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**MUNICIPAL DOCK
RENTAL POLICY (REVISED
02/26/19)**

This Municipal Dock Rental Policy is subject to change without notice.

1. DEFINITIONS

Applicant:

“Applicant” means a person who has filled out and submitted an application to rent a boat slip, slide or canoe rack from the City.

Boat Owner:

“Boat Owner” means the person renting a slip or slide named on the boat registration certificate issued by the DNR. Said registration certificate may not be registered to a corporation or business owner without written approval from the City Administrator.

Canoe Owner:

“Canoe Owner” means the person renting a canoe rack for their canoe or kayak. Canoe Owners are not required to provide proof of insurance.

Dock:

“Dock” means the municipal-owned docks with slips, slides or canoe rack located in the Dock Area.

Dock Area:

“Dock Area” means the area located within a line beginning at the southerly boundary of the channel abutting the North Channel Fire Lane, the point of beginning, then extending along the westerly and southerly right-of-way lines of Woodpecker Ridge Road, the easterly right-of-way line of Manitou Road, the northerly right-of-way line of Crabapple Lane and ending at the point of beginning.

Length of Boat:

“Length of Boat” means the horizontal measurement from tip of bow pulpit to end of swim platform or furthest point away from tip of bow, whichever is longer. Boat length cannot exceed the designated size limitations for the slip or slide. Size limitations will be designated by the City and may be amended from time to time. Boat length will be verified by City Staff if a boat comes into question.

Renter:

“Renter” means that person named on the boat registration certificate issued by the DNR and permitted by the City to store a watercraft at the Municipal Dock site. Said registration certificate may not be registered to a corporation or business owner without written approval from the City Administrator.

Renter’s Guest:

“Renter’s Guest” is any person who is in the Dock Area at the invitation of a Renter.

Width of Boat:

“Width of Boat” means the horizontal measurement from the aftermost points of the starboard and port of the watercraft, including all equipment and attachments in their normal operation positions measured perpendicular to Length of Boat. Boat width cannot exceed nine (9) feet for any slip.

2. APPLICATION FOR SLIP RENTAL PERMIT

Subd. 1. Any person desiring to secure a permit shall apply to the City Administrator on the application form adopted by the City Council and amended from time to time.

Subd. 2. A slip assignment and up to two (2) gate key cards shall be issued provided:

- a. The application has been completed as required by the City Administrator.
- b. The applicant’s boat meets the length and width requirements.
- c. The applicant is the owner of the boat for which the slip rental permit is requested.
- d. For returning renters, the application and payment of half of the required rental fee has been submitted to the City on or before February 1 of the year for which the permit is to be effective. For new renters, the payment of half of the required rental fee is due at the time of application.
- e. For returning renters, the balance of the dock rental fee shall be paid on or before March 1 of the same year. For new renters, the balance of the dock rental fee shall be paid four (4) weeks after the application has been received.
- f. The applicant must provide proof of liability insurance for the boat.
- g. The applicant has made a security deposit for the gate key card(s).

Subd. 3. The Renter shall report any change of status in their application in writing to the City Administrator within ten (10) days after such change has occurred. In the event said changes fail to meet the requirements for the issuance of a permit, said permit shall be reviewed by the City Council and subject to revocation. If requested, the Renter shall be granted a hearing upon at least ten (10) days notice before revocation is ordered. The notice shall state the time and place of the hearing and the nature of the failure to meet permit requirements. If the

Renter does not report a confirmed change of status in their application to the City Administrator within 30 days, the City Council may revoke the permit without a hearing.

Subd. 4. Renter shall remove the boat from the premises within ten (10) days after permit revocation by the City Council. If Renter's boat is not removed within ten (10) days, the City will remove the boat at Renter's expense. Renter shall remain obligated for all sums under this Municipal Dock Policy, and no refund shall be given until the Renter's designated slip is rented to another applicant.

Subd. 5. Permits issued under this Section shall authorize Renter to keep a specified watercraft at an assigned space for the specified boating season as provided.

3. PERMIT ALLOCATIONS AND APPLICATION DEADLINES FOR SLIP RENTALS

Subd. 1. Applications for slip rental permit renewals shall be emailed or mailed to current Renters by December 15. Applications, half payment and security deposit shall be submitted to the City on or before February 1 of each year. The balance of the fee shall be paid by March 1 of each year. If no response is received after two emails have been sent, a third and final notice will be sent by certified mail.

Subd. 2. Slip rental applications for new renters will be emailed as slips become available. Half payment and security deposit shall be due with the application. The fee balance is due four (4) weeks after application submission date.

Subd. 3. Permits shall be issued based upon the following priorities, with exceptions described in the Addendum:

1. Tonka Bay residents with valid permits for the immediately preceding year.
2. Residents of Tonka Bay on the waiting list subject to the following conditions:
 - a. Non-lakeshore residents
 - b. Lakeshore residents
3. Residents of Tonka Bay
4. Non-residents of Tonka Bay currently renting a Municipal Dock Slip
5. Non-residents of Tonka Bay on the waiting list
6. Non-residents of Tonka Bay

4. APPLICATION FOR PERMIT FOR SLIDE OR CANOE RACK

Subd. 1. Permits for slides and canoe rack are done on a first come first serve basis, regardless of residency.

Subd. 2. Any person desiring to secure a permit shall apply to the City Administrator on the application form adopted by the City Council and amended from time to time.

