

ORDINANCES, DEPOSIT AND BAIL SCHEDULE
FOR
BASS LAKE REHABILITATION DISTRICT

Restating Ordinance Approved by the BLRD on November 15, 1999
Adopting Certain State Statutes Listed Herein as BLRD Ordinances.

Approved by the
Bass Lake Rehabilitation District (BLRD)
Board of Commissioners
July 12, 2004

Bass Lake Rehabilitation District
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Filed with Clerk of Court: _____

Fee schedule is listed as: Forfeiture / Penalty Assessment / Court Costs = Total

Note: Some numbering is not sequential since only the adopted DNR statutes are listed.

CHAPTER 1

1.01 Ordinance defining Slow-No-Wake restrictions upon the waters of Bass Lake. DNR Ordinance No. 000583 and No. 000644

3.) Definitions

- a.) "Slow-No-Wake" means that speed at which a boat moves as slowly as possible while still maintaining steerage control.
- b.) "Public access" means the access to the water by means of the public landing on the north end of Bass Lake.
- c.) "Boat" means all watercraft including but not limited to personal watercraft and skis, as well as any persons or objects towed by such watercraft.

4.) Slow-No-Wake Restrictions

Fee schedule: \$30 / \$7.20 / \$119 = \$156.20

- a.) No boat shall be operated at a speed greater than "slow-no-wake" on Bass Lake during periods when the surface water level exceeds 886.1 feet above sea level.
- b.) No boat shall be operated at a speed greater than "slow-no-wake" on Bass Lake:
 - 1.) During any time between 8 p.m. to 8 a.m.;
 - 2.) and at any time within 100 feet of any shore, buoyed restricted area, dock, pier, anchored float, or restricted aquatic area designated and identified in Section IV(c) (1) and (2) of this ordinance, Provided, in addition, consistent with the Wisconsin Statutes regulating personal watercraft, including jet skis, the slow-no-wake area shall be 200 ft. from shore for such personal watercraft.
- c.) Additional Slow-No-Wake areas have been identified. The local conditions on Bass Lake necessitating the placement of buoys creating buoyed restricted areas include the existence of areas of special aquatic vulnerability, the location of a busy public landing, and the presence of potentially hazardous subsurface conditions.

CHAPTER 2

2.01 Classification of motorboats. Adopting DNR 30.60

For the purposes of state statute 30.61 and 30.62, motorboats are divided on the basis of their length into 4 classes as follows:

- 1.) Class A—those less than 16 feet.
- 2.) Class 1—those 16 feet or over but less than 26 feet.
- 3.) Class 2—those 26 feet or over but less than 40 feet.
- 4.) Class 3—those 40 feet or over.

2.02 Lighting equipment. Adopting DNR 30.61

Fee schedule: \$30 / \$7.20 / \$119 = \$156.20

1.) When Lights Required; Prohibited Lights

- a.) No person shall operate any motorboat at any time from sunset to sunrise unless such motorboat carries the lighting equipment required by this section and unless such equipment is lighted when and as required by this section.
- b.) No owner shall give permission for the operation of a motorboat at any time from sunset to sunrise unless such motorboat is equipped as required by this section.
- c.) No person shall exhibit from or on any motorboat when under way at any time from sunset to sunrise any light which may be mistaken for those required by this section.

2.) Lights for Motorboats of Classes A and 1

All motorboats of classes A and 1 when under way at any time from sunset to sunrise shall carry and have lighted the following lamps:

- a.) One lamp aft showing a bright white light all around the horizon.
- b.) One combined lamp in the fore part of the motorboat and lower than the white light aft, showing green to starboard and red to port and so fixed that each side of the combined lamp throws a light from directly ahead to 2 points abaft the beam on its respective side.

3.) Light for Motorboats of Classes 2 and 3

All motorboats of classes 2 and 3 when under way at any time from sunset to sunrise shall carry and have lighted the following lamps:

- a.) One lamp in the fore part of the boat as near the stem as practicable, so constructed as to show an unbroken bright white light over an arc of the horizon of 20 points of the compass and so fixed as to throw the light from directly ahead to 2 points abaft the beam on either side.
- b.) One lamp aft showing a bright white light all around the horizon and higher than the white light forward.
- c.) On the starboard side, one lamp showing a green light, and on the port side, one lamp showing a red light, both fitted with inboard screens of sufficient height and so set as to prevent these lights from being seen across the bow. Each such side lamp shall be so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass and shall be so fixed as to throw the light from directly ahead to 2 points abaft the beam on its respective side.

