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July 23, 2014

**City Council**

City of Hokah  
102 Main Street, P.O. Box 311  
Hokah, Minnesota 55941

Dear City Council:

I am writing because I would like the council to repeal Hokah City Ordinance 125, because I believe that it is in direct opposition to Minnesota State Statutes regarding public access to public waters.

The only state statute that I could find that granted local units of governments the right to establish local ordinances to restrict public access was Minnesota Statutes Section 103G.235 and that applies to wetlands not public waters. I understand the concern that the waterfall itself is dangerous and the area directly below, but I believe that to restrict all access to Thompson Creek and the Root River within City limits is against state statutes.

Minnesota case law has established that a public road or public property give the public riparian rights to the water. The general public can access water bodies or water courses via public property or through private property if oral or written permission is obtained. Meaning we can wade, fish, swim, boat, etc... in the public water.

Please provide me with the state Statute that you believe gives you the right to establish an ordinance restricting access to a public water. If you cannot provide me with a state statute then I respectfully request the repeal of Ordinance 125. I would like to enjoy wading in the public water with my dogs when the weather is particularly warm. Thank-you for your time.

Sincerely,

  
Kerrie Hauser