

ORDINANCE NO 42

WATER SURFACE USE ORDINANCE FOR
ST. LOUIS COUNTY, MINNESOTA

ARTICLE I

TITLE

WATER SURFACE USE ORDINANCE FOR ST. LOUIS COUNTY, MINNESOTA

ST. LOUIS COUNTY ORDINANCE NO. 42

An ordinance providing for the regulation of the operation of watercraft upon all waters situated wholly or partly within St. Louis County except for bodies of water situated entirely within the corporate limits of municipalities. This ordinance applies only to those portions of bodies of water within the boundaries of St. Louis County.

ARTICLE II

INTENT AND PURPOSE

The intent and purpose of this ordinance is to protect the safety of persons and property in connection with the use of the public waters in St. Louis County.

ARTICLE III

AUTHORITY

This ordinance has been adopted in accordance with Minnesota Statutes Sections 378.32; 394.25, Subdivision 2; 383C.425; 626.862; 375.53; and 394.37.

ARTICLE IV

DEFINITIONS

- Section 1. Statutory Definitions. For the purpose of this ordinance, the definitions found in Minnesota Statutes Section 361.02 are hereby incorporated by reference as though fully set forth herein.
- Section 2. Volunteer Rescue Squad. The St. Louis County Volunteer Rescue Squad means the St. Louis County Volunteer Rescue Squad, Inc., a nonprofit corporation existing under the laws of the State of Minnesota for the purpose of providing assistance to the office of the St. Louis County Sheriff in the performance of law enforcement duties pursuant to Minnesota Statutes

Section 383C.425.

ARTICLE V

WATER SURFACE USE REGULATION

The Minnesota Waters and Watercraft Safety Statute, Minnesota Statutes Chapter 361, with the exception of Minnesota Statutes Sections 361.12 and 361.121, are hereby incorporated by reference and made a part of this ordinance. The Boat and Water Safety Rules of the Minnesota Department of Natural Resources, Minnesota Rules 6110.0100-.2300, are hereby incorporated by reference and made a part of this ordinance. It shall be a violation of this ordinance for any person to violate the Minnesota statutes and rules incorporated herein.

ARTICLE VI

ENFORCEMENT

Section 1. St. Louis County Sheriff. The St. Louis County Sheriff shall be responsible for enforcement of this ordinance.

Section 2. St. Louis County Volunteer Rescue Squad. Members of the St. Louis County Volunteer Rescue Squad are authorized to issue citations in lieu of arrest for violations of any provisions of statutes and rules adopted by this ordinance.

ARTICLE VII

PENALTY

Any person who violates any provision of this ordinance shall, upon conviction, be punishable by a fine not to exceed \$700.

ARTICLE VIII

SEVERABILITY

Should the courts declare any section or provision of this ordinance to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or the validity of any ordinance part other than that section or provision declared to be unconstitutional or invalid.

ARTICLE IX

EFFECTUATION

This ordinance shall take effect and be in full force on the 16th day of May, 1989,

upon its adoption by the St. Louis County Board of Commissioners and its publication in the official newspaper(s) of St. Louis County as provided by Minnesota Statutes.

A public hearing was held by the St. Louis County Board of Commissioners on the 18th day of April, 1989.

Commissioner Prebich moved the adoption of this ordinance Commissioner Raukar duly seconded the motion, and the ordinance was adopted on the following vote:

Yeas: Commissioners Krueger, Kron, Lamppa, Lepak, Prebich, Raukar, and
Chairman Doty - 7

Nays: None

Absent: None

Gary L. Doty
Chairman of County Board

ATTEST:

Karen Erickson
Clerk of the County Board

Passed and approved by the St. Louis County Board on the 16th day of May, 1989.