

## Town of Grand View Ordinance #230412

### A Sole Ordinance to Regulate Boating Upon the Water of Diamond Lake, Town of Grand View, Wisconsin and Prescribing Penalties for Violation Thereof

The Town Board of the Town of Grand View does ordain as follows:

**Section 1 - Applicability and Enforcement:** The provisions of this Ordinance shall apply to the waters of Diamond Lake, Town of Grand View, Bayfield County, Wisconsin (WBIC: 2897100). This chapter shall be enforced by the officers of the **County**.

**Section 2 – Intent:** The intent of this ordinance is to provide safe and healthful conditions for the enjoyment of aquatic recreation consistent with public rights and interests and the capability of the water resources, to minimize shoreline erosion, prevent the spread of aquatic invasive species, minimize underwater disturbance of the littoral area, swimmers and protection of waterfront property from damage as cover by Wisconsin Statute 30.68(4)(b).

**Section 3 - State Boating and Safety Laws Adopted:** State boating laws as found in ss. 30.50 to 30.71, Wis. Stats., are adopted by reference here.

**Section 4 – Penalties:** Wisconsin state boating penalties as found in s. 30.80, Wis. Stats., and deposits established in the Uniform Deposit and Bail Schedule established by the Wisconsin Judicial Conferences, are hereby adopted by reference and all references to fines amended to forfeitures and all references to imprisonment are deleted.

**Section 5 – Severability:** The provisions of this ordinance shall be deemed severable and it is expressly declared that the Town 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.

#### **Section 6 – Definitions:**

“Ballast Tank” means both integrated and non-integrated tanks, sacks, bags and similar containers that hold water in a motorboat that is designed or used to alter the profile of a motorboat in the water. A ballast tank does not include a live well, cooler or similar device that is designed to hold fish, bait, or liquids for the consumption by occupants.

“Motorboat” has the meaning provided in s. 30.50(6), Wis. Stats.

“Waterskiing” means a motorboat towing a person using water skis, aquaplane, or similar device where the continued towing of the participant is required to sustain forward momentum of the participant. Waterskiing is typically done with a motorboat on plane and at higher speeds than Wake Surfing.

“Wake surfing” means surfing the wave created by a motorboat where the surfing can be sustained without a rope by riding the pocket of the wave. Presence of a rope alone does not convert wake surfing to waterskiing.

**Section 7 – Wake Surfing:** No person shall wake surf or operate any motorboat in such a manner designed to allow a person to wake surf. This Ordinance does not restrict Waterskiing.

**Section 8 – Wake Enhancement Prohibited:** No person shall use motorboat hydrofoils, submersible wings, ballast tank, uneven loading or similar devices or methods which causes a motorboat to operate in a bow-high manner or which increases or enhances a motorboat’s wake.

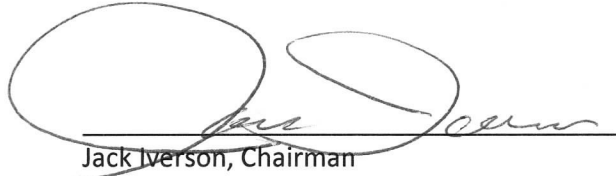
**Section 9- Posting Requirements:** The Town Board shall place and maintain a synopsis of this ordinance at all public access points within the jurisdiction of the Town pursuant to the requirements of NR 5.15, Wis. Adm. Code.

**Section 10 - Effective Date:** This section will become effective upon its passage.

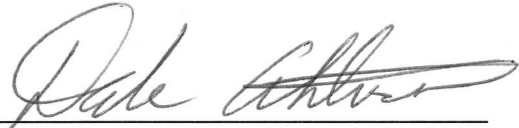
Passed this 12<sup>th</sup> day of April, 2023



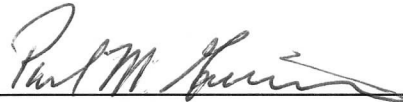
Teresa A Gunderson, Clerk



Jack Iverson, Chairman



Dale Ahlvin, Supervisor



Paul Gilbertson, Supervisor