

ORDINANCE NO. 891

An Ordinance prescribing requirements for the placement of mooring buoys in the Bay of Sturgeon Bay within the city limits of the City of Sturgeon Bay.

RECITALS:

WHEREAS, the City of Sturgeon Bay has been and is presently experiencing increasing congestion in the Bay of Sturgeon Bay within the city limits of the City of Sturgeon Bay because of the mooring of boats in the bay, and

WHEREAS, Section 30.772(3) of the Wisconsin Statutes authorizes municipalities to regulate the placement of moorings within 200 feet of the ordinary high-water mark of the bay, and

WHEREAS, the Common Council of the City of Sturgeon Bay considers it appropriate to locally regulate mooring within the authority of Section 30.772(3).

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF STURGEON BAY DO ORDAIN AS FOLLOWS:

SECTION ONE: Section 14.025 of the Municipal Code of the City of Sturgeon Bay is created as follows:

14.025 REGULATION OF MOORINGS. (1) No person shall place a mooring within 200 feet of the ordinary high-water mark of the bay of Sturgeon Bay unless a permit is secured from the City Clerk-Treasurer.

(2) Moorings by permit are restricted according to the following specifications:

(a) Each riparian owner is entitled to one mooring permit per 100 feet or part thereof. The permit application shall provide the following information: name of applicant(s), address(s), home, business, and emergency telephone numbers, and a description of the anchor intended to be used. The applicant must also provide a drawing showing dimensions of the frontage of the lot which shall indicate the approximate location and bearing of the side lot lines and the proposed location for the anchor. The administrative fee shall be established by the Common Council. The permit shall be prepared on a form to be provided by the City Clerk-Treasurer, but shall not be effective until approved by the Harbormaster.

(b) The placement of moorings must be approved by the Harbormaster. The Harbormaster may modify the mooring conditions of the proposed mooring application. The Harbormaster's decisions may be reviewed by the Harbor Commission upon application of the applicant, the Harbormaster, or any other interested party affected by the Harbormaster's decisions.

(c) It is the applicant's responsibility to provide the proper mooring buoy in accordance with State Statutes.

(d) It is the applicant's responsibility to provide a mooring anchor which is of uncontaminated material and of suitable capacity.

(e) The Harbor Commission, in its sole discretion, is authorized to approve mooring permits not in conformance with the requirements of this ordinance upon a showing of conditions that justify a deviation.

(f) The two special anchorage areas designated in accordance with Title 33 of the Code of Federal Regulations Section 109.10 are exempted from the operation of this ordinance.

SECTION 2: This Ordinance shall take effect upon passage and publication.

Approved:

NORBERT D. SCHACHTNER, Mayor

Attest:

PAUL C. BELLIN, Clerk-Treasurer

Date of First Reading: 08/20/91
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