

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF CONSTRUCTION CODES

In the matter of:

Mount Mancelona 66-01-000061
Unpermitted ski lift

NOTICE AND ORDER TO CEASE AND DESIST

The Department of Licensing and Regulatory Affairs, by Keith Lambert, Director of the Bureau of Construction Codes, pursuant to authority under the Ski Area Safety Act of 1962, 1962 PA 199, as amended; MCL 408.321 *et seq.*, orders Mount Mancelona (Respondent) located at 2497 Ski Run Rd., Mancelona, MI 48659 to cease and desist from operating a ski lift without a permit in violation of the Ski Area Safety Act.

The Department received a complaint and conducted an inspection in accordance with sections 9 and 13 of the Ski Area Safety Act. The inspection revealed that Respondent violated sections 9 and 13 of the Ski Area Safety Act in that:

1. Respondent does not possess a permit to operate a ski lift under Section 9 of the Ski Area Safety Act.
2. The inspection conducted by the Department revealed the operation of the ski lift to be hazardous or unsafe in accordance with Section 13 of the Ski Area Safety Act.

Section 13 of the Ski Area Safety Act authorizes the Department to issue a temporary cessation order as follows:

- (1) After an inspection has been conducted and it has been determined the operation of a ski lift to be hazardous or unsafe.

ACCORDINGLY, IT IS ORDERED that Respondent shall immediately cease and desist from operating a ski lift that is deemed hazardous or unsafe and without possessing a permit issued by the Department of Licensing and Regulatory Affairs in violation of the Ski Area Safety Act.

RESPONDENT IS ADVISED that violations of the Ski Area Safety Act may lead to administrative, civil, and criminal sanctions.

RESPONDENT IS FURTHER ADVISED that under section 20(3) of the Ski Area Safety Act, a maximum fine in the amount of \$50 per violation may be imposed for violations of the Ski Area Safety Act.

RESPONDENT IS FURTHER ADVISED that under section 20(1) of the Ski Area Safety Act a person who violates this act, or a rule or order promulgated or issued pursuant to this act is guilty of a misdemeanor.

RESPONDENT IS FURTHER ADVISED that the Department will refer this matter to the local police and fire authorities and the local prosecuting attorney for review and possible action against Respondent, which may include criminal sanctions.

This order shall take effect on the date signed as set forth below.

DEPARTMENT OF LICENSING AND
REGULATORY AFFAIRS

Keith Lambert

By: Keith Lambert, Director
Bureau of Construction Codes

Date: 3-13-2019