

Town Ordinance #47

AN ORDINANCE TO REGULATE WATER TRAFFIC, BOATING AND WATER SPORTS UPON THE WATERS OF LEGEND LAKE AND PRESCRIBING PENALTIES OR VIOLATION THEREOF.

The Town Board of the Town of Menominee, Wisconsin do ordain as follows:

Section 1. Intent. The intent of this ordinance is to provide safe and healthful conditions for the enjoyment of aquatic recreation consistent with public rights and interest and the capability of the water resource.

Section 2. Applicability and Enforcement. The provisions of this ordinance shall apply to the waters of Legend Lake within the jurisdiction of the Town. The provisions of this ordinance shall be enforced by the officers of the Sherriff's Department of the County of Menominee, through use of standard citation forms.

Section 3. State Boating and Water Safety Laws Adopted. The Statutory provisions describing and defining regulations with respect to water traffic, boats, boating and related water activities and safety in the following enumerated sections of the Wisconsin Statutes, exclusive of any provisions therein relating to the penalties to be imposed or the punishment for violation of said statutes, are hereby adopted and by reference made a part of this ordinance.

30.50 Definitions

30.51 Operation of unnumbered motorboats prohibited

30.52 Certificates of number

30.53 Identification number to be displayed on boat; Certificate to be carried

30.54 Transfer of ownership of numbered boat

30.55 Notice of abandonment or destruction of boat or change of address

30.60 Classification of motorboats

30.61 Lighting equipment

30.62 Other equipment

30.63 Motorboat prohibition

30.64 Patrol boats exempt from certain traffic regulations

30.65 Traffic Rules

30.66 Speed restrictions

30.67 Accidents and accident reports

30.675 Distress signal flag

30.68 Prohibited operation

30.69 Water skiing

30.70 Skin diving

30.71 Boats equipped with toilets

Section 4. Definitions. As used in this ordinance:

- (1) Life Preserver or Personal Floatation Device (PFD) Shall be a type approved by the United States Coast Guard.
- (2) "Slow No Wake," means that speed at which a boat moves as slowly as possible while still maintaining steerage control.

Section 5. No Person Shall:

- (1) Water ski without wearing a Life Preserver or PFD.
- (2) Operate a motor boat towing a water skier so that the person being towed is within 200 feet from swimmer, fisherman, slow moving or anchored boats or rafts.
- (3) Operate a motor boat within 200 feet of any shoreline at speed in excess of "Slow No Wake" unless departing from the shore or landing at the shore.
- (4) Operate a motor boat in excess of "Slow No Wake" in any channel or waterway, which is less than 400 feet wide.
- (5) Operate a motor boat in excess of "Slow No Wake" between the hours of 6:30 p.m. and 10:00 a.m.

Section 6. Penalties. Any person who shall violate any provision of this ordinance shall be fined no less than \$50.00 and not more than \$100.00 for a first offense and a fine not less than \$100.00 or more than \$200.00 upon the conviction of the same offense a second or subsequent time within one year.

Section 7. Separability. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by reason of any decision of any court of competent jurisdiction, such decision shall not affect the validity of any other section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof may be declared invalid or unconstitutional.

Section 8. Effect. This ordinance shall take effect upon passage and publication.

Adopted: October 25, 1984

Ordinance Published: November 3, 1984