

SLOW-NO-WAKE ORDINANCE AFFECTING BILLY BOY FLOWAGE

A SOLE ORDINANCE TO REGULATE BOATING UPON THE WATERS OF BILLY BOY FLOWAGE OF THE COUDERAY RIVER IN THE TOWN OF SAND LAKE, SAWYER COUNTY, WISCONSIN, AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF.

The Town Board of the Town of Sand Lake does ordain as follows:

Section I. Applicability and Enforcement

(a) The provisions of this Ordinance shall apply to the waters of Billy Boy Flowage of the Couderay River located within the Town of Sand Lake, Sawyer County, Wisconsin.

(b) This ordinance shall be enforced by conservation wardens of the Lac Courte Oreilles Conservation Department, who have been duly appointed by the appropriate agency of the Lac Courte Oreilles Tribal Government and who are also certified Wisconsin Law Enforcement Officers.

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 water resources, including wild rice.

Section III. State Boating and Safety Laws Adopted

State boating laws as found in §30.50 to 30.71, Wis. Stats., are adopted by reference.

Section IV. Definitions

(a) "Slow-No-Wake" means that speed at which a boat moves as slowly as possible while still maintaining steering control.

(b) The definition of a boat, for the purpose of this ordinance, includes personal water craft.

Section V. Controlled Area

No person shall operate a boat faster than slow-no-wake in the waters of the Billy Boy Flowage of the Couderay River, located in the Town of Sand Lake, Sawyer County, Wisconsin, beginning at the bridge which marks the intersection of County Highway E with the Couderay River in the Southwest Quarter of Section Eight (8), Township Thirty-nine (39) North, Range Eight (8) West, thence westerly and southerly, following the course of the Couderay River and Billy Boy Flowage and ending at the Billy Boy Dam which is located near the South line of Section Nineteen (19), Township Thirty-nine (39) North, Range Eight (8) West, at any time.

Section VI. Posting Requirements

The Town of Sand Lake shall place and maintain a copy of this Section at all public access points within the jurisdiction of the Town. The Town also intends that a copy of a resolution duly adopted by the Lac Courte Oreilles Band of Lake Superior Chippewa Indians, which approves and supports the adoption of a no-wake zone on Billy Boy Flowage, shall be posted along with a copy of this ordinance at the appropriate points set forth above.

Section VII. Penalties

Wisconsin state boating penalties as found in §30.80, Wis. Stats., are adopted by reference.

Section VIII. Severability

The provision of this ordinance shall be deemed severable and it is expressly declared that the Town Board would have passed the other provision of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provisions 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 IX. Effective Date

This section will become effective upon passage and the day after publication.

Passed this 10th day of August, 1999.