

Chapter 6

BOATING AND RECREATION

I. GEORGE LAKE

- 6.01 George Lake Boating & Recreation Regulations
- 6.02 State Boating and Water Safety Laws Adopted
- 6.03 Additional Regulation
- 6.04 Speed Restrictions - Slow-No-Wake
- 6.05 Swimming
- 6.06 Mooring Buoys, Rafts and Piers
- 6.07 Marking Ice Fishing Shelters
- 6.08 Littering
- 6.09 Motor Vehicles on the Ice
- 6.10 Public Beaches
- 6.11 Penalties and Forfeitures

II. LAKE SHANGRI-LA

- 6.12 Intent
- 6.13 Applicability and Enforcement
- 6.14 State Statutes Incorporated
- 6.15 Definitions
- 6.16 Speed Restrictions
- 6.17 Capacity Restrictions
- 6.18 Buoys, Piers and Rafts
- 6.19 Swimming Regulations
- 6.20 Waterskiing
- 6.21 Littering Waters Prohibited
- 6.22 Races, Regattas, Sporting Events and Exhibitions
- 6.23 Driving Automobiles or Other Motor Driven Vehicles on the Ice
- 6.24 Jurisdiction
- 6.25 Penalties

III. BRISTOL TOWN PARKS

- 6.26 Parks
- 6.27 Rules and Regulations of Bristol Town Parks
- 6.28 Park Permits Required
- 6.29 Penalties

I. GEORGE LAKE

6.01 GEORGE LAKE BOATING AND RECREATION REGULATIONS.

(a) Intent. The natural waters and adjacent beaches located in the Town of Bristol are valuable natural resources and those portions of such waters and beaches which are owned by the public are threatened by overuse and by misuse. This ordinance is intended to promote the health, safety and welfare of the public by placing reasonable regulations on the use of said waters and beaches to preserve their natural beauty and usefulness and to avoid conflicts of those members of the public enjoying said waters and beaches. This ordinance is intended to be consistent with Chapter 30 of the Wisconsin Statutes governing navigable waters harbors and navigation, and with all valid administrative rules of the Department of Natural Resources for the State of Wisconsin, and with all applicable zoning regulations of Kenosha County, to the end that all interest may enjoy the aquatic recreation consistent with public rights, interest and capability of the water resource.

(b) Applicability, Enforcement. The provisions of this ordinance shall apply to the waters of George Lake. The provision of this ordinance shall be enforced by law enforcement officers of the Town of Bristol, Kenosha County and State of Wisconsin.

(c) Patrol Boats. The provisions of this ordinance shall not apply to the operator of a duly authorized patrol boat when operated in the performance of duty, and sounding the required audible signal (siren) provided due regard is given to the safety of people in the vicinity.

6.02 STATE BOATING AND WATER SAFETY LAWS ADOPTED.

Sections 30.50 to 30.71, Wis. Stats., describing and defining regulations with respect to water traffic, boats, boating and related water activities and safety are hereby adopted by reference. In addition to the definitions incorporated from §30.50 to §30.71, Wis. Stats., the following definitions shall apply:

(a) "Shore zone" means all surface water within one hundred (100) feet of the shoreline.

(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) "Public boat ramp" means the gravel access ramp located on the north side of 106th Street approximately four-tenths (4/10) of a mile east of Highway 45.

6.03 ADDITIONAL REGULATION.

(a) Water Skiing Limited due to the shallow depth and limited acreage of George Lake (59 acres) with fully developed shoreline, fisherman and other recreational uses requiring slow moving boats, no person shall operate a motorboat towing a person on waterskis, aquaplane or similar device except during the hours of 12:00 noon until 6:00 p.m. daily.

(b) No person shall engage in waterskiing, aquaplaning or similar activity unless that person is wearing a Coast Guard approved Type 1, 2 or 3 personal flotation device.

6.04 SPEED RESTRICTIONS - SLOW-NO-WAKE.

No person shall operate a motorboat at a speed greater than slow-no-wake except during the hours of 12:00 noon until 6:00 p.m. daily.

6.05 SWIMMING.

(a) No person shall swim outside of the shore zone unless accompanied by a boat, attended by a competent observer.

(b) No person shall swim from any boat unless the boat is attended by a competent observer who is in the boat, and the swimmer shall stay within twenty-five (25) feet of the boat.

(c) The following described area is hereby declared the swimming area, and shall be buoyed accordingly. The north and south lines of the public beach at 101st Street extend into the water for a distance of two hundred (200) feet and the east and west lines of the public beach at 192nd Avenue extend into the water for a distance of two hundred (200) feet.

6.06 MOORING BUOYS, RAFTS AND PIERS.

(a) Mooring Buoys. The use of mooring buoys is prohibited.

(b) Swimming and Diving Rafts.

