

Chapter 82

BOATING

[HISTORY: Adopted by the Town Board of the Town of Summit as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Parks — See Ch. 174.

ARTICLE I

Use and Operation of Motor Boats [Adopted 12-3-1992 by Ord. No. 182]

§ 82-1. Applicability; enforcement officers. [Amended 4-1-1993 by Ord. No. 181]

- A. The provisions of this article shall apply to the waters of Lower Nemahbin, Lower Genesee, Middle Genesee, Crooked Lake, Duck Lake, Waterville Lake, Lake Laura, Bowron Lake and Egg Lake, within the jurisdiction of the Town of Summit.
- B. The provisions of this article shall be enforced by the officers of the Water Safety Patrol Unit and police of the jurisdiction of the Town of Summit.

§ 82-2. State boating and water safety laws adopted.

- A. Except as otherwise specifically provided in this article, the current and future statutory provisions describing and defining regulations with respect to water traffic, boats, boating, and related water activities in §§ 30.50 up to and including 30.71, Wis. Stats., 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 article as if fully set forth herein. Any act required to be performed or prohibited by any current or future statute incorporated herein by reference is required or prohibited by this article. Any further additions, amendments, revisions or modifications of the statute incorporated herein are intended to be made part of this article in order to secure uniform statewide regulation of the waterways of the state.
- B. All rules and orders created by the Wisconsin Department of Natural Resources, modifying or supplementing the foregoing provisions of state law or which may be adopted or made in the future, are hereby incorporated in and made a part of this article by deferring to the same as if they are or were to be set out herein verbatim.

§ 82-3. Speed restrictions.

- A. No motor boat shall be operated on Lake Laura, Egg Lake, or Duck Lake at any time at a speed in excess of slow — no-wake.

- B. No motor boat shall be operated on Lower Nemahbin, Lower Genesee, Middle Genesee, Crooked Lake, Waterville Lake or Bowron Lake from sunset until sunrise at a speed in excess of slow — no-wake. [Amended 4-1-1993 by Ord. No. 181]

§ 82-4. Swimming regulations.

No person, unless said person is engaging in activities and subject to the provisions of § 30.70, Wis. Stats., entitled "Skin Diving," shall:

- A. Swim from any unmanned boat, unless such boat is anchored; or
- B. Swim more than 150 feet from the shoreline unless in a designated swimming zone or unless accompanied by a competent person in a boat; or
- C. Swim more than 150 feet from the shoreline between sunset and sunrise.

§ 82-5. Local regulation on icebound inland waters.

- A. No person shall operate or park or permit, authorize, direct or control the operation or parking of or ride as a passenger on any motorized vehicle or motor-driven vehicle, including but not limited to motor vehicles, snowmobiles, or all-terrain vehicles, on the ice on any portion of the aforementioned lakes.
- B. The Chief of Police of the Town of Summit, upon application to him and payment of a license fee established by the Town Board, being satisfied that ice conditions do and will permit operation of a motorized vehicle or motor-driven vehicle upon a designated portion of the lake without material risk or hazard, may issue a written permit expiring within 24 hours after issuance authorizing operation of a motorized vehicle or motor-driven vehicle on the lake for particular purposes to be specified in such permit. Said particular purposes shall be limited to snowplowing of a portion of the lake for an ice skating rink, transporting of property to an island or conducting official lake studies. No such permit shall authorize speed or acrobatic contests, exhibitions or performances; racing; fishing; nor shall any such permit authorize joyriding, sightseeing or any other activity not deemed necessary by the Chief of Police.

§ 82-6. Violations and penalties.

- A. State boating and water safety laws and all other violations as set forth in § 82-2 of this article. Any forfeiture for violation of the state statute, rule or order adopted by reference in § 82-2 of this article shall conform to the forfeiture permitted to be imposed for violation of such statutes as set forth in the Uniform Wisconsin Deposit and Bail Schedule for Conservation, Boating, Snowmobile and ATV Violations, including any variations or increases for subsequent offenses, which schedule is adopted by reference.
- B. Violation of local boating laws as set forth in §§ 82-3, 82-4 and 82-5 of this article shall be subject to the penalties set forth in Chapter 1, General Provisions, Article I,

Penalties, of the Code of the Town of Summit.¹

§ 82-7. Enforcement.

- A. Enforcement procedure. The statutory provisions of §§ 66.0109, 66.0113, 66.0114, 30.29, 30.50 to 30.71, and Ch. 799, Wis. Stats., are adopted and by reference made a part of this article as if fully set herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this article. Any future additions, amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this article in order to secure uniform statewide regulation and enforcement of boating ordinance violations. Further, the Town of Summit specifically elects to use the citation method of enforcement.
- B. Deposits.
- (1) Schedule of deposits. The schedule of cash deposits shall be as follows:
 - (a) § 82-2: Applicable sections of Uniform Wisconsin Deposit and Bail Schedule for Conservation, Boating, Snowmobile and ATV Violations plus current assessment fees and current court costs if applicable.
 - (b) §§ 82-3, 82-4 and 82-5: \$50 plus court costs and assessments plus current assessment fees and current court costs if applicable.
 - (2) Deposit for repeat offenses. Any person found guilty of violating this article or any part thereof who was previously convicted of violating the same section within the last year shall forfeit twice the deposit delineated above plus court costs and penalty assessment.²
 - (3) Nonscheduled deposit. If a deposit schedule has not been established for a specific violation, the arresting officer shall require the alleged offender to deposit not less than the maximum forfeiture permitted hereunder.
 - (4) Depository. Deposits should be made in cash, money order, or certified check to the Clerk of Municipal Court, who shall issue a receipt therefor as required by Wisconsin statute. If the deposit is mailed, the signed statement required by Wisconsin statute shall be mailed with the deposit.
- C. Nonexclusivity.
- (1) Other ordinances. Adoption of this article does not preclude the Town Board from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or other matter.
 - (2) Other remedies. The issuance of a citation hereunder shall not preclude the Town Board or any authorized office from proceedings under any other ordinance of law or by any other enforcement method to enforce any

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

ordinance, regulation or order.

