

ORDINANCE TO REGULATE BOATING 98-1

98-1.01 Intent

The intent of this Ordinance is to provide safe and healthful conditions for the enjoyment of the aquatic recreation consistent with public rights and interests, and the capability of the water resources.

98-1.02 Authority

The Town Board of the Town of Dayton has the specific statutory authority, powers and duties, pursuant to Chapter 30, Wis. Stats., to regulate, control or permit in the Town of Dayton, persons engaged in certain uses, activities and operations, to assess these persons with appropriate fees for permits as noted herein and to enforce, by revocation or penalty, the provisions of this ordinance and the provisions of the permits.

98-1.03 Applicability and Enforcement

- (1) The provisions of this Ordinance shall apply to all waters within the Town of Dayton.
- (2) This Ordinance shall be enforced by officers of the Waupaca County Sheriffs Department.

98-1.04 State Boating and Safety Laws Adopted

No person shall operate a boat on the waters in the Town of Dayton unless the person operating the boat complies with the State of Wisconsin boating and safety laws as found in § 30.50 to 30.71, Wis. Stats. State boating laws as found in § 30.50 to 30.71, Wis. Stats. are adopted by reference.

98-1.05 Definitions

- (1) "Houseboat" means any boat designed to be used as a temporary residence or for human habitation.
- (2) "Moor" shall mean to attach a boat by means of a mooring anchor and mooring buoy.

98-1.06 Special Restrictions

- (1) No person may anchor or moor, and no owner may allow the anchoring or mooring of, an unoccupied houseboat on any waters within the Town of Dayton.
 - (a) Each day during which the unoccupied houseboat exists in violation of this Ordinance is a separate offense.
 - (2) No person shall operate a boat on the waters of the Chain of Lakes, Stratton Lake and Spencer Lake in the Town of Dayton unless the person operating the boat complies with the following special Town of Dayton boating and water use rules applicable to persons in the Town of Dayton on the waters of the Chain of Lakes, Stratton Lake and Spencer Lake:
 - (a) The following bodies of water shall be restricted to Slow-No-Wake:
 1. the channel between Columbia Lake and Long Lake located in the NW 1/4 NW 1/4 of SECTION 4.
 2. all of Long Cove located in the NE 1/4 SW 1/4, NW 1/4 SW 1/4 of SECTION 4.
 3. all of Beasley Lake located in the NW 1/4 NW 1/4 of SECTION 4.
 4. all of Orlando Lake located in the NE 1/4 SE 1/4 of SECTION 5.
 5. all of Knight Lake located- in the NW 1/4 NE 1/4 of SECTION 5.
 6. all of Manomin Lake located in the NW 1/4 NE 1/4 of SECTION 5.
 7. all of Pope Lake located in the NW 1/4 NE 1/4, NE 1/4 NW 1/4, SE 1/4 NW 1/4, SW 1/4 NE 1/4 of SECTION 5.
 8. all of Marl Lake located in the NW 1/4 SE 1/4, SW 1/4 NE 1/4 of SECTION 5.
 9. all of Dake Lake located in the NW1/4SE1/4,SW1/4NE1/4,SE1/4NE1/4 of SECTION 4.
 10. all of Miner Lake located in the SE1/4NE1/4,NE1/4NE1/4 of SECTION 4.
 11. all of Stratton Lake located in the W%ZSW1/4,SW1/4SE1/4 of SECTION 16 and the SE1/4NE1/4,NE1/4SE1/4 of SECTION 17; except during the hours for water skiing, aquaplaning or similar activities as provided in Section 98-1.06(2)(b) below, except it shall be Slow-No-Wake in the channel in Stratton Lake at all times.
 12. all of Spencer Lake located in the E1/2SE1/4 of SECTION 13; except during the hours for water skiing, aquaplaning or similar activities as provided in Section 98-1.06(2)(b) below.
 - (b) It shall be unlawful:
 1. to operate any boat in any channel at a speed greater than Slow-Nowak.