(1) No person shall place or maintain any raft or platform on George Lake more than one hundred (100) feet from the shoreline.

(2) Each raft shall have at least eighteen (18) inches above the water line and nor more than twelve (12) inches from each corner or projection attached thereto a red reflector of not less than three (3) inches in diameter.

(c) Piers.

(1) No person shall construct or maintain a pier or boat lift which extends more than fifty (50) feet from the shoreline nor shall any person maintain a swimming and diving raft more than one hundred (100) feet from the shoreline.

(d) Prohibited in Public Areas.

(1) No pier, swimming or diving raft shall be placed in waters of the extended boundaries of any street, fire lane or public park.

(e) Removal of Rafts and Piers.

(1) All piers, rafts or similar structures, and their supports, shall be removed from the waters on or before December 1, and remain out of the water until April 1 of the following year.

(2) In the event that such structures are not removed by December 1, the Town, after notice to the riparian owners, may remove the structure and the cost and expense of such removal shall be charged to the riparian owner. If such charges are not paid within thirty (30) days of the date of billing, a penalty of ten percent (10%) shall be added to such charges and the same shall constitute a lien on the property of the riparian owner and be inserted on the tax roll at the Town Office by the Town Clerk upon order by the Town Board.

6.07 MARKING ICE FISHING SHELTERS.

(a) No person shall place any ice fishing shanty, or similar structure, upon the ice of any lake, and leave it either unattended during hours of darkness, unless the shanty is marked with a bright orange reflectorized paint or tape at least three (3) inches wide, applied in a continued strip on all sides, no less than two (2) feet nor more than four (4) feet above the level of the ice.

6.08 LITTERING.

(a) No person shall place, throw or otherwise deposit any cans, bottles, debris, garbage, refuse, waste, sewage or effluent into or on the waters, ice or shores of George Lake and any person who shall violate this section shall, upon conviction, pay the cost of removal in addition to any fine or forfeiture.

6.09 MOTOR VEHICLES ON THE ICE.

(a) No person shall operate any motor vehicle as (defined in Chapter 340.01, Wis. Stats.) on the ice of George Lake at any time, except that a vehicle equipped with snow plow may operate on the ice at their own risk for the purpose of snow plowing and such vehicle must be removed from the ice as soon as the vehicle has completed plowing the area.

6.10 PUBLIC BEACHES.

(a) There shall be two (2) public beaches on George Lake located at 101st Street, immediately north of 192nd Avenue, and the fire lane on 103rd Street. Said public beaches shall be closed at 10:00 p.m. each night and remain closed until sunrise of the following day.

(b) No person shall enter, or remain, on the property or the adjacent water area of a public beach during the period of time that the beach is closed.

(c) No person shall allow a pet to be on any public beach area at any time.

6.11 PENALTIES AND FORFEITURES.

(a) Any person convicted of violation of offenses listed in §6.01 through §6.10 and defined in §30.50 to §30.71, Wis. Stats., shall be subject to fines and forfeitures set forth in §30.80, Wis. Stats., with references to imprisonment deleted. Uniform deposit and bail schedule established by Wisconsin Judicial Conference shall be applicable to citations issued for violation of offenses adopted by this code and defined in §30.50 to §30.71, Wis. Stats.

(b) The penalties for violation of any other section of this ordinance shall, upon conviction, be subject to a fine or forfeiture of not less than Twenty-five (\$25.00) Dollars or more than One Hundred (\$100.00) Dollars for the first offense, and not less than Fifty (\$50.00) Dollars or more than Two Hundred (\$200.00) Dollars for a second offense within one (1) year of the first conviction. Deposits shall be as set forth in Chapter 3(j) of the Municipal Code of Bristol.

II. LAKE SHANGRI-LA

6.12 INTENT.

The intent of this subchapter is to provide safe and healthful conditions for the enjoyment of aquatic recreation consistent with public needs and the capability of the water resource.

6.13 APPLICABILITY AND ENFORCEMENT.

The provisions of this subchapter shall apply to Lake Shangri-La and shall be enforced by the officers of the Water Safety Patrol of the Town of Salem and by officers of the Department of Natural Resources of the State of Wisconsin.

6.14 STATE STATUTES INCORPORATED.

(a) The following sections of the Wisconsin Statutes, 1987, 1988 and any subsequent amendments thereto are hereby adopted and by reference, made a part of this section as though fully set forth herein.

