



Statement on Lake Access Issues

The Township office sometimes receives complaints about lake access issues. In particular, we receive complaints that someone is improperly using a public or private road end, an easement, a park or walkway, or similar type of water access point, for a purpose that is allegedly not allowed. Before calling the Township with this type of complaint, we ask that you please read the following statement.

It is important for Township residents to know that the Township generally does not get involved in lake access disputes. This is because the Township has not adopted an ordinance regulating the use of road ends, whether public or private. Also, the proper use of platted parks, walkways and other platted water access points is a matter of private enforcement, by the persons owning land in the plat. The Township does not enforce private plat provisions.

Nonetheless, as a service to our residents, we provide the following summary of some basic rules that might apply when considering access to inland lakes:

- Private streets, walkways and easements which terminate at a lake generally (a) cannot have a dock or shore station installed thereon, (b) cannot be used for the overnight or permanent mooring of watercraft, and (c) cannot be used for lounging, sunbathing, picnicking or similar uses. There are limited exceptions, but generally speaking, gaining access to the water only is the only permissible purpose of a private "access" point.
- The same rules generally apply to public road ends – they are for access purposes only, and therefore generally cannot be used for permanent or overnight mooring of watercraft, the installation of a dock or shore station, or for lounging, sunbathing, picnicking or similar uses.
- The Michigan Legislature has adopted a new law, Public Act 56 of 2012, prohibiting the use of public road ends for boat hoists or boat anchorage devices, and prohibiting the overnight mooring of watercraft, unless these uses are allowed by recorded deed, easement or dedication. The Act also prohibits docks on public road ends, except that a single seasonal dock may be permitted by the local governmental having jurisdiction, provided that such use must be allowed by recorded deed, easement or dedication, or by court order. Spencer Township does not permit such seasonal docks.

The above information is provided as general guidance only, and does not constitute the giving or offering of legal advice. If you have specific questions regarding water access issues, we recommend that you contact your attorney.

Jeff Knapp - Supervisor