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TO: COUNCIL MEMBERS 
FROM: David Whitaker, Director
Legislative Policy Division Staff
DATE: May 3, 2019

RE: RESOLUTION REQUESTING THE DEPARTMENT OF NATURAL RESOURCES TO INVESTIGATE THE NEED FOR SPECIAL RULES FOR THE USE OF VESSELS AND WATERSPORT EQUIPMENT ALONG THE DETROIT RIVER

Council member Janee Ayers requested that the Legislative Policy Division (LPD) draft a resolution requesting the Michigan Department of Natural Resources to investigate a need for special rules for the use of vessels and watersport equipment along the Detroit River and canal system.

Attached, please find our draft of the aforementioned resolution.

Please contact us if we can be of any further assistance.

BY COUNCIL MEMBER JANE AYERS

RESOLUTION REQUESTING THE DEPARTMENT OF NATURAL RESOURCES TO INVESTIGATE THE NEED FOR SPECIAL RULES FOR THE USE OF VESSELS AND WATERSPORT EQUIPMENT ALONG THE DETROIT RIVER

WHEREAS, According to the Michigan of Natural Resources and Environmental Protection Act (PA 451 of 1994), local governmental units are prohibited from creating or authorizing any local ordinances regulating waterways or the use of watercrafts within their jurisdiction, without obtaining permission from the Michigan Department of Natural Resources (DNR); and

WHEREAS, Section 324.08112 of the Act includes a provision that allows local municipalities to request assistance from the DNR, by sending an official resolution to the DNR. The resolution will initiate an investigation by the DNR to determine if a local governmental agency has a need for special rules to regulate the use of vessels, water skis, surfboards, or similar devices on their waterways; and

WHEREAS, The purpose of the investigation is to determine the viability of a local ordinance. All findings will be compiled into a preliminary report, accompanied with a preliminary recommendation to the concerned local municipality. Within 90 days of holding a local public hearing, the DNR will make a final decision on whether or not it should propose a new local ordinance, make changes to an existing local ordinance, or deny the request to draft any special rules; **NOW THEREFORE, BE IT**

RESOLVED, Detroit City Council is requesting that the Michigan Department of Natural Resources investigate the need for special rules for the use of vessels and watersport equipment along “The Detroit River” and “The Edison Sault Power Canal” system, pursuant to The Michigan Natural Resources Environmental Protection Act. **BE IT FURTHER**

RESOLVED, The City Clerk is directed to send a copy of this resolution to Governor Whitmer, Mayor Duggan, , Detroit’s state lobbyist Ken Cole, The Department of Natural Resources, and The Michigan State Waterways Commission.