

ORDINANCE NO. ____

**AN ORDINANCE TO REGULATE BOATING
UPON THE WATERS OF THE TOWN OF
SPRINGWATER AND PRESCRIBING
PENALTIES FOR VIOLATION THEREOF.**

WHEREAS, the Town Board of the Town of Springwater has found and determined that it is necessary for the public health, safety and welfare of the residents of the Town of Springwater to regulate boating upon the waters of the Town of Springwater; and

WHEREAS, Subsection 30.77(3) of the Wisconsin Statutes authorizes the Town of Springwater to adopt ordinances regulating boating upon the waters within its jurisdiction; and

WHEREAS, a copy of this ordinance was submitted by the Town of Springwater to the Department of Natural Resources at least 60 days prior to final action by the Town Board as required by Subsection 30.77(3)(d), Wis. Stats.;

NOW, THEREFORE, the Town Board of the Town of Springwater, Waushara County, Wisconsin, does ordain as follows:

Section 1. Applicability and Enforcement.

- (a) The provisions of this Ordinance shall apply to all the waters of the Town of Springwater within the jurisdiction of said Town, except for Long Lake.
- (b) The provisions of this Ordinance shall be enforced by the officers of the Town of Springwater or any enforcement officer authorized by the Town Board.

Section 2. 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 interests, and the capability of the water resources.

Section 3. State Boating and Safety Laws Adopted.

State boating laws as found in Sections 30.50 to 30.71, Wis. Stats., are adopted herein by reference.

Section 4. Definitions.

- (a) "Boat" means every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

- (b) "Public access" means any access to the water by means of public property.
- (c) "Slow-No-Wake" means that speed at which a boat moves as slowly as possible while still maintaining steerage control.
- (d) "Swim area" means an authorized area marked by regulatory markers to designate a swimming area.
- (e) "Water ski" means a boat towing a person using water-skies, aquaplane, wake board or any similar device or any person or persons engaged in water-skiing, aquaplaning, wake boarding or any similar activity.

Section 5. Speed Restrictions.

- (a) Except as provided in subsection (b) below, no person shall operate a boat at speeds in excess of "slow-no-wake" on the waters of Gilbert Lake, Kusel Lake, Pine Lake, Round Lake or Wilson Lake between the hours of 5:00 p.m. and 10:00 a.m. the following morning.
- (b) At no time shall any person operate a boat of any nature at speeds in excess of "slow-no-wake" on the following waters:

1. Wilson Lake

The portion of the bay in Wilson Lake that extends from the public landing located on Archer Lane, Section 27 to a demarcation line, running due west to east, at a distance 150 feet north of the shoreline at the aforementioned public landing, described more particularly as the area which begins at the large double-trunk oak tree located forty-five (45) feet West of the shoreline at the natural breakpoint of the west shoreline of the bay; thence proceeding 485 feet East to a point on the east shoreline of the bay; thence Southerly along the shoreline to the public landing; thence westerly along the shoreline of the public landing to the southwest corner of the bay; and thence northerly along the shoreline to the point of beginning. The area shall be marked by buoys, approved by the United States Coast Guard as well as the Department of Natural Resources. Said buoys shall be installed, removed and maintained by the Springwater Improvement Association.

2. Gilbert Lake

The portion of the eastern bay in Gilbert Lake that extends from the public landing located on 23rd Road, Section 14, to a demarcation line, running due north to south, at a distance of approximately 700 feet west of the shoreline at the aforementioned public landing, described more

particularly as that area of Gilbert Lake which lies east of a line beginning at a point described as the Murphy Boat House located on parcel no. 032-1171-0200, W5517 N. Gilbert Lake Road, Lot 2, Gilbert Lake Summer Resort, proceeding southerly and ending at a point described as the Bramley Boat House located on parcel no. 032-1471-4700, W5530 S. Gilbert Lake Road, Lots 47 and 48, Gilbert Park Manor Subdivision. The Gilbert area shall be marked by buoys, approved by the United States Coast Guard as well as the Department of Natural Resources. Said buoys shall be installed, removed and maintained by the Gilbert Lake Advancement Association.

3. Twin Lake

Section 6. Traffic Rules.

On the waters of Gilbert Lake, Kusel Lake, Pine Lake, Round Lake and Wilson Lake between the hours of 10:00 a.m. and 5:00 p.m., no person shall operate a boat at a speed greater than "slow-no-wake" except in a counter-clockwise direction.

Section 7. Water Skiing.

