

THE FOURTH CLASS CITY ACT (EXCERPT)
Act 215 of 1895
Chapter XVII
HARBORS, WHARVES AND HARBORMASTERS.

97.1 Authority of council; public wharves.

Sec. 1.

The council of any city located upon or adjacent to any of the navigable waters of the state shall have the power to establish, construct, maintain and control public wharves, docks, piers, landing places and levees, basins and canals, upon any lands or property belonging to or under the control of the city; and for that purpose the city shall have the use or control of the shore or bank of any lake, river or other waters within the city, not the property of individuals, to the extent to which the state can grant the same, and the council may lease wharfing and landing privileges upon any of the public wharves, docks, or landings, but not for a longer time than 5 years, and in such manner as to preserve the right of all persons to a free passage over the same with their baggage.

History: 1895, Act 215, Eff. Aug. 30, 1895 ;-- CL 1897, 3143 ;-- CL 1915, 3057 ;-- CL 1929, 1981 ;-- CL 1948, 97.1

97.2 Authority of council; construction of wharves.

Sec. 2.

The council shall have authority also to require and cause all docks, wharves and landings, whether upon public grounds or upon the property of private individuals, to be constructed of such material and in such manner and maintained in conformity with such grade as may be established therefor by the council, and prescribe the line beyond which any such wharf, dock or landing shall not be constructed or maintained.

History: 1895, Act 215, Eff. Aug. 30, 1895 ;-- CL 1897, 3144 ;-- CL 1915, 3058 ;-- CL 1929, 1982 ;-- CL 1948, 97.2

97.3 Authority of council; regulation of use of wharves, rates.

Sec. 3.

The council shall have authority to prohibit the encumbering of the public wharves and landings, and to regulate the use of all wharves, docks, and landing places within the city; regulate the use and location of wharf boats; and to regulate and prescribe the rates and charges for landing, wharfage, and dockage at all public and private wharves, docks and landings, and to collect wharfage and dockage from boats, water craft, and floats landing at or using any public landing place, wharf, or dock within the city.

History: 1895, Act 215, Eff. Aug. 30, 1895 ;-- CL 1897, 3145 ;-- CL 1915, 3059 ;-- CL 1929, 1983 ;-- CL 1948, 97.3

97.4 Authority of council; preservation of water purity; use of harbor; ordinances and regulations.

Sec. 4.

The council may provide by ordinance for the preservation of the purity of a body of water within the city, and within 1/2 mile from the corporate boundaries of the city; prohibit and impose sanctions for the depositing of filth, logs, floating matter, or any injurious thing in such a body of water; control and regulate the anchorage, moorage,

and management of watercraft and floats within the jurisdiction of the city; prescribe the mode and speed of entering and leaving the harbor, if any, and of coming to and departing from the docks, wharves, and landings, by watercraft and floats; regulate and prescribe, by ordinances or through a harbormaster or other officer, the location for a watercraft or float, and the changes of station in and use of the harbor required to promote order in the harbor and the safety and convenience of watercraft and floats; and enact and enforce ordinances and regulations that in the opinion of the council are most conducive to the orderly, safe, and convenient use and occupancy of the navigable waters, wharves, docks, piers, and landing places within the city.

History: 1895, Act 215, Eff. Aug. 30, 1895 ;-- CL 1897, 3146 ;-- CL 1915, 3060 ;-- CL 1929, 1984 ;-- CL 1948, 97.4 ;-- Am. 1994, Act 19, Eff. May 1, 1994

97.5 Authority of council; regulation of use of tugs and bridges.

Sec. 5.

The council may also license and regulate the use of tugs and prescribe the rates and charges of towage within the harbor or other waters of the city, and regulate the opening and passage of bridges.

History: 1895, Act 215, Eff. Aug. 30, 1895 ;-- CL 1897, 3147 ;-- CL 1915, 3061 ;-- CL 1929, 1985 ;-- CL 1948, 97.5

97.6 Authority of council; appointment of harbor officers; powers, duties.

Sec. 6.

The council may also appoint a harbormaster, wharfmaster, port wardens, and such other officers as may be necessary for the enforcement of all such ordinances and regulations as the council may lawfully enact and prescribe, in respect to and over the navigable waters, harbors, wharves, docks, landings and basins, within the city, and in respect to the navigation, trade, and commerce of the city and prescribe the powers and duties of such harbormaster and other officers, and to fix the compensation to be paid them.

History: 1895, Act 215, Eff. Aug. 30, 1895 ;-- CL 1897, 3148 ;-- CL 1915, 3062 ;-- CL 1929, 1986 ;-- CL 1948, 97.6