

CITY OF WAYZATA
HENNEPIN COUNTY, MINNESOTA
ORDINANCE NO. 836

**AN ORDINANCE AMENDING CHAPTERS 309 AND 318 OF WAYZATA CITY CODE
RELATED TO USE OF CITY DOCKS AND LAKEWALK**

NOW THEREFORE, THE CITY OF WAYZATA ORDAINS:

Section 1. Amendments to Chapter 309. Chapter 309 of the Wayzata City Code (Use of Public Parks) is hereby amended to read in its entirety as follows (underlined text added; ~~struck~~ text deleted):

CHAPTER 309 - USE OF PUBLIC PARKS

309.01 - Hours of Closing.

All public parks shall be closed between the hours of 10:30 p.m. and 5:00 a.m. of the following day. During said hours no person shall frequent, congregate, enter, or remain within any public park.

309.02 - Tobacco and Cannabis Use, Intoxicating Liquor and Beer Consumption Prohibited.

Except in such places as may be authorized by the City Council, no person shall consume or use within any public park (i) any intoxicating liquor or any beer, as such terms are defined in Section 205.01 hereof; (ii) tobacco product, as defined in Section 512.01.C hereof; or (iii) cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products, each as defined in state law. Such prohibition shall not extend to nonintoxicating cannabinoid, as defined in state law.

309.03 - Location of Public Parks.

The following locations within the City of Wayzata are hereby designated public parks and subject to the provisions of this Chapter:

- A. Wayzata Municipal Beach and Marina.
- B. Bell Courts.
- C. Klapprich Field.
- D. Wayzata Depot Park ~~and adjacent land~~ and ~~d~~Docks.
- E. Broadway ~~d~~Docks and adjacent land.
- F. Big Woods Preserve.

- G. Heritage Park.
- H. Little Beach Pedestrian Pier.
- I. Margaret Circle Park.
- J. Post Office Pocket Park.
- K. Shaver Park.
- L. Wayzata West Middle School Courts.
- M. Engel Street Play Area.
- N. Children's Garden and City Hall Park.
- O. Great Lawn.
- P. Nature Center.
- Q. Panoway Plaza.
- R. Panoway Lakewalk.
- S. Eco Park and Section Foreman House.

309.04 - Motorized Vehicles.

No motorized vehicles shall be driven or parked in any public park except upon the designated roadways or parking areas within such parks.

309.05 - Fishing from Lakewalk Prohibited. ~~Municipal Boat Dock, Charter Boats.~~

No fishing from the Panoway Lakewalk shall be allowed at any time.

~~(Repealed by Ord. 592 [5-29-1997])~~

309.06 - Fishing from Docks.

Fishing from public docks shall be regulated as follows:

- A. Fishing shall be allowed on the Wayzata Depot ~~d~~Docks from 5:00 a.m. to 10:30 p.m. daily, ~~with the exception that fishing shall be prohibited on the easterly extension from 10:00 a.m. to 8:00 p.m., on Saturdays, Sundays and holidays.~~
- B. Fishing shall be allowed on the Broadway Docks from 5:00 a.m. to 10:00 a.m. daily.
- C. Fishing shall be allowed in the Wayzata Municipal Marina from November 2 to ~~March~~ April 3 ~~10~~ during such times set by the City Manager. Fishing shall be prohibited in the Wayzata

Municipal Marina from ~~April~~May 1 to November 1, with the exception that fishing shall be permitted from the three loading platforms, only.

- D. Fishing from public docks in areas and at times other than allowed in this section shall be prohibited. The City Manager may modify the hours, days and areas of fishing allowed from public docks for any reason related to health, safety or welfare. Days, hours and areas for fishing shall be posted on public docks in accordance with this section.

309.07 - Swimming and Modes of Transportation.

- A. No swimming shall be allowed off or adjacent to the Panoway Lakewalk or any public dock.
- B. No bikes, skateboards, rollerblades, scooters, or like modes of recreational transportation shall be allowed on the Panoway Lakewalk or any public dock.
- C. Mobility aids and mobility devices used by individuals with a mobility disability, and strollers for young children are permitted on the Panoway Lakewalk and public docks.

