

CODE ORDINANCE

Sponsored by:  
Introduced:  
Public Hearing:  
Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 20-\_\_\_**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 15.24.030(C) THE MATANUSKA-SUSITNA BOROUGH LAKE MANAGEMENT PLAN; ADOPTING MSB 17.59.063 ADOPTION AND AMENDMENT OF REGULATIONS ON LAKES; AND MSB 17.59.065 REGULATIONS ON LAKES; AND REPEALING MSB 15.24.031 INITIATING AND AMENDING LAKE MANAGEMENT PLANS, MSB 17.58 MOTORIZED USES ON LAKES AND WATERWAY, AND MSB 17.59.060 LIMITATION OF USES IN THEIR ENTIRETY.

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BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough Code.

Section 2. Repeal of section. MSB 15.24.031 Initiating and Amending Lake Management Plans is hereby repealed in its entirety.

Section 3. Repeal of Chapter. MSB 17.58 Motorized uses on Lakes and Waterways is hereby repealed in its entirety.

Section 4. Repeal of section. MSB 17.59.060 Limitation of uses is hereby repealed in its entirety.

Section 5. Amendment of section. MSB 15.24.030 (C) is hereby amended to read as follows:

(C) **The Matanuska-Susitna Borough Lake Management**

**Plan,** [UNLESS THERE IS AN IMMINENT THREAT TO THE PUBLIC

HEALTH, SAFETY, WELFARE, OR A LAKE'S WATER QUALITY, LAKE

MANAGEMENT PLANS SHALL NOT BE AMENDED FOR A PERIOD OF

TWO YEARS FROM THE DATE OF ADOPTION, OR THE LAST AMENDMENT DATE.] The following lake management plans [HAVE BEEN] adopted [BY THE COMMISSION AND ASSEMBLY] as parts of the overall borough comprehensive plans are incorporated into this plan:

Section 6. Adoption of section. MSB 17.59.063 Adoption and Amendment of Regulations on Lakes is hereby adopted to read as follows:

17.59.063 Adoption and Amendment of Regulations on Lakes

(A) The residents living around a lake may request the adoption or amendment of enforceable regulations on their lake. These regulation should be consistent with the following guidelines based on lake size.

(1) LAKES 75 SURFACE ACRES OR LESS. The following guidelines may be recommended:

(a) No wake zone - Shoreline to 100 feet;

(b) Quiet hours - 10 p.m. to 8 a.m.;

(c) Personal watercraft restriction;

(d) 10 horse power limit, this option may be recommended on a daily time share basis;

(e) No wake speed zone on lake, this option may be recommended on a daily time share basis;

(2) LAKES MORE THAN 75 SURFACE ACRES TO 200 SURFACE ACRES. The following guidelines may be recommended:

(a) No wake zone - Shoreline to 100 feet;

(b) Quiet hours - 10 p.m. to 8 a.m.;

(c) Personal watercraft restriction, this option may be recommended on a daily time share basis;

(d) 10 horse power limit, this option must be recommended on a daily time share basis;

(e) No wake speed zone on lake, this option must be recommended on a daily time share basis;

(3) LAKES MORE THAN 200 SURFACE ACRES. The following guidelines may be recommended:

(a) No wake zone - Shoreline to 150 feet;

(b) Quiet hours - 11 p.m. to 8 a.m.

(4) FOR ALL LAKES the following shall apply

(a) Access recommendations will be consistent with traditional use and current level of access development.

(b) Quiet hours apply to repetitive

recreational activities such as water skiing and racing or high speed activities NOT to moderate speed point to point transportation.

(c) No wake is defined as the slowest speed a boat or personal water craft can go and still maintain safe operation and maneuverability.

(d) Time share means restrictions do not apply on Thursday, Friday, Saturday, and all three day weekends mandated by federal holiday (Memorial Day, Fourth of July, and Labor Day).

(e) Ice house means a structure utilized for ice fishing and left on the frozen surface of a lake for more than 24 hours.

(f) Motor vehicles means automotive vehicles with rubber tires for use on highways.

(g) Motorized watercraft use means the operation of watercraft powered or propelled by a force other than human muscle power, gravity, or wind. This definition does not include airplanes as motorized watercraft when landing, taking off, or taxiing on a water body.

