

LAWRENCE LAKE PROTECTION
AND REHABILITATION DISTRICT
Marquette County, Wisconsin

ORDINANCE No. 2000-01

RELATING TO
REGULATION OF BOATING
AND RECREATIONAL ACTIVITY
ON LAWRENCE LAKE

WHEREAS, Lawrence Lake is located in the Town of Westfield, Marquette County, Wisconsin and consists of an impoundment of Lawrence Creek approximately 221 acres in area; and

WHEREAS, Lawrence Lake has a maximum depth of 14 feet, with significant areas of shallower depths and affected by the presence of numerous stumps and other obstructions to navigation located beneath the surface of the water but within the water depth necessary for the high speed operation of watercraft; and

WHEREAS, areas of the lake are ecologically sensitive due to shallow water depths and the presence of native aquatic plants that provide spawning, seasonal or life stage habitat for fish or other aquatic life and could be damaged by sediment suspension, shoreline erosion and certain watercraft operations; and

WHEREAS, the Town Board of Supervisors of the Town of Westfield at a duly convened meeting on the 15th day of May, 2000 adopted a resolution pursuant to Section 30.77(3)(am)1. of the Wisconsin Statutes, authorizing the Lawrence Lake Protection and Rehabilitation District ("District") to enact and enforce ordinances regulating the use, equipment and operation of boats on Lawrence Lake, located wholly within the Town, in the interest of public health, safety and welfare, including the public's interest in the preservation of natural resources; and

WHEREAS, the District Board of Commissioners has determined that the maintenance of slow-no-wake-zone speeds by watercraft operating in the near shore of the lake and a prohibition on the use of personal watercraft, water skiing and other tow sport activities are necessary to protect public health, safety and welfare, including the protection of natural resources and the maintenance of relatively quiet conditions for the benefit of swimmers, anglers and other recreational users of Lawrence Lake; and

WHEREAS, in enacting this Ordinance, the District has considered the type, size, shape and depth of Lawrence Lake; its ecologically significant areas; boating congestion and safety; the amount, type and speed of boating traffic; and the effect of boating traffic on other recreational uses and the public health, safety and welfare, including the public's interest in preserving the state's natural resources;

NOW, THEREFORE, the Board of Commissioners of the Lawrence Lake Protection and Rehabilitation District, pursuant to the authority granted under the laws of the State of Wisconsin, including Section 30.77 of the Wisconsin Statutes, DOES ORDAIN as follows:

SECTION 1. An ordinance to regulate the use and operation of personal watercraft and tow sports on the surface waters of Lawrence Lake, and to implement a slow-no-wake-zone extending 200 feet from the shoreline of Lawrence Lake, which is wholly located within the Town of Westfield, is hereby created to read as follows:

Section I	General Provisions
Section II	Interpretation
Section III	Definitions
Section IV	Use of Personal Watercraft Prohibited; Exception
Section V	Tow Sports Prohibited
Section VI	Designation of Slow-No-Wake-Zone
Section VII	Enforcement
Section VIII	Severability
Section IX	Posting

Section I. GENERAL PROVISIONS. (A) **APPLICABILITY.** The provisions of this Ordinance shall apply to Lawrence Lake, which is located wholly within the Town of Westfield, Marquette County, Wisconsin.

(B) **PURPOSE.** The purpose of this Ordinance is to promote the public health, safety and welfare, including the public's interest in preserving the state's natural resources.

(C) **AUTHORITY.** This Ordinance is adopted by the Board of Commissioners of the Lawrence Lake Protection and Rehabilitation District pursuant to the powers granted by Section 30.77 of the Wisconsin Statutes.

Section II. INTERPRETATION. The sections of this Ordinance pertaining to the use, operation or equipment of boats and other vehicles as well as the activities which are regulated by Sections

30.50 to 30.71 of the Wisconsin Statutes and the rules and regulations of the Department of Natural Resources established pursuant thereto, shall be construed and interpreted, if possible, to be consistent with and not contrary to said statute sections, rules and regulations, nothing to the contrary herein notwithstanding.

