

Slow No Wake During High Water Periods Ordinance

Town of Underhill

Oconto County

Ordinance 2020-003

A Sole Ordinance to Regulate Boating Upon the Water of Berry Lake and Prescribing Penalties for Violation Thereof.

The Town Board of the Town of Underhill does ordain as follows:

Section 1 - Applicability and Enforcement: The provisions of this Ordinance shall apply to the waters of Berry Lake. This chapter shall be enforced by the officers of the Town of Underhill.

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.

Section 3 – State Boating and Safety Laws Adopted: State boating laws as found in ss.30.50 to 30.70, Wis. Statutes, 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 of Underhill 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 circumstance 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 – Definition: “Slow-no wake” means that speed at which a boat moves as slowly as possible while still maintaining steering control.

Section 7 – Slow No Wake During High Water Periods: No person shall operate a boat faster than slow-no-wake in the waters of Berry Lake when the water exceeds an elevation of 94.1 feet as based on the benchmark of the USGS lake gauge located on the west end of the west basin of the lake. This slow-no-wake restriction will be posted at all public access points when in effect.

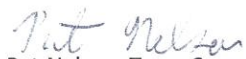
Section 8 – Posting Requirements: The Town of Underhill Board shall place and maintain a synopsis of this ordinance at all public access points within the jurisdiction of the Town pursuant to the requirements of NR 5.15 Wis. Adm. Code.

Section 9 – Effective Date: This ordinance will become effective upon its passage.

Passed this 5TH day of MAY, 2020



Peter Vorpahl, Town Chairman



Pat Nelson, Town Supervisor



Robert McCarthy, Town Supervisor



Tracy Winkler, Town Clerk