ARTICLE II
Upper Nashotah Lake
[Adopted 12-3-1992 by Ord. No. 180]

§ 82-8. Applicability; enforcement officers.

- A. The provisions of this article shall apply to the waters of Upper Nashotah Lake, within the jurisdiction of the Town of Summit and the City of Delafield.
- B. The provisions of this article shall be enforced by the officers of the Water Safety Patrol Unit and police of the jurisdiction of the Town of Summit.

§ 82-9. State boating and water safety laws adopted.

- A. Except as otherwise specifically provided in this article, the current and future statutory provisions describing and defining regulations with respect to water traffic, boats, boating, and related water activities in §§ 30.50 up to and including 30.71, Wis. Stats., 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 article as if fully set forth herein. Any act required to be performed or prohibited by any current or future statute incorporated herein by reference is required or prohibited by this article. Any further additions, amendments, revisions or modifications of the statute incorporated herein are intended to be made part of this article in order to secure uniform statewide regulation of the waterways of the state.
- B. All rules and orders created by the Wisconsin Department of Natural Resources, modifying or supplementing the foregoing provisions of state law or which may be adopted or made in the future, are hereby incorporated in and made a part of this article by deferring to the same as if they are or were to be set out herein verbatim.

§ 82-10. Speed restrictions.

No motor boat shall be operated on Upper Nashotah Lake from sunset until sunrise at a speed in excess of slow — no-wake.

§ 82-11. Swimming regulations.

No person, unless said person is engaging in activities and subject to the provisions of § 30.70, Wis. Stats., entitled "Skin Diving," shall:

- A. Swim from any unmanned boat, unless such boat is anchored; or
- B. Swim more than 150 feet from the shoreline unless in a designated swimming zone or unless accompanied by a competent person in a boat; or
- C. Swim more than 150 feet from the shoreline between sunset and sunrise.

§ 82-12. Local regulation on icebound inland waters.

- A. No person shall operate or park or permit, authorize, direct or control the operation or parking of or ride as a passenger on any motorized vehicle or motor-driven vehicle, including but not limited to motor vehicles, snowmobiles, or all-terrain vehicles, on the ice on any portion of Upper Nashotah Lake.
- B. The Chief of Police of the Town of Summit, upon application to him and payment of a license fee established by the Town Board, being satisfied that ice conditions do and will permit operation of a motorized vehicle or motor-driven vehicle upon a designated portion of the lake without material risk or hazard, may issue a written permit expiring within 24 hours after issuance authorizing operation of a motorized vehicle or motor-driven vehicle on the lake for particular purposes to be specified in such permit. Said particular purposes shall be limited to snowplowing of a portion of the lake for an ice skating rink, transporting of property to an island or conducting official lake studies. No such permit shall authorize speed or acrobatic contests, exhibitions or performances; racing; fishing; nor shall any such permit authorize joyriding, sightseeing or any other activity not deemed necessary by the Chief of Police.

§ 82-13. Violations and penalties.

- A. State Boating and Water Safety Laws and all other violations as set forth in § 82-9 of this article. Any forfeiture for violation of the State statute, rule or order adopted by reference in § 82-9 of this article shall conform to the forfeiture permitted to be imposed for violation of such statutes as set forth in the Uniform Wisconsin Deposit and Bail Schedule for Conservation, Boating, Snowmobile and ATV Violations, including any variations or increases for subsequent offenses, which schedule is adopted by reference.
- B. Violation of local boating laws as set forth in §§ 82-10, 82-11 and 82-12 of this article shall be subject to the penalties set forth in Chapter 1, General Provisions, Article I, Penalties, of the Code of the Town of Summit.³

§ 82-14. Enforcement.

- A. Enforcement procedure. The statutory provisions of §§ 66.0109, 66.0113, 66.0114, 30.29, 30.50 to 30.71, and Ch. 799, Wis. Stats., are adopted and by reference made a part of this article as if fully set herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this article. Any future additions, amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this article in order to secure uniform statewide regulation and enforcement of boating ordinance violations. Further, the Town of Summit and the City of Delafield specifically elect to use the citation method of enforcement.
- B. Deposits.

- (1) Schedule of deposits. The schedule of cash deposits shall be as follows:

³. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

- (a) § 82-9: Applicable sections of Uniform Wisconsin Deposit and Bail Schedule for Conservation, Boating, Snowmobile and ATV Violations plus current assessment fees and current court costs if applicable.
 - (b) §§ 82-10, 82-11 and 82-12: \$50 plus court costs and assessments plus current assessment fees and current court costs if applicable.
- (2) Deposit for repeat offenses. Any person found guilty of violating this article or any part thereof who was previously convicted of violating the same section within the last year shall forfeit twice the deposit delineated above plus court costs and penalty assessment.⁴
 - (3) Nonscheduled deposit. If a deposit schedule has not been established for a specific violation, the arresting officer shall require the alleged offender to deposit not less than the maximum forfeiture permitted hereunder.
 - (4) Depository. Deposits should be made in cash, money order, or certified check to the Clerk of Municipal Court, who shall issue a receipt therefor as required by Wisconsin statute. If the deposit is mailed, the signed statement required by Wisconsin statute shall be mailed with the deposit.

