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## ORDINANCE 202

## BOATING - TOMAHAWK LAKE

## 202.001 PURPOSE

Being a joint, uniform and identical Ordinance by the Municipalities surrounding Tomahawk Lake, Oneida County, Wisconsin, regulating the equipment, use and operation of boats and other watercraft on said Lake in the interest of public health and safety pursuant to Section 30.77 (3) Wisconsin Statutes.

The Town Boards of Hazelhurst, Lake Tomahawk, Minocqua and Woodruff Townships, each being a municipality as defined in Chapter 30 of the Wisconsin Statutes, being aware of and recognizing the hazards to person and property from the use and occupancy of boats and other watercraft during storms and from the presence of fire or other forms of heat aboard the same, and accidental burning therefrom, and also the possibility of intentional or accidental littering and polluting of the lake from such use and operation and the presence of motors and equipment using flammable liquids, and from the presence of such flammable material; and each having jurisdiction of a portion of Tomahawk Lake, being an inland lake, located in Oneida County, Wisconsin, which county does not operate any marina development adjacent to said lake, do ordain jointly and identically in conformity with Section 30.77(3) of the Wisconsin Statutes as follows:

## 202.002 ENFORCEMENT:

The provisions of this ordinance shall be enforced by the officers of the Minocqua and Woodruff Boat Patrols and Police Departments.

## 202.003 DEFINITIONS.

Definition used in Chapter 30 of the Wisconsin Statutes are hereby adopted by reference.

## 202.004 STATE BOATING AND WATER SAFETY LAWS ADOPTED.

The statutory provisions describing and defining regulations with respect to water and ice, traffic, boats, boating and related water and ice activities in the following enumerated sections of the Wisconsin Statutes, exclusive of any provisions relating to penalties to be imposed or punishment for violation of such statutes, are by reference adopted as part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by the provisions of any statute incorporated by reference herein is required or prohibited by this subchapter.

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- 30.05 Definitions.
- 30.501 Capacity plates on boats.
- 30.51 Certificate of number and registration; requirements; exemptions.
- 30.52 Certificates of number and registration; applications: certification and registration period; fees; issuance.
- 30.53 Certification or registration card to be on board; display of stickers or decals and identification number.
- 30.54 Transfer of ownership of boats with a certificate of number or registration.
- 30.55 Notice of abandonment or destruction of boat or change of address.
- 30.60 Classification of motor boats.
- 30.61 Lighting equipment.
- 30.62 Other equipment.
- 30.63(2) Sale and use of certain outboard motors restricted.
- 30.64 Patrol boats.
- 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(1) Boats equipped with toilets.

#### 202.005 SPECIAL EVENTS.

(CR, 6/14/89) There shall be no organized water events, special events or contests without the express permission of the Town Board of Minocqua, Woodruff, Lake Tomahawk and Hazelhurst.

#### 202.006 SEVERABILITY:

The provisions of this ordinance shall be deemed severable and it is expressly declared that the Minocqua, Woodruff, Lake Tomahawk and Hazelhurst Town Boards would have passed the other provision of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected.

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## 202.007 HOUSEBOATS.

(1) **REGULATED.** No houseboat or similar structure shall be located, used or operated on, through or over the inland lakes, waters or on the shore of any lakes or streams in the Town without complying with the following provisions:

- (a) **Display of Permit.** Obtaining and having attached to such houseboat or structure, in a conspicuous place, any current license or permit required by any statute, rule or regulation of the State or any of its authorized divisions, departments or commissions, or any such license or permit which the municipality having jurisdiction of such inland water may, by legislation, be authorized to issue.
- (b) **Inland Waters Defined.** "Inland waters" as covered by this section means the waters defined as "inland waters" in SS29.01 (9) and 30.745 (a), Wis. Stats.
- (c) **Limitation as to Use.** Unless otherwise specifically authorized and permitted by statute, no such houseboat or other structure of any kind which has any sleeping facilities used or intended for living or commercial purposes shall be used or operated on such waters within 100' of the shoreline nor for the use or sale of beer or intoxicating beverages for commercial purposes.

## 202.008 DISPOSITION OF REFUSE IN WATER.

No person shall dispose of, place or throw into any such waters within the jurisdiction of the Town, or leave upon the ice thereof, any cans, bottles, debris, refuse or other solid waste material.

## 202.009 TOILET MUST BE SEALED.

No person shall maintain or operate in any inland water herein, any boat or structure equipped with a toilet, unless such toilet is sealed or otherwise rendered inoperative so as to prevent human waste from discharging into such waters.

## 202.010 PUBLIC FACILITIES.

A reasonable fee may be charged and paid for the use of public boat launching facilities owned or operated by the Town, and as to boats carrying passengers for hire, such boats shall be subject to such inspection and regulations, not restricted or prohibited by statute, as may be reasonably required to provide safety and security to the crew and passengers.

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202.011 VIOLATIONS.

No owner or occupant of any boat or other watercraft shall:

- (a) Use or permit its use for general living conditions, while the same is located anywhere on the body of Tomahawk Lake, including any of its bays or harbors, or on the docking facilities or land abutting same.

202.012 PENALTIES.

- (1) Wisconsin State Boating Penalties as found in Wisconsin Statutes 30.80 are adopted reference.
- (2) **FIRST OFFENSE.** Except as otherwise provided, any person who shall violate any provision of this chapter shall upon conviction be subject to a forfeiture of not less than \$100 plus cost of prosecution and in default of payment of the same, be imprisoned in the County Jail until paid, but not to exceed 30 days.
- (3) **SUBSEQUENT VIOLATIONS.** A forfeiture of not more than \$200 plus costs of prosecution and in default of payment, be imprisoned in the County Jail until paid, but not to exceed 90 days.