

984

**ORDINANCE 13-013**

**ORDINANCE RELATIVE TO VETERAN'S MEMORIAL FIELD AND SILVER LAKE REGULATIONS**

The Common Council for the City of Portage does hereby Ordain as follows:

Article IV of Chapter 54 of the Municipal Code of the City of Portage is hereby repealed and recreated as Articles IV and V of Chapter 54 to read as follows:

**CHAPTER 54**

**ARTICLE IV – VETERAN'S MEMORIAL FIELD REGULATIONS**

- Sec. 54-132. – Animals Regulated.
- Sec. 54-133. – Unauthorized use of racetrack.
- Sec. 54-134. – Unauthorized electrical connections forbidden.
- Sec. 54-135. – Speed limit.
- Secs. 54-136 - 54-165. – Reserved.

**Sec. 54-132 Animals Regulated.**

No person shall permit any animal over 60 pounds on the Veteran's Memorial Field property hereinafter enumerated:

- (1) The baseball, football and softball lighted fields;
- (2) The grandstand infield; and
- (3) The summer recreation fields.

**Sec. 54-133. – Unauthorized use of racetrack.**

No person shall operate any motor vehicle or power-driven cycle on the racetrack without permission from the parks and recreation department and authorization from the chief of police.

**Sec. 54-134. – Unauthorized electrical connections forbidden.**

No person, firm or corporation shall strip any part of the electrical distribution lines of the city at the Veteran's Memorial Field, or make any electrical or other connection thereto, without permission of the manager of parks and recreation and a permit from the manager of parks and recreation or, except under such permit, draw electricity from such distribution system unless authorized to do so and then only from the regular outlets installed for that purpose by the city. Such permit shall be granted only if a public need exists therefor and the applicant is responsible and the proposed work is done in accordance with the applicable electrical codes and can be done without material injury to or impairment of the system or any part thereof.

**Sec. 54-135. – Speed limit.**

The speed limit shall be ten miles per hour in Veteran's Memorial Field.

**Secs. 54-136 - 54-165. – Reserved.**

**ARTICLE V – LAKES**

**DIVISION 1. – REGULATION OF BOATING AND SILVER LAKE BEACH**

- Sec. 54-166. – State boating laws adopted.
- Sec. 54-167. – Silver Lake speed restrictions.
- Sec. 54-168. – Prohibition of motorboats in beach area.
- Sec. 54-169. – Races, regattas, sporting events and exhibitions on Silver Lake.
- Sec. 54-170. – Possession or consumption of alcoholic beverages, glass containers and tobacco products at Silver Lake Beach.
- Sec. 54-171. – Miscellaneous restrictions.
- Sec. 54-172. – Penalties.
- Secs. 54-173 - 54-180. – Reserved.

**Sec. 54-166. – State boating laws adopted.**

The statutory provisions describing and defining regulations with respect to boating in the Wisconsin Statutes are hereby adopted by reference.

**Sec. 54-167. – Silver Lake speed restrictions.**

(a) *Speed to be reasonable and prudent.* No person shall operate a motorboat or personal watercraft on Silver Lake at a speed greater than is reasonable and prudent under the conditions and having regard for the actual and potential hazards then existing. The speed of a motorboat or personal watercraft shall be so controlled as to avoid collision with any object in or on the water or with any person, boat or other conveyance in or on the water in compliance with legal requirements and exercising due care.

(b) *Fixed limits.* No person shall operate a boat or personal watercraft faster than slow-no-wake during the hours of 6:00 p.m. and ending 9:00 a.m. local time on Silver Lake. In the event of high water, as determined by the city, no person shall operate a boat or personal watercraft faster than slow-no-wake.

(c) *"Slow-No-Wake" limitations.* No person shall operate a boat or personal watercraft faster than slow-no-wake within 100 feet of the boat landing or the bridge on Silver Lake, at any time of the day.

(d) *Definitions.* The term "slow-no-wake" means that speed at which a boat moves as slowly as possible while still maintaining steerage control.

**Sec. 54-168. – Prohibition of motorboats in beach area.**

No person shall operate a motorboat or personal watercraft on Silver Lake within 100 feet of the posted, marked or roped area of the city-owned property at Silver Lake Beach.

**Sec. 54-169. – Races, regattas, sporting events and exhibitions on Silver Lake.**

(a) *Permit required.* No person shall direct, sponsor or participate in any boat race, regatta, water ski meet or other water sporting event or exhibition unless such event has been authorized by the common council and a permit issued therefor by common council after investigation by the chief of police and manager of parks and recreation.

