

6.09 REGULATIONS GOVERNING THE USE OF EAGLE LAKE.

(1) BOATS AND BOATING.

(a) Declaration of Intent. It is hereby declared that the purpose of this section shall be to further the public interest, welfare and safety in the operation of watercrafts on the waters of Eagle Lake, lying wholly within the boundaries of the Town of Dover, Racine County, Wisconsin.

(b) Definition. The term "person" includes any individual, firm, partnership, corporation, company, association or body politic, except the United States, the State of Wisconsin and duly authorized law enforcement officers, and includes any agent, trustee, executor, receiver, assignor or other similar representative thereof,

(c) State Laws Adopted. The statutory provisions defining terms and describing and defining regulations with respect to navigable waters and navigation in the following enumerated section of the Wisconsin Statutes, 1985-86, and Wisconsin Administrative Code, and any subsequent amendments thereto, exclusive of any provisions therein relative to the penalties to be imposed and the punishment for violations of said statutes, are hereby adopted by reference and made a part of this section as if fully set forth herein:

Section 30.50 to 30.55, inclusive.

Section 30.60 to 30.65, inclusive.

Section 30.66(1)

Section 30.67(1)(2)(3)(4)

Section 30.68

Section 30.681 to 30.687, inclusive.

Section 30.69(2)

Section 30.70 Section 30.71

Chapter NR--5 of the Wisconsin Administrative Code

(Section 30.681 to 30.687, inclusive, adopted by Ordinance No. 89-F, 6/12/89)

(d) Hours of Operation. No person shall operate any motorboat upon the waters of Eagle Lake in the Town of Dover at more than idling speed during the hours from sunset or 8 p.m., whichever is earlier, until 10 a.m. of the next following day.

This restriction shall not apply to duly authorized water ski tournaments, competitions, exhibitions or trials therefor, where adequate lighting is provided.

(Section 6.09(1)(d) Amended by Ordinance No. 89-F, 6/12/89)

(e) Waterskiing.

1. No person shall operate a motor boat towing a person on waterskis, aquaplane or similar device nor shall any person permit himself to be towed by a motor boat while on such waterskis, aquaplane or similar device, unless the motor boat be occupied by at least two competent persons.

2. No person operating a motor boat shall tow more than two persons on waterskis, aquaplane or similar device.

3. No person shall operate a motor boat towing a person on waterskis, aquaplane or similar device, nor shall any person engage in waterskiing, aquaplaning or similar activity during the hours set forth in Section (d) above.

4. The provisions of subsections 1, 2 and 3 above shall not apply to duly authorized waterski tournaments, competitions, exhibitions or trials therefor and, if such are scheduled to be conducted during the hours of darkness, where adequate lighting is provided.

(f) Restricted Speed Areas

1. A shore zone is established at a distance of 300 feet from shore except as follows in subsections 2 and 3 below. No person shall operate a motorboat at a speed greater than Slow-No Wake in this area. Slow-no-wake buoys are authorized to be placed as designated on the approved Waterway Marker Application.

2. A slow-no wake area is established in the bay by the dam from Minnetonka Drive to the Pan Yack Park sub. Slow-no wake buoys are authorized to be placed as follows:

1 buoy (#4 on map) 300 feet from shore at Minnetonka Drive. 1 buoy (#5 on map) between #4 and #6 1000 feet from shore.

1 buoy (#6 on map) 300 feet from shore at Pan Yack Park subdivision lot 18 lot line.

3. A slow-no wake buoy is authorized to be placed at the entrance to the Eagle Lake county park boat launch 500 feet from the end of the boat ramp. A red and a Green channel marker buoy are authorized to be placed at 100 and 200 feet from the end of the boat ramp.

4. A slow-no wake area is established in the bay north of Island Road. Slow-no wake buoys are authorized to be placed as follows:

1 buoy (#27 on map) 300 feet from shore at the lot line of lots 3 and 4 in block 1 of Delaney's Deerfield subdivision.

1 buoy (#28 on map) 800 feet from shore at the lot line of lots 9 and 10 in block 1 of Delaney's Deerfield subdivision.

1 buoy (#29 on map) between buoys #28 and #30 at 800 feet from shore.

1 buoy (#30 on map) 300 feet from shore at the lot line of lots 63 and 64 in block 1 of the Island subdivision.

(g) Traffic Flow. No person shall operate a motor driven boat in other than a counter-clockwise direction on Eagle Lake except at idling speeds. All persons in control of boats entering Eagle Lake at public launch ramps shall depart in a counter-clockwise direction.

(h) Racing. No person shall operate a motor boat on Eagle Lake in a contest of speed or maneuverability unless such contest or competition is duly authorized by the Town Board.

(i) Procedure on Arrest. Whenever a person is arrested for a violation of any of the provisions of this section, the Constables and the Water Patrol Officers are authorized to receive from the accused a deposit in money or its equal in an amount not to exceed the amount of the maximum forfeiture which may be imposed after the accused is found guilty 'or such other amount as may be fixed by the Municipal Court in establishing a bail bond schedule. When the accused makes such money deposit, he may be released from arrest until the court having jurisdiction of the alleged violation opens, or the next succeeding day in which such court is in session, or until such other time as may be fixed for the hearing of the case. (Section 6.09(1)(i) repealed by Ordinance No. 87-H, 10/12/87)

(j) Failure of Defendant to Appear. If the person so arrested and released fails to appear personally or by an authorized attorney or agent before the court at the time fixed for hearing, the money deposited by the accused, pursuant to the preceding section, hereof, shall be retained and used for the payment of the forfeiture, which forfeiture may be imposed either with or without costs in the discretion of the court. The excess, if any, shall be returned to the person who makes the deposit upon his making application for the same. If the accused is found not guilty, the entire amount of the deposit shall be refunded to the depositor upon making application for the same.

(k) Arrest for Violation. Any person violating any of the terms of the section shall be subject to arrest, and such arrest may be made on the waters of Eagle Lake or ashore and any Constable or Water Patrol Officer may pursue the offender ashore in order to enforce the terms hereof.

(l) Enforcement. It shall be the duty of the Town Constable or any other person or persons subsequently empowered by special authorization of the Town Board to enforce the provisions of this Section and of Section 8.09 of this Code of Ordinances pertaining to the placement of mooring buoys on Eagle Lake. Any person so authorized shall not carry or use any firearm or like weapon in the course of his duties unless such person has completed the requisite training program and obtained the certification required by Section 165.85(4) of the Wisconsin Statutes

(Section 6.09(1)(1) amended by Ordinance No. 89-G, 7/10/89)

(2) PIERS TO BE REMOVED.

(a) Removal of Piers and other Structures and Devices. Every person maintaining a pier, wharves, boat lift, or other structure or device in the waters of Eagle Lake, in and if navigation, shall remove the same on or before November 1 of each year.

(b) Placement of Obstacles on Ice. It shall be unlawful for any person to place upon the frozen waters of Eagle Lake any obstruction or obstacle interfering with the 'navigation thereof by snowmobiles and ice boats, with the exception of ice fishing shanties.

(c) Removal by Town. In addition to the penalties hereinafter provided, in the event any owner of property

(5) GLASS CONTAINERS PROHIBITED. No person shall possess any glass container on the lake.