



Telephone (651) 267-4950
FAX (651) 267-4972

STEPHEN F. O'KEEFE

Goodhue County Attorney

ASSISTANT COUNTY ATTORNEYS

ERIN L. KUESTER

CHRISTOPHER J. SCHRADER

ELIZABETH M. S. BREZA

DAVID J. GROVE

ANGELA R. STEIN

JESSICA M. PERKINS

JORDAN T. COOK

EMMA L. RUSS

MEMORANDUM

TO: Goodhue County Board of Commissioners
Goodhue County Administrator Scott Arneson

FROM: Erin L. Kuester, Assistant County Attorney 3 

RE: Request to Enact Emergency No Wake Ordinance

DATE: June 21, 2024

The Mississippi River is well above the normal water elevation level and is expected to continue to rapidly rise. Due to the forecasted historic flooding across Minnesota, effective June 21, 2024, the Minnesota Department of Natural Resources-Division of Enforcement approved the enactment of 30-day temporary emergency water surface use of slow no wake restrictions subject to specific conditions.

In an attempt to limit damage to property in Goodhue County impacted by the rising waters, the Board of County Commissioners is recommended to take emergency action and enact an Emergency No Wake Ordinance that will take effect immediately. The language of the ordinance that is attached to this memorandum prohibits all watercraft from traveling greater than 5 m.p.h. This emergency no wake ordinance will remain in effect until the water level recedes below 11 feet as measured at the official NOAA Red Wing gauge station.

Thank you for your consideration of this request.

GOODHUE COUNTY ORDINANCE NO. 06-21-2024

An Ordinance relating to the emergency regulation of boats in the Mississippi River between Mile 773 and Mile 807, within the boundaries of Goodhue County, Minnesota.

The County of Goodhue does ORDAIN and ENACT the Goodhue County "No-Wake" Emergency Ordinance.

Section 1. The following words and phrases, when used in this ordinance, have the following meanings:

1. "Boat" is any watercraft as defined in Minnesota Statutes 86B.005, Subd. 18.
2. "Motorboat" means any boat propelled by machinery as defined in Minnesota Statutes 86B.005, Subd. 9.
3. The Mississippi River between Mile 773 and Mile 807 and all bodies of water that, together with their connecting channels, are a part of the Mississippi River located within the County of Goodhue, State of Minnesota. A map thereof is on file in the Office of the Goodhue County Engineer, the Goodhue County Auditor, the City of Red Wing Engineer, and the City of Red Wing City Clerk, and is attached to the original draft of this ordinance.
4. "Person" includes an individual, partnership, association, corporation, or any body of persons.
5. "Slow-Minimum Wake Speed" means operation of a motorboat at less than planing speed whereby the wash or wake created by the motorboat is minimal and, in no case, a speed of more than five (5) miles per hour.

Section 2. In the interest of public health, safety, and general welfare, the following regulations are imposed upon all motorboats operated, placed, or maintained in the Mississippi River between Mile 773 and Mile 807, being that part of the Mississippi River and its connecting channels within the boundaries of Goodhue County, Minnesota.

1. No person shall operate a motorboat at greater than a slow-minimum wake speed in the Mississippi River between Mile 773 and Mile 807, and connecting channels with the Mississippi River.
2. Motorboats utilized by government agencies and rescue craft while on official business shall be exempt from the provisions of this ordinance.

Section 3. The Sheriff of Goodhue County and the City of Red Wing are authorized and directed to inform the public by official notification, as well as by posting and buoying the Mississippi River between Mile 773 and Mile 807, and its connecting channels. The Goodhue County Sheriff's Office is authorized and entitled to enforce the provisions of this ordinance.

Section 4. Penalties. Any person who shall violate any of the provisions of this

ordinance shall be guilty of a misdemeanor.

Section 5. Effective Date. This ordinance shall become effective upon its passage and publication. This ordinance shall remain in full force and effect for 30 days unless extended with permission of the Commissioner of Natural Resources, or until such time as the Mississippi River recedes to below the 11 foot level at Red Wing, whichever is earlier.

Section 6. All previous "No-Wake" zones and ordinances governing them shall remain in full force and effect.

The Chairman of the Goodhue County Board of Commissioners hereby declares that an emergency exists and adopts this ordinance on the waters of the Mississippi River between Mile 773 and Mile 807 within the boundaries of Goodhue County, Minnesota, due to flooding of the river in this area causing known and expected damage to river front properties, structures, and river banks.

Dated this 21st day of June, 2024

County of Goodhue County

By: _____
Todd Greseth, Committee Chairman
Board of County Commissioners

By: _____
Brad Anderson, Vice Committee Chairman
Board of County Commissioners

By: _____
Linda Flanders, Commissioner
Board of County Commissioners

By: _____
Jason Majerus, Commissioner
Board of County Commissioners

By: _____
Susan Betcher, Commissioner
Board of County Commissioners

By: _____
Scott Arneson
County Administrator