

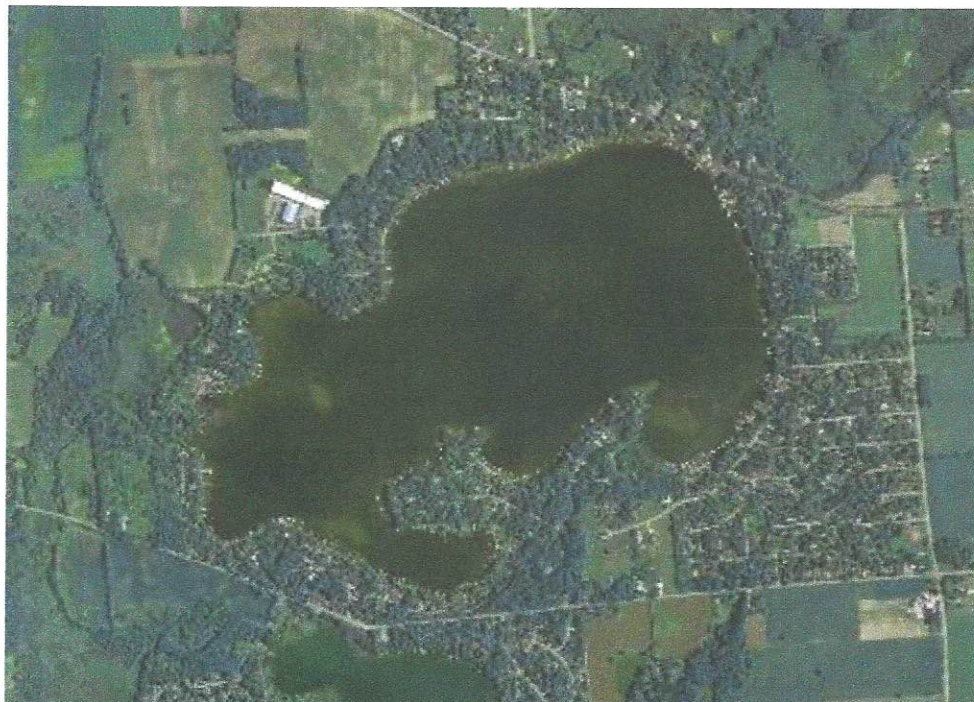
## New Resident Welcome Kit

### On behalf of the District of Powers Lake

Welcome to Powers Lake and congratulations on your new lakefront lifestyle!

As a new lakefront property owner, we want to welcome you and encourage you to familiarize yourself with the enclosed information and ask that you share it with your family and guests as appropriate.

Owning lakefront property brings with it a very different set of responsibilities and the information provided here and on our website is a great first step in understanding your role as a responsible lakefront owner and safe boater while enjoying Powers Lake!



We hope you find this to be informative and helpful as your go-to resource for safely and responsibly enjoying the lake!

Sincerely

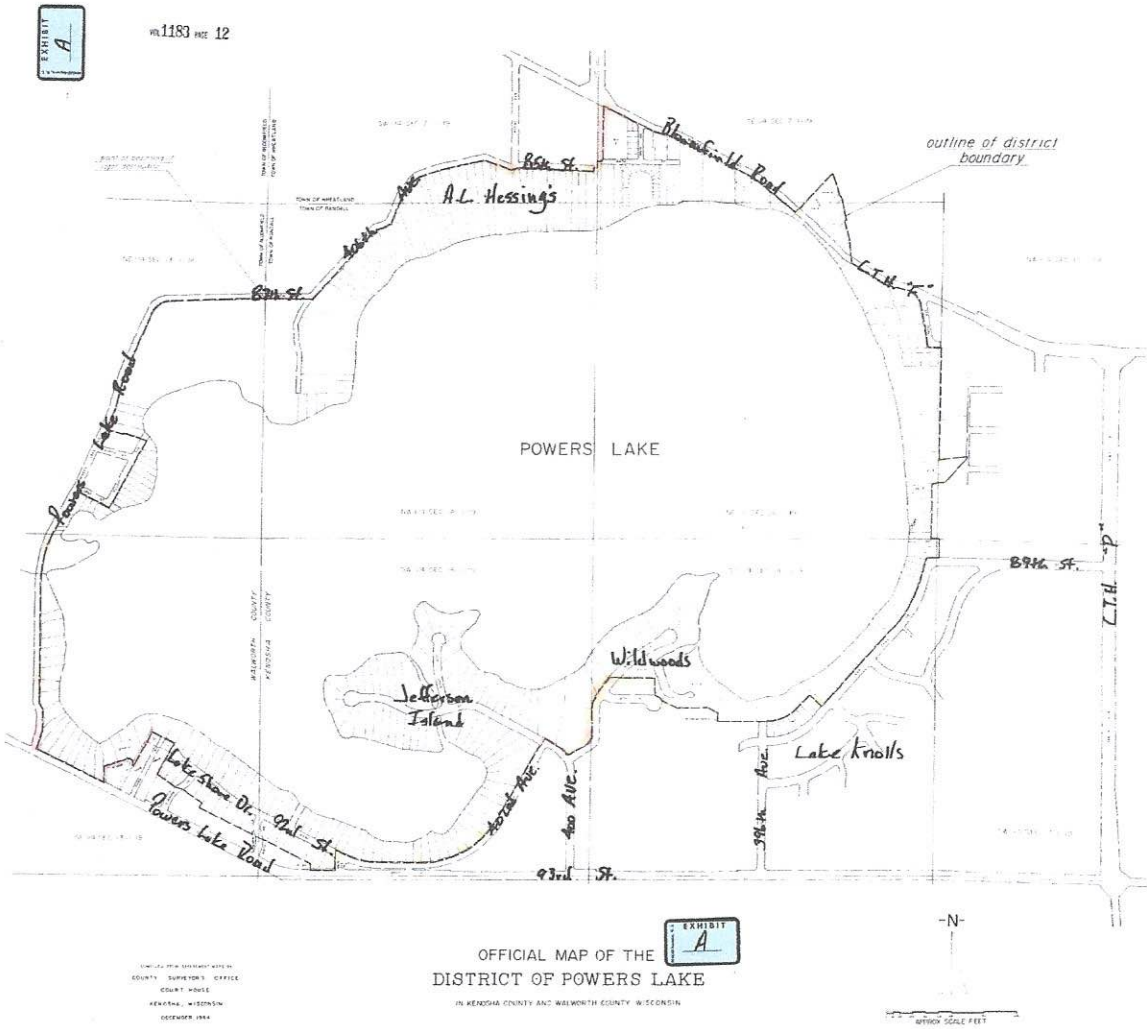
The District of Powers Lake

[www.districtofpowerslake.com](http://www.districtofpowerslake.com)

## What is the District of Powers Lake?

The District of Powers Lake (DPL) was founded in 1985 as a “special purpose” unit of government, to protect and preserve the beautiful natural resources of Powers Lake.

Generally speaking, if you are a riparian owner on Powers Lake, you are part of the Lake District. Below is a map of the residences that encompass the District as originally incorporated.



There are roughly 310 homes in the District.

Given that Powers Lake encompasses two counties and three townships, the District provides for a single unified voice to speak on behalf of lake owners. This becomes important when issues arise. It allows all property owners in the District to vote on lake related matters, regardless of where permanent residency is maintained.

The DPL board is comprised of five elected commissioners and two appointed commissioners: one from Kenosha County and one from the Town of Randall. Each elected commissioner serves a three-year term.

We host an annual meeting which is the first Friday in August as well as 4 additional meetings throughout the year which are open to the public. We encourage and appreciate your attendance and participation.

The main goal of the DPL is to be proactive in the protection of the water quality and the lake's ecosystem.

For example, we:

- Monitor lake levels.
- Test the water regularly during the summer for E. coli.
- Test the water clarity.
- Manage and treat as appropriate for invasive (non-native) plants.
- Collaborate with the Towns and County as needed on lake related issues.
- Educate the community on lake related issues via our newsletters and website.
- We have purchased over 100 acres of wetlands to the North of the lake to preserve the land that feeds and filters the water entering the lake.

#### **DISTRICT OF POWERS LAKE MISSION STATEMENT**

Within the scope of the powers vested in it under Chapter 33 and in furtherance of the Public Trust Doctrine of Wisconsin, the mission of the District of Powers Lake is:

- To support, protect, preserve and enhance the native ecosystem of the watershed, shoreline, and waters of Powers Lake as a natural resource for generations to come;
- To be responsive to the interests and concerns of the district residents and the public; and
- To proactively advocate when faced with potential damage to Powers Lake's environmental values, wildlife, natural beauty, peacefulness, safety and/or recreational value.

For a comprehensive overview please visit our website [www.districtofpowerslake.org](http://www.districtofpowerslake.org)

**ACTION ITEM:** Please sign up for our newsletter so we can keep you informed of what is happening around the lake. We publish 3 newsletters throughout the year and when necessary, we will update you via email on important issues that may arise.