4.) Sailboats with Motors

Sailboats equipped with motors and being propelled in whole or in part by such motor must comply with sub. (2) or (3), whichever is applicable. Whenever such a sailboat is being propelled entirely by sail at any time from sunset to sunrise, it shall have lighted the lamps showing the colored lights specified in sub. (2) or (3), but not the lamps showing the white lights, and shall carry ready at hand a lantern or flashlight showing a white light which shall be exhibited in sufficient time to avert collision.

5.) Sailboats without Motors and Rowboats

Every boat propelled by muscular power and every sailboat not equipped with a motor, when under way at any time from sunset to sunrise, shall carry ready at hand a lantern or flashlight showing a white light which shall be exhibited in sufficient time to avert collision.

7.) Performance Specifications for Lamps

Every white light prescribed by this section shall be of such character as to be visible at a distance of at least 2 miles on a dark night with clear atmosphere. Every colored light prescribed by this section shall be of such character as to be visible at a distance of at least one mile on a dark night with clear atmosphere.

10.) Operation of Personal Watercraft

- a.) Notwithstanding subs. (1), (2), (8) and (9), no person may operate a personal watercraft at any time from sunset to sunrise.
- b.) If a person operates a personal watercraft in violation of par. (a), the operation shall be subject to additional penalties for any failure to comply with the applicable lighting requirements under subs. (1), (2), (8) and (9).

2.03 Other equipment. Adopting DNR 30.62

3.) Personal Flotation Device

Fee schedule: \$20 / \$4.80 / \$119 = \$143.80

- a.) Every boat, except a sailboard and except as provided in par. (b) shall carry at least one personal flotation device prescribed by federal regulations for each person on board or being attended by the boat, so placed as to be readily accessible and available to the persons.
- b.) No person may operate a personal watercraft unless each person riding on the personal watercraft is

wearing a personal flotation device that is a type I, type II, type III or type V personal flotation device as specified under 33 CFR part 175, subpart B.

3m.) Safety Devices for Personal Watercraft

Fee schedule: \$30 / \$7.20 / \$119 = \$156.20

No person may operate a personal watercraft that is equipped by the manufacturer with an engine cutoff switch activated by a lanyard unless the engine cutoff switch is in good working order and the lanyard is attached in the manner prescribed by the manufacturer to the operator or the operator's clothing or personal flotation device. No person may sell a personal watercraft manufactured after January 1, 1993, unless the personal watercraft is equipped by the manufacturer with an engine cutoff switch activated by a lanyard or is equipped by the manufacturer with a self-circling safety feature.

2.04 Patrol boat. Adopting DNR 30.64

Fee schedule: \$40 / \$9.60 / \$119 = \$168.60

3.) No person operating a boat may refuse to stop after being requested or signaled to do so by a law enforcement officer.

2.05 Traffic rules. Adopting DNR 30.65

Fee schedule: \$30 / \$7.20 / \$119 = \$156.20

1.) Meeting; Overtaking; Right of Way

Every person operating a boat shall comply with the following traffic rules, except when deviation there from is necessary to comply with federal pilot rules while operating on the navigable waters of the United States:

- a.) When 2 motorboats are approaching each other "head and head," or so nearly so as to involve risk of collision, each boat shall bear to the right and pass the other boat on its left side.
- b.) When 2 motorboats are approaching each other obliquely or at right angles, the boat which has the other on her right shall yield the right-of-way to the other. "Right" means from dead ahead, clockwise to 2 points abaft the starboard beam.
- d.) When a motorboat and a boat propelled entirely by sail or muscular power are proceeding in such a direction as to involve risk of collision, the motorboat shall yield the right-of-way to the other boat.
- e.) A boat may overtake and pass another boat on either side if it can be done with safety but the boat doing the overtaking shall yield the right-of-way to the boat being overtaken, notwithstanding any other rule in this section to the contrary.
- f.) A boat granted the right-of-way by this section shall maintain her course and speed, unless to do so would probably result in a collision.

2.06 Speed restrictions. Adopting DNR 30.66

1.) Speed to be Reasonable and Prudent

Fee schedule: \$40 / \$9.60 / \$119 = \$168.60

No person shall operate a motorboat at a speed greater than is reasonable and prudent under the conditions and having regard for the actual and potential hazards then existing. The speed of a motorboat shall be so controlled as to avoid colliding with any object lawfully in or on the water or with any person, boat or other conveyance in or on the water in compliance with legal requirements and exercising due care.

2.) Fixed Limits

Fee schedule: \$30 / \$7.20 / \$119 = \$156.20

In addition to complying with sub. (1), no person may operate a motorboat at a speed in excess of the posted notice as established by regulatory markers.

