

Ordinance Number 0198

An ordinance pertaining to regulations of Boating in the Town of Scott, Monroe County, Wisconsin.

An ordinance enacted by the Town Board of the Town of Scott pursuant to provisions of Chapter 30, Section 30.77, of the Wisconsin Statutes regulating boating in the Town of Scott, Monroe County, Wisconsin, do ordain as follows:

Section 1. 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 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 as is fully set forth herein. Any act required to be performed or prohibited by the provisions of any statute incorporated by reference herein is required or prohibited by the ordinance.

30.50 (Definitions).

30.51 (Operation of Unnumbered boats prohibited). 30.52 (Certificate of Number).

30.53 (Identification Number to be Displayed on Boat; Certificate to carried).

30.54 (2) (Transfer of ownership of Numbered Boats).

30.55 (Notice of Abandonment or Destruction of Boat or Change of Address).

30.60 (Classification of Motor Boats). 30.61 (Lighting Equipment).

30.62 (Other Equipment).

30.64 (Patrol Boats Exempt form Certain Traffic Regulations). 30.65 (Traffic Rules).

30.66 (Speed Restrictions).

30.67 (Accidents and Accident Reports). 30.68 (Prohibited operations).

30.69 (Water Skiing). 30.70 (Skin Diving).

30.71 (Boats Equipped with Toilets).

Section 2. Motors Prohibited.

It is declared that in the interest of public health and safety that no person shall operate, rent, or loan for operation any boat or vessel using internal combustion engine(s) in Section 7 and Section 8 T.19N R.1E more specifically identified by attached map of township. The purpose of the internal combustion engine restriction is to limit damage to the cranberry marsh dikes and eliminate the hazard of gas or oil being spilled unto the cranberry marsh waters that are used in the culture of adjacent cranberries. The motor boat wake washes the cranberry dike and causes undo erosion of the shoreline. A spill of oil or gas would contaminate the water used in the production of a food crop and ultimately effect the marketability of the crop. The restriction of internal combustion engines also benefit the waterfowl that habit the marsh by not disturbing them. The cranberry marsh reservoirs are shallow with many stumps just below the surface which are more hazardous to faster moving boats propelled by internal combustion engines. It is not the purpose of this ordinance to prohibit fishing but rather provide for a better environment for the fish to grow and other wildlife to flourish. Electric Motors are permitted as long as approved Marine batteries are used.

Section 3. Littering Waters Prohibited. No person shall deposit, place, or throw from any boat, raft, pier, platform or similar structure any cans, paper, bottles, debris, refuse or garbage solid or liquid waste into or along any waterways within the Town of Scott.

Section 4. Wisconsin Statues Defined. Whenever used in this ordinance, the term "Wisconsin Statutes" shall mean the current in Wisconsin Statutes enacted by the General and Special Sessions of The State of Wisconsin Legislature.

Section 5. Repeal of Conflicting Ordinances. All ordinances regulating water traffic, boats, boating or water sports upon the waters covered by this ordinance and all ordinances or parts of ordinances in conflict with this ordinance heretofore enacted by the Town Board of the Town of Scott are hereby repealed.

Section 6. Severability. The provisions of this ordinance shall be deemed severable and it is expressly declared that the Town Board of the Township of Scott 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 provisions of this ordinance of 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 7. The Town Clerk is directed to file a copy of this ordinance with the Department of Natural Resources for the State of Wisconsin, Madison, Wisconsin, and further cause to be printed the entire ordinance in full so that the same may be prominently posted at all public access points within the Township of Scott, Monroe County, Wisconsin.

Section 8. Penalties. Any person who shall violate the provisions of the ordinance shall, upon conviction, be subject to a forfeiture of not less than \$100.00, nor more than \$500.00, together with the costs of the prosecution and in default of payment of such fine and forfeiture together with costs, shall be imprisoned in the County Jail of Monroe County, Wisconsin, until such fine and forfeiture is paid, but not to exceed thirty days.

This ordinance shall take effect and be in full force from and after its approval by Wisconsin DNR and passage by Town Board, and the first day after its publication, as required by law.

Dated this 9th day of March, 1993

Passed by Town Board this 9th day of March, 1993 Published and Posted This 26th day of April, 1993