ARTICLE 41:04

PUBLIC WATERS

Chapter

41:04:01 Markings and zones.
41:04:02 Public water zoning.
41:04:03 Meandered waters.
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41:04:05 Motorboats and watercraft.
41:04:06 Nonmeandered waters.
41:04:02:12. **Clark County public water safety zones.** The Clark County public water safety zone is the waters within Reid Lake designated as a "no boating zone" from October 20 to December 31, inclusive. Clark County public water safety zones are as follows:

1. Reid Lake is a "no boating zone" from October 20 to December 31, inclusive;
2. Swan Lake is a “no boating zone” from October 20 to December 31, inclusive.

**Source:** SL 1975, ch 16, § 1; 10 SDR 23, effective September 22, 1983; 10 SDR 76, 10 SDR 102, effective July 1, 1984; repealed, 23 SDR 38, effective September 26, 1996; readopted, 25 SDR 43, effective September 28, 1998; 28 SDR 129, effective March 18, 2002; 32 SDR 183, effective May 9, 2006; 39 SDR 168, effective April 22, 2013; 40 SDR 197, effective May 27, 2014.

**General Authority:** SDCL 32-3A-1(3)(4).

**Law Implemented:** SDCL 32-3A-1(3)(4).

**CHAPTER 41:04:06**

**NONMEANDERED WATERS**

Section

41:04:06:01. **Petition to restrict recreational use of nonmeandered lake.**

41:04:06:01. **Petition to restrict recreational use a nonmeandered lake.** A petition to the Commission requesting the authority to restrict recreational use of the waters of a nonmeandered lake that are open to recreational use under SDCL 41-23-8 shall be submitted on forms prescribed by the Department. The Commission shall fix a
date for hearing, to be held pursuant to SDCL 1-26, on each petition submitted and shall give notice of the hearing on an agenda published in accordance with SDCL 1-25-1.3. The Department shall notify the petitioner of the date, time, and place of the meeting at which the petitioner’s request will be considered, and the petitioner shall be given an opportunity to be heard at the meeting. Within forty days after a hearing, the Commission shall adopt a resolution in accordance with SDCL 41-23-9 that either grants the petition in part or full or denies the petition stating its reasons for partial or complete denial. A petition shall contain the following:

(1) Name and address of the petitioner;

(2) Type of recreational access restriction requested;

(3) Reasons for the requested restriction;

(4) Periods of the year for the requested restriction;

(5) Duration of the requested restriction;

(6) Legal description and a map of the location of the water; and

(7) Proof of ownership and/or legal possession of the property underlying water being petitioned for restricted recreational use.

Source:
