

ORDINANCE 247

AN ORDINANCE ADDING CHAPTER 4 – RENTAL WATERCRAFT – TO ARTICLE 7 OF THE CODE

The Board of Directors of the Lake Minnetonka Conservation District ordains:

Section 1 – Purpose.

Pursuant to the authority granted under Minnesota Statutes section 103B.641, this ordinance adds Chapter 4 to Article 7 to regulate rental of watercraft on Lake Minnetonka.

Section 2 – Amendment.

Article 7 of the LMCD Code is amended by adding the following as Chapter 4 – Rental Watercraft:

7-4.01. Watercraft Requirements. No person shall rent, or offer to rent, a Restricted Watercraft to another without a license issued from the LMCD. This code does not apply to Unrestricted Watercraft as defined in Code Section XX

7-4.02. Obtaining a License. Applications for a license to rent or operate a rental watercraft business on the Lake shall be submitted and processed as provided in Section 6-5.13.

7-4.03. Renewals. A renewal license is required for each year of operation and must be obtained by March 1st of each year.

7-4.04. Applicant and Watercraft Requirements. No person shall rent, or offer to rent, a watercraft to another unless the applicant and the watercraft complies with all of the following:

Subd. 1. Inspections. The watercraft must be inspected by the Hennepin County Sheriff. In order to pass inspection, the applicant and watercraft must meet the current inspection requirements. Upon passing the Hennepin County Sheriff's inspection, the watercraft must continue to operate in the same manner as at the time of inspection, including having available all of the equipment required at the time of inspection. Both the operator of the rental watercraft and license holder may be held responsible for the equipment or operation of the boat.

Subd. 2. Ladder. A watercraft with a freeboard of more than 1 foot or over 16 feet in length must contain a boarding ladder that enables a passenger to board the watercraft from the water in the event a passenger falls out of the watercraft.

Subd. 3. Safety Equipment. A rental watercraft shall contain any personal flotation devices, throwables, fire extinguishers, or other safety equipment required by LMCD or State of Minnesota code. An applicant for a rental license must hold all designations or licenses required to operate a business or provide services on the Lake.

Subd. 4. Launch Designation and Authority. At the time of application for any rental license under this Chapter, the applicant shall designate specific launch ramp or other facilities at which the watercraft will be launched, and where passengers will be embarked and disembarked. Licenses granted by the LMCD will designate specific launch ramps and docks where passengers will be embarked and disembarked, and no rental watercraft shall be launched and no passengers, except law enforcement personnel or employees, may be embarked or disembarked except at authorized locations designated by the LMCD rental watercraft license. If an applicant proposes to launch a watercraft or embark or disembark passengers at a launch located in a City that has an ordinance regulating watercraft rental at such launch, an applicant must get written permission from the City and submit such written permission with the rental license application.

7-4.05. Restrictions.

Subd. 1. Rental to Person Under Influence. No watercraft shall be rented or offered for rent to any person who is under the influence of alcoholic beverages or any other intoxicating substance.

Subd. 2. Intoxicating Substances. No person / pilot / rental operator shall directly or indirectly deal in, sell, or keep for sale on any rental watercraft carrying passengers any alcoholic beverages or intoxicating substances (including marijuana). No person shall provide or serve any liquids for the purpose of mixing with intoxicating liquor. A passenger on a rental watercraft may bring and consume alcoholic beverages provided such person is of legal age.

Subd. 3. Food and Nonalcoholic Beverages. No Licensee / person / or rental operator shall provide, directly or indirectly deal in, sell, or keep for sale on any rental watercraft any food or beverages without first obtaining a license or permit and requisite inspections from the Minnesota Department of Health or any other entity requiring a license, permit or inspection. A passenger on a rental watercraft that may bring and consume their own food and beverages.

Subd. 4. Overloading and Passenger Limit. No watercraft which has been rented shall be permitted to depart from the premises at which it was rented or operate on the Lake if it is loaded beyond its safe carrying capacity, stated passenger or weight capacity, or powered beyond its safe power capacity. In any event, no rental watercraft shall contain more than 20 occupants, including the pilot and passengers.

Subd. 5. Overnight Occupancy. No person shall rent or lease any watercraft for use as living quarters while it is in or upon the Lake. No person shall lease or rent any watercraft for overnight occupancy in or upon the Lake.

Subd. 6. Boat Length. No watercraft in excess of 30 feet shall be rented on the Lake.

Subd. 7. Passengers. Any renter or person operating a rental watercraft shall require that passengers on a rental watercraft conduct operations and activities on the watercraft in such a way as to not constitute a public nuisance on the watercraft or to interfere with the peaceful enjoyment of the Lake and of surrounding properties and shall not play or allow other passengers to play any live or amplified music or amplified voice at a level that interferes with the peaceful enjoyment of the Lake and of surrounding properties. The watercraft operator, any passenger, and the license holder may be held responsible for the equipment or operation of the boat.

Subd. 8. Residential Restrictions. At no time shall any rental watercraft load or unload passengers at any residential property located on the Lake, unless the rental watercraft is being operated for the personal use and enjoyment of the person who owns or is renting the residential property where the rental watercraft is being loaded or unloaded.

Subd. 9. Launch Delay. No person shall park or leave unattended a watercraft licensed for rental at a make-ready dock located at any public launch for greater than 20 minutes. This provision shall be in effect from Memorial Day to Labor Day.

Section 3 – Effective Date.

This ordinance becomes effective from and after its passage and publication.

Adopted this 28th day of August 2024 by the Board of Directors of the Lake Minnetonka Conservation District.

Ann Hoelscher, Chair

ATTEST:

Mike Kirkwood, Secretary