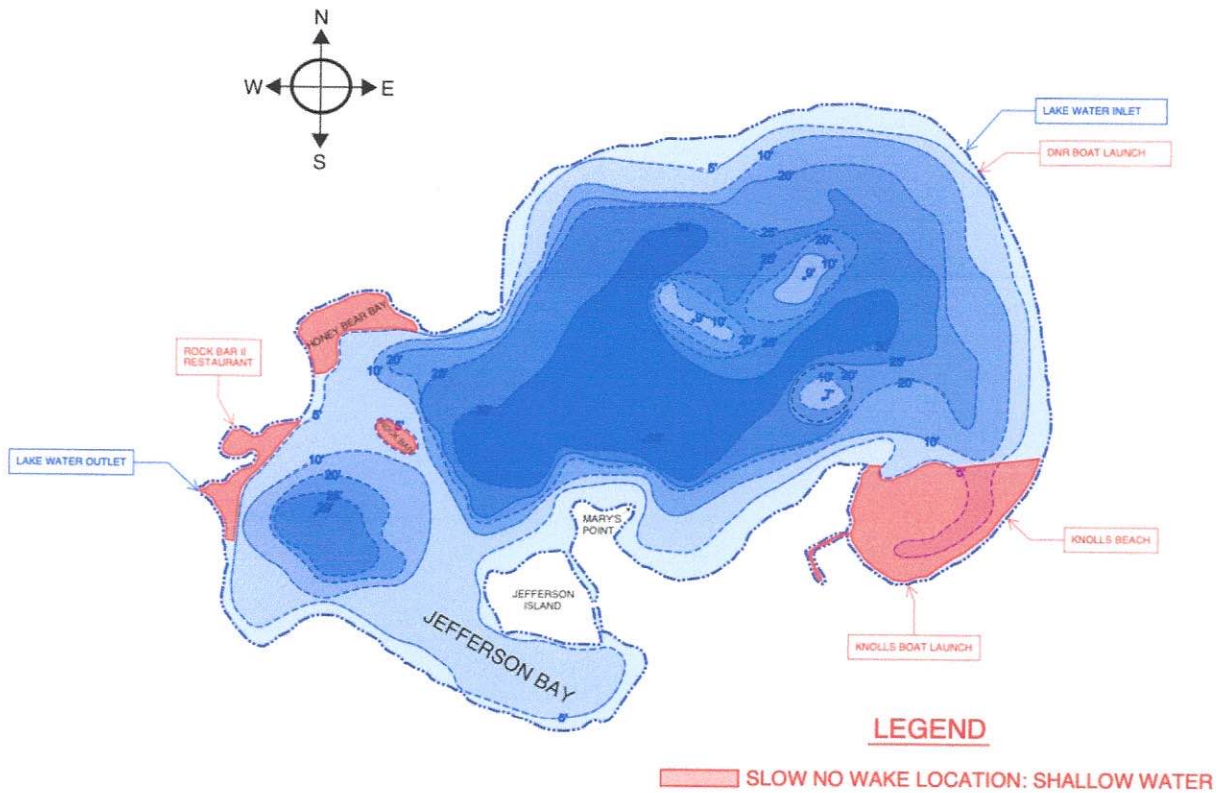


## NAVIGATING POWERS LAKE

Every Lake is unique, and it is important to know and understand the unique aspects of Powers Lake to ensure safe navigation and enjoyment for ALL!

### WATER DEPTH & THE ROCK BAR

You will notice on the enclosed water depth map that there is a shallow rock bar on the west end of the lake that is outlined by buoys as unnavigable. This is a popular anchoring spot and an area every boater needs to be aware of.



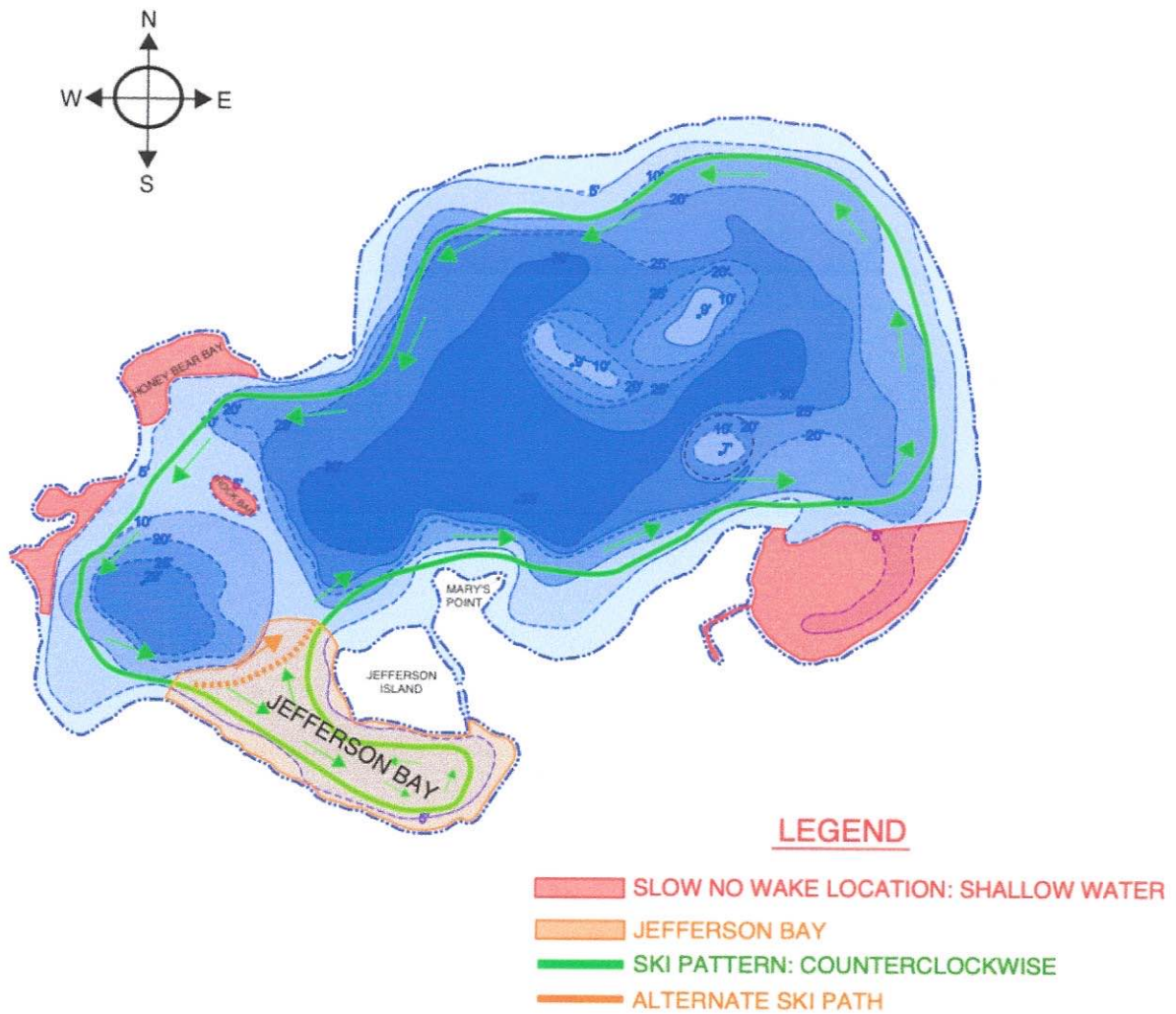


## JEFFERSON BAY

As you can see, Jefferson Bay is relatively shallow but still very much navigable. However, we ask ALL boaters to use common sense to avoid churning up the lake bottom.

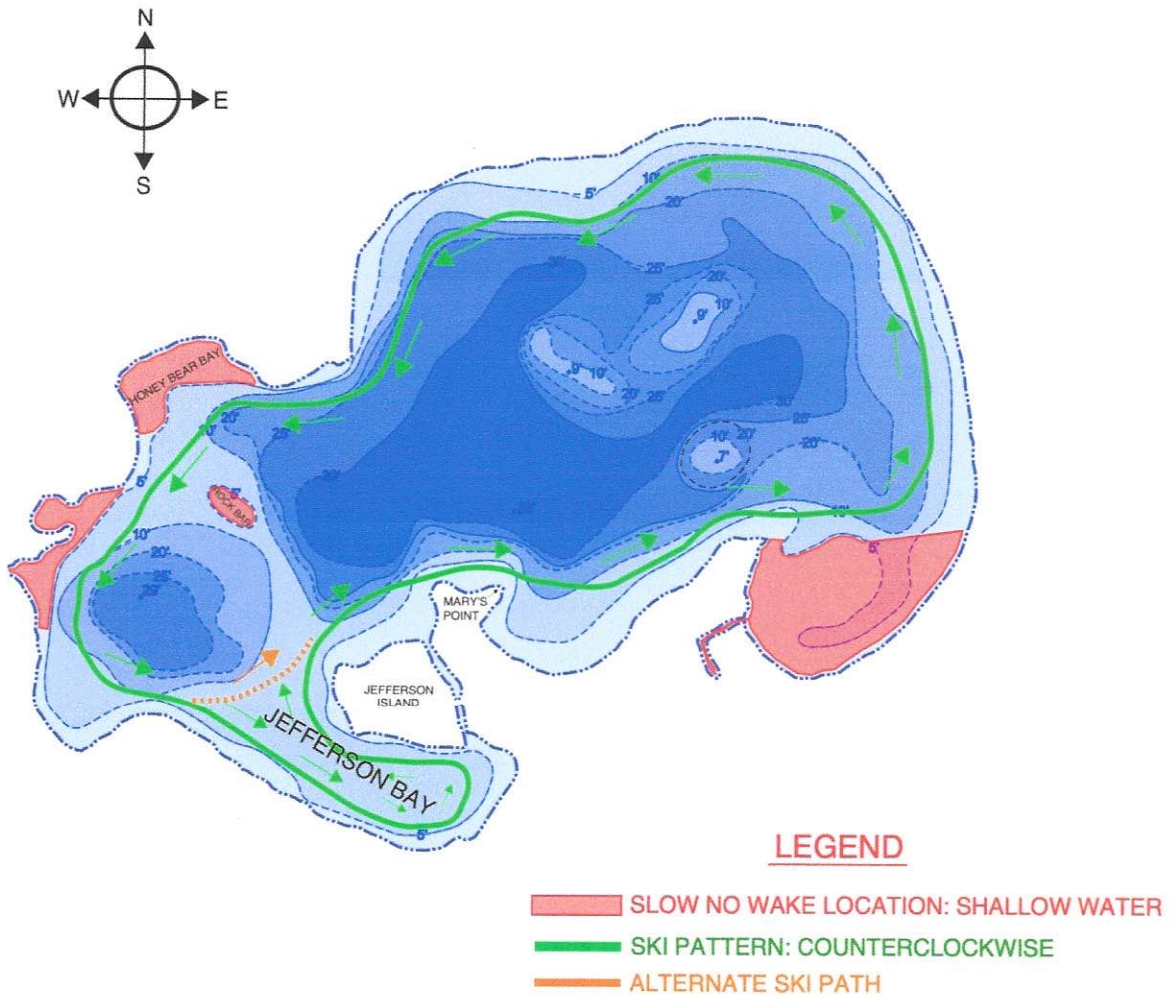
### BEST PRACTICES for Jefferson Bay:

- NEVER fill your ballast and enter the bay.
- If you have a deep hull boat, avoid starting skiers or tubers in the bay.
- It is narrow and sometimes gets congested so always follow the boat pattern.
- It is legal if pulling a skier or tube to avoid the bay altogether as indicated by the orange arrow.
  - Highly recommended when there are other boats in the bay.
- If you are not pulling anyone and just cruising, we ask that you do so closer to the buoys to allow others to safely navigate the bay and avoid congestion bottlenecks.
  - Pay attention and always be on the lookout for swimmers, kayaks etc..
- If applicable trim your motor up some to avoid churning the lake bottom, especially during times of low water.



