

# **Town of Riverview**

## **Oconto County**

### **State of Wisconsin**

#### **Motorboat Wake Enhancement Ordinance**

##### **Ordinance #33-2023**

##### **Adopted:**

AN ORDINANCE TO REGULATE WAKE ENHANCEMENT ON CROOKED LAKE, PAYA LAKE, MAIDEN LAKE, AND NELLIGAN LAKE IN THE TOWN OF RIVERVIEW AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF.

The Town Board of the Town of Riverview do ordain as follows:

##### **Section I – Applicability and Enforcement**

- (a) The provisions of this Ordinance shall apply to the waters of Crooked Lake, Paya Lake, Maiden Lake, and Nelligan Lake in the Town of Riverview.
- (b) This chapter shall be enforced by the officers of the Town of Riverview or by individuals appointed by the town officers and/or Oconto County Sheriff department as requested along with any and all other state and county officers authorized by law to enforce the same.

##### **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 30.99, Wis. Stats., are adopted by reference.

##### **Section IV – Definitions**

- (a) “Motorboat” means a boat powered by an internal combustion engine.
- (b) “Motorized Watercraft” includes Motorboats and PWC’s
- (c) “Public Access” means any access to the waters by means of public property.
- (d) “PWC” means a personal watercraft powered by an internal combustion engine commonly known as a jet ski.
- (e) “Slow-No-Wake” means that speed at which a boat moves as slowly as possible while still maintaining steerage control.
- (f) “Shore Zone” means all surface water within 35 feet of the shoreline.
- (g) “Transition Speed” means the speed at which the boat is operating at greater than slow-no-wake speed, but not fast enough so that the boat is planning.

##### **Section V – Restrictions**

For the following lakes: Crooked Lake, Paya Lake, Maiden Lake, Nelligan Lake

1. No person may use or employ water sacks, ballast tanks, submersible wings or any other device which causes a boat to operate in a bow-high manner, or which increases or enhances a boat's wake.
2. No person may operate any motorized watercraft in an artificially bow-high manner, in order to increase or enhance the boat's wake. Such prohibited operation shall apply to wake enhancement by the use of ballast, mechanical hydrofoils, uneven loading or operation at transition speed (the speed at which the boat is operating at greater than slow-no-wake speed, but not fast enough so that the boat is planning).
3. No person may operate any motorized watercraft in a transition speed for over 100 feet in length.

#### Section VI – Posting Requirements

The Town of Riverview shall place and maintain a synopsis of this ordinance at public access points for lakes listed under Section 5 pursuant to the requirements of NR 5.15 Wis. Admin. Code.

#### Section VII – Penalties

- A. Wisconsin state boating penalties as found in Wis. Stat. 30.80. and deposits as established in the Uniform Deposit 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. Any person violating a provision of this ordinance for which no statutory equivalent exists in Wis. Stats. Ch. 30 shall forfeit the following:
  1. Any person found guilty of violating Section V of this chapter shall pay a forfeiture established by the Town Board (ref to the Town of Riverview Bond Schedule) together with the cost of prosecution.

#### Section VIII – Severability

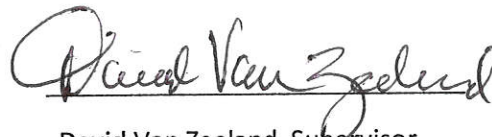
The provisions of this Ordinance shall be deemed severable, and it is expressly declared that the Town Board would have passed the other provisions of this ordinance irrespective of whether one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person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


#### Section IX


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

Adopted this 12 day of Dec, 2023.

  
Jim Zittlow, Town Chairperson

  
David Van Zeeland, Supervisor

  
David Szepanski, Supervisor

  
Attest: Beth Hartman, Clerk