

City of Lake Elmo Ordinance 08-074 (Proposed)

 **(Re-Created and Amended to Read As Follows)**

§ 97.21 WATERCRAFT AND WATER SURFACE USE REGULATIONS.

The following regulations shall apply to the use of watercraft on lakes entirely within the city limits, to the use of a lake entirely within the city limits, and to the use of ice surfaces on lakes entirely within the city limits.

(A) *Hours of operation-*

(1) *Normal conditions.* No person shall operate any motorboat at a speed greater than a slow, no-wake speed as defined by M.S. § 86B.005 between sunset and sunrise the following day.

(2) *High water conditions.* No person shall operate any motorboat at greater than a slow, no-wake speed as defined by M.S. § 86B.005 whenever the lake level of Lakes Olson and Demontreville is above 929.7 feet above sea level (MSL) for five consecutive days. This restriction will remain in effect until the water level drops below 929.7 feet, and remains there for five consecutive days.

(B) *Operating regulations.* No person shall operate any watercraft in violation of the provisions of this code, or in violation of the provisions of M.S. Chapter 86B or Minnesota Boat and Water Safety Rules (6110.0100-6110.2300) which statutes and rules are hereby adopted and incorporated herein. In the event of a conflict between the various city and state regulations, the more restrictive regulation shall apply.

(C) *Permanent “slow - no wake: areas.* The channels and narrows between Lake Olson and Lake Demontreville are hereby designated as permanent “slow - no wake” areas and appropriate signs or buoys meeting the specifications found in Minn. Rules 6110.1500 shall be posted.

(Am. Ord. 97-150, passed 3-1-2005; Am. Ord. 08-014, passed 5-19-2009; Am. Ord. 08-050, passed 7-19-2011; Am. Ord. 08-50, passed 11-1-2011; Am. Ord. 2012-58, passed 7-17-2012) [Penalty, see § 10.99](#)

 **(Re-created and Amended to Read As Follows)**

§ 97.22 WINTER LAKE USE REGULATIONS.

(A) *Clean-up.* Ice house owners are responsible for clean-up of trash within 25 feet of the house.

(B) *Ice fishing holes.* No person shall leave holes in the lake larger than 1 foot in diameter unless the holes are visibly marked for day and night.

(C) *Fires.* No person shall have an open fire on the ice surface of a lake.

(1997 Code, § 1380.04) [Penalty, see § 10.99](#)

(97.23 is Proposed to Be Stricken in Its Entirety)

~~§ 97.23 PROHIBITED STRUCTURES AND USES.~~

~~(A) — *Lake activities.* Motorboat races, tournaments, ski jumps, slalom courses, or other competition or exhibition events are allowed only as specifically authorized by state statutes and rules, the Washington County Sheriff, and the City Council. Notice shall be provided to the City Council.~~

~~(B) — *Fee for lake use.* Unless specifically authorized by the Council, and unless consistent with the city's zoning regulations, no riparian lot owner shall offer the use of their property for a fee or other consideration:~~

~~(1) — As ingress or egress to a lake;~~

~~(2) — For watercraft rental;~~

~~(3) — For swimming, skiing, or watercraft lessons;~~

~~(4) — For a watercraft launch site; and/or~~

~~(5) — For any ancillary water or ice related use.~~

(1997 Code, § 1380.06) (Am. Ord. 2012-58, passed 7-17-2012)