

# NOTICE

## TOWN OF TOWNSEND ORDINANCE NO. 1-87.

### AN ORDINANCE TO REGULATE WATER TRAFFIC, BOATING AND WATER SPORTS UPON ALL WATERS IN THE JURISDICTION OF THE TOWN OF TOWNSEND, OCONTO COUNTY, WISCONSIN AND PRESCRIBED PENALTIES FOR VIOLATION THEREOF.

The Town Board of the Town of Townsend, County of Oconto, Wisconsin, do ordain as follows:

**Section 1. APPLICABILITY AND ENFORCEMENT** The provisions of this ordinance shall apply to all waters within the jurisdiction of the Town of Townsend, County of Oconto, Wisconsin, which waters are as follows:

T33N R15E, Surprise Lake, Pickeral Lake, Townsend Flowage, Horn Lake, Explosion Lake, Reservoir Pond, also T32N R15E Archibald Lake, WAPOTA LAKE.

The provisions of this ordinance shall be enforced by the law enforcement officers of the Town of Townsend, along with any and all other state and county officers authorized by law to enforce the same. Copies of this ordinance will be posted at all public landings.

That the language of this ordinance is intended to protect the public interest and to insure protection and safety to the users of those bodies of water as contained herewith in order to police and protect the safety of the general water public, including the swimmers, the boaters and fishermen, as well as to maintain and protect the safety of water skiers and others engaged in the use of the water and recreational sources referred to within the ordinance. The language is also necessary to maintain and protect the shoreline and to prevent shoreline damage and to maintain and protect and promote safety, particularly in those limited areas and spaces where multiple uses of the waterways impose risks to the public such that this enabling legislation is necessary in the public's interests.

### Section 2. SPEED RESTRICTIONS AND REGULATIONS.

(1) **SPEED TO BE REASONABLE AND PRUDENT.** No person shall operate a motor boat at a speed that is greater than is reasonable and prudent under the conditions, and having regard for the actual and potential hazards then existing. Speed of the motor boat shall be so controlled as to avoid colliding with any object lawfully in or on the water in compliance with legal requirements, and exercising due care.

(2) **FIXED LIMITS.** In addition to complying with subsection (1) no person shall operate a motor boat in excess of slow-no-wake within 100 feet of Nicolet Road Bridge Section 23, East Burnt Dam Road Bridge Section 33, Horn Lake Road Tube Section 20, the channel at East West Archibald Lake T 32 N R15E Section 2. A speed restriction of slow-no-wake shall apply to all of Explosion Lake, WAPOTA LAKE and 150 feet from shore on Bass Lake.

### Section 3. WATER SKIING.

(a) **Prohibiting Certain Times And Exceptions.** (a) except as provided in paragraph (b), no person shall operate a motor boat, towing a person on water skis, aquaplaning or similar activity at any time before 10:00 in the forenoon of each day and after 4:00 in the afternoon of each day central daylight time. That the limitations herein are further noted as being necessary for the public's interests and for the general benefit and protection and safety to the users of the waterways in the public's interests to promote safety and to protect through the general police powers the safety of the users of the bodies of water and to promote safety within the township.

(b) Paragraph (a) does not apply to duly authorized water ski tournaments, competitions, exhibitions or trials thereof where adequate lighting is provided and where the permissions to stage such tournaments, competitions or exhibitions has been received from the Town Board of the Town of Townsend, Oconto County, Wisconsin.

(c) No person in charge or control of the boat shall authorize or knowingly permit the boat to be operated by any person who by reason of any physical or mental disability is incapable of operating such boat under the prevailing circumstance.

No person under the age of 10 years may operate a motor boat. Persons at least 10 and less than 16 years of age may operate a motor boat only if they are either accompanied in the boat by a parent or guardian or a person at least 18 years of age designated by a parent or guardian. Persons at least 12 and less than 12 years of age may operate a motor of any horse power, but only if they are either accompanied by a parent or guardian, or in the possession of the necessary boating certificate issued under the Wisconsin Statutes 30.74(1).

That in addition, all limitations as and upon water skiing shall be as set forth in Wisconsin Statutes Section 30.69 incorporating any necessary amendment or revision thereto at a later date as said provision may be amended from time to time. It is expressly directed and required that those limitations on water skiing shall be as set forth within said statute.

**Section 4. LITTERING WATERS PROHIBITED.** No person shall deposit, place or throw from any boat, raft, pier, platform or similar structure, any cans, paper, bottles, debris, refuse, garbage, solid or liquid waste into any waters in the Town of Townsend.

### Section 5. PROHIBITED OPERATION.

(a) Except under (b) no person may operate a motor boat within 100 feet of any dock, raft, pier or bouyed restricted area on any water within the Town of Townsend in excess of slow-no-wake speed.

(b) No boat towing persons engaged in water skiing, aquaplaning or similar activity on any water in the Town of Townsend shall engage in such activity within 100 feet of any occupied anchored boat or marked swimming area or public boat landing, except where pickup and drop off areas are established and marked with regulatory markers.

### Section 6. MOLESTING OR DESTROYING AIDS TO NAVIGATION AND REGULATORY MARKERS.

No unauthorized person shall move, remove, molest, tamper with, destroy or attempt to destroy, or moor or fasten a boat to any navigational aid or regulatory markers, signs or other devices established and maintained to aid boaters.

### Section 7. DEFINITIONS.

(1) "Slow-no-wake" means that speed at which a boat moves as slowly as possible while still maintaining steerage control.

(2) "motorboat" means any boat equipped with propulsion machinery, whether or not the machinery is the principal source of propulsion. (3) "operate" or "use" when used with reference to a motorboat, boat or vessel means to navigate or otherwise employ.

### Section 8. PENALTIES AND DEPOSITS.

(1) Anyone found guilty of violating sections 2, 3, 5 and 6 of this Ordinance shall forfeit not more than \$50.00, together with the costs of prosecution.

Section 9. Except as hereinabove specifically provided, the Town of Townsend hereby adopts along with this ordinance and incorporates the same herein by reference all of the provisions of section 30.50 inclusive of the revised statutes of the State of Wisconsin.

### Section 10. EFFECTIVE DATE.

This ordinance shall be effective after Public Hearing Passage and publication as required by law. Passed at a regular meeting of the Town Board of Townsend.

Posted at \_\_\_\_\_  
Date August 25, 1987  
By *John P. Nelson*  
Town Clerk