C. Nonexclusivity.

- (1) Other ordinances. Adoption of this article does not preclude the Town Board or Common Council from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or other matter.
- (2) Other remedies. The issuance of a citation hereunder shall not preclude the Town Board or Common Council or any authorized office from proceedings under any other ordinance of law or by any other enforcement method to enforce any ordinance, regulation or order.

ARTICLE III

Golden Lake

[Adopted 12-3-1992 by Ord. No. 183]

§ 82-15. Applicability; enforcement officers.

- A. The provisions of this article shall apply to the waters of Golden Lake, within the jurisdiction of the Town of Summit and the Town of Concord.
- B. The provisions of this article shall be enforced by the officers of the Water Safety Patrol Unit and police of the jurisdiction of the Town of Summit.

§ 82-16. State boating and water safety laws adopted.

- A. Except as otherwise specifically provided in this article, the current and future statutory provisions describing and defining regulations with respect to water

⁴. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

traffic, boats, boating, and related water activities in §§ 30.50 up to and including 30.71, Wis. Stats., 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 article as if fully set forth herein. Any act required to be performed or prohibited by any current or future statute incorporated herein by reference is required or prohibited by this article. Any further additions, amendments, revisions or modifications of the statute incorporated herein are intended to be made part of this article in order to secure uniform statewide regulation of the waterways of the state.

- B. All rules and orders created by the Wisconsin Department of Natural Resources, modifying or supplementing the foregoing provisions of state law or which may be adopted or made in the future, are hereby incorporated in and made a part of this article by deferring to the same as if they are or were to be set out herein verbatim.

§ 82-17. Speed restrictions.

No motor boat shall be operated on Golden Lake from sunset until sunrise at a speed in excess of slow — no-wake.

§ 82-18. Swimming regulations.

No person, unless said person is engaging in activities and subject to the provisions of § 30.70, Wis. Stats., entitled "Skin Diving," shall:

- A. Swim from any unmanned boat, unless such boat is anchored; or
- B. Swim more than 150 feet from the shoreline unless in a designated swimming zone or unless accompanied by a competent person in a boat; or
- C. Swim more than 150 feet from the shoreline between sunset and sunrise.

§ 82-19. No-wake requirement.

A No-Wake Law shall be in effect on Golden Lake on Saturdays, Sundays and all legal holidays between 12:00 noon and 4:00 p.m.

§ 82-20. Motor vehicles on Golden Lake when icebound.

No person shall operate or park or permit to be operated or parked any motorized vehicle as defined by Ch. 340, Wis. Stats., excluding snowmobiles or all-terrain vehicles (ATV) as defined by state statute, on the ice of Golden Lake.

§ 82-21. Violations and penalties.

- A. State boating and water safety laws and all other violations as set forth in § 82-16 of this article. Any forfeiture for violation of the state statute, rule or order adopted by reference in § 82-16 of this article shall conform to the forfeiture permitted to be imposed for violation of such statutes as set forth in the Uniform Wisconsin Deposit and Bail Schedule for Conservation, Boating, Snowmobile and ATV Violations,

including any variations or increases for subsequent offenses, which schedule is adopted by reference.

- B. Violation of local boating laws as set forth in §§ 82-17, 82-18, 82-19 and 82-20 of this article shall be subject to the penalties set forth in Chapter 1, General Provisions, Article I, Penalties, of the Code of the Town of Summit.⁵

§ 82-22. Enforcement.

- A. Enforcement procedure. The statutory provisions of §§ 66.0109, 66.0113, 66.0114, 30.29, 30.50 to 30.71, and Ch. 799, Wis. Stats., are adopted and by reference made a part of this article as if fully set herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this article. Any future additions, amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this article in order to secure uniform statewide regulation and enforcement of boating ordinance violations. Further, the Town of Summit and the Town of Concord specifically elect to use the citation method of enforcement.
- B. Deposits.
 - (1) Schedule of deposits. The schedule of cash deposits shall be as follows:
 - (a) § 82-16: Applicable sections of Uniform Wisconsin Deposit and Bail Schedule for Conservation, Boating, Snowmobile and ATV Violations plus current assessment fees and current court costs if applicable.
 - (b) §§ 82-17, 82-18, 82-19 and 82-20: \$50 plus court costs and assessments plus current assessment fees and current court costs if applicable.
 - (2) Deposit for repeat offenses. Any person found guilty of violating this article or any part thereof who was previously convicted of violating the same section within the last year shall forfeit twice the deposit delineated above plus court costs and penalty assessment.⁶
 - (3) Nonscheduled deposit. If a deposit schedule has not been established for a specific violation, the arresting officer shall require the alleged offender to deposit not less than the maximum forfeiture permitted hereunder.
 - (4) Depository. Deposits should be made in cash, money order, or certified check to the Clerk of Municipal Court, who shall issue a receipt therefor as required by Wisconsin statute. If the deposit is mailed, the signed statement required by Wisconsin statute shall be mailed with the deposit.
- C. Nonexclusivity.
 - (1) Other ordinances. Adoption of this article does not preclude the Town Boards from adopting any other ordinance or providing for the enforcement of any

⁵. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

⁶. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

other law or ordinance relating to the same or other matter.

- (2) Other remedies. The issuance of a citation hereunder shall not preclude the Town Boards or any authorized office from proceedings under any other ordinance of law or by any other enforcement method to enforce any ordinance, regulation or order.

ARTICLE IV
Upper Genesee Lake
[Adopted 12-3-1992 by Ord. No. 184]

§ 82-23. Applicability; enforcement officers.

