

Chapter 16
SLOW-NO-WAKE AREA ORDINANCE

A joint ordinance to regulate boating upon the waters in the Towns of Dewey and Eau Pleine in Portage County WI and Bergen and Knowlton in Marathon County WI and prescribing penalties for violations thereof.

The Town Boards of Dewey, Eau Pleine, Bergen do ordain as follows:

16.1 Applicability and Enforcement

(A) The provisions of this ordinance shall apply to those waters within the jurisdiction of the Towns of Dewey and Eau Pleine in Portage County WI and the Towns of Bergen and Knowlton in Marathon County WI.

(B) This ordinance shall be enforced by the Portage County and Marathon County Sheriff's Departments and any other authorized law enforcement agency/officer.

16.2 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.

16.3 State boating and safety laws adopted

State boating laws as found in SS.30.50 to 30.71, WI. Statutes are adopted by reference.

16.4 Definitions

(A) Definitions found in SS.30.50 to 30.71, WI Statutes are adopted by reference

(B) "Slow-No-Wake" means that speed at which a boat moves as slowly as possible while still maintaining steerage control.

(C) "Weekend" for the purpose of this ordinance shall be defined as the time period from 6:00 p.m. Friday until 12:00 a.m. Monday.

(D) "4th of July" Holiday for the purpose of this ordinance shall be defined as July 3rd, July 4th and July 5th

16.5 Controlled Areas

(A) No person shall operate a boat faster than "Slow-No-Wake" in the waters of Lake DuBay within 100 feet of;

- ❖ The 2 bridges on County Hwy DB signified by "Slow-No-Wake" signs posted on the bridges
- ❖ State Hwy 34 and railroad bridge signified by "Slow-No-Wake" signs posted on the bridges
- ❖ Bridge Road bridge and waters west of the bridge up the little Eau Pleine River signified by "Slow-No-Wake" signs

(B) No person shall operate a boat faster than "Slow-No-Wake" in the waters of Lake DuBay in the entire bay south and east of the County Road DB bridge located .10 of a mile south of the Marathon/Portage County line signified by "Slow-No-Wake" signs posted on the bridge and delineated by the "Slow-No-Wake" buoys on Weekends and Holidays.

The "Slow-No-Wake" ordinance shall be in effect in this area when the buoys are in place.

16.6 Exemptions

Under SS30.69 and SS30.742 the following provisions shall apply for exemptions for water exhibits, demonstrations and shows:

- (A) Event organizers must make application with the town board who has jurisdiction of the area where the event will be held at least 30 days prior to the date of the event
- (B) Application shall specify the location, date(s), time(s) and purpose of the event
- (C) Event organizers shall specify how they will give public notice of the proposed event

- (D) Event organizers shall be required to provide all law enforcement agencies with a minimum of a 1 week notice of the event and shall provide town board with a copy of that notice
- (E) Event organizers shall be responsible for clean-up of the area upon completion of the event
- (F) The town board shall upon approval of event provide a written permit for the event and event organizers shall provide copies of that permit to any law enforcement agency upon request.
- (G) The town board retains the right to approve or deny any request or to revoke the permit at any time.

16.7 Posting Requirements

The Towns shall place and maintain information contained with this ordinance at all public boat landings within the jurisdiction of the Towns as required by SS. 30.77(4) WI Statutes.

16.8 Penalties

Wisconsin state boating penalties as found in SS. 30.80 WI Statutes, and deposits established in the uniform deposit and bail schedule established by the Wisconsin Judicial Conference, are hereby adopted by reference with all references to fines amended to forfeitures and all references to imprisonment deleted.

16.9 Severability

The provisions of this ordinance shall be deemed severable and it is expressly declared that the Board would have passed the other provisions of this ordinance irrespectively 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.

16.10 Effective Date

This ordinance shall take effect upon passage and publication as require by law.

Posted this 15th day of July, 2009

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