

## Permits for All Water Obstacles

1. No person shall operate, maintain or place any water obstacle in or upon the waters of any lake unless, first, a permit has been obtained from the City of Maple Grove. Such permit is separate, and in addition to, any permits required by Hennepin County.
2. Applications for permits are obtained from, and returned to, the City of Maple Grove Engineering Department.
3. An initial, non-refundable, application fee will be required to be paid by the applicant at the time of filing.
4. The Maple Grove City Council will consider the following criteria when reviewing the Water Obstacle permits:
  - Size, configuration and manner of construction of the proposed water obstacles(s);
  - The volume of competing watercraft traffic expected for the duration of the permit;
  - Size, configuration and depth of the lake for which the permit is requested;
  - The number and location of other water obstacles already in place and others applying for permits;
  - Any other factors reasonably related to the effect of the applicant's proposed use and maintenance of public health and safety upon the City's lakes.
5. Upon the City Council's approval of a Water Obstacle Permit, the following shall apply:
  - A specific period of time will be assigned designating how long the permit is good for;
  - All special conditions imposed by the Council shall be adhered to in order to protect the health, safety and welfare of the public;
  - No permit shall be effective for a period of more than one (1) year.

6. Issuance of the actual Council approved permit shall not occur until the following have been satisfied:

- The applicant has signed a statement which outlines the terms of the permit;
- The applicant has signed a statement accepting responsibility for the presence, maintenance, use and removal of the water obstacle and agreeing to indemnify and hold the City of Maple Grove harmless from any liability with regard to the water obstacle;
- The applicant has provided proof, satisfactorily to the City, of insurance which shows liability coverage for the period for the permitted obstacle which meets the following minimum requirements:
  - a. One million dollars (\$1,000,000) of comprehensive general public liability insurance for each occurrence each year.
  - b. Will be effective the whole duration of the obstacle permit.
  - c. Endorsement to show the City of Maple Grove as an additional insured.
  - d. No cancellation for any cause either by the policy holder or company without first giving a thirty (30) day notice to the City Clerk with intention to cancel.
  - e. No payment of claims by the insurance company shall decrease the coverage provided for because of any other claim or claims brought against the insured or insurance company thereafter.
  - f. Insurer shall pay to the extent of the principal amount of the policy, any damages for death or injury caused by or as a result of the water obstacle for which such a permit has been approved including damages resulting from the violation of any relating to the water obstacle.

7. If any permitted water obstacle is later found by the Council to pose a hazard or obstruction to the safe use of the lake by others, the permit may be revoked in the following manner:

- The permittee shall be given a written notice of the hearing at which the Council will consider the revocation, such notice will be received at least ten (10) days before the hearing. If permittee cannot be located, delivery of notice to the permit application address will be sufficient.

- The City shall hear relevant testimony from the permittee as well as the City. Based on the evidence presented, the Council will decide on revocation based on much of its own sole discretion.
8. If the Council decides to revoke the permit the following shall occur:
- Upon receiving notice of revocation, the permittee shall remove the obstacle within seven (7) days;
  - If the water obstacle is not removed as specified, it may be removed by the City of Maple Grove and billed to the permittee for the costs incurred.
9. In the cases of the water obstacle causing an emergency, hazardous condition to public safety, the City may remove/abate the hazard as it deems necessary with the permittee reimbursing the City for the cost of its removal.