- A. The provisions of this article shall apply to the waters of Upper Genesee Lake, within the jurisdiction of the Town of Summit.
- B. The provisions of this article shall be enforced by the officers of the Water Safety Patrol Unit and police of the jurisdiction of the Town of Summit.

§ 82-24. State boating and water safety laws adopted.

- A. Except as otherwise specifically provided in this article, the current and future statutory provisions describing and defining regulations with respect to water traffic, boats, boating, and related water activities in §§ 30.50 up to and including 30.71, Wis. Stats., 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 article as if fully set forth herein. Any act required to be performed or prohibited by any current or future statute incorporated herein by reference is required or prohibited by this article. Any further additions, amendments, revisions or modifications of the statute incorporated herein are intended to be made part of this article in order to secure uniform statewide regulation of the waterways of the state.
- B. All rules and orders created by the Wisconsin Department of Natural Resources, modifying or supplementing the foregoing provisions of state law or which may be adopted or made in the future, are hereby incorporated in and made a part of this article by deferring to the same as if they are or were to be set out herein verbatim.

§ 82-25. Speed restrictions.

No motor boat shall be operated on Upper Genesee Lake at any time at a speed in excess of slow — no-wake.

§ 82-26. Swimming regulations.

No person, unless said person is engaging in activities and subject to the provisions of § 30.70, Wis. Stats., entitled "Skin Diving," shall:

- A. Swim from any unmanned boat, unless such boat is anchored; or
- B. Swim more than 150 feet from the shoreline unless in a designated swimming zone

or unless accompanied by a competent person in a boat; or

- C. Swim more than 150 feet from the shoreline between sunset and sunrise.

§ 82-27. Gasoline-powered motors prohibited.

No gasoline-powered motors shall be operated on Upper Genesee Lake.

§ 82-28. Local regulation on icebound inland waters.

- A. No person shall operate or park or permit, authorize, direct or control the operation or parking of or ride as a passenger on any motorized vehicle or motor-driven vehicle, including but not limited to motor vehicles, snowmobiles, or all-terrain vehicles, on the ice on any portion of Upper Genesee Lake.
- B. The Chief of Police of the Town of Summit, upon application to him and payment of a license fee established by the Town Board, being satisfied that ice conditions do and will permit operation of a motorized vehicle or motor-driven vehicle upon a designated portion of the lake without material risk or hazard, may issue a written permit expiring within 24 hours after issuance authorizing operation of a motorized vehicle or motor-driven vehicle on the lake for particular purposes to be specified in such permit. Said particular purposes shall be limited to snowplowing of a portion of the lake for an ice skating rink, transporting of property to an island or conducting official lake studies. No such permit shall authorize speed or acrobatic contests, exhibitions or performances; racing; fishing; nor shall any such permit authorize joyriding, sightseeing or any other activity not deemed necessary by the Chief of Police.

§ 82-29. Violations and penalties.

- A. State boating and water safety laws and all other violations as set forth in § 82-24 of this article. Any forfeiture for violation of the State statute, rule or order adopted by reference in § 82-24 of this article shall conform to the forfeiture permitted to be imposed for violation of such statutes as set forth in the Uniform Wisconsin Deposit and Bail Schedule for Conservation, Boating, Snowmobile and ATV Violations, including any variations or increases for subsequent offenses, which schedule is adopted by reference.
- B. Violation of local boating laws as set forth in §§ 82-25, 82-26, 82-27 and 82-28 of this article shall be subject to the penalties set forth in Chapter 1, General Provisions, Article I, Penalties, of the Code of the Town of Summit.⁷

§ 82-30. Enforcement.

- A. Enforcement procedure. The statutory provisions of §§ 66.0109, 66.0113, 66.0114, 30.29, 30.50 to 30.71, and Ch. 799, Wis. Stats., are adopted and by reference made a part of this article as if fully set herein. Any act required to be performed or

⁷. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

prohibited by any statute incorporated herein by reference is required or prohibited by this article. Any future additions, amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this article in order to secure uniform statewide regulation and enforcement of boating ordinance violations. Further, the Town of Summit specifically elects to use the citation method of enforcement.

B. Deposits.

- (1) Schedule of deposits. The schedule of cash deposits shall be as follows:
 - (a) § 82-24: Applicable sections of Uniform Wisconsin Deposit and Bail Schedule for Conservation, Boating, Snowmobile and ATV Violations plus current assessment fees and current court costs if applicable.
 - (b) §§ 82-25, 82-26, 82-27 and 82-28: \$50 plus court costs and assessments plus current assessment fees and current court costs if applicable.
- (2) Deposit for repeat offenses. Any person found guilty of violating this article or any part thereof who was previously convicted of violating the same section within the last year shall forfeit twice the deposit delineated above plus court costs and penalty assessment.⁸
- (3) Nonscheduled deposit. If a deposit schedule has not been established for a specific violation, the arresting officer shall require the alleged offender to deposit not less than the maximum forfeiture permitted hereunder.
- (4) Depository. Deposits should be made in cash, money order, or certified check to the Clerk of Municipal Court, who shall issue a receipt therefor as required by Wisconsin statute. If the deposit is mailed, the signed statement required by Wisconsin statute shall be mailed with the deposit.

C. Nonexclusivity.

- (1) Other ordinances. Adoption of this article does not preclude the Town Board from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or other matter.
- (2) Other remedies. The issuance of a citation hereunder shall not preclude the Town Board or any authorized office from proceedings under any other ordinance of law or by any other enforcement method to enforce any ordinance, regulation or order.

ARTICLE V
Lower Nashotah Lake
[Adopted 12-3-1992 by Ord. No. 185]

§ 82-31. Applicability; enforcement officers.

