

6110.1500 WATERWAY MARKERS.

Subpart 1. **In general.** Except as hereinafter provided, or as otherwise provided by law, all waterway markers placed in or upon the waters of the state by public authority or under a permit issued by the sheriff of any county for the purposes hereinafter set forth shall have the form, size, lighting, reflectorization, and coloration prescribed therefor. When referring to lights on a waterway marker, "flashing" means not more than 30 flashes per minute and "quick-flashing" means at least 60 flashes per minute.

Subp. 2. **Channel marker buoys.** Channel marker buoys:

A. Every channel marker buoy shall have the external form of a cylinder having a circular transverse cross-section not less than nine inches in diameter. Channel markers must extend at least 36 inches above the water.

B. Where channel marker buoys are placed to indicate the location of a well defined boating channel, an all green buoy and an all red buoy shall be placed in opposition to each other to indicate the course of the channel is located between them. The red buoy or marker shall be situated on the right side of the channel when heading towards shore, or when heading upstream. A green flashing light shall be used in conjunction with a green buoy if it is to be lighted. When reflectorization is used with a green buoy, it shall be green in color and no less than a three-inch wide strip shall completely surround the buoy and shall be located at the top of the buoy. Number designations shall be odd. A red flashing light shall be used in conjunction with a red buoy if it is to be lighted. When reflectorization is used with a red buoy, it shall be red in color and no less than a three-inch wide strip shall completely surround the buoy and shall be located at the top of the buoy. Number designations shall be even. Red buoys may have a conical (nun) shape to the top of the buoy. Daymarks (signs) may also be used in place of buoys. The colors, lighting, minimum height above water, and numbering for daymarks shall be the same as for buoys with the same designation. Red daymarks shall be triangular in shape and green daymarks shall be rectangular in shape.

Subp. 3. **Shoreward obstruction (point) buoy.** A buoy indicating that a watercraft should not pass between it and the nearest shore shall have a circular transverse cross-section measuring not less than nine inches in diameter and shall extend at least 36 inches above the surface of the water. Each such buoy shall be marked with alternating vertical black and white stripes. White reflectorization may be used on a minimum of the upper three inches of the white vertical stripe. A white quick-flashing light shall be used if the buoy is lighted.

Subp. 3a. **Mid-channel or safe water buoy.** A buoy indicating the center or midpoint of a channel shall have a circular transverse cross-section measuring not less than nine inches in diameter and shall extend at least 36 inches above the surface of the water. Each such buoy shall be marked with alternating vertical red and white stripes and may have a red spherical top mark approximately the same diameter as the diameter of the buoy. White

reflectorization may be used on a minimum of the upper three inches of the white vertical stripes. Red reflectorization may be used on a minimum of the upper three inches of the red vertical stripes. A white flashing light shall be used if the buoy is lighted. A daymark (sign) may be used in place of a buoy and must extend out of the water a minimum of 36 inches. The daymark must be octagonal in shape with a white border, white on the left side and red on the right side of the sign as it faces the boater.

Subp. 4. **Mooring buoys.** Every buoy placed in the waters of the state for use in anchoring or mooring watercraft may be of any practicable size or shape, but must have at least eight inches extending above the waterline. No anchoring buoy may have a diameter of over 24 inches circular or a width of more than 24 inches if some other shape. No mooring or anchor buoy may be placed in any public water if it obstructs access to any public or private property or creates a navigational hazard. No mooring or anchor buoy may be placed in or upon the water of the state except by public authority or under a permit issued by the sheriff of the county. Every such buoy shall be colored white and shall be encircled by a visible blue band at least one inch wide. Mooring buoys must have a minimum total of 16 square inches of white reflectorization, part of which must be visible from any direction. Mooring buoys, if lighted, shall show a flashing white light.

Subp. 5. **Regulatory and information signs and buoys.** Regulatory and information signs and buoys:

A. No regulatory or informational signs or buoys may be placed in or upon the waters of this state, except by public authority or under a permit issued by the sheriff of the county. All such signs and buoys shall be colored white except as hereinafter provided.

