

2001 ASSEMBLY BILL 680

December 7, 2001 – Introduced by Representatives BOYLE, URBAN, LA FAVE, OTT and RYBA. Referred to Committee on Natural Resources.

1 **AN ACT** *to amend* 30.77 (3) (cm) (intro.) and 30.77 (3) (cr) 2.; and *to create* 30.77
2 (3) (ac) 3., 30.77 (3) (cr) 4. and 30.77 (3) (cs) of the statutes; **relating to:**
3 authorizing cities, villages, towns, counties, public inland lake rehabilitation
4 and protection districts, and sanitary districts to enact ordinances relating to
5 the operation of personal watercraft as to location and time.

Analysis by the Legislative Reference Bureau

Under current law, cities, villages, and towns (municipalities) and public inland lake protection and rehabilitation districts and town sanitary districts (districts) may, in the interest of public health, safety, or welfare, enact boating ordinances for lakes that are not contrary to state law. Counties, in the interest of public health, safety, or welfare, may enact boating ordinances that are applicable to rivers subject to their jurisdiction. Under current law, the “interest of public health, safety, or welfare” includes the preservation of the state’s natural resources.

Under current law, municipalities, districts, and counties, in the interest of public health, safety, or welfare, may enact ordinances that restrict the speed of boats and that restrict certain types of boating activities at certain locations and during certain times. This bill specifically authorizes municipalities, districts, and counties to enact ordinances that totally prohibit the operation of personal watercraft or that prohibit their operation during specified hours of the day or specified days of the week if the ordinance is in the interest of public health, safety, or welfare. If a county, municipality, or district enacts such an ordinance, the ordinance must apply to the entire county, municipality, or district.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 30.77 (3) (ac) 3. of the statutes is created to read:

2 30.77 **(3)** (ac) 3. The ordinance has been enacted by a public inland lake
3 protection and rehabilitation district or by a town sanitary district under par. (am).

4 **SECTION 2.** 30.77 (3) (cm) (intro.) of the statutes is amended to read:

5 30.77 **(3)** (cm) (intro.) In enacting ordinances under par. (a), (am)₁ or (b) for a
6 given body of water, municipalities and public inland lake protection and
7 rehabilitation districts and town sanitary districts shall take into account factors
8 that include all of the following:

9 **SECTION 3.** 30.77 (3) (cr) 2. of the statutes is amended to read:

10 30.77 **(3)** (cr) 2. Restrictions on certain types of boating activities on all, or in
11 specified parts, of ~~the~~ a lake, river, or stream.

12 **SECTION 4.** 30.77 (3) (cr) 4. of the statutes is created to read:

13 30.77 **(3)** (cr) 4. A prohibition against the operation of personal watercraft or
14 restrictions on their operation during specified hours of the day or specified days of
15 the week.

16 **SECTION 5.** 30.77 (3) (cs) of the statutes is created to read:

17 30.77 **(3)** (cs) Any ordinance enacted under par. (cr) 4. shall apply to all of the
18 lakes, rivers, and streams within the boundaries of the municipality, public inland
19 lake protection and rehabilitation district, or town sanitary district that enacted the
20 ordinance.

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(END)