

## Title 12 ► Chapter 4

# Boating and Watercraft Use

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### Sec. 12-4-1 Water Safety Patrol Unit

- (a) **Authority.** Pursuant to the authority granted in Section 60.56 & 30.79, Wis. Stats., there is established a separate municipal agency known as the “Town of Stephenson Water Safety Patrol Unit”, for the purpose of enforcing sections *23.33 (as referenced in Title 10-1), Titles 10-2 and 10-4 of the Town of Stephenson, Code of Ordinances and sections 30.50 to 30.80 of chapter 30 of Wisconsin Statutes. The Water Safety Patrol unit is to enforce applicable State and Town regulations and ordinances on highways, public and private lands, waterways, boat landings and parking areas located in the Town of Stephenson, Marinette County, Wisconsin.*
- (b) **Employment of Officers.** Water Safety Patrol Unit officers shall possess current law enforcement certification as prescribed by the State of Wisconsin. Water Safety Patrol Unit officers shall be authorized and work under the direction of Stephenson Town Board, and report to the Stephenson Town Board. Water Safety Patrol Unit officers will be sworn to enforce all Town ordinances relating to *highways, public and private lands, waterways, boat landings and parking areas located in the Town of Stephenson, Marinette County, Wisconsin.*
- (c) **Wisconsin Department of Natural Resources Coordination.** Water Safety Patrol Unit officers shall work in conjunction with the Wisconsin Department of Natural Resources. The Town of Stephenson shall receive reimbursement of expenses from the Wisconsin Department of Natural Resources (DNR) for the Water Safety Patrol Unit.
- (d) **Citations.** Water Safety Patrol Unit officers may issue citations for violations of Town ordinances relative to waterways, of Ch. 30, Wis. Stats., *23.33 (as referenced in Title 10-2), Titles 10-2, 10-4,* and other relevant Wisconsin Statutes adopted by reference and incorporated herein in Section 11-1-1 of the Stephenson Code of Ordinances.
- (e) **Court Proceedings.** All citations written by Water Safety Patrol Unit officers will be processed in the Town of Stephenson Municipal Court pursuant to the forfeiture schedule then in effect.
- (f) **Nonexclusivity.** Adoption of this Section does not preclude the Town Board of the Town of Stephenson from adopting any other ordinance or providing for enforcement of any other law or ordinance relating to the same or other matters.

## Sec. 12-4-2 State Boating and Water Safety Laws Adopted.

State boating and water safety laws as found in Sections 30.50 through 30.71, Wis. Stats., are hereby adopted by reference and made a part of this Code of Ordinances as though set forth in full.

## Sec. 12-4-3 Boating/Personal Watercraft on Newton Lakes.

- (a) **Intent and Purpose.** The intent of this Section 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 resources. The specific purpose of this Section is to regulate all watercraft upon Big Newton and Little Newton Lakes in the Town of Stephenson, and to prescribe penalties for violation thereof.
- (b) **Applicability and Enforcement.** The provisions of this Section apply to all watercraft on Newton Lakes and may be enforced by persons or agencies authorized by the Stephenson Town Board, including, but not limited to, Water Safety Patrol Unit officers.
- (c) **Definitions.** The following definitions shall be applicable in this Section:
  - (1) **Slow No-Wake.** The speed at which a boat moves as slowly as possible while maintaining steering control.
  - (2) **Personal Watercraft (PWC).** A watercraft that uses an inboard motor powering a water jet pump or caged propeller as its primary source of motive power and is designed to be operated by a person standing on, kneeling or sitting astride the water craft.
  - (3) **Shore Zone.** All surface water within two hundred (200) feet of shoreline or island(s).
- (d) **Rules of Operation on Big Newton and Little Newton Lakes.**
  - (1) **Direction of Operation.** All watercraft, boats and PWC shall travel in a counter clockwise rotation on the lakes.
  - (2) **Speed; Slow No-Wake Operation.**
    - a. Personal watercraft shall not operate at speeds in excess of slow no-wake within two hundred (200) feet from shore and one hundred (100) feet from other boats, rafts, docks, and other personal watercraft. Other watercraft and boats (such as non-PWC) shall not operate at speeds in excess of slow no-wake within one hundred (100) feet from shore and from other boats, rafts, docks or personal watercraft.
    - b. All watercraft, boats and PWC shall be restricted from operating at speeds in excess of slow no-wake within one hundred (100) feet of the area designated for swimming or boat landing; no watercraft are allowed in the swimming area at any time.

