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DUTCH HOLLOW LAKE BOATING ORDINANCE

A JOINT ORDINANCE TO REGULATE WATER TRAFFIC, BOATING
AND WATER SPORTS UPON THE WATERS OF DUTCH HOLLOW LAKE
AND PROVIDING PENALTIES THEREFOR

Town of LaValle Ordinance Number 90-1
Town of Woodland Ordinance Number 90-1

The Town Board of the Town of LaValle, Sauk County, Wisconsin and the Town Board of the Town of Woodland, Sauk 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 Dutch Hollow Lake within the jurisdiction of the Town of LaValle and Town of Woodland. The provisions of this ordinance shall be enforced by the appropriate law enforcement officers.

Section 3. State Boating and Safety Laws Adopted. State boating laws as found in Sections 30.50 and 30.71 of the Wisconsin Statutes are hereby adopted by reference as if fully set forth herein.

Section 4. Definitions in this ordinance:

(a) "Shore zone" means all surface water within 200 feet of the shoreline.

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

(c) "Public access" means any access to the water by means of public property.

(d) "Navigation lane" means an area designated by authorized aids to navigation.

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

Section 5. Boat Excluded Areas.

Swim Areas on Dutch Hollow Lake. Two swim areas shall exist at

the Northwest shoreline of Dutch Hollow Lake adjacent to the beaches on the Southeast shore of the Clubhouse Grounds of the Dutch Hollow Lake Property Owners Association. The swim areas are described as follows:

(a) WESTERNMOST SWIM AREA. The point of beginning of the Westernmost beach area is located on the shore of Dutch Hollow Lake at a point which is located five hundred fifty (550') feet Northeast of the intersection of said shoreline and the lot line between Lot 695 and Lot 696 of the Rhine Subdivision of Branigar's Dutch Hollow Lake, and then extends along the shore a distance of two hundred fifty (250') feet. The swim area at the Westernmost beach shall be a rectangular area two hundred fifty (250') feet long and parallel to the beach and two hundred (200') feet perpendicular to the beach from the shore. The swim area at the Westernmost beach shall be marked by five (5) "swim area" buoys placed as follows: one (1) at the Southeast corner, one (1) at the Northeast corner and one (1) midway between the Southeast corner and the Northeast corner of the Westernmost swim area on the lake side of the rectangle, one (1) buoy on the Southeast boundary of the Westernmost swim area midway between the Southeast corner buoy and the beach; and one (1) buoy on the Northeast boundary of the Westernmost swim area midway between the Northeast corner buoy and the beach.

(b) EASTERNMOST SWIM AREA. The point of beginning of the easternmost beach area located on the shore of Dutch Hollow Lake at a point which is located one thousand forty (1,040') feet Northeast of the intersection of said shoreline and the lot line between Lot 695 and Lot 696 of the Rhine Subdivision of Branigar's Dutch Hollow Lake and then extends along the shore a distance of two hundred (200') feet. The swim area at the Easternmost beach shall be a rectangular area two hundred (200') feet long parallel to the Easternmost beach and two hundred (200') feet wide and perpendicular to the beach from the shore. The swim area at the Easternmost beach shall be marked by five (5) "swim area" buoys placed as follows: one (1) buoy at the Southeast corner, one (1) buoy at the Northeast corner, and one (1) buoy midway between the Southeast corner and the Northeast corner of the Easternmost swim area on the lake side of the rectangle; one (1) buoy on the Southwest boundary of the Easternmost swim area midway between the Southeast corner buoy and the beach; and one (1) buoy on the Northeast boundary of the Easternmost swim area midway between the Northeast corner buoy and the beach.

Section 6. Controlled Areas.

(a) Slow No-Wake Zones. Slow no-wake zones are hereby created on Dutch Hollow Lake described and to be marked as follows:

1. One such slow no-wake zone shall be located at the entrance to the bay between Summit Subdivision, Dutch Hollow Lake and

Hidden Spring Subdivision, Dutch Hollow Lake and one slow no-wake buoy shall be placed midway between the extension of the Northeast lot line between Lot 430 and Outlot 19 extending from the West shoreline of Dutch Hollow Lake to a point on its East shoreline which point is the lot line between Lots 936 and 937.

