

ORDINANCE 2-90

The Town Board of the Township of Turtle Lake does hereby ordain as follows:

BOATING

RECEIVED  
AUG 13 1990  
CUMBERLAND  
AREA HQ

- S12-2-1 Applicability and Enforcement
- S12-2-2 State Boating and Water Safety Laws Adopted
- S12-2-3 Markers and Navigation Aids; Posting Ordinance

SEC 12-2-1 APPLICABILITY AND ENFORCEMENT

- (a) The provision of this Chapter shall apply to the waters of Big Moon Lake within the jurisdiction of the Town of Turtle Lake
- (b) This Chapter shall be enforced by all Law Enforcement Officials and officials designated by the Town Board.

SEC 12-2-2 STATE BOATING AND WATER SAFETY LAWS ADOPTED

The statutory provisions describing and fining regulations with respect to water traffic, boats, boating, and related water activities in the following enumerated sections of the Wisconsin Statutes exclusive of any provisions therein relating to the penalties to be imposed or the punishment for violation of said Statutes, are hereby adopted and by reference made a part of this ordinance as if fully set forth herein. Any act required to be performed or prohibited by the provisions of any Statute incorporated by reference herein is required or prohibited by this Section. Any future amendments, revisions or modifications of the following statutory provisions incorporated herein are intended to be made part of this Chapter.

- 30.50 (definitions)
- 30.501 (Capacity Plates on Boats)
- 30.51 (Operation of unnumbered Boats Prohibited)
- 30.52 (Certificate of Number)
- 30.53 (Identification Number to be Displayed on Boat; Certificate to be Carried)
- 30.54 (Transfer of Ownership of Numbered Boat)
- 30.55 (Notice of Abandonment or Destruction of Boat or Change of Address)
- 30.60 (Classification of Motor Boats)
- 30.61 (Lighting Equipment)
- 30.62 (Other Equipment)
- 30.64 (Patrol Boats Exempt from Certain Traffic Regulations)
- 30.65 (Traffic Rules)
- 30.66 (Speed Restrictions)
- 30.67 (Accidents and Accident Reports)
- 30.675 (Distress Signal Flag)
- 30.68 (Prohibited Operation)
- 30.69 (Water Skiing)
- 30.70 (Skin Diving)
- 30.71 (Boats Equipped with Toilets)
- 30.76 (Deposit of Money to Obtain Release from Arrest)

State Law Reference: Section 30.77 Wis. Stats.

SEC 12-2-3 MARKERS AND NAVIGATION AIDS: POSTING ORDINANCE

(a) DUTY. The Moon Lake Improvement Association shall place and maintain suitable markers, navigation aids and signs in such water areas as shall be appropriate to advise the public of the provisions of this Chapter and post and maintain a copy of this Section at all public access points within the jurisdiction of the Township.

(b) STANDARD MARKERS: All markers placed by any person upon the waters of the lake shall comply with the regulations of the Department of Natural Resources.

(c) INTERFERENCE WITH MARKERS PROHIBITED. No person shall without authority remove, damage or destroy or moor or attach any watercraft to any buoy, beacon or marker places in the waters of the lake by the authority of the United States, state or Town of Turtle Lake or by any private person pursuant to the provisions of this section.

THE TOWN BOARD FURTHER ORDAINS AS FOLLOWS:

--NO person shall operate a motor boat at speeds that impair their control or endanger others.

\_\_NO person shall operate motor boats in excess of TEN (10) miles per hour before 10:00 A.M. or after 7:00 P.M.

--NO person shall operate a motor boat towing persons on water skis, aquaplaning or similar devices before 10:00 A.M. or after 7:00 P.M.

Any person who violates these provisions, upon conviction, shall forfeit not less than \$25.00 nor more than \$100.00, plus the cost of prosecution.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny, Secretary  
Box 7921  
Madison, Wisconsin 53707  
TELEFAX NO. 608-267-3579  
TDD NO. 608-267-6897

October 10, 1990

IN REPLY REFER TO:8520

Ms. Luella DeGolier, Clerk  
Town of Beaver  
Route 1, Box 236  
Turtle Lake, WI 54889

Dear Ms. DeGolier:

Boating Ordinance Review

Upon review of the attached ordinance, our number 144, we find it to be consistent with ss. 30.50 to 30.71 of the Wisconsin Statutes and Department rules adopted to implement those sections with the following exceptions listed below.

Review Comments

Section 12-2-3 states "No person shall operate a motor boat in excess of ten (10) miles per hour before 10:00 a.m. or after 7:00 p.m." Speed restrictions in miles per hour are difficult to enforce; slow-no-wake is preferable.

Section 12-2-3(c) you state that "no person shall operate a motor boat at speeds that impair their control or endanger others". This is already covered under existing law in Section 30.66(1).

There is no intent section nor is there a condition report included with this ordinance. There is also no severability section.

The penalty section is in error. Penalties must be in strict conformity with Section 30.80 of the Wisconsin Statutes. The ordinance would have to state that the Wisconsin state boating penalties as found in Section 30.80 are adopted by reference.

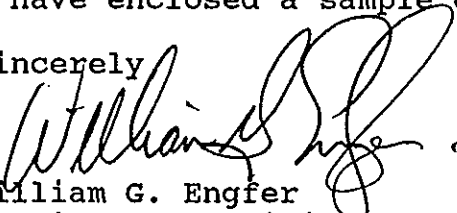
If you have questions regarding this review please feel free to contact Bart Halverson, your Law Enforcement Safety Specialist or this office.

Township of Turtle Lake  
Ms. DeGolier

2.

I have enclosed a sample ordinance for your convenience.

Sincerely



William G. Engfer  
Boating Law Administrator  
Bureau of Law Enforcement

RJL

Enc.

cc. Law Enforcement Safety Specialist - B. Halverson - NWD  
Warden D. Zabel