

# Memo

**To:** Honorable Mayor and City Council  
**From:** Joe Kohlmann, City Administrator  
**Date:** April 9, 2013  
**Re:** Fire Lanes

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The City has received a number of complaints regarding Fire Lanes in the last year. Staff feels that at least on Ordinance revision should be considered. The issues are listed below:

- 1) A request to the City in 2012 to operate large "duck boats" on the North Waseca Fire Lane.
- 2) The permitted uses at the Woodpecker Ridge Road Fire Lane
- 3) Enforcement at the North Waseca Fire Lane

The recommended action Staff is looking to discuss tonight is listed below:

- 1) Consider revising the Fire Lane Ordinance to note that nothing over 10,000 lbs can be launched at North Waseca.
- 2) Consider clarifying the permitted uses at the Woodpecker Ridge Road Fire Lane. Signage and Ordinance language indicates snowmobile use but later in the ordinance a permitted use is "winter vehicle access".
- 3) The City created a North Waseca Task Force that drafted the attached Resolution. This Resolution has been discussed with the SLMPD. They believe that the Resolution is feasible and will offer recommendations in the next couple weeks to ensure the Resolution is the most effective. At this time, the Resolution is for your information only.

*Attached are the Fire Lane Ordinance Section, 2000 Resolution and proposed resolution.*

**Council Action Requested:**

Discuss any possible revisions to the Fire Lane Ordinance.

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**1011.19**     **SUBDIVISION OF TWO FAMILY LOTS.**   The subdivision of base lots containing two-family dwellings to permit individual private ownership of a single dwelling within such a structure is acceptable upon approval by the City Council. Approval of a subdivision request is contingent upon the following requirements:

Subd. 1.     Prior to a two-family dwelling subdivision, the base lot must meet all the requirements of the zoning district.

Subd. 2.     There shall be no more than one principal structure on a base lot in all residential districts. The principal structure or a unit lot created in a two-family subdivision will be the portion of the attached dwelling existing or constructed on the platted unit lots.

Subd. 3.     Permitted accessory uses as defined by the zoning districts are acceptable provided that they meet all the zoning requirements.

Subd. 4.     A property maintenance agreement must be executed by the applicant and submitted to the City Attorney for review and approval. The agreement shall insure that the maintenance and upkeep of the structure and the lots to meet minimum City standards. The agreement must be filed with the Hennepin County Recorder's Office as a deed restriction against the title to each unit lot.

Subd. 5.     Separate public utility service shall be provided to each subdivided unit and shall be subject to the review and approval of the City Engineer.

Subd. 6.     Subdivision is to be platted and recorded in conformance with the requirements of Section 1030 of this Code.

**1011.20**     **FIRE LANES.**

Subd. 1.     All fire lanes in the City shall be located, identified and the use thereof restricted to one of the following classifications as so designated on the official Zoning Map. All fire lanes are to provide lake access to the public.

- a.     Class I shall be used for pedestrian access to the lake, fishing from shore, launching canoes and other small boats not requiring a trailer, no sporting activities, involving thrown objects such as catch, softball, baseball, Frisbee, volleyball and football.
- b.     Class II can be used for all the activities as designated in Class I as well as snowmobile access during the winter.

- c. Class III shall only be used for fishing, boat launching, and winter vehicular access to the lake.
- d. Class IV shall be used for pedestrian access and fishing from shore.

Subd. 2. The following fire lanes shall be classified as follows:

- a. Class I. 1-Crescent, 11-Pearl, 14-North Channel, 15-South Channel, 17-North Manitou, 2-Lake Place, 4-West Point, 6-North Sunrise, 7-South Sunrise, 9-Aspen, 10-Hazel, 16-Woodlawn, 19-Apgar, 20-North Brentwood, 21-South Brentwood.
- b. Class II. 3-Interlachen, 8-South Waseca, 13-Woodpecker\*, 18-Bay\*.
- c. Class III. 5-North Waseca.
- d. Class IV. 12-Hill (inaccessible)

- These fire lanes shall be allowed to have winter motor vehicular traffic access to the lake.

