

TOWN OF LYNDON SHEBOYGAN COUNTY, WISCONSIN

ORDINANCE NO. 3 OF 2001 #719

AN ORDINANCE ENACTING SECTION 8.11 OF THE CODE OF ORDINANCES FOR THE TOWN OF LYNDON

THE BOARD OF SUPERVISORS OF THE TOWN OF LYNDON, SHEBOYGAN COUNTY, WISCONSIN, HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The document entitled "Regulation Of Boating On The Waters Of Lake Ellen And Penalties For Violation Thereof," attached hereto and incorporated herein by reference, is hereby adopted as part of the Code of Ordinances of the Town of Lyndon, Sheboygan County, Wisconsin, pursuant to the enabling provisions of Wis. Stats. Ch. 60, subch. VII, and § 30.77, and shall be published or posted pursuant to Wis. Stat. § 60.80.

SECTION 2. This ordinance shall take effect and be in full force after its passage and publication or posting in accordance with Section 1 hereof.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE TOWN OF LYNDON, SHEBOYGAN COUNTY, WISCONSIN, HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Section 8.11 of the Code of Ordinances of the Town of Lyndon is hereby created as follows:

8.11. REGULATION OF BOATING ON THE WATERS OF LAKE ELLEN AND PENALTIES FOR VIOLATION THEREOF

11.1 Applicability and Enforcement.

11.1.1. This ordinance shall apply to the waters of Lake Ellen, which lies in the south one-half (S 1/2) of Section 29, the southeast one-quarter (SE 1/4) of Section 30, the northeast one-quarter (NE 1/4) of Section 31 and the northwest one-quarter (NW 1/4) of Section 32, Town 14 North, Range 21 East, Town of Lyndon, Sheboygan County, Wisconsin, and is entirely within in the jurisdiction of the Town of Lyndon.

11.1.2. The officers of the Town of Lyndon shall enforce this ordinance.

11.2. Purpose. The purpose of this ordinance is to protect the public health, welfare and safety, including the interest of the public in preserving natural resources of the state.

11.3. State Boating and Safety Laws Adopted. State boating laws set forth in Wis. Stat. §§ 30.50 to 30.71 and rules of the Wisconsin Department of Natural Resources ("WDNR") promulgated under those sections are hereby adopted and incorporated herein by reference.

11.4. Definitions.

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

11.4.2. "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.

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

11.5. Controlled Area. No person shall operate a personal watercraft faster than slow-no-wake on the waters of Lake Ellen.

11.6. Posting Requirements. The Town of Lyndon shall place and maintain at all public access points to Lake Ellen within the jurisdiction of the Town of Lyndon a sign with a minimum of 3 inch lettering stating "Local Ordinance." The sign shall list, in letters with a minimum height of one (1) inch, a summary, synopsis, or outline of this ordinance, pursuant to the requirements of NR 5.15 Wis. Admin. Code, as amended.

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

11.8. Severability. Severability. The invalidity of any part of this ordinance shall not invalidate any other part of this ordinance.

Passed and adopted this 21st day of August, 2001