

000283

BOATING REGULATIONS

ORDINANCE TO REGULATE WATER SKIING
UPON THE WATERS OF NORTH LAKE AND
PRESCRIBING PENALTIES FOR VIOLATION THEREOF

The Town Board of the Town of Iola, Waupaca County, Wisconsin, do 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 the Ordinance shall apply to the waters of North Lake within the jurisdiction of the Town of Iola, Waupaca County, Wisconsin. The provisions of this ordinance shall be enforced by the Officers of the Town of Iola.

Section 3. DEFINITIONS IN THIS ORDINANCE.

a. "slow-no-wake" means the slowest possible speed so as to maintain steerage.

Section 4. SPEED RESTRICTIONS. It shall be unlawful for any person to operate a motor powered boat on North Lake during the following times at a speed faster than "slow-no-wake" speed:

- a. Before 10 A.M. on any day.
- b. After 8 P.M. on Monday through Friday.
- c. After 4 P.M. on Saturday, Sundays and Legal Holidays, or sunset whichever comes first.

Section 5. Any person violating any provision of this Ordinance shall forfeit not more than \$50.00 for the first offense and shall forfeit not more than \$100.00 upon conviction of the same offense a second or subsequent time within one year, and in default of payment of the fine imposed with costs, shall be committed to the County Jail of Waupaca County for a term not to exceed 30 days.

Section 6. This Ordinance shall take effect and be in force from and after its passage and publication.

000283

Approved by the Town Board of Iola this ____ day of _____, 1993.

Filed this ____ day of _____, 1993.

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CONDITION REPORT

Pursuant to Wis. Stats. 30.77(3) the Town of Iola is proposing the enactment of the attached Boating Regulation for the waters of North Lake located entirely in the Town of Iola.

Given the small size of the lake and the concentration of fisherman on the lake before 10:00 A.M., it is necessary to implement some sort of speed limitation on the lake to prevent possible collisions between sports boaters and those who are fishing. Because setting a speed limit in miles-per-hour would be difficult to enforce, the most prudent and enforceable limit on speed would be a "slow-no-wake" limit.

Additionally, a "slow-no-wake" limit is necessary to avoid boating accidents after 8:00 P.M. given the diminished visibility at that hour due to the setting of the sun.

Finally, North Lake's size and the concentration of boaters on the lake during weekends and legal holidays necessitate a speed limitation after 4:00 P.M. or sunset (whichever comes first) because of the diminished visibility at that hour. This Ordinance should prevent sports boaters from colliding with other boats and with the structure around the shoreline of North Lake.

The negative effect of this regulation would fall on those sports boaters who wish to exceed the "slow-no-wake" limit during the times those limits are imposed.

The attached Ordinance is calculated to prevent boating accidents on North Lake. If the Ordinance was not adopted, the Town Board of Iola is of the opinion that an increase of boating accidents would occur.

To date there has been no opposition to the Enactment of this Ordinance either by a member of the Town Board, or any other party.

Dated this _____ day of _____, 1993.

Town Chairman