

AN ORDINANCE REPEALING AND RE-CREATING §20.05  
OF THE GENERAL CODE OF ORDINANCES OF THE TOWN  
OF MERTON RELATING TO THE REGULATION OF WATER  
TRAFFIC AND BOATING ON MOOSE LAKE

000479

The Town Board of Supervisors of the Town of Merton,  
Waukesha County, Wisconsin, does ordain as follows:

SECTION 1. Sec. 20.05 of the General Code of Ordinances is  
repealed and re-created to read as follows:

20.05 MOOSE LAKE.

(1) APPLICABILITY AND ENFORCEMENT. The provisions of this  
section shall apply to the waters of Moose Lake within the  
jurisdiction of the Town of Merton. The provisions of this  
section shall be enforced by the officers of the Water Safety  
Patrol of the Town of Merton.

(2) SPEED RESTRICTIONS.

(a) Night Limit. No person shall operate a boat or  
personal watercraft at a speed in excess of slow-no-wake speed  
from one hour after sunset each day to 9:00 a.m. the following  
day.

(b) No person shall operate a boat or personal watercraft  
at a speed in excess of slow-no-wake speed at the south end of  
Moose Lake in the two southern bays as marked by regulatory  
buoys.

(c) No person shall operate a boat or personal watercraft  
in excess of slow-no-wake speed within 100 feet of any other  
boat, personal watercraft, raft or stationary object, whether  
such other boat, personal watercraft, raft or stationary object  
is anchored, drifting or underway.

(d) No person shall operate a motor boat or personal  
watercraft in excess of slow-no-wake speed between 12:00 noon and  
4:00 p.m. on Sundays and legal holidays.

(3) PROHIBITED OPERATION. No person may operate or use a  
motor boat or personal watercraft repeatedly in a circuitous  
course with a diameter of less than 200 feet at a speed in excess  
of slow-no-wake speed.

## (4) STATIONARY OBJECTS.

(a) Reflectors Required. All piers, rafts, ski jumps or other stationary objects extending into or located upon the waters of Moose Lake shall have red reflector signals on each side thereof, and such reflectors shall not be less than three inches from the outer limits thereof and shall be at least three inches in diameter.

(b) Rafts. No person shall erect or maintain any raft or platform unless it is so anchored that it has at least 10 inches of free board above the waterline and has attached thereto on each side above the waterline a reflector in good condition not less than three inches in diameter. No raft shall be placed more than 100 feet from the shore unless a permit is obtained from the Water Safety Patrol.

(c) Permits Required.

1. No water ski jump shall be placed upon the waters covered by this chapter at any time unless a permit is obtained from the Water Safety Patrol. No raft or other stationary object shall be placed more than 100 feet from the shore unless a permit is obtained from the Water Safety Patrol. A permit issued under this section shall specify the location of the ski jump, raft or other structure and, in the case of ski jumps, the area of water to be used by users of such jump. Permits shall be issued only if in the opinion of the Water Safety Patrol the proposed use of the water and location of the structure is such so as not to interfere with or obstruct navigation and other uses of the water.

2. Buoys. No "slow-no-wake" or "swim area" buoy may be placed in Moose Lake without a permit from the Water Safety Patrol and must be anchored no further than 125 feet from the shoreline.

(5) SAFE OPERATION REQUIRED. No person shall operate, direct or handle a boat or personal watercraft in such manner as to unreasonably annoy, unnecessarily frighten or endanger the occupant(s) of their or other boat or personal watercraft.

(6) SWIMMING REGULATIONS. No person shall swim more than 125 feet from the shoreline of Moose Lake and more than 50 feet from a diving raft anchored 100 feet or more from the shoreline of Moose Lake without being accompanied by a boat for the protection of the swimmer and as an aid to other boats in determining the location of the swimmer, and such swimmer shall not be more than 50 feet from the accompanying boat.

## (7) 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 and a permit issued therefor by the Water Safety Patrol.

(b) Permit. A permit issued under this section shall specify the course of the area or water to be used by participants in such event, and the permittee shall be required to place markers, flags or buoys approved by the Water Safety Patrol designating the specified area. Permits shall be issued only if in the opinion of the Patrol the proposed use of the water can be carried on safely and without danger to or substantial obstruction of other watercraft or persons using the lake. Permits shall be valid only for the hours and area specified.

(c) Right-of-Way of Participants. Boats and participants in any such permitted events 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.

(d) Racing Prohibited. NO person shall operate a motor boat or personal watercraft in a race or speed contest with any other motor boat or personal watercraft, except as provided in subsec. (7)(a).

(8) WATER SKIING AND TOWING. In addition to the rules contained in §30.69, Wis. Stats., the following rules shall control water skiing and towing on Moose Lake.

(a) No person shall operate a motor boat or personal watercraft and tow therewith any person upon water skis, kneeboard, tube or other towed recreational device in the following designated area of Moose Lake: that area lying between the peninsula and the island as marked by slow-no-wake buoys.

(b) No person shall water ski or operate a boat or personal watercraft while towing a person on water skis, kneeboard, tube or other towed recreational device on Saturdays, Sundays and legal holidays at any time between 6:00 p.m. and 9:00 a.m. of the following morning.

(c) No person shall operate a motor boat or personal watercraft and tow more than two water skiers, kneeboarders, tubes or other recreational devices at one time unless participating in an authorized exhibition or contest with permit as provided in subsec. (7).

(d) No person shall operate a motor boat and tow water skiers except during the following listed hours:

Monday through Friday	9:00 a.m. to sunset
Saturdays	9:00 a.m. to 6:00 p.m.
Sundays and Legal Holidays	9:00 a.m. to 12:00 p.m. 4:00 p.m. to 6:00 p.m.

(e) Direction. NO person shall water ski or operate a boat or personal watercraft while towing a person on water skis, kneeboard, tube or other recreational device unless in a counter-clockwise direction. This restriction shall not apply to the operator of a boat or personal watercraft attempting to pick up a skier or towed device rider who has fallen into the water.

(9) MARKERS AND NAVIGATION AIDS.

(a) Notice and Posting. The Water Safety Patrol is authorized and directed to place and maintain suitable markers, navigation aids and signs in such water areas 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 on Moose Lake.

(b) Standard Markers. All markers placed by the Water Safety Patrol or any other person upon the waters covered by this ordinance shall comply with the regulations of the Department of Natural Resources, NR 5.09, Wis. Adm. Code. No "slow-no-wake" or "swim area" buoys will be anchored any further than 125 feet from the shoreline.

(c) Interference with Markers Prohibited. No person shall without authority remove, damage or destroy or moor or attach any watercraft to any buoy, beacon or marker placed on the waters of Moose Lake by the authority of the United States, state, county or town or by any private person, pursuant to the provisions of this chapter.

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective upon passage, posting and publication as required by law.

DATED: \_\_\_\_\_

TOWN OF MERTON

By: \_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Clerk