⁸. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

- A. The provisions of this article shall apply to the waters of Lower Nashotah Lake, within the jurisdiction of the Town of Summit.
- B. The provisions of this article shall be enforced by the officers of the Water Safety Patrol Unit and police of the jurisdiction of the Town of Summit.

§ 82-32. State boating and water safety laws adopted.

- A. Except as otherwise specifically provided in this article, the current and future statutory provisions describing and defining regulations with respect to water traffic, boats, boating, and related water activities in §§ 30.50 up to and including 30.71, Wis. Stats., 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 article as if fully set forth herein. Any act required to be performed or prohibited by any current or future statute incorporated herein by reference is required or prohibited by this article. Any further additions, amendments, revisions or modifications of the statute incorporated herein are intended to be made part of this article in order to secure uniform statewide regulation of the waterways of the state.
- B. All rules and orders created by the Wisconsin Department of Natural Resources, modifying or supplementing the foregoing provisions of state law or which may be adopted or made in the future, are hereby incorporated in and made a part of this article by deferring to the same as if they are or were to be set out herein verbatim.

§ 82-33. Speed restrictions.

No motor boat shall be operated on Lower Nashotah Lake from sunset until sunrise at a speed in excess of slow — no-wake.

§ 82-34. Swimming regulations.

No person, unless said person is engaging in activities and subject to the provisions of § 30.70, Wis. Stats., entitled "Skin Diving," shall:

- A. Swim from any unmanned boat, unless such boat is anchored; or
- B. Swim more than 150 feet from the shoreline unless in a designated swimming zone or unless accompanied by a competent person in a boat; or
- C. Swim more than 150 feet from the shoreline between sunset and sunrise.

§ 82-35. Water skiing hours.

Water skiing shall be prohibited on the waters of Lower Nashotah Lake between the hours of 2:00 p.m. and 5:00 p.m. on Saturdays, Sundays and all legal holidays.

§ 82-36. No-wake requirement.

A No Wake Law shall be in effect on Lower Nashotah Lake on Saturdays, Sundays and

all legal holidays between 2:00 p.m. and 5:00 p.m.

§ 82-37. Local regulation on icebound inland waters.

- A. No person shall operate or park or permit, authorize, direct or control the operation or parking of or ride as a passenger on any motorized vehicle or motor-driven vehicle, including but not limited to motor vehicles, snowmobiles, or all-terrain vehicles, on the ice on any portion of Lower Nashotah Lake.
- B. The Chief of Police of the Town of Summit, upon application to him and payment of a license fee established by the Town Board, being satisfied that ice conditions do and will permit operation of a motorized vehicle or motor-driven vehicle upon a designated portion of the lake without material risk or hazard, may issue a written permit expiring within 24 hours after issuance authorizing operation of a motorized vehicle or motor-driven vehicle on the lake for particular purposes to be specified in such permit. Said particular purposes shall be limited to snowplowing of a portion of the lake for an ice skating rink, transporting of property to an island or conducting official lake studies. No such permit shall authorize speed or acrobatic contests, exhibitions or performances; racing; fishing; nor shall any such permit authorize joyriding, sightseeing or any other activity not deemed necessary by the Chief of Police.

§ 82-38. Violations and penalties.

- A. State boating and water safety laws and all other violations as set forth in § 82-32 of this article. Any forfeiture for violation of the state statute, rule or order adopted by reference in § 82-32 of this article shall conform to the forfeiture permitted to be imposed for violation of such statutes as set forth in the Uniform Wisconsin Deposit and Bail Schedule for Conservation, Boating, Snowmobile and ATV Violations, including any variations or increases for subsequent offenses, which schedule is adopted by reference.
- B. Violation of local boating laws as set forth in §§ 82-33, 82-34, 82-35, 82-36 and 82-37 of this article shall be subject to the penalties set forth in Chapter 1, General Provisions, Article I, Penalties, of the Code of the Town of Summit.⁹

§ 82-39. Enforcement.

- A. Enforcement procedure. The statutory provisions of §§ 66.0109, 66.0113, 66.0114, 30.29, 30.50 to 30.71, and Ch. 799, Wis. Stats., are adopted and by reference made a part of this article as if fully set herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this article. Any future additions, amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this article in order to secure uniform statewide regulation and enforcement of boating ordinance violations. Further, the Town of Summit specifically elects to use the citation

⁹. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

method of enforcement.

B. Deposits.

- (1) Schedule of deposits. The schedule of cash deposits shall be as follows:
 - (a) § 82-32: Applicable sections of Uniform Wisconsin Deposit and Bail Schedule for Conservation, Boating, Snowmobile and ATV Violations plus current assessment fees and current court costs if applicable.
 - (b) §§ 82-33, 82-34, 82-35, 82-36 and 82-37: \$50 plus court costs and assessments plus current assessment fees and current court costs if applicable.
- (2) Deposit for repeat offenses. Any person found guilty of violating this article or any part thereof who was previously convicted of violating the same section within the last year shall forfeit twice the deposit delineated above plus court costs and penalty assessment.¹⁰
- (3) Nonscheduled deposit. If a deposit schedule has not been established for a specific violation, the arresting officer shall require the alleged offender to deposit not less than the maximum forfeiture permitted hereunder.
- (4) Depository. Deposits should be made in cash, money order, or certified check to the Clerk of Municipal Court, who shall issue a receipt therefor as required by Wisconsin statute. If the deposit is mailed, the signed statement required by Wisconsin statute shall be mailed with the deposit.

