



**Olmsted County Code of Ordinances  
Chapter 3600 Surface Use of Lake Zumbro Ordinance**

Olmsted County MN

Updated \_\_\_/\_\_\_/2016

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**OLMSTED COUNTY**  
**ORDINANCE REGULATING THE SURFACE USE OF LAKE ZUMBRO.**

**WHEREAS**, the Board of Commissioners of Olmsted County has authority to adopt an ordinance regulating the surface use of waters within its boundaries, pursuant to Minnesota Statute §86B.201 and §86B.205, and,

**WHEREAS**, the said Board of Commissioners determines that it is in the best interest of the citizens of Olmsted County to adopt such an ordinance to promote the health, safety, and welfare of its citizens,

**NOW THEREFORE**, after public hearing duly noticed, the Board of Commissioner of Olmsted County, Minnesota, does ordain:

**3601: PURPOSE, INTENT AND APPLICATION:**

As authorized by Minnesota Statutes §86B.201, §86B.205, and Minnesota Rules 5110.3000-6100.3800 as now in effect and as hereafter amended, this Ordinance is enacted for the purpose and with the intent to control and regulate the use of the waters of Lake Zumbro in Olmsted County Minnesota said bodies of water being partially located within the boundaries of Olmsted County, to promote its fullest use and enjoyment by the public in general and the citizens of Olmsted County in particular; to insure safety for persons and property in connections with the use of said waters; to harmonize and integrate the varying uses of said waters; and to promote the general health, safety, and welfare of the citizens of Olmsted County, Minnesota.

**3602: SURFACE ZONING OF LAKE ZUMBRO BY RESTRICTING SPEEDS DURING CERTAIN SURFACE WATER LEVELS:**

a. Upon the surface water level obtaining 915.6 feet MSL or above, the entire water surface shall become a slow, no wake zone, and no surface craft shall travel at such a speed as to create a wake.

b. Upon the surface water level dropping to 915.3 feet MSL or below, slow, no wake zone, shall expire.

c. The surface water level measurements shall be read at the dam site located on the north end of the lake and as recorded at Rochester Public Utilities lake level monitor computer at Rochester Public Utilities Operation Center, or such other place as the Rochester Public Utilities monitor shall, from time to time, be located. Surface water measurements shall be posted on the Rochester Public Utility website and the wake zone status shall be posted on the Olmsted County Sheriff's Department website.

**3603: ENFORCEMENT:**

The enforcement of this Ordinance shall be the primary responsibility of the Olmsted County Sheriff’s Department. Other licensed peace officers including Conservation Officers of the Department of Natural Resources of the State of Minnesota are also authorized to enforce this ordinance.

**3604: EXEMPTIONS:**

All authorized Resource Management Emergency and Enforcement Personnel, while acting in the performance of their assigned duties are exempt from the foregoing restrictions.

**3605: NOTIFICATION:**

It shall be the responsibility of Olmsted County to provide for adequate notification of the public which shall include placement of a sign at each public watercraft launching facility outlining essential elements of the ordinance.

**3606: PENALTIES:**

Any person who shall violate any of the provisions of this Ordinance shall be guilty of a petty misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than three hundred dollars (\$300.00) or such other maximum amount as the laws relating to maximum penalties for petty misdemeanors shall from time to time permit.

**3606.1 ENFORCEMENT OF VIOLATIONS AND APPEALS.** Except as otherwise provided by Minnesota law, the procedures which must be followed in the event a) an exception or variance to any provision of this ordinance is sought where no process for an exception or variance has been spelled out in this ordinance, b) a violation of any provision of this ordinance occurs, or c) an appeal of a notice of violation is sought shall be governed by the Olmsted County Administrative Enforcement and Appeals Ordinance set forth in Chapter 4000 of the Olmsted County Code of Ordinances.

**3607: EFFECTIVE DATE:**

The 2016 changes to this ordinance shall take effect 30 calendar days following the approval of the new County Administrative Enforcement and Appeals Ordinance by the Olmsted County Board of Commissioners and publication pursuant to law, or January 1, 2017 whichever is later.

Passed by the Olmsted County Board of Commissioners this \_\_\_\_ day of \_\_\_\_\_, 2016.

OLMSTED COUNTY BOARD OF COMMISSIONERS

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Stephanie Podulke, Chairperson

ATTEST:

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Richard G. Devlin, Clerk Administrator

End of Chapter - 3600 Surface Use of Lake Zumbro Ordinance