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SILVER LAKE  
BOATING REGULATIONS

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SILVER LAKE BOATING REGULATIONS  
CHAPTER 1

1.01 GENERAL PROVISIONS. (1) APPLICABILITY. The provisions of this chapter shall apply to the waters of Silver Lake, located in the Town of West Bend, Washington County, Wisconsin.

(2) PURPOSE. The purpose of this chapter is to promote the public health, safety and general welfare.

(3) AUTHORITY. This chapter is adopted by the Silver Lake Inland Lake Protection and Rehabilitation District (SLILPRD), exercising the powers granted it by resolution of the Town Board of the Town of West Bend pursuant to §30.77(3)(am)1, Wis. Stats.

1.02 INTERPRETATION. The sections of this chapter pertaining to the use, operation or equipment of boats, and other vehicles as well as the activities which are regulated by §§30.50 to 30.71, Wis. Stats., are the rules and regulations of the Department of Natural Resources established pursuant thereto and shall be construed and interpreted, if possible, to be consistent with and not contrary to said statute sections, rules and regulations nothing to the contrary herein notwithstanding.

1.03 ENFORCEMENT.

(1) The provisions of this chapter shall be enforced by the officers of the Silver Lake Water Safety Patrol (SLWSP).

(2) The chief and other members of the SLWSP shall be appointed by the Board of Commissioners of the SLILPRD.

1.04 DEFINITIONS. Section 30.50, Wis. Stats., is incorporated herein by reference.

(1) BOAT OR VESSEL. Every description of watercraft used or capable of being used as a means of transportation on water, except a seaplane on the water and a fishing raft. A boat or vessel includes a personal watercraft.

(2) PERSON. Includes firm, partnership, corporation or any other association of individuals organized together for any purpose whatsoever.

(3) PERSONAL WATERCRAFT. A motorboat that uses an inboard motor powering a water jet pump or a caged propeller as its primary source of motive power and that is designed to be operated by a person standing on, kneeling on or sitting astride the watercraft.

(4) SHOREZONE. The surface of the lake that is within 100 feet from and parallel to the shore. Provided, however, that on any part of

said lake where the distance between the opposite shores is such that the foregoing formula is impossible or impracticable in application, then shorezone shall be as indicated by buoys placed for that specific purpose.

(5) SLOW NO-WAKE SPEED. When used herein, slow-no-wake speed shall mean the slowest possible speed so as to maintain steerage.

(6) WATER SKIING AND WATER SKIER. Being towed or the one being towed, respectively, on water skis, aquaplane or some similar device by a motor boat.

(7) WATER TRAFFIC. All moving objects controlled by man or his agencies on the surface of the lake.

1.05 WATER TRAFFIC LANES. The surface of the lake that is beyond 100 feet distant from and parallel to the shore or 100 feet distant from the projecting extremities of any pier, wharf or other structure built in or over the water, or the greater thereof, provided, however, that on any part of said lake where the distance between the opposite shores is such that the foregoing formula is impossible or impracticable in application, then the traffic lane shall be as indicated by buoys placed for that specific purpose.

#### 1.06 LIGHTING OF BOATS AND EQUIPMENT.

(1) MOORING LIGHTS REQUIRED. No person shall moor, drift or anchor any boat, raft, buoy or other floating object in the traffic lane from sunset to sunrise unless there is prominently displayed thereon a white light visible all around the horizon.

1.07 TRAFFIC RULES. The traffic rules set forth in §30.65, Wis. Stats., are incorporated herein by reference.

#### 1.08 SPEED RESTRICTIONS.

##### (1) SPEED LIMITS IN TRAFFIC LANES.

###### (a) Monday through Friday

10:00 A.M. to 7:00 P.M. - 30 m.p.h. maximum

7:00 P.M. to 10:00 A.M. - 10 m.p.h. maximum

###### (b) Saturdays, Sundays and Holidays

10:00 A.M. to 6:00 P.M. - 30 m.p.h. maximum

6:00 P.M. to 10:00 A.M. - 10 m.p.h. maximum

(2) **SPEED OUTSIDE OF TRAFFIC LANES.** When moving in waters that have not been designated as the traffic lane, the operating speed shall be slow-no-wake speed.

(3) **REDUCED SPEED IN TRAFFIC LANES.** When moving in waters that have heretofore been classified as the traffic lane and it is necessary to approach closer than the prescribed distances set forth in this chapter to a moored boat, a slow moving boat, a flag or marker warning of subsurface activity, or a swimmer, the operating speed shall be slow-no-wake speed.