Subd. 3. A slide or canoe rack assignment shall be issued provided:

- a. The application has been completed as required by the City Administrator.
- b. The applicant's boat or canoe meets the length and width requirements.
- c. Full payment has been received.
- d. The applicant is the owner of the boat or canoe for which the dock permit is requested.
- e. The applicant must provide proof of liability insurance if renting a slide. No proof of insurance is required for renting a canoe rack.

Subd. 4. The Renter shall report any change of status in their application in writing to the City Administrator within ten (10) days after such change has occurred. In the event said changes fail to meet the requirements for the issuance of a permit, said permit shall be reviewed by the City Council and subject to revocation. If requested, the Renter shall be granted a hearing upon at least ten (10) days' notice before revocation is ordered. The notice shall state the time and place of the hearing and the nature of the failure to meet permit requirements. If the Renter does not report a confirmed change of status in their application to the City Administrator within 30 days, the City Council may revoke the permit without a hearing.

Subd. 5. Renter shall remove the boat from the premises within ten (10) days after permit revocation by the City Council. If Renter's boat is not removed within ten (10) days, the City will remove the boat at Renter's expense. Renter shall remain obligated for all sums under this Municipal Dock Policy, and no refund shall be given until the Renter's designated slip is rented to another applicant.

Subd. 6. Permits issued under this Section shall authorize Renter to keep a specified watercraft at an assigned space for the specified boating season as provided.

5. PERMIT AUTHORIZATION – ASSIGNMENT NOT ALLOWED

Subd. 1. No permit shall be assignable. No boat, dock slip, slide or canoe/kayak rack for which a permit has been issued shall be rented or subleased.

6. START AND TERMINATION OF SEASON

Subd. 2. No slips, slides or racks shall be used for boat dockage until ice-out or May 1, whichever comes first. All boats or other watercraft shall be removed from the water and from the municipal dockage on or before November 1 of each year.

7. FEES

Subd. 1. The City Council shall set fees for municipal dock slips, slides and racks and the gate key fob security deposit. These fees will be reviewed annually and adjusted as necessary. Please refer to the fee schedule, Section 402 in the City Code. The City Council may also make a determination to suspend or reduce fees if such actions are merited.

Subd. 2. Upon return of the assigned gate key card(s), the security deposit will be refunded if returned by November 30. If November 30th falls on Friday, Saturday or Sunday, the deadline is the first Monday following November 30th.

8. PROHIBITED ACTIVITIES

- a. Swimming from the boat docks and in the dock area.
- b. Fishing from the boat docks and in the dock area.
- c. Creation of any housekeeping or sanitation problems, failure to use waste receptacles.
- d. Depositing of any refuse, sewage, debris, liquids or any polluting matter on the grounds or in the waters of the Dock Area. Non-compliance with any present and future state, federal and other governmental regulations regarding holding tanks and sewage disposal.
- e. Failure to deposit all garbage and other waste in bins and cans supplied for that purpose.
- f. Use of bicycles, scooters, roller skates, in-line skates and skateboards on the docks.
- g. Smoking on docks.
- h. Open fires of any kind (charcoal, propane, etc.) in any part of the Dock Area, including on boats. Fireworks within the Dock Area at any time.
- i. Cleaning of fish or disposal of fish parts within the Dock Area.
- j. Staying overnight on a boat docked in the Dock Area.
- k. Failure of renter to inform renter's family members and guests of all rules and regulations.
- l. Nailing, tying, or by any other means attaching objects or materials to the city docks for any purpose, except bumper material purchased from the city.
- m. Painting or scraping of boats or accessories.
- n. Disposing of oil, oil filters, paints, pain cans, cleaning fluid, batteries, or other hazardous and like materials in garbage containers.
- o. Boat lifts. For purposes of this paragraph, boat lifts shall include but shall not be limited to free-standing lifts and lifts attached to the city docks.
- p. Renter is responsible for compliance by Renter's guests with all provisions of these rules and all rules and regulations of the Dock Area.
- q. Allowing any part of the boat to protrude over any dock space, including but not limited to walkways.

9. WATERCRAFT OPERATION

- a. The craft shall be kept under control at all times when in the Dock Area.
- b. The craft shall be kept at all times under closed throttle when in the Dock Area.
- c. Clearing propellers in the Dock Area is prohibited.

10.ADDITIONAL PROVISIONS

- a. Renter shall pay for any damages to city dock property.

- b. Renter shall hold the City of Tonka Bay and its employees harmless from and against any or all claims, suits, and damages which might ensue.
- c. The City makes no representation or guarantees concerning water level. Renter will make its own independent determination. Renter has a continuing obligation to pay the total fee under this Municipal Dock Policy, notwithstanding the change in water levels that may affect navigability within the Dock Area.
- d. Renter agrees that all fees, charges, and other amounts owed to the City under this Municipal Dock Policy will be paid by the due date.
- e. Renter forfeits the key fob security deposit if not returned to the City by November 1.

11. PUBLIC SAFETY WATERCRAFT

- a. Public safety watercraft shall be exempt from the permit allocation priorities.
- b. City Council may waive the fee for public safety watercraft.
- c. Public safety watercraft may exceed the length and width requirements.
- d. Public safety watercraft may use dolphin poles to secure watercraft.
- e. Public safety watercraft dockage shall be on a temporary basis by resolution and may be cancelled at any time by either party.