

ORDINANCE NO. 8303

The Town Board of the Town of Rhine, Wisconsin, does hereby ordain as follows:

That the ordinance adopted on May 5, 1975, and any other ordinances adopted by the Town Board relating to boating regulations is/are hereby repealed and there shall be added to the Municipal Code of the Town of Rhine an ordinance which reads as follows:

SECTION A. BOAT CODE - 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 resource, and all regulations herein apply to the use of waters under the jurisdiction of the Town of Rhine.

SECTION B. STATE STATUTES ADOPTED. The following statutory provisions describing and defining regulations with respect to water traffic, boats, boating and related water activities and safety in the following enumerated sections of the Wisconsin Statutes are hereby adopted and by reference made a part of this ordinance to be enforced upon all waters of the Town of Rhine, Sheboygan County, Wisconsin.

- (1) 30.50 Definitions
- (2) 30.51 Operation of Un-numbered Motor Boats Prohibited; Exemptions
- (3) 30.52 Certificates of Number; Applications, Issuance, Renewals, Fees
- (4) 30.53 Identification Number to be displayed on Boats; Certificates to be carried
- (5) 30.54 Transfer of Ownership of Numbered Boat
- (6) 30.55 Notice of Abandonment or Destruction of Boat or Change of Address
- (7) 30.60 Classification of Motor Boat
- (8) 30.61 Lighting Equipment
- (9) 30.62 Other Equipment
- (10) 30.64 Patrol Boats Exempt from Certain Regulations
- (11) 30.65 Traffic Rules
- (12) 30.66 Speed Restrictions (Reasonable & Prudent)
- (13) 30.67 Accidents and Accident Reports
- (14) 30.68 Prohibited Operation
- (15) 30.69(1b-2) Water Skiing
- (16) 30.70 Skin Diving

SECTION C. LOCAL REGULATIONS OF PROHIBITED OPERATION.

(1) That no person may operate a motor boat towing a person on water skis, aquaplane or similar device and that no person may engage in water skiing, aquaplaning or similar activity, at any time from 7:30 p.m. to 10:00 a.m. except to the extent that such activities are prohibited by sec. 30.69(1)(a), Wis. Stats.

(2) A speed of slow no wake speed is established at all hours for all boats operating on Big Elkhart Lake to the shoreside of no wake buoys designated as follows:

- i. Buoy Number One is located off the eastern shore at Camp Brosius and it is currently placed at one hundred sixty-five feet from the eastern shore of the camp.
- ii. Buoy Number Two is located two hundred feet off the stone steps at Jack Van Der Vaart residence.
- iii. Buoy Number Three is located seventy-five feet west of Hayssen's Boathouse and two hundred and ten feet out from that point.
- iv. Buoy Number Four is one hundred and sixty feet off of the Dempsey Boathouse or off of the point the structure was originally built on.
- v. Buoy Number Five is a current buoy located two hundred feet from shore at the point located northwest of the Freudenfeld property.
- vi. Buoy Number Six is located two hundred feet off of the Freudenfeld structure that currently is a boathouse.
- vii. Buoy Number Seven is located two hundred feet off of the structure used to mount the pier at the Robert McIntyre cottage.