(4) **SPEED IN THE SHOREZONE.** When moving in waters that have been designated as the shorezone, the operating speed shall be slow-no-wake speed.

(5) **PATROL BOAT EXEMPTION.** The exemptions granted patrol boats by §30.64, Wis. Stats., are incorporated herein by reference.

#### 1.09 PROHIBITED BOAT OPERATION.

(1) **DISTANCES.** No motor boat shall pass within 100 feet of a moored boat, swimmer or skin diver's marker unless existing circumstances require it. Then, in such event, such passing must be made at a speed and in a manner so as to not interfere with or endanger the occupants of such moored boat, such swimmer or skin diver.

#### (2) PASSENGER CAPACITY AND SAFETY.

(a) **CAPACITY.** All boats for rent or hire shall have stenciled or painted on the rear seat thereof the maximum safe carrying capacity of such boat.

(b) **SEAWORTHINESS.** Every owner of a boat for hire or rent shall be personally responsible for the seaworthiness of his boat.

#### 1.10 WATER SKIING.

(1) **TOWING PERSON REGULATED.** No person shall operate a boat for the purpose of towing a person on water skis, aquaplane or similar device or permit himself to be towed for such purposes unless there are two (2) competent persons in such boat.

(2) **HOURS OF OPERATION.** No person shall operate a boat for the purpose of towing a water skier, aquaplane or similar device, or engage in water skiing or aquaplaning between the following hours on the following days.

DAYS	HOURS
Monday through Friday	7:00 P.M. to 10:00 A.M.
Saturdays, Sundays and Legal Holidays	6:00 P.M. to 10:00 A.M.

(3) WEED BED AREA. No person shall water ski, aquaplane or use personal water craft in a marked weed bed area.

(4) NUMBER OF SKIERS TOWED. No motor boat operator shall tow more than one water skier nor shall any water skier allow himself to be towed by any motor boat already towing one water skier.

(5) FISH SPAWNING AREA. No persons shall water ski in any marked fish spawning area.

#### 1.11 SWIMMING REGULATIONS.

(1) IN TRAFFIC LANE. No person shall swim in the traffic lane unless accompanied by a manned boat for each swimmer.

(2) HOURS. No person shall swim in the traffic lane from sunset to sunrise unless the accompanying boat mentioned in sub. (1) is properly lighted.

(3) FISH SPAWNING AREA. No person shall skin dive in any marked fish spawning area.

#### 1.12 SWIMMING BEACHES MARKED.

(1) GENERAL. All beaches used by the public shall be identified by markers placed on the outer perimeter thereof by the riparian owner; said markers are to be of a size normally visible for a distance of 300 feet and securely fastened so as to keep the markers in place and painted as required by regulations adopted by the Department of Natural Resources.

(2) BOATS PROHIBITED FROM ENTERING. All boats are prohibited from entering such swimming beach, except a boat used by a lifeguard or safety patrol unit.

1.13 COMMERCIAL PASSENGER BOATS PROHIBITED. No person shall operate a boat maintained for the purpose of carrying fare-paying passengers.

#### 1.14 RAFTS, BUOYS AND MARKERS.

(1) COLORS. All rafts and stationary platforms, buoys and markers of any kind anchored in the water, except docks and piers, shall be painted in conformity with the color scheme established by the rules and regulations of the Department of Natural Resources. Any such marker

which does not comply with such color scheme is deemed an unlawful obstruction of navigable waters and can be removed in accordance with law.

(2) POSITION. All rafts, platforms, buoys and markers shall be anchored so that they shall have at least 12 inches of free board above the water line and so that they will not float or drift in excess of 10 feet in any direction from the position that is directly above their anchor.

(3) SHOALS. If any shoals are marked, the same shall be indicated with markers normally visible for a distance of 300 feet and which are securely fastened to prevent moving and painted in conformity with the color scheme in sub. (1) above.

1.15 UNDERWATER CRAFT. No person shall engage in any activity employing a craft capable of operating below the surface of the water unless such craft submerges and surfaces in that area of the surface of the lake that has not been designated herein as the traffic lane, or submerges or surfaces in the traffic lane within a radius of 50 feet from a flag similar to that required by §30.70, Wis. Stats., except in the case of emergency.

#### 1.16 MARKERS AND NAVIGATION AIDS, POSTING ORDINANCE.

(1) DUTY OF CHIEF. The chief of SLWSP is authorized and directed to supervise placement and maintain suitable markers, navigation aids and signs in such water areas as shall be appropriate to advise the public of the provisions of this chapter at all public access points within the jurisdiction of the SLILPRD.