- (a) No person shall operate a boat towing a person or persons on water-skis, wake board, aquaplane or similar device, nor shall any person or persons engage in water-skiing, aquaplaning, wake boarding or any similar activity on the waters of Gilbert Lake, Kusel Lake, Pine Lake, Round Lake or Wilson Lake between the hours of 5:00 p.m. and 10:00 a.m. the following morning.
- (b) No person shall engage in water-skiing, aquaplaning, wake boarding, or any similar activities unless they are wearing a United States Coast Guard approved Personal Flootation Device.

Section 8. Restricted Areas.

- (a) No person shall operate any type of boat upon the waters of Little Silver Lake in any manner other than by wind power or manual power.
- (b) Between Memorial Day weekend and Labor Day weekend "swim areas" shall be enforced on Kusel Lake, Pine Lake, Round Lake, Twin Lake and Wilson Lake. The "swim areas" shall be marked by buoys, approved by the Department of Natural Resources, as follows:

Kusel Lake

- 1. Evergreen Campsite. Sec. 26 T20N R11E. Area - 83 feet shore by 300 feet out on the lake.

2. Springwater Resort. Sec. 26 T20N R11E PTSW1/4 Comm. SE corner of Chase's Springwater Subdivision. Area - 150 feet shore by 125 feet out on the lake. Specifically, the swimming area will begin at the cottonwood tree located twelve (12) feet North of the public boat landing and then proceeding 200 feet West to a point; thence 250 feet North to a point; thence 200 feet East to the point of beginning which is the shoreline of Kusel Lake.

Pine Lake

1. Hidden Campsite. Sec. 2 T20N R11E Gov. Lot 6. Area - 300 feet shore by 125 feet out on the lake.
2. Pine Lake Lutheran Camp. Bradley Point - Subdivision Gov. Lot 1, Sec. 2 T20N R11E Lot 12. Area - 50 feet shore by 175 feet out on the lake.

Round Lake

1. Koch's Cottages. Sec. 35 T20N R11E PT of Gov. Lot 5 in NE corner. Area - 100 feet shore by 125 feet out on the lake.
2. Camp Lu-Wis-Mo. Sec. 35 T20N R11E NW1/4 SE1/4 Gov. Lot 9. Area - 130 feet shore by 150 feet out on the lake.

Twin Lake

1. Lakes Council B.S.A. Sec. 1 T20N R11E. Area - 120 feet shore by 150 feet out on the lake.

Wilson Lake

1. Patzer's Last Resort. Area - 150 feet shore by 150 feet out on the lake.

Section 9. Prohibited Activities.

No person shall swim more than 200 feet from shore unless accompanied by a competent person in a boat and having readily available a United States Coast Guard approved Personal Floatation Device for each person on board and in the water.

Section 10. Posting Requirements.

The Town of Springwater shall place and maintain a copy of this Ordinance at all public access points within the jurisdiction of the Town.

Section 11. Penalties.

- (a) Any person violating any provision of Sections 30.50 to 30.71, Wis. Stats., for which a penalty is not provided under subs. (2) to (6) of Section 30.80, Wis. Stats., shall forfeit the maximum total penalty, including all costs, fees and assessments for each offense, as set forth in the State of Wisconsin Revised Uniform Deposit and Bail Schedule for Boating Violations.
- (b) Any person violating any other provisions of this Ordinance shall upon conviction thereof forfeit Fifty Dollars (\$50.00) as well as all costs, fees and assessments for each offense.

Section 12. Repeal of Prior Ordinances.

All ordinances regulating water traffic, boats, boating or water sports upon the waters covered by this Ordinance heretofore enacted by the Town Board of the Town of Springwater are hereby repealed.

Section 13. Severability.

The provisions of this Ordinance shall be deemed severable and it is expressly declared that the Town Board 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 circumstance is held invalid, the remainder of the Ordinance and the application of such provisions to other persons or circumstances shall not be effected.

Section 14. Effective Date.

000610

- (a) This Ordinance will become effective upon passage and the day after publication.
- (b) The Town Clerk is directed to file a copy of this Ordinance with the Wisconsin Department of Natural Resources in Madison, Wisconsin.

Passed this ____ day of _____, 1998.

Everett Eckstein, Town Chairman
Town of Springwater

Kathleen Moser, Town Clerk
Town of Springwater

ATTEST:

Kathleen Moser, Town Clerk,

Posted in the following three places in the Town of Springwater:

- (1) _____
- (2) _____
- (3) _____