Section 2. Amendments to Chapter 318. Chapter 318 of the Wayzata City Code (Municipal Docks) is hereby amended to read in its entirety as follows (underlined text added; ~~struck~~ text deleted):

CHAPTER 318 – MUNICIPAL DOCKS

318.01 - Definitions.

- A. **“Charter Boat”** means any boat or watercraft which is used for the transportation of passengers for a fee.
- B. **“Pilot”** means the person operating any charter boat.
- C. **“Municipal Docks”** means the municipal mooring nearest to the intersection of Lake Street and Broadway Avenue and the municipal mooring nearest to the intersection of Lake Street and Barry Avenue.
- D. **“Depot Docks”** means the municipal mooring nearest to the intersection of Lake Street and Barry Avenue.
- E. **“Broadway Docks”** means the municipal mooring nearest to the intersection of Lake Street and Broadway Avenue.

318.02 - Charter Boat Permit Required.

No charter boat shall be parked, moored, stored, placed, kept at or tied up to the Depot Docks without first having secured a Charter Boat Permit from the City of Wayzata. Permits will not be issued for the Broadway Docks, as Charter Boats are expressly prohibited from docking at that location.

318.03 - Permit Application and Insurance.

Any person desiring to secure such a Charter Boat permit shall make application on a form supplied by the City. Each application shall be accompanied by an annual fee and by evidence of liability insurance coverage with a minimum limit of \$1,000,000.00 per occurrence. Such insurance policy shall name the City as an additional insured, shall be filed with the City Manager, shall be subject to approval by the City Manager as to form and content and shall be issued by companies duly licensed to do business in the State of Minnesota.

318.04 - Non-Transferability.

Charter Boat Permits issued under this Chapter shall be non-transferable.

318.05 - Responsibility of Charter Boat Owner.

Every charter boat owner is responsible for the conduct of its pilots while docking, departing, or doing business at a municipal dock. Any violation of this Chapter by a pilot shall also be considered an act of the charter boat owner for the purpose of imposing a penalty under this Chapter.

318.06 - Tobacco and Cannabis Use, Intoxicating Liquor and Beer Consumption Alcohol Prohibited.

No ~~owner, employee or agent of a licensed charter person~~ on a boat which has been issued an "on-sale liquor" or "on-sale wine" license by the Lake Minnetonka Conservation District, or any other boat, shall sell, serve, use or consume or allow to be consumed any alcoholic beverage, or tobacco or cannabis product, as defined in Sec. 309.02, while that boat is at the Wayzata Municipal Docks.

318.087 - Revocation.

Charter Boat Permits may be revoked by the City Council. Grounds for such revocation shall include, but shall not be limited to, any alcohol-related offenses committed by the permit holder or any of his agents or employees while operating a charter boat or any other watercraft.

318.08 - Boat Parking Regulation.

The City Manager shall have the authority to regulate boat parking at the Municipal Docks and to establish parking zones and rates for such parking.

318.079 - Prohibited Acts.

It shall be a violation of this Chapter for the owner and/or any person operating any boat to do any of the following:

- A. Dock a ~~e~~Charter bBoat at the Depot Docks without a permit.
- B. Dock any ~~e~~Charter bBoat at the Broadway Docks.
- C. Dock any boat at the Municipal Docks which exceeds any limitations set forth in a conspicuously posted notice or violates any of the other regulations set forth in this Chapter.

318.10 - Violations.

A violation of any provision of this Chapter shall be a petty misdemeanor, subject to the penalties therefor established by State law.

Section 3. Effective Date. This Ordinance will become effective upon passage and publication.

Adopted by the City Council this 24th day of April, 2024.

Johanna Mouton
Mayor

ATTEST:

Jeffrey Dahl
City Manager

First Reading: April 9, 2024
Second Reading: April 23, 2024
Publication: May 2, 2024