

CHAPTER 6

REGULATING PIERS, WHARVES, MOORING BUOYS, RAFTS, AND INFLATABLES ON
ROCK LAKE

SECTION:

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5-6-1: INTENT: The intent of this ordinance is to provide safe and healthful conditions for the enjoyment of recreation on Rock Lake and the protection of environmental resources consistent with public rights and interest and the orderly placing of piers, wharves, rafts, and inflatables on Rock Lake.

5-6-2: AUTHORITY: This ordinance is adopted under the authority granted by Section 30.13(2) and 30.13(3) of the Wisconsin Statutes.

5-6-3: APPLICABILITY AND ENFORCEMENT: The provisions of this ordinance shall apply to the waters of Rock Lake. The provisions of this ordinance shall be enforced by the officers of Jefferson County, State of Wisconsin, and the Town of Lake Mills.

5-6-4: DEFINITIONS:

(1) "Exclusive Riparian Zone" means the space in the water adjacent to the riparian property where the riparian has the exclusive right to place structures.

(2) "Inflatable" has the same definition as raft, and includes water trampolines.

(3) "Mooring Buoy" means any float or marker which is attached to a mooring anchor and either is suitable for attachment to a boat through the use of a pennant or other device or facilitates the attachment of the boat to the mooring anchor.

(4) "Person" means an individual, individuals, partnership, association, corporation, governmental body, or agency, or any other entity.

Comment [p1]: Definitions were alphabetized and renumbered.

46 | ~~(53)~~ "Pier" means any structure extending into Rock Lake from the shore with water on
 47 | both sides, built or maintained for the purpose of providing a berth for water craft or for loading
 48 | or unloading cargo or passengers onto or from water craft. Such a structure may include a boat
 49 | shelter which is removed seasonally.

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 51 | (6) "Raft" means a floating platform without railings, roof or walls that is adequately
 52 | anchored to the bed of navigable waters and is designed for swimming, diving and related
 53 | activities. This includes inflatable rafts and water trampolines.

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 55 | (7) "Riparian" means an owner of land adjacent to Rock Lake.

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 57 | ~~(86)~~ "Rock Lake" means Rock Lake and all of the parts, bays, waterways, and channels
 58 | thereof, including that portion lying south of the ~~railroad tracks~~ Glacial Drumlins Trail and
 59 | excluding the Mill Pond.

Comment [p2]: Need lawyer to check if Town can oversee pier, rafts, etc. from City lots.

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 61 | ~~(97)~~ "Shoreline" means the line of contact of the ~~body of~~ water in Rock Lake with the
 62 | shoreline.

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 64 | ~~(108)~~ "Site" means any riparian shoreline lot, parcel, or other piece of property legally
 65 | subdivided and recorded in the office of the Register of Deeds.

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 67 | ~~(119)~~ "Site Sideline" means a line drawn water ward as a parallel and continuous
 68 | extension of the site side boundaries.

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 70 | (12) "Watercraft" means any device used and designed for navigation on water.

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 72 | (13) "Wharf" means any structure in Rock Lake extending along the shore and generally
 73 | connected with the uplands throughout its length, built or maintained for the purpose of
 74 | providing a berth for watercraft or for loading or unloading cargo or passengers onto or from
 75 | watercraft. Such a structure may include a boat hoist or boat lift.

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 77 | 5-6-5: PIERS, WHARVES, AND MOORING BUOYS: A riparian property owner having a site
 78 | on Rock Lake may build-place a pier, wharf, or mooring buoy in their exclusive riparian zone
 79 | without a Town of Lake Mills permit with the following restrictions:

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 81 | (1) All piers, wharves, and mooring buoys shall be placed and constructed in compliance
 82 | with state and federal law, specifically Sections 30.12 and 30.13, WI Stats. and Chapters
 83 | NR 5 and NR 326 WI Adm. Code.

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 85 | (2) It must shall be constructed-placed by the person-riparian or their agent. who owns the
 86 | site or with his or her permission.

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 88 | ~~(32)~~ It must shall be placed on wooden or metal posts, without using fill material,
 89 | concrete, rocks, cribs, roofs, or walls.

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 91 | ~~(43)~~ It must shall not obstruct navigation or the free flow of water.

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(54) It ~~may shall~~ not be enclosed water.

(65) It ~~must shall~~ not extend in front of another riparian owner's property or interfere with another riparian's pier or access to Rock Lake.

(76) The pier or wharf shall be set back a minimum of 10 feet from any adjoining site sideline. This does not apply in the event that the riparian owner's lake front is under ~~42~~ 24 feet in width.

(87) No more than four water crafts may be moored, ~~stored, anchored, or lifted, or otherwise located within the exclusive riparian zone~~ authorized pier use area of each site. This subsection shall apply even though the riparian owner may have more than one pier or wharfs. ~~The maximum number of boats on any riparian site that may be moored, stored, anchored, lifted, or otherwise located within the authorized pier use area shall be four boats.~~

Comment [p3]: Lawyer: DNR pier planner is different.

