

**STATE OF MINNESOTA COUNTY
OF PENNINGTON**

TEMPORARY WATERCRAFT “NO-WAKE” ORDINANCE

AN ORDINANCE REGULATING THE USE OF WATERCRAFT ON WATERWAYS WITHIN PENNINGTON COUNTY.

Be it ordained and enacted by the Pennington County Board of Commissioners, State of Minnesota, that these amendments following, by this act, hereby replace and nullify those like numbered clauses now existing and a part of the Watercraft Ordinance, or are newly enacted sections which, upon their enactment, become a Temporary Watercraft Ordinance.

Section 1: PURPOSE, INTENT AND APPLICATION: As authorized by Minnesota Statutes 86B.201, 86B.205, and 459.20, as now in effect and as hereafter amended, this Ordinance is enacted for the purpose and with the intent to control and regulate the use of specific waters in Pennington County, Minnesota, said bodies of water being located entirely within the boundaries of Pennington County, to promote its fullest use and enjoyment by the public in general and the citizens of Pennington County, in particular: to deter nutrient enrichment which leads to algae blooms; to reduce internal loading which is the resuspension of nutrients into the water column and in shallow lakes and rivers is caused by wave action and boat traffic; to reduce active resuspension of sediment from the bottom of the river and erosion of river banks; to reduce erosion and damage to the shoreline; to insure safety for persons and property in connection with the use of said waters; to harmonize and integrate the varying uses of said waters; and to promote the general health, safety, and welfare of the citizens of Pennington County, Minnesota.

Section 2: ADOPTION AND INCORPORATION BY REFERENCE OF MINNESOTA WATERS AND WATERCRAFT SAFETY LAWS, AND BOAT AND WATER SAFETY RULES PROMULGATED BY THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES: The Minnesota Waters and Watercraft Safety Laws, Minnesota Statute, Section 86B.001, as they now exist and are hereafter by the State of Minnesota Department of Natural Resources, Minn. Rules parts 6110-0100-2300 as the same now exist and are hereafter amended, are hereby adopted, incorporated herein by reference, and made a part hereof as if set forth in their entirety. At least three copies of said Waters and Watercraft Safety laws and Boat and Water Safety Rules and Regulations, so adopted, shall be marked as official copies and filed in the office of the County Auditor along with this Ordinance.

Section 3: VIOLATIONS OF THE MINNESOTA WATERS AND WATERCRAFT SAFETY LAWS, AND BOAT AND WATER SAFETY RULES PROMULGATED BY THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES: Any person violating the Minnesota Waters and Watercraft Safety

Laws, and the Boat and Water Safety Rules and Regulations promulgates by the Minnesota Department of Natural Resources, adopted and incorporated herein by reference, shall be subject of the penalties and punishment hereinafter provided.

Section 4: Definitions:

- A. "Operate" means to navigate or otherwise use a watercraft.
- B. "Person" means an individual, partnership, corporation, the state and it's agencies and subdivisions, and any other legal entity.
- C. "Slow-no wake" means operations of a watercraft at the slowest possible speed necessary to maintain steerage, but in no case greater than five miles per hour.
- D. "Watercraft" means as defined in §M.S.A. 86B.005, Subd. 9, Subd. 14a, Subd. 18 and Subd.18a.

Section 5: REGULATIONS: No person shall operate a watercraft at greater than a slow-no wake speed on the following:

- A. Beginning at Long's Bridge on the Thief River in Pennington County, Minnesota and continuing along the Thief River in a northerly direction to the northern Pennington County border line on said Thief River all located in Pennington County, Minnesota.

Section 6: ENFORCEMENT: The enforcement of this Ordinance shall be the primary responsibility of the Pennington County Sheriff's Office. Other licensed peace officers including Conservation Officers of the Department of Natural Resources of the State of Minnesota are also authorized to enforce this ordinance.

Section 7: All authorized Resource Management, Emergency and Enforcement Personnel, while acting in the performance of their assigned duties are exempt from the foregoing restrictions.

Section 8: It shall be the responsibility of Pennington County to provide for adequate notification of the public, which shall include placement of a sign at public watercraft launching facilities designated by Pennington County outlining essential elements of the ordinance, as well as the placement of necessary buoys and/or signs.

Section 9: PENALTIES: Any person who shall violate any of the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof, may be punished as provided by Minnesota Statutes §86B.811, as amended.

Section 10: EFFECTIVE DATES: This Ordinance shall be in full force and effect from and after the date of its passage and publication until November 1, 2018 unless sooner modified.

Dated: _____, 2018

PENNINGTON COUNTY BOARD OF COMMISSIONERS

By: _____
Chairman, Pennington County Board of Commissioners

ATTESTED TO:

Dated: _____, 2018

By: _____
Clerk of Pennington County Board of Commissioners

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