



A G E N D A

**Special City Council Meeting
April 29, 2008
5:00 p.m.**

- I. Call To Order
- II. Consider the issuance of \$475,000 in GO Bonds for the Winsted City Hall and Lakefront Promenade.
- III. Consider the refinancing of \$680,000 from the 1998, 2000 and 2002 improvement projects.
- IV. Review of the draft dock ordinance.
- V. Adjourn

ORDINANCE NO. O-08-_____

AN ORDINANCE ESTABLISHING DOCKS ON WINSTED LAKE IN THE CITY OF
WINSTED.

THE CITY OF WINSTED DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Chapter 14 of the Municipal Code of the City of Winsted is amended by the addition of the following Section 6.

1406.000. Docks on Winsted Lake

1406.001. Permit Required. No person shall construct, install or maintain a dock, wharf, or similar structure on public property or upon public waters abutting public property without first obtaining a permit from the City of Winsted.

1406.002. Term. Permits shall be issued on an annual basis and shall expire on November 31st of each year.

1406.003. Inspection. All docks shall be subject to an annual inspection by the City of Winsted. If a dock does not meet the minimum requirements as listed in this ordinance, it shall be immediately brought into compliance by the permit holder or the permit shall be revoked.

1406.004. Fee. Application fees for dock permits shall be set annually by the Winsted City Council.

1406.005. Application. An application for a permit must include the following:

- 1) Name, Address and Telephone number of the dock owner.
- 2) Signature upon application binding the applicant to defend, indemnify and hold the City of Winsted harmless for claims arising out of the existence of the dock.
- 3) Provide proof of liability insurance as required in this ordinance.

1406.006. Restricted Placement. No private docks will be allowed on public property or allowed to be accessed through public property, except for the following location:

Property owners along Kingsley Street, from McLeod Avenue to Sherman Avenue (including the property at 261 Sherman Avenue East), may place a dock along Winsted Lake, accessing said dock from the east right-of-way of Kingsley Street by submitting an application for a dock permit. Docks must be positioned directly across from the applicant's property on the west side of Kingsley Street.

1406.007. Requirements.

The following requirements must be provided and in place prior to the issuance of a dock permit.

- 1) The permit holder must provide and install warning signs in English and Universal symbols indicating "NO SWIMMING" and "NO DIVING."
- 2) The permit holder must at all times during the period of the permit maintain liability insurance naming the City of Winsted as an additional insured in a minimum amount of \$1,000,000 (per Minnesota State Statute). The permit holder must immediately notify the City of Winsted if this insurance is cancelled or lapses for any reason.
- 3) The permit holder must defend, indemnify and hold the City of Winsted harmless for claims arising out of the existence of the dock.
- 4) Docks must be structurally secure, being free of rotting, decaying or severely distressed materials.
- 5) No permanent or temporary structures may be located along the lake bank (examples include, but are not limited to boat houses, fish houses, etc...)
- 6) The placement of boat, pontoon or other personal watercraft lifts or similar devices are not permitted under this ordinance.
- 7) The placement of swimming and diving platforms or other similar type devices are not permitted under this ordinance.
- 8) The permit holder must have their permit affixed to their dock at all times.

1406.008. Winsted Lake and Watershed Association (WLWA). Nothing in this ordinance shall prohibit the WLWA from placing a dock in any location in the areas permitted as long all requirements under this ordinance are followed.

1406.009. Removal. In the event that any permit holder or non-permit holder is in violation of this ordinance, the City of Winsted shall have the right to remove a dock from the lake or public right-of-way after providing seven (7) days notice to the owner.

The City of Winsted shall be entitled to remove the dock and have all removal and storage costs reimbursed by the offending party. Costs may be either assessed to the violating property owner or in some cases the City of Winsted may bring a cause of action against the violating party.

1406.010. Enactment. Property owners seeking to place a dock must make application for a permit within sixty (60) days of the adoption of this ordinance by the City Council.

1406.011. Duration and Effect. This ordinance does not provide anyone with any rights, other than those stated herein, on an annual basis. Each dock permit must be renewed by a separate application in each calendar year that terminates (as indicated above) on November 31 of each said year. The City of Winsted has unlimited discretion and right, to not allow the installation of docks on the public property hereinabove stated at any time hereafter, except that if such decision to

not allow docks is made during a calendar year prior to November 31, the City shall give the permittee 60 days prior written notice to remove it's dock.

SECTION 2. EFFECTIVE DATE OF ORDINANCE. The effective date of this Ordinance shall be after its adoption and publication, according to law.

**ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF WINSTED,
MINNESOTA, THIS ____ DAY OF _____, 2008.**

Attest:

Steve Stotko, Mayor

Deborah R. Boelter, City Clerk