

## **Moose Lake Ordinance Change**

This copy of ordinance was handed out at the Town of Merton meeting January 9, 2023 meeting, read into the record and then voted unanimously by the town Board”.

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**20.05 MOOSE LAKE.** (Rep. & recr. #11-11-97)

- (1) **APPLICABILITY AND ENFORCEMENT.** The provisions of this section shall apply to the waters of Moose Lake within the jurisdiction of the Town of Merton. The provisions of this section shall be enforced by the officers of the Water Safety Patrol of the Town of Merton.
- (2) **DEFINITIONS.**
- (a) **Shore Zone.** The shore zone is hereby defined as all surface water within 125 feet of the shoreline.
  - (b) **Slow-no-wake** means that speed at which a boat moves as slowly as possible while still maintaining steerage control.
  - (c) **High water** means when the waters of Moose Lake exceed an elevation 882.75 msl as based upon the USGS benchmark. "Msl" means near sea level or the average height for the surface of the water. (Am. 3/23/10; 6/28/11)
  - (d) **Motorboat** means any boat equipped with propulsion machinery, whether or not the machinery is the principal source of propulsion. Motorboat shall include personal watercrafts such as jet skis or equivalents.
  - (e) **Boat** means every description of watercraft used or capable of being used as a means of transportation on water, except a seaplane on the water and a fishing raft.
- (2B) **EMERGENCY SLOW-NO-WAKE SPEED AT TIMES OF HIGH WATER ON MOOSE LAKE.** (Cr. 3/9/10)
- (a) **Slow-No-Wake Speed Required .** No person shall operate a Motorboat at a speed in excess of Slow-no-wake on Moose Lake for a period commencing 2 hours after a high-water condition has been declared until the declaration of the high-water condition is repealed.
  - (c) **Notice.** (Am. 6/10/19(3)) Notice of a high-water condition on Moose Lake shall be posted: (a) at the Moose Lake Department of Natural Resources public launch site on County Highway "C" (referred to as "CTH 'C'"), at the Moose Lake Town of Merton Public launch site at CTH "C", and (b) on the Town website. The Town may, in cooperation with the local lake residents, management district or associations, use other means of notification by way of posting flags or lake buoys at appropriate locations on the lakes for additional awareness. Local yacht clubs, management districts or associations are also urged to disseminate notification by way of email to all members and lake residents.
  - (d) **Posting Requirements .** This ordinance shall be posted at the Moose Lake Department of Natural Resources public boat launch on CTH "C".
- (3) **SPEED RESTRICTIONS.**
- (a) **Night limit.** No person shall operate a Boat or Motorboat at a speed in excess of Slow-no-wake from sunset or 6pm in accordance with subsection 7(d) below each day to 9:00 a.m. the following day.
  - (b) **Slow-no-wake in Southern Bays.** No person shall operate a Boat or Motorboat faster than Slow-no-wake at the south end of Moose Lake in the 2 southern bays. The area restricted is south of the east-west line extending between the north line of Lot 594 (W332N6240) on the west shore and the north line of Lot 14 (W330N6209) on the east shore (referred to as the "Southern Bays").
  - (c) **Restricted Area.** No person shall operate a Boat or Motorboat faster than Slow-no-wake within the Shore Zone or within 100 feet of any dock, raft, pier, or buoyed restricted area.
  - (d) **Restricted Time.** No person shall operate a Boat or Motorboat in excess of Slow-no-wake between 12:00 noon and 4:00 p.m. on Sundays and federal legal holidays.

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(4) STATIONARY OBJECTS.

- (a) Reflectors Required. All piers, rafts, ski jumps or other stationary objects extending into or located upon the waters of Moose Lake shall have red reflector signals on each side thereof, and such reflectors shall not be less than 3 inches from the outer limits thereof and shall be at least 3 inches in diameter.
- (b) Rafts. No person shall erect or maintain any raft or platform unless it is so anchored that it has at least 10 inches of free board above the waterline and has attached thereto on each side above the waterline a reflector in good condition not less than three inches in diameter. No raft shall be placed more than 100 feet from the shore unless a permit is obtained from the Water Safety Patrol.
- (c) Permits Required.
1. No water ski jump shall be placed upon the waters covered by this chapter at any time unless a permit is obtained from the Water Safety Patrol. No raft or other stationary object shall be placed more than 100 feet from the shore unless a permit is obtained from the Water Safety Patrol. A permit issued under this section shall specify the location of the ski jump, raft or other structure and, in the case of ski jumps, the area of water to be used by users of such jump. Permits shall be issued only if in the opinion of the Water Safety Patrol the proposed use of the water and location of the structure is such so as not to interfere with or obstruct navigation and other uses of the water.
  2. Buoys. No "slow-no-wake" or "swim area" buoy may be placed in Moose Lake without a permit from the Water Safety Patrol and must be anchored no further than 125 feet from the shoreline. Water Safety Patrol is the only one allowed to place buoys or signs of any kind in the water.

