

AN ORDINANCE TO CREATE §21.115 OF THE MUNICIPAL CODE OF THE CITY OF  
OCONOMOWOC RELATING TO RACES, REGATTAS, SPORTING EVENTS AND EXHIBITIONS  
ON FOWLER LAKE

The Common Council of the City of Oconomowoc, Waukesha County, Wisconsin, does ordain as follows:

SECTION 1. Sec. 21.115 of the Municipal Code is created to read:

21.115 RACES REGATTAS. SPORTING EVENTS AND EXHIBITIONS.

(1) PERMIT REQUIRED. No person shall direct, conduct or participate in any boat race, regatta, water ski meet or other water sporting event or exhibition which is sponsored or operated as a public presentation unless such event has been authorized by the Common Council and a permit issued therefore by the City of Oconomowoc Park and Recreation Department. Permits shall be applied for on forms provided by the City of Oconomowoc Park and Recreation Department. Permits under this section shall be granted pursuant to §30.742, Wis. Stats., and Wis. Admin. Code § NR 5.19. If a permit is issued, the permit shall be valid only for the dates, hours and areas specified. Pursuant to Wis. Admin. Code § NR 5.19, exemptions to §30.61(1) or (10), §30.62(2), §30.66, §30.68(4m), §30.69(1m)(c) or (3)(a) to (c), Wis. Stats., are granted to persons participating in such events.

(2) PERMITTING PROCEDURE. An application for a permit shall be made to the Park and Recreation Department. The Park and Recreation Department shall refer all applications to the Common Council for consideration and action. Permit applications shall include the name, mailing address and telephone number of the applicant. In the event of a water exhibition consisting of water skiing or water ski jumps, the application shall contain the proposed location of water ski jumps and the pick-up and drop-off areas, if any, all of which shall be illustrated on a map attached to the application. In addition, the application shall contain a brief description of the permittee's experience, financial responsibility and technical ability. The application shall be accompanied by a certificate of insurance in an amount approved by the City Attorney.

(3) AREA TO BE MARKED. A permit issued under this section shall specify the course of the area or water to be used by participants in such event, and the permittee shall be required to place markers, flags or buoys approved by the City of Oconomowoc Police Department designating the specified area.

(4) RIGHT-OF-WAY OF PARTICIPANTS. Boats and participants in any such permitted event shall have the right-of-way on the marked area, and no other person shall obstruct such area during the race, exhibition or event or interfere therewith. Participants shall, on the dates and during the hours established in the permit, have the exclusive use of a water exhibition restricted area, and the use of navigable waters of that water exhibition restricted area by persons other than law enforcement officials and the permittee is prohibited.

SECTION 2. SEVERABILITY.

If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

SECTION 3. EFFECTIVE DATE.

This ordinance shall become effective upon passage and publication as required by law.

Date Adopted:5-18-99

Effective Date:5-28-99