

Chapter 66

Parks and Recreation*

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***Cross References** – Any ordinance regarding the naming and changing of names of public grounds and parks saved from repeal, § 1-10(19); Environment, Chapter 30; Streets, Sidewalks and Public Places, Chapter 82; Parks Board for Street Trees, § 82-153.

Article I. In General

Section 66-1. Boat Docking Regulations.

- (a) *Piers and Docks.* No person shall store nor moor any boat nor float device on or attached to any city public pier between 2:00 A.M. and 5:00 A.M. except under permit issued by the park and recreation board.
- (b) *Public Landings.* No person shall moor nor dock a boat nor other float device on or within 25 feet of a city public landing except at a city pier provided for that purpose covered under subsection (a) of this section.
- (c) *Penalty.* The fine for a violation of this section shall be \$10.00. Fines not paid within ten days shall be \$20.00. Each day shall be a separate violation.
(Ordinance Number 1998-5, § 9.21, 5-5-1998)

Section 66-2. Establishment of Water Ski Area

- (1) *Intent.*
 - (a) The intent of this ordinance is to continue to provide safe and healthful conditions for the enjoyment of aquatic recreation consistent with public rights and interests and the capability of water resources.
- (2) *Applicability and Enforcement.*
 - (a) This ordinance shall apply to the waters of the Wisconsin River commonly known as "Kwahamot Bay" and set out more fully in 4(a) below.
 - (b) The city of Tomahawk police department shall enforce this chapter.
- (3) *Skate Boating and Safety Laws Adopted.*
 - (a) State boating laws as found in Section 30-50 and 30-71 are adopted by reference.
- (4) *Water Ski Shows and Practices Authorized; Setup; Descriptions.* The Kwahamot Water Ski Club, Inc., is authorized to conduct shows and practices on the Wisconsin River in the areas designated as follows:
 - (a) *Water Ski Shows:* The club is granted exclusive use to conduct water ski shows on the Wisconsin River between the hours of 6:00 P.M. and 10:00 P.M., on those days designated from time to time by the city council, which days shall be available for inspection at the city clerk's office during any open hours.
 - (b) The show area shall be that portion of the Wisconsin River described as follows;
 - (1) Beginning at the point where the East line of Lot 2 of Deer Park Addition intersects the North shoreline of the Wisconsin River; thence running South on the extension of this East line to a point 180 feet North of the South shoreline; thence running Westerly and parallel with the South shoreline to the Easterly edge of the Veterans Memorial Bridge;

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thence North along this line to the North shore of the river; thence East along the shore to the point of beginning, all being in S 34, T35N R6E.

(5) *Setup Area; Nonexclusive.*

(a) In addition, on show days, the ski club is granted a nonexclusive setup and exhibition area for water ski shows on the following portion of the Wisconsin River:

(1) That area of the Wisconsin River lying between the East line of the above described show area and the extension of the North line of Lot 2 of the Sunset Boulevard First Addition to the city of Tomahawk, all being in S 34, T35N R6E.

(6) *Practice Area.*

(a) The ski club is authorized to conduct practices in the show area daily from sunrise until sunset.

(7) *Placement of Buoys.*

(a) Under the authority granted in NR 5.09(7) (d), Wisconsin Administrative Code, the council further authorizes the club to place water ski buoys in the designated area between Memorial Day and Labor Day.

(8) *Exclusive Use of the Water Ski Area.*

(a) The permittee shall be granted exclusive use of the show location described above during the authorized hours of the water ski show. This section does not apply in the case of an emergency or to the water patrol or to rescue craft.

(9) *Water Ski Pickup and Drop Zone.*

(a) Water ski pickup and drop zones are established within 100 feet of the club piers located on the North shore adjacent to the club ski chalet. The water ski pickup and drop zone is in effect whenever buoys marking this zone are in place.

(10) *Penalties.*

(a) The council hereby adopts by reference the Wisconsin State boating penalties found in Wisconsin Statute Section 30.80.

(11) *Severability.*

(a) The provisions of this ordinance shall be deemed severable and it is expressly declared that the common council would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provisions 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 and circumstances shall not be affected.

Sections 66-3 – 66-30. Reserved.

Article II. Park-Recreation Committee*

Section 66-31. Membership.

The park-recreation committee shall consist of seven members appointed by the mayor subject to confirmation by the common council. Three members of this committee shall be alderpersons. The others shall be citizens of the city at large. All members shall serve for three years with one being appointed each year on a rotation basis. An alderperson who is a member shall only serve as long as he or she remains on the council. When an alderperson ceases to be such, another one shall be appointed from the council to serve the remaining time left on that three-year term. This committee shall elect its own officers provided an alderperson is chairperson, and shall have the powers and duties as may be delegated to it by the common council from time to time.

(Ordinance Number 1991-4, § 1.04(5), 3-5-1991)

Sections 66-32 – 66-60. Reserved.

Article III. Bradley Park

Section 66-61. Curfew.

All grounds and facilities in Bradley Park will be closed each day between the hours of 10:00 P.M. and 7:00 A.M., unless a specific request is made to the city clerk's office and permission is granted.

(Code 1989, § 9.151)

Sections 66-62 – 66-90. Reserved.

Article IV. City Boat Launching Fees

Section 66-91. City Boat Launching Fee.

(a) *Boat Launching Fee Required.*

- (1) No person shall launch a watercraft at a boat landing owned or operated by the city without first paying a daily or annual launch fee to the city of Tomahawk and displaying a permit on the launching vehicle. A "watercraft" shall include all watercraft used or capable of being used as means of transportation in water.

(b) *Boat Launching Fees.*

- (1) Daily and annual launch fees shall be set by city council resolution as recommended by the parks and recreation committee.

(c) *Payment of Fee and Display of Permit/Sticker.* A daily launch permit or an annual launch sticker may be purchased.

- (1) *Daily Fee.* Upon payment of a daily launch fee to the clerk-treasurer, the receipt from the payment envelope shall be displayed on the dash of the vehicle on the driver's side.

***Cross Reference** – Boards, Commissions and Committees, § 2-191 et seq.

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(2) *Annual Fee.* Upon payment of the annual launch fee to the clerk-treasurer, a sticker shall be issued. The sticker must be permanently affixed to the tongue of the trailer at the base of the winch post on the driver's side of the vehicle or on the lower corner of windshield of the vehicle on the driver's side.

(d) *Fees Collected.*

(1) All fees collected shall be placed in a non-lapsing fund to be used for the purpose of maintaining landing facilities.

(e) *Exceptions.*

(1) Kwahamot Water Ski Club watercraft is exempt from this article of the code.

(f) *Enforcement.*

(1) All qualified city law enforcement officials are authorized in the name of the city to make arrests or issue citations for prosecution for violations occurring under this section, as well as personnel from the parks department and any person designated as a boat launch fee collector.

(g) *Penalty.*

(1) A person who shall violate any provision of this section shall be subject to the penalty provided in Section 1-14 of this code. The owner of a vehicle involved in a violation of this section shall be liable for the violation. It shall be no defense to a violation of this section that the owner was not operating the vehicle at the time of the violation.