3.) Prohibited Operation

Fee schedule: \$40 / \$9.60 / \$119 = \$168.60

a.) Except under s. 30.69 (3), no person may operate a motorboat within 100 feet of any dock, raft, pier or buoyed restricted area on any lake at a speed in excess of slow-no-wake speed.

b.) No person may operate a personal watercraft at a speed in excess of slow-no-wake within 100 feet of any other boat or within 200 feet of the shoreline of any lake. This paragraph does not apply if s. 30.69 (3) (a), (c) or (d) applies to the operation of the personal watercraft.

2.07 Prohibited operation. Adopting DNR 30.68

4.) Creating Hazardous Wake or Wash

Fee schedule: \$30 / \$7.20 / \$119 = \$156.20

a.) No person shall operate a motorboat so as to approach or pass another boat in such a manner as to create a hazardous wake or wash.

6.) Riding on Decks and Gunwales

Fee schedule: \$30 / \$7.20 / \$119 = \$156.20

No person operating a motorboat may ride or sit, or may allow any other person in the motorboat to ride or sit, on the gunwales, tops of seat backs or sides or on the decking over the bow of the boat in an unsafe manner while under way, unless such person is inboard of guards or railings provided on the boat to prevent persons from being lost overboard. Nothing in this section shall be construed to prohibit entry upon the decking over the bow of the boat for the purpose of anchoring, mooring or casting off or other necessary purpose.

7.) Restricted Areas

Fee schedule: \$30 / \$7.20 / \$119 = \$156.20

No person shall operate a boat within a water area which has been clearly marked by buoys or some other distinguishing device as a bathing or swimming area; nor operate a boat in restricted use areas contrary to regulatory notice pursuant to s. 30.74 (2). This subsection does not apply in the case of an emergency or to patrol or rescue craft.

9.) Overloading

Fee schedule: \$30 / \$7.20 / \$119 = \$156.20

No person may operate, and no owner of a boat may allow a person to operate, a boat that is loaded with passengers or cargo beyond its safe carrying capacity, taking into consideration weather and other existing operating conditions.

12.) Molesting or Destroying Aids to Navigation and Regulatory Markers

Fee schedule: \$40 / \$9.60 / \$119 = \$168.60

No unauthorized person shall move, remove, molest, tamper with, destroy or attempt to destroy, or moor or fasten a boat (except to mooring buoys) to any navigation aids or regulatory markers, signs or other devices established and maintained to aid boaters.

2.08 Water skiing. Adopting DNR 30.69

1.) Prohibited at Certain Times; Exceptions

Fee schedule: \$30 / \$7.20 / \$119 = \$156.20

a.) Except as provided in par. (b), no person may operate a motorboat towing a person on water skis, aquaplane or similar device unless there is in the boat a competent person in addition to the operator in a position to observe the progress of the person being towed. An observer shall be considered competent if that person can in fact observe the person being towed and relay any signals to the operator. This observer requirement does not apply to motorboats classified as Class A motorboats by the department actually operated by the persons being towed and so constructed as to be incapable of carrying the operator in or on the motorboat. No person may engage in water skiing, aquaplaning or similar activity, at any time from sunset to sunrise. This restriction of the hours of water skiing does not prevent restrictions of the hours of water skiing between sunrise and sunset by local ordinances enacted pursuant to s. 30.77 (3).

c.) In addition to complying with par. (a), no person may operate a personal watercraft that is towing a person who is on water skis, an aquaplane or similar device unless the personal watercraft is designed to seat at least 3 persons.

2.) Careful and Prudent Operation

Fee schedule: \$40 / \$9.60 / \$119 = \$168.60

A person operating a motorboat having in tow a person on water skis, aquaplane or similar device shall operate such boat in a careful and prudent manner and at a reasonable distance from persons and property so as not to endanger the life or property of any person.

3.) Restrictions

Fee schedule: \$30 / \$7.20 / \$119 = \$156.20

a.) No person operating a motorboat that is towing persons engaged in water skiing, aquaplaning or similar activity may operate the motorboat within 100 feet of any occupied anchored boat, any personal watercraft or any marked swimming area or public boat landing.

b.) No person who is engaged in water skiing, aquaplaning or similar activity may get within 100 feet of a personal watercraft or allow the tow rope while in use to get within 100 feet of a personal watercraft.

c.) No person may operate a personal watercraft within 100 feet of any of the following:

1. A motorboat towing a person who is engaged in water skiing, aquaplaning or similar activity.
2. The tow rope of a motorboat towing a person who is engaged in water skiing, aquaplaning or similar activity.
3. A person who is engaged in water skiing, aquaplaning or similar activity.

