

RILEY TOWNSHIP - ST. CLAIR COUNTY

ARTICLE IX  
GENERAL PROVISIONS

SECTION 919. PONDS:

Private residential ponds and agricultural or farm ponds may be permitted on a minimum of two (2) acres and two hundred (200') foot frontage **in the AR, R-1 and RC districts subject to the following:**

- A. A Permit must be obtained from Riley Township prior to the construction of a new pond and for any modifications and/or enlargements of an existing pond.** Cleanouts or maintenance that do not enlarge the pond do not require a permit. (P.H. 5-15-06; Adopted 8-14-06; Eff. 8-30-06)
- B.** All applications for pond approval shall be accompanied by a **detailed drawing or site plan** of the proposed pond including all required setbacks (distances), **the property lines, existing structures, water locations (natural water courses, ditches, drains etc.), septic and well locations, roadways, permit fee and a bond** (Adopted 10-6-03; Published 10-15-03) in the amount established by resolution of the Township Board.
- C.** All ponds must be an accessory to a residence **that is occupied full-time by the property owner. Pond permits will not be issued for vacant land (9/96) or for property that is not occupied full-time by the property owner (proof will be required).**
- D. All ponds shall be inspected two (2) times during construction, an initial stake inspection to check setbacks and a final inspection to check the final slopes, grading and measurements. Initial stake inspection must be completed and approved before any excavation for the pond is started. Required Affidavit form must be completed and submitted by the pond contractor (with required pictures) before final inspection takes place.**
- E.** No pond shall be located within thirty (30') (P.H. 5-15-06; Adopted 8-14-06; Eff. 8-30-06) feet of the side property lines or within thirty (30') (P.H. 5-15-06; Adopted 8-14-06; Eff. 8-30-06) feet of the rear property lines. (Adopted change 10-6-03; Published 10-15-03) All ponds shall be setback one hundred fifty (150') feet from the center of the road. On a corner parcel the pond must be setback one hundred fifty (150') feet from the center of each road. No pond shall be permitted within one hundred (100') feet of any residential structure. No pond shall be permitted within twenty-five (25') feet of any accessory buildings such as but not limited to pole buildings, garages, sheds, agricultural buildings and similar type uses, (\*See accessory structures to ponds) (P.H. 5-15-06; Adopted 8-14-06; Eff. 8-30-06) or domestic water

RILEY TOWNSHIP - ST. CLAIR COUNTY

ARTICLE IX  
GENERAL PROVISIONS

supply. There shall be a minimum setback from any septic tank and/or tile disposal field of at least one hundred (100') feet.

- F. All ponds must be a minimum of five hundred (500) feet from any water body (such as, but not limited to any river, drain, natural water courses etc.). Ponds constructed within a regulated wetland and/or a regulated flood plain must receive a permit from the State of Michigan Department of Environmental Quality. Additional permits may be required depending on the planned size of the pond.**
- G.** The minimum depth of a pond shall be fifteen (15') (P.H. 5-15-06; Adopted 8-14-06; Eff. 8-30-06) feet. The minimum width of the pond shall be ninety (90') feet. (P.H. 10-20-08; Adopted 2-03-09; Eff. 2-26-09) The minimum size requirement of all ponds shall be five thousand (5000) square feet. Where a pond will be used for swimming, there shall be no slope in excess of 5:1 (five feet horizontal to one foot vertical) until the water reaches a depth of six (6') (P.H. 5-15-06; Adopted 8-14-06; Eff. 8-30-06) feet, on the beach side of the pond. In no case shall any slope exceed 3:1.
- H.** There shall be a minimum of two (2) pressure treated posts on opposing sides of the pond with one (1) danger sign and one (1) U.S.C.G. Approved life ring with a minimum of seventy-five (75') (P.H. 5-15-06; Adopted 8-14-06; Eff. 8-30-06) feet minimum of rope attached to each life ring on each post. Upon final approval by the Building Department, it is the responsibility of the property owner to maintain the safety equipment.
- I.** It is the responsibility of the property owner to provide overflow drainage to eliminate the possibility of flooding neighboring properties. Berms shall have no slope in excess of a 4:1. (P.H. 5-15-06; Adopted 8-14-06; Eff. 8-30-06)
- J.** Ponds that will disturb over one (1) acre of land shall obtain a Soil Erosion Control Permit from the governing agency (P.H. 6/13/2011; Adopted 10/4/2011; Published 10/13/2011) and all work shall be done in a manner that strives to protect the property and adjoining properties against soil erosion. Ponds of five (5) acres or more in size shall obtain a lake permit from the governing agency (P.H. 6/13/2011; Adopted 10/4/2011; Published 10/13/2011).
- K.** Excavated materials, in excess of one thousand (1000) cubic yards, may not be hauled off the site unless a mining permit is obtained pursuant to Section 1124 of this Ordinance.

RILEY TOWNSHIP - ST. CLAIR COUNTY

ARTICLE IX  
GENERAL PROVISIONS

- L.** All approved ponds shall be completed within six (6) months from the date of issuance of the permit. The Building Department may grant six (6) month extension(s) of the permit for just cause.
- M.** Use of any residential, agricultural, or farm pond by the public for swimming, fishing, or the like, shall be prohibited.
- N.** No pond shall be located directly beneath an overhead electrical line, wire or conductor, nor within ten (10) feet within any utility. (P.H. 5-15-06; Adopted 8-14-06; Eff. 8-30-06)
- O.** Retention ponds, detention ponds, and basins (such as but not limited to) must adhere to any required regulations of any governing government agency (P.H. 6/13/2011; Adopted 10/4/2011; Published 10/13/2011). (Adopted 10-06-03; Published 10-15-03)
- P.** Accessory Structures to Ponds: Accessory structures to ponds will be permitted subject to the following regulations:
1. It is six hundred twenty-five (625) square feet or less.
  2. Minimum setback from the pond is ten (10') feet from high water mark.
  3. Minimum elevation of finished floor is twelve (12) inches above high-water mark.
  4. It is described as the following type of structure:
    - a) Gazebo
    - b) Pavilion
    - c) An open or lattice type structure that is used for outdoor entertaining and dining
    - d) A small roofed structure that is screened on all sides that is used for outdoor entertaining and dining.
    - e) A changing house that is used for the changing of clothes and/or outdoor restroom facility and/or storage.
    - f) Similar type open or screened, or enclosed structures used for outdoor entertaining, dining, and storage.
    - g) Decks
    - h) Sheds for storage of boating and/or fishing equipment.
  5. Necessary permits will be required. A zoning permit is required for structures two hundred (200) square feet and under and a building permit is required for structures over two hundred (200) square feet. (P.H. 5-15-06; Adopted 8-14-06; Eff. 8-30-06)
- Q.** Docks, slides, rafts, bridges, boat houses, piers and diving boards are a permitted accessory structure to a pond. (P.H. 5-15-06; Adopted 8-14-06; Eff. 8-30-06)