

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

PART 751
DARK SKY PRESERVE

324.75101 Definitions.

Sec. 75101. As used in this part:

(a) "Dark sky preserve" means an area designated in section 75102.

(b) "Fully shielded" means outdoor light fixtures shielded or constructed so that no light rays are emitted by the installed fixture at angles above 15 degrees below the horizontal plane and also constructed so that the filament or light source is not visible to the naked eye when viewed from a point higher than 15 degrees below the horizontal plane.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995;—Am. 2012, Act 251, Imd. Eff. July 2, 2012.

Popular name: Act 451

Popular name: NREPA

324.75102 Designation as dark sky preserves; prohibition as to establishment in Upper Peninsula.

Sec. 75102. (1) The following lands are designated as dark sky preserves:

(a) State-owned land at Lake Hudson, legally described as:

All state-owned land located in Sections 25, 26, 27, 34, 35, and 36, T7S, R1E, and Section 1, T8S, R1E - Lenawee County, Michigan.

(b) The state-owned land comprising Wilderness State Park and the state forestland within Bliss Township, Cross Village Township, and Wawatam in Emmet County.

(c) Those portions of Port Crescent State Park lying north and west of the Pinnebog River in section 9 of Hume Township, Huron County, T18N, R12E.

(d) The state-owned land comprising Rockport State Recreation Area, located in Presque Isle Township, Presque Isle County and Alpena Township, Alpena County.

(e) The state-owned land comprising Negwegon State Park, located in Sanborn Township, Alpena County and Alcona Township, Alcona County.

(f) The state-owned land comprising Thompson's Harbor State Park, located in Krakow Township, Presque Isle County.

(g) The county-owned land comprising Dr. T. K. Lawless Park, located in Porter and Newberg Townships, Cass County.

(h) The county-owned land comprising Headlands International Dark Sky Park, located in Wawatam Township, Emmet County.

(2) Notwithstanding any other provision of this part, a dark sky preserve shall not be established in the Upper Peninsula.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995;—Am. 2012, Act 251, Imd. Eff. July 2, 2012;—Am. 2016, Act 11, Eff. May 16, 2016;—Am. 2020, Act 74, Imd. Eff. Apr. 2, 2020.

Popular name: Act 451

Popular name: NREPA

324.75103 Outdoor lighting; installation; limitation.

Sec. 75103. (1) The commission shall ensure that outdoor lighting within a state-owned dark sky preserve is not installed unless necessary for safety, security, or the reasonable use and enjoyment of property within the preserve.

(2) The commission shall ensure that outdoor lighting within a state-owned dark sky preserve does not unreasonably interfere with nighttime activities that require darkness, including, but not limited to, the enjoyment of the night sky, nighttime photography, and wildlife photography.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995;—Am. 2020, Act 74, Imd. Eff. Apr. 2, 2020.

Popular name: Act 451

Popular name: NREPA

324.75104 Outdoor lighting; requirements.

Sec. 75104. (1) The commission shall ensure that all outdoor lighting within a state-owned dark sky preserve conforms to the following:

- (a) Lighting shall be directed downward.
- (b) If possible, lighting shall be provided by fully shielded fixtures.
- (c) If practical and appropriate, outdoor lighting fixtures shall be motion sensor fixtures, and not fixtures that remain lighted during all hours of darkness.

(2) Notwithstanding any other provision of this part, the use and development of land within a state-owned dark sky preserve, including the use of the land for motorized and nonmotorized recreation, shall not be restricted due to the designation as a dark sky preserve.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995;—Am. 2012, Act 251, Imd. Eff. July 2, 2012;—Am. 2020, Act 74, Imd. Eff. Apr. 2, 2020.

Popular name: Act 451

Popular name: NREPA

324.75105 Use and development not restricted; conditions.

Sec. 75105. This part does not restrict the use and development of the state owned land at lake Hudson as prescribed by the master plan approved by the commission if the use and development are in compliance with this part.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995.

Popular name: Act 451

Popular name: NREPA

324.75106 Repealed. 2002, Act 3, Eff. Mar. 31, 2003.

Compiler's note: The repealed section pertained to repeal of part.

Popular name: Act 451

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