Official

Ordinance No. 54

TOWNSHIP OF STILLWATER

Adopting standards for marinas, defining marinas, requiring licenses and providing penalties for violation.

THE BOARD OF SUPERVISORS OF THE TOWN OF STILLWATER ORDAINS:

Section 1. Definitions

The following terms shall have the meanings hereinafter ascribed to them:

A. "Watercraft" means canoes, rowboats, inboard motor boats, outboard motor boats, sailboats, pontoon boats, airboats, houseboats, cruisers, yachts, prams and every type of craft used in or upon water.

B. "Marina" means the site or location where:
(1) Watercraft are available for hire, or
(2) Space for tying, anchoring, mooring, launching or docking of watercraft is provided for a consideration or rental.

Section 2. License Required

It shall be unlawful to operate a marina as defined herein unless a license is first obtained from the Board of Supervisors in the manner hereinafter provided.

Section 3. Application for License

Subdivision 1. Each application for license shall be accompanied by a filing fee of ~~$25~~ and include as exhibits, copies of all permits required by the State of Minnesota and the U.S. Corps of Engineers and a certificate that such permits have been issued and are in full force and effect at the time of making application for license.

Subdivision 2. Each application shall be accompanied by a written statement describing the land to be used in the marina, setting forth the names and addresses of the owners thereof, if different from the applicant, and shall describe the facilities which it is intended to provide for the users of the marina and shall include the number and type of watercraft to be docked, the dimension of docks and slips, a description of sanitary facilities to be made available to customers, and a description of all services to be provided.

Subdivision 3. If petroleum products are to be sold, the application shall be accompanied by a copy of the application for petroleum distributors license required by the State of Minnesota.

Subdivision 4. Each application shall be accompanied by a legible scale drawing ~~or print not less than one inch to twenty feet~~ showing the location of the area to be used in the business within the property boundaries of the property on which the marina is to be conducted, showing distances between the scale drawing of the area to be occupied by the business and the exterior property lines; also the location of all facilities, docks, slips, and roads.

Subdivision 5. It shall be a condition for issuance, continuance or renewal of license that all State statutes and regulations [illegible]

which shall be observed; that adequate provision is made for toilet and sanitary sewage facilities for users of the marina which facilities shall be separate and apart from those existing in any building used for residential purposes; that all structures are maintained in a safe condition so as not to endanger the health, life and limb of the users of the marina, or any other members of the public; and that all state statutes and county ordinances and all rules and regulations of any governmental entity having jurisdiction relating to pump out facilities, shall be complied with.

Section 4. Renewal and Termination of License

Each license shall be renewable annually on the anniversary date of the license and said license shall be renewed upon payment of an annual license fee of $25 subject to inspection and approval by the township building inspector. Any licensee who shall permit trash, refuse or waste to accumulate on the licensed premises shall be notified in writing by the building inspector that unless such condition is corrected within 30 days, his license shall be cancelled upon ten days further written notice. If such condition is not corrected within said 30 days, upon written report by the building inspector to the town clerk, the clerk shall mail by registered mail a notice to the licensee at the address stated in the license informing the licensee that the license shall terminate ten days from the date of such notice. Thereafter no license shall be granted for the same location except upon application as herein provided accompanied by a performance bond in the penal sum of $5,000.00 conditioned to pay all damages, costs and fines which may result from any violation of this ordinance.

Section 5. Empty Barrels Prohibited

After August 1, 1980, no empty metal container, drum or barrel shall be installed as a flotation device for any dock, wharf or floating structure, except boats, unless filled with some durable material such as styrofoam or comparable floatation product.

Section 6 Violations.

Any person, firm, or corporation who violates any provision of this ordinance, shall be guilty of a misdemeanor and shall be punished by a fine of $300 or 90 days imprisionment, or both. Each day that a violation is allowed to continue shall constitute a separate offense.

Section 7. Severability

If any provision of this ordinance shall be held by any court of competant jurisdiction to be invalid, all the remaining provisions shall, nevertheless, continue in full force and effect.

Section 8. Ordinances Repealed

Stillwater Township Ordinances 11, 20, and 21 are hereby repealed.

THE TOWN OF STILLWATER

By John Donahue
Jack Donahue, Chairman

ATTEST: Pat Bantli
Patricia Bantli, Clerk