

REC'D AUG 25 1997

Ord #  
526

LUDDEN LAKE LAKE DISTRICT  
Iowa County, Wisconsin

ORDINANCE RESOLUTION 97-01

RELATING TO AN  
ORDINANCE REGULATING THE OPERATION  
OF BOATS ON LUDDEN LAKE,  
IOWA COUNTY, WISCONSIN

WHEREAS, Ludden Lake is a valuable natural resource which provides habitat for plants and animals and recreational opportunities; and

WHEREAS, the District's Board of Commissioners believe that an ordinance regulating boat operations on Ludden Lake is necessary in order to protect public health, safety and welfare, including the public's interest in preserving the state's natural resources, due to the lake's shallow water depth, long and narrow configuration and its small surface area; and

WHEREAS, Sec. 30.77(3)(am) 1, Wis. Stats., authorizes a public inland lake district to enact and enforce ordinances regulating the use, equipment and operation of boats on all or part of a lake in the interest of public health, safety and welfare, provided that at least 60 percent of the footage of shoreline of the lake is within its boundaries, if at least fifty percent of the towns, villages and cities having jurisdiction over the lake adopt resolutions authorizing the district to enact and enforce such ordinances, and at least 60 percent of the frontage of shoreline of the lake is within the boundaries of these towns, villages and cities; and

WHEREAS, the District includes the entire frontage of shoreline of Ludden Lake within its boundaries; and

WHEREAS, Ludden Lake is entirely within the jurisdiction of the Town of Mineral Point; and

WHEREAS, the Mineral Point Town Board has adopted a Resolution pursuant to Sec. 30.77(3)(am)1.b, Wis. Stats.

authorizing the District to enact and enforce ordinances regulating the use, operation and equipment of boats applicable to Ludden Lake, in the interest of public health, safety or welfare, including the public's interest in preserving the state's natural resources pursuant to Section 30.77(3)(am) 1., of the Wisconsin Statutes; and

WHEREAS, the District wishes to protect and maintain public health, safety and welfare, including the public's interest in preserving the state's natural resources, through the environmentally sound management of boat operations on the Lake; and

WHEREAS, in enacting this ordinance, the District has considered the type, size, shape and depth of Ludden Lake and its ecologically significant areas; boating congestion and safety; the amount, type and speed of boating traffic; and the effect of boating traffic on other recreational uses and the public health, safety and welfare, including the public's interest in preserving the state's natural resources.

NOW THEREFORE, the Board of Commissioners of the Ludden Lake Lake District, pursuant to the authority granted under the laws of the State of Wisconsin, including Section 30.77, Wis. Stats., DO ORDAIN as follows:

SECTION I. An ordinance to regulate the use and operation of boats on the waters of Ludden Lake is hereby created to read as follows:

1. Purpose and Authority. This Ordinance is adopted in order to protect the public health, safety and welfare, including the public's interest in preserving the state's natural resources, pursuant to Sec. 30.77(3)(am) 1, Wis. Stats.

2. Applicability. The provisions of this Ordinance shall apply to the waters of Ludden Lake, located in Sections 25 and 36, Town 5 North, Range 2 East (Town of Mineral Point), Iowa County, Wisconsin.

3. Definitions. The definitions as set forth in Sec. 30.01, Wis. Stats., are incorporated herein by reference as though fully set forth herein, including the following:

"Boat" means every description of watercraft used or capable of being used as a means of transportation on water, except a seaplane on the water and a fishing raft.

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

4. Slow-No-Wake Operation Required. No person shall operate any boat on the waters of Ludden Lake at a speed exceeding slow-no-wake.

5. Posting. In conformity with Sec. 30.77(4), Wis. Stats., this ordinance shall be prominently posted at all public access points on Ludden Lake.

6. Enforcement Authority. This Ordinance may be enforced by any law enforcement officer of the District or the Wisconsin Department of Natural Resources.

7. Enforcement Procedure. The statutory provisions of Secs. 66.115, 66.119, 66.12, 30.50 to 30.71 and Chapter 799, Wisconsin Statutes, are 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 any statute incorporated herein by reference is required or prohibited by this Ordinance. Any future additions, amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this Ordinance in order to secure uniform state-wide regulation and enforcement of boating ordinance violations. The Ludden Lake District specifically elects to use the citation method of enforcement.

8. Other Remedies. The issuance of a citation hereunder shall not preclude the District or any authorized officer from proceedings under any other ordinance of law or by any other enforcement method to enforce any ordinance, regulation or order.

9. Penalties. Wisconsin state boating penalties as found in Sec. 30.80, Wisconsin Statutes and the deposits established in the Uniform Deposit and Bail Schedule established by the Wisconsin Judicial Conference, are hereby adopted by reference with all references to fines amended to forfeitures and all references to imprisonment deleted.

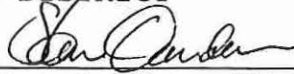
10. Severability. The provisions of this Ordinance shall be deemed severable. If any provision of this Ordinance or the application to any person or circumstance is held invalid, the remainder of the Ordinance and the application of such provisions to other persons or circumstances shall not be affected. It is expressly declared that the District would have enacted the other provisions of this Ordinance irrespective of whether any provision hereof may be declared invalid.

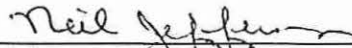
SECTION 2. This Ordinance shall take effect upon passage and posting or publication as provided by law, but no earlier than August 4, 1997.

Passed and adopted this 18<sup>TH</sup> day of JUNE, 1997, at a duly convened meeting of the Board of Commissioners of the Ludden Lake Lake District, at Mineral Point, Wisconsin.

Roll Call on Ordinance Resolution 97-01: Ayes: 4 Nays: 0  
Absent: 1

LUDDEN LAKE LAKE DISTRICT

BY:   
Stan Darden, Chairman

ATTEST:   
Neil Jefferson, Secretary

CERTIFICATION

The undersigned, Neil Jefferson, Secretary of the Ludden Lake Lake District, certifies as follows: (1) that he is the Secretary of the Ludden Lake Lake District, (2) that pursuant to a notice published in the Democrat Tribune on May 15, 1997, and mailed to the clerk of the Town of Mineral Point, the Ludden Lake Lake District held a public hearing on this Ordinance as proposed on June 18, 1997, at 7:30 o'clock, P.M. at the Wisconsin Power & Light building, 490 Shake Rag, Mineral Point, Wisconsin, (3) that I the Ordinance as proposed was mailed to the Wisconsin Department of Natural Resources for its advisory review pursuant to Sec. 30.77(3)(d), Wis. Stats. on June 3, 1997, (4) that this Ordinance 97-01 was duly adopted by the Board of Commissioners of the Ludden Lake Lake District on the 18<sup>TH</sup> day of June, 1997, by a vote of 4 Ayes, 0 Noes and 1 Absent and not voting, (5) that this Ordinance 97-01 was published on \_\_\_\_\_, 1997, in the Democrat Tribune and posted at the Town of Mineral Point Town Hall, the City of Mineral Point Library and the Mineral Point Post Office.

\_\_\_\_\_  
Neil Jefferson, Secretary