Office of County Recorder
Chisago County, Minnesota
Fee $0.00
Pages: 6
Certified, filed and/or Recorded on: April 28, 2015 2:34 PM
Lee Olson, County Recorder
Well Certificate [ ] Received
Doc # A577046
Received from: CHISAGO COUNTY ADMINISTRATOR
Returned To: CHISAGO COUNTY ADMINISTRATOR

ORDINANCE NO. 15/0415-1

AN ORDINANCE REGULATING THE USE OF WATERCRAFT ON WATERWAYS WITHIN CHISAGO COUNTY

Be it ordained and enacted by the Chisago County Board of Commissioners, State of Minnesota, that the following ordinance, by this act, hereby replaces and nullifies, in its entirety, Chisago County Ordinance Number 07-5 Regulating the Operation of Watercraft and upon its enactment, becomes the new ordinance regulating the use of watercraft on waterways within Chisago County.

Section 1: Authority

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 the waters in Chisago County, Minnesota, said bodies of water being located entirely within the boundaries of Chisago County, to promote its fullest use and enjoyment by the public in general and the citizens of Chisago County, in particular; 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 Chisago County, Minnesota.

Section 2: Purpose and Intent

It is the purpose of this ordinance to control and regulate the use of certain lakes in Chisago County and to protect public health, safety and welfare through the following objectives:

A. Minimize conflicts between uses while promoting fullest use, safety and enjoyment by the public in general and citizens of Chisago County of the lakes in Chisago County.

B. Insure safety for persons and property in connection with use of watercraft on lakes.

C. Harmonize and integrate the varying uses of lakes in Chisago County.

D. Minimize adverse impacts on lakes and their shorelands during times of high water.

E. Preserve and enhance the quality of the lakes in Chisago County.

F. Conserve and protect the economic, natural and scenic beauty, and environmental values of lake shoreland.

G. Provide for safe and wise use of lakes.

H. Protect and preserve natural resources and to maintain the high standard of environmental quality in Chisago County.

It is the intent of Chisago County with this ordinance to:

A. Apply equally to lakes in Chisago County.

B. Be consistent with the provisions and standards of Minnesota Statutes and Rules; and Chisago County ordinances and regulations.

Section 3: Definitions

The following words and phrases when used in this ordinance have the meanings set forth below:

A. "**High Water**" means water elevations at or exceeding the Ordinary High Water Level elevation established by the Minnesota Department of Natural Resources for each specific lake.

B. "**Lake Identification Number**" is the unique number assigned by the Minnesota Department of Natural Resources which identifies a specific lake or bay.

C. "**North Channel**" commonly known as North Channel Flowage with the westerly point being the County Road 20 bridge at North Lindstrom Lake and the Flowage Connection easterly point being the channel entrance on North Center Lake.

D. "**Ordinary High Water Level**" (OHWL) as defined in Minnesota Statutes 103G.005, subdivision 14 (1), means the boundary of water basins, watercourses, public waters, and public water wetlands, and the ordinary high water level is an elevation delineating the highest water level that has been maintained for a sufficient period of

time to leave evidence upon the landscape, commonly the point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial.

E. "**Operate**" as defined in Minnesota Statute 86B.005, Subd. 10, means to navigate or otherwise use a watercraft.

F. "**Person**" as defined in Minnesota Statute 86B.005, Subd. 14, includes an individual, partnership, corporation, or any body of persons, whether incorporated or formed into an association or not.

G. "**Slow No Wake**" as defined in Minnesota Statute 86B.005, Subd. 16a, means operation of a watercraft at the slowest possible speed necessary to maintain steerage, but in no case greater than five miles per hour.

H. "**Watercraft**" as defined in Minnesota Statute 86B.005, Subd. 18, means any contrivance used or designated for navigation on water, except (1) a waterfowl boat during the waterfowl hunting seasons; (2) a rice boat during the harvest season; or (3) a seaplane.

I.