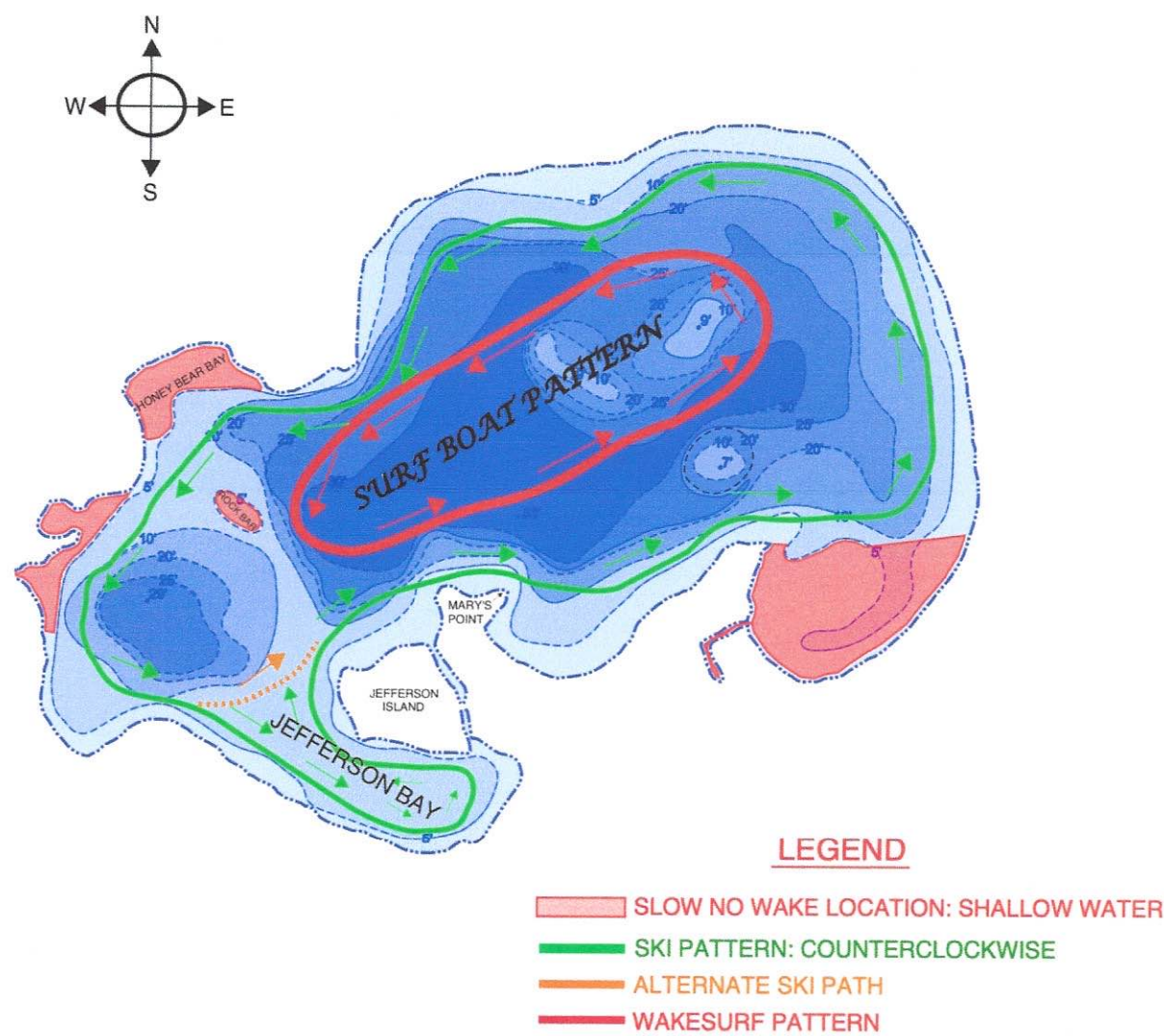
## LAKE RULES & REGULATIONS

- Slow-no-wake hours are from sunset until 10:00 AM, 7 days a week.
- The perimeter of the lake is outlined with navigation buoys roughly 200 feet from shore which designates the SLOW NO WAKE.
- The boating pattern is counterclockwise and must be adhered to when towing skiers, tubes etc.
- Boaters MUST maintain a minimum distance of 100 feet from other boats.
- No one under the age of 10 may operate a motorboat.
- No one under the age of 12 may operate a personal watercraft (PWC).
- No one under the age of 16 may rent or lease a PWC.
- Anyone born after 1-1-1989 is required to complete a boater safety course before operating a vessel in the state of Wisconsin and must carry the course certificate on board the vessel.



WAKE SURFING

- There is a new Wake surf pattern specifically designed for those that enjoy wake surfing in an effort to alleviate safety and ecological concerns.





## **SAFETY**

Please refer to the enclosed boating and Lakes Rules Summary for more details and share with your family and guests who may operate your watercraft.

**As the owner of your water toys, (Boats, Wave runners, Jet skis, kayaks etc) it is YOUR responsibility to:**

- Ensure your family and guests understand how to safely navigate the lake and the applicable rules.
- Ensure your water toys are well maintained and can be safely operated.
- Ensure your guests and children born after 1/1/89 have passed the WI boating course and are capable.

Simply stated, we want everyone to enjoy the lake and we ALL have a responsibility to ensure our guests and family members are suitable operators for the health and safety of all.

**Please take the time to ensure your guests and family member are up to speed, before handing over the keys!**

WATER SKIING

Applies to all watercraft towing a person on water skis, aquaplanes, tubes or similar devices.

- Tow boat must have a driver and a competent observer on board.
- Prohibited before 10:00 am and after sunset.
- Prohibited at all times within 200 feet of shore.
- Prohibited within 100 feet of any swim area, raft, pier, buoyed area, PWC, skin diver's flag or any occupied, anchored boat.
- Must operate in a counter-clockwise pattern in the traffic lane.
- Persons being towed shall wear a USCG approved PFD of Type I, II, III or V.

A maximum of 2 persons may be pulled behind a boat.

- No more than 2 tow lines per boat; no more than one person per tow line for water-skiing or similar sport. An exception is allowed for 2 persons on one tow line when using a device designed to carry 2 or more people.
- Tow lines may not exceed 100 feet.

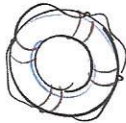
PARASAILING or PARAGLIDING

Are prohibited without a special permit.

PERSONAL WATERCRAFT (PWC)

Jet skis, Wave Runners, or any type of personal watercraft must adhere to the same rules as other watercraft plus the following:

- See Age Restrictions on front page of flyer.
- All persons riding a PWC must wear a USCG approved Personal Flotation Device (PFD).
- May never be operated within 100 feet of a boat, person or tow rope of a motorboat engaged in towing a person on water-skis, aquaplanes, etc.
- Must operate at Slow-No-Wake within 100 feet of any other boat or PWC.
- May never be operated between sunset and sunrise.
- Must be designed to seat 3 people to allow towing a person on water-skis, aquaplane, tube, or similar device.



—continued on back

SWIMMING

Swimming is permitted more than 200 feet from shore from sunrise to sunset if it is:

- Within 25 feet of a manned unanchored boat or
- Within 50 feet of a manned anchored boat.

Swimming is prohibited:

- More than 100 feet from shore or more than 50 feet from any pier, raft or wharf, unless within marked authorized swim areas.
- From unmanned, unanchored boats.
- More than 200 feet from shore during the hours from sunset to sunrise.

MARKING BUOYS

- It is unlawful to tamper with, move, or anchor to any marking buoys.

HIGH WATER — SLOW-NO-WAKE

- No Wake restrictions will be posted when necessary.
- The first level of restriction will be a 400 foot Slow-No-Wake lane around the entire lake.
- The second level of restriction will add all of Jefferson Bay as Slow-No-Wake.

PIERS, RAFTS, and MOORING BUOYS

All piers, rafts, mooring buoys, and any watercraft attached to them must be within the riparian zone of their property owner.

Piers

- Piers may not exceed 100 feet in length.
- Piers must be 12.5 feet from the property line and the riparian line. exception: piers existing without change prior to 1993.

Rafts

- Rafts must be located within 100 feet of the shoreline.

Mooring buoys

- Mooring buoys must be located within 150 feet of the shoreline.



This brochure has been provided by the Powers Lake Protection and Rehabilitation District to help encourage safe and harmonious enjoyment of our lake. We have only included a summary of some water regulations and safety guidelines. For a complete list see Wisconsin State Statute Chapter 30 and the Town of Randall Ordinance Chapter 20 which is available in the Town Hall, posted at public launches, and on the district website—

www.districtofpowerslake.org

5-2020rev

POWERS LAKE 2024

Boating & Lake Rules Summary

HOURS & SPEED LIMITS

- SUNSET\* to 10:00 AM is always Slow-No-Wake.
- The speed limit is always Slow-No-Wake within 200 feet of the shoreline.
- The speed limit is always Slow-No-Wake within 100 feet of any other boat, marked swim area, raft, pier, buoyed area, or skin diver's flag.

\*Note: See Sunrise/Sunset schedule in the booklet of Wisconsin Boating Regulations supplied with your boat registration. Sunset does not mean "dark."

