

ORDINANCE # 1983-1

AN ORDINANCE TO REGULATE WATER TRAFFIC, BOATING AND WATER SPORTS UPON THE WATERS OF PLEASANT LAKE, LOCATED IN THE TOWN OF COLOMA AND THE TOWN OF SPRINGFIELD, AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF:

The Town Board of the Town of Coloma, Waushara 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 this ordinance shall apply to all the waters of the Town of Coloma, Waushara County, Wisconsin, within the jurisdiction of said Town. The provisions of this ordinance shall be enforced by the officers of the Town of Coloma.

Section 3. State Boating and Water Safety Laws Adopted.

The statutory provisions describing and defining regulations with respect to water traffic, boats, and boating and related water activities and safety in the following enumerated sections of the Wisconsin Statutes, and amendments, thereto, 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 ordinance.

30.50	Definitions
30.51	Operation of unnumbered motorboats prohibited
30.52	Certificates of number
30.53	Identification number to be displayed on boat; certificate to be carried
30.54	Transfer of ownership or 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
30.635	Motorboat prohibition
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

Section 4. Definitions in this Ordinance.

(a) Shore Zone means all surface water within 200 feet of the shoreline.

(b) Swimming Zone means an authorized area marked by regulatory markers to designate a swimming area.

(c) Designated anchorage means an area of water established and marked as an anchorage by lawful authority.

(d) Public access means any access to the water by means of public property.

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

(f) 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.

(g) Motorboat means any boat equipped with propulsion machinery, whether or not the machinery is the principal source of propulsion.

Section 5. Boat Operation.

No person shall operate a boat in excess of SLOW-NO-WAKE, except during the hours from 11:00 AM to 3:00 PM. During the hours from 11:00 AM to 3:00 PM, all boats shall be operated in a Counter Clockwise direction on the lake.

Section 6. Swimming and Water Skiing.

(A) TIME

Water skiing, aquaplaning, and similar activities, are allowed only between the hours of 11:00 o'clock in the morning, and 3:00 o'clock in the afternoon.

(b) USE OF PERSONAL FLOATATION DEVICE

No person shall engage in water skiing, aquaplaning, or similar activities unless they are wearing a United States Coast Guard approved personal floatation device.

(c) SWIMMING DISTANCE FROM SHORE

No person shall swim more than 200 feet from the 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.

(d) FLOATING DEVICES

No person shall float more than 200 feet from shore in or on an innertube or similar floating device unless accompanied by a competent person in a boat having readily available a United States Coast Guard approved Personal Floatation Device for each person on the floating device and in the boat.

Section 7. RESTRICTED AREAS.

The following described areas are designated official bathing or swimming areas on Pleasant Lake and no person shall operate a boat, except for emergency or rescue craft, within the areas marked by official buoys.

The TOWN BOARDS of the TOWN of COLOMA, located in the County of Waushara and the TOWN of SPRINGFIELD, located in the County of Marquette, all in the State of Wisconsin, HEREBY authorize the placement of buoys marking the swimming area at the Pleasant Lake Resort and at the Sunset Point Resort, to be located at the following positions:

(A). A swimming area is located at the Pleasant Lake Resort, starting at the Pleasant Lake Resort swim area; buoys will be placed, starting at the West existing iron pipe (denoted by 6) and then South 136 feet to the placement of the first buoy. Then approximately 72 feet East to second buoy, then approximately 115 feet North to sign post. This is the officially designated area.

- (B) A swimming area is located at Sunset Point Resort, starting at Sunset Point Resort, swim area buoys will be placed starting at the West cement slab on the waters edge and then North 100 feet to the placement of the first buoy. Then approximately 70 feet East to the second buoy. Then approximately 168 feet South to the large oak tree. This is the officially designated swimming area.

Section 8. PENALTIES.

30.80

1. Any person violating Section 3 of the ordinance shall upon each conviction thereof forfeit the sum of not less than \$25.00, on the 1st conviction and not less than \$75.00 nor more than \$200.00 on the 2nd conviction and the costs of prosecution, and upon default in payment of said forfeiture, shall be confined to the County jail of Waushara County, until such forfeiture and costs are paid, not to exceed ten (10) days.
2. Any person violating Section 5,6, or 7 of this ordinance, shall upon each conviction thereof forfeit the sum of not less than \$25.00 or not more than \$75.00 and the costs of prosecution, and upon default in payment of said forfeiture, shall be confined to the County jail of Waushara County until such forfeiture and costs are paid, not to exceed ten (10) days.
3. The operator of a duly authorized patrol boat, when in pursuant of an actual or suspected violator of the law, need not comply with the regulations fixing maximum speed or direction of traffic flow.

ANY PERSON DESTROYING BUOYS OR THIS ORDINANCE SHALL BE SUBJECT TO A FINE OF \$100.00.

APPROVED BY:

THE TOWN OF COLOMA

Mark Kerschner
Chairman, Mark Kerschner

Marvin Heller
Clerk, Marvin Heller

THE TOWN OF SPRINGFIELD

David Fisher
Chairman,

Carl Happe
Clerk,

PASSED THIS 7 DAY of June, 1983.