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## ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO REGULATE WATER TRAFFIC, BOATING AND WATER SPORTS UPON THE WATERS LOCATED IN THE TOWN OF STEPHENSON, CALDRON FALLS FLOWAGE, HIGH FALLS FLOWAGE, JOHNSON FALLS FLOWAGE, LEFT FOOT LAKE, BIG NEWTON LAKE, LITTLE NEWTON LAKE, SANDSTONE FLOWAGE AND THUNDER LAKE, AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF.

The Town Board of the Town of Stephenson, Marinette County, Wisconsin do ordain as follows:

Section 1. Intent. The intent of this ordinance is to provide 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 the waters of Caldron Falls Flowage, High Falls Flowage, Johnson Falls Flowage, Left Foot Lake, Big Newton Lake, Little Newton Lake, Sandstone Flowage and Thunder Lake within the jurisdiction of the Town of Stephenson. The provisions of this ordinance shall be enforced by the Town Constables or other persons or agencies authorized by the Town Board of the Town of Stephenson.

Section 3. State Boating and Safety Laws Adopted. State boating laws as found in ss. 30.50 to 30.71 are adopted by reference.

Section 4. Definitions in this ordinance:

- (a) "Designated anchorage" means an area of water established and marked as an anchorage by lawful authority.
- (b) "Designated boat landing" means any access specifically marked or signed as a public boat landing.
- (c) "Navigation lane" means an area designated by authorized aids to navigation.
- (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) "Swimming zone" means any authorized area of water established by regulatory markers to designate a swimming area.
- (g) "Water skiing" means towing a person resting upon some device attached to a motorboat or other motorized watercraft.

Section 5. Speed Restrictions. It shall be unlawful for any operator of any motorboat to drive that boat faster than the "slow-no-wake" speed in any restricted areas as pertains to Section 6 of this ordinance.

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Section 6. Restricted Areas. In addition to Wis. Stats. pertaining to and regulating restricted areas:

- A. No person may operate a motorboat at a speed in excess of slow-no-wake speed in that portion of the Peshtigo River downstream from the Caldron Falls Dam to the "big rock" as marked by regulatory markers.
- B. No person may operate a motorboat or other motorized watercraft at a speed in excess of slow-no-wake within 100 feet of either side of the Twin Bridge or the Shaffer Bridge as marked by slow-no-wake buoys.
- C. No person may operate a motorboat at a speed in excess of slow-no-wake speed within 100 feet of that portion of the High Falls Flowage located at Twin Bridge Park, which is marked with regulatory markers as a swimming area.
- D. No person may operate a motorboat, at a speed in excess of slow-no-wake, in that portion of the High Falls Flowage within 100 feet of shore in the bays north and south of the Twin Bridge Park swimming area, as marked by regulatory buoys.
- E. No person may operate a boat at anytime within the following stated distances of the respective dam areas as marked with Boat Excluded Regulatory markers:
  - 1.) Caldron Falls Dam - no closer than 80' at the greatest distance.
  - 2.) High Falls Dam - no closer than 130' at the greatest distance.
  - 3.) Johnson Falls Dam - no closer that 100' at the greatest distance.
  - 4.) Sandstone Dam - no closer than 150' at the greatest distance.

Section 7. Motorboat Prohibition. Motorboat operation, including water skiing and use of personal watercraft in excess of slow-no-wake shall be permitted only:

- A. Between the hours of 10:00 A.M. and 6:00 P.M. on Big Newton Lake and Little Newton Lake. All motorboats and/or other motorized watercraft are restricted to the speed of slow-no wake between the hours of 6:00 P.M. and 10:00 A.M. on these lakes.
- B. Between the hours of 10:00 A.M. and 6:00 P.M. on Left Foot Lake and Thunder Lake. All motorboats and/or other motorized watercraft are restricted to the speed of slow-no-wake between the hours of 6:00 P.M. and 10:00 A.M. on these lakes.
- C. No water skiing or towing shall be permitted on the High Falls Flowage, from the Twin Bridge downstream to the High Falls Dam or North of the North narrows, between the hours of 6:00 P.M. and 10:00 A.M., except that water skiing shall be allowed during those hours under separate lease agreement with or by the Town of Stephenson.

- D. No water skiing or towing shall be permitted on the Sandstone Flowage between the hours of 6:00 P.M. and 10:00 A.M. Water skiing shall be permitted only between 10:00 A.M. and 6:00 P.M. on the Sandstone Flowage.

Section 8. Additional Traffic Rules. All motorboats in continuous motion shall operate in a counterclockwise direction between the hours of 10:00 A.M. and 6:00 P.M. on Left Foot Lake, Big Newton Lake, Little Newton Lake and Thunder Lake.

Section 9. Penalties. Wisconsin state boating penalties as found in s. 30.80 are adopted by reference.

Section 10. Severability. In the event that any section or sections hereinabove shall be ruled unconstitutional, by any competent court, such determination shall not affect the validity or effectiveness of the other sections of this ordinance, and the remainder of said ordinance shall remain in full force and effect.

The foregoing ordinance is hereby adopted by the Town Board of the Town of Stephenson on this \_\_\_\_\_ day of \_\_\_\_\_, 1991. All previous Town of Stephenson Ordinances regulating the use of motorboats, water skiing and water sports are hereby repealed.