GENERAL MOTORBOAT OPERATION

- The traffic lane includes all waters of Powers Lake greater than 200 feet from the shoreline or as posted by navigation aids or identifying buoys.
- Operating a motorboat repeatedly in a circuitous course within 200 feet around any other watercraft or person swimming is prohibited.
- All boats operating from sunset to sunrise or when weather conditions require must use required lights.

AGE RESTRICTIONS (Motorboats & PWCs)

Who May Operate a Motorboat

- No one under the age of 10.
- 10 & 11 years may operate a motorboat (not a PWC) with parent or guardian on board.
- 12 to 15 years may operate a motorboat if, either:
  - Accompanied by a parent or guardian on board
  - or they have a Boating Safety Certificate.
- Anyone born on or after 1/1/89 and over 16 years old may operate a motorboat only if they have completed a DNR approved boating safety course.

Who May Operate a Personal Watercraft (PWC)

- No one under the age of 12
- Anyone born on or after 1/1/89 and over 12 years old may operate a PWC only if they have completed a boating safety course accepted by the DNR.

Boater Safety Certificate must be on board.

—continued on inside flap



## **BOATING SAFETY & BEST PRACTICES**

Get your boat on plane and up to speed.

Make sure your motors trim is 100% Down (If applicable)

### **EXAMPLE OF POOR BOAT DRIVING:**

- Limited visibility.
- Significantly larger wake.
- More likely to churn up lake bottom.
- **YOU ARE RESPONSIBLE FOR YOUR WAKE**



### **EXAMPLE OF GOOD BOAT DRIVING:**



- Improved visibility.
- Significantly smaller wake.
- Not as likely to churn up lake bottom.

**If everyone follows this simple BEST PRACTICE, we will all be MUCH safer and the lake will be less choppy.**



**Know  
your  
buoys**



**Shoal, Rock Bar, or other Hazard** — indicates a shallow area or submerged hazard in the vicinity. Buoy may be marking a single small hazard or a large area — up to a 100 foot radius around the buoy. Some hazard buoys are in groups to indicate a series of submerged hazards.



**Slow-No-Wake** — is defined as that speed at which a boat moves as slowly as possible while maintaining steerage control.

**Slow-No-Wake Bays** - marked bays.

**Swim Area** - no boats allowed within roped area. Slow-No-Wake within 100 feet of a marked swim area.

It is unlawful to move a buoy or moor a boat or raft to a buoy or its attached lines

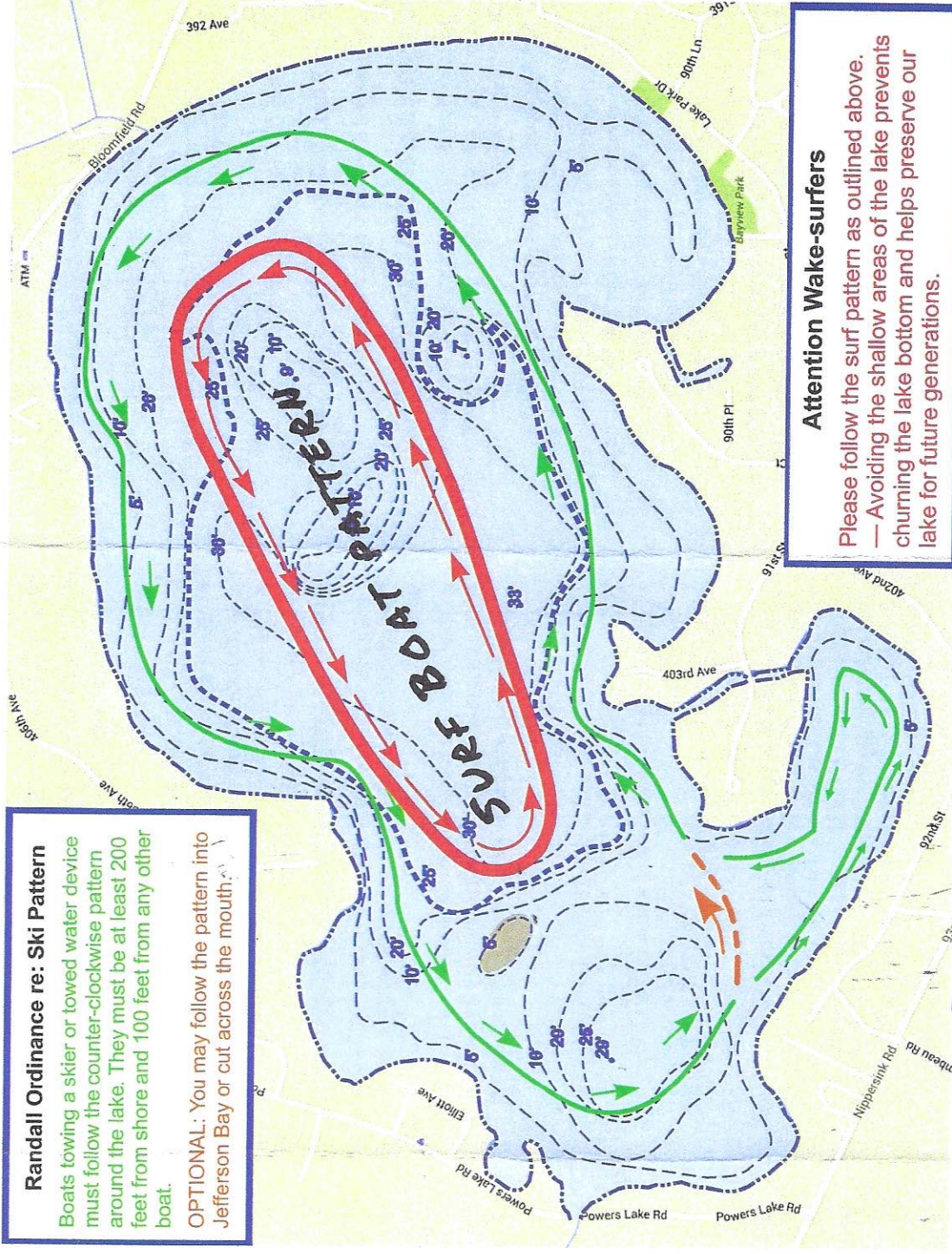


**Enjoy —  
Don't Destroy**

# Powers Lake Protection & Rehabilitation District

**Randall Ordinance re: Ski Pattern**  
Boats towing a skier or towed water device must follow the counter-clockwise pattern around the lake. They must be at least 200 feet from shore and 100 feet from any other boat.

**OPTIONAL:** You may follow the pattern into Jefferson Bay or cut across the mouth.



- There are sailboat races on weekends and as a courtesy, when feasible, we ask powerboaters to use common sense avoid interrupting the race.
  - **REMINDER: Sailboats ALWAYS have the Right of way, and YOU ARE responsible for your wake!**





# COMMON SENSE CAMPAIGN

Presented by

The District of Powers Lake in conjunction with

The Town of Randall and the Water Patrol

## Boating 101:

- Never operate your boat while under the influence of drugs or alcohol.
- Be sure to stay at least 200 feet from shore and 100 feet of another boat if you make a wake.
- Make sure you have enough life jackets.
- Make sure your boat meets all safety requirements (fire extinguisher, lights etc.).
- Make sure your boat is in good repair and is safe to operate.
- Make sure you know and understand the rules of the lakes/rivers you boat on.

**Be safe & smart! You are responsible for your occupants.**

## Be a Courteous / Conscientious Boater:

- Keep your stereo volume down.
- Avoid getting too close to other boats (especially fisherman & sailboats).
- Remember that sailors have the right of way.
- Avoid pulling skiers/tubers/wakeboarders near the sail boat races.
- Avoid anchoring or hanging out too close to peoples' shoreline or docks.
- If you are doing a leisurely cruise around the lake at no-wake speed, consider doing so along the lakeside of the SNW buoys to decrease the congestion in the traffic pattern. Thru traffic in the shore side SNW zone should be avoided.
- If you see debris floating in the water; stop, pick it up and dispose of it appropriately.

**If you see someone doing any of the above, hand them a copy of this Campaign and nicely ask them to be more considerate of others**

## Be a Good Neighbor

- Please use common sense when on the water and anchoring.
- Be respectful of your neighbors and their rights.
- Do not anchor too close to other people's piers/shoreline and certainly refrain from loud music, foul language, excessive drinking and littering.

**"Do unto others as you would have them do to you" is always a good motto to remind ourselves on what is acceptable behavior.**





### Respect the Traffic Lane:

- Remember that skiers and tubers need an unobstructed traffic lane for safety.
- Be cognizant of where you anchor to allow others to safely navigate the traffic lane.

If you see someone anchored in the traffic lane, hand them a copy of this Campaign and nicely ask them to relocate.

### Avoid Churning Up the Lake Bottom

- Never take a wakeboard boat with full ballasts into Jefferson or Honey Bear Bay.
- Avoid using the bays when there are low water conditions.
- Check behind you on occasion to see if your boat is churning up the lake bottom.
- If it is, then trim up your motor (if applicable) or move to deeper water before getting the boat on plane.
- If you have an inboard, make sure the water depth is sufficient before hitting the throttle to get on plane so that you do not tear up the lake bottom.

We need the plants and lake bottom to remain in a natural state to preserve the health of the lake ecosystem. This is especially important during times of low water and we suggest avoiding Jefferson Bay during those times.

### Pulling Skiers/Tubers/Wakeboarders

- Choose a quiet area of the lake to start out your beginners.
- Pick a quiet time to teach new skiers.
- Never follow too close to another boat pulling a skier/tuber/wake surfer.
- Remember, YOU are responsible for YOUR boat's wake and any damage or injury that comes from it.

Be safe & smart! You are responsible for your occupants and your boat's wake.

### Guests:

- Make sure your guests:
  - Understand the importance of safety.
  - Understand the rules of the lake.
  - Understand your liability as well as their own before you hand over the keys.
  - Are competent and certified to drive boats or personal watercraft (PWC).
  - It is the law in WI that anyone born on or after January 1, 1989 is required to complete a boating safety course to legally operate a motorized boat or personal watercraft (PWC) on Wisconsin waters.
  - Paddle Boarders MUST have a lifejacket.

