

Passed:
Published:

ORDINANCE NO. 270

AN ORDINANCE TO REPEAL AND RECREATE CHAPTER 15 OF THE
CODE OF ORDINANCES OF THE VILLAGE OF PADDOCK LAKE, WISCONSIN
RELATING TO REGULATION OF PADDOCK LAKE

The Village Board of Trustees of the Village of Paddock Lake, Wisconsin ordains as follows:

That Chapter 15 of the Code of Ordinances of the Village of Paddock Lake, Wisconsin, be repealed and recreated to read as follows:

15.01 INTENT.

The intent of this Chapter is to provide safe and healthful conditions for the enjoyment of aquatic recreation consistent with public rights and interests.

15.02 APPLICABILITY AND ENFORCEMENT.

The provisions of this Chapter shall apply to the waters of Paddock Lake within the jurisdiction of the Village of Paddock Lake. The provisions of this Chapter shall be enforced by the Kenosha County Sheriff and Paddock Lake Water Safety Patrol.

15.03 STATE BOATING AND WATER SAFETY LAWS ADOPTED.

The statutory provisions describing and defining regulations with respect to water traffic, boats, boating and related water activities and safety in the following enumerated sections of the Wisconsin Statutes, exclusive of any provisions therein relating to the penalties to be imposed or the punishment for violation of said statutes, are hereby adopted and by reference made a part of this Chapter as follows:

30.50 Definitions. Except 30.50(4).

30.51 Operation of unnumbered boats prohibited; exceptions.

- 30.52 Certificates of number; applications; issuance; renewals; fees.
- 30.53 Identification number to be displayed on boat; certificate to be carried.
- 30.54 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.
- 30.63 Sale and use of certain outboard motors restricted.
- 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.
- 30.69 Water skiing.
- 30.70 Skin diving.
- 30.71 Boats equipped with toilets.

15.04 WEED HARVESTER

(a) No person or mechanically powered water craft shall come within a thirty (30) foot radius of a weed harvester when it is positioned in the lake either in an operating or stationary manner.

(b) The weed harvester while in operation shall have the exclusive right-of-way above all other mechanically powered water craft.

15.05 DEFINITIONS.

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

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

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

15.06 SPEED RESTRICTIONS.

In addition to the regulations of Section 30.66, Wis. Stats., no person shall operate a motorboat after 7:00 p.m. at such a speed as to cause a wake, except as provided in Section 15.10 of this Code.

15.07 CAPACITY RESTRICTIONS.

No person shall operate, 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.

15.08 BUOYS, PIERS, AND RAFTS.

(a) The Village of Paddock Lake may remove all buoys, markers, piers and their supports, privately owned or placed, which are not removed by December 1st of each year and charge the cost and expense of such removal to the riparian owner. If such charge is not paid within thirty (30) days after request therefore, a penalty of ten percent (10%) shall be added to such charge and the same shall constitute a lien on the property of the riparian owner and be inserted on the Village of Paddock Lake tax roll by the Village Clerk upon order of the Village Board and after notice to the riparian owner.

(b) All navigation aids must comply to Section 30.74(2), Wis. Stats., and shall also have affixed to them any numbers issued by their permit pursuant to subsection (f) below. Such number shall be located at least twelve inches (12") above the water line, and shall not be less than three inches (3") in height.

(c) No person shall erect nor maintain any wharf or pier contrary to the Statutes and regulations of the State of Wisconsin, nor which extends more than fifty feet (50') from the

shore unless prior written approval is obtained from the Board of Trustees of the Village of Paddock Lake or the Department of Natural Resources.

(d) No pier or mooring buoy shall be placed in the waters located within the boundary of a designated fire lane (extended into the water) unless so authorized in writing by the Village Board of the Village of Paddock Lake or the Department of Natural Resources.

(e) No person shall place or maintain any raft or platform more than fifty feet (50') from the shore unless prior written approval is obtained from the Board of Trustees of the Village of Paddock Lake or the Department of Natural Resources. Rafts and platforms shall be anchored, have at least eighteen inches (18") of free board above the water line, be painted white, and have attached thereto, not more than twelve inches (12") from each corner or projection a red reflector at least three inches (3") in diameter.