Comment [p4]: Added instead of "authorized pier use area"

(98) ~~The pier or wharf may extend into the water from the shoreline out to the point where the water is 3 feet at its maximum depth or to the point where there is adequate depth for mooring a boat or using a boat hoist or lift, whichever is greater. The length of the pier shall not be a distance of more than 50 feet, measured from the shoreline, and parallel to the site sidelines. If at the distance of 50 feet the water depths less than 3 feet, the pier may be extended to a maximum distance of 100 feet, or to a point where the water depth is 3 feet, whichever is lesser.~~

(9) ~~All seasonal piers shall not be installed earlier than March 1 and shall be removed from Rock Lake not later than November 1 of each year.~~

(120) The maximum number of piers and wharves per riparian site shall be 2.

(11) The maximum number of mooring buoys per riparian site shall be 1.

(134) No advertising signs may be displayed from any pier, wharf, or raft ~~other structure or device~~.

(142) Installation of fueling facilities on piers or wharves is prohibited.

(15) Removal of aquatic vegetation is regulated by the Department of Natural Resources (DNR) under Chapter NR 109 of the WI Adm. Code. Please note that permits from the DNR may be necessary.

5-6-6: RAFTS AND INFLATABLES: A riparian property owner may place a raft or inflatable on Rock Lake in front of their site without a Town of Lake Mills permit with the following restrictions:

- 137 | (1) A riparian may have either 1 raft or 1 inflatable, but not both unless the inflatable is
- 138 | taken out of the water daily.
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- 140 | (2) All swimming rafts and inflatables shall be constructed to allow the free movement of
- 141 | water underneath and in a manner that will not cause the formation of land upon the bed
- 142 | of the waterway.
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- 144 | (3) No swimming raft or inflatable shall interfere with public rights in the waters or with
- 145 | the rights of other riparian owners.
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- 147 | (4) All swimming rafts and inflatables shall be constructed in compliance with state and
- 148 | federal law, specifically Sections 30.12 and 30.13, WI Stats. and Chapter NR 326 WI
- 149 | Adm. Code.
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- 151 | (5) All swimming rafts and inflatables shall be removed before freeze up.
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- 153 | (6) No swimming raft or inflatable may include attached signs or fuel facilities.
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- 155 | (7) No swimming raft shall exceed 100 square feet and no inflatable shall exceed 200
- 156 | square feet in area and neither shall exceed 38 inches in height above the surface of the
- 157 | water. The calculation to determine square footage of a raft or inflatable shall include
- 158 | diving boards, ramps, slides and other similar accessories. The height limitation of 38
- 159 | inches does not apply to protective covers or ladders.
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- 161 | (8) All swimming rafts and inflatables shall be properly anchored not less than 10 feet
- 162 | from the side boundaries of the owners riparian zone and within 150 feet of the ordinary
- 163 | high water mark. Riparian zones that cannot meet these requirements are not allowed a
- 164 | swimming raft or inflatable.
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- 166 | (9) All swimming rafts and inflatables shall be equipped with a minimum of 4 reflectors
- 167 | spaced evenly around the perimeter and a minimum of 6 inches above the waterline.
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169 | 5-6-75: SPECIAL EXCEPTION PERMIT: Variation from the requirements of this ordinance
 170 | shall be allowed only through the issuance of a special exception permit by the Town Board.
 171 | When issuing a special exception permit, the Town Board shall take into consideration the public
 172 | interest and use of said piers or wharves. Piers or wharves constructed by the City of Lake Mills
 173 | on public beaches shall be given special permits by the Town Board.

Comment [p5]: Lawyer: Section 30.13(2).

175 | 5-6-86: PENALTIES: Any person violating any provisions of this ordinance shall forfeit not
 176 | more than \$50.00 for the first offense and shall forfeit not more than \$100.00 upon the
 177 | conviction of the same offense a second or subsequent time within one (1) year. Said persons
 178 | shall also be responsible for any costs of prosecution, and in default of payment of such
 179 | forfeiture and costs shall be imprisoned in the County Jail until said forfeiture and costs are paid,
 180 | but not exceeding sixty (60) days.

Comment [p6]: Lawyer: Should be reviewed.

182 | 5-6-~~97~~: EACH DAY A SEPARATE VIOLATION: Each day in which a violation of any of the
183 | sections or requirements of this ~~pier~~ ordinance exists shall constitute a separate offense.

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185 | 5-6-~~108~~: ~~————~~ REPEAL OF CONFLICTING ORDINANCES: All ordinances regulating piers
186 | on Rock Lake, Town of Lake Mills, Jefferson County, Wisconsin, heretofore enacted by the
187 | Town Board of the Town of Lake Mills are hereby repealed.

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189 | 5-6-~~119~~: SEVERABILITY: The provisions of this ordinance shall be deemed severable,
190 | and it is expressly declared that the Town Board of the Town of Lake Mills would have passed
191 | the other provisions of this ordinance irrespective of whether or not one or more provisions may
192 | be declared invalid. If any provision of this ordinance or the application to any person or
193 | circumstances is held invalid, the remainder of the ordinance and the application of such
194 | provisions to other persons or circumstances shall not be affected.

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