

CHAPTER 5.**ENVIRONMENT****512. SURFACE USE OF LAKE INDEPENDENCE**

Section 512.01. Authority to regulate water surface use. Pursuant to Minnesota Statutes, sections 459.20, 471.59 and 86B.205, Medina has entered into a joint powers agreement with the city of Independence for the purpose of regulating the surface use of the body of water known as Lake Independence. This ordinance shall be effective after adoption and publication of this ordinance and after adoption of a similar ordinance by Independence. This ordinance shall remain in effect until repealed or until the joint powers agreement is terminated.

Section 512.03. Definitions.

Subd. 1. The terms used in this ordinance related to boating, including “slow no-wake,” shall have the meanings given to them in Minnesota Statutes, section 86B.005.

Subd. 2. “Lake Independence” means that body of water located in section 24, township 118, range 24, Hennepin County, Minnesota and designated by the Minnesota department of natural resources as lake #27-176.

Section 512.05. Slow no-wake zone on Lake Independence.

Subd. 1. Slow no-wake at high water level. Whenever the waters of Lake Independence reach or exceed 957.8 feet above sea level for a period of three consecutive days, as measured by the water level gauge set by the Minnesota department of natural resources on Lake Independence, the city administrator or designee, upon notifying the Hennepin county sheriff, shall establish a slow no-wake zone on those portions of the lake within Medina. No person shall operate a water craft, including aircraft except during landings and take-offs, in excess of slow no-wake speed on the entire lake when the high water slow no-wake restrictions are in effect. Both the implementation and removal of these restrictions must be done in coordination with action by the city of Independence.

Subd. 2. Effective date of no-wake regulation. A slow no-wake restriction shall become effective upon the date specified by the city administrator and shall remain in effect until the water level for the lake has receded below 957.8 feet above sea level for at least three consecutive days.

Section 512.07. Notification. The city administrator shall notify the public of both the implementation and removal of the no-wake restriction by publishing a notice in the city’s official newspaper, posting the restriction at all public lake access points within the city prior to and during the time the restriction is in place, posting the restriction at city hall, and by such other means as the city administrator determines to be reasonable.

Section 512.09. Exemption. Enforcement, resource management and emergency personnel, while in the performance of their official duties, are exempt from the provisions of this ordinance.

Section 512.11. Penalties. Any person convicted of violating this ordinance shall be guilty of a misdemeanor and shall be subject to a maximum fine or a maximum period of imprisonment, or both, as specified by Minnesota Statutes, section 609.03.

Section 512.13. Enforcement. The Hennepin county sheriff's department and special deputies appointed and sworn by the sheriff have primary responsibility for enforcing the provisions of this ordinance, but nothing herein shall preclude other licensed peace officers from enforcing this ordinance.

Amendment History of this Section

Adopted August 19, 2003 (Ord. 356).

Amended December 2, 2014 (Ord. 570). Amended Section 512.05 changing the slow no-wake zone during high water levels from within 250 feet of the shoreline to the entire lake.