C. Nonexclusivity.

- (1) Other ordinances. Adoption of this article does not preclude the Town Board from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or other matter.
- (2) Other remedies. The issuance of a citation hereunder shall not preclude the Town Board or any authorized office from proceedings under any other ordinance of law or by any other enforcement method to enforce any ordinance, regulation or order.

ARTICLE VI

Silver Lake

[Adopted 12-3-1992 by Ord. No. 186]

§ 82-40. Applicability; enforcement officers.

- A. The provisions of this article shall apply to the waters of Silver Lake, within the jurisdiction of the Town of Summit and the City of Oconomowoc.
- B. The provisions of this article shall be enforced by the officers of the Water Safety Patrol Unit and police of the jurisdiction of the Town of Summit.

10. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

§ 82-41. State boating and water safety laws adopted.

- A. Except as otherwise specifically provided in this article, the current and future statutory provisions describing and defining regulations with respect to water traffic, boats, boating, and related water activities in §§ 30.50 up to and including 30.71, Wis. Stats., 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 article as if fully set forth herein. Any act required to be performed or prohibited by any current or future statute incorporated herein by reference is required or prohibited by this article. Any further additions, amendments, revisions or modifications of the statute incorporated herein are intended to be made part of this article in order to secure uniform statewide regulation of the waterways of the state.
- B. All rules and orders created by the Wisconsin Department of Natural Resources, modifying or supplementing the foregoing provisions of state law or which may be adopted or made in the future, are hereby incorporated in and made a part of this article by deferring to the same as if they are or were to be set out herein verbatim.

§ 82-42. Speed restrictions.

No motor boat shall be operated on Silver Lake from sunset until sunrise at a speed in excess of slow — no-wake.

§ 82-43. Swimming regulations.

No person, unless said person is engaging in activities and subject to the provisions of § 30.70, Wis. Stats., entitled "Skin Diving," shall:

- A. Swim from any unmanned boat, unless such boat is anchored; or
- B. Swim more than 150 feet from the shoreline unless in a designated swimming zone or unless accompanied by a competent person in a boat; or
- C. Swim more than 150 feet from the shoreline between sunset and sunrise.

§ 82-44. Violations and penalties.

- A. State boating and water safety laws and all other violations as set forth in § 82-41 of this article. Any forfeiture for violation of the State statute, rule or order adopted by reference in § 82-41 of this article shall conform to the forfeiture permitted to be imposed for violation of such statutes as set forth in the Uniform Wisconsin Deposit and Bail Schedule for Conservation, Boating, Snowmobile and ATV Violations, including any variations or increases for subsequent offenses, which schedule is adopted by reference.
- B. Violation of local boating laws as set forth in §§ 82-42 and 82-43 of this article shall be subject to the penalties set forth in Chapter 1, General Provisions, Article I,

Penalties, of the Code of the Town of Summit.¹¹

§ 82-45. Enforcement.

- A. Enforcement procedure. The statutory provisions of §§ 66.0109, 66.0113, 66.0114, 30.29, 30.50 to 30.71, and Ch. 799, Wis. Stats., are adopted and by reference made a part of this article as if fully set herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this article. Any future additions, amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this article in order to secure uniform statewide regulation and enforcement of boating ordinance violations. Further, the Town of Summit and the City of Oconomowoc specifically elect to use the citation method of enforcement.
- B. Deposits.
- (1) Schedule of deposits. The schedule of cash deposits shall be as follows:
 - (a) § 82-41: Applicable sections of Uniform Wisconsin Deposit and Bail Schedule for Conservation, Boating, Snowmobile and ATV Violations plus current assessment fees and current court costs if applicable.
 - (b) §§ 82-42 and 82-43: \$50 plus court costs and assessments plus current assessment fees and current court costs if applicable.
 - (2) Deposit for repeat offenses. Any person found guilty of violating this article or any part thereof who was previously convicted of violating the same section within the last year shall forfeit twice the deposit delineated above plus court costs and penalty assessment.¹²
 - (3) Nonscheduled deposit. If a deposit schedule has not been established for a specific violation, the arresting officer shall require the alleged offender to deposit not less than the maximum forfeiture permitted hereunder.
 - (4) Depository. Deposits should be made in cash, money order, or certified check to the Clerk of Municipal Court, who shall issue a receipt therefor as required by Wisconsin statute. If the deposit is mailed, the signed statement required by Wisconsin statute shall be mailed with the deposit.
- C. Nonexclusivity.
- (1) Other ordinances. Adoption of this article does not preclude the Town Board or Common Council from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or other matter.
 - (2) Other remedies. The issuance of a citation hereunder shall not preclude the Town Board or Common Council or any authorized office from proceedings

11. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

12. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

under any other ordinance of law or by any other enforcement method to enforce any ordinance, regulation or order.

ARTICLE VII
Upper Nemahbin Lake
[Adopted 4-1-1993 by Ord. No. 181]

§ 82-46. Applicability; enforcement officers; intent.

- A. The provisions of this article shall apply to the waters of Upper Nemahbin Lake within the jurisdiction of the Town of Summit.
- B. The provisions of this article shall be enforced by the officers of the Water Safety Patrol Unit and police of the jurisdiction of the Town of Summit.
- C. The intent of this article is to provide safe and healthful conditions for the enjoyment of aquatic recreation consistent with public rights and interest, and the capability of the water resources.

§ 82-47. State boating and water safety laws adopted.

