

CHAPTER 378

BODIES OF WATER

378.22 Water aeration safety.

378.43 Initiation by petition and establishment by county board.

378.22 WATER AERATION SAFETY.*[For text of subd 1, see M.S.1986]*

Subd. 2. **Posting requirements.** Where an aeration system is used on the ice of public waters, signs shall be posted by the permittee at a height of from four to six feet in a rectangular pattern at each corner of the open water, and additional signs between the corner signs so that a sign is posted at least every 100 feet.

Additional signs shall be posted by the permittee on the shoreline of the public waters at each public access point and other areas commonly used by the public for access to the lake. The signs shall comply with the applicable order of the commissioner of natural resources.

Subd. 3. **Publication of notice.** Advance public notice of the commencement of any aeration system, authorized by a permit from the commissioner of natural resources during periods of ice cover on public waters, shall be given by the permittee. Minimum notice shall consist of publication of the location and date of commencement of the system in a newspaper of general circulation in the area where the system is proposed to be operated at least two times between five and 60 days prior to commencement.

[For text of subd 4, see M.S.1986]

Subd. 5. **Water aeration rules.** The commissioner of natural resources shall, by September 1, 1988, adopt rules relating to the issuance of permits for aeration, bubbler, water circulation, and similar systems used to increase dissolved oxygen or to maintain open water on the ice of public waters.

History: 1987 c 184 s 2-4**378.43 INITIATION BY PETITION AND ESTABLISHMENT BY COUNTY BOARD.****Subdivision 1. Petition.**

(a) A lake improvement district may be initiated by a petition to the county board. The petition must state:

- (1) the name of the proposed lake improvement district;
- (2) the necessity of the proposed district to promote public health or public welfare;
- (3) the benefits to property from the establishment of the lake improvement district;
- (4) the boundaries of the proposed district which shall be encouraged to be as consistent as possible with natural hydrologic boundaries;
- (5) a map of the proposed district;
- (6) the number, from five to nine, of directors proposed for the district; and
- (7) a request for establishing the district as proposed.

(b) A petition must be signed by 26 percent of the property owners within the proposed lake improvement district described in the petition. Governmental subdivisions, other than the state or federal governments, owning lands within the proposed district are eligible to sign the petition.

(c) The petition must be filed with the county auditor and addressed to the board requesting the board to establish a lake improvement district to develop and provide a program of water and related land resources management.

(d) The county board shall, at least 30 days before it acts on a petition, send the town board of a town wholly or partially within the boundaries of a proposed district a copy of the petition submitted under this subdivision and encourage the town board to respond to the proposed creation of the district.

[For text of subds 2 and 3, see M.S.1986]

History: 1987 c 384 art 1 s 36