Section III. DEFINITIONS. The definitions as set forth in Section 30.01 of the Wisconsin Statutes are incorporated herein by reference as though fully set forth herein.

- (A) "District" means the Lawrence Lake Protection and Rehabilitation District.
- (B) "Slow-No-Wake-Zone Speed" means the speed at which a boat moves as slowly as possible while maintaining steerage control.
- (C) "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 or sitting astride the watercraft.
- (D) "Tow Sports" means any recreational activity involving one or more persons being towed or otherwise pulled or propelled along or through the surface waters by a motorboat, with or without skis, boards, inner tubes, rafts or other equipment.
- (E) "Town" means the Town of Westfield, Marquette County, Wisconsin.

Section IV. USE OF PERSONAL WATERCRAFT PROHIBITED; EXCEPTION. (A) Except as specified under subsection (B) of this section, no person shall operate a personal watercraft on the waters of Lawrence Lake.

(B) This section shall not prohibit the use of personal watercraft by law enforcement personnel for law enforcement purposes, or for the purpose of providing emergency services.

Section V. TOW SPORTS PROHIBITED. No person shall engage in tow sports on the waters of Lawrence Lake.

Section VI. SLOW-NO-WAKE-ZONE SPEED IN CERTAIN AREAS. No person shall operate a motor boat in excess of slow-no-wake-zone speed within 200 feet of the shoreline of Lawrence Lake along the entire perimeter of the Lake.

Section VII. ENFORCEMENT. (A) **ENFORCEMENT AUTHORITY.** This Ordinance may be enforced by law enforcement officers of the Town, the Marquette County Sheriff's Department, and the Wisconsin Department of Natural Resources.

(B) **RESISTING OR OBSTRUCTING LAW ENFORCEMENT OFFICERS.** No person shall resist or obstruct any law enforcement officer in the performance of his or her duties under this Ordinance.

(C) **ENFORCEMENT PROCEDURE.** The statutory provisions of Sections 66.115, 66.119, 66.12, 30.50 to 30.71, and Chapter 799 of the Wisconsin Statutes are adopted and by reference made a part of this Ordinance as if fully set forth herein. Any future additions, amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this Ordinance in order to secure uniform state-wide regulation and enforcement of boating ordinance violations. The District specifically elects to use the citation method of enforcement.

(D) **OTHER REMEDIES.** The issuance of a citation hereunder shall not preclude the District or any authorized officer from proceeding under any other ordinance of law or by any other enforcement method to enforce any ordinance, regulation or order.

(E) **PENALTIES AND DEPOSITS.** Any person violating the provisions of this Ordinance shall be subject to penalties as provided for in Section 30.80 of the Wisconsin Statutes and deposits as established in the Uniform Deposit and Bail Schedule established by the Wisconsin Judicial Conference, which are hereby adopted by this references with all references therein to "fines" amended to "forfeitures" and all references to "imprisonment" deleted.

Section VIII. SEVERABILITY. The provisions of this Ordinance shall be deemed severable and it is expressly declared that the District 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 IX. POSTING. In conformity with Section 30.77(4) of the Wisconsin Statutes, this Ordinance shall be prominently posted at all public access points on all lakes to which this Ordinance is applicable.

SECTION 2. This Ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Passed and adopted this 11th day of NOVEMBER, 2000, at a duly convened meeting of the Board of Commissioners of the Lawrence Lake Protection and Rehabilitation District, at Westfield, Wisconsin.

Roll Call on Ordinance 2000-01:

Ayes: 4 Nays: 0

LAWRENCE LAKE PROTECTION
AND REHABILITATION DISTRICT

BY: *David Kessler*
David Kessler, Chairman

ATTEST: *Raymond O. Schmitt*
Raymond O. Schmitt, Secretary