

WAUPACA COUNTY GENERAL CODE OF ORDINANCES
Chapter 40
Regulating Boating During Emergency Flood Conditions

40.01 INTENT

The intent of this ordinance 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 resource.

40.02 APPLICABILITY AND ENFORCEMENT

The provisions of this ordinance will be in effect only during a flood emergency declared by the Waupaca Emergency Government Director. The provisions of this ordinance shall only apply to the waters of the Wolf River in Waupaca County downstream from the City of New London and shall not include the City of New London. The provisions of this ordinance shall be enforced by officers of the Waupaca Sheriff Water Patrol.

40.03 STATE BOATING LAWS ADOPTED

State boating laws as found in Sec. 30.50 to 30.71, Wis. Stats. are adopted by reference.

40.04 DEFINITIONS

- A. Boat** means every description of watercraft used or capable of being used as a means or transportation on water.
- B. Flood Emergency** means when waters of the Wolf River exceed elevation 757.0 as based up in the USGS bench mark or 9.0 feet on the scale near the concrete wall by the corner of the Pearl Street Bridge in the City of New London and/or the Waupaca County Emergency Government Director determines conditions warrant declaring a flood emergency.
- C. Fishing Raft** means the definition found in Sec. 30.01(1p), Wis. Stats.
- D. Public Access** means any boat landing access to the water of the Wolf River by means of public property.
- E. Slow-No-Wake** means that speed at which a boat moves as slowly as possible while still maintaining steerage control.

40.05 CONTROLLED AREA

No person shall operate a boat faster than slow-no-wake in the waters of the Wolf River in Waupaca County located downstream of the City of New London within five hundred feet of any permanent building, not including fishing rafts during a flood emergency.

This ordinance shall not apply to the waters of the Wolf River located in the City of New London.

40.06 POSTING REQUIREMENTS

A copy of this ordinance shall be posted at all boat landing public access points along the Wolf River down stream of the City of New London in Waupaca County.

40.07 PENALTIES

- A.** Wisconsin state boating penalties as found in Sec. 30.80, Wis. Stats., and deposits as established in the Uniform Deposit and Bail Schedule established by the Wisconsin Judicial Conference, are hereby adopted by reference with all references to fines amended to forfeitures and all references to imprisonment deleted.
- B.** Any person charged with violating this Ordinance where there is not a deposit amount established in the Uniform Deposit and Bail Schedule shall deposit a forfeiture of \$30.00 plus costs, for each offense.

40.08 SEVERABILITY

The provisions of this ordinance shall be deemed severable and it is expressly declared that the Waupaca County 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.

40.09 EFFECTIVE DATE

This ordinance is adopted upon passage and publication.