(b) *Permit specifications for events held at Silver Lake.* A permit issued under this section shall specify the course or area of water to be used by participants in such event, and the permittee shall be required to place markers, flags or buoys approved by the manager of parks and recreation designating the specified area. Permits shall be valid only for the hours and areas specified thereon.

(c) *Right-of-way of participants.* Boats and participants in any such permitted event shall have the right-of-way on the marked area and no other person shall obstruct such area during the race or event or interfere therewith.

**Sec. 54-170. – Possession or consumption of alcoholic beverages, glass containers and tobacco products at Silver Lake Beach.**

(a) No person shall possess or consume any alcohol beverage on the beach area of Silver Lake.

(b) No person shall use or bring upon the beach area at Silver Lake Beach any tobacco products.

(c) The "beach area" of Silver Lake Beach is defined as the area between the water's edge and the concrete retaining wall located to the northeast thereof. This area shall include the concession stand and the area adjacent thereto.

**Sec. 54-171. – Miscellaneous restrictions.**

(a) No person shall jump, dive or enter the water within 20 feet of the bridge from Silver Lake. No person shall swim within 20 feet of the bridge.

(b) No person shall swim, wade, jump, dive, enter or be in the water within 20 feet of the boat landing other than and incidental to put in or remove a boat or water craft from the water. No person shall interfere with the launching or landing of any boat or water craft within that area.

(c) No persons shall stand in the road right-of-way for the purpose of fishing, above the east side of the bridge.

**Sec. 54-172. – Penalties.**

Any person violating any provision of this division shall be subject to the general penalty provisions of section 1-15.

**Secs. 54-173 - 54-180. – Reserved.**

**DIVISION 2. – BULKHEAD LINES**

**Sec. 54-211. – Bulkhead lines established.**

(a) The city has established in the interest of the public, and pursuant to Wis. Stats. § 30.11, a bulkhead line along a part of the shore of Silver Lake as hereinafter described: That the bulkhead line of Silver Lake hereinafter described and more particularly shown by the map on file with the city clerk is established and determined as set forth in the following description, subject to the approval of the department of natural resources, namely:

(1) Bulkhead line westerly of Silver Lake Dr. designated as A-B-C and shown as such on the map, described as: Starting at an iron pin marking the intersection of the centerline of Silver Lake Dr. with the north line of Section 6, T-12-N, R-9-E; thence south (assumed) along the centerline of Silver Lake Dr. a distance of 903.0 feet; thence west 50 feet to point A, the point of beginning of Bulkhead Line A-B-C; thence S 16°-13'-E, a distance of 115 feet to point B; thence south a distance of 170 feet to point C.

(2) Bulkhead line easterly of Silver Lake Dr. designated as D-E-F and shown as such on the map, described as: Starting at an iron pin marking the intersection of the centerline of Silver Lake Dr. with the north line of Section 6, T-12-N, R-9-E; thence south (assumed) along the centerline of Silver Lake Dr. a distance of 911.0 feet; thence east, 75 feet to point D, the point of beginning of Bulkhead Line D-E-F; thence south a distance of 77 feet to point E; thence S-35°E; a distance of 275 feet to point F.

(b) The city by and through the common council proposes to establish, in the interest of the public and according to Wis. Stats. § 30.11(13), a new bulkhead line along a part of the shore of the Silver Lake/Marsh area of the county described below:

(1) That the bulkhead line along the shore of Silver Lake/Marsh described and as shown by the map incorporated by reference is established subject to the approval of the department of natural resources. (See legal description denoted as Exhibit "A" on file with the city clerk.)

(2) That the bulkhead line is in the public's interest because the affected area has been filled in the past and the park development is compatible with the public's interest in navigable waters.

(3) That three certified copies of this section and three true and correct copies of such map be submitted to the department of natural resources for its approval for and upon return and receipt of the approved ordinances and maps; copies shall be filed with the department of natural resources, the city clerk and the county register of deeds.

This Ordinance shall take effect upon passage and publication thereof.

Passed this 12th day of December, 2013.

W.F. "Bill" Tierney  
W.F. "Bill" Tierney, Mayor

Attest:

Marie A. Moe  
Marie A. Moe, City Clerk

First and second readings: 11/26/13  
Third reading: 12/12/13  
Published:

Ordinance requested by:  
Legislative and Regulatory Committee