

TOWN OF UNION

APR 27 2009

**ORDINANCE NO: 2008-09-05
SLOW-NO-WAKE ZONE FOR ELK CREEK LAKE**

A Sole Ordinance to Regulate Boating Upon the Waters of Elk Creek Lake and Prescribing Penalties for Violations Thereof.

The Town Board of the Town of Union, Eau Claire County do ordain as follows:

Section I. Applicability and Enforcement

- (a) The provisions of this Ordinance shall apply to the waters of Elk Creek Lake.
- (b) This chapter shall be enforced by the officers of the Town of Union, Eau Claire County and the officers of the Town of Spring Brook, Dunn County, working cooperatively with officers of the Eau Claire County, State of Wisconsin; Dunn County, State of Wisconsin; and the Wisconsin Department of Natural Resources.
- (c) This ordinance shall not apply to official emergency personnel providing emergency services or to official emergency personnel engaged in training approved by the agency's chief of emergency services.

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) "Elk Creek Lake" means all bays, lake area and back waters of the Elk Creek Lake area of Sect 18 Twp 27N, Range 10W and Sections 13 and 24, Twp 27N, Range 11W all in the Town of Spring Brook, Dunn Co., WI and the Town of Union, Eau Claire Co., WI.

Section V. Controlled Area

No person shall operate a boat or water craft faster than slow-no-wake in the waters of Elk Creek Lake at any time.

Section VI. Posting Requirements

The Towns of Union, Eau Claire Co., and Spring Brook, Dunn Co. shall place and maintain a synopsis of this ordinance at all public access points within their respective jurisdictions 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. Severability

The provisions of this Ordinance shall be deemed severable and it is expressly declared that the Town of Union 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 applications 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 IX. Effective Date

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

Passed this 10 Day of March 2009.


James Volbrecht, Chairperson


Attest by: Polly Jensen, Clerk

Published/Posted: March 15, 2009

APR 27 2009

TOWN OF UNION

1506 N Town Hall Road, Eau Claire, WI 54703

Phone: (715) 874-6123

April 25, 2009

ID #00872

Wayne Ringquist
Wisconsin Dept of Natural resources
101 South Webster St
Box 7921
Madison, WI 53707-7921

APR 27 2009

Dear Mr. Ringquist,

Enclosed are photocopies of Ordinance No:2008-09-05, "Slow-No-Wake Zone for Elk Creek Lake", and the notarized affidavit of publication from Arleen King, Eau Claire Leader-Telegram.

If you need additional information or have any questions, please give me a call at cell 715-563-5758 or office 715-874-6123.

Sincerely,



Polly Jensen, Clerk, Town of Union

Enclosures

AFFIDAVIT OF PUBLICATION

STATE OF WISCONSIN,
Eau Claire County, } SS.

ID #000872

APR 27 2009

Arleen King, being duly sworn, says that she is the legal advertising coordinator of the EAU CLAIRE LEADER-TELEGRAM, a public daily newspaper of general circulation, printed and published in the City of Eau Claire, in the County and State aforesaid, and that the notice of which the annexed is a printed copy taken from the paper in which the same was published, was inserted and published in the said newspaper on the

15th day of March 2009
and thereafter on the following dates to-wit:

being at least once in each week for
successive weeks.

Arleen King
Received Payment,
20

Subscribed and sworn to before me this

27th day of March 2009
Sharon R. Behler

Notary Public.

My commission expires 2-17-2013

(Ldr.-Tele. Mar. 15, 2009)

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