

A JOINT BOATING ORDINANCE FOR THE TOWN OF AMHERST AND THE VILLAGE OF AMHERST JUNCTION TO REGULATE BOATING UPON THE WATERS OF LAKE EMILY. ~~8-13-09~~ #DNR 0887

The Town Board of the Town of Amherst and Village Board of Amherst Junction do ordain as follows:

Section I. **Applicability and Enforcement**

- (a) The provisions of this Ordinance shall apply to the waters of Lake Emily
- (b) This chapter shall be enforced by the officers of the Town of Amherst, Village of Amherst Junction, or their official designee(s) and any law enforcement agency with jurisdiction.

SEP 08 2002

Section II **Intent**

The intent of this Ordinance is to provide safe and healthful conditions for the enjoyment of aquatic recreation consistent with public rights and interests, and the capability of the water resources.

Section III **State Boating and Safety Laws Adopted**

State boating laws as found in ss.30.50 to 30.71, Wis. Stats., are adopted by reference.

Section IV **Definitions**

- (a) "Slow-No-Wake" means that speed at which a boat moves as slowly as possible while still maintaining steering control.
- (b) "Water ski" means a boat towing a person using water skis, aquaplane or similar device.
- (c) The "West Bay" is described as the area west of the GIS co-ordinates "Slow-No-Wake" buoy line. (Shown in map attachment)
- (d) The "East Side" of Lake Emily pertains to all waters east of the GIS co-ordinate "Slow-No-Wake" buoy line. (Shown in map attachment)
- (e) The "Water Ski Area" is described as the area in-between the designated "Slow-No-Wake" buoy line, on the East Side of Lake Emily and the buoy line at the far West Bay of Lake Emily. The "Water Ski Area" begins (150') west of the public swimming beach as marked by identifying posts.

Section V **Speed Regulation.**

- (a) It shall be unlawful for any person to operate or cause to be operated any motor boat at a speed in excess of Slow No Wake on Lake Emily, except in the "Water Ski Area" during the hours of 11:00 A.M. to 4:00 P.M. daily.
- (b) No one can operate a motor boat faster than "Slow-No-Wake" at any time on the East Side of Lake Emily, east of the "Slow-No-Wake" buoy line as established by GIS co-ordinate.

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(c) No one can operate a motor boat faster than "Slow-No-Wake" at any time on the far West Bay located west of the "Slow-No-Wake" buoy line.(Shown in map attachment)

(d) In addition, the West Bay on the far West end of Lake Emily, is also designated "Research Area". A "Slow-No-Wake" buoy will be placed at the entrance according to the attached GIS co-ordinates, designated on the map, (Shown in map attachment)

Section VI Posting Requirements

The Town of Amherst and the Village of Amherst Junction shall place and maintain a synopsis of this Ordinance at all public access points to Lake Emily, within the jurisdiction of the Town pursuant to the requirements of NR 5.15 Wis. Admin. Code.

Section VII Penalties

Wisconsin state boating penalties as found in Wis. Stat. 30.80, and deposits as established in the Uniform Deposit and Bail Schedule established by the Wisconsin Judicial Conference, are hereby adopted by reference and all references to fines amended to forfeitures and all references to imprisonment deleted.

Section VIII Conflicting Ordinances Repealed

All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

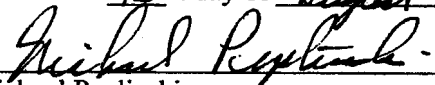
Section IX Severability

The provisions of this Ordinance shall be deemed severable and it is expressly declared that the Town & Village Board would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected.

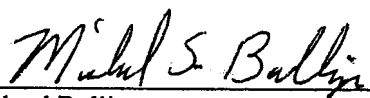
Section X Effective Date

This section will become effective upon passage and the day after publication.

Passed this 13th day of August, 2009.



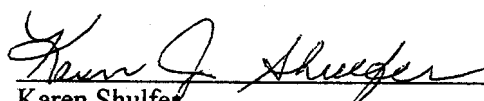
Michael Peplinski
Town of Amherst Chairperson



Michael Ballinger
Village of Amherst Junction President



Shawn Lea
Town of Amherst Clerk



Karen Shulfer
Village of Amherst Junction Clerk