

AMENDMENT TO ORDINANCE TO REGULATE BOATING UPON THE WATERS OF BASS LAKE AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF.

The Bass Lake Rehabilitation District of the Township of St. Joseph and Township of Somerset, St. Croix County, does hereby ordain as follows:

Section I. Applicability and Enforcement

(a) The provisions of this Ordinance shall apply to the waters of Bass Lake in the jurisdiction of the Town of St. Joseph and the Town of Somerset, St. Croix County, Wisconsin.

(b) This chapter shall be enforced by the officers of the Bass Lake Water Patrol and the St. Croix County Sheriff's Department.

Section II. Intent

The intent of this ordinance is to provide for public health, safety and welfare during high water periods when the Bass lake surface level exceeds 886.1 feet above sea level, as well as when the lake recedes and/or is stabilized. A state of emergency exists when water levels are above 886.1 feet for Bass Lake and the shoreline area surrounding Bass Lake in both the Township of St. Joseph and the Township of Somerset. Many homes can flood; many others are in imminent danger of flooding; many septic systems are under water or about to be under water; and the shoreline is extremely susceptible to erosion. Because of our concern for the water quality of the Lake and the potentially deleterious effect that the discharge of septic systems and large amounts of shoreline erosion will have, this ordinance is enacted and necessary.

It is also the intent of this ordinance to provide for the public health, safety and welfare, including the public's interest in preserving the state's natural resources, by reducing the risk of bodily injury, property damage, shore erosion, and the spread of noxious aquatic weeds which can arise from the operation of speeding watercraft near shore, buoys, subsurface structures, docks, piers, anchored floats and areas of special aquatic vulnerability.

Section III. Definitions

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

(b) "Public access" means the access to the water by means of the public landing on the north end of Bass Lake.

(c) "Boat" means all watercraft including but not limited to personal watercraft and jet skis, as well as any persons or objects towed by such watercraft.

Section IV. Slow-No-Wake Restrictions

(a) No boat shall be operated at a speed greater than "slow-no-wake" on Bass Lake during periods when the surface water level exceeds 886.1 feet above sea level.

(b) No boat shall be operated at a speed greater than "slow-no-wake" on Bass Lake

(1) during any time from 8 p.m. to 8 a.m.; and

(2) at any time within 100 feet of any shore, buoyed restricted area, dock, pier, anchored float, or restricted aquatic area designated and identified in Section IV(c)(1) and (2) of this ordinance. Provided, in addition, consistent with the Wisconsin Statutes regulating personal watercraft, including jet skis, the slow-no-wake area shall be 200 ft. from shore for such personal watercraft.

(c) The local conditions on Bass Lake necessitating the placement of buoys creating buoyed restricted areas include the existence of areas of special aquatic vulnerability, the location of a busy public landing and the presence of potentially hazardous subsurface conditions. These slow-No-Wake areas have been identified and designated as follows:

1) Northwest Bay; from west of a line running from the northeast corner of parcel 201B (Jordan) to the northeast corner of parcel 202C (Packard); S 1/2 Section 14, T 30 N, R 19 W;

2) Kelly's swamp; the entire pond surrounded by parcels 253A K L M N O and S; Section 26, T 30 N, R 19 W, as well as 100 feet out from its entrance;

Simon's Point, adjacent to parcel 253U; Section 26, T 30 N, R 19 W; and the public access landing on 153th Avenue.

(d) Buoys may be placed in proximity to the locations and/or entrances of the above designated restricted aquatic areas, Simon's Point, and the Public Landing, as well as such locations where the placement thereof is authorized by the Board of Commissioners.

(e) Except as more restrictively provided herein boating and safety laws provided in Sections 30.50 to 30.71, Wis. Stats., are hereby adopted by reference.

#### Section V. Posting Requirements

The Bass Lake Inland Lake Protection and Rehabilitation District shall place a copy of this Ordinance at the public access landing point on Bass Lake, in accordance with the requirements of the Wis. Admin. Code.

#### Section VI. Penalties

Wisconsin state boating penalties as found in Sec. 30.80, Wis. Stats., 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 imprisonment deleted.

#### Section VII. Severability

The provisions of this ordinance shall be deemed severable and it is expressly declared that the Bass Lake Inland Lake Protection and Rehabilitation District would have passed the other provisions of this ordinance irrespective of whether or not one or more 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. Effective Date

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