There is no shame in making a rule that ALL of your guests must pass a boating certification course before you allow them to use your water toys. It makes us all safer and is very much appreciated. "It is better to be safe, than sorry"

## **GREEN GRASS VS A GREEN LAKE**

As mentioned at the onset, being a responsible lakefront property owner is very different than owning property in the city or suburbia.

**What you put on your lawn has a SIGNIFICANT impact on what ends up in the lake and what it does to the lake.**

Please remember to use **phosphorous free lawn fertilizer**.

Most soils in Wisconsin naturally provide all the phosphorus your established lawn needs. Much of the phosphorus (phosphate) you apply actually runs off the lawn before penetrating the soil. Runoff into our lake could contribute to algae bloom and undesirable aquatic plants. Check the second number on the package formula. 15—0—10, for example, means zero phosphate. The first number is the nitrogen content, the middle number is the phosphorus content, and the last number is the potassium content. Make sure the middle number on the bag is 0 indicating it is phosphorus free.

If you use a lawn service, ask your applicator service not to use phosphorus on your lawn. If they are unwilling to do this, contact another provider or consider applying the no-phosphorus fertilizer yourself.

## **LAKE ORGANIZATIONS**

The Powers Lake community has a variety of organizations that may be of interest to you. To learn more, check out their web pages:

**Powers Lake Yacht Club:** [www.powerslakeyachtclub.com](http://www.powerslakeyachtclub.com)

Powers Lake has a long history and tradition as a popular sailing lake. Sailors and non-sailors are welcome to join the club which offers social activities beyond sailing.

**Power Lake Surf Club:** [powerslakesurfclub@gmail.com](mailto:powerslakesurfclub@gmail.com)

Wake surfing has recently become very popular, and the Powers Lake Surf Club is active and growing. To learn more, check out their Facebook page.

**Powers Lake Sportsman Club:** [www.lakesportsmanclub.com](http://www.lakesportsmanclub.com)

Skeet and trap shooting are only minutes away and you can learn more by visiting their website.

**Lake Knolls Civic Association:** [www.powerslakeknolls.com](http://www.powerslakeknolls.com)

Wisconsin law governs the use of our lakes. Here is a useful link to more about boating in Wisconsin.  
<https://dnr.wisconsin.gov/topic/Boat>

It is noteworthy to understand that in addition to Wisconsin State boating laws, we are subject to the local boating ordinances of the Town of Randall which is commonly referred to Chapter 20. A copy is enclosed for your review.

The Town of Randall is responsible for local control and enforcement and employs water safety personnel on most weekends and sporadically during the week. We will occasionally see the Wisconsin DNR on the lake as well.



## CHAPTER 20

### WATER USE

20.01	Title/Purpose
20.02	Authority
20.03	Adoption of Ordinance
20.04	Applicability and Enforcement
20.05	State Statutes Adopted
20.06	General Boating Provisions
20.07	Miscellaneous water provisions
20.08	swimming Regulations
20.09	Water Skiing
20.10	Permit for Special Activity
20.11	Pollution/Littering provisions
20.12	General Artificial structure in water Provisions
20.13	water safety patrol, Markers and Navigation Aids
20.14	Repeal of conflicting Ordinances
20.15	separability
20.16	Money Deposits
20.17	Penalties

CHAPTER 20  
WATER USE ORDINANCE

20.01 Title/Purpose

This ordinance is entitled the Water Use Ordinance. The purpose of this ordinance relating to the boating and water code is to provide for the public health, safety and general welfare of all people for the enjoyment of aquatic recreation consistent with statutes of the State of Wisconsin and the rights of the public in interest of Powers Lake, Lake Benedict, and Lake Tombeau.

20.02 Authority

The Town Board has the specific statutory authority, powers and duties, pursuant to Chapter 30, (1991-1992) Wis. Stats., the specific sections noted in this ordinance and/or by its adoption of village powers under Sec. 60.10, (1991-1992) Wis. Stats., to regulate, control, license, register or permit persons engaged in certain uses, activities, businesses and operations, to assess these persons with appropriate fees for licenses, registrations or permits as noted herein and to enforce, by revocation or penalty, the provisions of these ordinances and the provisions of the licenses, registrations and permits. These ordinances related to boating, pursuant to Sec. 30.77 (1991-1992) Wis. Stats., must be submitted to the State Department of Natural Resources for advisory review at least sixty (60) days prior to final approval of these ordinances. These ordinances related to boating once adopted, pursuant to Sec. 30.77, (1991-1992) Wis. Stats., must be prominently posted and filed with the State Department of Natural Resources.

20.03 Adoption of ordinance

The Town Board has, by adoption of this ordinance, confirmed the specific statutory authority, powers and duties noted in the specific sections of this ordinance and has established by these sections and this ordinance license, registration and permit ordinances to regulate and control, by ordinance:

- (1) persons engaged in certain uses, activities, businesses and operations in the Town,
- (2) To regulate, by these licenses, registrations and permits, the persons engaged in these uses, activities, businesses and operations at certain locations within the Town,
- (3) To assess these persons with appropriate fees for the licenses, registrations or permits, and
- (4) To enforce, by revocation or penalty, the provisions these ordinances and the provisions of the license, registration and permits.

20.04 Applicability and Enforcement

- (1) The provisions of this ordinance are adopted in the interest of public health and safety and shall apply to persons, boats, watercraft and objects upon, in and under the waters of Powers Lake and Lake



Benedict within the jurisdiction of the Townships of Randall, Kenosha County, and Bloomfield, Walworth County, respectively, which are all of the townships having jurisdiction over the waters of said lakes and Lake Tombeau within the jurisdiction of the Town of Bloomfield, Walworth County, Wisconsin.

(2) Any reference in this chapter made to the word "lake" or "water" shall be construed also in the plural and shall apply to all of the lakes and waters within the territorial jurisdiction of the respective municipalities.

(3) The provisions of this chapter shall be enforced by the officers, employees and agents of the municipalities who are authorized to do so and they shall be properly designated as the Water Safety Patrol.

#### 20.05 State statutes Adopted

(1) Except where more stringent provisions of this chapter apply, the statutory provisions describing and defining regulations with respect to water traffic, boats, watercraft, boating and related activities in the following enumerated sections of the Wisconsin statutes, exclusive of any provisions therein relating to the penalties to be imposed or the punishment for violation of such statutes, are hereby adopted and by reference made a part of this chapter as if fully set forth herein:

- 30.50 (Definitions)
- 30.501 (capacity plates on boats)
- 30.51 (certificate of number and requirements; exemptions)
- 30.52 (certificate of number and application; certification period; fees; issuance)
- 30.523 (certification or registration card to be onboard; display of stickers or decals and identification number)
- 30.53 (certificate of origin; requirements; contents)
- 30.531 (certificate of title; requirements; exemptions)
- 30.533 (Application for certificate of title; hull and engine identification numbers)
- 30.539 (Contents of certificate of title)
- 30.54 (Lost, stolen or mutilated certificates)
- 30.541 (Transfers of boat titles)
- 30.543 (Report of stolen or abandoned boats)
- 30.544 (Inspection of boats purchased out-of-state)
- 30.549 (Transfer of ownership of boats with a certificate of title, certificate of number or registration)
- 30.55 (notice of abandonment or destruction of boat or change of address)
- 30.60 (Classification of motor boats)
- 30.61 (Lighting equipment)
- 30.62 (other equipment)
- 30.625 (Rental of personal watercraft)
- 30.63 (Sales and use of certain outboard motors restricted)
- 30.64 (Patrol Boats)
- 30.65 (Traffic rules)
- 30.66 (speed restrictions)
- 30.67 (Accidents and accident reports)
- 30.675 (Distress signal flag)

30.68 (Prohibited operation)  
30.681 (Intoxicated boating)  
30.682 (Preliminary breath screening test)  
30.683 (Implied consent)  
30.684 (Chemical tests)  
30.686 (Report arrests to department)  
30.687 (Officer's action after arrest for violating intoxicated  
boating law)  
30.69 (water skiing)  
30.70 (Skin diving)  
30.71 (Boats equipped with toilets)

(2) All rules and orders created by the Department of Natural Resources designated Chapter NR 5 of the Wisconsin Administrative Code, modifying or supplementing the foregoing provisions of the state law or which may be adopted or made in the future are hereby incorporated in and made a part of this ordinance by reference to the same as if they are or were to be set out herein verbatim.

(3) All deletions, additions and amendments which may be made to the sections of the State laws enumerated under subsection 20.05(1) above, are hereby adopted and incorporated herein by reference as of the time of their respective effective dates, as if they were to be set out herein verbatim.

## 20.06 General floating Provisions

### (1) Capacities

No person shall operate nor shall any owner of a boat Or watercraft allow a person to operate a boat or watercraft on the waters where the boat or watercraft leaves its docked location for operation on the waters with passengers in excess of the capacity recommended by the manufacturer of the boat or watercraft.

This section applies to vessels manufactured after January 1, 1966 and prior to November 1, 1972. All vessels manufactured after November 1, 1972, shall comply with appropriate federal regulations.

### (2) Horsepower

No person shall operate nor shall any owner of a boat or watercraft allow a person to operate a boat or watercraft on the waters where the boat or watercraft leaves its docked location on the waters for operation on the waters powered by a motor with horsepower in excess of the capacity recommended by the manufacturer of the boat or watercraft.

### (3) Traffic Lane

A traffic lane is hereby established on Powers Lake embracing the waters of said lake in its entirety, excepting that area between the shore and a line two hundred (200) feet in distance from and parallel to the shoreline or as posted by navigation aids or identifying buoys. A traffic lane is hereby established on Lake Benedict embracing the waters of said lake in its entirety, excepting that area between the shore and a line one hundred and fifty (150) feet



in distance from and parallel to the shoreline or as posted by navigation aids or identifying buoys.