2.09 Skin diving. Adopting DNR 30.70

Fee schedule: \$30 / \$7.20 / \$119 = \$156.20

No person may engage in underwater diving or swimming with the use of swimming fins or skin diving in waters other than marked swimming areas or within 150 feet of shoreline, and no person may engage in underwater diving or swimming with the use of self-contained underwater breathing apparatus in waters other than marked swimming areas, unless the location of such diving or swimming is distinctly marked by diver's flag, not less than 12 inches high and 15 inches long, displaying one diagonal white stripe 3 inches wide on a red background, and of height above the water so as to be clearly apparent at a distance of 100 yards under normal conditions, and so designed and displayed as to be visible from any point on the horizon. Except in case of emergency, anyone engaging in such diving or swimming shall not rise to the surface outside of a radius of 50 feet from such flag. No person engaged in such diving or swimming shall interfere with the operation of anyone fishing nor engage in such diving or swimming in established traffic lanes; nor shall any such person alone or with another, intentionally or unintentionally, block or obstruct any boat in any manner from proceeding to its destination where a reasonable alternative is unavailable. A reasonable alternative route is available when the otherwise unobstructed boat can proceed to its destination without reducing its lawful speed, by passing to the right or to the left of a marked diving operation.

CHAPTER 3

3.01 Placement of Boats, Trailers, and Equipment in Navigable Waters. Adopting DNR 30.715

1.) In this section:

a.) "Aquatic plant" means a submerged, emergent, or floating-leaf plant or any part thereof. "Aquatic plant" does not mean wild rice.

b.) "Public boat access site" means a site that provides access to navigable water for boats and that is open to the general public for free or for a charge or that is open only to certain groups of persons for a charge.

Fee schedule: \$25 / \$6 / \$119 = \$150.00

2.) No person may place or use a boat or boating equipment or place a boat trailer in navigable water if the person has reason to believe that the boat, boat trailer, or boating equipment has any aquatic plants attached.

- 4.) A law enforcement officer may order a person to do any of the following:
- a.) Remove aquatic plants from a boat, boat trailer, or boating equipment before placing it in navigable water.
 - b.) Remove or not place a boat, boat trailer, or boating equipment in a navigable water if the law enforcement officer has reason to believe that the boat, boat trailer, or boating equipment has aquatic plants attached.
 - c.) Remove zebra mussels from a boat, boat trailer or boating equipment before placing it in the Lower St. Croix River.
 - d.) Remove or not place a boat, boat trailer or boating equipment in navigable water if the law enforcement officer has reason to believe that the boat, boat trailer or boating equipment has zebra mussels attached.

Fee schedule: \$100 / \$24 / \$119 = \$243.00

- 6.) No person may refuse to obey the order of a law enforcement officer who is acting under sub. (4).

CHAPTER 4

4.01 Operation of Snowmobiles on private property. Adopting DNR 350.10

Fee schedule: \$100 / \$24 / \$119 = \$243.00

1.f) No person shall operate a snowmobile on the private property of another without the consent of the owner or lessee. Failure to post private property does not imply consent for snowmobile use. Any other motor driven craft or vehicle principally manufactured for off highway use shall at all times have the consent of the owner before operation of such craft or vehicle on private lands.

4.02 Operation of Snowmobiles on public lakes and rivers. Adopting DNR 350.10

Fee schedule: \$30 / \$7.20 / \$119 = \$156.20

1.i) No person shall operate a snowmobile on the frozen surface of public waters within 100 feet of a person not in or upon a vehicle or within 100 feet of a fishing shanty unless operated at a speed of 10 miles per hour or less.

4.03 Mufflers on Snowmobiles. Adopting DNR 350.09

Fee schedule: \$30 / \$7.20 / \$119 = \$156.20

6.) No snowmobile shall be manufactured, sold, offered for sale, or operated unless it is equipped with a muffler in good working order, which blends the exhaust noise into the overall engine noise and is in constant operation to prevent excessive or unusual noise.

CHAPTER 5

5.01 Operation of All Terrain Vehicles on private property. Adopting DNR 23.33

Fee schedule: \$100 / \$24 / \$119 = \$243.00

3c.) No person may operate an all terrain vehicle on the private property of another without the consent of the owner or lessee. Failure to post private property does not imply consent for all terrain vehicle use.

5.02 Operation of All Terrain Vehicles on public lakes and rivers. Adopting DNR 23.33

Fee schedule: \$30 / \$7.20 / \$119 = \$156.20

3h.) No person may operate an all terrain vehicle on the frozen surface of public waters within 100 feet of a person not in or on an all terrain vehicle or motor vehicle or within 100 feet of a fishing shanty at a speed exceeding 10 miles per hour.

5.03 Mufflers on All Terrain Vehicles. Adopting DNR 23.33

Fee schedule: \$30 / \$7.20 / \$119 = \$156.20

6e.) Every all terrain vehicle is required to be equipped with a functioning muffler to prevent excessive or unusual noise and with a functioning spark arrester of a type approved by the U.S. Forest Service.