(2) STANDARD MARKERS. All markers placed upon the waters of the lake shall comply with the regulations of the Department of Natural Resources.

(3) INTERFERENCE WITH MARKERS PROHIBITED. No person shall, without authority, remove, damage or destroy or moor or attach any water craft to any buoy, beacon or marker placed in the waters of the lake by the authority of the United States, this State or the Towns of West Bend, pursuant to the provisions of this chapter.

1.17 STATE BOATING AND WATER SAFETY LAWS ADOPTED. The statutory provisions describing and defining regulation with respect to water traffic, boats, boating and related water activities in §§30.50 through 30.71 of the Wisconsin Statutes and in the rules and regulations of the Department of Natural Resources established subsequent to the enactment of this chapter, for which the penalty is a forfeiture only, including penalties to be imposed and procedure for prosecution, that have not been specifically incorporated by reference in the foregoing sections hereof, are hereby adopted and by reference made a part of this chapter as if fully set forth herein. Any act required to be performed or

prohibited by the provisions of any said statute, rule or regulation incorporated by reference herein is required or prohibited by this chapter. For purposes of these regulations, such adjusted statutes may be prefixed by "93-1".

1.18 LITTERING WATERS PROHIBITED. No person shall deposit, place or throw from any boat, vehicle, raft, pier, platform structure, shore or iced surface, any cans, paper, bottles, debris, refuse, garbage, or solid or liquid waste on or into the water of the lake.

1.19 SEVERABILITY. The provisions of these regulations shall be deemed severable and it is expressly declared that the SLILPRD would have passed the other provisions of these regulations irrespective of whether or not one or more provisions may be declared invalid. If any provision of these regulations or the application to any person or circumstances is held invalid, the remainder of these regulations and the application of such provisions to other persons or circumstances shall not be affected.

## ORDINANCE NO. 93-2

AN ORDINANCE TO AUTHORIZE USE OF CITATIONS  
AND PENALTY PROVISIONS FOR VIOLATIONS OF  
CHAPTER 1 - BOATING REGULATIONS

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WHEREAS, the Silver Lake Inland Lake Protection District has adopted local boating regulations; and

WHEREAS, penalty provisions are permitted by §30.80, Wis. Stats.; now, therefore,

THE COMMISSIONERS OF THE SILVER LAKE INLAND LAKE PROTECTION AND REHABILITATION DISTRICT ORDAIN AS FOLLOWS:

Section 1. That Chapter 2, Penalty Provisions, is hereby created to read:

CHAPTER 2  
PENALTY PROVISIONS

2.01 The Silver Lake Inland Lake Protection and Rehabilitation District does adopt and authorize the use of a citation to be issued for violations of ordinances, including ordinances for which a statutory counterpart exists.

2.02 The form of a citation shall provide for those items listed in §66.119(1)(b), Wis. Stats.

2.03 **DEPOSITS.** A. Violation of State Statutes and Department of Natural Resources Rules and Regulations Adopted by Reference. The schedule of cash deposits for violations of local boating regulations adopted by Ordinance 93-1 shall be as provided by the State of Wisconsin Revised Uniform Deposit and Bail Schedule for Conservation, Environmental Protection, Boating and DNR Rules and Regulations that are adopted therein by reference plus;

B. Other Violations. The cash deposits for violations of local boating regulations adopted by Ordinance 93-1 not provided for in Sec. 2.03A above shall be \$25 for the first offense and \$50 for the second or subsequent offense of the same provision within one year.

C. In addition to the deposits required in Sec. 2.03A and Sec. 2.03B above shall include a penalty assessment if required by §165.87, Wis. Stats., a jail assessment if required by §302.46(1), Wis. Stats., and any applicable fees and court costs prescribed in Chapter 814, Wis. Stats.

D. Cash deposits are to be made with the Clerk of the Circuit Court for Washington County, Wisconsin, and said Clerk shall give a receipt for any cash deposits that are made in person, unless the deposit amount is mailed in and, in that case, the cancelled check will serve as the receipt.



2.04 Citations authorized under the ordinance may be issued by water safety patrol officers hired or contracted for by the Silver Lake Inland Lake Protection and Rehabilitation District.

Section 2. This ordinance shall, in accordance with sec. 60.80(2), Stats., take effect the day after its publication as a Class 1 notice under ch. 985, Stats.

Dated this \_\_\_\_ day of \_\_\_\_\_, 1993

\_\_\_\_\_  
Richard Smith, Commissioner

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Judi Griffith, Commissioner

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Julius G. Helmle, Commissioner

\_\_\_\_\_  
Robert Kratz, Commissioner

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James Heipp, Commissioner