

ORDINANCE #28

AN ORDINANCE RELATING TO THE SURFACE USE OF ANN LAKE, KANABEC COUNTY, MINNESOTA

Be it ordained and enacted by the Kanabec County Board of Commissioners, State of Minnesota, that this is Kanabec County Ordinance No. 28, to be entitled: An Ordinance relating to the surface use of Ann Lake, Kanabec County, Minnesota.

Section 1.: PURPOSE, INTENT AND APPLICATION: As authorized by Minnesota Statutes 86B.201, 86B.205 and 459.20, AND Minnesota Rules 6110.3000 - 6110.3800 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 of Ann Lake in Kanabec County, Minnesota, said bodies of water being located entirely within the boundaries of Kanabec County, to promote its fullest use and enjoyment by the public in general and the citizens of Kanabec 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 Kanabec County, Minnesota.

Section 2.: DEFINITIONS: Terms used in this ordinance related to boating are defined in M.S. § 86B.005.

Section 3.: There shall be and is hereby established a No Wake Zone on Ann Lake, Kanabec County, Minnesota, the area near and/or adjacent to the Department of Natural Resources Public Access at the southeast corner of Ann Lake, Kanabec County, Minnesota.

Section 4.: No one shall operate a watercraft in the area of the buoys near or within 400 feet of the Department of Natural Resources Public Access at the southeast corner of Ann Lake at a speed which causes a wake, or 5 knots, whichever is slower.

Section 5.: The Kanabec County Sheriff's Office shall place buoys in Ann Lake northwesterly from the Department of Natural Resources Public Access parallel to the eastern shoreline approximately 400 feet, and in Ann Lake west-northwesterly from the Department of Natural Resources Public Access approximately 400 feet.

Section 6.: ENFORCEMENT: The Primary responsibility for enforcement of this ordinance shall rest with the Kanabec County Sheriff's Department. This, however, shall not preclude enforcement by other licensed peace officers.

Section 7.: EXEMPTIONS: 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.: PENALTIES

Subd. 1. First offense in one year shall be guilty of a petty misdemeanor with a minor penalty of \$200.00.

Subd. 2. A subsequent violation with in a given year shall be guilty of a misdemeanor with a maximum penalty of a \$1,000 fine and 90 days in jail or both.

Section 9.: EFFECTIVE DATE: This Ordinance shall be in effect from and after May 1, 2005.