

**TOWN OF JACKSONPORT
ORDINANCE NO. 03-2008**

**PROTECT THE ECOLOGY OF LOGAN CREEK AND
THE NORTH END OF CLARK LAKE**

A sole ordinance to regulate boating upon the waters of Clark Lake and Logan Creek and prescribing penalties for violation thereof.

The Town Board of the Town of Jacksonport, Door County, Wisconsin, does ordain as follows:

Section 1. Applicability and Enforcement:

- A. The provisions of this Ordinance shall apply to the waters of Clark Lake (North End) and Logan Creek from Highway 57 to Clark Lake.
- B. The Town shall be responsible for the placement and removal of regulatory markers in the lake.
- C. This Ordinance shall be enforced by officers of the Town of Jacksonport, County of Door, and the State of Wisconsin.

Section 2. Intent:

The intent of this ordinance is to protect the ecology of Logan Creek and the North end of Clark Lake by installation of regulatory markers, marked NO-MOTOR. The markers will delineate areas of Logan Creek and the North end of Clark Lake now being damaged by powered watercraft. The objective of this protective program under the Ordinance is to eliminate the disturbance to the areas by powered watercraft to enable the aquatic vegetation to become reestablished under natural conditions, and to protect important fish spawned and rearing areas. An appended Condition report provides additional descriptive information.

Section 3. State Boating and Safety Laws Adopted:

State boating laws as found in Sections 30.50 to 30.71, Wis., are adopted by reference.

Section 4. Definitions:

“Person” includes an individual, partnership, corporation, the state and its agencies, and subdivisions, and any other legal entity.

“Operate” means to navigate or otherwise use a watercraft.

Section 5. Controlled Area:

No person shall operate a motorboat, as defined in WI. State Statutes 30.50 (6), that is propelled by electric motor or motors, internal combustion engine or engines in the North end of Clark Lake and Logan Creek as set forth on the attached map. The two areas shall be bounded by regulatory markers which shall be positioned as shown on the map of Clark Lake and Logan Creek, a copy of which is attached hereto as Exhibit "A" and incorporated herein. The regulatory markers will be installed with the aid of a GPS monitor so as to return them to the same location each year.

Exception: Authorized resources, management personnel, emergency personnel, and enforcement personnel when acting in the performance of their duties, shall be exempt from the provisions of this section.

Section 6. Allowable Usage in Restricted Area:

“Persons” may operate a motor boat in the controlled area as long as it is not propelled by an electric motor or internal combustion engine.

Section 7. Posting Requirements:

The Town of Jacksonport 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, Wisconsin DNR Administrative Code.

Section 8. Penalties:

Wisconsin state boating penalties, as found in Section 30.80, Wis. Stats., and deposits as established in the Uniform Deposit and Bail Schedule by the Wisconsin Judicial Conference, are hereby adopted by reference with all references to fines amended to forfeitures and all references to imprisonment deleted.

Section 9. 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 10. Effective Date:

This Ordinance shall take effect upon passage and the day following its publication.

Adopted this 16 day of December, 2008.

TOWN OF JACKSONPORT

Submitted by:

Aaron LeClair, Supervisor #1

Board Members	Aye	Nay	Exc.
George Bagnall - absent			
Jeanne Majeski	X		
Aaron LeClair	X		

Certification:

I, Eileen L. Phetteplace, Clerk of the Town of Jacksonport, hereby certify that the above is a true and correct copy of an Ordinance that was adopted on the 16 day of December 2008, by the Town Board of Supervisors.