The Village may immediately remove any such vessel from the Marina without the owner's prior consent. The owner shall be responsible to the Village for all cost of removal of the vessel and/or any clean-up cost. The Village shall not be responsible for damage to the vessel in the event of emergency removal.

- 7.15 The Village parks are open to the general public from 7:00am until 10:00pm. Licensees shall comply with the rules and regulations regarding noise and nuisances as provided in the park Ordinance. No licensee shall play audio devices at level that disturbs adjacent boaters. No licensee shall permit their dog to bark in a manner causing a nuisance to adjacent slip holders.
- 7.16 No overnight camping is allowed other than on boats.
- 7.17 No fireworks are permitted in the Marina at any time.
- 7.18 The Marina and its facilities are solely for the use of the general public and licensees of non-commercial pleasure craft and may not be used for commercial purposes or operations of any kind or nature at any time without the prior approval of the Village Council.
- 7.19 No person shall refuel any vessel within the Marina, except from the fuel dock. The fuel dock operation attempts to lesson environmental impact of fueling in the marina. Observation and compliance with Marina staff is required when fueling.
- 7.20 Canoes, kayak, boards, dinghies and similar items shall not be stored on a pier, finger pier, dock, and walkway. Storage is allowed within the confines of the licensed slip or on the vessel.
- 7.21 No fishing within the main Marina basin or coal dock basin area is permitted except in designated areas.
- 7.22 In no case shall a vessel's overall length extend more than six (6) feet beyond the end of the finger pier.

Section 8. Transient licenses and Day use.

- 8.1 Transient and day use license reservations and cancellations shall be made pursuant to the Marina Reservation and Cancellation Policies, established from time to time by the Village Council.
- 8.2 All transient and day-use boaters must immediately report to the Harbor Hut, complete the required form and make payment upon arrival. All transient are required to pay at the time of arrival.
- 8.3 Transients who arrive after business hours are responsible to check in and pay immediately upon marina opening business the following day. Transients should be aware the slip may not be available for current or future use.
- 8.4 Transients shall immediately remove their vessel from a slip which is not available for license.
- 8.5 Transient and day use boaters shall pay license fees as established from time to

time by the Village Council in the Schedule of Fees.

- 8.6 Transient check-out is 12:00pm. Transients who remain in the Marina after 12:00pm shall be charged an additional day.
- 8.7 Dinghy slips are only available for day and transient use. Other than the slip, dinghy licenses come with no other amenities such as, electricity, Marina bathhouse or parking privileges.

Section 9. Launch Ramp.

- 9.1 All vessels launching shall pay a launch fee as established by Village Schedule of Fees.
- 9.2 Power loading and unloading is prohibited.
- 9.3 All vessels unloading and loading at the ramp shall be ready to operate and not hold up traffic. No vessel shall be left unattended.
- 9.4 Cleaning and/or gutting of fish is prohibited within all Village parks, Marina and launch ramps.
- 9.5 Fishing is prohibited at the launch ramp.
- 9.6 Vehicle/trailer parking is only permitted in “Trailer Only” parking spaces. Trailers cannot be detached from tow vehicle and left in any parking area.
- 9.8 No vessel maintenance is allowed at launch ramp.
- 9.9 The Village reserves the right to close the launch ramp and designated Marina parking areas when deemed by Harbormaster or designee to be in the best interest of the Marina operation.
- 9.10 Skid Piers shall be used for the sole purpose for launching vessels. No passenger loading and unloading shall occur at any time.

Section 10. Enforcement.

- 10.1 The Harbormaster and any police officer are hereby designated as the officials authorized to issue municipal civil infraction citations for a violation of this Ordinance.
- 10.2 Reserved for future use.
- 10.3. Any person who does not remove themselves from the Marina as ordered by the Harbor Master, or other Village official authorized by the Village Council, is guilty of misdemeanor trespassing.

Section 11. Violations and Penalties.

11.1 Any person who violates any provision of this Ordinance, except Section 10.3, shall be responsible for a municipal civil infraction and shall be subject to the following fines:

- a. For a first offense, the offender shall be responsible to pay a fine of \$100.00.
- b. For a second offense within two years of the date on which the person was found responsible for the first violation, the offender shall be responsible to pay a fine of \$250.00.
- c. For a third or subsequent offense within two (2) years of the date on which the person was found responsible for the first violation, the offender shall be responsible to pay a fine of \$500.00.

11.2 Any person who knowingly violates Section 10.3 of this Ordinance shall be guilty of a misdemeanor punishable by a fine of not more than \$500.00 and/or by imprisonment in the County jail for not more than 90 days.

11.3 Each day this Ordinance is violated shall be considered a separate violation.

Section 12. Nuisance per Se.

A violation of this Ordinance is hereby declared to be a nuisance per se and is deemed to be offensive to the public health, safety and welfare.

Section 13. Separate Court Action.

In addition to enforcing this Ordinance through the use of a municipal civil infraction proceeding or a criminal prosecution, the Village may initiate proceedings in the circuit court to abate or eliminate the nuisance per se or any other violation of this Ordinance.

Section 14. Validity.

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect any remaining portions or application of this Ordinance, which can be given effect without the invalid portion or application.

Section 2. Repealer. That all ordinances and parts of ordinances including, without limitation, Ordinance No. 3 of 2006, as amended, are hereby repealed.

Section 3. Effective Date. This Ordinance shall become effective 20 days after publication of the Ordinance or a synopsis of the Ordinance, in a newspaper of general circulation within the Village.

Approved: June 19, 2017

Steve Lutke, Village President

Publication Date: June 28, 2017

Effective: July 18, 2017

Shar Fay, Village Clerk