

ORDINANCE # 704

SLOW-NO-WAKE ORDINANCE PARKER LAKE, TOWN OF JACKSON ADAMS COUNTY,
WISCONSIN

WHEREAS it has become apparent to the Town Board of the Town of Jackson that because of boats operating at high speeds the quality of the water in Parker Lake is threatened, the quality of fishing has decreased, there is constant washing of the shoreline, destruction of weed beds causing algae to appear in the lake, risk of injury to swimmers and those in smaller boats.

AND WHEREAS a petition having been filed requesting a Slow-No-Wake Ordinance for Parker Lake to remedy some of the above problems and prescribed penalties for any violation of same.

AND WHEREAS under Wis. Stat. 30.77 (3)(aw), the Town Board of the Town of Jackson held a meeting on September 24, 2002 and also on January 22, 2003, heard statements, and also read letters concerning those in favor of slow-no-wake and those against slow-no-wake.

NOW THEREFORE in an effort of compromise the Town Board of the Town of Jackson hereby ordains in an effort to act in the best interests of all the citizens of the Town of Jackson and users of Parker Lake do ordain as follows:

Section I. Applicability and Enforcement

- (a) The provisions of this ordinance shall apply to the waters of Parker Lake.
- (b) The chapter shall be enforced by the Law Enforcement Officers of the County of Adams.

Section II. 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 resources.

Section III. Safe Boating and Safety Laws Adopted

State boating laws as found in ss. 30.50 to 30.70, Wis. Stats. Are adopted by reference.

Section IV. Personal Watercraft

- (a) "Personal watercraft" means a motorboat that uses an inboard motor powering a water jet pump or a caged propeller as its primary source of motive power and that is designed to be operated by a person standing on, kneeling on or sitting astride the watercraft.
- (b) Personal watercraft of all types are prohibited on Parker Lake as said watercraft is not in the interest of public health, safety, or welfare. Due to Parker Lakes small size, it's heavy swimming and canoe traffic, and accidents and near accidents in the near past require said personal watercraft be prohibited in order to promote the public health, safety, and welfare of the public and in order to preserve the rights of everyone to safely use this State's natural resource called Parker Lake.

Section V. Definitions

- (a) Under Wis. Stat: 30.50(12) a "Slow-No-Wake" means that speed at which a boat moves as slowly as possible while still maintaining steerage control.
- (b) Definitions defined in Section 30.50 are included herein by reference.

Section VI. Controlled Area

No person shall operate a boat faster than slow-no-wake in any of the waters of Parker Lake at any time with the exception that wake will be allowed between the hours of 11:00 a.m. and 4:00 p.m. on Thursday, Friday, and Saturday of each and every week.

Section VII. Posting Requirements

The Town of Jackson shall place and maintain a copy of this Section at all public access point within the jurisdiction of the Town of Jackson as outlined in NR 5.15, Wisconsin Administrative Code, which

requires a minimum of three inch lettering be posted at each public landing outlining the Slow-No-Wake hours as well as outlining the definition of Slow-No-Wake.

Section VIII. Penalties

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

Section IX. Severability

The provisions of this ordinance shall be deemed severable and it is expressly declared that the Town Board of the Town of Jackson would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application 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.

Section X. Effective Date

This section will become effective upon passage and the day of publication.

Passed this 5th day of February , 2003.