30.50	Definitions.
30.51	Operation of Un-numbered Boats Prohibited.
30.52	Certificate of Number
30.53	Identification Number to be Displayed on Boat; Certificate to be Carried
30.531	Certificate of Title; Requirements; Exemptions
30.54(2)	Transfer of Ownership of Numbered Boat
30.55	Notice of Abandonment or Destruction of Boat or change of address
30.60	Classification of Motorboats
30.61	Lighting Equipment
30.62	Other Equipment
30.635	Motorboat Prohibition
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
30.681	Intoxicated Boating
30.682	Preliminary Breath Screening Test
30.683	Implied Consent
30.684	Chemical Tests
30.686	Report Arrest to Department
30.687	Officers Action After Arrest
30.69	Water Skiing

- 30.70 Skin Diving
 30.71 Boats Equipped with Toilets

(b) Any act required to be performed or prohibited by the provisions of any of the above-referenced statutory sections incorporated herein, is required or prohibited by this section.

6.15 DEFINITIONS.

(a) "Shore Zone" shall mean the water area within two hundred (200) feet of any lakeshore on Lake Shangri-La where the shore zone shall mean the water area from the shore to the five (5) foot depth as shown on the hydro-graphic map bearing legend DNR 1968.

(b) "Swimming Zone" shall mean an authorized area marked by official buoys to designate a swimming area.

(c) "Moorage" shall mean an area where continuous mooring of boats for more than twenty-four (24) hours is permitted.

(d) "Public Access" shall mean a marina or landing facility and the adjoining public shoreline under the ownership of the state, county or other municipality.

(e) "Slow No-Wake Speed" shall mean that speed at which a boat moves as slowly as possible while still maintaining steerage control.

6.16 SPEED RESTRICTIONS.

(a) In addition to the speed restrictions set forth in §6.14 of this code adopting §30.66, Wis. Stats., no person shall operate a boat in excess of the slow no-wake speed:

- (1) On Lake Shangri-La within a defined shoreline zone;
- (2) On Lake Shangri-La between the hours of 7:00 p.m. and 10:00 a.m. on either the shore zone or the traffic lane;

6.17 CAPACITY RESTRICTIONS.

No person shall operate or loan, rent or permit a boat to leave the place where it is customarily kept for operation on the waters covered by this chapter with more passengers or cargo than shall be stated on the capacity information plate as required by Section 30.501, Wis. Stats.

6.18 BUOYS, PIERS AND RAFTS.

(a) Removal of Rafts and Piers.

(1) All piers, rafts or similar structures, and their supports, shall be removed from the waters on or before December 1, and remain out of the water until April 1 of the following year.

(2) In the event that such structures are not removed by December 1, the Town, after notice to the riparian owners, may remove the structure and the cost and expense of such removal shall be charged to the riparian owner. If such charges are not paid within thirty (30) days of the date of billing, a penalty of ten percent (10%) shall be added to such charges and the same shall constitute a lien on the property of the riparian owner and be inserted on the tax roll at the Town Office by the Town Clerk upon order by the Town Board.

(b) Compliance. All buoys and aids to navigation must comply with §30.74(2), Wis. Stats., and administrative regulations and shall have affixed thereto such numbers as assigned to them by the permit. Such numbers shall be located at least twelve (12) inches above the waterline and shall be not less than three (3) inches in height.

(c) Wharves and Piers. No person shall erect or maintain any wharf or pier contrary to the statutes and regulations of the state or extending more than one hundred (100) feet from the shore.

(d) Pier or Mooring Buoy. No pier or mooring buoy shall be placed in the waters located within the boundary of a designated fire lane (extended into the water).

(e) Rafts and Platforms.

(1) No person shall place or maintain any raft or platform more than one hundred (100) feet from shore.

(2) Each raft or platform must:

(a) Be firmly anchored with at least eighteen (18) inches of freeboard above the waterline;

(b) Be painted white; and

(c) Have attached thereto not less than twelve (12) inches from each corner or projection, a red reflector of not less than three (3) inches in diameter.

(f) Buoy Permits.

(1) No bathing beachmarker, speed zone marker, information marked, mooring buoy, fishing buoy or other marker shall be anchored or shall be placed on any of the waters of Lake Shangri-La under the jurisdiction of the Town of Bristol unless a written application therefor is made to and approved by the Town Board of the Town of Salem. The Town of Salem shall issue numbers for buoys as required in paragraph (2) above. It is intended that the Town of Salem will have exclusive jurisdiction and control over the placement of and permits of all buoys.

(2) Permit fee established. Any person making application for the placement of a mooring buoy or other approved marker in the waters of Lake Shangri-La within the Town of Bristol in accordance with the above section shall pay to the Clerk of the Town of Salem a permit fee of Ten (\$10.00) Dollars. Such permit shall remain in effect so long as the applicant owns or rents the property for which such permit is granted. The permits granted hereunder shall automatically expire when an applicant sells or no longer occupies the premises for which the permit has been granted.