- c. All watercraft, boats and PWC shall be operated in a slow no-wake manner within the shore zone.
  - d. Big Newton Lake and Little Newton Lake are designed as slow no-wake operation zones between 6:00 p.m. and 10:00 a.m.
  - e. Personal watercraft may operate above no-wake levels only between the hours of 10:00 a.m. and 2:00 p.m.
  - f. Boats may operate above slow no-wake levels only between the hours of 10:00 a.m. and 6:00 p.m.
  - g. Conventional boats may operate on Newton Lakes in slow no-wake mode at any time.
  - h. Personal watercraft may operate on Newton Lakes in slow no-wake mode at any time except operation of personal watercraft is prohibited between the hours of sunset and sunrise.
- (3) **Water Skiing; Improper Operation.** No person shall operate any watercraft or permit any person to water ski or engage in other similar water activity on waters of Big Newton Lake and Little Newton Lake in such an improper, careless or negligent manner that in any way may endanger the health and safety of persons or property.
- (e) **Notice Requirements.** The Town of Stephenson shall place and maintain a copy of this Section/ordinance at Big Newton Lake and Little Newton Lake public access points.
- (f) **Penalties.** Wisconsin state boating penalties as found in Sec. 30.80, Wis. Stats., and deposits as 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.

## Sec. 12-4-4 General Watercraft Regulations on Town Lakes.

- (a) **Intent and Purpose.** The intent of this Section is to provide healthful conditions for the enjoyment of aquatic recreation consistent with public rights and interest, and the capability of the water resource.
- (b) **Applicability and Enforcement.**
- (1) **Applicability.** Except as otherwise provided for Big Newton and Little Newton Lake in Section 12-4-3, the provisions of this Section shall apply to the following waters within the jurisdiction of the Town of Stephenson:
- a. Caldron Falls Flowage.
  - b. High Falls Flowage.
  - c. Johnson Falls Flowage.
  - d. Left Foot Lake.
  - e. Big Newton Lake (except as provided in Section 12-4-3).
  - f. Little Newton Lake (except as provided in Section 12-4-3).

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- g. Sandstone Flowage.
  - h. Thunder Lake.
  - i. Peshtigo River.
- (2) **Enforcement.** The provisions of this Section shall be enforced by Town of Stephenson Water Safety Patrol Unit officers or other persons or agencies authorized by the Stephenson Town Board.
- (3) **State Boating Laws Applicability.** State of Wisconsin laws regulating boating and watercraft are adopted by reference in Section 12-4-2 and are fully applicable to this Section.
- (c) **Definitions.** The following definitions shall be applicable in this Section:
- (1) **Designated Anchorage.** An area of water established and marked as an anchorage by the Town of Stephenson or other lawful authority.
  - (2) **Designated Boat Landing.** Any access specifically marked or signed as a public boat landing.
  - (3) **Navigation Lane.** An area designated by authorized aids to navigation.
  - (4) **Public Access.** Any access to the water by means of public property.
  - (5) **Slow No-Wake.** That speed at which a boat moves as slowly as possible while still maintaining steerage control.
  - (6) **Swimming Zone.** Any authorized area of water established by regulatory markers to designate a swimming area.
  - (7) **Water Skiing.** Towing a person resting upon some device attached to a motorboat or other motorized watercraft.
- (d) **Speed Restrictions; Slow No-Wake Areas.** It shall be unlawful for any operator of any motorboat to drive that boat faster than the slow no-wake speed in any restricted area, designated as follows:
- (1) **Peshtigo River.** No person may operate a motorboat or other motorized watercraft at a speed in excess of slow no-wake speed in that portion of the Peshtigo River downstream from Caldron Falls Dam to the "big rock" as marked by regulatory markers.
  - (2) **Twin Bridge; Shaffer Bridge.** No person may operate a motorboat or other motorized watercraft at a speed in excess of slow no-wake within one hundred (1 **0**) feet of either side of the Twin Bridge or Shaffer Bridge as marked by slow no-wake buoys.
  - (3) **High Falls Flowage; Twin Bridge Park #1.** No person may operate a motorboat or other motorized watercraft at a speed in excess of slow no-wake within one hundred (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.
  - (4) **High Falls Flowage; Twin Bridge Park #2.** No person may operate a motorboat or other motorized watercraft at a speed in excess of slow no-wake in that portion of the High Falls Flowage within one hundred (100) feet of shore in the bays north and south of the Twin Bridge Park swimming area, as marked by regulatory buoys.