(5) SWIMMING REGULATIONS. No person shall swim more than 125 feet from the shoreline of Moose Lake and more than 50 feet from a diving raft anchored 100 feet or more from the shoreline of Moose Lake without being accompanied by a Boat or Motorboat for the protection of the swimmer and as an aid to other boats in determining the location of the swimmer, and such swimmer shall not be more than 50 feet from the accompanying Boat or Motorboat.

(6) RACES, REGATTAS, SPORTING EVENTS AND EXHIBITIONS.

- (a) Permit Required. No person shall direct or participate in any boat race, regatta, water ski meets or other water sporting event or exhibition unless such event has been authorized by and a permit issued therefor by the Water Safety Patrol. Permits under this section shall be granted pursuant to §5.19 of the Wisconsin Administrative Code.
- (b) Permit. A permit issued under this section shall specify the course of the area or water to be used by participants in such event, and the permittee shall be required to place markers, flags or buoys approved by the Water Safety Patrol designating the specified area. Permits shall be issued only if in the opinion of the Patrol the proposed use of the water can be carried on safely and without danger to or substantial obstruction of other watercraft or persons using the lake. Permits shall be valid only for the hours and area specified.
- (c) Right-of-Way of Participants. Boats and participants in any such permitted events shall have the right-of-way on the marked area, and no other person shall obstruct such area during the race or event or interfere therewith.
- (d) Racing Prohibited. No person shall operate a Motorboat or personal watercraft in a race or speed contest with any other Motorboat or personal watercraft, except as provided in subsection (6)(a).

(7) WATER SKIING AND TOWING. In addition to the rules contained in 30.69, Wis. Stats., the following rules shall control water skiing and towing on Moose Lake.

- (a) No person shall operate a Motorboat and tow therewith any person upon water skis, kneeboard, tube or other towed recreational device at the south end of Moose Lake and the Southern Bays of Moose Lake. The area restricted is south of the east-west line extending between the north line of Lot 594 (W332 N6240) on the west shore and the north line of Lot 14 (W330 N6209) on the east shore.
- (b) No person shall water ski or operate a Motorboat while towing a person on water skis, kneeboard, tube or other towed recreational device on Saturdays, Sundays and federal legal holidays at any time between 6:00 p.m. and 9.00 a.m. of the following morning.
- (c) No person shall operate a Motorboat and tow more than two water skiers, kneeboards, tubes or other recreational devices at one time unless participating in an authorized exhibition or contest with permit as provided in subsection (6).
- (d) No person shall operate a Motorboat and tow water skiers, kneeboards, tubes or other recreational devices except during the following listed hours:

Monday through Friday	9:00 a.m. to sunset
Saturdays	9:00 a.m. to 6:00 p.m.
Sundays and Federal Legal Holidays	9:00 a.m. to 12:00 p.m. & 4p.m. – 6 p.m.

- (e) Direction. No person shall water ski or operate a boat of personal watercraft while towing a person on water skis, kneeboard, tube or other recreational device unless in a counter-clockwise direction. This restriction shall not apply to the operator of a boat or personal watercraft attempting to pick up a skier or towed device rider who has fallen into the water.
- (8) **MARKERS AND NAVIGATION AIDS.**
- (a) Notice and Posting. The Water Safety Patrol is authorized and directed to place and maintain suitable markers, navigation aids and signs in such water areas as shall be appropriate to advise the public of the provisions of this chapter and to post and maintain a copy of this chapter at all public access points on Moose Lake.
  - (b) Standard Markers. All markers placed by the Water Safety Patrol or any other person upon the waters covered by this ordinance shall comply with the regulations of the Department of Natural Resources, §5.09 of the Wisconsin Administrative Code. No "slow-no-wake" or "swim area" buoys will be anchored any further than 125 feet from the shoreline.
  - (c) Interference with Markers Prohibited. No person shall without authority remove, damage or destroy or moor or attach any watercraft to any buoy, beacon or marker placed on the waters of Moose Lake by the authority of the United States, state, county or town or by any private person, pursuant to the provisions of this chapter.
- (9) **PENALTIES**. Wisconsin State boating penalties as found in §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.