

Town of Troy

Walworth County

N8870 Briggs Street

East Troy, Wisconsin 53120

CHAPTER 19

ORDINANCE NO. 2013-3

AMEND ORDINANCE 2012-04 TOWN OF TROY WATER TRAFFIC ORDINANCE TO ADOPT STATE STATUTE CHAPTER 30 NAVIGABLE WATERS, HARBORS AND NAVIGATION

- Section: 1. **Purpose** An Ordinance to regulate water traffic, boating and water sports upon the waters of Booth Lake and Lulu Lake, and prescribing penalties for violation thereof. The Town Board of the Town of Troy, Walworth County, Wisconsin do ordain as follows:
- Section 2. **Repeal**
Ordinance Number 2012-04, adopted on or about May 9, 2012, entitled "Chapter 19. Amend Ordinance 2001-04 Town of Troy Water Traffic Ordinance to Adopt State Statute Chapter 30 Navigable Waters, Harbors and Navigation" is hereby repealed.
- Section: 3. **Applicability and Enforcement**
(a) The provisions of this Ordinance shall apply to the waters of Town of Troy.
(b) This chapter shall be enforced by the officers of the Town of Troy.
- Section: 4. **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.
- Section: 5. **State Boating and Safety Laws Adopted**
State boating laws as found in Chapter 30, Wis. Stats., are adopted by reference in its entirety, along with applicable State Regulations, including NR5, NR5.001 to NR5.19, NR5.19, NR5.22.
- Section: 6. **Additional Definitions.**
In this ordinance:
(a) "Person" means an individual, firm, partnership, corporation or any other association partnership, corporation or any other association or individuals organized together or any purpose whatsoever.
(b) "Slow-no-wake" is defined as the slowest speed required to maintain steerage.
(c) "Traffic Lane" means that part of a lake lying more than 150 feet from the shore, or from any dock, raft, pier.
(d) "Commercial passenger boat" means any boat for hire to carry fare paying passengers.

Section: 7. **Additional Speed Restrictions**

In addition to the speed restrictions in Chapter 30, (30.66), no person shall operate a motorboat at a speed in excess of the following:

- (a) From 7:00 p.m. to 10:00 a.m. slow-no-wake
- (b) Except in the traffic lane, slow-no-wake
- (c) On all of Lulu Lake Slow-no-wake
- (d) All motor traffic traveling faster than slow-no-wake shall operate in a counterclockwise direction.

Section: 8. **Water Skiing**

(a) No motor boat operator shall tow more than one water skier, aquaplane or similar device nor shall any water skier, aquaplane or similar device allow themselves to be towed by any motor boat already towing one water skier, aquaplane or similar device, except however, the towing of two skiers, aquaplane or similar devices shall be allowed on Mondays through Fridays, excepting legal holidays.

(b) In water skiing, aquaplaning or similar devices, both boat and water skier, aquaplane or similar devices shall at all times remain in the traffic lane.

(c) No person shall operate a boat for the purpose of towing a water skier, aquaplane or similar device, or engage in water skiing or aquaplaning or similar devices at any time between the hours of 7:00 p.m. and 10:00 a.m.

(d) No person shall water ski, aquaplane or similar device in a marked weed bed or fish spawning area.

Section: 9. **Power Loading Prohibited.**

The practice of "power loading" or using a boat's motor to power a boat onto a trailer at any public landing or private landing on Booth Lake and Lulu Lake is prohibited.

Section: 10. **Penalties**

(a) Wisconsin state boating penalties as found in Wis. Stat. 30.80, and deposits as established in the Uniform Deposits and Bail Schedule established by the Wisconsin Judicial Conference, are hereby adopted by reference and all references to fines amended to forfeitures and all references to imprisonment deleted.

(b) In addition to, and not to the prejudice or exclusion of such other penalties as may apply by law, any person violating Section 7, Section 8 or Section 9 of this ordinance shall forfeit not more than \$50.00 (plus court cost) for the first offense and shall forfeit no more than \$100.00 (plus court cost) upon conviction of the same offense a 2nd or subsequent time within one year.

Section: 11. **Severability**

The provisions of this ordinance shall be deemed severable and it is expressly declared that the Town Board would have passed the other provisions of this ordinance irrespective 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 circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected.

Section: 12. **Effective Date**

This section will become effective upon passage and the day after publication.

Passed this 13th day of November, 2013.

TOWN OF TROY

John Kendall
John Kendall, Chairperson

ATTEST:

Michele Stute
Michele Stute, Clerk/Treasurer

Published and/or posted this 18th day of November, 2013
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