(4) Speed Restriction

(a) No motorboat or watercraft shall be operated within the traffic lane at a speed greater than "slow-no-wake"<sup>1</sup> between the hours of sunset and 10 o'clock a.m.

(b) Outside the traffic lane, no motorboat or watercraft shall be operated at any time at a speed greater than "slow-no-wake".

(c) No person shall operate a motorboat or watercraft on the waters of the lakes at a speed greater than is reasonable and prudent under the conditions, and having regard for the actual and potential hazards then existing.

(d) Speed Exception

The speed limit set forth in this chapter shall not apply to Water safety Patrol watercraft Or other authorized Police patrol or emergency watercraft in situations involving emergencies, or while engaged in law enforcement, nor to boats participating in a duly authorized race, regatta or water ski meet duly authorized by a permit while operating in the designated area authorized by said permit.

(e) Slow No Wake

1. No watercraft shall be operated at a speed greater than slow-no-wake" at any time:

a. On Jefferson Bay when the water level of Powers Lake reaches a water elevation level of twenty four (24) inches as determined and calculated in accordance with subparagraph 2., below;

b. On Powers Lake, within 400 feet of the shore, when the water level on Powers Lake reaches a water elevation level of twenty (20) inches as determined and calculated in accordance with subparagraph 2., below.

c. On Lake Tombeau at any time.

2. There is a bench mark "x" chiseled square in the center of the east side of the bridge outlet on Powers Lake Road (County Trunk Highway "FF" which is at an assumed elevation of 100.00 according to the records on file with the Wisconsin Department of Natural Resources and specifically as designated on the lake survey map of Powers Lake dated May, 1960, revised July 1967. The water elevation level referred to in subparagraph 1. above shall mean that water elevation level in relation to and measured from the benchmark "x"<sup>1</sup> referred to in this section.

3. when the lake level elevation is at or greater than the water elevation level set forth in subparagraph 1., above,

the Town of Randall, in respect to Powers Lake and Lake Benedict, and the Town of Bloomfield, in respect to Lake Tombeau, shall cause a notice to be posted, at all public access points on the lake or lakes affected thereby stating that the "slow-no-wake" speed restriction is in effect. Notices shall be posted in conspicuous places at all public access points. Such notices shall be removed upon the lowering of the lake elevation level to a point below that in subparagraph 1., above.

#### 4. Slow-no-wake Defined

In this chapter, "slow-no-wake" means that speed at which a boat or watercraft moves as slowly as possible while still maintaining steerage control.

(f) No person may operate a boat at a speed in excess of slow-no-wake within 100 feet of any other boat. A "boat" is defined as every description of watercraft used or capable of being used as a means of transportation on water. (Created 10 Sept 1992)

#### (5) Mooring Lights

No person shall moor or anchor any boat, watercraft, raft, buoy or other floating object or permit the same to drift in the traffic lane between sunset and sunrise, unless there is prominently displayed a white light of sufficient size and brightness to be visible from any direction for a distance of two (2) miles on a dark night with clear atmosphere. This provision shall not apply to authorized structures within the pier head line nor to boats, watercraft or objects moored or anchored in mooring areas approved by the Town Board when the entire area is marked by lights or other markers.

#### (6) Mooring and Anchoring of Watercraft (Recreated 8 July 1999)

(a) No person shall operate or cause, allow or permit any person to operate a boat or watercraft on the waters where the boat or watercraft is moored or anchored at any private or public beach, park, landing, pier, raft or wharf without approval of the owner of the beach, park, landing, pier, raft or wharf. No watercraft or boat shall be moored or anchored at any private or public beach, park, landing, pier, raft, wharf or other location other than the landings, piers or wharves designated by the Town Board as public boat landing areas. This provision shall not apply in an emergency situation where the public health and public safety of persons on the boat or watercraft is in jeopardy.

(b) No person may moor or anchor or stop a boat or watercraft at or in or along any Town owned pier unless said person is the Lessee. This provision shall not apply in an emergency situation where the public health and public safety of persons on the boat or watercraft is in jeopardy.

#### (7) Unnecessary Horns and Whistles

No person shall cause, allow or permit any person to



unnecessarily sound a horn, whistle or other sound-producing device on any boat or watercraft while at anchor or underway on the waters . The use of any siren on any boat or watercraft on the water except duly authorized water safety patrol watercraft or other authorized police Patrol watercraft on patrol or on duty is prohibited.

(8) Circuitous Operation

No person shall operate repeatedly a motorboat on the waters in a circuitous course around any boat, watercraft or around any person swimming if such circuitous course is within two hundred (200) feet of such boat or watercraft or swimmer; nor shall any person or water-skier operate or approach closer than One hundred (100) feet to any skin-diver's flag or any swimmer unless the boat or watercraft is part of the skin-diving operation or is accompanying the swimmer or unless other conditions make compliance impossible

(9) Public Landings

The anchoring or mooring of any boat or watercraft in the waters within fifteen 15) feet of a public landing is prohibited except that boats may be tied to piers within such public landing areas upon approval of the Town Board.

(10) Swimming Areas

No person shall operate or cause, allow or permit any person to operate any boat or watercraft on the water marked by buoys or otherwise reserved and designated by the Town Board as areas for persons to swim.

(11) Secure Anchoring

No person shall anchor or cause, allow or permit any person to anchor any boat or watercraft on the water without causing such boat or watercraft to be at all times tied, secured and anchored with proper care and with proper equipment and in a manner to prevent the boat or watercraft from escaping moor or anchor

20.07 Miscellaneous Water Provisions

(1) Molesting or Destroying Aids to Navigation and Regulatory Markers

No person shall cause, allow or permit any person to move, remove, molest, tamper with, destroy, moor or fasten a boat or watercraft (except to mooring buoys) to any navigation aids or regulatory markers, signs or other devices established and maintained to aid boaters on the waters.

(2) Obstructions to Navigation

No person shall cause, allow or permit any person:

(a) To unlawfully obstruct any navigable waters and thereby impair the free navigation On the waters,

(b) To unlawfully place in navigable waters any substance that

may float into and obstruct any such waters or impede the free navigation on the waters.

(c) To construct or maintain in navigable waters any boom not authorized by law.

(d) To obstruct or interfere, by a watercraft or float, with free navigation of any river, canal, water channel or slip within the waters.

(3) Parasailing and Paragliding

No person shall engage in the activity known as parasailing or paragliding except as a special activity for which a permit has been obtained.

(4) Shooting of Projectiles Prohibited

No person by use of a contrivance or device, or otherwise in any manner, shall throw, propel, send forth or shoot any missile, projectile or object toward or in the direction of a person, boat, watercraft or other property.

(5) Ice Racing

No person shall conduct or participate in a race, rally, endurance contest or other competitive event involving the use of any motor driven device, which shall include, but not be limited to, automobiles, motorcycles, minibikes and snowmobiles, upon the ice covering the surface of Powers Lake, Lake Benedict and Lake Tombeau, which lakes are located in the Towns of Randall and Bloomfield except as a special activity for which a permit has been obtained.

(6) Driving Automobiles or other Motor-driven vehicle on the Ice

(a) No person shall use or operate any automobile or other motor-driven vehicle in any manner so as to endanger persons engaged in skating or in any other winter sport or recreational activity upon the ice, nor shall any person, while using or operating an automobile or motor-driven vehicle, tow, pull or push any person or persons on skates, sled, skis, toboggan, or device or thing of any kind designed or utilized to carry or support one or more persons.

(b) No person shall use or operate any automobile at a speed in excess of twenty (20) miles per hour on the ice -

(c) No person shall operate any aerodynamic propeller-driven vehicle, device or thing, whether or not designed for the transportation of a person or persons, on the ice of the waters.

(d) "Automobile" as used in this chapter shall be construed to mean all motor vehicles of the type and kind permitted to be operated on the highways in the state as defined in Sec 340.01(4) and 340~01(3S) (1991-1992) Wis. Stats.

(e) All traffic on the ice bound waters of the lakes shall be at the risk of the traveler as set forth in Sec. 30.81(3) (1991-1992), Wis.



Stats.

(7) Dilapidated structures

No person shall cause, allow or permit any person to maintain any dilapidated structure or building near the shores of the waters wherein such structure, due to its condition and proximity to shore, may be washed into the waters and which may hinder, obstruct or destroy navigation by boats or other watercraft in the waters. For purposes of this section, "near the shores" shall mean within twenty (20) feet from the shoreline (ordinary highwater mark) of the waters.

(8) Lakeside Park (Created 9 July 1999)

(a) No watercraft or boat is allowed to be placed or located at or on the shoreline of Powers Lake or on the waters of Powers Lake as located between Lakeside Park and the Town of Randall owned piers, except as provided in (b) below. The shoreline is defined as the intersection of the land surface abutting the water mark. The waters of Powers Lake is defined as that area of water located between the beach/swim area of Lakeside Park and the Town of Randall owned piers.

(b) No watercraft or boats, except rubber rafts under six (6) feet in length may be placed on the land surface of Lakeside Park.

20.08 Swimming Regulations

(1) Competent Persons; personal Flotation Devices; Distances from Boat

No operator of a boat or watercraft or any person within the boat or watercraft shall cause, allow or permit any person to swim, float, snorkel Or engage in other swimming operations on the waters from any boat Or watercraft on the waters except if the boat or watercraft is properly anchored and then only if the person remains within fifty (50) feet of the boat or watercraft during the swimming, floating, snorkeling or other swimming operations. said boat or watercraft shall be manned by a competent person. In addition, no person shall cause, allow or permit any 'person to swim, float, snorkel or engage in other swimming operations on the waters from any boat or watercraft unless the boat or watercraft is fully equipped with the proper amount and type of U.S. Coast Guard approved personal flotation equipment or devices to be used in water rescue emergency.

Exception: A person is permitted to swim in the traffic lane on the waters if the person is accompanied by a competent person in the boat or watercraft and swims within twenty five (2s) feet of said boat or watercraft.

