

#919

MOTORBOAT PROHIBITION ORDINANCE
BEAR LAKE
BEAR LAKE TOWNSHIP, BARRON COUNTY WI

A SOLE ORDINANCE TO REGULATE BOATING UPON THE WATER OF BEAR LAKE, IN DUBSKY ISLAND BAY, BEAR LAKE TOWNSHIP, BARRON COUNTY WI, AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF.

The Town Board of the Town of Bear Lake does ordain as follows.

Section I. Applicability and Enforcement

- (a) The provisions of this ordinance shall apply to the waters of the Dubsky Island Bay within Bear Lake located within the Town of Bear Lake, Barron County WI.
- (b) This ordinance shall be enforced by the Barron County Sheriffs Department and/or other law enforcement agencies.

Section II. Intent

The intent of this ordinance is to provide a safe and healthful condition for the enjoyment of aquatic recreation consistent with the public rights and interests, and the capability of the water resources by reducing the impact of boat traffic and associated boat wakes on the Wild Rice Beds south and west of Dubsky Island. The natural, historic Wild Rice Beds in this area are beneficial to the lake ecosystem and therefore the public in general. Increased boat traffic in this area due to an improved boat launch, has degraded these beds which have resulted in a decline in size and density of these particular Wild Rice Beds. By excluding motorboats from operating within the historic boundaries of the Wild Rice Beds, especially during the particularly susceptible early stages of the Wild Rice growing cycle, the Wild Rice should again flourish, expand, and provide an unarguable asset to the Bear Lake Ecosystem which benefits the public at large.

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) "Motor Boat Prohibited Area"
Means an area of the lake, with the boundaries of which marked by exclusionary buoys, where the operation of motorboats during any time of the year is prohibited,

Section V. **Motor Boat Prohibited Area**

No person shall operate a motor boat, as defined in Ss 30.50(6), on the waters of Bear Lake within the posted *boat exclusionary areas* so marked by exclusionary buoys. The physical GPS location of these buoys is included on an attached map.

Section VI

Posting Requirements

The Town of Bear Lake shall place and maintain a synopsis of this ordinance at all public access points on Bear Lake within the jurisdiction of the Town of Bear Lake, Barron County WI, pursuant to the requirements of NR 5.15 Wis. Administrative Code. Postings, buoys, and/or other required notification will be provided and maintained by the Town of Bear Lake.

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~~ (The) Wisconsin Judicial Conference, are hereby adopted by reference and all references to the fines amended to forfeitures and all reference to imprisonment deleted.

Section VIII **Expiration**

This ordinance shall expire on December 31 2015, at which time the Town Board of Bear Lake reserves the right to extend the duration of this ordinance if scientific evidence is presented to show this ordinance served its intent.

Section IX **Severability**

The provisions of this Ordinance shall be deemed severable and it is expressly declared that the Town 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.

