

ORDINANCE NO. 47

AN ORDINANCE REGULATING SURFACE USE AND TRAFFIC UPON THE WATERWAYS LOCATED WITHIN GREY CLOUD ISLAND TOWNSHIP.

THE TOWN BOARD OF SUPERVISORS OF GREY CLOUD ISLAND TOWNSHIP, WASHINGTON COUNTY, MINNESOTA, DOES ORDAIN:

Section 1. Purpose, Intent and Application.

As authorized by Minnesota Statutes 86B.201, 86B.205 and 459.20, as now in effect and hereafter amended, this Ordinance is enacted for the purpose and with the intent to control and regulate the use of waters of Grey Cloud Island Township in Washington County, Minnesota, said bodies of water being located entirely within the boundaries of Grey Cloud Island Township, to promote its fullest use and enjoyment by the public in general and the citizens of Grey Cloud Island Township in particular; to ensure safety for the 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 Grey Cloud Island Township, 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 M.S.86B.001, et seq., as they now exist and are hereafter amended by the State of Minnesota Department of Natural Resources, Minnesota Rules Parts 6110.0100-.2300, as the same now exist and are hereafter amended, are hereby adopted, incorporated by reference, and made part hereof as if fully set forth in their entirety. At least three copies of said Minnesota 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 Township Clerk, Grey Cloud Island Township along with this Ordinance.

Section 3. Violations of the Minnesota Waters and Watercraft Safety Laws, and Board 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 Promulgated by the Minnesota Department of Natural Resources, adopted and incorporated herein by reference, shall be subject to the penalties and punishment as hereinafter provided.

Section 4. Definitions.

For the purpose of this Ordinance, the following terms shall be defined and construed as follows:

- (1) "Moore Lake" shall be that body of water as is delineated and set forth on the official map of Grey Cloud Island Township as "Moore Lake" or "Mooers Lake", copies of which are available from the Township Clerk and at least three copies of which are marked as official copies and are filed of record in the office of the Township Clerk along with this Ordinance.
- (2) "Grey Cloud Channel" shall mean that body of water which is delineated and shown on the official maps of Grey Cloud Island Township as Grey Cloud Channel or Grey Cloud Slough. Said maps are hereby adopted and incorporated by reference; and at least three copies thereof are on file and marked as official copies in the office of the Township Clerk, Grey Cloud Island Township.
- (3) "Motorboat" is any watercraft propelled in any manner by machinery including watercraft temporarily equipped with detachable motors.
- (4) "Slow-no-wake speed" is the slowest possible speed necessary to maintain steerage but not greater than 5 miles per hour.

Section 5. Use Regulations and Limitations.

- A. On the surface of Moore Lake no motorboat shall be operated at greater than a slow-no-wake zone speed within 50 feet of the shoreline. No watercraft towing a person on water skis, aqua plane or similar device shall be operated at any time in a slow-no-wake zone; provided, however, that any watercraft launching or landing a person on water skis, aqua plane or similar device by the most direct route to open water or shore shall be exempt from these subsections.
- B. On all other waterways within Grey Cloud Island Township, except the main channel of the Mississippi River, no motorboat shall be operated at a greater than slow-no-wake speed at any time.
- C. On all waterways within Grey Cloud Island Township, no ski/slalom courses shall be allowed to be temporarily or permanently set up or established.
- D. No person shall anchor or beach any watercraft on, or enter upon any property not owned by that individual unless the individual has written permission from the owner or legal occupant of such property in his possession, or unless such person is in the immediate presence of and has the permission and consent of the owner or legal occupant of such property.

- E. Except in established marinas, or as may be authorized by permit from the Town Board, no person shall construct or maintain any dock or structure which protrudes more than 35 feet from the shoreline or more than 25% of the width of the channel (whichever is less), at the point such dock exists, or is constructed.

Section 6. Enforcement.

The enforcement of this Ordinance shall be the primary responsibility of the Grey Cloud Island Township Police Department. Other licensed peace officers, including the Washington County Sheriff's Department and the Conservation officers of the Minnesota Department of Natural Resources are also authorized to enforce this ordinance.

Section 7. Exemptions.

All authorized resource management, police, fire and ambulance emergency and enforcement personnel, while acting in the performance of their assigned duties are exempt from the foregoing restrictions.

Section 8. Penalties.

Any person who shall violate any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof, be punished by a fine of not more than \$700.00 or by imprisonment of not more than 90 days, or both.

Section 9. Effective Date.

This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Section 10. Repeal.

Ordinance No. 35 of Grey Cloud Island Township is hereby repealed.

Passed by the Town Board Supervisors Grey Cloud Island Township this 14th day of April, 1997.

Elisabeth Mc Eathron
Town Board Chair

Attest:
Richard E. Mullen, Town Clerk