

LAKE MINNETONKA CONSERVATION DISTRICT
STATE OF MINNESOTA

ORDINANCE NO. _____

AN ORDINANCE AMENDING WATERCRAFT AND PERSONAL
WATERCRAFT SPEED LIMITS UNDER THE LAKE MINNETONKA
CONSERVATION DISTRICT CODE OF ORDINANCESTHE BOARD OF DIRECTORS OF THE LAKE MINNETONKA CONSERVATION
DISTRICT ORDAINS:

Article I. Definitions. Article 1, Chapter 3, Section 1-3.01 of the LMCD Code is hereby amended by adding a new definition as follows and renumbering the subdivisions as needed:

Subd. . . Slow-No Wake. “Slow-no wake” means operation of a watercraft at the slowest possible speed necessary to maintain steerage, but in no case greater than five miles per hour.

Article II. Watercraft Speed Limits. Article 8, Chapter 2, Section 8-2.03, Subd. 1 of the LMCD Code is hereby amended as follows:

8-2.03. Watercraft Speeds.

Subd. 1. Limits. No person shall operate a watercraft on the Lake at a speed greater than is reasonable and prudent under the conditions and with regard to the actual and potential hazards then existing. In every event speed shall be so restricted as may be necessary to avoid colliding with any person, watercraft, or structure in or upon the Lake which is in compliance with legal requirements and the duty of all persons to use due care. No watercraft may be operated on the Lake at a speed in excess of the following limits:

- (a) Forty miles per hour during the daytime;
- (b) Twenty miles per hour during the nighttime;
- (c) Five miles per hour in the following areas:
 - (1) A quiet waters area established by this Chapter;
 - (2) Within ~~150~~ 300 feet of the shoreline; and
 - (3) Within ~~150~~ 300 feet of an authorized bathing area or swimmer, an authorized scuba diver’s warning flag, an anchored raft or watercraft, or a dock or pier except that from which a watercraft with a person in tow is being operated; and

(4) Areas posted with a five miles per hour limit.

(d) Ten miles per hour for a watercraft for hire in excess of 70 feet in length.

Subd. 2. Posting Limits. The Sheriff and the Executive Director may provide for the erection of signs at appropriate locations on the Lake to inform operators of watercraft of the speed limitations established by this chapter.

Subd. 3. Prima Facie Rule. Operation of watercraft in excess of the speeds set forth in this Section is prima facie evidence that the watercraft is being operated in a careless, reckless, or grossly negligent manner in violation of Section 8-2.01, subdivision 1.

Subd. 4. Exceptions. The speed limit provisions of this Section, and the other speed limit and no wake provisions of this Code, do not apply to law enforcement officers or to fire or rescue personnel operating a government watercraft while engaged in the performance of their duties in responding to an emergency, provided the watercraft is operated with due regard for the safety of others on the Lake. The provisions of this Section do not apply to seaplanes during takeoff or landing.

Article III. Personal Watercraft Speed Limit. Article 8, Chapter 3, Section 8-3.07 of the LMCD Code is hereby amended as follows:

8-3.07. Speed Limits.

Subd. 1. ~~150 Feet of the Shoreline~~. No person shall operate a personal watercraft at greater than slow-no-wake speed within ~~150~~ 300 feet of any shoreline, bathing area or swimmer, authorized scuba diver's warning flag, anchored boat raft or watercraft, person fishing, mooring, dock, or other water structure.

Subd. 2. ~~300 Feet of the Shoreline~~. ~~No person shall operate a personal watercraft at a speed in excess of five miles per hour or at a speed which results in more than a minimum wake between 150 feet and 300 feet of the shoreline, unless the personal watercraft is being driven perpendicular to the shoreline and to or from the nearest point of water 300 feet from the shoreline or parallel to the shoreline from one location to another in a manner which is not repetitive.~~

Article IV. Effective Date. This Ordinance is effective 30 days after the first day of publication.

Article V. Incorporation of Amendments. The LMCD Attorney is authorized to incorporate these amendments into the LMCD Code and is authorized to make such corrective changes as may be needed to correct formatting, maintain internal consistency, renumber sections, and as may otherwise be needed to implement the changes intended by this ordinance.

Article VI. Declaration. This enactment is adopted by a majority vote of all the members of the Board, has the effect of an ordinance, and is in effect on the first day of publication after adoption.

Adopted this ____ day of _____ 2022.

BY THE BOARD OF DIRECTORS

Gregg Thomas, Chair

ATTEST:

Dan Baasen, Secretary

Date of Publication: _____, 2022.

Effective Date: _____, 2022.

New material is double-underlined and deleted material is ~~stricken~~.