2. One such slow no-wake zone shall be located at the entrance to the bay between the Remington Subdivision, Dutch Hollow Lake and Hidden Spring Subdivision, Dutch Hollow Lake and one slow no-wake buoy shall be placed midway between the shorelines on the extension of a point on the East shoreline of Dutch Hollow Lake which point is the lot line between Lots 860 and 861 to a point on the East shoreline of Dutch Hollow Lake which point is the lot line between Lots 936 and 937.

3. One such slow no-wake zone shall be located at the entrance to the bay between Green Knoll Subdivision, Dutch Hollow Lake and Remington Subdivision, Dutch Hollow Lake and one slow no-wake buoy shall be placed midway between the shorelines on the line between the point on the East shoreline of Dutch Hollow Lake which point is the lot line between Lots 750 and 751, and a point on the East shoreline of Dutch Hollow Lake which point is the lot line between Lots 821 and 822.

4. One such slow no-wake zone shall be located in the Northeast corner of Dutch Hollow Lake and two slow no-wake buoys shall be placed at intervals which divide the following described line into three parts, the Northwesterly extension of the Southeast lot line between Lots 32 and the LaValle Public Access Lot to a point on the opposite shoreline of Dutch Hollow Lake which point lies Northwesterly of the starting point.

5. One such slow no-wake zone shall be located at the entrance to the bay between Alpine Subdivision, Dutch Hollow Lake and Summit Subdivision, Dutch Hollow Lake and one slow no-wake buoy shall be placed midway between the shorelines of the line between the Northwest shoreline of Dutch Hollow Lake which point is the lot line between Lots 243 and 244, and a point on the Southeast shoreline of Dutch Hollow Lake which point is the extension of the lot line between Lots 446 and Outlot 20.

6. One such slow no-wake zone shall be located at the entrance to the bay between Matterhorn Subdivision, Dutch Hollow Lake and Netherlands Subdivision, Dutch Hollow Lake and one slow no-wake buoy shall be placed midway between the shoreline on a line between a point on the Northeast shoreline of Dutch Hollow Lake which point is the lot line between Lots 556 and 557 and a point on the Southwest shoreline of Dutch Hollow Lake which point is the extension of the Northeast lot line between Lots 322 and Outlot 15 and 17.

7. One such slow no-wake zone shall be located at the Northwest corner of Dutch Hollow Lake and one slow no-wake buoy shall be placed midway between the shoreline on a line between a point on the South shoreline of Dutch Hollow Lake which point is a lot line between Lots 251 and 252 and a point on the North shoreline of Dutch Hollow Lake, which point is the Easterly extension of the North lot line of Lot 330.

8. One such slow no-wake zone shall be located at the Northwest shore of Dutch Hollow Lake within the small bay known as "Marina" bay, said bay being adjacent to and Northeast of the shorelines of Lot 695, Lot 696 and Lot 697 of the Rhine Subdivision of Dutch Hollow Lake.

Section 8. Water Exhibitions.

(a) Water Exhibition Regulations. No person shall conduct or participate in a water ski tournament, competition, exhibition or trial (hereinafter "water exhibition"), unless the water exhibition and its sponsor are duly licensed by the Town Board of the Town of LaValle and the Town Board of the Town of Woodland to operate on the waters of Dutch Hollow Lake. The Town Board of the Town of LaValle and the Town Board of the Town of Woodland may authorize such water exhibitions. No swimming shall be allowed in the water exhibition area.

(b) Additional Water Exhibition Regulations. The use of a water exhibition restricted area is subject to the following additional requirements:

1. Lighting. A water exhibition area shall be sufficiently lighted by the licensee to permit the reasonably safe presentation of a water exhibition.

2. Boats. No boat may remain unattended in a water exhibition area.

3. Jumps. A water exhibition licensee shall maintain any and all water ski jumps authorized in the licensee's license. The jumps shall be securely moored, and all jumps located beyond one hundred fifty feet (150') from the shoreline shall be lighted from sunset to sunrise by a white light visible all around the horizon, and shall be authorized and maintained in accordance with the laws of the State of Wisconsin and the applicable regulations of the Wisconsin Department of Natural Resources.

4. Sounds. A water exhibition shall be conducted so that the sound level of all activities is reasonable.

5. Water Safety. A water exhibition licensee shall

conduct all water exhibitions in a safe manner and shall coordinate with the Town Constable or the water safety patrol or otherwise provide for sufficient law enforcement presents at all water exhibitions in order to obtain compliance with this ordinance and to promote the safety of the public.

