

1981 Assembly Bill 394

Date published: March 2, 1982

CHAPTER 117 , Laws of 1981

AN ACT to repeal 30.121 (3) (b); to consolidate, renumber and amend 30.121 (3) (intro.) and (a); and to create 30.121 (3m) of the statutes, relating to construction of boathouses on navigable waters.

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

SECTION 1. 30.121 (3) (intro.) and (a) of the statutes are consolidated, renumbered 30.121 (3) and amended to read:

30.121 (3) **MAINTENANCE.** After December 16, 1979, the owners of any boathouse or fixed houseboat extending beyond the ordinary highwater mark of any navigable waterway may repair and maintain the boathouse or fixed houseboat: ~~(a)~~ **If if** the cost of the repair or maintenance does not exceed 50% of the equalized assessed value of the boat-

house or fixed houseboat or, if the boathouse or fixed houseboat is not subject to assessment, if the cost of the repair or maintenance does not exceed 50% of the current fair market value; and.

SECTION 2. 30.121 (3) (b) of the statutes is repealed.

SECTION 3. 30.121 (3m) of the statutes is created to read:

30.121 (3m) EXCEPTION. Notwithstanding subs. (2) and (3), a person may construct, repair or maintain a single-story boathouse over a water enlargement for a boatslip permitted under s. 30.19 if:

- (a) The boathouse does not extend beyond the ordinary highwater mark as it existed prior to the creation of the enlargement;
 - (b) The boathouse covers the entire enlargement; and
 - (c) No living quarters or plumbing fixtures are constructed in the boathouse.
-