

## OPERATION OF BOATS AND VESSELS ON WATERS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF WINNECONNE

The Village Board of the Village of Winneconne do ordain as follows:

**SECTION 6.01 APPLICABILITY AND ENFORCEMENT.** Provisions of this ordinance shall apply to all navigable waters including Lake Winneconne and Lake Butte des Morts lying within the corporate limits of the Village of Winneconne. The provisions of this Chapter shall be enforced under the direction of the Village Board.

### **SECTION 6.02 MUFFLER REQUIREMENT.**

It shall be unlawful for any person, firm or corporation to operate any motor boat within the corporate limits of the Village of Winneconne, without having a muffler attached to and actually in use upon the motor which is being operated on such motor boat. It shall be unlawful for any person, firm or corporation to operate any motor boat within the corporate limits of the Village of Winneconne with the cut-out open on such motor and to operate any motor boat with any unusual noise which tends to cause a disturbance to the public, unless such boat is engaged in a race duly authorized by the village Board.

### **SECTION 6.03 SPEED RESTRICTION.**

#### **(a) DEFINITIONS.**

- (1) "Slow-no-wake" is defined as the slowest possible speed to maintain steerage.
- (2) "Boat" shall have the same meaning and definition as assigned under Section 30.50 (1), Wis. Stats., Laws of 1979.
- (3) "Motor Boat" shall have the same meaning and definition as assigned under Section 30.50 (2), Wis. Stats., Laws of 1979.

**(b) SPEED RESTRICTION.** No person, firm or corporation shall operate a motor boat at a speed greater than is reasonable and prudent under the conditions and having regard for the activities and potential hazards then existing. The speed of a motor boat shall be so controlled as to avoid colliding with any object lawfully in or on the water or with any person, boat or conveyance in or on the water in compliance with legal requirements and exercising due care. Where required by posted notice, Which notice shall be conspicuously posted by the Village of Winneconne, the speed of the motor boats within one hundred (100) feet of a populated shore line or in canals, rivers, or harbors giving access to Lake Winneconne or Lake Butte des Morts, shall be "Slow-no-Wake". No person, firm or corporation shall operate a motor boat at speeds in excess of "Slow-no-Wake" between the "Slow-no-Wake" buoys as located on all navigable waters within the corporate limits of the Village of Winneconne. This section does not apply to emergency, patrol or rescue craft. The provisions of this Section shall not prohibit the holding of supervised motor boat races over a course laid out, plainly marked, adequately patrolled and policed, upon application and approval from the Village Board.

### **SECTION 6.04 REGULATION OF BOATING.**

Sections 30.50 through 30.71, Wis. Stats. Laws of 1979, are hereby adopted and incorporated by reference. Violations of these sections may be enforced in Municipal Court, Village of Winneconne, Wisconsin.

### **SECTION 6.05 NEGLIGENT OPERATION.**

No person, firm, or corporation shall operate or use any boat upon the navigable waters including Lake Winneconne and Lake Butte des Morts lying within the corporate limits of the Village of Winneconne, in a careless, negligent or reckless manner so as to endanger the property or person of another.

### **SECTION 6.06 PENALTY.**

- (a) Any person, firm or corporation who shall violate any of the provisions of this Chapter shall, upon conviction thereof, forfeit not less than Ten Dollars (\$10.00) nor more than Five Hundred Dollars (\$500.00), together with the cost of prosecution.
- (b) Any person, firm or corporation, who shall violate any of the provisions of this Chapter shall, upon conviction thereof, be subject to the penalties in which case applicable as provided by Wisconsin Statutes,

Laws of 1979, in which case made and provided for, unless otherwise provided for by the provisions of this Chapter.

**SECTION 6.07 SEVERABILITY.**

"he previsions of this Ordinance shall be deemed able and It is expressly declared that the Village Hoard would have passed the other provisions of this Ordinance irrespective of whether or not one or more provision may be declared invalid and if any provision of this Ordinance or the application. thereof to any person or circumstance is held invalid, the remainder of the Ordinance and the application of such provisions to other persons or circumstances shall not be effected thereby.

**SECTION 6.08 EFFECTIVE DATE.**

This Ordinance shall take effect and be in force from and after its passage and publication according to law. Passed and approved this 24th day of June, 1982.