When a buoy is used as a regulatory or informational marker (except in private swimming areas), it shall have two orange-colored horizontal bands completely around the buoy's circumference, one such band at the top, and the other just above the waterline. The appropriate geometric shape(s) indicating the buoy's purpose and any lettering or numerals shall be placed between these horizontal bands. The buoy itself shall have a circular transverse cross section of at least nine inches and shall extend at least 36 inches above the surface of the water. Except for danger areas, a white flashing light shall be used on all buoys or signs in this subpart, if the buoy or sign is lighted. If lighted, buoys or signs that mark danger areas must display a white quick-flashing light.

B. Every sign or buoy giving information for the convenience of watercraft operators shall bear a two-inch wide orange-colored band forming an upright rectangle measuring at least 14 inches in height outside dimensions.

C. Signs or buoys indicating danger to watercraft shall bear an orange-colored band of two-inch width forming an upright diamond at least 14 inches in outside height, and such signs shall bear a printed statement of the source of danger.

D. Signs or buoys indicating controlled water areas in which boating, fishing, water-skiing, skin diving, or other water activities are restricted, limited, or otherwise subjected to special rules or regulations shall bear a two-inch wide band forming a circle at least 12 inches in outside diameter. The limitation, restriction, prohibition, or regulation effective within a controlled area shall be printed inside of the orange-colored circle when possible.

Signs or buoys designating state game refuges, wildlife management areas, or spawning areas shall not be subject to the provisions of this order.

E. Signs or buoys directing all watercraft to keep out of a specific water area shall bear a two-inch orange-colored band forming an upright diamond at least 14 inches in outside height, dissected vertically and horizontally by an orange-colored strip two inches wide.

Signs or buoys designating state game refuges, wildlife management areas, or spawning areas shall not be subject to the provisions of this order.

F. Signs indicating winter ice dangers to persons, motor vehicles, snowmobiles, all-terrain vehicles, ice boats, or any other conveyance used to transport persons over the ice on public waters of the state shall bear a two-inch wide orange-colored band forming an upright diamond at least 14 inches in outside height and such signs shall bear a printed statement of the source of danger.

Where used, except for the marking of aeration systems operating under a permit from the commissioner of natural resources, these signs shall completely line the perimeter of the ice hazard at intervals not exceeding 75 feet and shall be at least 48 inches above the ice. When a permit is issued for an aeration system, the commissioner shall specify the marking requirements for each system as a part of the permit.

G. No person shall operate any motor vehicle, snowmobile, all-terrain vehicle, ice boat, or any other conveyance used to transport persons over the ice on public waters of the state within 150 feet of a diver's warning flag described in Minnesota Statutes, section 86B.601.

H. Written material on any waterway marker sign or buoy shall be printed with black letters at least two inches in height, on a white background.

I. Every waterway marker driven into the bottom of a lake or stream, or attached to a post so driven, shall extend at least 36 inches above the surface of the water. The surface of the water shall be considered to be the normal high watermark during the local boating season.

J. Any sign may be reflectorized, provided that the entire displayed surface is uniformly reflectorized.

K. The reflectorized material required by all sections of these rules shall retain 80 percent of its dry weather reflective signal strength when submerged in water.

Subp. 6. [Repealed, 15 SR 2430]

Subp. 7. **Milfoil areas.** Buoys or signs indicating an area that is infested with Eurasian water milfoil may be marked using a solid yellow sign or buoy. If a buoy is used, it shall be no less than four inches in diameter and extend at least 30 inches above the surface of the water. The words "Milfoil" or "Milfoil Area" must appear on opposing sides of the buoy in at least two-inch high black letters. If a sign is used, it shall be no more than 12 inches in width or more than 18 inches in height and extend at least 30 inches above the surface of the water at normal high water level. The words "Milfoil" or "Milfoil Area" must appear on the sign in at least two-inch high black letters.

Subp. 8. **Exceptions.** Whenever an emergency situation requires that immediate warning be given of a hazardous condition, any appropriate marker may be used until such time as the emergency ceases to exist or until a marker complying with these rules can be obtained. In addition, the commissioner or designee may exempt specific types of waterway markers or buoys from the dimensional requirements of this part where safety would not be adversely affected and may also designate buoys or markers for purposes not previously set forth in this part.

Statutory Authority: *MS s 86B.211; 361.25*

History: *10 SR 2346; 15 SR 2430; 27 SR 1537*

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