



UTILITY/MARINA COMMITTEE

420 N Front St.

Suttons Bay, MI 49682


June 1, 2026 at 8:30 am

**AGENDA**

Call to Order

1. Reports (staff)
  - a. DPW Director Report
  - b. Marina Report
  - c. WWTP Report
2. Public Comments

Please limit remarks to no more than three (3) minutes or less.
3. Committee Business
  - a. VSB-2026-03 Marina Ordinance Re-Draft
4. Status Update – Other Committees
  - a. VSB-2026-04 Dedicated Parking
5. Public Comments/Written Communication
6. Committee Member Comments
7. Announcements
8. Adjournment

		<b>VILLAGE OF SUTTONS BAY</b>	
		<b>REPORT VSB -2026-03</b>	
Prepared:	May 27, 2026	Pages:	1 of 1
Meeting:	June 1, 2026	Attachments:	<input checked="" type="checkbox"/>
Subject:	Marina Ordinance Re-Draft		

**PURPOSE**

To discuss the proposed re-drafted Marina Ordinance.

**STAFF COMMENT**

The Marina Ordinance has served its purpose over the years; however, it was time for the ordinance to be updated and reformatted to a more user-friendly format.

Among the more noticeable changes, we have addressed the following:

1. Format. We have reformatted the Ordinance to add proper structure and make it more readable.
2. Harbormaster. The current Ordinance is antiquated and places unreasonable responsibility on the Harbormaster, rather than the applicant. This has been updated.
3. Procedure. The procedure to obtain or be eligible for a license has been updated for clarity.
4. Conduct. This ordinance requires orderly conduct to be eligible for future licenses and also states that the verbal abuse of our Staff will cause future license ineligibility.

**ACTION REQUESTED**

Discussion.

**VILLAGE OF SUTTONS BAY  
MARINA ORDINANCE  
Ordinance No.XXX**

AN ORDINANCE TO PROVIDE RULES, REGULATIONS AND PROCEDURES FOR THE OPERATION OF THE VILLAGE-OWNED MARINA AND MARINA PROPERTY; TO PROHIBIT THE MULTI-TENANT USE OF SLIPS; TRANSFER OF LICENSES, COMMERCIAL USE OF THE MARINA AND COMMERCIAL REGISTRATION OF VESSELS; TO PROVIDE FOR ORDERLY MARINA CONDUCT; TO ENSURE THE PUBLIC HEALTH, SAFETY AND WELFARE; TO PROVIDE ENFORCEMENT REGULATIONS.

**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.

**Commercial Purpose-** Any practice involving a vessel, slip, or use of the Marina or Village property from which the Licensee receives consideration or payment of any kind including but not limited to recreational and private charters, transportation of persons or goods, leasing or renting the vessel, or advertising.

**Day Use -** means an 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 acting on behalf of the Village.

**Licensee-** means the user assigned to a slip and said user can be a person, trust, LLC, or corporation

**Marina –** Any building or property owned or operated by the Village for the purposes of activities associated with the harbor, marina services, and waters (Liber 1156 Page 726).

**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.

**Registered Vessel-** A Vessel that the Harbormaster has approved as part of a Licensee's License and assigned a slip.

**Sail-** a vessel navigated by wind power.

**Seasonal-** slip licenses lasting for the duration of the marina season, May 15<sup>th</sup> – October 15<sup>th</sup>.

**Slip-** A docking area for vessel located along and/or between finger piers.

**Transient -** means short term slip license, not to exceed 14 days.

**Transient Extended Stay –** A 30- day license available in June, August & September.

**User -** means any person, including marina Licensee's, transient Licensees, or guests on the premise of Marina.

**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.

**Vessel -** means a craft designed to navigate on water

**Village -** means the Village of Suttons Bay

## SECTION 2 - GENERAL PROVISIONS

The Marina is owned and operated by the Village of Suttons Bay through its Harbormaster. Marina Licensees and their guests shall conduct themselves in an orderly manner as to not disturb, act disorderly or act inappropriate towards guests, staff or the public.

It is the responsibility of every user to know and comply with this Ordinance and associated policies and procedures.

- A. The Village, through its Harbormaster reserves the right to refuse any license request or terminate a license for any reason.
- B. Any Licensee and/or their guests who fail to conduct themselves in an orderly or respectful manner towards Staff, or guests will not be eligible for future licenses.
- C. All Licensees shall comply with this Ordinance and Marina policy and procedures at the time they accept a seasonal, day use, or transient license. Use of a slip shall constitute an agreement that the Licensee will comply with this Ordinance and Marina policy and procedures.
- D. 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 result in the termination of the license and immediate eviction from the Marina.
- E. The Marina and its facilities are solely for the use of the Licensees and their guests. No user shall undertake any commercial purposes and no vessels shall be used for commercial purposes as defined in this Ordinance.
- F. The marina is designed to provide for the safe navigation and docking of vessels. Cruising, docking or mooring of vessels in areas under the jurisdiction of the marina is strictly prohibited.
- G. 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.
- H. A Licensee may only moor its Registered Vessel in its assigned slip. Licensee may not moor any other vessel in its assigned slip except for dinghies as allowed by this Ordinance.
- I. The Village, through its Harbormaster, may, at any time, change any slip assignments deemed in the best interests of the Village and the Marina.
- J. Licenses are granted to the Licensee and for the Licensee's specific Registered Vessel. A License is not transferrable and is only valid for use by the Licensee and for mooring the Licensee's Registered Vessel.
- K. Any license granted by the Village, through its Harbormaster, to a Licensee shall be expressly contingent upon the full payment by the Licensee of all license fees and upon full compliance by the Licensee with all regulations in this Ordinance and other laws.
- L. All Licensees are required to supply their own equipment such as bumpers, lines and marine grade electrical cord.
- M. All Licensees shall immediately report any damage or deficiencies in the Marina to the Harbormaster.

### SECTION 3 - GENERAL PROHIBITIONS AND LIMITATIONS

All users of the Marina shall adhere with this Ordinance and the provisions below to ensure the public health, safety, and welfare of Licensees, guests and Staff:

- A. No illegal or illicit activities, vandalism, or disturbance of other users.
- B. No user shall play audio devices at level that disturbs Licensees.
- C. No user shall permit their dog to bark in a manner causing a nuisance to Licensees.
- D. 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.
- E. No fishing within the marina is permitted except in designated areas.
- F. No overnight camping is allowed anywhere in or on the Marina property. Licensees and their guests may stay overnight on the Licensee's Registered Vessel.
- G. No person shall refuel any vessel within the Marina, except from the fuel dock.
- H. No fireworks are permitted in the Marina at any time.
- I. No grilling or open flame is permitted on any vessel or on Marina property unless in designated grills.
- J. It is unlawful for any User to turn-off, dismantle, or damage lighting in or around the Marina.
- K. No exterior painting, varnishing restoration or similar work on vessels shall be permitted in Marina slips. Minor maintenance and repairs are permissible in the slips.
- L. Registered Vessels are assigned slips based on overall length and in no case shall a vessel's overall length extend more than six (6) feet beyond the end of the finger pier.
- M. No Licensee shall rent a Registered Vessel or allow the use of Licensee's assigned slip or Registered Vessel in their absence or for profit.
- N. If a Licensee is an LLC or corporation, any change in ownership of the LLC or corporation is considered a transfer of the License and the License shall terminate.
- O. If a Licensee is a Trust, any change in the present beneficiaries of the Trust is considered a transfer of the License and the License shall terminate.
- P. If the Licensee sells or for any reason changes the name of the ownership of the Registered Vessel then the License shall terminate unless the Licensee is transferring ownership: 1) to a Trust for estate planning purposes in which the Licensee is the sole present beneficiary of the Trust, or 2) to an LLC or corporation if the membership or ownership of the entity is the same as the Licensee.

### SECTION 4 - MARINA SEASON

- A. 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 may not be open or functional other than during this period.
- B. Licensees may moor Registered Vessels in the Marina between April 15<sup>th</sup> and May 15<sup>th</sup> only with the express permission of the Harbormaster and only after the Licensee has provided updated copies of vessel registration and proof of insurance, certification that the Licensee is the owner of the Registered Vessel, and certification that Licensee has not had any ownership changes to the Harbormaster for review and consideration.
- C. All vessels and personal equipment must be removed from the Marina and public lands no later than October 31<sup>st</sup>. Any vessel remaining in the Marina after October 31<sup>st</sup>, may be removed from the Marina and impounded by the Village.

- D. The Licensee shall be responsible for the costs incurred by the Village including all cost associated with the transportation, removal and impoundment of the vessel. 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 5 - TRANSIENT LICENSES**

- A. Any person who has acted in a disorderly, inappropriate or unethical manner towards Staff, guests or Village representatives, failed to pay fees in a timely manner, or failed to meet the standards of this Ordinance and/or Marina policy has forfeited their right to future consideration for a license or services.
- B. All transient and day use Licensees shall pay license fees as established from time to time by the Village Council. All transient and day-use Licensees must immediately report to the Harbor Hut and make payment upon arrival. All transient Licensees are required to pay at the time of arrival.
- C. Reservations and cancellations shall be made pursuant to the Village of Suttons Bay Marina Slip Rental Policy.
- D. Transient Licensees who arrive after business hours are responsible to check in and pay immediately upon the marina opening for business the following day. Transient Licensees should be aware the slip may not be available for current or future use.
- E. Transient Licensees shall immediately remove their vessel from a slip that is not available for license.
- F. Transient Licensee check-out is 11:00. Transient Licensees who remain in the Marina after 12:00 pm may be charged for an additional day.

