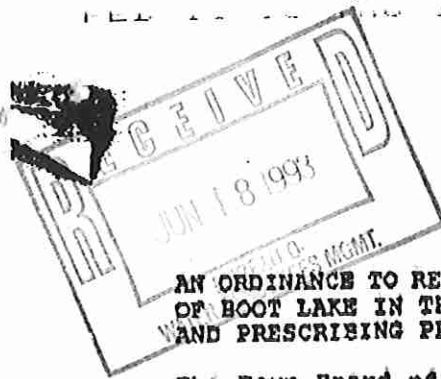


JUN 22 1993

000227



Town of Doty Ordinance No. 16

AN ORDINANCE TO REGULATE WATER TRAFFIC, BOATING AND WATER SPORTS UPON THE WATERS OF BOOT LAKE IN THE JURISDICTION OF THE TOWN OF DOTY, OCONTO COUNTY, WISCONSIN AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF.

The Town Board of the Town of Doty, County of Oconto, 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 the public rights and interest and the capability of the water resource.

section 2. Applicability and Enforcement. The provision of this ordinance shall apply to the waters of Boot Lake within the jurisdiction of the Town of Doty, County of Oconto, Wisconsin. The provisions of this ordinance shall be enforced by local law enforcement officers, along with any and all other State and County officers authorized by law to enforce the same. A copy of this ordinance will be posted at all public access points.

The language of this ordinance is intended to protect the public interest and to police and protect the safety of the general water public, including swimmers, boaters and fishermen, water skiers and others engaged in the use of the water and recreational sources of Boot Lake. The language is also necessary to maintain and protect the shoreline and to prevent shoreline damage and to maintain, protect and promote safety in the public's interest.

section 3. Definitions.

a) "Slow-no-wake" means that speed at which a boat moves as slowly as possible while still maintaining steering control.

b) "Swimming area" means an authorized area of water established by regulatory markers to designate a swimming zone.

c) "Motorboat" means any boat or personal watercraft equipped with propulsion machinery, whether or not the machinery is the principal source of propulsion.

d) "Operate" or "use" when used with reference to a motorboat, boat, motorized watercraft, personal watercraft or vessel means to navigate or otherwise employ.

section 4. Speed Restrictions and Regulations.

a) Speed to be Reasonable and Prudent

No person shall operate a motorboat at a speed that is greater than is reasonable and prudent under the conditions, and having regard for the actual potential hazards than existing. Speed of the motorboat shall be so controlled as to avoid colliding with any object lawfully in or on the water in compliance with legal requirements and exercising due care.

b) No person shall operate a motorboat in excess of slow-no-wake during the hours of 4:00 p.m. to 11:00 a.m.

000227

- Section 5. Littering Water Prohibited. No person shall deposit, place or throw from any boat, raft, pier, platform or similar structure, any cans, paper, bottles, debris, refuse, garbage, solid or liquid waste into the water of Boot Lake.
- Section 6. Water Skiing. Prohibiting Certain Times and Exceptions
- No person shall operate a motorboat towing a person on water skis, aquaplaning, jet skis, or similar activity at any time before 11:00 in the forenoon of each day and after 4:00 in the afternoon of each day central daylight time. The traffic pattern shall be counter-clockwise. The limitations herein are further noted as being necessary for the public's interests and for the general benefit and protection and safety to the users of the waters in the public's interest to promote safety and to protect through the general police powers the safety within the township.
- Section 7. Penalties. Anyone found guilty of violating Sections, 3, 5, 6, & 7 of this ordinance shall be subject to the penalty Section 10 set out in Wisconsin Statute 30.80 which is incorporated in this Ordinance by reference.
- Section 8. Except as hereinabove specifically provided, the Town of Doty hereby adopts along with this ordinance and incorporates the same herein by reference all of the provisions of Section 30.50 through 30.71 inclusive of the revised statutes of the State of Wisconsin.
- Section 9. Effective Date. This ordinance shall be effective after Public Hearing Passage and publication as required by law.

Attested April 17, 1993

Ethel M. Wangel
Doty Town Clerk

Oconto County Wis.

8-19-92

8-26-92

AUG 31 1992

Town of Doty Ordinance No. 16

000207

later amended to new 6207

AN ORDINANCE TO REGULATE WATER TRAFFIC, BOATING AND WATER SPORTS UPON THE WATERS OF BOOT LAKE IN THE JURISDICTION OF THE TOWN OF DOTY, OCONTO COUNTY, WISCONSIN, AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF.

The Town Board of the Town of Doty, County of Oconto, 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 the public rights and interest and the capability of the water resource.

Section 2. Applicability and Enforcement. The provision of this ordinance shall apply to the waters of Boot Lake within the jurisdiction of the Town of Doty, County of Oconto, Wisconsin. The provisions of this ordinance shall be enforced by local law enforcement officers, conservation wardens, along with any and all other State and County officers authorized by law to enforce the same. A Copy of this ordinance will be posted at all public access points.