(c) Licensing Authority. The terms and conditions of a water exhibition license shall be established by the Town Board of the Town of LaValle and the Town Board of the Town of Woodland. The Town Boards shall consider the following facts when determining whether to license a water exhibition and its sponsor:

1. The character of the license applicant,
2. The license applicant's experience, financial responsibility and technical competence,
3. The suitability of the proposed water exhibition for the water exhibition restricted area, and
4. The general public health, safety and welfare.

The Town Boards shall also seek to protect existing values of land, riparian rights, investment, and enterprise. In the event two or more license applicants shall apply for authority to use the same water exhibition area, the Town Boards shall during a public hearing, also consider the relative value to the community and public of the proposed uses.

(d) Licensing Procedure. A license to use a water exhibition area after consideration of a license application submitted to it on forms provided by the clerk of the Town of LaValle and clerk of the Town of Woodland. A license application shall require the applicant to provide the following information:

1. The name, mailing address and telephone number of the license applicant; and if the applicant is a corporation, the state of its incorporation and the names and addresses of its officers.
2. A description of the water exhibition proposed, (including the proposed dates and hours of licensed use, and the locations of water skiing jumps and pickup and dropoff areas, if any, which shall be illustrated on a map attached to the application).
3. A brief description of the license applicant's experience, financial responsibility and technical ability to present the proposed water exhibition.
4. The Town Boards may require additional information from any applicant, if it deems it necessary in order to exercise its

judgment. All applications filed with the clerk of the Town of LaValle and the Clerk of the Town of Woodland shall be considered at the next following regular or special meeting of the Town Boards, and shall be granted or denied by a majority vote of those present at the meeting. If there is more than one applicant, the judgment of the Town Boards shall be final, since the license is a privilege. The applicant shall amend an application to conform to reasonable requests of the Town Boards. Applications for renewal license shall be considered in the same manner as original applications. The Town Boards may provide for a public hearing for consideration of the grant of an original or renewal license, and shall do so upon the request of a license applicant. At a public license hearing, an applicant shall be permitted to present evidence in his own behalf and rebut evidence offered by others.

(e) Insurance. Before any water exhibition license applicant shall be granted a license by the Town Board of the Town of LaValle and the Town Board of the Town of Woodland, a copy of a liability insurance policy written by a company licensed to do business in Wisconsin, with minimum coverage of \$100,000.00 per person and \$500,000.00 per incident for bodily injury, and \$50,000.00 for property damage, or a policy with an aggregate of \$500,000.00 coverage for bodily injury and property damage, shall be filed with the clerk of the Town of LaValle and the clerk of The Town of Woodland. The Town Boards may require insurance in greater amounts if circumstances warrant.

(f) Water Show Licenses. A license to use a water exhibition area shall be in a written form prepared by the clerk of the Town of LaValle and the clerk of the Town of Woodland in accordance with its direction.

It shall state:

1. The duration of the license, which shall not exceed one (1) year,
2. The days and hours of licensed use, and
3. In general, the type of water exhibition authorized.

In addition, a license shall include a map, which shall describe the boundaries of the water exhibition area, the authorized location of waterway markers as provided in Wisconsin Administration Code Section NR 5.09, the location of water skiing jumps and pickup and dropoff areas, if any, and the days and hours of authorized restricted use by the licensees.

(g) License Fees. The clerk of the Town of LaValle and the clerk of the Town of Woodland shall collect a license fee of \$10.00

per exhibition upon issuance of a water exhibition license and said license fee shall be divided equally between the Town of LaValle and the Town of Woodland.

Section 9. Penalties. The Wisconsin state boating penalties as set forth in Section 30.80 of the Wisconsin Statutes are adopted by reference.

Section 10. Severability. The provisions of this ordinance shall be deemed severable and it is expressly declared that the Town Board of the Town of LaValle and the Town Board of the Town of Woodland 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.

Introduced and passed at a meeting of the Town Board of the Town of Woodland on the _____ day of _____, 1990.

Town of Woodland:

Alvin V. Hagemann
Town Chairperson

Attest:

Mary Penshorn
Town Clerk

Introduced and passed at a meeting of the Town Board of the Town of LaValle on the _____ day of _____, 1990.

Town of LaValle:

Edwin Bodendein
Town Chairperson

Attest:

Randy Voss
Town Clerk