(h) Personal watercraft includes vehicles such as jet skis, waverunners, and similar

acrobatic or stunt equipment.

(i) A wake is the track in the water left after the passage of watercraft or other vehicle.

(j) A special permit is a permit approved by the planning director for a special purpose and is limited to a specific time to conduct an event that would otherwise involve activities in violation of MSB 17.59.

(B) The following process should be followed to adopt or amend enforceable regulations on lakes.

(1) A petition shall be submitted to the planning department requesting the adoption or amendment of enforceable regulations for a specific lake or lakes. The petition must include the signatures of property owners (as listed by borough tax assessment records) of at least 50 percent of all parcels within 600 feet upland of the respective lake shoreline or signatures of property owners (as listed by borough tax assessment records) of 50 parcels within 600 feet upland of the respective lake shoreline, whichever is less. Borough, State, and Federally owned parcels, not held in trust, will not be counted toward the petition threshold.

(2) Within 60 calendar days of receipt of a valid petition the planning department shall schedule a public meeting to be held in a public facility (to the extent feasible) within relatively close proximity to the lake. If a public facility is not available, department staff shall identify another adequate venue.

(a) The meeting should be scheduled for a date after the mailing of the numbered notices (see 3 below) but no more than 15 days prior to the end of the response deadline.

(b) Notice of the meeting shall be included in the numbered notices (see 3 below), and also noticed on the borough's webpage, and in a newspaper of general circulation in the borough.

(3) Within 60 calendar days of receipt of a valid petition, the planning department shall mail numbered notices to all property owners (as listed by borough tax assessment records) within 600 feet upland of the lake shoreline requesting the property owner to indicate whether or not they are in favor of the adoption or amendment of enforceable regulations on the specific lake. One notice per parcel will be mailed. A return envelope addressed to the planning department, and a

deadline of not less than 60 calendar days for responding in writing shall be specified in the notice. The notice shall state that the adoption or amendment of enforceable regulations will be initiated if a majority of the property owners responding to the planning department prior to the deadline are in favor of adoption or amendment of enforceable regulations.

(4) The written responses returned to the planning department prior to the deadline will be tabulated. Adoption or amendment of enforceable regulations will be forwarded to the planning commission and assembly if the majority of the property owners responding are in favor of the adoption or amendment of enforceable regulations. Borough, State, and Federally owned parcels not held in trust, will not be counted toward the tabulation.

(5) The planning department shall notify all property owners (as listed by borough tax assessment records) within 600 feet upland of the lake shoreline whether or not the adoption or amendment of enforceable regulations will be forwarded to the planning commission and assembly.

(C) Notwithstanding (B) above, nothing contained

in this chapter is intended to deny or limit in any manner the right of persons individually or in groups to petition the assembly or otherwise participate in borough government under existing procedures and practices.

Section 7. Adoption of section. MSB 17.59.065 Regulations on Lakes is hereby adopted to read as follows:

17.59.065 Regulations on Lakes

(A) The following table lists the enforceable regulations by lake. Any lake not in this list does not have borough enforceable regulations.

<u>Lake Name</u>	<u>Regulations</u>
Big Lake	Quiet Hours: 11 p.m. to 8 a.m., Sun. - Sat. No Wake zone: 150 feet from the shoreline Ice house Registration - required
Blodgett Lake	Quiet Hours: 10 p.m. to 8 a.m., Sun. - Thur. 11 p.m. to 8 a.m., Fri. - Sat. Personal Watercraft - Prohibited Horsepower limit: 10
Bonnie Lake	Personal Watercraft - Prohibited
Carpenter Lake	Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat. No Wake zone: 100 feet from shoreline Personal Watercraft - Prohibited Motorized watercraft uses - restricted to Max 10 horsepower motor on a time share basis. Winter motor vehicle - Prohibited
Caswell Lake	Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat. No Wake zone: 100 feet from shoreline Personal Watercraft - Prohibited