The language of this ordinance is intended to protect the public interest and to police and protect the safety of the general water public, including swimmers, boaters and fishermen, water skiers and others engaged in the use of the water and recreational sources of Boot Lake. The language is also necessary to maintain and protect the shoreline and to prevent shoreline damage and to maintain, protect and promote safety in the public's interest.

Section 3. Speed Restrictions and Regulations.

a) Speed To Be Reasonable and Prudent

No person shall operate a personal watercraft at a speed that is greater than is reasonable and prudent under the conditions, and having regard for the actual potential hazards then existing. Speed of the motorboat shall be so controlled as to avoid colliding with any object lawfully in or on the water in compliance with legal requirements and exercising due care.

b) No person shall operate a personal watercraft in excess of slow-no-wake during the hours of 4:00 p.m. to 11:00 a.m.

Section 4. Littering Water Prohibited. No person shall deposit, place or throw from any boat, raft, pier, platform or similar structure, any cans, paper, bottles, debris, refuse, garbage, solid or liquid waste into the water of Boot Lake.

Section 5. Water Skiing. Prohibiting Certain Times and Exceptions

a) No person shall operate a personal watercraft towing a person on water skis, aquaplaning, jet skis, or similar activity at any time before 11:00 in the forenoon of each day and after 4:00 in the afternoon of each day central daylight time. The traffic pattern shall be counter-clockwise. The limitations herein are further noted as being necessary for the public's interests and for the general benefit and protection and safety to the users of the waters in the public's interest to promote safety and to protect through the general police powers the safety within the township.

b) No person in charge of control of the boat shall authorize or knowingly permit the boat to be operated by any person who by reason of any physical or mental disability is incapable of operating such boat under the prevailing circumstance.

c) Intoxicated operation. No person may use water skis, aquaplane, or other personal watercraft or similar device while under the influence of an intoxicant to a degree which renders them incapable of safely using said device or under the combined influence of an intoxicant and any other drug to a degree which renders them incapable of safely using said device.

No person under the age of 12 and less than 16 years of age may operate a motorboat. Persons at least 12 and less than 16 years of age may operate a motorboat only if they are either accompanied in the boat by a parent or guardian. Persons at least 12 and less than 12 years of age may operate a motor of any horsepower, but only if they are accompanied by a parent or guardian, or in the possession of the necessary boating certificate issued under the Wisconsin Statutes 30.74 (1).

That in addition, all limitations as and upon water skiing shall be as set forth in Wisconsin Statutes Section 30.69 incorporating any necessary amendments or revisions thereto at a later date as said provision may be amended from time to time. It is expressly directed and required that those limitations on water skiing shall be as set forth within said statute.

Section 6. Prohibited Operation.

a) No person may operate a personal watercraft within 100 feet of any dock, raft, pier or buoyed restricted area on Boot Lake in excess of slow-no-wake speed.

b) No boat towing persons engaged in water skiing, aquaplaning, jet skiing or similar activity on Boot Lake shall engage in such activity within 100 feet of any occupied anchored boat or marked swimming area or public boat landing except where pickup and drop areas are established and marked within regulatory markers.

Section 7. Molesting or Destroying Aids to Navigation and Regulatory Markers. No unauthorized person shall move, remove, molest, tamper with, destroy or attempt to destroy, or moor or fasten a boat to any navigational aid or regulatory markers, signs or other devices established and maintained to aid boaters.

Section 8. Definitions.

a) "Slow-no-wake" means that speed at which a boat moves as slowly as possible while still maintaining steerage control.

b) "Swimming area" means an authorized area of water established by regulatory markers to designate a swimming zone.

c) "Motorboat" means any boat or personal watercraft equipped with propulsion machinery, whether or not the machinery is the principal source of propulsion.

d) "Operate" or "use" when used with reference to a motorboat, boat, motorized watercraft, personal watercraft or vessel means to navigate or otherwise employ.

- Section 9. Penalties. Anyone found guilty of violating Sections 3, 5, 6, & 7 of this ordinance shall be subject to the penalty Section 10 set out in Wisconsin Statute 30.80 which is incorporated in this Ordinance by reference.
- Section 10. Except as hereinabove specifically provided, the Town of Doty hereby adopts along with this ordinance and incorporates the same herein by reference all of the provisions of Section 30.50 inclusive of the revised statutes of the State of Wisconsin.
- Section 11. Effective Date. This ordinance shall be effective after Public Hearing Passage and publication as required by law.

Passed at regular meeting of the Town Board of Doty. *August 11, 1992*

This ordinance shall be in full force and effect on and after *8/19/92*.

*Attest Clerk
Ethel W. Angold*

*Chairman Clay Doniti
Supervisor Michele White
Supervisor Gerald Rosenburg*