*(Hours same as park hours – City admin. note not part of ordinance)*

**RESOLUTION NO. 00-58**

**A RESOLUTION ESTABLISHING RULES AND REGULATIONS  
FOR THE USE OF CLASS III FIRE LANES**

WHEREAS, the City Council finds that as lake use and use of fire lane accesses increase, procedures and standards which have been adequate in the past have become inadequate and the danger to the public health, safety and welfare has increased; and

WHEREAS, the City of Tonka Bay desires to regulate the use of Fire Lanes by imposing conditions for said use; and

WHEREAS, it is the desire of the City Council to adopt said conditions by Resolution and also to adopt rules and regulations for all persons using said Fire Lanes; and

WHEREAS, the City Council determines that it is in the best interests of the community with respect to its health, safety and general welfare to adopt said conditions, rules and regulations.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Tonka Bay, Hennepin County, Minnesota, as follows:

**RULES AND REGULATIONS FOR ALL USERS OF CLASS III  
FIRE LANES**

1. No person shall use the designated launch area of the fire lane for a period of time exceeding fifteen (15) minutes to launch a vehicle. "Person" shall be defined as: "individual, firm, corporation, partnership, other legal entity or association of one or more individuals. "Vehicle" shall be defined as: "every device in, upon or by which any person or property may be transported or drawn upon a highway, lake, stream, channel or trail and shall include but not be limited to automobiles and other motor vehicles, boats, personal watercraft, snowmobiles, trailers, and parts thereof except devices moved by human power."
2. No person shall launch more than four vehicles at any one time.
3. No person shall launch a vehicle in the launch area or park a vehicle in the designated parking area between the hours of 11:00 p.m. and 7:00 a.m. Launch area and parking area are as designated on Attachment "A".
4. No person shall operate any vehicle on shore when said vehicle is intended to be

used on the water or ice and when said vehicle is launched at the fire lane. This rule shall not apply to persons operating vehicles arriving at the fire lane under their own power from another location and passing through the fire lane to gain access to and operate on the lake.

**Penalty:** Any person, firm or corporation violating any of the provisions of this resolution shall be guilty of a misdemeanor. Every day that such violation continues shall be a separate offense.

Passed at a regular meeting of the Tonka Bay City Council this 12th day of December, 2000.

Motion introduced by Mowry and seconded by Newberry.

Roll Call Vote:       Ayes - Newberry, Mowry, Senescall, Sasanfar and Keller  
                          Nays- None  
                          Absent -       None

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Douglas Keller, Mayor

ATTEST:

Robert Rys, Clerk/Administrator

## RESOLUTION 12-

### A RESOLUTION ADOPTING NORTH WASECA FIRE LANE TASK FORCE RECOMMENDATIONS

WHEREAS, the North Waseca Task Force was created at the August 14, 2012 City Council Meeting following concerns raised by area property owners relating to safety, traffic and public nuisance issues at the North Waseca Fire Lane; and

WHEREAS, said Task Force met on two occasions to discuss issues, compromises and solutions relating to said fire lane; and

WHEREAS, the Task Force concluded the existing Resolution 00-58, A Resolution Establishing Rules and Regulations for the use of Class III Fire Lanes, provides rules and regulations for the management of the North Waseca Fire Lane and is in full force and effect; and

WHEREAS, the Task Force recommended that the Tonka Bay City Council request the following support from the South Lake Minnetonka Police Department Chief of Police in order to provide for the safe enjoyment of the fire lane by all citizens:

1. Routine Patrol of the North Waseca Fire Lane as would be normal in the daily policing activities within the City of Tonka Bay, specifically, and particularly between Memorial Day and Labor Day.
2. Prompt response to any citizen calls relating to the North Waseca Fire Lane.
3. An incident report from June 1<sup>st</sup> through September 30<sup>th</sup> to be provided to the Tonka Bay City Council each year which would contain the following information:
  - a. Number of calls to the North Waseca Fire Lane with response times.
  - b. Police Reports regarding calls at the North Waseca Fire Lane.
  - c. Citations written as a result of calls to the North Waseca Fire Lane; and

WHEREAS, the Task Force also recommended that the Tonka Bay City Council adopt the following:

1. Signage at the North Waseca Fire Lane should be codified such that all rules and regulations are clearly communicated and visible.
2. That swimming in the area of the North Waseca Fire Lane is clearly identified as not permitted, due to the risk of accident or injury. A sign shall be placed at the North Waseca Fire Lane prohibiting swimming.
3. That Staff study the possibility of providing for a seasonal and temporary restroom facility for the North Waseca Fire Lane.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Tonka Bay that the aforementioned recommendations be adopted.

PASSED at a regular meeting of the Tonka Bay City Council this 13th day of November, 2012.

Motion introduced by \_\_\_\_\_ and seconded by \_\_\_\_\_.

Roll Call Vote: Ayes –  
Nays –  
Absent –

\_\_\_\_\_  
William LaBelle, Mayor

ATTEST:

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Joseph Kohlmann, Clerk/Administrator