- (5) **Caldron Falls Flowage.** No person may operate a motorboat or other motorized watercraft at a speed in excess of slow no-wake in that portion of Caldron Falls Flowage from the mouth of Boat Landing #10 bay, north as marked by regulatory markers.
  - (6) **High Falls Flowage; Meeders Bay.** No person may operate a motorboat or other motorized watercraft at a speed in excess of slow no-wake speed in that portion of High Falls Flowage from the mouth of Meeders Bay easterly as marked by regulatory markers.
  - (7) **Left Foot Lake; Thunder Lake.** No person may operate a motor home or other motorized watercraft at a speed in excess of slow no-wake between the hours of 6:00 p.m. and 10:00 a.m. on Left Foot Lake and Thunder Lake. Motorboat operation, including water skiing and use of personal watercraft in excess of slow no-wake shall only be permitted between the hours of 10:00 a.m. and 6:00 p.m. on Left Foot Lake and Thunder Lake.
  - (8) **High Falls Flowage; Rock Buoy.** No person may operate a motorboat or other motorized watercraft at a speed in excess of slow no-wake on the waters of High Falls Flowage within one hundred (100) feet of said water marked by rock buoys located in Sec. I T32N R18E, six hundred and sixty (660) feet from the east edge of the dam, six hundred seventy-five (675) feet from the far edge dike in the Town of Stephenson.
- (e) **Speed Restrictions: Exceptions**
- (1) As authorized in sec. 30.66(3)(ag)2, Wis. Stats, the Town of Stephenson elects to “opt out” of the “slow no wake” provision as provided in sec. 30.66(3)(ag)1, Wis. Stats. on the waterways within the Town of Stephenson as follows:
    - (a) **High Falls Flowage.** That area of the flowage beginning approximately .2 miles NNE of the County Highway X bridge crossing and continuing for approximately 200 yards NNE, to include both shorelines in this area, commonly known as “The First Narrows”.
- (f) **Boating Prohibited; Dam Areas.** No person may operate a boat or watercraft of any kind within the following stated distances of the respective dam areas as marked by boat excluded regulatory markers:
- (1) **Caldron Falls Dam.** No closer than eighty (80) feet at the greatest distance.
  - (2) **High Falls Dam.** No closer than one hundred thirty (130) feet at the greatest distance.
  - (3) **Johnson Falls Dam.** No closer than one hundred (100) feet at the greatest distance.
  - (4) **Sandstone Dam.** No closer than one hundred fifty (150) feet at the greatest distance.
- (g) **Motorboat Prohibition Areas.**
- (1) **Meeders Bay Swim Area - High Falls Flowage.** No person shall operate a motorboat, as defined in Sec. 30.50(6), Wis. Stats., on the waters of Meeders Bay in High Falls Flowage within the area of said waters and marked "Swim Area" with regulatory waterway marker buoys. This swim area is located in the NW 1/4 of Sec. 31, T33N R19E in the Town of Stephenson.
  - (2) **Little Newton Lake Swim Area.** No person shall operate a motorboat, as defined in Sec. 30.50(6), Wis. Stats., on the water of Little Newton Lake within the area of said waters and marked "Swim Area" with regulatory waterway marker buoys. This swim area is located in the SE 1/4 of Sec. 4, T33N R19E in the Town of Stephenson. North buoy location: One hundred twenty (120) feet east off shore, next to north edge of oak tree line, one hundred fifty (150) feet between buoys from north to south in the Town of Stephenson.
- (h) **Boating Restricted Areas; Water Skiing Pick-Up/Drop Areas.**
- (1) **High Falls Flowage - Twin Bridge Ski Club Lease Area.**
    - a. A water ski pick-up and drop area is hereby established pursuant to Section 30.69(3), Wis. Stats., in that portion of the High Falls Flowage adjacent to the dock or docks located at the Twin Bridge Ski Club lease area of the High Falls

Town Park. The ski pick-up/drop area shall be defined as an area no more than one hundred (100) feet from the location of the Twin Bridge Ski Club dock or docks that the regulatory marker is affixed.

- b. The ski pick-up/drop area hereby established shall only be in effect when an appropriate regulatory marker is affixed to the dock or docks located at the Twin Bridge Ski Club lease area of the High Falls Town Park. A regulatory marker shall be an appropriately sized sign that is white in color with three (3") inch black letters and a three (3 ") inch orange border around the perimeter of the sign. The sign shall state "Ski Pick-Up/Drop Area".
- c. The ski pick-up/drop area shall only be in effect during official Twin Bridge Ski Club practices and performances, and shall only be utilized by members of the Twin Bridge Ski Club. No other person, firm or organization shall be authorized to utilize "Ski Pick-Up/Drop Area" regulatory markers or operate within one hundred (100) feet of the dock or docks at a speed in excess of slow no-wake.
- d. The Twin Bridge Ski Club shall provide the Stephenson Town Board with a schedule of practices and performances for each year, filed with the Town prior to utilization of the dock or docks for ski purposes. The schedule of practices and performances may be amended with notification to the Stephenson Town Board.

**(2) High Falls Flowage - Twin Bridge Ski Club Jump Area.** A water ski pick-up and drop area is hereby established pursuant to Section 30.69(3), Wis. Stats., in that portion of the High Falls Flowage located adjacent to the High Falls Town Park, marked with regulatory markers and described as follows:

One hundred (100) feet around the permitted location of the ski jump (reference Permit 3-LM-91-426), which lies southwest of Meeder's Bay in front of that area of High Falls Town Park and is leased by the Twin Bridge Ski Team from the Town of Stephenson.

- (i) **Additional Motorboat 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.