

**Town of Schleswig
Manitowoc County, Wisconsin
Ordinance No. 2009 -02**

**An Ordinance for Slow, No Wake operation of Water Craft during High Water
Period**

A SOLE ORDINANCE TO REGULATE BOATING UPON THE WATERS OF CEDAR LAKE AND PRESCRIBING PENALTIES FOR VIOLATIONS THERE OF.

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

Section 1 Applicability and Enforcement

- (a) The provisions of this Ordinance shall apply to the waters of Cedar Lake, Town of Schleswig.
- (b) Town of Schleswig Constable and the Manitowoc County Sheriff's Department are each separately empowered to enforce the provisions of this Ordinance and to issue citations for violations hereof

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, Wis. Stats., are adopted by reference.

Section IV Definitions

- (a) "Slow-no-wake" means that speed at which a boat moves as slowly as possible while still maintaining steerage control.

Section V Controlled Area

No person shall operate a boat faster than “slow-no-wake” in the waters of Cedar Lake when the water level exceeds as the ordinary high water mark based on the bench mark located at the outlet culvert.

This slow-no-wake restriction will be posted at all public access points when in effect by Commissioners of Sanitary District #1 of the Town of Schleswig, Manitowoc County. It will not be lifted until this Board determines that the lake level has subsided enough to not longer be at the bench mark of the outlet culvert. The Wisconsin Department of Natural Resources will also have to be notified by Sanitary District # 1 when this restriction goes into effect and when this restriction is lifted.

Section VI Posting Requirements

The Town of Schleswig 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. Admin. Code.

Section VII Penalties

- (a) The penalty for violation of Section 1 shall be \$50 for the first offense and shall forfeit not more the \$100 upon conviction of the same offense a second or subsequent time within one year.
- (b) Any person who shall violate and provision of this Ordinance for which a penalty is not otherwise established by this Section shall be subject to a forfeiture of not less than \$10 and not more than \$500.

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 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 IX **Effective Date**

This ordinance shall take effect and be in force from and after adoption and publication according to law.

Dated and adoption this 12TH day of NOVEMBER 2009

TOWN OF SCHLESWIG TOWN BOARD

By: *Dennis H. Salzman*
Dennis Salzman, Chairperson

ATTEST:

By: *Jo Ellen Gramling*
Jo Ellen Gramling, Clerk