(f) No bathing beach marker, speed zone marker, information marker, mooring buoy, fishing buoy or other marker shall be anchored or placed on Paddock Lake, unless a written application is approved by the Village Board of the Village of Paddock Lake and the Department of Natural Resources. As to such markers and buoys located on Paddock Lake, an application must be made to the Village of Paddock Lake and approved by the Village Board and the Department of Natural Resources. The Department of Natural Resources shall issue numbers for such markers and buoys.

(g) The Chief of Water Safety Patrol is authorized and directed to place authorized 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 within the jurisdiction of the Village of Paddock Lake, provided such markers have been authorized by the Department of Natural Resources.

15.09 SWIMMING REGULATIONS.

(a) Swimming from Boats Prohibited. No person shall swim from any unmanned boat unless such boat is anchored.

(b) Distance from Shore or Boats. No person shall swim more than one hundred feet (100') from shore (unless within marked authorized areas) or more than twenty-five feet (25') from anchored rafts or boats unless he is 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.

15.10 WATER SKIING.

(a) Hours. Water skiing, aquaplaning or similar activities shall be limited to the hours of 10:00 a.m. to 7:00 p.m. except on Wednesday of each week when such activities shall be permitted until sunset. Any person being towed shall be equipped with a Coast Guard approved life jacket, life belt or similar life-saving device.

(b) Traffic Pattern. Any boat engaged in towing a person on water skis, aquaplane or similar device must conform to all sections of this Chapter and in addition, must operate in a counter-clockwise pattern on the lake.

(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 Section 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 Section 15.12 of this Code.

15.11 LITTERING WATERWAYS PROHIBITED.

(a) Any boat or craft which is designed for living, sleeping, or camping activities (commonly referred to as a "House Boat") shall be equipped with suitable sanitation facilities and comply with Section 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 materials of any kind.

15.12 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 exhibitions on Paddock Lake unless such event has been authorized by the Village Board of the Village of Paddock Lake pursuant to Section 30.77, Wis. Stats.

(b) Permit. A permit issued under this section shall specify the course or area of water to be used by participants and require the permittee to place markers, flags or buoys approved by the Chief of the Water Safety Patrol 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 person using the lake.

Application for said permit shall be made at least 14 days prior to the competitive event or exhibition, and the applicant shall, if required by the Board, post a bond in the amount of \$500.00. Said bond shall be returned within 48 hours after the event if all litter and debris caused by participants and spectators has been removed and properly disposed. The Board may, in its discretion, require the applicant to provide proper personnel or devices for the protection, safety and welfare of the public or participants.

(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.

15.13 DRIVING AUTOMOBILES OR OTHER VEHICLES ON THE ICE.

(a) Speed. No person shall use or operate any automobile at a speed in excess of ten (10) miles per hour on the ice.

(b) Hours. No person shall use or operate any automobile on the ice between 10:30 p.m. and 7:00 a.m.

(c) Definitions.

(1) "Automobile" as used in this Chapter shall be construed to mean all motor vehicles of the type and kind permitted to be operated on the highways in the State of Wisconsin.

(2) "Other Vehicles" includes but is not limited to, snowmobiles, go-carts, bicycles, and motorcycles not permitted on state highways.

(d) Risk and Liability. All traffic on the icebound waters shall be at the risk of the travelers as set forth in Section 30.81(3), Wis. Stats. Nothing in this Chapter shall be construed as rendering the Village of Paddock Lake liable for any accident to those engaged in permitted traffic.

15.14 PENALTIES.

Any person violating any provision of this Chapter shall, upon conviction, be subject to a forfeiture of not more than Fifty Dollars (\$50.00) for the first offense, and not more than One Hundred Dollars (\$100.00), for each subsequent offense within one (1) year. Any person violating Section 30.67(1) or (2), Wis. Stats., or 30.68(1) or (2), Wis. Stats., shall be referred to State authorities for prosecution.

Citations for violations of this Chapter shall be drafted on forms prepared by the Department of Natural Resources. Bonds may be posted for violations pursuant to Section 23.66, Wis. Stats.

Dated at Paddock Lake, Wisconsin, this _____ day of

_____, 1984.

VILLAGE OF PADDOCK LAKE

By: _____
Norman H. Krueger, President

Attest: _____
Grace Mueller, Clerk