(g) Placement of Authorized Markers. The chief of the Water Safety Patrol of the Town of Salem is authorized and directed to place authorized markers, navigation aids and signs in such water areas of Lake Shangri-La under the jurisdiction of the Town of Bristol as shall be appropriate to advise the public of the provisions of this chapter and to post and maintain a copy of this chapter at all public access points within the jurisdiction of the Town as is deemed necessary.

6.19 SWIMMING REGULATIONS.

(a) Swimming From Boats Prohibited. No person shall swim from any unmanned boat in Lake Shangri-La unless such boat is anchored.

(b) Distance From Shore or Boats. No person shall swim beyond the shore zone or more than fifty (50) feet from any pier unless within marked or authorized areas, or more than

twenty-five (25) feet from anchored rafts or boats unless accompanied by a boat manned by a competent person and having readily available a ring buoy. Such boat shall stay reasonably close to and guard such swimmer, not less than one (1) boat for each two (2) swimmers.

(c) Hours Limited. No person shall swim more than two hundred (200) feet from the shoreline between the hours of 7:00 p.m. and 10:00 a.m.

6.20 WATERSKIING.

(a) Hours. No person shall operate a boat for the purpose of towing a water-skier, aquaplane or similar device or engage in waterskiing between the hours of 7:00 p.m. and 10:00 a.m. on Lake Shangri-La.

(b) Traffic Lane. Any boat engaged in towing a person on water skis, aquaplane or similar device must conform to all sections of this subchapter and, in addition, must operate in a counterclockwise pattern on Lake Shangri-La in the traffic lane. There shall be no waterskiing, aquaplaning or similar activity within the shore zone.

(c) Towing. There shall be not more than two (2) persons being towed by one (1) boat and each shall have an individual tow line. Persons being towed must wear personal flotation devices as defined in §30.62(3), Wis. Stats.

(d) Exceptions. The limitations of this section shall not apply to participants in ski meets or exhibitions authorized and conducted as provided in §6.22 of this subchapter.

6.21 LITTERING WATERS PROHIBITED.

(a) Any boat or craft which is designed for persons to use as living, sleeping or camping activities, commonly referred to as a "houseboat", shall be equipped with suitable sanitation facilities and comply with §6.14 of this subchapter, adopting §30.71, Wis. Stats.

(b) No person shall leave, deposit, place or throw on the waterways, ice, shores of waterways or upon any other public or private property adjacent to waterways any cans, bottles, debris, refuse or other solid waste material of any kind.

6.22 RACES, REGATTAS, SPORTING EVENTS AND EXHIBITIONS.

(a) Permit Required. No person shall direct or participate in any boat race, regatta, waterski meet or other water sporting event or exhibition on Lake Shangri-La unless such event has been authorized jointly by the Town Boards of Bristol and Salem.

(b) Permit. A permit issued under this section shall specify the course or area of water to be used by participants in such event and the permittee shall be required to place markers, flags or buoys approved by the chief of the Water Safety Patrol of the Town of Salem designating the specified area. Permits shall be issued only when the 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 of Participants. Boats and participants in any such permitted event shall have the right-of-way on the marked area and no other persons shall obstruct such area during the race or event or interfere therewith.

(d) Permit Fee Required. Upon making application for a special event permit, the applicant shall pay a Ten (\$10.00) Dollars permit fee to the Town Clerk of the Town of Salem.

6.23 DRIVING AUTOMOBILES OR OTHER MOTOR DRIVEN VEHICLES ON THE ICE.

(a) Speed. No person shall use or operate any automobile at a speed in excess of ten (10) mph on the ice of Lake Shangri-La.

(b) Hours. No person shall use or operate any automobile on the ice of Lake Shangri-La after 9:00 p.m.

(c) Definition. The word "automobile" as used in this subchapter shall be construed to mean all motor vehicles of the type and kind permitted to be operated on the highways in the State.

(d) Risk and Liability. All traffic on the ice-bound waters of Lake Shangri-La shall be at the risk of the traveler as set forth in §30.81(3), Wis. Stats. Nothing in this subchapter shall be construed as rendering the Town liable for any accident to those engaged in permitted traffic while this subchapter is in effect.

6.24 JURISDICTION.

Recognizing the joint jurisdiction of the Town of Salem and the Town of Bristol over the waters of Lake Shangri-La, it is the intent of this subchapter that the Town of Salem and the Town of Bristol shall cooperate and coordinate ordinances, rules and regulations. Violations occurring in the Town of Bristol shall be brought before the Municipal Court of the Town of Salem and the Town of Salem shall have exclusive jurisdiction over all such citations issued for violations of this subchapter, regardless of whether such violations occurred within the jurisdiction of the Town of Salem or the Town of Bristol.

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6.25 PENALTIES.

Unless otherwise provided herein, any person violating any provisions of this subchapter, shall, upon conviction, be subject to the penalty provided in §20.15 of the Code of Ordinances of the Town of Salem.