

ORDINANCE NO. 2017-1

AN ORDINANCE TO REGULATE WATER TRAFFIC, BOATING AND WATER SPORTS UPON THE WATERS OF BUGHS LAKE IN THE TOWN OF WAUTOMA, WAUSHARA COUNTY, WISCONSIN, AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF.

The Town Board of the Town of Wautoma, Waushara County, Wisconsin do ordain as follows:

SECTION 1. INTENT. The intent of this ordinance is to make provisions to provide safe and healthful conditions for the enjoyment of aquatic recreation consistent with public rights and interest and the capabilities of the water resources of Bughs Lake, Town of Wautoma.

SECTION 2. APPLICABILITY & ENFORCEMENT. The provisions of this ordinance shall apply to all of the waters, persons, vessels, objects or things upon the waters of the Bughs Lake, within the jurisdiction of the Town of Wautoma.

The provisions of this Ordinance shall be enforced by, Wisconsin Conservation Wardens, Sheriff Department, Waushara County, Wisconsin, as well as by any Constable or Peace Officer authorized so to do.

SECTION 3. STATE BOATING AND WATER SAFETY LAWS ADOPTED. The statutory provisions describing and defining regulations with respect to water traffic, boats, boating and related water activities and safety in the following enumerated sections of the Wisconsin Statutes, 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 Certificate of numbers and registration; requirements; exemptions, 30.52 Certificate of numbers and registration; application; certification and registration period; fees; issuance, 30.53 Certificate of origin; requirements; contents, 30.54 Lost, stolen or mutilated certificate, 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, 30.64 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, 30.77 Local regulation of boating.

SECTION 4. DEFINITIONS.

(a). "Sailboard" means a sailboat with a hull resembling a surfboard which has little or no cockpit or seating area and which is designed to be sailed by a person in a standing position.

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

(c) "Nonmotorized boat" means a boat which is not a motorboat but which is designed and constructed to be used as a boat for transportation of a person or persons on water. This term includes, but is not limited to, any canoe, sailboat, sail boards, paddles boards, kayaks, paddle boats, inflatable boats or similar device, row boat, raft and dinghy which is not a motorboat.

(d) "Slow-no-wake" is the slowest possible speed so as to maintain steerage control.

SECTION 5. MOTORBOAT PROHIBITION AREA.

Bughs Lake having an area of less than fifty (50) acres, it is found and determined by the Town Board that in view of the nature of all of such waters and the shallowness of the bottoms, and the likelihood of damage to the environment in said waters, bottoms and abutting property, that the use of motor propelled boats that is propelled by internal combustion engine or engine(s) ought to be and hereby is prohibited.

No person shall operate a motorboat, as defined in s. 30.50(6), Wis. Stats., that is propelled by internal combustion engine or engine(s) on Bughs Lake, Town of Wautoma. Electric motors only are permitted on Bughs Lake, Town of Wautoma

SECTION 6. SWIMMERS. No person shall swim more than 150 feet from shore, unless accompanied by another person in a boat.

SECTION 7. AQUATIC INVASIVE SPECIES. Introduction non-native species in to Wisconsin waters can upset the balance of the ecosystem, thereby harming the environment. Ordinance hereby adopts by reference Department of Natural Resources NR 40 Invasive Species Identification, Classification and Control. (Published under s. 35.93, Wis. Stats., by Legislative Reference Bureau)

SECTION 8. LITTERING. (a) It is unlawful to throw or deposit any metal cans, glass bottles or any other debris, trash or refuse in or on the shores of Bughs Lake located in the Town of Wautoma. (b) It is unlawful to deposit, place or throw into any of the waters of Bughs Lake, Town of Wautoma, or leave upon the ice within the water thereof, any cans, bottle; debris, refuse or other solid-state materials including hereby, without limitation by reason of enumeration any automobile or other vehicle left in such waters for a period of more than thirty days. You must store trash in a container while on board and place it in a proper receptacle on shore. You are not allowed to discharge oil or hazardous substances in the water of Bughs Lake.

SECTION 9. PENALTIES. As required by s. 800.037, Wis Stats., deposits for boating violations shall be in accordance with the amount established by the uniform deposit schedule under s. 23.66, Wis. Stats.

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

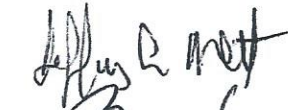
SECTION 10. REPEAL OF CONFLICTING ORDINANCES. All prior Ordinances regulating water traffic, boats, boating or water sports upon the waters of Bughs Lake, heretofore enacted by the Town Board of the Town of Wautoma, Waushara County, Wisconsin, are hereby repealed.

SECTION 11. 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 provisions may be declared invalid and if any provision of the Ordinance and the application thereof 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 thereby.

SECTION 12. POST REQUIREMENTS. The Town of Board shall place and maintain a synopsis of this ordinance at all public access points within the jurisdiction of the Town of Wautoma pursuant to the requirements of NR 5.15, Wis. Adm. Code.

Passed: SEPTEMBER 11, 2017



JEFFREY NETT, CHAIRMAN



ROBERT VAN, SUPERVISOR



ALLEN STEA, SUPERVISOR

SET BY MY HAND THIS 11TH DAY
OF SEPTEMBER 2017.



CLERK TOWN OF WAUTOMA