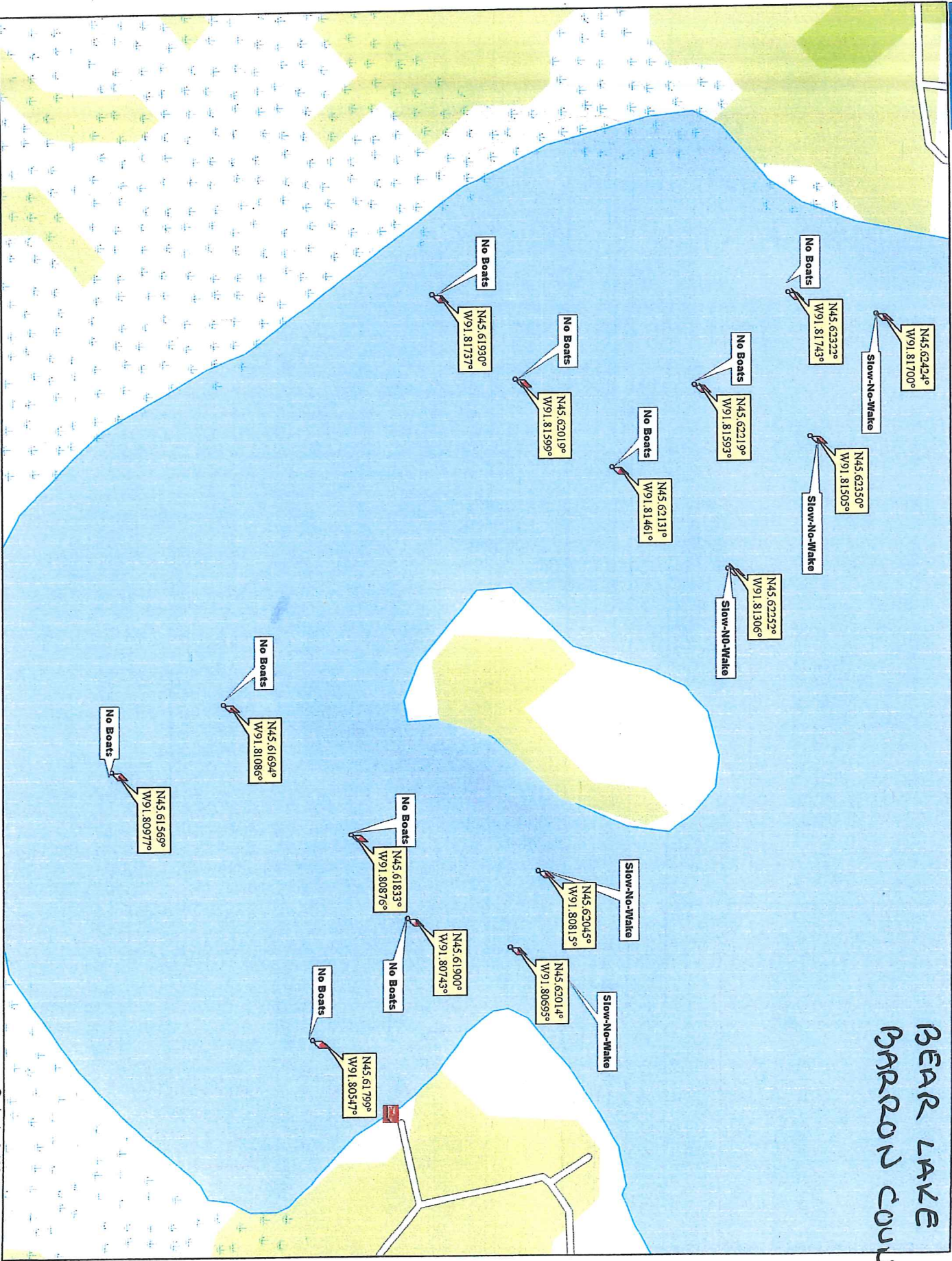
Section X Effective Date

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

Passed this 13 day of July 2010.

