

CHAPTER 20
LAKES AND BEACHES
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20.01 **SHORELINES AND BULKHEAD LINE.** (1) SHORELINES. There shall be established in the interest of the public and pursuant to §30.02, Wis. Stats., a shoreline along a part of the banks of the Fond du Lac River and the shore of Lake Winnebago, as described herein and more particularly shown by the map on file in the office of the City Clerk, subject to the approval of the Public Service Commission of Wisconsin, namely:

(a) Beginning at the intersection of the north line of West Scott St. and the west shoreline of the Fond du Lac River in the City of Fond du Lac, Fond du Lac County, Wisconsin, thence north 9° east, a distance of 320 feet; thence north 21° west, a distance of 500 feet; thence north 3° west, a distance of 590 feet; thence north 16°30' east, a distance of 1,865 feet; thence north 41° west, a distance of 585 feet to a point of the breakwater as the same now exists on the south shore of Lake Winnebago; thence north 67°30' west along said present breakwater, a distance of 840 feet; thence north 61° west, a distance of 850 feet; thence south 28° west, a distance of 300 feet; thence south 59°30' east, a distance of 910 feet; thence south 65° east, a distance of 485 feet; thence south 18°30' east, a distance of 606 feet; thence south 15° west, a distance of 1,510 feet; thence south 45° east, a distance of 485 feet; thence south 21° east, a distance of 500 feet; thence south 9° west, a distance of 320 feet to the place of beginning.

(b) The above described property is located in unplatted lands in Sec. 3, T15N, R17E, and commonly known as Supple Marsh.

(c) In addition to that area described in par. (a), the following described area is hereby made a part of the shoreline along a portion of the shore of Lake Winnebago, such area more particularly shown by the map on file in the office of the City Clerk, subject to the approval of the Public Service Commission of Wisconsin, namely:

(d) Beginning at a point on the present breakwater, which point is the northwest corner of previously described property as approved by the Public Service Commission of Wisconsin in 1956; thence north 57° west along said breakwater as the same now exists on the south shore of Lake Winnebago, a distance of 2,010 feet, more or less; thence south 60° west (mag.) a distance of 180 feet, more or less; thence south 41° east (mag.) a distance of 660 feet, more or less; thence south 53°30' east (mag.) a distance of 560 feet, more or less; thence south 43° east (mag.) a distance of 570 feet, more or less; thence south 65° east (mag.) a distance of 400 feet, more or less; thence north 28° east, a distance of 465 feet, more or less; to the point of beginning, which was a point on the previously approved area.

(e) The above described property is located in unplatted lands in Sec. 3 and 4, T15N, R17E, and is commonly known as a part of the Supple Marsh.

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(f) A parcel of land located in the E½ SW¼, Sec. 3 T15N, R17E, commencing at the northeast corner of Lot 11, Bannister and Lewis addition to the City and running thence north 3°45' west, 100 feet; thence west 80 feet and parallel with the north line of said Lot 11, to an iron pipe stake; thence north 3°45' west, 17.31 feet to an iron pipe stake; thence north 80°15' west, 69.90 feet and which said point shall be known as the place of beginning for the description of the shoreline along the east bank of the Fond du Lac River; thence south 1°52' west, 128.97 feet to the north line of said Lot 11 to a point, and which said point is the termination point for this description.

(g) Three certified copies of this section, together with 3 true and correct copies of such maps shall be submitted to the Public Service Commission of Wisconsin for its approval.

(h) Upon the return and receipt of such approved maps the same shall be filed as follows: one in the office of the Public Service Commission, one in the office of the City Clerk and one in the office of the Register of Deeds.

(2) **BULKHEAD LINE.** A bulkhead line as described below is hereby established, and upon such establishment 3 copies of the map and this subsection shall be filed with the office of the Wisconsin Department of Natural Resources, one copy with the City Clerk and one copy with the Register of Deeds.

Commencing at a point along the westerly line of Water St. and the centerline of Hone St. as vacated; thence westerly along the centerline of Hone St. extended (as vacated) 61.15 feet to the place of beginning for said bulkhead line; thence north 1°36' east 224.09 feet to a point, which said point is the termination for this description.

20.02 **OBSTRUCTING NAVIGABLE WATER.** No person shall obstruct any navigable waters within the City, whereby the free flowage thereof is impaired, and no person shall place in any navigable waters within the City any substance whatsoever that may obstruct or be likely to obstruct any such waters or impede their free navigation, or construct or maintain any bridge, boom or dam not authorized by the Wisconsin Statutes.

