



August 24, 1993

IN REPLY REFER TO: 8520

Ms. Beatrice Carlson, Clerk
Town of Apple River
Route 1, Box 209
Amery, WI 54001

*rec'd
23 Sep 93*

SUBJECT: Boating Ordinance Review

Dear Ms. Carlson:

Upon review of the attached ordinance, our number 0281, we find it to be consistent with ss. 30.50 to 30.71 of the Wisconsin Statutes and Department rules adopted to implement those sections.

If you have questions regarding this review, please feel free to contact your District Law Enforcement Safety Specialist Bart Halverson, or this office.

Sincerely,

Diane L. Crawford

Diane L. Crawford
Boating Safety Specialist
Bureau of Law Enforcement
(608) 267-5035

Enc.

cc: → Bart Halverson - NWD
Brian Fellrath - Warden

RECEIVED

SEP 03 1993

NORTHWEST DISTRICT
HEADQUARTERS

*Reviewed by board on 8-14-06 & approved
for code of Ordinance as is*

R. Sample, Clerk

BOATING ORDINANCE
Town of Apple River
Polk County, Wisconsin

The Town Board of the Town of Apple River do ordain as follows:

Section I Applicability and Enforcement

- (a) The provisions of this Ordinance shall apply to waters of White Ash Lake.
- (b) This chapter shall be enforced by the officers of the water safety patrol of the Town of Apple River and Polk County.

Section II 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 III State Boating and Safety Laws Adopted

State boating laws as found in ss. 30.50 to 30.71 are adopted by reference.

Section IV Water Ski Hours

No person shall operate a motorboat having in tow a person on water skis, aquaplane, parasail or similar device, and no person shall operate water skis, aquaplane, parasail or similar device on the waters of White Ash Lake between the hours of 6 PM and 10 AM, Central Daylight Savings Time.

Section V Posting Notice

Duty, the Town of Apple River shall place and maintain a copy of this Section at all public access points within the jurisdiction of the Township.

Section VI Penalties

Wisconsin state boating penalties as found in ss. 30.80 are adopted by reference.

Section VII 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 VIII Effective Date

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

Passed this 12 day of July, 19903

Town of Apple River Beatrice Carlson (Clerk)

CONDITION REPORT

The local conditions necessitating this regulation is that there presently exists conflicts between water recreational users. Because of the lack of state regulation and because of the danger of boating accidents with boats traveling at a high rate of speed, a time regulating the hours of water skiing, aquaplaning, or similar water sports is necessary to protect public health, safety, and welfare.

If this ordinance is not adopted, the impact on public health, safety or welfare could be great, creating a condition where the prospect of a boating accident is great.