PAUL TOT
Bear Lake Town Chairman
Paul Tot
Signature of Chairperson

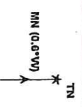
BEAR LAKE BARROD COUNTY



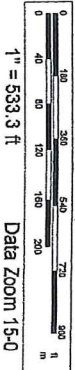
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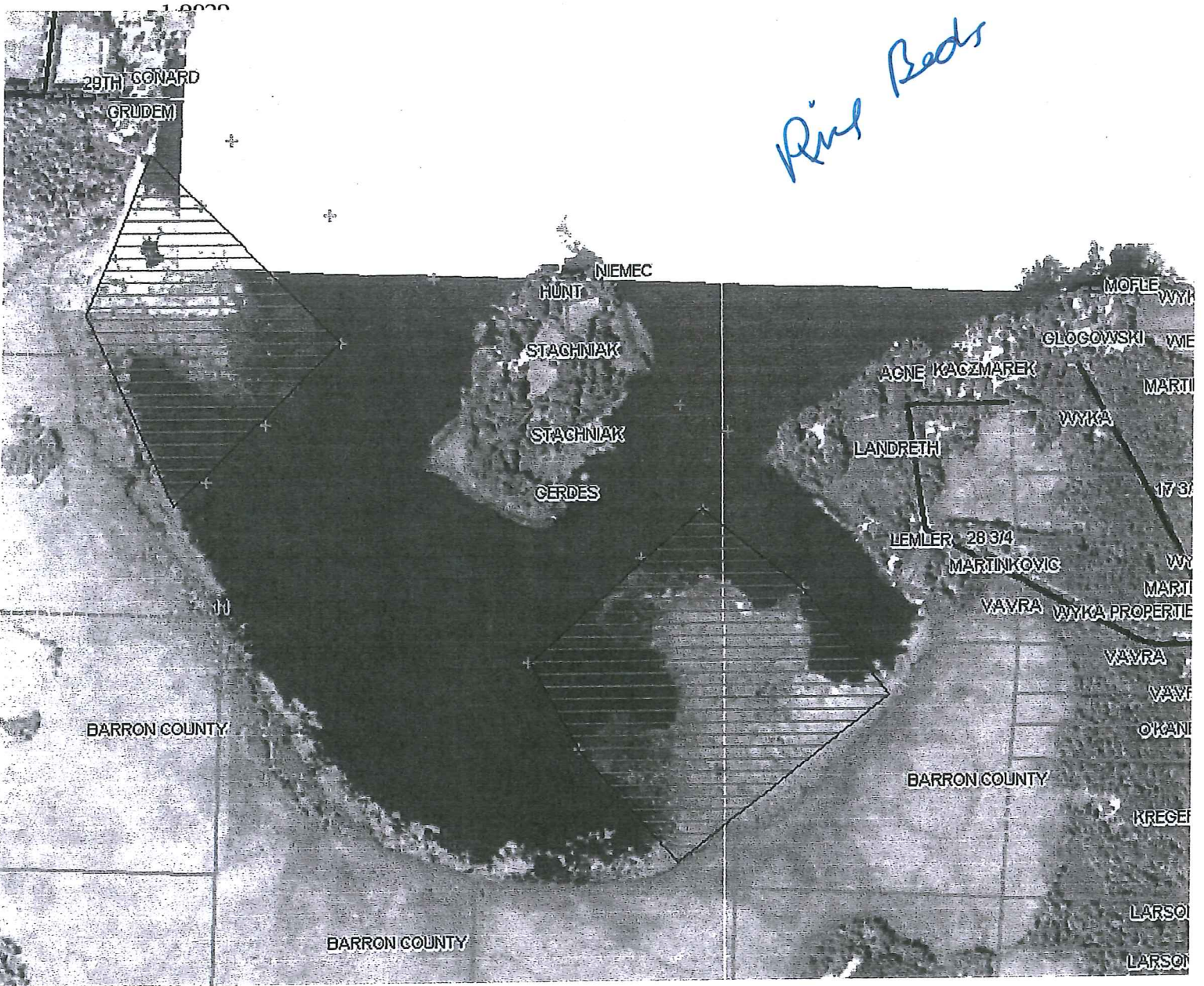
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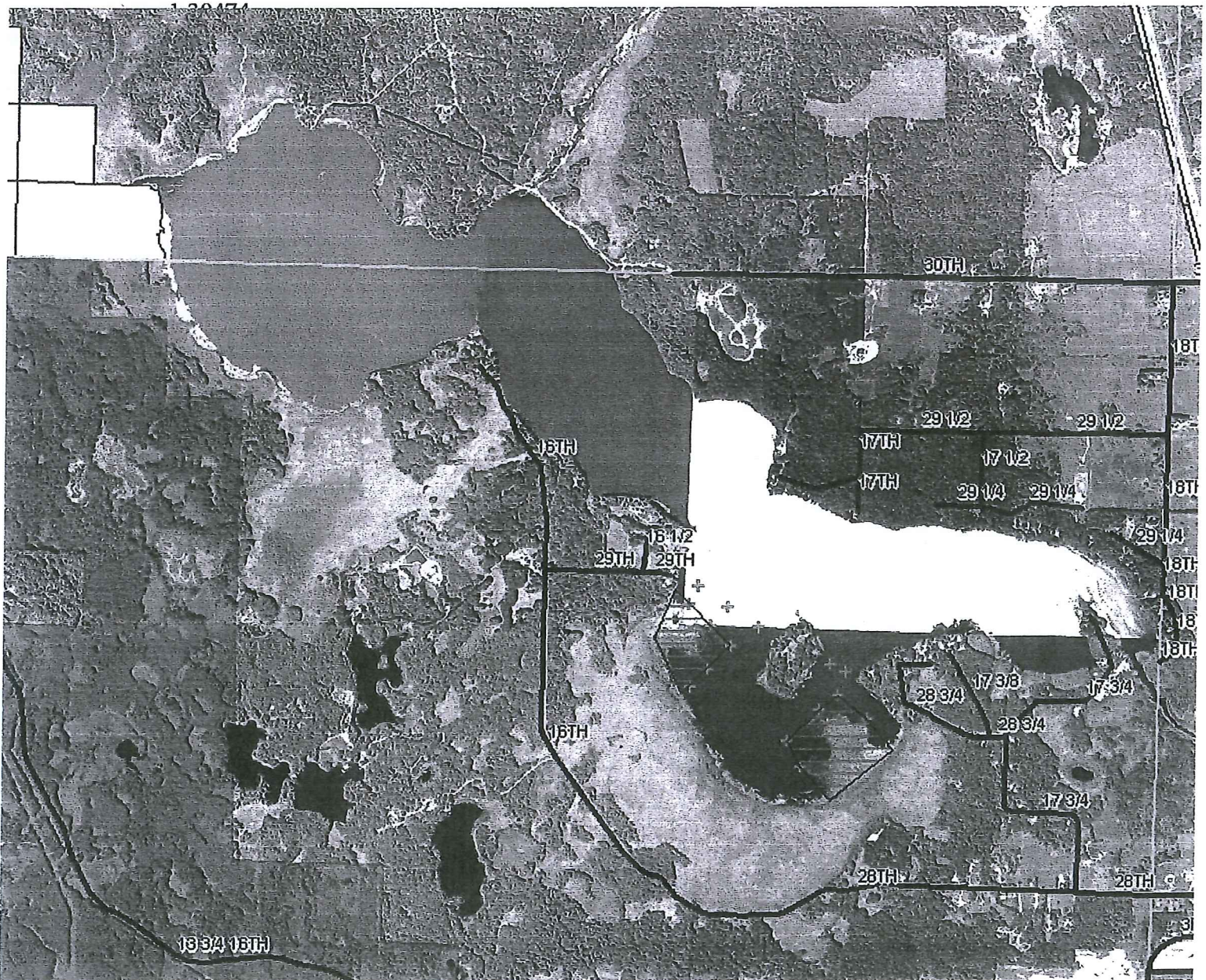
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Ring Beds



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