

TOWN OF BRAZEAU ORDINANCE BZ-1 -86

AN ORDINANCE TO REGULATE WATER TRAFFIC, BOATING AND WATER SPORTS UPON AT THE WATERS WITHING THE JURISDICTION OF THE TOWN OF BRAZEAU, OCONTO COUNTY, WISCONSIN, AND PRESCRIBED PENALTIES ;S FOR VIOLATION THEREOF.

The Town Board of the Town of Brazeau, County of Oconto, Wisconsin, do ordain as follows:

Section 1. APPLICABILITY AND ENFORCEMENT. The provisions of this ordinance shall apply to all waters within the jurisdiction of the Town of Brazeau, Oconto County, Wisconsin, which waters are described as follows:

T30N R19E-Rost Lake, Kelly Lake, Leigh Lake Flowage T31N R18E-White Potato Lake, Shay Lake

The provisions of this ordinance shall be enforced by the law enforcement officers of the Town of Brazeau, along with any and all other state and county officers authorized by law to enforce the same. Copies of this ordinance will be posted at all public landings.

Section 2. SPEED RESTRICTIONS AND REGULATIONS.

(1) SPEED TO BE REASONABLE AND PRUDENT. No person shall operate a motor boat at a speed greater than is reasonable and prudent under the conditions, and having regard for the actual and potential hazards then existing. Speed of a motor boat shall be so controlled as to avoid colliding with any object lawfully in or on the water in compliance with legal requirements, and exercising due care.

(2) FIXED LIMITS. In addition to complying with subsection (1) no person shall operate a motor boat in excess of slow-no-wake before 10:00 in the forenoon of each day and after 6:00 in the afternoon of each day central daylight time.

Section 3. WATER SKIING.

(1) PROHIBITING CERTAIN TIMES AND EXCEPTIONS. (a) Except as provided in paragraph (b), no person shall operate a motor boat, towing a person on water skis, aquaplaning or similar activity at any time before 10:00 in the forenoon of each day and after 6:00 in the afternoon of each day central daylight time.

(b) Paragraph (a) does not apply to duly authorized water ski tournaments, competitions, exhibitions or trials thereof where adequate lighting is provided and where the permissions to stage such tournaments, competitions or exhibitions has been received from the Town Board of the Town of Brazeau, Oconto County, Wisconsin.

(c) No person shall operate a boat for the purpose of towing a person on water skis, aquaplane or similar device or permit himself to be towed for such purpose, unless such boat has a competent operator plus a competent observer. Persons between the ages of 12 and 16, unless accompanied by parent or guardian, shall have a boating safety certificate issued under Sec. 30.71(1), to be considered competent operator or observer.

Section 4. 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, garbage, solid or liquid waste into any waters in the Town of Brazeau.

Section 5. PROHIBITED OPERATION.

(a) Except under (b) no person may operate a motorboat within 100 feet of any dock, raft, pier or buoyed restricted area on any water within the Town of Brazeau in excess of slow-no-wake speed.

(b) No boat towing persons engaged in water skiing, aquaplaning or similar activity on any water in the Town of Brazeau shall engage in such activity within 100 feet of any occupied anchored boat or marked swimming area or public boat landing, except where pickup and drop area are established and marked with regulatory markers.

Section 6. DEFINITIONS.

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

(2) "Motorboat" means any boat equipped with propulsion machinery, whether or not the machinery is the principal_ source of propulsion.

(3) "Operate" or "use" when used with reference to a motorboat, boat or vessel means to navigate or otherwise employ.

Section 7. PENALTIES AND DEPOSITS.

(1) Anyone found guilty of violating sections 2, 3 and 5 of this Ordinance shall forfeit not more than \$50, together with the costs of prosecution.

(2) Anyone found guilty of violating Section 4 of this Ordinance shall forfeit not more than \$100, together with the costs of prosecution. Section 8. Except as hereinabove specifically provided, the Town of Brazeau hereby adopts along with this ordinance and incorporates the same herein by reference all of the provisions of Section 30.05 to 30.80 inclusive of the revised statutes of the State of Wisconsin.

Section 9. This Ordinance shall be published according to the provisions of Sec. 30.77 of the Wisconsin Statutes and will be in full force and effect on and after the 24th day of March 1986.