

CITY OF LAKE ELMO  
COUNTY OF WASHINGTON  
STATE OF MINNESOTA  
ORDINANCE 2012-58

AN ORDINANCE AMENDING 97.21 WATERCRAFT AND WATER SURFACE  
REGULATIONS AND 97.23 (A) PROHIBITED STRUCTURES AND USES

§ 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) *Dumping.* No person shall dump or throw garbage, paper, bottles, cans, refuse, or debris into any lake or on the shore of any lake or in any public area around any lake in the city.

(B) *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 MN Statute 86B.005 between sunset and noon the following day with the exception of Lake Jane, where the slow no-wake speed is in effect between sunset and 9:00 a.m. on the following day.

(2) *High water conditions.* No person shall operate any motorboat at greater than a slow, no-wake speed as defined by MN Statute 86B.005 whenever the lake level of Lakes Olson and Demontreville is above 929.7 feet above sea level (MSL) for five (5) consecutive days. This restriction will remain in effect until the water level drops below 929.7 feet, and remains there for **five (5) consecutive days**.

(C) *Operating regulations.* No person shall operate any watercraft in violation of the provisions of this code, or in violation of the provisions of Minnesota Statutes, 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.

(D) *Buoys.* No person shall place a buoy on a lake unless the buoy is specifically authorized by the City Council and the Washington County Sheriff.

(E) *Operation.* All motorboats, operating in excess of a slow, no-wake speed shall operate in a counter clockwise direction. Personal watercraft engaging in constant turning activity shall confine that activity to the center of the lake.

(F) *Non-public lake access.* No person, except riparian owners, shall launch a watercraft or gain access to or egress from a lake other than at a designated public access point

except in the case of any emergency or except with the written permission of the riparian lot owner. A person who has written permission to launch a watercraft from a riparian lot shall park their vehicle(s) and trailer(s) on the lot of the riparian owner. Riparian lot owners who grant permission to use their property as a launch site shall otherwise comply with all of the land use regulations of the city.

(G) *Public launching areas.* Except as noted in (F) no person shall launch a watercraft or gain access to or egress from a lake except from a public right-of-way or other public park area in those locations specifically designated and posted for the purpose.

(H) *Non-motorized carry-on access.* A person may access any public waters through public land with a hand-carried non-motorized watercraft in accordance with MN Statutes 86B.201, Subd.3.

(I) *Safe operating distance.*

(1) No person shall operate or permit the operation of a personal watercraft per Minnesota Statutes, Chapter 86B.313, in excess of slow, no-wake speed, within 150 feet of a shoreline.

(2) Launching or landing a personal watercraft or towing a person on skis or other devices must be done by using the most direct route to or from open water.

(J) *Non-motorized watercraft.* A non-motorized watercraft has the right-of-way over motor-powered watercraft except when it is the overtaking watercraft. Motor-powered watercraft should always keep clear and pass astern on non-motorized watercraft (MN Rule 6110.1200, Sub. 1, D)(1997 Code, § 1380.03)

(K) *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 MN Rules 6110.1500 shall be posted.

## **§ 97.23 PROHIBITED STRUCTURES AND USES.**

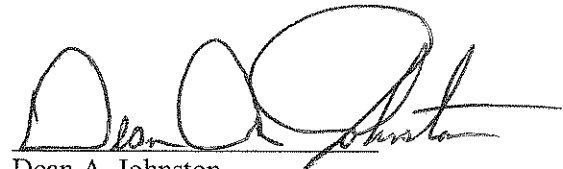
(L) *Lake Activities.* Motorboat races, tournaments, ski jumps, slalom courses, or other competition or exhibition events are allowed only as specifically authorized by State Statutes and Rules, the Washington County Sheriff, and the City Council. Notice shall be provided to the City Council.

Penalty – See 10.99


**Section 2: Effective Date:** This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance as provided by Minn. Stat. § 412.191, Subdivision 4.

**ADOPTION DATE:** Adopted by Lake Elmo City Council on the seventeenth day of July 2012.

CITY OF LAKE ELMO

  
Dean A. Johnston  
Mayor


Attest:

  
Sandie Thone  
City Clerk

This Ordinance 2012-58 was published on the 25<sup>th</sup> day of July 2012.

#### CERTIFICATION

I hereby certify that the foregoing Resolution is a true and correct copy of a resolution presented to and adopted by the Council of the City of Lake Elmo at a duly authorized meeting thereof held on the seventeenth day of July 2012, as shown by the minutes of said meeting in my possession.

  
Sandie Thone  
City Clerk

(Seal)