

6110.3800 ADMINISTRATIVE PROVISIONS.

Subpart 1. **Enforcement and penalties.** Any government unit adopting ordinances pursuant to Minnesota Statutes, sections 86B.205, subdivisions 2 to 5; 103G.605; 103G.621; and 459.20 shall provide for their enforcement and prescribe penalties for noncompliance. Rules established pursuant to Minnesota Statutes, section 86B.201, subdivisions 1 and 2, or 86B.205, subdivisions 1 and 9, shall be enforced by conservation officers of the Department of Natural Resources and the sheriff of each county.

Rules or ordinances shall contain a provision exempting authorized resource management, emergency, and enforcement personnel when acting in the performance of their assigned duties. They may also provide for temporary exemptions from controls through the use of permits issued by the unit of government adopting the ordinance or rule.

Subp. 2. **Commissioner's approval for proposed ordinances.** Any governmental unit formulating ordinances or desiring amendments and deletions to existing ordinances shall submit the written statement required by these rules with the proposed ordinance to the commissioner pursuant to Minnesota Statutes, section 86B.205, subdivisions 2 to 5, for approval or disapproval. Determination of approval or disapproval shall be based upon the written statement and the compatibility of the ordinance with these rules. If the proposed ordinance is disapproved by the commissioner and a satisfactory compromise cannot be established, the governmental unit may initiate a contested case hearing to settle the matter.

The commissioner shall notify the governmental unit in writing of approval or disapproval of proposed ordinances within 120 days after receiving them pursuant to Minnesota Statutes, section 86B.205, subdivisions 2 to 5. Failure to so notify shall be considered approval.

Subp. 3. **Public notice.** Any governmental unit adopting ordinances shall provide for adequate notification of the public, which shall include placement of a sign at each public watercraft launching facility outlining essential elements of such ordinances, as well as the placement of necessary buoys and signs. All such signs and buoys shall meet requirements specified in Minnesota Statutes, chapter 86B, and parts 6110.1500 to 6110.1900.

The commissioner shall publish and update at the commissioner's discretion a listing of watercraft use rules and ordinances on surface waters of the state for distribution to the public.

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

History: *17 SR 1279*

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