

A Sole Ordinance to Regulate Boating Upon the Water of Diamond Lake, Town of Grand View, Wisconsin and Prescribing Penalties for Violation Thereof.

The Town Board of the Town of Grand View does ordain as follows:

Section 1 - Applicability and Enforcement: The provisions of this Ordinance shall apply to the waters of Diamond Lake, Town of Grand View, Bayfield County, Wisconsin (WBIC: 2897100). This chapter shall be enforced by the officers of the **(County/City/Village/Town Board/governing agency)**.

Section 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, to minimize shoreline erosion, prevent the spread of aquatic invasive species, minimize underwater disturbance of the littoral area, enhance safety of other watercraft, swimmers and protection of waterfront property from damage caused large wakes.

Section 3 - State Boating and Safety Laws Adopted: State boating laws as found in ss. 30.50 to 30.71, Wis. Stats., are adopted by reference here.

Section 4 – Penalties: Wisconsin state boating penalties as found in s. 30.80, Wis. Stats., and deposits established in the Uniform Deposit and Bail Schedule established by the Wisconsin Judicial Conferences, are hereby adopted by reference and all references to fines amended to forfeitures and all references to imprisonment are deleted.

Section 5 – 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 6 – Definitions:

“Ballast Tank” means both integrated and non-integrated tanks, bags and similar containers that hold water in a boat that are designed or used to alter the profile of a motorboat in the water. A ballast tank does not include a live well, cooler or similar device that is designed to hold fish, bait, or liquids for the consumption by occupants.

“Elevated wake” means a trail of disturbed water left by the passage of a motorboat that exceeds 10 inches in height when measured at a distance of 100 feet or more from the stern of the motorboat.

“Motorboat” has the meaning provided in s. 30.50(6), Wis. Stats.

“Waterskiing” means a boat towing a person using water skis, wakeboard, aquaplane, or similar device where the continued towing of the participant is required to sustain forward momentum of the participant. Waterskiing is typically done with a boat on plane and at higher speeds than Wake Surfing.

“Wake surfing” means surfing the wave created by a boat where the surfing can be sustained without a rope by riding the pocket of the wave. Presence of a rope alone does not convert wake surfing to waterskiing.

Section 7 – Wake Surfing: No person shall wake surf or operate any motorboat in such a manner designed to allow a person to wake surf. This Ordinance does not restrict Waterskiing.

Section 8 – Elevated Wake Prohibited: No person shall operate a motorboat on Diamond Lake in a manner that creates an elevated wake except for the shortest possible distance when transitioning from slow-no-wake speed to a greater operating speed.

Section 9 – Wake Enhancement Prohibited: No person shall operate a motorboat on Diamond Lake in a manner that is designed to increase the size of the sustained wake trailing the motorboat through the use of ballast, mechanical hydrofoil(s), or uneven loading.

Section 10 – Use of Ballast Tanks Prohibited: Any motorboat with ballast tanks shall not use the ballast tanks while on Diamond Lake and shall maintain any such tanks in a completely dry state.

Section 11- Posting Requirements: The Town Board shall place and maintain a synopsis of this ordinance at all public access points within the jurisdiction of the Town pursuant to the requirements of NR 5.15, Wis. Adm. Code.

Section 12 - Effective Date: This section will become effective upon its passage.

Passed this _____ day of _____, _____