

A N O R D I N A N C E

AN ORDINANCE TO AMEND, CREATE AND REPEAL PORTIONS OF CHAPTER 9.24 OF THE MUNICIPAL CODE, ENTITLED "BOATING REGULATIONS".

THE CITY COUNCIL OF THE CITY OF EAU CLAIRE DO ORDAIN AS FOLLOWS:

Section 1. Section 9.24.010 is amended to read as follows:

9.24.010 Purpose and Scope. The city council is cognizant of the need to prescribe rules and regulations for the operation of motor-propelled boats on the waters within the corporate limits of the city, to safeguard the public, to eliminate excessive noise to the end that the lake, pond and rivers herein, together with beaches, picnic grounds and other facilities may be equally shared by all of the public. Unless otherwise specifically provided, this chapter shall apply to the following navigable waters within the City of Eau Claire: The Eau Claire River, the Chippewa River and Half Moon Lake.

Section 2. Sections 9.24.020, 9.24.030, 9.24.040, 9.24.050, 9.24.070, 9.24.080 and 9.24.090 are repealed.

Section 3. Section 9.24.040 is created to read as follows:

9.24.040 Provisions of state boating law adopted by reference. Except as otherwise specifically provided in this chapter, the following provisions of Chapter 30 of the Wisconsin Statutes pertaining to the regulation of navigable waters and boating be and 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 any statute incorporated herein by reference is required or prohibited by this chapter of the ordinances.

Sections adopted by reference are the following:

- 30.50 30.50 Definitions
- 30.60 Classification of motorboats
- 30.61 Lighting equipment
- 30.62 Other equipment
- 30.63 Sale and use of certain outboard motors restricted
- 30.635 Motorboat prohibition
- 30.64 Patrol boats exempt from certain traffic regulations
- 30.65 Traffic rules
- 30.66 Speed restrictions
- 30.67 Accidents and accident reports
- 30.675 Distress signal flag

- 30.68 Prohibited operation
- 30.69 Water skiing
- 30.70 Skin diving
- 30.71 Boats equipped with toilets

Section 4. Section 9.24.130 A is amended to read as follows:

9.24.130 Boat races and regattas. A. Save and except Sections 9.24.060 through 9.24.080 the provisions of Wisconsin Statutes section 30.68 adopted herein no part of this chapter shall apply to races, regattas or meets duly authorized by the city council. Such may be held by ~~organized~~ bodies upon approval by the council and in accordance with regulations prescribed by it.

Section 5. Section 9.24.150 entitled "Violations-Penalties" is renumbered 9.24.160 and is repealed and recreated to read as follows:

9.24.150 Violations--Penalties. A. Any person violating any provision of this chapter for which a penalty is not provided by subsection B. hereof shall forfeit not more than \$50 for the first offense and shall forfeit not more than \$100 upon conviction of the same offense a second or subsequent time within one year.

B. Any person violating the provisions of sections 30.67(1) or (2) or 30.68.(1) or (2) of the Wisconsin Statutes, as adopted herein by reference, shall forfeit not more than \$200.

Section 6. Sections 9.24.160 entitled "Chippewa River Bulkhead Lines," and 9.24.180 entitled "Chippewa River; Placement of Buoys and Markers" are renumbered 9.24.190 and 9.24.200, respectively.

Section 7. Section 9.24.170 entitled "'Boats prohibited' buoy placement" is renumbered 9.24.180 and repealed and recreated to read as follows:

9.24.180 Half Moon Lake buoy placement. The placement of buoys for the purpose of marking off and restricting the swimming area at Half Moon Beach is authorized within the following described area:

That part of Government Lot 6, Section 19, Township 27 North, Range 9 West, City of Eau Claire, Eau Claire County, Wisconsin described as follows:

Commencing at the NE corner Government Lot 6; thence West 275 feet; thence S. 29°00' W. 129.8 feet to the shore of Half Moon Lake; thence SEly 140 feet along said shore line Half Moon Lake to the point of beginning; thence SWly 300'; thence SEly 250'; thence NEly 300' to the shore line of said lake; thence NWly 250' along said shore line to the point of beginning.

Section 8. Section 9.24.170 entitled "Parties to a Violation" is created to read as follows:

9.24.170 Parties to a violation. A. Whoever is concerned in the commission of a violation of this chapter for which a forfeiture is imposed is a principal and may be charged and convicted of the violation although he or she did not directly commit it and although the person who directly committed it has not been convicted of the violation.

B. A person is concerned in the commission of the violation if the person:

1. Directly commits the violation;
2. Aids and abets the commission of it; or
3. Is a party to a conspiracy with another to commit it or advises, hires or counsels or otherwise procures another to commit it.

(SEAL) \_\_\_\_\_  
President

(ATTESTED) \_\_\_\_\_  
City Clerk