

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 County Emergency Management 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 waters in the City of New London. The provisions of this ordinance shall be enforced by officers of the Waupaca County Sheriff Water Patrol.

40.03 STATE BOATING LAWS ADOPTED

State boating laws as found in Wis. Stat. §§ 30.50 to 30.71 are adopted by reference as are from time to time amended.

40.04 DEFINITIONS

- A. Boat** means every description of watercraft used or capable of being used as a means for transportation on water.
- B. Bridge** means the definition found in Wis. Stat. § 30.01(1g) as is from time to time amended.
- C. 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 Management Director determines conditions warrant declaring a flood emergency.
- D. Fishing Raft** means the definition found in Wis. Stat. § 30.01(1p) as is from time to time amended.
- E. Pier** means the definition found in Wis. Stat. § 30.01(5) as is from time to time amended.
- F. Public Access** means any boat landing access to the water of the Wolf River by means of public property.

- G. Slow-No-Wake** means that speed at which a boat moves as slowly as possible while still maintaining steerage control.

40.05 CONTROLLED AREA

During a declared flood emergency, no person shall operate a boat faster than slow-no-wake in the waters of the Wolf River in Waupaca County defined in Section 40.02 within five hundred feet of any permanent building or structure, bridge or pier. A fishing raft is not a permanent structure and therefore operating a boat at wake speed within 500 feet of a fishing raft is permitted during a declared flood emergency.

40.06 POSTING REQUIREMENTS

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

40.07 PENALTIES

- A.** Wisconsin state boating penalties as found in Wis. Stat. § 30.80, as are from time to time amended, and deposits as established in the Uniform Deposit and Bail Schedule established by the Wisconsin Judicial Conference, as are from time to time amended, 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 EFFECTIVE DATE

This ordinance is adopted upon passage and publication.