

ORDINANCE NO: 35**AN ORDINANCE REGULATING ACTIVITIES
ON LAKE WAZEECHA**

The Town Board of the Town of Grand Rapids, Wisconsin, pursuant to Chapter 30 Wisconsin Statutes does ordain as follows with regard to its Town Ordinances:

35.1 Definitions

Waterskiing is defined as the use of any motorized watercraft to propel a person or persons upon water for recreational purposes including the use of jet skis, water cycles, tubes and similar water devices, excluding the use of traditional motorized boats carrying all passengers on board, and including parasailing and similar towed devices.

35.2 Water Skiing Pickup and Drop Areas

- A. That portion of Lake Wazeecha that is located in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 25, Township 22 North, Range 6 East shall be available for use as a waterskiing pickup and drop area as that term is set for in Sec. 30.69 Wis. Stats.
- B. Use of said area for pickup and drop shall be available only when marked with proper regulatory markers. Said markers shall be placed and comply with all requirements of Chapter 30 Wis. Stat. and Sec. NR 5.09 Wis. Adm. Code as may be revised from time to time.

35.3 State Boating and Water Safety Laws; Administrative Orders and Rules Adopted

- A. *State Statutes.* The statutory provisions describing and defining regulations with respect to water and ice, traffic, boats, boating and related water and ice activities in the following enumerated sections of the state statutes, exclusive of any provisions relating to penalties to be imposed or punishment for violations of such statutes, are by reference adopted as part of this ordinance as if fully set forth in this section. Any act required to be performed or prohibited by the provisions of any statute incorporated by reference in this section is required or prohibited by this ordinance.

Wis. State Statutes § 30.50 Through and including 30.75

- B. *Limitations on Adoption of Statutes.* The statutes adopted by reference in the listing in subsection A of this section shall be limited to those that the prescribed statutory penalty does not exceed town authority to impose forfeitures.
- C. *Rules.* All rules and orders created by the state department of natural resources designated chapter NR of the Wis. Adm. Code modifying or supplementing the provisions of the state law in subsection A of this section, or which may be adopted or made in the future, are hereby incorporated in and made a part of this section by reference as if set out in this section verbatim.
- D. *Revisions.* All deletions, additions and amendments which may be made to the sections of the state laws enumerated in subsection A of this section are hereby adopted and incorporated in this subsection by reference as of the time of their respective effective dates as if they were set out in this section verbatim.

35.4 Permit Required

- A. *Policy.* The Town of Grand Rapids Town Board respects the rights of individuals to use surface waters consistent with the Public Trust Doctrine. The Town Board also understands that public events on waterways provide public benefits including recreational enjoyment and stimulus to the local economy. The Town Board has determined that the most prudent way to balance these interests and to help ensure public safety is to adopt the provisions of this Section.
- B. *Races, Regattas, Sporting Events and Exhibitions:*
 - 1. No person shall direct 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 Town Board.
 - a. Application for permits shall be made to the police chief. Approval for permits may be granted by the Town Board upon recommendation of the police chief.
 - b. Permits shall be valid only for the days, hours and designated areas specified thereon.
 - c. Pick-up and drop-off areas for water skiing will be designated on the permit and shall be marked with regulatory markers as per Wisconsin Stat. 30.69(3)(d).
- C. The following activities are prohibited during the time period(s) and in the area(s) of the lake designated in the permit:
 - 1. Water skiing
 - 2. Boating
 - 3. Recreational wading
 - 4. Swimming/skin diving
 - 5. Fishing from a boat or from shore.
- D. For each permit issued, the police chief shall ensure that the prohibitions provided for in paragraph C. herein are posted at all public access points to the lake and are published as a Class 1 Notice.
- E. The permit fee shall be set in Ordinance 39 "Schedule of Fees and Forfeitures".

35.5 Enforcement

Any person or organization who violates any provision of this ordinance shall upon conviction be subjected to a forfeiture per Ordinance 39 "Schedule of Fees and Forfeitures" for each offense, together with the costs of prosecution.

This ordinance shall take effect from and after the date of its passage and publication as provided by law.

HISTORY

Declaration/Ordinance/Resolution No	Dated
RESOLUTION NO:	20-June-1989
2005-08	13-September-2005
2006-07	23-May-2006
2009-24	12-May-2009
2012-19	10-July-2012

Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.