(2) Distances Allowed when swimming

No person shall swim on Powers Lake more than one hundred (150) feet from the shore or more than fifty (50) feet from any pier, raft or wharf, unless within marked authorized areas. No person shall swim on

Lake Benedict more than one hundred (100) feet from the shoreline inclusive of any pier, raft, or wharf, unless within marked authorized areas.

(3) Time of Day for Swimming

No person shall swim in the water traffic lane between sunset and sunrise-

(4) scuba Diving

No person shall be engaged in scuba diving activities unless that person is certified or is under the direct supervision of a certified scuba diver. This section shall not apply to **rescue**, emergencies, or enforcement activities.

20.09 Water skiing

(1) Operators and Observers; Towlines

No person shall operate or cause, allow or permit any person to operate a boat or watercraft on the waters for the purpose of towing a person or persons on waterskis, aquaplanes or similar water recreation devices unless there are at least two (2) persons present in the boat or watercraft at the time of the towing operation, with one (1) person to operate the boat or watercraft and with one (1) competent person to observe the towed person. In addition, no person shall permit himself or herself to be towed by a boat or watercraft unless there are at least **two** (2) persons in the boat or watercraft at the time of the towing operation with One (1) person to operate the boat or watercraft and with one (1) competent person to observe the towed person.

(2) Prohibition as to Time of Day

No person shall operate a boat or watercraft for the purpose of towing a water skier or engage in water skiing between the hours of sunset and 10:00 a.m.

(3) Towlines and Personal Flotation Devices

No person shall operate a boat or watercraft with more than two (2) tow lines or allow more than one (1) person per tow line as a means of water-skiing or similar sport. An exception is allowed for two (2) person on one tow line while on devices designed for two person to be towed by a boat or watercraft. The persons being towed shall wear U. S. Coast Guard approved personal flotation devices, either of Type I, Type II, Type III or Type V while being towed.

(4) Direction of Travel

No operator of a boat or water craft and no person shall engage in water skiing, aquaplaning, or similar sport or activity outside of the traffic lane as defined in this Ordinance, and said persons must operate in a counterclockwise pattern in the traffic lane, as well as conform to all sections of this ordinance. A counterclockwise direction is determined by viewing the direction of the boat or



watercraft as that direction as viewed from a bird's-eye view of the entire lake.

(5) Length of Tow Rope

No person shall use any tow rope of more than one hundred (100) feet for purposes of water-skiing, aquaplaning, or similar activity. No operator of a boat or watercraft shall cause, allow or permit any person to be towed when the towed person is using a tow rope of more than one hundred (100) feet.

(6) Conformity

The operators of all boats or watercraft by means of which water skis, surfboards, aquaplanes or similar objects are being towed, and the riders of such objects, must conform to the same rules and clearances as provided in this chapter for motorboats or watercraft.

(7) Careful and Prudent Operation of person Towed

No person shall water-ski, aquaplane or engage in other similar water recreation operations on the waters in such an improper, careless, negligent or willful and wanton manner that in any way may endanger the health or safety of persons or property.

(8) Careful and Prudent Operation by Operator

No person shall operate or cause, allow or permit any person to operate a motorboat or watercraft on the waters having in tow a person on waterskis, aquaplane or similar water recreation device unless the person is operating the boat or watercraft in a careful and prudent manner and at a reasonable distance from person and property so as not to endanger the life or property of any person.

(9) Exceptions

The limitations of this section shall not apply to participants in ski meets or exhibitions authorized and conducted as provided in Section 20.10.

20.10

Permit for Special Activity

(1) Required Permits

No person shall conduct or participate in any motorboat race, motorboat regatta, water-ski meet, sailboat race, sailboat regatta or other water sporting event or exhibition unless such event has been authorized by the Town Board or their authorized agent and a permit issued.

(2) Issuance of Permits

A permit issued under this section shall specify the course or area of water to be used by participants in such event- Permits shall be issued only when, in the opinion of the respective Town Boards or their authorized agents, the proposed use of the water can be carried



out safely and without danger to or substantial obstruction of other watercraft or persons using the lake. Permits shall be valid only for the day or days and hours and areas specified thereon -

(3) Rights of Participants

watercraft and participants in any such permitted event shall have the right-of-way in the marked area.

20-11

Pollution/Littering Provisions

(1) Solid waste pollution

No person shall cause, allow or permit any person to discharge any solid waste or any other waste in any waters, on the ice of any waters or upon other public or private property adjacent to waterways - This provision does not apply to a person who deposits or discharges solid waste or any other waste in conformance with chapters 30, 31, 144, and 147, (1991-1992) Wis. Stats., or has a permit, license or other approval by the State Department of Natural Resources under these chapters.

(2) Motor vehicles and Watercraft Abandonment

Any person who has placed or who has cause, allowed or permitted any person to place any motor vehicle, boat, watercraft or other vehicle into the waters shall remove said motor vehicle, boat, watercraft or other vehicle from the waters within ten (10) days of the discharge, deposit, placement or abandonment of the motor vehicle, boat, watercraft or other vehicle into the waters.

(3) Solid Waste Discharge from watercraft

No person shall cause, allow or permit any person to deposit or discharge any solid waste or any other waste from any boat or watercraft into the waters, nor shall any person operating any boat or watercraft cause, allow or permit any such deposit or discharge into the waters.

(4) Solid Waste from Adjoining Land

No person shall cause, allow or permit any person to deposit or discharge or allow any such deposit or discharge of any solid waste or any other waste on land owned or occupied by that person wherein such solid waste or other waste will naturally flow or will, by aid of an artificial structure, flow into the waters or onto the ice of the waters -

(5) Overboard Discharge Inactivation

No boat or watercraft equipped with a means of discharging sewage directly from a toilet or holding tank into the water upon which the boat or watercraft is moored or is moved shall enter the lake until such means of discharge is inactivated. An owner or operator of a boat equipped with such means of discharge shall contact a representative of the Department of Natural Resources or a local law enforcement official with respect to inactivation before entering the lake. Overboard

discharge inactivation shall include as a minimum either disconnection of the toilet piping, removal of the pumping device, securely plugging the discharge outlet, sealing the toilet bowl, with wax or other method approved by the official contacted. The inspecting official shall provide the boat or watercraft owner or operator with a signed written statement as to the method of inactivation accepted. The owner or operator shall give information as to the lake he or she plans to navigate and as to the time of stay on such waters. (Pursuant to Wisconsin Administrative code Provisions, Ch. ILER S6.07.)

(6) Sanitation

No person shall deposit, place or throw away from the shore, boat, watercraft, raft, pier or platform or similar structure any cans, bottles, debris, refuse, garbage, solid or liquid waste, sewage or effluent into the waters of the lake or upon the ice when formed, or cause or permit the same to be done by any agent or employee.

20.12

General Artificial Structure in Water provisions

(1) Regulation of Artificial Structures, Rafts, Buoys~ platforms

No person shall cause, allow or permit any person to maintain rafts, buoys, platforms or any other artificial structure (other than a wharf or pier) in or upon waters of the lake of the Town without first obtaining a written permit from the Town Board or its agent having jurisdiction over the lake. This provision does not apply to those structures regulated by the Department of Natural Resources under chapter 30, (1991-1992) wis. stats

(a) Any person required to seek and obtain a permit under these provisions shall file an application with the Town Clerk. The application shall request, at minimum, the following information from the applicant;

1. The name of the applicant
2. The address of the applicant
2. The business and residential telephone number of the applicant
4. The age of the applicant
5. The type of proposed structure
6. The location of the proposed structure
7. The projected commencement and termination dates of the construction of the project
8. The design and dimension of the project with attached maps and diagrams, including the type and amount of construction material to be used. Such maps and diagrams shall include a scale drawing indicating the survey stakes nearest the lake, if possible, and the distances from such stakes to the proposed structure.

9. The height of the project above and below the water line
  10. The width of the project
  11. The permanency of the structure, including projected time period for removal, if any
  12. The purpose and uses of the structure, including estimated number of persons to use the structure at any one time
  13. The type and nature of the anchorage of the structure
  14. The safety equipment to be used in the structure, if any
- (b) The Town Board shall consider the following items in reaching its written determination and in reaching its decision to issue a permit, issue a permit upon conditions or deny the permit:
1. The interference with the public right to navigate in navigable waters
  - 2- The interference with the riparian rights of other riparian proprietors
  - 3- If a mooring buoy is involved;
    - a. The mooring buoy, on Powers Lake shall not be more than one hundred and fifty (150) feet from the shoreline (ordinary high water mark) and the mooring buoy, on Lake Benedict shall not be more than one hundred (100) feet from the shoreline (ordinary high water mark) -
    - b. such buoys shall be all white with a blue stripe midway between the top and the water-line. They will be spherical or ovate in shape with a minimum of eighteen (18) inches above the water-line.
    - c. There shall be only one mooring permit issued for the lake frontage of the riparian owner unless a variance is requested and subsequently granted by the Town Board.
    - d. There shall be no more than one boat or watercraft attached to a single mooring.
    - e. The mooring lines or chains shall not exceed in length more than three (3) times the depth of the water in which the boat or watercraft is moored.
  4. Whether there will be interference with other property, marked swimming areas, structures, piers, ramps, docks or wharves.
  5. If a raft or platform is involved:
    - a. The structure shall be so anchored so that at least twelve (12) inches of freeboard extends above the water line.



b. The structure shall be painted white or kept its original color if made of reflective aluminum. If not of either above mentioned configuration then a red reflector of not less than three (3) inches in diameter shall be attached thereto no more than twelve (12) inches from each corner or projection.

C. The structure shall be placed within the lot lines of the riparian owner.

d. The structure shall no be greater than one hundred (100) from the shoreline (ordinary high-water mark)

6. The Town Board within fifteen (15) days of receipt of the application for permit shall:

a. Review the application for permit

b. Personally inspect the subject premises or request the designee of the Town Board to inspect the premises if deemed an inspection is necessary

7. The Town Board within thirty (30) days of the receipt of the application for permit shall:

a. Provide a written determination whether the proposed structure or structures will be detrimental to the public health or safety, will constitute an unreasonable obstruction or interference of the waters or will cause injury to persons or damage to property

b. Issue the permit, issue the permit upon conditions or deny the permit

c. The permit, if issued by the Town Board, may be revoked or suspended by the Town Board at anytime for cause after a public hearing. The permittee shall be given ten (10) days written notice of the hearing.

d. Permits under this section shall be issued for a term, unless specifically otherwise noted in the permit, of three (3) years from the date of issuance and shall automatically renew from year to year unless revoked for cause as outlined in subsection C- above.