<u>Lake Name</u>	<u>Regulations</u>
Christiansen Lake	<p>Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat.</p> <p>Personal Watercraft - Prohibited</p> <p>Horsepower limit: 15</p> <p>Special Permit: to accommodate building construction, early season testing of river boats &amp; other special uses; HP limits may be waived by special permit.</p>
Cottonwood Lake	<p>Quiet Hours: 11 p.m. to 8 a.m., Sun. - Sat.</p> <p>No Wake zone: 100 feet from shoreline</p> <p>Special Permit: organized group type of motorized use of lakes and waterways such as races and demonstrations which cause noise, safety hazards, or inhibit other uses of significant areas of the waterbody shall require special event permit from the borough</p>
Cottonwood Creek	Motorized vehicle uses - Prohibited
Crooked Lake	No Wake zone: 50 feet from shoreline at public boat dock
Crystal Lake	Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat.
Diamond Lake	<p>Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat.</p> <p>No Wake zone: 100 feet from shoreline</p> <p>Personal Watercraft - Prohibited</p> <p>Horsepower limit: 10</p> <p>Ice house Registration - required</p>
Doubloon Lake	Personal Watercraft - Prohibited
Finger Lake	<p>Quiet Hours: 11 p.m. to 8 a.m., Sun. - Sat.</p> <p>No Wake zone: 100 feet from shoreline</p> <p>Special Permit: organized group type of motorized use of lakes and waterways such as races and demonstrations which cause noise, safety hazards, or inhibit other uses of significant areas of the waterbody shall require special event permit from the borough</p> <p>Airboats: Prohibited except for emergency rescue vehicles, &amp; during the time frames of May 15<sup>th</sup> - June 7<sup>th</sup> &amp; August 15<sup>th</sup> - August 25<sup>th</sup></p>

<u>Lake Name</u>	<u>Regulations</u>
Fish Lake	Horsepower limit: 5
Florence Lake	Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat. No Wake zone: 100 feet from shoreline Personal Watercraft - Prohibited Horsepower limit: 10
Honeybee Lake	Quiet Hours: 7 p.m. to 9 a.m., Sun. - Sat. Horsepower: Electric Motors only
Island Lake	Personal Watercraft - Prohibited
Jacobsen Lake	Quiet Hours: 9 p.m. to 9 a.m., Sun. - Sat. No Wake zone: 100 feet from shoreline Personal Watercraft - Prohibited Horsepower limit: 10
Jean Lake	Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat. Personal Watercraft - Prohibited Horsepower: Electric Motors only
John Lake	Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat. Horsepower limit: 10
Knik Lake	Quiet Hours: 10 p.m. to 8 a.m., Sun. - Thur. 11 p.m. to 8 a.m., Fri. - Sat. Horsepower limit: 5
Lake Five	Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat. Motorized Watercraft - Prohibited Special Permit: to accommodate building construction, early season testing of river boats & other special uses; HP limits may be waived by special permit. Winter motor vehicle - Prohibited Ice house Registration - required
Lake of the Woods	Quiet Hours: 7 p.m. to 9 a.m., Sun. - Sat. Personal Watercraft - Prohibited Horsepower: Electric Motors only

<u>Lake Name</u>	<u>Regulations</u>
Liten Lake	Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat. No Wake zone: lake wide Motorized Watercraft - Prohibited Personal Watercraft - Prohibited
Little Beaver Lake	Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat. Motorized Watercraft - Prohibited
Little Lonely Lake	Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat. No Wake zone: lake wide Personal Watercraft - Prohibited Horsepower limit: 10 Ice house Registration - required
Little Question Lake	Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat. Motorized Watercraft - Prohibited Special Permit: to accommodate building construction, early season testing of river boats & other special uses; HP limits may be waived by special permit. Winter motor vehicle - Prohibited Ice house Registration - required
Long Lake (Houston)	Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat. No Wake zone: 100 feet from shoreline Personal Watercraft - Prohibited Horsepower limit: 10
Lower Neklasen Lake	Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat. Motorized Watercraft - Prohibited
Marilee Lake	Horsepower limit: 5
Marion Lake	Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat. No Wake zone: 100 feet from shoreline Personal Watercraft - Prohibited Motorized watercraft restricted to lake wide - no wake speed except on Thursday, Friday, Saturday and all three-day weekends mandated by federal holiday (Memorial Day, Fourth of July, and Labor Day).
Meadow Creek	Motorized Watercraft - Prohibited