Section 4: Lake Name, Lake Identification Number, DNR established Ordinary High Water Level elevation or surveyed elevation reading or mark (if Pioneer Lake Ordinary High Water Level is not determined)

Lake	**Lake Identification Number**	**Ordinary High Water Level elevation (feet above sea level)**
Chisago	13001200	900.2
Comfort	13005300	887.2
Fish	13006800	916.4
Goose (north)	13008301	916.5
Goose (south)	13008302	916.5
Green	13004102	892.5
Horseshoe	13007300	922.2
Kroon	13001300	902.6
Linn	13001400	900.2
Little	13003300	923.0
Little Comfort	13005400	887.2
Little Green	13004101	892.5
Little Horseshoe	13008000	922.2
Mandall	13007400	916.5
North Center	13003200	900.2
North Lindstrom	13003500	900.2
Pioneer	13003400	906.2

Rabour	13007900	916.5
Rush (east)	13006901	915.1
Rush (west)	13006902	915.1
School	13004400	884.0
South Center	13002700	900.2
South Lindstrom	13002800	900.2
Spider	13001900	913.8
Sunrise	13003100	875.2
Wallmark	13002900	898.0

Section 5: Regulations

A. Whenever the waters of a lake listed in Section 4 reach high water, it shall be unlawful for any person to operate a watercraft at a greater than a slow-no-wake speed within 300 feet of the shoreline of that lake.

B. Such restrictions shall become effective upon public notice including posting at all public water accesses.

C. The slow no-wake restriction shall be lifted once the water body has been 0.1 feet below the high water elevation for three consecutive days.

D. Regardless of water level, a person shall only operate watercraft at a slow-no-wake speed or less on the following:

1. Channel between Green Lake (13004102) and Little Green Lake (13004101).
2. Channel between Chisago Lake (13001200) and South Lindstrom Lake (13002800).
3. Channel between South Lindstrom Lake (13002800) and North Lindstrom Lake (13003500) including Moonlight Bay.
4. North Channel between North Lindstrom Lake (13003500) and North Center Lake (13003200).
5. Channel between North Center Lake (13003200) and South Center Lake (13002700).
6. Northwest bay of South Center Lake (13002700) abutting Neal Avenue in Lindstrom.
7. Channel between Rush Lake east (13006901) and Rush Lake west (13006902).
8. Narrow channel into a bay on the southeast end of Rush Lake west (13006902).
9. Channel on Rush Lake west (13006902) between Mattson's Landing and Wilson's Bay Island being 300 feet in each direction from a line being the shortest distance between the southerly point of Wilson's Island and Mattson's Landing.
10. Channel between Goose Lake north (13008301) and Goose Lake south (13008302).

11. Channel between Goose Lake south (13008302) and Mandall Lake (13007400).
12. Channel between Mandall Lake (13007400 and Rabour Lake (13007900).
13. Channel between Spider Lake (13001900) east bay and west bay.
14. Within 150 feet of the marked limits of the designated swimming beach on Fish Lake (13006800).
15. Within 150 feet of the marked limits of the designated swimming beach on South Lindstrom Lake (13002800).
16. Within 150 feet of the marked limits of the designated swimming beach on Chisago Lake (13001200).

E. No person shall operate a motorized watercraft on Bull Lake, DNR Public Water Wetland 13015400. Bull Lake is defined as the open water wetland area entirely surrounded by Allemstratt Wilderness Park. Bull Lake does not include the channel connecting North Center and North Lindstrom Lakes.

Section 6: Exemptions

All authorized Resource Management, Emergency and Enforcement Personnel, when acting in the performance of their assigned duties, shall be exempt from the provisions of this ordinance.

Section 7: Notification

The Chisago County Sheriff shall be responsible for posting notification at public accesses and marking areas affected by this ordinance as practicable. This includes placement of a sign at public water accesses outlining essential elements of the ordinance, and the placement of necessary buoys and signs. The Chisago County Sheriff shall post this information on the Chisago County web site and other locations as deemed necessary.

Section 8: Enforcement

The primary responsibility for enforcement of this ordinance shall be with the Chisago County Sheriff. This, however, shall not preclude enforcement of this ordinance by other licensed peace officers.

Section 9: Penalty

Each occurrence of a violation of Section 5 of this ordinance shall be a separate offense and any person who violates Section 5 shall be guilty of a misdemeanor and upon conviction may be sentenced to not more than 90 days in jail or a fine of not more than $1,000 or both.

Section 10: Effective Date

This ordinance shall become effective following its publication in the official newspaper of the County. Adopted by the Chisago County Board of Commissioners this 15th day of April, 2015.

Ordinance passed April 15, 2015

Richard Greene, Chair

Attest: _____
Chase Burnham
Interim Clerk of the Board

This Instrument was Drafted By:
Environmental Services Department
313 N. Main St., Rm. 243
Center City, MN 55012