

SUBSTITUTE FOR
SENATE BILL NO. 1117

(As amended, March 17, 2010)

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 80163 (MCL 324.80163), as added by 1995 PA 58.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 80163. <<(1)>> ~~Whenever, in the opinion of the department,~~
IF an
2 anchored raft OR OTHER ITEM OR MATERIAL, WHETHER FLOATING FREE OR
3 ATTACHED TO THE BOTTOMLAND OR A SHORELINE, presents a hazard to
4 navigation, the department OR A PEACE OFFICER WITH JURISDICTION
5 OVER THE BODY OF WATER WHERE THE ANCHORED RAFT OR OTHER ITEM OR
6 MATERIAL IS LOCATED MAY RELOCATE OR REMOVE IT OR may order its
7 relocation or removal.

<<(2) THE PERSON WHO OWNS OR WHO CAUSED A NAVIGATIONAL HAZARD THAT
IS RELOCATED OR REMOVED UNDER SUBSECTION (1) IS LIABLE TO PAY THE ACTUAL
AND REASONABLE COSTS OF RELOCATION OR REMOVAL. THE DEPARTMENT OR THE LAW
ENFORCEMENT AGENCY WITH JURISDICTION OVER THE BODY OF WATER WHERE THE
NAVIGATIONAL HAZARD WAS LOCATED MAY SEND WRITTEN NOTICE OF THE RELOCATION
OR REMOVAL UNDER SUBSECTION (1) AND THE ASSOCIATED COSTS TO THE PERSON
DETERMINED TO OWN OR TO HAVE CAUSED THE NAVIGATIONAL HAZARD. IF THE OWNER
OR PERSON WHO CAUSED THE NAVIGATIONAL HAZARD FAILS TO PAY THE COSTS
WITHIN 30 DAYS OF THE DATE THE WRITTEN NOTICE IS MAILED, THE COSTS MAY
BECOME A LIEN AGAINST THE PERSON'S PROPERTY.>>