#### **SECTION 6 - TRANSIENT EXTENDED STAY LICENSE**

Upon availability, and at the discretion of the Harbormaster, a Transient Extended Stay License may be issued by the Harbormaster. These slips can be viewed as monthly rentals; however, they may only be available from the 1<sup>st</sup> of the month to the 30<sup>th</sup> of the same month. All rules and regulations associated with Transient Licenses shall apply unless specifically modified by this section. Reservations and cancellations shall be made pursuant to the Village of Suttons Bay Marina Slip Rental Policy.

#### **SECTION 7 - SEASONAL SLIP LICENSES**

Seasonal licenses are in high demand and therefore the intent of this ordinance is to encourage seasonal Licensee rotation. There is no inherent right to receiving a seasonal license from year to year. Any request for license shall be made in accordance with this Ordinance.

##### **A. REVIEW**

Prior year Licensees in good standing may be eligible for seasonal slip consideration. To be eligible, a prior year Licensee, at a minimum, must certify the following to the Harbormaster no later than November 1st of each year:

1. The Applicant has provided their vessel registration, which shall include vessel ownership, size, MC number, registered length, overall length, proof of insurance, draft, beam, and if it is

- power or sail, no later than February 15th.
2. That if the ownership of the Registered Vessel is in an individual, the owner remains the same as the current year.
  3. That if the ownership of the Registered Vessel is in a Trust, the present beneficiaries of the trust remain the same as the current year.
  4. That if the ownership of the Registered Vessel is in an LLC or Corporation, the current members or shareholders remain the same as the current year.
  5. That the Registered Vessel shall be the same as the current year, and that the MC number matches the current year or the registered vessel complies with Section 7C, b.
  6. That the Registered Vessel is properly insured and provide proof of insurance.
  7. That the Licensee shall continue to abide by all policies, rules, and ordinances as required by this Ordinance.

#### B. SELECTION

1. Returning Licensees. The Harbormaster, will begin assigning seasonal slips for returning Licensees after January 1<sup>st</sup>.
2. Payment. If the Harbormaster assigns a slip to a returning Licensee the Licensee shall make full payment for their slip within 30 days of the invoice date, and no later than February 15<sup>th</sup>. Failure to make payment by February 15<sup>th</sup> may result in the slip being assigned to another User.
  - a. Under certain circumstances the Harbormaster may allow a one-time extension of up to 10-days, provided the request was made in writing prior to the deadline.
  - b. Any extension for payment is subject to a 10% late fee which shall be paid in full as a part of the fee and within the extension period.
3. Waitlist. If the Harbormaster determines that slips are available, the Harbormaster will begin the process of assigning slips to those on the waitlist utilizing the process set out in Section 8.

#### C. ADDITIONAL REGULATIONS AND CONDITIONS

- a. It is the Applicant's responsibility to notify the Harbormaster of any change in their contact information and to ensure they are receiving correspondence. The Village and the Harbormaster are not responsible for an applicant not receiving correspondence, inquiries or otherwise.
- b. Licensees who change or will be changing vessels shall contact the Harbormaster for prior approval of the new vessel. The Harbormaster may reject any vessel change in the Marina.
- c. Licensees who change to a vessel of a different size during the term of the license, risk losing their slip assignment.
- d. Any vessel granted a seasonal license that is sold during the marina season must be reported immediately to the Harbormaster and removed from the assigned slip within 10 days of the sale.
- e. 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.
- f. No Licensee may assign, rent, sub-license or license their slip to any person at any time.
- g. The Licensee shall be responsible for any property damage, nuisance or violations of this

Ordinance, including those caused by their visitor, or invited guest.

- h. The Licensee 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.

## SECTION 8 - WAITLIST PROCEDURE

The Village Marina utilizes a waiting list for seasonal slip consideration. The intent of yearly waiting list renewals is to give each applicant the opportunity to update any information such as mailing addresses, emails, phone numbers or vessel information. All changes and updated information shall be submitted with the annual renewal to the Harbormaster by March 1st, to remain on the waiting list and to allow the Harbormaster to update its records.

### A. ELIGIBILITY

Any person who has acted in a disorderly, inappropriate or unethical manner towards Staff, guests or Village representatives, failed to pay fees in a timely manner, provided fraudulent or misleading information, has been issued a civil infraction or had a license revoked, has forfeited their right to future consideration for a license or services and therefore, are not eligible for the waiting list or will be removed from the waiting list.

