
SUBJECT: ORDINANCE #1998-1 (SURFACE USE OF THE RED RIVER)

ADOPTED DATE: January 5, 1998

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NORTH DAKOTA
COUNTY OF CASS
ORDINANCE NO. 1998-1

AN ORDINANCE REGULATING THE SURFACE USE OF THE RED RIVER OF THE NORTH.

Be it ordained and enacted by the Cass County Board of Commissioners, State of North Dakota, that this ordinance regulating the surface use of the Red River of the North is newly created and which, upon enactment, becomes County Ordinance No. 1998-1.

Section 1: PURPOSE, INTENT AND APPLICATION: As authorized by North Dakota Statutes now in effect and as hereinafter amended, this ordinance is enacted for the purpose and with the intent to control and regulate the use of waters of the Red River of the North and its tributaries in Cass County, North Dakota, said body of water being located within the boundaries of Cass County to promote its fullest use and enjoyment by the public in general and the citizens of Cass County in particular; to insure safety for person and property in connection with the use of said waters; and to promote the general health, safety and welfare of the citizens of Cass County, North Dakota.

Section 2: SURFACE ZONING OF THE RED RIVER OF THE NORTH BY RESTRICTING SPEEDS DURING CERTAIN SEASONAL FLUCTUATIONS OF THE WATER LEVEL: When the water level reaches 895.8 feet mean sea level, or 17.0 feet above flood stage, motorboats shall be subject to a Slow-No Wake zone, with a speed not exceeding 5 mph.

Section 3: ENFORCEMENT: The primary enforcement of this ordinance shall be the responsibility of the peace officers of Fargo or the Cass County Sheriff's Department.

Section 4: EXEMPTIONS: All authorized Resource Management, Emergency and Enforcement Personnel, while acting in the performance of their assigned duties, are exempt from the foregoing restrictions.

Section 5: NOTIFICATION: It shall be the responsibility of the County to provide for adequate notification of the public, which shall include placement of a sign at each public water craft access outlining essential elements of the ordinance, as well as the placement of necessary buoys and signs.

Section 6: PENALTIES: Any person who shall violate any of the provisions of this ordinance shall be guilty of a Class B Misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment of not more than thirty (30) days, or both.

Section 7: EFFECTIVE DATE: This ordinance shall be in effect from and after the date of final passage by the Board of Commissioners for Cass County, North Dakota, and its publication according to law.

APPROVED:

ss/Donna Schneider
Chair, Board of Commissioners
of the County of Cass

ATTEST:

ss/Michael Montplaisir
Michael Montplaisir
County Auditor

First Reading: 12/1/97
Second Reading: 1/5/98
Final Passage: 1/5/98
Publication: 12/8/97

(SEAL)

HISTORICAL REFERENCE DATE: JANUARY 5, 1998