- viii. Buoy Number Eight is a new buoy that will be located approximately three hundred and fifty feet off of the John Linnehan cottage.
- ix. Buoy Number Nine is located east of Dr. Sellinger's deck area approximately one hundred and fifty feet to the east and to be located two hundred and fifty-two feet from that location.
- x. Buoy Number Ten is located two hundred feet directly in front of the Leonard Gentine pier.
- xi. Buoy Number Eleven is located approximately one hundred and seventy-five feet off of the William Thieman residence.
- xii. Buoy Number Twelve is located two hundred feet off of the shore of Lehey's cottage.
- xiii. Buoy Number Thirteen is located off of the Ann McComis cottage at a distance of three hundred feet directly in line with the Gary Dulmes cottage located on the southern shore of Sheboygan Bay.
- xiv. Buoy Number Fourteen is located directly off of the Ballhorn cottage almost directly in line with the Imig cottage directly across the lake.
- xv. Buoy Number Fifteen is located two hundred and fifty feet off of the Worm cottage.
- xvi. Buoy Number Sixteen is located two hundred feet off of Sharp's point.
- xvii. Buoy Number Seventeen is located three hundred feet off of the Gottsacker residence on the east shore of Elkhart Lake.
- xviii. Buoy Number Eighteen is a new buoy placed three hundred feet from the Point Elkhart Beach area.
- xix. Buoy Number Nineteen is located three hundred feet off of the Point Elkhart Condominium Point.
- xx. Buoy Number Twenty is located in a direct line equidistant between nineteen and twenty-one.
- xxi. Buoy Number Twenty-one is placed four hundred and twenty-five feet off of the location where the Camp Harand Pier is attached to shore.
- xxii. Buoy Number Twenty-two is to be located three hundred feet off of Siebken's beach.
- xxiii. Buoy Number Twenty-three is located two hundred and fifty feet from the swimming pier located at Barefoot Bay Resort.
- xxiv. Buoy Number Twenty-four will be in a direct line with twenty-three through twenty-seven based upon the location of these buoys as stated.
- xxv. Buoy Number Twenty-five will be in line with buoy number twenty-four, twenty-six and twenty-seven. There will be a direct line between these buoys.
- xxvi. Buoy Number Twenty-six will be in direct line with buoy twenty-three through twenty-seven based upon the placement of buoy twenty-seven.
- xxvii. Buoy Number Twenty-seven is located one hundred and twenty feet off of Imig point.
- xxviii. Buoy Number Twenty-eight will be located one hundred and sixty feet off of the Lee Verhulst shoreline. This distance is measured from the shore area where the pier meets the land.
- xxix. Buoy Number Twenty-nine is located two hundred feet off of Bray's point.
- xxx. Buoy Number Thirty is located two hundred feet off of the Dallanbach home located on Lakeshore Drive.
- xxxi. Buoy Number Thirty-one is located two hundred feet off of the Frank Rieder lake frontage.
- xxxii. Buoy Number Thirty-two will be located three hundred and ten feet off the Harry Bremer boathouse.
- xxxiii. Buoy Number Thirty-three will be located three hundred and thirty feet off of the octagon house located on the point of Camp Brosius. This buoy is to be lined up with the flagpole on the Walter Vollrath residence, which is located on the North shore of Elkhart Lake.
- Buoys are numbered in conjunction with their location beginning at the outlet in a counterclockwise direction.

(3) In the interest of public health and sanitation, no person shall occupy, or cause, or allow to be occupied, any houseboat, raft or other vessel upon the waters of Elkhart Lake, Crystal Lake and all other waters of the Village of Elkhart Lake as a habitation. "Habitation" herein means using such vessel for housing overnight.

(4) A speed limit of slow no wake speed is established on all Town of Rhine waters between the hours of 7:30 p.m. and 10:00 a.m. except as prohibited by Wis. Stats. sec. 30.68.

(5) No person may operate a motorboat towing a person on water skis, aquaplane or similar device unless there is in the boat a competent person as required by 30.69(1) of the Wisconsin Statutes. The operator of such motorboat shall meet all of the requirements of chapter 30 of the statutes of the State of Wisconsin.

SECTION D. SUNDAY OPERATION PROHIBITED. (1) There shall be no power boating on Elkhart Lake, Little Elkhart Lake or Crystal Lake, during the hours of 12:01 a.m. to midnight on Sundays, beginning the second Sunday in June, through and including the second Sunday in September of any year. Power boating is defined as any craft propelled by an electrical, gasoline, diesel or other type of motor. (2) Commencing the second Sunday in June, 1989 and ending the third Sunday in September of 1989, craft propelled by electric motors and operated at slow no wake speeds shall be allowed on Elkhart Lake, Little Elkhart Lake and Crystal Lake at all times. In October, 1989, a public hearing shall be held for the purpose of considering whether this subsection should be extended and whether such extension is consistent with Chapter 30, Wis. Stats., as to Public Health, Safety or Welfare. This subsection shall expire unless re-enacted subsequent to the public hearing.

SECTION E. ENFORCEMENT. The Village of Elkhart Lake Police Department pursuant to contract with the Town of Rhine will provide law enforcement services and will patrol Elkhart Lake and Little Elkhart Lake and enforce all sections relating to boating and boating activities. Enforcement of this ordinance on Crystal Lake will also be provided by the Village of Elkhart Lake Police Department pursuant to said contract with the Town of Rhine. Said contract provides for an annual sum to be paid by the Town of Rhine to the Village of Elkhart Lake for said services. The officers patrolling and enforcing these sections shall be hired and under the control of the Elkhart Lake Chief of Police and Village Board of Elkhart Lake.

SECTION F. PENALTY. Any person who shall violate any of the provisions of this ordinance shall be subject to the penalties of Wis. Stats. sec. 30.80 which is hereby adopted by reference.

SECTION G. JURISDICTION. It is expressly understood that the jurisdiction over the waters of Big Elkhart Lake is jointly held by the Town of Rhine and the Village of Elkhart Lake. It is also expressly understood that jurisdiction over the waters of Little Elkhart Lake is also held by the Town of Rhine. It is further understood that jurisdiction over the waters of Crystal Lake is jointly held by the Town of Rhine and Town of Plymouth.