

## Ordinance

### WHITE LAKE MANAGEMENT DISTRICT ORDINANCE 06-1

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

The Board of Commissioners of the White Lake Management District, an Inland Lake Protection and Rehabilitation District located in Marquette County, 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 White Lake, Marquette County, Wisconsin, within the jurisdiction of the White Lake Management District. The provisions of this ordinance shall be enforced by persons selected by the White Lake Management District.

Section 3. *Supersedes Prior Ordinances.* This ordinance shall supersede all prior ordinances applying to the waters of White Lake, Marquette County, Wisconsin.

Section 4. *State Boating and Safety Laws Adopted.* The State of Wisconsin boating laws as found in sections 30.50 to 30.71, Wis. Stats. are adopted by reference.

Section 5. *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 one or more water skis, an aquaplane or similar device.
- (c) "Motorboat" includes personal watercraft.

Section 6. *Maximum Rating.* The use and/or operation of an outboard motor, inboard motor, or personal watercraft having a rated capacity in excess of 75 horsepower or 800 cubic centimeters of displacement (herein "cc's") is hereby prohibited; provided however, that an outboard motor, inboard motor, or personal watercraft having a rating in excess of 800 cc's is permitted as long as said outboard motor, inboard motor, or personal watercraft is rated at 75 horsepower or less or would be rated at 75 horsepower or less if it were rated in horsepower.

Section 7. *Inspection.* If the horsepower of a outboard motor, inboard motor, or personal watercraft is not clearly displayed on the outside of the motor or the motorboat, the owner

thereof must obtain a sticker from the White Lake Management District showing that the motor has been inspected and does not exceed the required rated capacity specified in this section. The sticker must be affixed to and clearly displayed on the motor or motorboat. The burden of proof shall be on the person requesting the sticker to demonstrate compliance with the required rated capacity of this ordinance. This section shall not be construed as the numbering, registration, or licensing of boats as prohibited by state statute. The purpose of this section is to facilitate the inspection of motorboats by the lake district. No fee shall be charged for such inspection.

Section 8. *Speed Limit.* A speed limit of 35 miles per hour is established on the waters of White Lake. No person shall operate a boat faster than the established speed limit.

Section 9. *Slow-No-Wake, Water Skiing, Counterclockwise.*

- (a) No person shall operate a boat upon the waters of White Lake faster than slow-no-wake during the hours of 6:00 p.m. to 10:00 a.m. local time Sunday through Thursday and 8:00 p.m. to 10:00 a.m. local time Friday and Saturday.
- (b) No person shall water ski or operate a motorboat towing a person engaged in water skiing or similar activity between the hours of 6:00 p.m. or sunset, whichever is earlier, to 10:00 a.m. local time Sunday through Thursday and 8:00 p.m. or sunset, whichever is earlier, to 10:00 a.m. local time Friday and Saturday.
- (c) No person shall drop a ski in "one ski" water skiing except immediately in front of the lakeshore property from which he or she departed.
- (d) All boats being operated at a speed faster than slow-no-wake shall travel in a counterclockwise direction on the lake.

Section 10. *Penalties.* The penalty for an offense of this ordinance is as follows:

- First offense: \$ 50
- Second offense: \$100
- Third offense: \$150
- Fourth offense: \$200
- Each subsequent offense increases by \$50.

To the extent this section 10 is contrary or inconsistent with the Wisconsin state boating penalties as found in section 30.80, Wis. Stats. and deposits as established in the Uniform Deposit and Bail Schedule established by the Wisconsin Judicial Conference, said state boating penalties and said Uniform Schedule are hereby adopted by reference with all references to fines amended to forfeitures and all references to imprisonment deleted.

Section 11. *Severability*. The provisions of this ordinance shall be deemed severable and it is expressly declared that the Board of Commissioners of the White Lake Management District would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may 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 12. *Effective Date*. This ordinance shall become effective upon passage and the day after publication.

Adopted by the White Lake Management District this 5<sup>th</sup> day of August, 2006.

Adam J. Pientka  
(Chairperson's Name)

s/ Adam J. Pientka  
(Signature of Chairperson)