20.03 **RUBBISH IN WATERWAYS.** No person shall throw, dump or deposit any sticks, branches, timber, rubbish, stones, gravel, grout, concrete blocks, waste, refuse, trash, junk, litter, debris, carcass of any animal or fowl, snow or ice into any river, creek, stream, lagoon or drainage canal or ditch in the City or into that part of Lake Winnebago lying within the corporate limits of the City or within the established shoreline of Lake Winnebago, and no person shall drain, discharge, deposit or empty any sewage in any such waters or allow or permit the draining of any sewage therein.

20.04 **DAMAGING SHORE PROTECTION.** No person shall damage or remove any portion of the improved shore protection of any navigable waters within the City unless a written permit is first obtained from the Director of Public Works.

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20.05 **BRIDGES.** (1) DAMAGING. No person shall willfully injure or damage any bridge, abutment or part thereof within the City or fasten or hitch any boat, timber or other floating material to any such bridge or abutment.

(2) DIVING OR JUMPING FROM. No person shall jump or dive from any bridge within the City into the waters thereunder.

(3) LOITERING. No person shall loiter upon any bridge within the City.

20.06 **REGULATIONS FOR BOATS.** (1) STATUTES ADOPTED. Sections 30.50 to 30.71, Wis. Stats., relating to safety regulations for boats so far as applicable to the City, are hereby adopted by reference as if fully set forth herein.

(2) MUFFLER REQUIRED. No person shall operate any boat propelled by a petroleum product within the City unless the boat is equipped with a muffler in good working order and closed so that all of the motor exhaust passes through the muffler to reduce so far as reasonably possible the noise of such exhaust.

(3) SPEED LIMIT ON NAVIGABLE WATERS. (a) No person shall operate, use, navigate or otherwise employ any boat or vessel upon any navigable waters within the City other than a speed of slow-no-wake.

(b) Any person violating this subsection shall be subject to a forfeiture of not more than \$50 for the first offense and not more than \$100 upon conviction of the same offense a second or subsequent time within one year.

(4) RECKLESS NAVIGATION. No person shall drive, operate or use a motorboat on the navigable waters located in the City in a careless, negligent or reckless manner so as to endanger or be likely to endanger the life, property or person of others.

(5) POWER BOATS. (a) Entering or Leaving Harbor. Power boats with permanent or detachable motors entering the Municipal Harbor at Lakeside Park shall upon entering the harbor continue on a straight north and south course from the entrance to a point at least 150' to the south of the entrance; and all such boats leaving the harbor shall do so by leaving on a due north and south course, which course shall continue at least for a distance of 150' south of the exit due north to the exit. At no time shall boats entering or leaving the harbor deviate from a due north and south course within that distance of 150', as marked by a buoy located in the harbor to the entrance or exit.

(b) Towing Water Skis, Aquaplanes, Etc. No water skiing, aquaplaning or similar actions operated by being towed behind power boats shall be carried on in the waters of the Municipal Harbor.

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20.07 **HOUSEBOATS**. No person shall locate, place or occupy any boat that is used as a place of residence on any navigable waters within the City, provided however, that nothing in this section shall prohibit any person from docking at any wharf within the City where such docking is done as part of travel upon the public waters where the occupants of the boats are not using the same as a place of abode.

20.08 **BOATHOUSES AND DOCKING OF BOATS**. The City Manager shall have jurisdiction and control of regulating the occupancy and use of boathouses in Lighthouse Harbor in Lakeside Park and of the docking of all boats within Lighthouse Harbor and in the lagoons located in Lakeside Park and shall adopt such rules and regulations in regard thereto as he deems necessary to promote the public health, safety and general welfare as provided by ¶27.08(2)(a), Wis. Stats.

20.09 **REMOVAL OF WATER OBSTRUCTIONS**. The Chief of Police is hereby authorized to remove to a convenient and safe place any boat, watercraft or float obstructing or interfering with the free navigation of any navigable waters located within the City, providing that notice is given in the manner provided by ¶30.16, Wis. Stats.

20.15 **PENALTY**. Except as otherwise provided, any person found to be in violation of this chapter or any order, rule or regulation made hereunder shall be subject to a penalty as provided in ¶25.04 of this Municipal Code.