- A. Except as otherwise specifically provided in this article, the current and future statutory provisions describing and defining regulations with respect to water traffic, boats, boating, and related water activities in §§ 30.50 up to and including 30.71, Wis. Stats., 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 article as if fully set forth herein. Any act required to be performed or prohibited by any current or future statute incorporated herein by reference is required or prohibited by this article. Any further additions, amendments, revisions or modifications of the statute incorporated herein are intended to be made part of this article in order to secure uniform statewide regulation of the waterways of the state.
- B. All rules and orders created by the Wisconsin Department of Natural Resources, modifying or supplementing the foregoing provisions of state law or which may be adopted or made in the future, are hereby incorporated in and made a part of this article by deferring to the same as if they are or were to be set out herein verbatim.

§ 82-48. Speed restrictions.

- A. No motorboat shall be operated on Upper Nemahbin Lake from sunrise until sunset at a speed in excess of 45 miles per hour unless otherwise further restricted by this article or state statute.
- B. No motorboat shall be operated on Upper Nemahbin Lake on Sundays and Wisconsin statutory legal holidays between the hours of 12:00 noon and 3:00 p.m. local time, at a speed in excess of slow — no-wake. "Slow — no-wake" means operating a motorboat at a speed no faster than needed to maintain steerage.
- C. No motorboat shall be operated on Upper Nemahbin Lake from sunset until sunrise

at a speed in excess of slow — no-wake.

§ 82-49. Swimming regulations.

No person, unless said person is engaging in activities and subject to the provisions of § 30.70, Wis. Stats., entitled "Skin Diving," shall:

- A. Swim from any unmanned boat, unless such boat is anchored; or
- B. Swim more than 150 feet from the shoreline unless it is a designated swimming zone or unless accompanied by a competent person in a boat; or
- C. Swim more than 150 feet from the shoreline between sunset and sunrise.

§ 82-50. Local regulation on icebound inland waters.

- A. No person shall operate or park or permit, authorize, direct or control the operation or parking of or ride as a passenger on any motorized vehicle or motor-driven vehicle, including but not limited to motor vehicles, snowmobiles, or all-terrain vehicles, on the ice on any portion of Upper Nemahbin Lake.
- B. The Chief of Police of the Town of Summit, upon application to him and payment of a license fee established by the Town Board, being satisfied that ice conditions do and will permit operation of a motorized vehicle or motor-driven vehicle upon a designated portion of the lake without material risk or hazard, may issue a written permit expiring within 24 hours after issuance authorizing operation of a motorized vehicle or motor-driven vehicle on the lake for particular purposes to be specified in such permit. Said particular purposes shall be limited to snowplowing of a portion of the lake for an ice skating rink, transporting of property to an island or conducting official lake studies. No such permit shall authorize speed or acrobatic contests, exhibitions or performances; racing; fishing; nor shall any such permit authorize joyriding, sightseeing or any other activity not deemed necessary by the Chief of Police.

§ 82-51. Violations and penalties.

- A. State boating and water safety laws and all other violations as set forth in § 82-47 of this article. Any forfeiture for violation of the State statute, rule or order adopted by reference in § 82-47 of this article shall conform to the forfeiture permitted to be imposed for violation of such statutes as set forth in the Uniform Wisconsin Deposit and Bail Schedule for Conservation, Boating, Snowmobile and ATV Violations, including any variations or increases for subsequent offenses, which schedule is adopted by reference.
- B. Violation of local boating laws as set forth in §§ 82-48, 82-49 and 82-50 of this article shall be subject to the penalties set forth in Chapter 1, General Provisions, Article I, Penalties, of the Code of the Town of Summit.¹³

13. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

§ 82-52. Enforcement.

- A. Enforcement procedure. The statute provisions of §§ 66.0109, 66.0113, 66.0114, and 30.50 to 30.71, Wis. Stats., are adopted and by reference made a part of this article as if fully set herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this article. Any future additions, amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this article in order to secure uniform statewide regulation and enforcement of boating ordinance violations. Further, the Town of Summit specifically elects to use the citation method of enforcement.
- B. Deposits.
- (1) Schedule of deposits. The schedule of cash deposits shall be as follows:
 - (a) § 82-47: Applicable sections of Uniform Wisconsin Deposit and Bail Schedule for Conservation, Boating, Snowmobile and ATV Violations plus current assessment fees and current court costs if applicable.
 - (b) §§ 82-48, 82-49 and 82-50: \$50 plus court costs and assessments plus current assessment fees and current court costs if applicable.
 - (2) Deposit for repeat offenses. Any person found guilty of violating this article or any part thereof who was previously convicted of violating the same section within the last year shall forfeit twice the deposit delineated above plus court costs and penalty assessment.¹⁴
 - (3) Nonscheduled deposit. If a deposit schedule has not been established for a specific violation, the arresting officer shall require the alleged offender to deposit not less than the maximum forfeiture permitted hereunder.
 - (4) Depository. Deposits should be made in cash, money order, or certified check to the Clerk of Municipal Court, who shall issue a receipt therefor as required by Wisconsin statute. If the deposit is mailed, the signed statement required by Wisconsin statute shall be mailed with the deposit.
- C. Nonexclusivity.
- (1) Other ordinances. Adoption of this article does not preclude the Town Board from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or other matter.
 - (2) Other remedies. The issuance of a citation hereunder shall not preclude the Town Board or any authorized office from proceedings under any other ordinance of law or by any other enforcement method to enforce any ordinance, regulation or order.

ARTICLE VIII

¹⁴. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

Henrietta Lake and Utica Lake
[Adopted 7-1-1993 by Ord. No. 187]

§ 82-53. Applicability; enforcement officers.

- A. The provisions of this article shall apply to the waters of Henrietta Lake and Utica Lake, within the jurisdiction of the Town of Summit and the Town of Ottawa.
- B. The provisions of this article shall be enforced by the officers of the Water Safety Patrol Unit and police of the jurisdiction of the Town of Summit.

§ 82-54. State boating and water safety laws adopted.