2. to operate any boat during the hours from one-half (1/2) hour after sunset to sunrise at a speed greater than Slow-No-Wake.'
 3. to water ski, aquaplane or participate in similar activity or to operate a boat towing a person(s) on water skis, aquaplane or similar device upon any of the waters listed in Section 98-1.06(2)(a) above.
 4. to water ski, aquaplane or participate in similar activity or to operate a boat towing a person(s) on water skis, aquaplane or similar device at any time except in a counterclockwise direction.
 5. to water ski, aquaplane or participate in similar activity or to operate a boat towing a person(s) on water skis, aquaplane or similar device except during the hours listed and on the days listed as follows:
Monday and Friday (except were the same falls on a legal holiday) between the hours of 10:00 AM and 4:00 PM, Tuesday, Wednesday and Thursday (except were the same falls on a legal holiday) between the hours of 10:00 AM and 7:00 PM; Saturday, Sunday and Legal Holidays between the hours of 10:00 AM and 2:30 PM.
The time of day referred to above shall be the official time of the Waupaca County Sheriffs Department.
- (3) The Town of Dayton shall post and maintain the restrictions of this section at all appropriate public access points within the jurisdiction of the Town.

98-1.07 Placement of Regulation Buoys

- (1) Slow-No-Wake buoy in Long Lake at the entrance to Long Cove on the line between SW¹/₄NW¹/₄ and NW¹/₄S W¹/₄ of SECTION 4, thirty feet from west shoreline.
- (2) Slow-No-Wake buoy at the entrance to Beasley Lake from Long Lake at the center of the NW¹/₄NW¹/₄ of SECTION 4, twenty feet off the southwest shoreline.
- (3) Slow-No-Wake buoy at the west end of the channel between Long Lake and Columbia Lake, one hundred seventy-five (175) feet off the south shoreline in the southeast corner of NW¹/₄NW¹/₄ of SECTION 4
- (4) Slow-No-Wake buoy at the east end of the channel between Columbia Lake and Long Lake, one hundred seventy (170) feet off the south shoreline in the NE¹/₄NW¹/₄ of SECTION 4.
- (5) Slow-No-Wake buoy in the south end of the channel in Stratton Lake, ninety (90) feet of the west shoreline of the Lot 2, NW¹/₄NW¹/₄ of SECTION 16. (6) Slow-No-Wake buoy at the north end of the channel in Stratton Lake, twenty-five (25) feet off the west shoreline of Lot 2, NW¹/₄NW¹/₄ of SECTION 16.
- (7) Slow-No-Wake buoy in Dake Lake, approximately two hundred (200) feet from the public access and two hundred fifty (250) feet from the channel to Columbia Lake.
- (8) Slow-No-Wake buoy in Miner Lake, approximately two hundred (200) feet from the public access towards center of lake.
- (9) Slow-No-Wake buoy in the approximate center of Beasley Lake.

98-1.08 Regulation of Seaplanes

No person shall land any aircraft, including seaplane, in or on the waters in the Town of Dayton except in an emergency. This Ordinance has been enacted pursuant to Sec. 30.78, Wis. Stats. A copy of this regulation shall be filed with the Department of Transportation.

98-1.09 Permits

Notwithstanding any of the provisions of the preceding sections of this Ordinance, the Town of Dayton Board may issue permits for the purpose of conducting water shows, water ski shows or similar activity by public or private groups or organizations. Said permits shall be obtained from the Town of Dayton Board. Applications shall be made to the Town Clerk at least thirty (30) days prior to the event. Proof of insurance must be shown at the time of application.

98-1.10 Penalties

- (1) 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.
- (2) Any person charged with violating any Section of this Ordinance where there is not a deposit amount established in the Uniform Deposit and Bail Schedule shall deposit a forfeiture of \$30.00 plus costs, for each offense.

98-1.11 Severability

The provisions of this Ordinance shall be deemed severable and it is expressly declared that the Town of Dayton Board 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.

98-1.12 Effective Date

This Ordinance shall become effective upon passage by the Town of Dayton Board and the day after publication.

Passed this 20 day of April, 1998.

Published this 30 day of April, 1998.