

Ordinance No. 25

[Harbor Regulations]

An Ordinance Establishing Harbor Limits and Prohibiting Nuisances Therein.

The Village Council of the Village of Medicine Lake ordains:

Section .01: **Harbor Limits**

The geographical and jurisdictional limits of any government unit in, on and over navigable waters in or adjacent to it shall extend to the harbor limits of any adjoining municipality or other governmental unit.

Section .02: **Primary Harbor Limit**

The area within 300 feet of the water line on the shore of any lake or other body of water in or adjacent to the governmental unit shall be known as the "Primary Harbor Limit."

Section .03: **Secondary Harbor Limit**

The area extending from 300 feet of the water line on the shore of any lake or other body of water in or adjacent to the governmental unit and to the harbor limits of an adjoining municipality or other governmental unit shall be known as the "Secondary Harbor Limit."

Section .04: **Jurisdictional Limit**

The Harbor limits of any governmental unit shall be deemed not to extend beyond a point half way between the shores of the body of water over which it has jurisdiction and the shores of the body of water located in another city or governmental unit.

Section .05: **Nuisances Prohibited**

No person shall commit or maintain a public nuisance in or upon the waters of any lake or other body of water within the jurisdiction of any governmental unit; nor, shall any person let, permit, or enable any other person to use any boat, dock, craft or structure, or portion thereof, knowing that it is intended to be used for committing or maintaining a public nuisance. No person shall wilfully prevent, hinder, oppose or obstruct a public official in the performance of his duty in carrying out the provisions of this ordinance, or in removing or abating a public nuisance.

Section .06: **Nuisances Defined**

A public nuisance is a crime, punishable as a misdemeanor, and consists in unlawfully doing an act or omitting to perform a duty, which act or omission shall:

Subsection 1: Injure or endanger the safety, health, or comfort of the public; or,

Subsection 2: Offend public decency, or,

Subsection 3: Unlawfully interfere with, obstruct, or tend to obstruct or render dangerous for use or passage, a body of water within the harbor limits.

Section .02: **Specific Public Nuisances Defined**

The term "Public Nuisance" shall be deemed to include the following:

Subsection 1: Anything declared to be a public nuisance by an ordinance of this governmental unit.

Subsection 2: The depositing of refuse, waste or other deleterious, poisonous or injurious substance within the harbor limits.

Subsection 3: The depositing of sewage within the primary harbor limits.

Subsection 4: The erection or maintenance of any dock or structure which interferes with, obstructs, or tends to obstruct or render dangerous for use the waters within the primary harbor limits.

Subsection 5: The failure to operate a boat or vessel in accordance with the provisions of Minnesota Statutes Annotated 361.01 to 361.21, inclusive, and Minnesota Statutes Annotated 361.41 to 361.50, inclusive, which statutes are hereby adopted and incorporated herein, and made a part hereof, as fully as if set forth completely.

Subsection 6: Water skiing or surf boarding within 50 feet of an occupied craft within the harbor limits; and any careless or reckless act on water skis or a surf board within the primary harbor limits.

Subsection 7: The overtaking and/or passing of any craft in a channel or narrow passage by the operator or any motor boat, speed boat, or of any vessel under power, so as to endanger other craft; and all craft shall proceed through all channels and narrow passages of water at safe speeds, otherwise the operator thereof shall be deemed to have committed a public nuisance.

Subsection 8: The failure to equip and maintain lights, and to have such lights lighted when the boat or vessel is operating within the harbor limits at night.

Subsection 9: Obstructing or interfering with passage of a boat or vessel through a channel or narrow water passageway.

Subsection 10: Operating a boat or vessel in a careless or reckless manner in or about a public swimming beach.

Subsection 11: Swimming in a channel, or jumping or diving from a channel bridge.

Section .08: **Penalty**

Any person violating any of the provisions of this ordinance shall be guilty of a misdemeanor and shall be punished by a fine of not to exceed one hundred dollars (\$100.00), or by imprisonment for a period not to exceed ninety (90) days.

As passed by the Council this 9th day of September, 1957.

A. T. Wentworth, Mayor

Attest: E. S. Jonak, village clerk