

Helena Township

Ordinance no. 05-14-26 of 2026

An Ordinance to Amend Chapter 5: Supplemental Regulations, Section 5.02 Supplemental Waterfront, Lake, Stream, Flood Plain, and Wetlands Regulations: Section 5.02.02 — Restrictions Applicable to Property Abutting Lakes, Rivers, or Streams, and Chapter 1: Title, Purpose, and Definition, Section 1.03: Definitions.

The Township of Helena Ordains:

Section 1. Amendment of Chapter 5, Section 5.02 (5.02.02 Restrictions Applicable to Property Abutting Lakes, Rivers, or Streams), Subsection D, Additional Restrictions.

Section 5.02.02 of the Helena Township Zoning Ordinance is hereby amended to add item D, to read in its entirety as follows:

D. Additional Restrictions

- 1) Marinas are not allowed in residential R-1 zones.
- 2) New boathouses are prohibited.
- 3) Use of powered watercraft on or in the water shall be limited by the amount of water frontage per parcel:
 - I. One hundred (100) feet or less — four (4) powered watercraft permitted;
 - II. Additional full twenty-five (25) feet — additional one (1) powered watercraft permitted;
 - III. Powered watercraft capped at eight (8).
- 4) Powered watercraft may be placed in front of property by any means: lifts, docks, sea legs, moorings, or anchoring.
- 5) No dock space or watercraft shall be rented.

Section 2. Amendment of Chapter 1, Section 1.03 — Definitions.

Section 1.03 of the Helena Township Zoning Ordinance is hereby amended to add the following definitions:

Docked or Docking: Tethering of a watercraft directly to a pier, platform, pole, dock, bulkhead, boat house, or mooring; and also, the placement of a watercraft in an off-shore boat house, or the regular or overnight beaching of a watercraft.

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Marina: A facility that is owned or operated by a person, corporation, legal entity, representative, or owner's agent that 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 of recreational watercraft.

Mooring: A space for a single watercraft at or adjacent to a dock, in an off-shore boat hoist, an overnight anchoring off-shore, or a beaching location.

Private Waterfront Access: A privately-owned way or means of approach to provide physical entrance to a body of water.

Shore Station: A floating or fixed structure used to dock and secure a watercraft to protect it from the elements, and which may include equipment to lift a watercraft out of the water.

Powered Watercraft:

1. Powered Watercraft in which there is any type of mounted motor (gas, electric, battery, or solar), or in-board motor propulsion. Must have a legal state watercraft registration.
2. A vehicle used or capable of being used as a means of transportation on water. Any boat, pontoon boat, hydrofoil, hovercraft, jet ski, personal watercraft, jet boat, or similar vessel having propulsion that is stored on a boat hoist or mooring, but does not include canoes, kayaks, paddle boats, rowboats (without an engine), or other human-powered craft, or beached sailboards and sailboats.

The following definition is amended to change the definition of Shoreline Greenbelt Protection Buffer as follows:

Shoreline Greenbelt Protection Buffer: A strip extending along the shoreline with features that prevent erosion.

Section 3. Severability.

If any section, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the remainder of the Ordinance. The Township Board hereby declares that it would have passed each part, section, subsection, phrase, sentence, and clause irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences, or clauses be declared invalid.

Section 4. Conflicts.

If any provision of the Helena Township Zoning Ordinance conflicts with this Zoning Ordinance Amendment, then the provisions of this Zoning Ordinance Amendment shall control.

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Section 5. Effective Date.

This Ordinance shall become effective eight (8) days after being published in a newspaper of general circulation within the Township, unless a later date is specified.

TOWNSHIP OF HELENA

By: _____ Date: _____
Clark "Butch" Peebles, Supervisor

By: _____ Date: _____
Oryana Leffew, Clerk

Adoption Date: May 14, 2026

Publication Date: May 28, 2026

Effective Date: June 5, 2026