- A. Except as otherwise specifically provided in this article, the current and future statutory provisions describing and defining regulations with respect to water traffic, boats, boating, and related water activities in §§ 30.50 up to and including 30.71, Wis. Stats., 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 article as if fully set forth herein. Any act required to be performed or prohibited by any current or future statute incorporated herein by reference is required or prohibited by this article. Any further additions, amendments, revisions or modifications of the statute incorporated herein are intended to be made part of this article in order to secure uniform statewide regulation of the waterways of the state.
- B. All rules and orders created by the Wisconsin Department of Natural Resources, modifying or supplementing the foregoing provisions of state law or which may be adopted or made in the future, are hereby incorporated in and made a part of this article by deferring to the same as if they are or were to be set out herein verbatim.

§ 82-55. Speed restrictions.

No motor boat shall be operated on Henrietta Lake and Utica Lake at any time at a speed in excess of slow — no-wake.

§ 82-56. Swimming regulations.

No person, unless said person is engaging in activities and subject to the provisions of § 30.70, Wis. Stats., entitled "Skin Diving," shall:

- A. Swim from any unmanned boat, unless such boat is anchored; or
- B. Swim more than 150 feet from the shoreline unless in a designated swimming zone or unless accompanied by a competent person in a boat; or
- C. Swim more than 150 feet from the shoreline between sunset and sunrise.

§ 82-57. Violations and penalties.

- A. State boating and water safety laws and all other violations as set forth in § 82-54 of this article. Any forfeiture for violation of the State statute, rule or order adopted by

reference in 82-54 of this article shall conform to the forfeiture permitted to be imposed for violation of such statutes as set forth in the Uniform Wisconsin Deposit and Bail Schedule for Conservation, Boating, Snowmobile and ATV Violations, including any variations or increases for subsequent offenses, which schedule is adopted by reference.

- B. Violation of local boating laws as set forth in §§ 82-55 and 82-56 of this article shall be subject to the penalties set forth in Chapter 1, General Provisions, Article I, Penalties, of the Code of the Town of Summit.¹⁵

§ 82-58. Enforcement.

- A. Enforcement procedure. The statutory provisions of §§ 66.0109, 66.0113, 66.0114, 30.29, 30.50 to 30.71, and Ch. 799, Wis. Stats., are adopted and by reference made a part of this article as if fully set herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this article. Any future additions, amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this article in order to secure uniform statewide regulation and enforcement of boating ordinance violations. Further, the Town of Summit and the Town of Ottawa specifically elect to use the citation method of enforcement.
- B. Deposits.
 - (1) Schedule of deposits. The schedule of cash deposits shall be as follows:
 - (a) § 82-54: Applicable sections of Uniform Wisconsin Deposit and Bail Schedule for Conservation, Boating, Snowmobile and ATV Violations plus current assessment fees and current court costs if applicable.
 - (b) §§ 82-55 and 82-56: \$50 plus court costs and assessments plus current assessment fees and current court costs if applicable.
 - (2) Deposit for repeat offenses. Any person found guilty of violating this article or any part thereof who was previously convicted of violating the same section within the last year shall forfeit twice the deposit delineated above plus court costs and penalty assessment.¹⁶
 - (3) Nonscheduled deposit. If a deposit schedule has not been established for a specific violation, the arresting officer shall require the alleged offender to deposit not less than the maximum forfeiture permitted hereunder.
 - (4) Depository. Deposits should be made in cash, money order, or certified check to the Clerk of Municipal Court, who shall issue a receipt therefor as required by Wisconsin statute. If the deposit is mailed, the signed statement required by Wisconsin statute shall be mailed with the deposit.

15. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

16. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

C. Nonexclusivity.

- (1) Other ordinances. Adoption of this article does not preclude the Town Boards from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or other matter.
- (2) Other remedies. The issuance of a citation hereunder shall not preclude the Town Boards or any authorized office from proceedings under any other ordinance of law or by any other enforcement method to enforce any ordinance, regulation or order.

ARTICLE IX

Slow — No-Wake Restrictions

[Adopted 3-1-2001 by Ord. No. 01-235]

§ 82-59. Applicability; enforcement officers.

- A. The provisions of this article shall apply to the waters of Lower Nashotah Lake, Upper Nemahbin Lake, Lower Nemahbin Lake, and Crooked Lake in the Town of Summit, Waukesha County.
- B. This article shall be enforced by the Town Police Chief of the Town of Summit, Waukesha County, or his or her designee.

§ 82-60. Speed restrictions.

"Slow — no-wake" restriction during high-water periods. When the waters of Lower Nashotah Lake, Upper Nemahbin Lake, Lower Nemahbin Lake and/or Crooked Lake reach the level of 871.3 as posted on the Interstate 94 bridge pier west of the water channel between Upper and Lower Nemahbin Lakes, the lakes are considered to be at flood stage. No person may operate a boat at a greater speed than "slow — no-wake" until such time as the water level declines to a point below the level of 871.3 as posted on the Interstate 94 bridge pier west of the water channel between Upper and Lower Nemahbin Lakes.

§ 82-61. Posting requirements.

The Town of Summit shall place and maintain a copy of this article at all public access points on Lower Nashotah Lake, Upper Nemahbin Lake, Lower Nemahbin Lake, and Crooked Lake. The posted ordinance shall be in compliance with the size requirements listed in § NR 5.15, Wis. Adm. Code.

§ 82-62. Violations and penalties.¹⁷

Any person violating any provision of this article shall be subject to the penalties set forth in Chapter 1, General Provisions, Article I, Penalties, of the Code of the Town of Summit.

¹⁷. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).