

ORDINANCE

AN ORDINANCE TO REGULATE WATER TRAFFIC, BOATING AND WATER SPORTS UPON THE WATERS OF LAKE RIPLEY, AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF:

The Town Board of the Town of Oakland, Jefferson County, Wisconsin, does 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 Lake Ripley within the jurisdiction of the Town of Oakland. The provisions of this ordinance shall be enforced by the officers of the Water Safety Patrol or local enforcement officers in the Town of Oakland, Jefferson County, Wisconsin.

SECTION 3. STATE BOATING AND WATER SAFETY LAWS ADOPTED. The statutory provisions describing and defining regulations with respect to water traffic, boats, boating and related water activities and safety 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.

- s. 30.50 Definitions
- s. 30.51 Operation of unnumbered boats prohibited; exemptions
- s. 30.52 Certificates of number; applications; issuance; renewals
- s. 30.53 Identification number to be displayed on boat; certificate to be carried
- s. 30.54 Transfer of ownership of numbered boat.
- s. 30.55 Notice of abandonment, destruction of boats; change of address.
- s. 30.60 Classification of motor boats
- s. 30.61 Lighting equipment
- s. 30.62 Other equipment
- s. 30.63 Sale and use of certain outboard motors restricted
- s. 30.635 Motor boat prohibition
- s. 30.64 Patrol boats exempt from certain traffic regulations
- s. 30.65 Traffic rules
- s. 30.66 Speed restrictions
- s. 30.67 Accidents and accident reports
- s. 30.675 Distress signal flag
- s. 30.68 Prohibited operation
- s. 30.69 Water skiing
- s. 30.70 Skin diving
- s. 30.71 Boats equipped with toilet

SECTION 4. DEFINITIONS IN THIS ORDINANCE.

A. "Shore-Zone" means all surface water not more than 400 feet from the shoreline, all around the perimeter of the lake, and which is marked by buoys with a circle of international orange with white center and with markings which indicate a control zone.

B. "Swimming Zone" means an authorized area marked by regulatory markers to designate a swimming area.

C. "Designated Anchorage" means an area of water established and marked as an anchorage by lawful authority.

D. "Public Access" means any access to the water by means of public property.

E. "Navigation Lane" means an area designated by authorized aids to navigation.

F. "Slow-No-Wake" means the slowest possible speed so as to maintain steerage.

SECTION 5. ADDITIONAL TRAFFIC RULES.

~~Shore-Zone Area. No person shall operate a motor boat in the shore-zone area at a speed above slow-no-wake speed. This provision does not apply when the operator of a motor boat leaves the shore area and passes through the shore-zone area by the most direct route approximately at right angles to the shore, or when such operator returns to shore through the shore-zone area in the same manner.~~

SECTION 6. ADDITIONAL SPEED RESTRICTIONS.

No person shall operate a motor boat faster than slow-no-wake between the hours of 7:30 A. M. on Lake Ripley; provided that this provision shall not apply to motor boats participating in duly authorized races over a course laid out and plainly marked and adequately patrolled.

SECTION 7. ADDITIONAL PROHIBITED OPERATIONS.

A. Intoxicated Passenger. No person shall permit an individual who is intoxicated or under the influence of an intoxicant or a controlled substance so as to be unable to provide for his own safety to be a passenger in a boat operated by that person except in cases of emergency.

SECTION 8. HOURS OF WATER SKIING.

Except as provided in s. 30.69(b) Wis. Stats. no person may engage in water skiing, aquaplane or similar activity at any time from 7:30 P. M. to 11:00 A. M. Central Daylight Saving Time on any date. No person shall engage in water skiing, aquaplaning or similar activity without wearing a personal flotation device.

SECTION 9. SWIMMING REGULATIONS.

- A. No person shall swim from an unattended boat.
- B. No person shall swim more than 200 feet from the shore unless in a designated swimming zone or when accompanied by a competent person in a boat.
- C. No person shall swim more than 200 feet from the shoreline between sunset and sunrise.
- D. Snorkel limitation - it shall be unlawful to swim with a snorkel except

SECTION 10. LAUNCHING AND REMOVAL FEE.

(Pursuant to s. 30.77(3)(b) Wis. Stats.) No person shall launch or remove a power boat at the public launching ramp close to Hoard & Curtis Scout Camp on the south side of Lake Ripley after May 1, 1975, without paying the required launching and removal fee as follows:

Ten Horsepower & Under: \$1.00 Over Ten Horsepower \$5.00

SECTION 11. HOUSEBOATS.