### B. SELECTION

Following the determination of slip availability the Harbormaster may select an eligible Applicant from the waiting list in accordance with the following:

- a. Selection from the waiting list for a license may be granted to the next applicant on the waiting list, provided, the vessel can be accommodated based on slip size availability and the applicant meets all standards of this ordinance.
- b. Slip assignment shall be based on the vessel information provided by the applicant and shall not be substituted without prior authorization of the Harbormaster.
- a. Vessel registrations are required to match the names on the wait list to be eligible for a seasonal license.
- b. The Harbormaster will determine slip assignments and inform Licensees of those assignments beginning March 1<sup>st</sup> or as slips become available.
- c. Prior to the vessel entering the assigned slip, it shall be registered and insured in the name of the Licensee. If the vessel registration or insurance information does not match the application, the application will be denied.
- c. 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 and Harbormaster are not required to send notice of placing the applicant at the end of its list.

### C. FEE

- a. The Village Council shall establish annually the fee for the waiting list in the Village's Schedule of Fees.
- b. The non-refundable waiting list fee is due no later than March 1st of each year.
- c. The waiting list fee shall not be considered any part of a license fee.

## **SECTION 9 - DOCK, PIER, FINGER PIER, AND WALKWAYS**

- A. Storage is only permitted within the confines of the licensed slip or on the vessel.
- B. All docks, piers, finger piers, and walkways within the marina shall remain clear and not used for storage or keeping of personal belongings.
- C. Canoes, kayak, boards, dinghies and similar items shall not be stored on a pier, finger pier, dock, or walkway.
- D. Dock boxes may be permitted as follows;
  - a. Licensee's located at the or accessed by A-Dock or Coal Dock sections shall may be permitted to place a one triangular dock box within the designated dock entrance area, provided they meet the following dimensions: 48" length x 28" width x 28" height.
  - b. All Licensee's located or accessed by A-Dock B-Dock, C-Dock, or D-Dock shall be permitted to place one triangular dock box within the designated area provided they meet the following dimensions: 23" length x 50" width x 31" height.
  - c. All dock boxes shall be removed prior to October 31<sup>st</sup> or they will be deemed abandoned and subject to forfeiture of the dock box and its contents. Removal and disposal fees are at the Licensees' expense.

## **SECTION 10 - DINGHY'S**

- A. A seasonal slip or monthly slip Licensee may keep a dinghy in the slip, provided the dingy is tied to or placed on the vessel, and does not protrude into any other slip or beyond the dock.
- B. Any motorized dinghy must be registered and insured in the name of the slip Licensee.
- C. No dinghy may be kept in a slip unless the registered vessel is also in the slip.
- D. Dinghy slips are only available for day and transient use and come with no other amenities such as electricity, Marina bathhouse or parking privileges.

## **SECTION 11 - VESSEL REMOVAL AND IMPOUNDMENT**

- A. The Licensee is responsible for ensuring their vessel is always secure, in proper working order and afloat. The Licensee is responsible for any vessel that may be in danger of sinking and shall immediately remove the vessel from the Marina.
- B. The Village or Harbormaster may immediately remove any vessel from the Marina, that is in violation of this Ordinance or poses an environmental risk or threat, without the Licensee's prior consent.
- C. The Licensee shall be responsible to the Village for all cost associated with any containment, clean-up, transportation, removal, staff time or impoundment of the vessel.
- D. The Village and Harbormaster shall not be responsible for damage to the vessel in the event of such removal.

## **SECTION 12 - ENFORCEMENT**

- A. A license may be revoked at any time for disturbing guests, acting disorderly or being inappropriate towards guests, staff or Village representatives.
- B. Any person who violates any provision of this Ordinance, shall be subject to immediate

- revocation of their license, and a civil infraction and/or criminal prosecution.
- C. 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.
  - D. Any person who does not remove themselves from the Marina as ordered by the Harbormaster, or other Village official authorized by the Village Council will forfeit their right to future consideration for a license or services.

### **SECTION 13 - VIOLATIONS AND PENALTIES**

Violation of a provision of this Ordinance is a municipal civil infraction. In addition, a violation of this Ordinance is hereby declared to be a nuisance per se and the Village specifically reserves the right to proceed in any court of competent jurisdiction to obtain an injunction, restraining order or other appropriate remedy to compel compliance with this Ordinance. Every day on which any violation of this Ordinance continues constitutes a separate offense and shall be subject to penalties and sanctions as a separate offense.

### **SECTION 16 - 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 17 – REPEAL**

Upon becoming effective, this Ordinance shall repeal any and all ordinances or parts of ordinances in conflict herewith including, without limitation, Ordinance #2 of 2017.

### **SECTION 18 – 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:

\_\_\_\_\_  
Steve Lutke, Village President

Publication Date:

Effective:

\_\_\_\_\_  
Dorothy Petroskey, Village Clerk