

Posted 8/11/93

ORDINANCE #

000304

AN ORDINANCE TO REGULATE BOATING ON THE OCONTO RIVER

The Mayor and Common Council of the City of Oconto 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: Prohibited Acts. No person may operate a motorboat on any part of the Oconto River which lies West of the hospital bridge and to the East end of the Breakwater park, of the City of Oconto at a speed in excess of the slow-no-wake speed.

SECTION 3: Exception (1) This ordinance shall not apply to persons operating motorboats between the hours of 6:30 P.M. to 8:30 P.M. on Monday, Wednesday and Thursday of each week and Monday, Wednesday and Saturday between the hours of 2:00 P.M. to 4:00 P.M.

(2) This ordinance shall not apply to persons operating motorboats in a youth or community oriented show or athletic contest as permitted herein. No person may operate a motorboat in any show or contest described herein unless he has received the written permission of the City. Any application requesting permission to operate a motorboat in a show or contest described herein shall be filed with the City at least 20 days before the date of the show or contest.

SECTION 4: Definitions. (1) "Motorboat" means any boat equipped with propulsion machinery, whether or not the machinery is the principal source of propulsion.

(2) "Operate" when used with reference to a motorboat, boat or vessel means to navigate or otherwise employ.

(3) "Slow-no-wake" means that speed at which a boat moves as slowly as possible while still maintaining steerage control.

SECTION 5: PENALTY. Any person who shall violate any of the provisions of this ordinance shall upon conviction thereof forfeit not less than \$10.00 nor more than \$100.00, together with the costs of prosecution, and in default of payment of the forfeiture and costs of prosecution, and in default of payment of the forfeiture and costs of prosecution shall be imprisoned in the Oconto County Jail until said forfeiture and costs are paid, but not exceeding 90 days.

SECTION 6: CONFLICT AND SEPARABILITY. The provisions of Section 19.02 of the Municipal Code of the City of Oconto shall apply to the provisions of this ordinance.

SECTION 7: Enforcement. The provisions of this ordinance shall be enforced by the City of Oconto Police Department and by any other law enforcement agency authorized by law.

SECTION 8: Effective date. This ordinance shall take effect after passage and publication as provided by law.

Dated this _____ day of _____, _____.

Approved this _____ day of _____, _____.

_____ MAYOR

ATTEST:

_____ CLERK

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