

**CLEAR LAKE TOWNSHIP  
SHERBURNE COUNTY, MINNESOTA**

**Ordinance No. ORD-2003-003**

**An Ordinance Regulating  
Water Surface Use**

**The Town Board of the Township of Clear Lake, County of Sherburne, State of Minnesota, ordains as follows:**

**Section 1: PURPOSE, INTENT AND APPLICATION:** As authorized by Minnesota statues 86B.201, 86B.205, and 459.20, AND Minnesota Rules 6110.3000-6110.3800 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 waters of Elk Lake in the Township of Clear Lake Minnesota, said the bodies of water being located entirely within the boundaries of Clear Lake Township to promote its fullest use and enjoyment by the public in general and the citizens of Clear Lake Township in particular; to insure safety for persons and the property in connection with the use of said waters; to harmonize and integrate the varying uses of said water; and to promote the general health, safety and welfare of the citizens of Clear Lake Township, Minnesota.

**Section 2: DEFINITIONS:** Terms used in this ordinance related to boating are defined in M.S. 86B.005.

**Section 3: SURFACE ZONING: OF BRIGGS LAKE CHAIN BY RESTRICTING SPEEDS DURING CERTAIN HOURS:**

(A) Slow-no wake speed 24 hours per day when the lake level on The Briggs Lake Chain exceeds 964.2 feet as measured at the gauge located at Briggs Lake Public Access. Such restrictions shall become effective upon publication in a local newspaper as a news item or on a specific date, whichever is later. All public watercraft accesses shall be posted prior to and during the time restrictions are in place. In addition, notice of said restrictions shall also be posted at the Clear Lake Town Hall.

(B) When high water levels have subsided and have remained below an elevation of 964.2 feet above mean sea level for three (3) consecutive days, said restrictions shall be promptly moved.

**Section 4: ENFORCEMENT:** The primary responsibility for enforcement of this shall rest with the Sherburne County Sheriff's Department. This, however, shall not preclude enforcement by other licensed peace officers.

**Section 5: EXEMPTIONS:** All authorized resource management, Emergency and Enforcement Personnel, while acting in the performance of their assigned duties are exempt from the foregoing restrictions.

**Section 6: NOTIFICATION:** It shall be the responsibility of the Clear Lake Township and Briggs Lake Chain Assn. to provide for adequate notification of the public, which shall include placement of a sign at each public watercraft access outlining essential elements of the ordinance, as well as the placement of necessary buoys and signs.

**Section 7: PENALTIES:** Any person who shall violate any of the provisions of this ordinance shall be guilty of a Misdemeanor.

**Section 8: EFFECTIVE DATE:** This ordinance shall be in effect from and after the date of its passage and publication.

Passed by the Clear Lake Town Board Supervisors on this 20<sup>th</sup> day of May 2003.

Debra Seeley, Clerk

**HISTORY:** According to Ordinance No. ORD-2013-007 adopted September 17, 2013: Ordinance No. 4 WATER SURFACE USE adopted May 20, 2003 shall be designated Ordinance No. ORD-2003-003.

This renumbered ordinance has been reviewed and approved by the Town Board of Clear Lake Township this 17<sup>th</sup> day of September, 2013.

By: [Signature]  
Chairman of the Board  
Gary Gray

Attest: [Signature]  
Clear Lake Township Clerk  
Mary Mathison



Passed by the Clear Lake Township Board this 17<sup>th</sup> day of September, 2013.

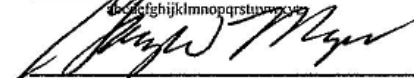
Published in the Sherburne County Citizen the 28<sup>th</sup> day of September, 2013.

*Affidavit of Publication*

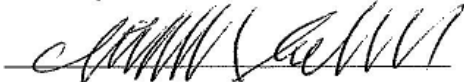
SHERBURNE COUNTY CITIZEN  
Becker Minnesota 55308  
State of Minnesota  
County of Sherburne

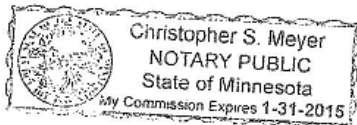
Gary Meyer, being duly sworn on oath says: that he is now and during all the time herein stated has been Gary Meyer, the publisher and printer of the newspaper known as the *Sherburne County Citizen*, and has full knowledge of the facts herein stated. That for more than one year prior to the publication therein of CLEAR LAKE TOWNSHIP NOTICE OF ADOPTED ORDINANCE NO. ORD-2013-007 printed here-to attached, said newspaper was printed and published in the English language from its known office of publication within the County of Sherburne, State of Minnesota, on Saturday of each week in the column and sheet form equivalent in space of 450 running inches of single column 2 inches wide; has been issued from a known office established in said place of publication equipped with skilled workers and the necessary material for preparing and printing the same: The *Sherburne County Citizen* has had in its makeup not less than twenty-five (25) percent of its news column devoted to local news of interest to said communities and purports to serve, the press work of which has been done in its known place of publication, has contained general news, comments and miscellany, has not duplicated any other publication; has not been entirely made up of patents, plate matter and advertisements; has been circulated at and near its said place of publication to the extent of 500 copies regularly distributed without charge to local residents; that herein has been on file with the office of the Minnesota Secretary of State the affidavit of a person having firsthand knowledge of the facts constituting its qualification as a newspaper for publication of legal notices; and that its publishers have complied with all demands of said office for proofs of its said qualification. A copy of each issue has been filed with the State Historical Society, St. Paul, Minnesota. That the printed CLEAR LAKE TOWNSHIP NOTICE OF ADOPTED ORDINANCE NO. ORD-2013-007 hereto attached as a part hereof was cut from the columns of said newspaper, was published therein in the English language once a week for ONE successive weeks; that it was first published on the 28 day of SEPTEMBER 2013 and thereafter on Saturday of each week to and including the 28 day of SEPTEMBER 2013 and that the following is a copy of the lower case alphabet which is acknowledged to have been the size and kind of type used in the publication of said CLEAR LAKE TOWNSHIP NOTICE OF ADOPTED ORDINANCE NO. ORD-2013-007.

a b c d e f g h i j k l m n o p q r s t u v w x y z

  
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Gary Meyer, Publisher

Subscribed and sworn to me this 30 day  
of September, 2013

  
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**CLEAR LAKE TOWNSHIP  
ORDINANCE NO. ORD-2013-007  
COMBINE, RENUMBER AND/OR  
REPEAL PREVIOUS ORDINANCES**  
On September 17th, 2013, the Clear Lake Town Board adopted Ordinance No. ORD-2013-007 which is an ordinance to combine, renumber, and/or repeal previous ordinances. Copies of this ordinance are available on the website: <http://www.clearlaketownship.org/ordinances.html> or during any regular Town Board meeting held on the third Tuesday of every month at 7:00 pm.  
Mary Mathison  
Clear Lake Township Clerk  
(Published in the *Sherburne County Citizen*: 09/28/13.)