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LAW ENFORCEMENT

JUN 14 10 31 AM '96

(Draft Ordinance for Public Hearing at the
Newbold Town Hall, 5/28/96, 7:00 p.m.)

ORDINANCE # 04-1996

Town of Newbold

PERSONAL WATERCRAFT (JET SKIS)

Regulations For Two Sisters Lake

THE TOWN BOARD OF NEWBOLD, ONEIDA COUNTY, WISCONSIN, DOES ORDAIN
AS FOLLOWS:

Section I: Applicability and Enforcement

- A. The provisions of this ordinance will apply to the waters of Two Sisters Lake, lying wholly within the Town of Newbold
- B. The ordinance shall be enforced by town officers or their designees.

Section II: Intent

The intent of this ordinance is to provide safe and healthful conditions for the enjoyment of aquatic recreation consistent with public rights and interests, and the capability of the Two Sisters Lake water resources.

Section III: Definitions

- A. "Personal watercraft" shall be any watercraft as defined by Section I, 30.50 (9d) of the Wisconsin Statutes.
- B. "Slow-No-Wake" means that speed at which a Personal Watercraft moves as slowly as possible while still maintaining steering control.
- C. "Shore zone" means all surface water within 200 feet of mainland or island shoreline.

Section IV: Personal Watercraft shall only be operated in a "slow-no-wake" manner within the shore zone of Two Sisters Lake.

Section V: Hours of Operation

The operation of Personal Watercraft on Two Sisters Lake shall be limited to the hours between 11 a.m. and 4 p.m. local time.

Section VI: Posting Requirements

The Two Sisters Lake Property Owners Association shall, under the direction of the Newbold Town Chairperson, place and maintain a copy of this ordinance at all public access points on the Lake.

Section VII: Severability

The provisions of this ordinance shall be deemed severable and it is expressly declared that the Town Board would have passed the other provisions of this ordinance irrespective of whether or not one or more of its 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.

Section VIII: Penalties

Wisconsin State boating penalties as found in Section 30.80, Wisconsin Statutes, and deposits as established in the Uniform Deposit and Bail Schedule established by the Wisconsin Judicial Conference, are hereby adopted by reference with all references to fines amended to forfeitures and all references to imprisonment deleted.

Section IX: Effective Date

A. This Ordinance will become effective upon passage, posting and publication as provided by law.

B. This Ordinance passed this Day of , 1996.

BY ORDER OF THE TOWN BOARD OF THE TOWN
OF NEWBOLD, ONEIDA COUNTY, WISCONSIN

Richard Ludgatis, Town Chairperson

ATTEST: Carl J. Liebert, Town Clerk

Published and posted on the day of , 1996

CONDITION REPORT

A condition report for enactment of an Ordinance to regulate the use of Personal Watercraft on Two Sisters Lake within the Town of Newbold, Oneida County

Operation of personal watercraft in a high-speed mode within 200 feet of the shoreline adversely affects the public welfare by degrading water quality through shoreline erosion and sediment suspension on Two Sisters Lake. Also, the sound emitted from a personal watercraft is an adverse impact to public welfare as most observers report personal watercraft noise to be sharply different from that of a typical motorboat, and, at least from a subjective viewpoint, more offensive, especially within 200 feet of shore.

HOURS OF OPERATION. Restricting hours of operations is to reduce the hazards and infringements on public welfare posed by personal watercraft. Personal watercraft shall be allowed on Two Sisters Lake in the Town of Newbold between 11 a.m. and 4 p.m. daily. These hours target the middle of the daylight period when visibility is best and noise conflicts are minimized between personal watercraft and recreation users of the water resource.

As a result of the problems posed by personal watercraft, the Town Board was served with a petition earlier in 1995, requesting an ordinance be adopted for Two Sisters Lake similar to one enacted in the Town of Presque Isle, Vilas County, in 1994.

This proposed ordinance will allow usage of the waters of Two Sisters Lake in the Town of Newbold by all classes of waterway users while imposing the least restrictions necessary to protect the health, safety and general welfare of the public. The proposed ordinance is being submitted for public hearing in the Town of Newbold on May 28, 1996, and to the Wisconsin Department of Natural Resources pursuant to the requirements of Section 30.771 (d) of the Wisconsin Statutes. The Newbold Town Board will act on this ordinance at its regular meeting on June 27, 1996.

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