<u>Lake Name</u>	<u>Regulations</u>
Memory Lake	Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat. Horsepower limit: 10
Morvro Lake	Quiet Hours: 11 p.m. to 8 a.m., Sun. - Sat. No Wake zone: 100 feet from shoreline Horsepower limit: 25
Neklasen Lake	Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat. No Wake zone: 100 feet from shoreline except when a water-skier is leaving dock or shore No Wake zone: lake wide no wake zone except Thursdays, Fridays, first & third Saturdays, second & fourth Sundays of the month, national holidays, & three-day weekends resulting from national holidays.
Oriana Lake	Motorized Watercraft - Prohibited
Paradise Lake	Quiet Hours: 9 p.m. to 9 a.m., Sun. - Sat. Personal Watercraft - Prohibited Horsepower: Electric Motors only
Question Lake	Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat. Horsepower limit: 5 Special Permit: to accommodate building construction, early season testing of river boats & other special uses; HP limits may be waived by special permit. Winter motor vehicle - Prohibited Ice house Registration - required
Rainbow Lake	Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat. Horsepower limit: 10
Ravine Lake	Personal Watercraft - Prohibited Horsepower limit: 10
Shirley Lake	Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat. No Wake zone: 100 feet from shoreline Personal Watercraft - Prohibited

<u>Lake Name</u>	<u>Regulations</u>
Stevens Lake	<p>Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat.</p> <p>No Wake zone: 100 feet from shoreline</p> <p>Personal Watercraft - Prohibited</p> <p>Motorized watercraft uses - restricted to Max 10 horsepower motor on a time share basis.</p>
Sunbeam Lake	<p>Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat.</p> <p>Personal Watercraft - Prohibited</p> <p>Horsepower: Electric Motors only</p>
Suncrest Lake	<p>Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat.</p> <p>No Wake zone: 100 feet from shoreline</p> <p>Personal Watercraft - Prohibited</p> <p>Horsepower: 10</p>
Three Mile Lake	<p>Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat.</p> <p>Personal Watercraft - Prohibited</p> <p>Horsepower limit: 10</p> <p>Motorized amphibious vehicles - Prohibited</p>
Toad Lake	Horsepower: Electric Motors only
Twin Island Lake	<p>Quiet Hours: 10 p.m. to 8 a.m., Sun. - Thur.</p> <p>11 p.m. to 8 a.m., Fri. - Sat.</p> <p>Horsepower limit: 10</p>
Unnamed Lake: T25N R4W Sec 30 S.M.	<p>Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat.</p> <p>Motorized Watercraft - Prohibited</p> <p>Special Permit: to accommodate building construction, early season testing of river boats &amp; other special uses; HP limits may be waived by special permit.</p> <p>Winter motor vehicle - Prohibited</p> <p>Ice house Registration - required</p>

<u>Lake Name</u>	<u>Regulations</u>
Unnamed Lake: T25N R4W Sec 31 S.M.	Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat. Motorized Watercraft - Prohibited Special Permit: to accommodate building construction, early season testing of river boats & other special uses; HP limits may be waived by special permit. Winter motor vehicle - Prohibited Ice house Registration - required
Upper Bonnie Lake	Personal Watercraft - Prohibited Motorized Watercraft - Prohibited
Walby Lake	Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat. Horsepower limit: 10 Winter motor vehicle - Prohibited
Wasilla Lake	Quiet Hours: 11 p.m. to 8 a.m., Sun. - Sat. No Wake zone: 100 feet from shoreline Special Permit: organized group type of motorized use of lakes and waterways such as races and demonstrations which cause noise, safety hazards, or inhibit other uses of significant areas of the waterbody shall require special event permit from the borough
West Papoose Lake	Quiet Hours: 11 p.m. to 8 a.m., Sun. - Sat. No Wake zone: 100 feet from shoreline Personal Watercraft - Prohibited
Whiskey Lake	Quiet Hours: 11 p.m. to 8 a.m., Sun. - Sat. No Wake zone: 150 feet from the shoreline Personal Watercraft - Prohibited Motorized Watercraft - Prohibited on portions of the inlet creek and outlet creek
Wolf Lake	Horsepower limit: 6 Winter motor vehicle - Prohibited
Wolverine Lake	Quiet Hours: 10 p.m. to 8 a.m., Sun. - Sat. Personal Watercraft - Prohibited Horsepower: Electric Motors only

Section 8. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2020.

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VERN HALTER, Borough Mayor

ATTEST:

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LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)