



TOWN OF HARTFORD, WISCONSIN

MUNICIPAL CODE

LAKES AND WATERS

ORDINANCE NUMBER: 11.00

RESOLUTION No.: N/A

EFFECTIVE: June 14, 1993

ACTION: NONE

REVIEWED/APPROVED BY:

Town Clerk Rebecca Schuster

PAGES:

5

I. CONTENTS

- 11.01 Applicability and Enforcement
- 11.02 State Boating and Water Safety Laws Adopted
- 11.03 Public Swimming Zones
- 11.04 Speed Restrictions
- 11.05 Additional Traffic Rules
- 11.06 Rafts and Structures
- 11.07 Swimming Regulations
- 11.08 Water Skiing, Surf Boards and Similar Devices
- 11.09 Race, Regatta, Sporting Event and Exhibition Permits
- 11.10 Littering of Waters Prohibited
- 11.11 Markers and Navigating Aids Required
- 11.12 Commercial Passenger Boats Prohibited
- 11.13 Subordinate Officers
- 11.14 Deposit Schedule
- 11.15 Penalties
- 11.16 Severability
- 11.17 Publication

II. ORDINANCES

11.01 APPLICABILITY AND ENFORCEMENT.

The provisions of this chapter shall apply to the waters and to persons, vessels, objects or things upon the waters of Pike Lake within the jurisdiction of the Town of Hartford as prescribed by the Department of Natural Resources, which waters are described as a meandered lake in Township 10 North Range 18 East, Town of Hartford, Washington County, Wisconsin. The provisions of this chapter shall be enforced by all officers of the Town.

11.02 STATE BOATING AND WATER SAFETY LAWS ADOPTED.

The statutory provisions describing and defining regulations with respect to water traffic, boats, boating and related water 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 said statutes, 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 the provisions of any statute incorporated by reference herein is required or prohibited by this chapter.

- 30.50 Definitions
- 30.51 Operations of Unnumbered Boats Prohibited
- 30.52 Certificate of Number

30.523	Identification Number to be Displayed on Boat: Certificate to be Carried
30.549(2)	Transfer of Ownership of Numbered Boat
30.55	Notice of Abandonment or Destruction of Boat or Change of Address.
30.60	Classification of Motor Boats
30.61	Lighting
30.62	Other Equipment
30.64	Patrol Boats Exempt from Certain Traffic Regulations
30.65	Traffic Rules
30.66	Speed Restrictions
30.67	Accidents and Accident Reports
30.68	Operation Prohibited
30.68(1)(a)	Operating While Under the Influence of an Intoxicant
30.681(1)(b)	Operating with Alcohol Concentration at or Above Specified Levels
30.684(5)	Refusal to Take Chemical Test
30.69	Water Skiing
30.70	Skin Diving
30.71	Boats Equipped with Toilets
30.74	Personal Watercraft Operators

11.03 PUBLIC SWIMMING ZONES.

- (1) All beaches used by the public shall be identified by markers placed by the owners of such beach. The marker size, design, placement and symbols are to be as prescribed by the Wis. Adm. Code NR 5.09.
- (2) No boat of any description shall be allowed in an area so marked.
- (3) Any person desiring to designate an area as a public swimming zone shall obtain a permit from the Town Board prior to the placement of the required markers.
- (4) This section does not apply in the case of an emergency, or to a patrol or rescue craft.

11.04 SPEED RESTRICTIONS.

- (1) *CREATING HAZARDOUS WAKE OR WASH.*
No person shall operate a motor boat so as to approach or pass another boat in such a manner as to create a hazardous wake or wash.
- (2) *HOURS.*
No person shall operate a motor boat at a speed in excess of a slow—no-wake speed between the hours of 8:00 P.M. or legal sunset, whichever comes sooner, and 10:00 A.M., except that on Saturdays and Sundays no person shall operate a motor boat at a speed in excess of slow-no-wake speed between the hours of 6:00 P.M. and 10:00 A.M.
- (3) *SLOW-NO-WAKE AREAS.*
No person shall operate a motor boat at a speed greater than slow—no-wake in areas which have been designated and posted for such speed with regulatory markers. The Town Board, in cooperation with the Pike Lake Protection District, may, from time to time, identify and have marked as slow-no-wake areas such portions of the lake in which, due to shallowness of water, vegetation growth, lake bottom conditions or other factors, the slow-no—wake speed restrictions should be imposed in order to

protect water quality or the health, safety and general welfare of lake users.

11.05 ADDITIONAL TRAFFIC RULES.

In addition to the traffic rules in §30.65, Wis. Stats., adopted in sec. 11.02 of this chapter, boats propelled by muscular power shall yield the right of way to sail boats when necessary to avoid risk or collision.

11.06 RAFTS AND STRUCTURES.

No person shall erect or maintain any raft or stationary structure outside of a public swimming zone unless the sides of any such raft or structure are painted white and it is so anchored that it has at least 12 inches of free board.

