

AN ORDINANCE TO REGULATE THE WATERS OF HOOKER LAKE

The Village Board of the Village of Paddock Lake Kenosha 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 needs on the waters of Hooker Lake.

Section 2 Applicability and Enforcement

The provisions of this Ordinance shall apply to Hooker Lake and shall be compatible with Chapter 29 of the Ordinances of the Town of Salem, passed the 13th day of July, 1978 as said Town Ordinance relates to the waters of Hooker Lake.

This Ordinance shall be enforced jointly by the Water Patrol officers of the Town of Salem and the Village of Paddock Lake.

Section 3 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 if fully set forth herein. Any act required to be performed by or prohibited by the provisions of any Statute incorporated by reference herein is required or prohibited by this Ordinance.

30.50 Definitions

30.51 Operation of Unnumbered Boats Prohibited 30.52 Certificate of Number

30.53 Identification Number to be Displayed on Boats; Certificate to be carried

30.54. (2) Transfer of Ownership of Numbered Boat 30.55 Notice of Abandonment or Destruction of Boat or change of Address

30.60 Classification of Motorboats

30.61: Lighting Equipment

30.62 Other Equipment

30.635 Motor Boat Prohibition

30.64 Patrol Boats Exempt from Certain Traffic Regulations

30.65 Traffic Rules

30.66 Speed Restrictions

30.67 Accidents and Accident Reports 30.675 Distress Signal Flag 30.68 Prohibited Operation

30.69 Water Skiing

30.70 Skin Diving

30.71 Boats Equipped with Toilets

Section 4 Definitions

(a) "Shore Zone" shall mean the water area within 200 feet of the lake shore.

(b) "Swimming Zone" shall mean an authorized area marked by official buoys to designate a swimming area.

(c) "Moorage" shall mean an area where .continuous mooring of boats for more than twenty-four (24) hours is permitted.

(d) "Public Access" shall mean a marina or landing facility and the adjoining public shoreline under the ownership of the state, county or municipality.

(e) "Slow No Wake Speed" shall mean the slowest possible speed needed to maintain steerage.

(f) "Traffic Lane" shall mean the area beyond two hundred feet (.200') of the shoreline.

Section 5 Speed Restrictions

In addition to speed restrictions set forth in Sec. 3 of this Ordinance adopting 30.66 Statutes. of the State of Wisconsin:

No person shall operate a boat on any lake in excess of the slow no wake speed;

(a) Within a defined shoreline zone, or

(b) Between the hours of 7:00 P. M. and 10:00 A. M. in either the shore zone or the traffic lane.

Section 6 Capacity Restrictions

No person shall operate or loan, rent or permit a boat to leave the place where it is customarily kept for operation on the waters covered by this Ordinance with more passengers or cargo than shall be stated on the Capacity Information Plate as required by Section 30.501 Statutes of the State of Wisconsin.

Section 7 Buoys, Piers and Rafts

(a) The Village of Paddock Lake or the Town of Salem may remove or cause to be removed all buoys, markers, piers and their supports, privately owned or placed which are not removed by December 1st of each year, and charge the cost and expense of such removal to the riparian owner. If such charge is not paid within thirty (30) days after request therefore, a penalty of ten percent (10%) shall be added to such charge and the same shall constitute a lien on the property of the riparian owner and be inserted on the Village of Paddock Lake tax roll by the Village Clerk upon order of the Village Board and after notice to the riparian owner.

(b) All buoys and aids to navigation must comply to Section 30.74(2) Statutes of the State of Wisconsin and Administrative Regulations and shall have affixed thereto such numbers as assigned to them by the permit and such numbers shall be located at least twelve inches (12") above the water line, and shall be not less than three inches (3") in height.

(c) No person shall erect or maintain any wharf or pier contrary to the Statutes and regulations of the State of Wisconsin nor extend more than one hundred feet (100') from the shore unless prior written approval is obtained from the Village of Paddock Lake and the Town of Salem.

(d) No pier or mooring buoy shall be placed in the waters located within the boundary of a designated fire lane (extended into the water) unless so authorized in writing by the Village Board of the Village of Paddock Lake as to fire lanes under the jurisdiction of the Village of Paddock Lake and by the Town Board of the Town of Salem as to waters under the jurisdiction of the Town of Salem.

(e) Rafts' and Platforms No person shall place or maintain any raft or platform more than one hundred feet (100') from the shore. Rafts and platforms shall be so anchored at least eighteen inches (18") of free board above the water line, is painted white, and has attached thereto not less than twelve inches (12") from each corner or projection a red reflector of not less than three inches (3") in diameter.

(f) Buoy Permits No bathing beach marker, speed zone marker, information marker, mooring buoy, fishing buoy or other marker shall be anchored or shall be placed on Hooker Lake, unless a written application therefore is made to and approved by both the Village Board of the Village of Paddock Lake and the Town Board of the Town of Salem. As to such markers and buoys located on Hooker Lake, an application must be made jointly to the Village of Paddock Lake and to the Town of Salem and approved by both bodies.

The Town of Salem shall issue numbers for buoys as required by subsection (b) above.

(g) Placement of Authorized Markers; The Chief of Water Safety Patrol is authorized and directed to place authorized markers, navigation aids and signs in such water areas as shall be appropriate to advise the public of the provisions of this Ordinance and to post and maintain a copy of this Ordinance at all public access points within the jurisdiction of the Village of Paddock Lake.

