

1987 Assembly Bill 37

Date of enactment: November 25, 1987
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1987 Wisconsin Act 99

AN ACT to renumber 30.77 (3) (b); to amend 30.77 (3) (a); and to create 30.77 (3) (b) of the statutes, relating to local regulation of boating.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 30.77 (3) (a) of the statutes is amended to read:

30.77 (3) (a) Any town, village or city may, in the interest of public health, safety or welfare, adopt local regulations applicable on any waters of this state within its jurisdiction if the regulation is not contrary to or inconsistent with this chapter, relative and if the regulation relates to the equipment, use or operation of boats or relative to any activity regulated by ss. 30.60 to 30.71, but no such local regulation which in any manner pertains to the equipment, use or operation of a boat on an inland lake is valid unless all towns, cities and villages having jurisdiction on the waters of the lake have enacted an identical local regulation.

(c) If any county operates any marina development adjacent to any waters ~~or lake of this state~~, the authority conferred upon any town, village or city ~~by this paragraph under par. (a)~~ shall exclusively vest in said the county in respect to adoption of such local regulations ~~insofar as they that~~ relate to the development, operation and use of said the marina facility and its adjoining waters.

(d) Local regulations pertaining to the equipment, use or operation of boats on inland lakes shall be subject to advisory review by the department as provided under this paragraph. ~~Within 60 days after June 19, 1974, the clerk of each town, village or city which has enacted such regulations shall submit a copy of such local regulations to the department. Local Proposed local regulations proposed subsequent to this date subject to review under this paragraph shall be submitted by the local clerk to the department at least 60~~

days prior to final action thereon by the town, village or city governing body. Advisory reports ~~as to~~ regarding town, village or city regulation of the equipment, use or operation of boats on inland lakes shall be based on consideration of the effect of the local regulation on the state from the standpoint of uniformity and enforcement and the effect of the local regulation on the affected town, village or city in view of pertinent local conditions; Advisory reports shall state in what regard such regulations are deemed consistent or inconsistent with this chapter as to public health, safety or welfare; and shall be accompanied by suggested changes, if any. ~~No later than one year after June 19, 1974 as to the town, village or city regulations in effect on this date and no later than 20 days after receipt by the department of proposed local regulations proposed after this date, the department shall advise the town, village or city in writing, addressed to the clerk, as to the results of its advisory review hereunder under this paragraph.~~

SECTION 1m. 30.77 (3) (b) of the statutes is renumbered 30.77 (3) (e).

SECTION 2. 30.77 (3) (b) of the statutes is created to read:

30.77 (3) (b) Any county may, in the interest of public health, safety or welfare, adopt local regulations applicable on any river or stream within its jurisdiction if the regulation is not contrary to or inconsistent with this chapter, and if the regulation relates to the equipment, use or operation of boats or to any activity regulated by ss. 30.60 to 30.71. If a county adopts a regulation under this paragraph, the county regulation supersedes all provisions of a town, village or city regulation adopted under par. (a) that is inconsistent with the county regulation.