

6110.3400 JURISDICTION OF COMMISSIONER.

The commissioner shall exercise the commissioner's discretion under Minnesota Statutes, section 86B.205, subdivision 9, to regulate a water body when so requested by a county, city, or town only when the water body:

- A. is traversed by a state or international boundary; or
- B. is within the jurisdiction of two or more counties which cannot agree on the content of ordinances; and
- C. regulation is necessary to achieve the goals in part 6110.3200.

In all other cases, water surface use regulation shall be by county, city, or town ordinance as specified in Minnesota Statutes, sections 86B.205, subdivisions 2 to 5; 103G.605; 103G.621; and 459.20. If a body of water is located within the jurisdiction of two or more cities or towns which cannot agree on the content of ordinances, any such city or town may petition the county in which they are located to adopt an ordinance.

Statutory Authority: *MS s 361.25; 86B.211*

History: *17 SR 1279*

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