Anchoring, drifting or mooring of houseboats is prohibited from 12:00 midnight to sunrise. However, unoccupied houseboats may be moored at a buoy authorized by this ordinance or moored to shore during this period with written permission of the property owner or buoy owner. A houseboat is defined as a boat on which a toilet or food preparation exists or on which persons are living, sleeping or camping.

SECTION 12. RAFTS AND PLATFORMS.

No person shall place or maintain any raft or platform more than 150 feet from the shore. No person shall place or maintain any raft within 150 feet from the shore. No person shall place or maintain any raft within the 150 foot line unless it is so anchored that it has at least 6 inches of free board above the waterline, painted white and has attached thereto not less than 12 inches from each corner or projection a red reflector not less than 3 inches in diameter.

SECTION 13. RACES, REGATTAS, SPORTING EVENTS AND EXHIBITIONS.

A. Permit Required. No person shall direct or participate in any boat race, regatta, water ski meet or other water sporting event or exhibition unless such event has been authorized by the Town of Oakland.

B. A permit issued under this section shall specify the course or area of water to be used by participants in such event and the permittees shall be required to place markers, flags or buoys designating the specified area. Permits shall be issued only if in the opinion of the Town Board of the Town of Oakland and proposed use of the water can be carried out safely and without danger to or substantial obstruction of other watercraft or persons using the lake.

C. Right of Way Participants. Boats and participants in any such permitted event shall have the right of way on the marked area and no other person shall obstruct such area during the race or event or interfere therewith.

SECTION 14. REGULATION OF PLACEMENT AND NUMBER OF BUOYS.

A. No person shall place a buoy in Lake Ripley without express approval from the Town Board of the Town of Oakland, and clearances from the Department of Natural Resources.

B. All buoys placed in the lake shall conform to the State Uniform Marking System as set forth by the DNR.

C. It shall be illegal for anyone to molest or in any way interfere with posted buoys marking any areas.

SECTION 15. OPERATION OF AIRCRAFT PROHIBITED.

(Pursuant to authority granted under s. 30.78 Wis. Stats.) No person shall operate an aircraft on or from the surface of Lake Ripley except in case of emergency, or except by special permission of the Town Board of Oakland. Such permission shall not be given for commercial purposes, such as where a charge is made to take passengers up for rides.

SECTION 16. LITTERING WATERS AND ICE PROHIBITED.

No person shall deposit, place or throw from shore, any boat, raft, pier, platform or similar structure any cans, bottles, debris, refuse, garbage, solid or liquid waste, sewage or effluent into the water of Lake Ripley or upon the ice when formed.

SECTION 17. PENALTIES.

Any person who shall violate any of the provisions of this ordinance shall upon conviction thereof forfeit not more than \$50 together with the costs of prosecution, and in default of payment of the forfeiture and costs of prosecution shall be confined to the county jail until such forfeiture and costs are paid, but not to exceed 90 days.

SECTION 18. EACH DAY A SEPARATE VIOLATION.

Each day in which a violation of any of the following sections exist shall constitute a separate offense: Sections 11, 12, 13, 14 or 16.

SECTION 19. MONEY DEPOSITS.

Any officer arresting a person for violation of a provision of the ordinance who is unable to bring the person arrested before the Municipal Justice of the Peace, or a County Court without unnecessary delay shall permit such person to make a money deposit as provided in s. 30.76 Wis. Stats. Such deposit shall be made to the Town of Oakland police headquarters or other offices designated for collections.

SECTION 20. REPEAL OF CONFLICTING ORDINANCES.

All ordinances regulating boating, traffic, buoys, or water skiing on Lake Ripley, Town of Oakland, Jefferson County, Wisconsin, heretofore enacted by the Town Board of the Town of Oakland are hereby repealed.

SECTION 21. EFFECTIVE DATE.

This Ordinance shall be effective upon passage and publication.

TOWN OF OAKLAND BOARD

By: /s/ Raymond C. Kisow, Jr.,

Chairman

By: /s/ Edward M. Janzen

PASSED: December 16, 1975

PUBLISHED: December 24, 1975

RIPLEY

MARKER BOUYS

buoys

A

B

Gary

G. E. Bilsted

Echel A Swanson

Miner R. Kvistang

Edith A. Brandt

Sylvan Mounds, Inc.

Albert Rienschneider

John W. Porter

Anna Essex

Anna Essex

G. T. Dryden

Mary Prager

