

ORDINANCE  
TOWN OF COLBURN  
OTTER LAKE AERATOR ORDINANCE

AN ORDINANCE TO REGULATE ANCHORING AND ICE TRAFFIC AT THE AERATOR LOCATIONS UPON THE WATERS OF OTTER LAKE IN THE TOWN OF COLBURN CHIPPEWA COUNTY WISCONSIN.

The Town Board of the Town of Colburn, Chippewa County, Wisconsin do ordain as follows:

Section 1. Intent.

The intent of this ordinance is to provide safe and healthful conditions for the enjoyment of aquatic recreation consistent with public rights and interest and the capability of the water resource.

Section 2. Applicability.

The provisions of this ordinance shall apply to the waters of Otter Lake within the jurisdiction of the Town of Colburn, Chippewa County, Wisconsin, where two aerator systems are installed at the following described locations:

(A) Site 1. North end of Otter Lake, NE NW Sec. 14, T. 30N, R. 5W.

To include an area within a line from the northernmost point of County land known as the day use area easterly to the eastern shore of Otter Lake, thence southerly approximately 2000' along a line 250' from the eastern shore that parallels the shoreline, thence westerly approximately 650' to the largest island south of the day use area, thence northerly approximately 1000' to the beach area on the day use area, thence northerly following the shoreline of the day use area to the point of beginning.

A 'no anchor zone' is established and marked by buoys at the following described GPS locations:

- #1 45 Degrees 5m 19 Se N90 Degrees 57m 17 Se W
- #2 45 Degrees 5m 19 Se N90 Degrees 57m 15 Se W
- #3 45 Degrees 5m 14 Se N90 Degrees 57m 12 Se W
- #4 45 Degrees 5m 10 Se N90 Degrees 57m 10 Se W
- #5 45 Degrees 5m 10 Se N90 Degrees 57m 13 Se W

(B) Site 2. South end of Otter Lake, SE NW Sec. 25, T. 30N, R. 5W.

To include an area within a line running parallel approximately 500' from shore beginning at the northernmost point of Chippewa County owned land southerly to the first island, thence westerly to the nearest point of land, thence northerly approximately 1500' following land masses to the point of beginning.

A 'no anchor zone' is established and marked by buoys at the following described GPS locations:

- #6 45 Degrees 3m 45 Se N90 Degrees 56m 14 Se W
- #7 45 Degrees 3m 24 Se N90 Degrees 56m 12 Se W
- #8 45 Degrees 3m 19 Se N90 Degrees 56m 9 Se W
- #9 45 Degrees 3m 17 Se N90 Degrees 56m 9 Se W
- #10 45 Degrees 3m 14 Se N90 Degrees 56m 9 Se W

Section 3. Enforcement.

The provisions of this ordinance shall be enforced by the constable of the Town of Colburn, along with any and all other state and county officers authorized by law to enforce the same.

Section 4. State Boating and Water Safety Laws Adopted.

The Town of Colburn hereby adopts along with this ordinance and incorporates the same herein by reference all of the provisions of Section 30.50 to 30.90 inclusive of Wisconsin Statutes. Section 5. Boat Anchoring Regulation. This ordinance provides that no person may anchor or permit a boat to be anchored at the location of the aerator systems described in Section 2 of this ordinance.

Section 6. Ice Traffic Regulation.

This ordinance prohibits snowmobile or other travel within the restricted area described in Section 2 of this ordinance, during; icebound periods because of open water and thin ice caused by the operation of the aerators.

Section 7. Penalties.

Wisconsin state boating penalties as found in Wis. Stat. 30.80, and deposits as established in the Uniform Deposit and Bail Schedule established by the Wisconsin Judicial Conference, are hereby adopted by reference and all references to fines amended to forfeitures and all references to imprisonment deleted.

Section 8. Validity.

The several sections, subsections and paragraphs of this ordinance are hereby declared to be severable. if any section, subsection, paragraph or subparagraph of this ordinance shall be declared by a decision of a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other provisions of the ordinance or of the section of which the invalid portion or paragraph may be a part. This ordinance shall take effect and be in full force from and after its passage and publication or posting as required by law.

Passed March 2, 1982.

Amended January 18, 2005.