11.07 SWIMMING REGULATIONS.

(1) *DISTANCE FROM SHORE AND BOATS.*

No person shall swim more than 100 feet from the shore or more than 30 feet from an anchored raft unless he/ she is accompanied by a suitable boat.

(2) *HOURS LIMITED.*

No person shall swim more than 50 feet from the shoreline or a pier or more than 30 feet from an accompanying boat between one hour after legal sunset and one hour before legal sunrise.

11.08 WATER SKIING, SURF BOARDS AND SIMILAR DEVICES.

(1) *TOWING REQUIREMENTS.*

No person shall operate a boat for the purpose of towing a person on water skis, surf boards or similar devices or permit him/ herself to be towed for such purpose unless there are 2 persons in such boat.

(2) *HOURS.*

No person shall operate a boat for the purpose of towing a water skier, surf board or similar device between the hours of 8:00 P.M. or legal sunset, whichever comes first, and 10:00 A.M., except that on Saturdays and Sundays no person shall operate a boat for the purpose of towing a water skier, surf board, or similar device between the hours of 6:00 P.M. and 10:00 A.M.

(3) *LIFE PRESERVER REQUIRED.*

No person shall water-ski, aquaplane or otherwise be towed by a boat without wearing an approved U.S. Coast Guard-type life preserver.

(4) *PROHIBITED METHODS OF OPERATION.*

No person shall operate a boat for the purpose of towing a water skier, surf board or similar device within 100 feet of a canoe or anchored boat.

11.09 RACE, REGATTA, SPORTING EVENT AND EXHIBITION PERMITS.

(1) *REQUIRED.*

No person shall direct or participate in any public boat race, regatta, water ski meet or other water sporting event or exhibition unless such event has been authorized by the Town Board

and a permit issued therefor by the Chief of Police.

(2) *PROVISIONS.*

A permit issued under this section shall specify the course or area of water to be used by participants in such event and the permittee shall be required to place markers, flags or buoys approved by the Chief of Police designating the specified area. Permits shall be issued only if, in the opinion of the Chief of Police, the proposed use of the water can be carried out safely and without danger or substantial obstruction to other vessels or persons using the lake. Permits shall be valid only for the hours and area specified thereon. In the event that the Chief of Police denies a permit under this section, the applicant shall have the right to seek a review of the denial with the Town Board within 48 hours after said denial.

11.10 LITTERING OF WATERS PROHIBITED.

No person shall deposit, place or throw from any boat, raft, pier, platform or similar structure any cans, bottles, debris, refuse, garbage, solid or liquid waste into the waters of the lake.

11.11 MARKERS AND NAVIGATING AIDS REQUIRED.

(1) *DUTY OF CHIEF OF POLICE:*

The Chief of Police or their designee is authorized and directed to place and maintain suitable markers, navigation aids and signs in such areas of the lake as shall be appropriate to advise the public of the provisions of this chapter and to post and maintain a copy of this chapter at all public access points within the jurisdiction of the Town. Any person aggrieved by the placement of markers, aids or signs by the Chief of Police or their designee shall have the right to petition the Town Board for a review of the placement.

(2) *STANDARD MARKERS.*

All markers placed upon the waters of Pike Lake shall comply with the regulations of the Department of Natural Resources.

(3) *INTERFERENCE WITH MARKERS PROHIBITED.*

No person shall, without authority, remove, damage or destroy or moor or fasten, (except to mooring buoys) any water craft to any buoy, beacon) or marker placed in the waters of the lake by the authority of the United States, the State, or the Town or by any private person pursuant to the provisions of this chapter.

11.12 COMMERCIAL PASSENGER BOATS PROHIBITED.

No person shall operate a boat maintained for the purpose of carrying fare-paying passengers.

11.13 SUBORDINATE OFFICERS.

In the absence of the Chief of Police, any subordinate Police Officer may act in his/ her stead in every instance in this chapter.

11.14 DEPOSIT SCHEDULE.

Every police officer issuing a citation for violation of this chapter shall indicate on the citation the amount of the deposit, including the penalty assessment and court costs that the alleged violator may make in lieu of court appearance. The amount of the deposit shall be determined in accordance with the State of Wisconsin Revised Uniform Deposit and Bail Schedule for Conservation,

Boating, Snowmobile and ATV Violations, which is hereby adopted by reference and made a part thereof.

11.15 PENALTIES.

Any person violating the provisions of this chapter shall forfeit not more than \$350 for the first offense and shall forfeit not more than \$500 upon conviction of the same offense a second or subsequent time within one year.

11.16 SEVERABILITY.

If any provision of this chapter is determined to be invalid or unconstitutional, or if the application of this chapter to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality will not affect the other provisions or applications of this chapter which can be given effect aside from the invalid or unconstitutional provisions or application.

11.17 PUBLICATION.

This chapter shall, in accordance with §60.80(2), Wis. Stats., take effect the day after its publication as a Class I notice under Ch. 985, Wis. Stats.