

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

PART 465
FISHING SHANTIES

324.46501 Definitions.

Sec. 46501. As used in this part:

(a) "Fishing shanty" means a fishing house or any other structure or shelter placed on the ice on the waters over which this state has jurisdiction.

(b) "Local unit of government" means a county, city, township, village, or other governmental unit. Local unit of government does not include the state.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995.

Popular name: Act 451

Popular name: NREPA

324.46502 Fishing shanty; affixing identification of owner.

Sec. 46502. (1) Except as otherwise provided in subsection (3), a person shall not set, place, erect, cause to be set, placed, or erected, or use a fishing shanty at any time upon the ice in waters over which this state has jurisdiction, unless information identifying the owner as prescribed in this subsection is affixed to each side of the outside of the fishing shanty in legible alphanumeric characters not less than 2 inches in height. The alphanumeric characters must be readily visible and consist of materials that are not soluble in water. The information identifying the owner under this subsection must be 1 of the following:

(a) The owner's name and address.

(b) The owner's driver license number.

(c) The number of the owner's sportcard issued under section 43522.

(2) Placing the information identifying the owner on a piece of wood, plastic, or other material and affixing that piece of material to the fishing shanty does not satisfy the requirements of this section.

(3) The identification requirement in subsection (1) does not apply to a tent or other temporary shelter if the tent or shelter is removed from the ice at the conclusion of each day's fishing activity.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 2018, Act 25, Imd. Eff. Feb. 14, 2018.

Popular name: Act 451

Popular name: NREPA

324.46503 Repealed. 2018, Act 25, Imd. Eff. Feb. 14, 2018.

Compiler's note: The repealed section pertained to removal of fishing shanties erected upon waters within Upper Peninsula.

Popular name: Act 451

Popular name: NREPA

324.46504 Repealed. 2018, Act 25, Imd. Eff. Feb. 14, 2018.

Compiler's note: The repealed section pertained to removal of fishing shanties erected upon waters within certain counties.

Popular name: Act 451

Popular name: NREPA

324.46505 Repealed. 2018, Act 25, Imd. Eff. Feb. 14, 2018.

Compiler's note: The repealed section pertained to removal of fishing shanties erected upon waters within certain counties.

Popular name: Act 451

Popular name: NREPA

324.46506 Repealed. 2018, Act 25, Imd. Eff. Feb. 14, 2018.

Compiler's note: The repealed section pertained to placement of fishing shanties if removed at conclusion of each day's fishing activity.

Popular name: Act 451

Popular name: NREPA

324.46507 Fishing shanty; removal; conditions; violation; date for removal.

Sec. 46507. (1) A person who sets, places, erects, or causes to be set, placed, or erected any fishing shanty upon the ice of any water within the jurisdiction of this state shall remove the fishing shanty before ice

conditions are unsafe for its removal or before the date set by the department under subsection (2) and on a daily basis following that date. Failure to remove a fishing shanty within the time specified in this section is a violation of this part, and the department or the local unit of government may then authorize the removal and storage or destruction of the fishing shanty.

(2) The department shall set the date by which a fishing shanty must be removed under this section.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 2018, Act 25, Imd. Eff. Feb. 14, 2018.

Popular name: Act 451

Popular name: NREPA

324.46508 Ordinance, rule, or regulation of local unit of government; effect.

Sec. 46508. A local unit of government shall not pass an ordinance, rule, or regulation regulating the placement, use, marking, or removal of a fishing shanty on the ice of any waters over which this state has jurisdiction. An ordinance, rule, or regulation described in this section that is in effect on April 1, 1994 is void. However, if a person fails to remove a fishing shanty within the time specified by the department under section 46507, a local unit of government may remove the fishing shanty from the ice or water and store or destroy the fishing shanty.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 2018, Act 25, Imd. Eff. Feb. 14, 2018.

Popular name: Act 451

Popular name: NREPA

324.46509 Violation as misdemeanor; penalty; reimbursement to governmental entity; violation of 46502 civil infraction.

Sec. 46509. (1) Except as otherwise provided in this section, a person who violates this part is guilty of a misdemeanor, punishable by imprisonment for not more than 30 days, or a fine of not less than \$100.00 or more than \$500.00, or both, and costs of prosecution.

(2) Upon conviction for the violation of this part, the court shall order the defendant to reimburse the governmental entity that removes or provides for the removal of the fishing shanty from the water or ice an amount equal to 3 times the cost of removal.

(3) An individual who violates section 46502 is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than \$150.00.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 2022, Act 23, Eff. June 8, 2022.

Popular name: Act 451

Popular name: NREPA