(2) Regulation of wharves and piers

No person shall cause, allow or permit any person to construct, place, extend or maintain any wharf or pier in the waters in the Town without first obtaining a written permit from the Town Board or its agent having jurisdiction over the lake. This provision does not apply to those piers or wharves regulated by the Department of Natural Resources under chapter 30, (1989-1990 wis. stats

(a) Any person required to seek and obtain a permit under these provisions shall file an application with the Town Clerk. The application shall request, at minimum, the following information from the applicant:

1. The name of the applicant
2. The address of the applicant
3. The business and residential telephone number of the applicant
4. The age of the applicant
5. The tax parcel number of the property
6. The location of the proposed pier or wharf
7. The design and dimension of the project with attached maps and diagrams, including the type and amount of construction material to be used- Such maps and drawings shall include a scale drawing indicating the survey stakes nearest the lake, if possible, and the distances from such stakes to the proposed structure.
8. The height of the project above the Water line
9. The estimated number of persons to use the pier or wharf at any one time
10. The type and nature of the anchorage of the structure
11. The safety equipment to be used in the structure, if any

(b.) The Town Board shall consider the following items in reaching its written determination and in reaching its decision to issue a permit, issue a permit upon conditions or deny the permit:

1. The interference with the public right to navigate in navigable waters
2. The interference with the riparian rights of other riparian proprietors
3. The structure shall extent not more than one hundred (100) feet from the shoreline (ordinary high-water mark) unless the person has a permit is issued by the Department of Natural Resources under Sec. 30,12, (1989-1990) Wis-Stats-
4. The structure shall not interfere with the

tree movement of water underneath the pier or wharf

5. The structure shall be placed within the lot lines of the riparian owner.

6. Whether the structure will create a public nuisance -

(c) The Town Board within fifteen (15) days of receipt of the application for permit shall:

1. Review the application for permit

2. Personally inspect the subject premises or request the Building Inspector of the Town to inspect the premises if deemed an inspection is necessary

(d) The Town Board within thirty (30) days of the receipt of the application for permit shall.

1. Provide a written determination whether the proposed structure or structures will be detrimental to the public health or safety, will constitute an unreasonable obstruction or interference of the waters or will cause injury to persons or damage to property

2. Issue the permit, issue the permit upon conditions or deny the permit

3. The permit, if issued by the Town Board, may be revoked or suspended by the Town Board at anytime for cause after a public hearing. The permittee and also the neighboring owners of abutting riparian lands shall be given ten (10) days written notice of the hearing.

4. Permits under this section shall be issued for a term, unless specifically otherwise noted in the permit, of three (3) years from the date of issuance and shall automatically renew from year to year thereafter unless revoked for cause as outlined in subsection 3. above.

(3) Location of wharves, Piers, Swimming Rafts and Structures Attached Thereto

(a) No wharf, pier, swimming raft, or any structure attached thereto, shall be located, built, constructed or maintained on a lot or parcel within a distance of twelve and one-half (12-1/2) feet from a riparian proprietor's property line where such property line intersects the shoreline, nor shall the above be located, built, constructed or maintained within a distance of twelve and one-half (12-1/2) feet from a



riparian proprietor's property line, as extended water ward from the shoreline. This restriction shall not apply to permissible preexisting wharves, piers, swimming rafts and structures attached thereto pursuant to the provisions in paragraph (3) (c) below.

(b) The provisions of chapter NR 326 of the Wisconsin Administrative code as amended from time to time shall apply in establishing the riparian proprietor's property line as extended water ward from the shoreline.

(c) A wharf, pier, swimming raft or structure attached thereto is a permissible preexisting wharf, pier, swimming raft or structure attached thereto, if it existed prior to January 1, 1993, if it is not extended or expanded after that date, and if the ownership of the land to which it is attached did not change after that date, except that a wharf, pier, swimming raft or structure attached thereto continues its status as a permissible preexisting wharf, pier, swimming raft or structure attached thereto for one year after the date of the change of ownership is recorded. The seasonal removal of a wharf, pier, swimming raft or structure attached thereto does not affect its status as a permissible preexisting wharf, pier, swimming raft or structure attached thereto if it is reestablished in substantially the same form. The owner of a wharf, pier, swimming raft or structure attached thereto may submit evidence to the Town Board that it is a permissible preexisting wharf, pier, swimming raft or structure attached thereto at any time after the effective date of this ordinance.

(4) Fire Lane Obstructed

No pier, wharf, raft, platform, mooring buoy, vehicle or other structure shall be placed in the waters located within the boundary of a designated fire lane unless so approved by the Town Board.

(5) Removal of Piers and Shore stations

All piers, their supports and all shore stations shall either be completely removed from the water by December 1st of each year, or allowed to remain completely intact in the water through the winter months. If left in the water after December 1st, the pier or shore station shall be marked by readily visible red reflective flags, spaced at intervals of not less than ten (10) feet, at a height of at least thirty (30) inches above the deck in such a manner as to give a warning to other users of the Lake. All buoys shall be removed from the water by December 1st of each year. Any pier, shore station or buoy removed from the water pursuant to this section may be replaced in the next year after the ice is out of the waters.

(6) Interference with Public Rights

No person shall cause, allow or permit any person to construct or

maintain any wharf, pier, beach, mooring or any other structure in the waters which interferes with the public right to navigate in navigable waters unless the person has a permit issued by the Department of Natural Resources under Sec. 30.12, (1991-1992) Wis. Stats.

(7) Interference with Riparian Rights

No person shall cause, allow, or permit any person to construct or maintain a wharf, pier, beach, mooring or any other structure which interferes with the riparian rights of other riparian proprietors on waters unless the person has a permit issued by the Department of Natural Resources under Sec. 30.12, (1985-1990) Wis. Stats.

(8) Removal of wharves and Piers in Navigable Waters

No person shall cause, allow or permit any person to maintain any wharf or pier in the waters if the wharf or pier is so old, dilapidated or is in such need of repair that it is dangerous, unsafe or unfit for use by the public. The Town Board may proceed under Sec. 66.0495, (1991-1992) Wis. Stats., or may proceed under chapter 823, (1991-1992) Wis. Stats.

20.13 Water safety Patrol, Markers and Navigation Aids

(1) Duty of chief of Water safety Patrol (Recreated 9 July 1999)

(a) The Chief of Water safety Patrol is authorized and directed to place and maintain suitable regulatory markers, navigation aids and signs, and waterway markers in such areas of the lake as shall be necessary under this ordinance, state law and state administrative code provisions, and to advise the public of the provisions of this ordinance and such state law and state administrative code provisions, and he or she shall post and maintain a copy of this ordinance at all public access points to the lake within the jurisdiction of the Town Board

(b) Water Safety patrol watercraft and authorized personnel of the Water Safety patrol when on duty, are exempt from provision of this instant chapter when said watercraft and personnel are used and employed in the lawful execution of their duties and responsibilities during the enforcement of this instant chapter

(2) Standard Markers

All buoys regulatory markers, aids to navigation or waterway markers shall conform to requirements of NR 5.09 Wisconsin Administrative Code and shall have affixed thereto such numbers as are assigned to them by the chief of the Water Safety Patrol; such numbers are to be located at least twelve (12) inches above the waterline.

(3) Interference with Markers

No person shall without authority, remove damage or destroy or moor or attach any watercraft to any buoy, beacon or marker placed in the waters of the lake by the authority of the United States, the State, municipality or by any private person pursuant to the provisions of this chapter -



#### 20.14 Repeal of conflicting Ordinances

Any ordinance conflicting with the provisions of this ordinance or any part thereof is hereby repealed.

#### 20.15 Separability

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional, by reason of any decision of any court of competent jurisdiction, such decision shall not affect the validity of any other section, subsection, sentence, clause, or phrase or portion thereof. The Town Board hereby adopting this ordinance declares that they would have passed this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions thereof may be declared invalid or unconstitutional.

#### 20.16 Money Deposits

(1) If a person is cited or arrested, the person may deposit the amount of money the enforcing officer directs by mailing the deposit and a copy of the citation to the office of the municipal court having jurisdiction or by going to the municipal court or the office of the Water safety Patrol.

(2) The person receiving the deposit shall prepare a receipt in triplicate showing the purpose for which the deposit is made, stating that the defendant may inquire at the office of the municipal court regarding the disposition of the deposit and notifying the defendant that if he or she fails to appear in court at the time fixed in the citation, he or she will be deemed to have tendered a plea of no contest and submitted to a forfeiture and a penalty assessment plus costs not to exceed the amount of the deposit which the court may accept. The original of the receipt shall be delivered to the defendant in person or by mail. If the defendant pays by check, the check shall be considered a receipt.

(3) If the court does not accept the deposit as a forfeiture for the offense, a summons shall be issued. If the defendant fails to respond to the summons, an arrest warrant shall be issued.

#### 20.17 Penalties

It

(1) The statutory provisions set forth in Sec. 30.80, (1991-1992) Wis. Stats., describing and defining penalties with respect to violations of the provisions of Sections 30.50 through 30.71, (1991-1992) Wis. Stats., as adopted by subsection 20.05(1) of this ordinance, are hereby adopted and by reference made a part of this chapter as if fully set forth herein.

(2) Any person who shall violate any provisions of this ordinance set forth in sections 20.01 through 20.13, inclusive, except as specified in paragraphs 20.17(1) of this subsection, shall, upon conviction thereof, forfeit not more than Fifty Dollars (\$50.00) for the first offense and not more than One Hundred Dollars (\$100.00) upon the



conviction of the same offense a second and subsequent time within one  
(1) year.