

ORDINANCE No. 2012-01(Round Lake)

A SOLE ORDINANCE TO REGULATE BOATING UPON THE WATERS OF CALLAHAN LAKE SAWYER COUNTY, WISCONSIN AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF.

The Board of Supervisors of the Town of Round Lake, Sawyer County, Wisconsin do ordain as follows:

SECTION: I

- A.) The provisions of this Ordinance shall apply to the waters of Callahan Lake located within the jurisdiction of the Town of Round Lake, Sawyer County, Wisconsin.
- B.) The provisions of this ordinance shall be enforced by any town board member, authorized employee, or authorized representative of the Town of Round Lake, Sawyer County, Wisconsin, or officers of the Sawyer County Sheriff's Department.

SECTION II. INTENT

The intent of this ordinance is to provide safe and healthful conditions for enjoyment of aquatic recreation consistent with public rights and interest, 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 30.7.1, Wis. Stats., are adopted by reference.

SECTION IV. DEFINITIONS

- A.) "Water ski" means a boat towing a person using water skis, and aquaplane or similar device.

SECTION V.

No person shall water ski or operate any motorboat towing a person engaged in water skiing or similar activity or operate a Personal Water Craft (PWC) or jet ski except between the hours of 11 o'clock a.m. and 6 o'clock p.m. local time on weekdays and weekends.

SECTION VI. POSTING REQUIREMENTS

The Town of Round Lake shall place and maintain a synopsis of this ordinance at all public access points within the jurisdiction of the Town of Round Lake pursuant to the requirements of NR 5.15 Wis. Admin. Code.

SECTION VII PENALTIES

- A.) 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.
- B.) The Town of Round Lake by adoption of this ordinance hereby elects to use the citation method for enforcement of this ordinance.

SECTION VIII. 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 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 IX. EFFECTIVE DATE

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

Passed this _____ day of _____, 20____.

Attest:

Kathy McCoy, Clerk

s\ Sandra Schara, Chairman

s\ William Carlson, Supervisor

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s\ Paul Picchietti, Supervisor

NOV 19 2012

s\ Rolfe Hanson, Supervisor

s\ Stan Strainis, Supervisor

 **DRAFT**

Town of Round Lake
Ordinance 2012 -01
Conditions Report

- Local conditions necessitating the regulation or regulation change:

Callahan Lake is a small 138 acre lake. The lake is very shallow with a mean depth of 11 feet and a Maximum depth of only 18 feet. Shoreline erosion and the continuing spread of Eurasian Milfoil are major concerns in maintaining the health of the lake for all to enjoy.

Lake is used recreationally three predominant ways: fishing, quiet sport activities (canoeing, kayaking), and motorized water recreational activities (water skiing, jet skiing). There is a high density level of cabins and homes on lake.

In addition lake is adjacent / connected to smaller lake (Mud Lake). Mud Lake is 464 acres with a mean depth of only 6 feet. In recent years development has begun to occur on this lake. Water depth is too low to facilitate motorized recreational activities like water and jet skiing. Users wishing to engage in these forms of recreation have tended to gravitate toward usage of Callahan Lake for these activities.

User conflicts, water safety hazards, shoreline erosion, and the increased spread of Eurasian Milfoil have resulted. Regulation is needed to provide all users groups (including the public at large) the opportunity for safe lake usage in a reasonable manner.

- How the added or changed regulation will solve the problem:

Restricting the time of day for water skiing, and jet skiing, will significantly reduce the number of lake users on the water at any one time. All individuals will have equal opportunity to use the lake relative to their preferred recreational preference.

By reducing the potential for overcrowding on the lake by multiple user groups all within a given time period, the lake will be safer for all who use it, and the potential for user conflicts will be greatly reduced. Regulation does not discriminate against anyone user group but encourages and promotes the development of niches of recreational use in a reasonable safe manner for all users.

- The negative effects of the corrective measures considered and who will be negatively affected.

Negatively affected will be those wishing to water ski or operate personal water- craft (PCW) during the hours from dawn to 11:00a.m., and from 6:00 p.m. till dusk in the evening (designated hours for this recreational use). In general the demographics of Mud Lake and Callahan Lake itself relative to water depth already restrict usable area for said activities to occur. Established hours for usage may even allow for improved usage by this recreational group by reducing conflicts with other recreational groups and property owners. Most non- lake property owners seek out the lake for fishing or other quiet water activities. In addition the majority of property

owners on the lake are in favor of ordinance and do not feel that they will be negatively effected by it.

- An opinion statement concerning the impact the regulation will have on public health, safety, or welfare if this regulation is not adopted.

The safety and welfare of those using the lake will be compromised if ordinance is not adopted. Ordinance affords all user groups a greater opportunity for safe lake usage. Without ordinance frequent user conflicts are occurring and water accidents are likely to occur. The lake is just too small and shallow to support all types of recreational usage at all times; especially with increased pressure from adjacent Mud Lake users.

- A statement summarizing the arguments of interest opposed to the regulation or regulation change.

Certain individuals may be opposed to any or all forms of regulation. Individual users who live on, or recreate on Callahan Lake have never had hours of water skiing and personal water-craft (PWC) use limited. These individuals may feel ordinance is infringing on their right to lake usage by limiting their hours of usage relative to these activities.

Received
DNR Law Enforcement

OCT 30 2012

ATV Boating Snowmobile
Recreational Enforcement & Education