

ASK THE EXPERTS

If you have a question about water related issues, riparian rights, and/or lakes and streams, etc., let us know by email or snail mail.

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Stanton, MI 48888*

Question: What is a marina?

Answer: Unfortunately, there is no single definition for what constitutes a “marina” in Michigan. Instead, the word marina can mean at least five different types of facilities or uses, depending upon the context.

A possible lay person’s definition of marina is “an area or facility for the group mooring of noncommercial boats and pleasure craft.” However, that definition is not necessarily the same as for government purposes, deed restrictions and other matters.

Under Michigan statute, MCL 324.30101(j), a marina is “a facility that is owned or operated by a person, extends into or over an inland lake or stream, and offers service to the public or members of the marina for docking, loading, or other servicing or recreational watercraft.” If a marina meets that definition, a marina cannot be installed or expanded without the appropriate approval and permit from the State of Michigan. Furthermore, the United States Army Corps of Engineers also has its own definition of what constitutes a marina for purposes of an installation on the Great Lakes.

Local municipal ordinances (whether a city, village, or township is involved) often also have a different definition of a marina for purposes of the local zoning ordinance or other regulatory ordinances. Unfortunately, those definitions are not always clear or comprehensive.

Finally, some properties are subject to binding deed restrictions, covenants or plat restrictions which sometimes define a regulated marina differently than state or federal authorities.

Based on the above, when it comes to defining what constitutes a marina, nothing should be taken for granted.

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Our experts include our riparian attorney, a biologist, a limnologist, an engineer, a college professor and a state agency official. They look forward to responding to your question.