Section 8 Swimming Regulations

(a) Swimming from Boats Prohibited No person shall swim from any unmanned boat unless such boat is anchored.

(b) Distance From Shore or Boats No person shall swim beyond the shore zone or more than fifty feet (50') from any pier (unless within marked authorized areas) or more than twenty-five feet (25') from anchored rafts or boats unless he is accompanied by a boat manned by a competent person and having readily available a ring buoy. Such boat shall stay reasonably close to and guard such swimmer, not less than one (1) boat for each two (2) swimmers.

(c) Hours Limited No person shall swim more than two hundred feet 200 from the shoreline between the hours of 7:00 P.M. and 10:00 A.M.

Section 9 Water Skiing

(a) Hours No person shall operate a boat for the purpose of towing a water skier, aquaplane or similar device, or engage in water skiing between the hours of 7:00 P.M. and 10:00 A.M.

(b) Traffic Lane Any boat engaged in towing a person on water skis, aquaplane or similar device must conform to all sections of this Ordinance, and in addition, must operate in a counter-clockwise pattern on the lake in the traffic lane. There shall be no water skiing, aquaplaning or similar activity within the shore zone.

(c) Towing There shall be not more than two (2) persons being towed by one (1) boat and each shall have an individual tow line; persons being towed must wear personal flotation devices as defined in Section 30.62(3) Statutes of the State of Wisconsin.

(d) Exceptions The limitations of this section shall not apply to participants in ski meets or exhibitions authorized and conducted as provided in Section 11.

Section 10 Littering Waters Prohibited

(a) Any boat or craft which is designed for persons to use as living, sleeping, or camping activities, commonly referred to as a "House Boat" shall be equipped with suitable sanitation facilities and comply with Section 3 adopting 30.71 of the Statutes of the State of Wisconsin.

(b) No person shall leave, deposit, place or throw on the waterways, ice, shores of waterways or upon any other public or private property adjacent to waterways, any cans, bottles, debris, refuse or other solid waste materials of any kind.

Section 11 Races, Regattas, Sporting Events and Exhibitions

(a) Permit Required No person shall direct or participate in any boat race, regatta, water ski meet or other water sporting event or exhibitions on Hooker Lake unless such event has been authorized jointly by the Village Board of the Village of Paddock Lake and the Town Board of the Town of Salem.

(b) Permit A permit issued under this section shall specify the course or area of water to be used by participants in such event and the permittee shall be required to place markers, flags or buoys approved by the Chief of the Water Safety Patrol designating the specified area. Permits shall be issued only when the proposed use of the water can be carried out safely and without danger to or substantial obstruction of other watercraft or persons using the lake.

(c) 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 persons shall, obstruct such area during the race or event or, interfere therewith.

Section 12 Driving Automobiles or Other Motor Driven Vehicles on The Ice .

(a) Speed No person shall use or operate any automobile at a speed in excess of ten (10) miles per hour on the ice.

(b) Hours No person shall use or operate any automobile on the ice after 9:00 P.M. in the evening.

(c) Definitions The word "automobile", as used in this Ordinance shall be construed to mean all motor vehicles of the type and kind permitted to be operated on the highways in the State of Wisconsin.

(d) Risk and Liability All traffic on the icebound waters shall be at the risk of the travelers as set forth in Section 30.81(3) of the Wisconsin Statutes, nothing in this Ordinance shall be construed as rendering the Village of Paddock Lake or the Town of Salem liable for any accident to those engaged in permitted traffic while this Ordinance is in effect.

Section 13 Penalties

Any person violating any provisions of this Ordinance shall, upon conviction, be subject to a forfeiture of not more than fifty Dollars (\$50.00) for the first offense and shall forfeit not more than One Hundred Dollars (\$100.00), upon conviction of the same offense a second or subsequent time within one (1) year, except that any person violating Section 30.67(2) of the State Statutes as adopted in Section 3, and violation of 30.67(1) or 30.68(1)(2) shall be referred to State authorities for prosecution.

Citations for violations of this Ordinance shall be drafted on forms prepared by the Department of Natural Resources and the Uniform Wisconsin Schedule adopted pursuant to Section 23.66 Wisconsin Statutes shall be effective for the posting of bonds for violations under this Ordinance.

Section 14 Severability

The provisions of this Ordinance shall be deemed severable and it is expressly declared that the Village Board would have passed the other provision of this Ordinance regardless of whether or not one or more

provisions of this Ordinance may be declared invalid, and if any provision of this Ordinance or the application thereof to any person or circumstance 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 15 Jurisdiction

Recognizing the joint jurisdiction of the Village of Paddock Lake and the Town of Salem over the waters of Hooker Lake, it is the intent of this Ordinance that the Village of Paddock Lake and the Town of Salem shall cooperate and coordinate ordinances, rules and regulations and shall have joint jurisdiction for enforcement purposes, except that violations occurring in the jurisdiction of the Town of Salem shall be brought before the Municipal Court of the Town of Salem and those violations under the jurisdiction of the Village of Paddock Lake shall be brought in the Municipal Court of the Village of Paddock Lake.

Section 16 Effective Date

(a) This ordinance shall take effect and be in force from and after its passage and posting as provided by law. (b) The Clerk is directed to file a copy of this Ordinance with the Wisconsin Department of Natural Resources.

Passed by the Village Board of the Village of Paddock Lake this 16th day of May 1979.