

TOWN OF JANESVILLE

ORDINANCE NO. 46

AN ORDINANCE TO TEMPORARILY PROHIBIT THE OPERATION OF ANY POWER BOAT UPON THE WATERS OF THE ROCK RIVER, ITS TRIBUTARIES AND FLOOD PLAINS LYING WITHIN ROCK COUNTY, STATE OF WISCONSIN.

WHEREAS, Rock River is presently at flood stage in Rock County and its waters have overflowed the natural banks of the River and have flooded private lands and properties along said banks; and

WHEREAS, operation of boats on said River in flood stage is causing damage to property and danger to the health and safety from injury to the boater and damage to septic systems and dry wells as well as drinking wells by said boats; and

WHEREAS, the Townships of Fulton, Janesville, Rock and Milton, Beloit, Rock County, State of Wisconsin, by and through their respective Town Board, propose to establish in the interest of the public health and safety and pursuant to Section 30.77, Wisconsin Statutes, <sup>power</sup> temporary emergency ordinance prohibiting the operation of boats in the Rock River, its tributaries and flood plains; now, therefore,

THE TOWN BOARD OF THE TOWN OF JANESVILLE, ROCK COUNTY, STATE OF WISCONSIN, DOES ORDAIN AS FOLLOWS:

ORDINANCE NO. OF THE CODE OF ORDINANCES OF THE TOWN OF JANESVILLE, ROCK COUNTY, STATE OF WISCONSIN, IS HEREBY CREATED TO READ AS FOLLOWS:

SECTION ONE, OPERATION PROHIBITED:  
power

No person shall operate a boat as defined in Section 30.50 (1) of the Wisconsin Statutes upon the waters of the Rock River, its tributaries and flood plains, over the area of said River described in Section Two of this Ordinance, between the hour of 12:00 a.m. on May 4, 1973 to the hour of 12:00 a.m. on May 15, 1973.

SECTION TWO, PROHIBITED AREA:

The area covered by this emergency ordinance shall be the entire course of the Rock River, its tributaries and flood plains as it flows through Rock County in the Townships of Fulton, Janesville, Beloit and Rock, and in the Cities of Janesville and Beloit, except as otherwise provided herein. The restricted area shall begin from the point that the Rock River enters Rock County approximately 1/4 mile East Northeast of the Village of Newville and extent through the entire meandering course of said River to the point that said River leaves Rock County at the Illinois-Wisconsin state line.

This restriction shall not apply to those waters within the city limits of the City of Beloit or the city limits of the City of Janesville unless said city has enacted an identical local regulation to this ordinance.

SECTION THREE, EXTENSION OF TIME:

*POWER* The expiration date of this temporary emergency prohibition of boat operation may be extended for a period of time, not to exceed an additional ten (10) days, by joint action of the municipalities having jurisdiction over the waters of the River to which the extension shall be applicable.

SECTION FOUR, PENALTY:

Any person violating any provision of this ordinance shall be fined not less than Ten Dollars (\$10.00) nor more than Two Hundred Dollars (\$200.00), and costs of prosecution, and in default of payment thereof shall be imprisoned in the County Jail of Rock County until such fine and costs are paid, such imprisonment not to exceed ninety (90) days.

The Rock County Sheriff's Department is specifically authorized to enforce the provisions of this ordinance and is further authorized to delegate responsibility for enforcements to third parties deputized or designated by said Sheriff. Prosecution hereunder shall be the responsibility of the Township with jurisdiction over that portion of the River in which the person violating was operating. The portion of any forfeiture hereunder, payable to a municipality, shall be paid to the municipality having jurisdiction and obligation for prosecution as described herein. Obligation for prosecution does not prevent the Township from tendering prosecution to the Office of the Rock County District Attorney.



SECTION FIVE, EFFECTIVE DATE:

This ordinance shall take effect and be enforced from and after its passage and posting. This ordinance shall be posted at all public access points within the Township and shall be filed with the Department of Natural Resources.

Dated at Janesville, Wisconsin this 4th day of May, 1973.

Knauth Austin  
Town Chairman

Les Walton  
Supervisor

Roger R. Boat  
Supervisor

ATTEST:

Mrs. Betty Hantke  
Town Clerk