

Power Loading of Watercraft

1 To the Honorable members of the Burnett County Board of Supervisors;

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3 **WHEREAS**, it has come to the attention of Burnett County that the method of loading
4 watercraft with power from the engine (“power loading”) is causing significant damage to
5 boat landings; and

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7 **WHEREAS**, citizens and lake associations including the Burnett County Lakes & Rivers
8 Association (BCLRA) have requested that the county take actions to reduce the damage to the
9 landings from power loading; and

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11 **WHEREAS**, the Natural Resources Committee has discussed and passed a proposed
12 ordinance addressing the issue.

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14 **NOW, THEREFORE BE IT RESOLVED, THAT** the Burnett County Board of
15 Supervisors adopt the attached ordinance language to regulate the act of power loading of
16 watercraft.

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18 Respectfully submitted by the Natural Resources Committee.

19 Signed and dated this 10th day of February, 2022.

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Edgar Peterson, Chair

_____ Steve Austin

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Norman Bickford, Vice-Chair

_____ Gene McLain

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Craig Conroy, Secretary

_____ Gene Olson


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Chuck Anderson

State of Wisconsin
County of Burnett

I, Wanda Hinrichs, the duly elected and qualified County Clerk in and for Burnett County, do hereby certify that the attached Resolution 2022-02, "Power Loading of Watercraft" was adopted by the Burnett County Board of Supervisors at a legally assembled meeting at which a quorum was present and acted throughout. The date of passage was February 24, 2022.



Wanda Hinrichs,
Burnett County Clerk

Chapter 18 – ENVIRONMENT

ARTICLE VI. – LAUNCHING AND LOADING OF WATERCRAFT

Sec. 18-237. – Definitions

- (1) Watercraft shall include all motorized and on-motorized boats, personal watercraft, hydroplanes, amphibious vehicles, jet skis, sailboats, hovercraft, or any other craft or vehicle used upon the water.
- (2) Power loading is defined as the practice of putting on, or taking off, from a trailer, carriage or device, a watercraft while under motor power, whether by main, auxiliary or trolling power devices.

Sec. 18-238. – Power Loading Prohibited

- (1) Watercraft must be loaded and unloaded from the watercraft trailer, or carriage or other device used to transport said watercraft without the use of the watercraft's main, auxiliary or trolling power devices. A rope, strap or similar device is to be used. It shall be unlawful to otherwise launch or trailer a watercraft.

Sec. 18-239. – Applicability

- (1) This ordinance shall be effective at all boat landings.

Sec.18-240. - Citation and Enforcement

- (a) Any person who violates a provision of this article shall be subject to a forfeiture plus court costs as follows:
 - (1) For the first offense, a forfeiture not to exceed \$25.00, plus costs.
 - (2) For the second offense, a forfeiture of not less than \$25.00 nor more than \$100.00, plus costs.
 - (3) For the third and subsequent offenses, a forfeiture of not less than \$100.00 nor more than \$250.00, plus costs.
- (b) Each violation shall be considered a separate offense.
- (c) Legal action may be initiated against a violator by the issuance of a citation pursuant to Wis. Stats. § 66.0113(1)(a). This citation may be issued by a law enforcement officer of the county.
- (d) The citation shall contain the following:

- (1) The name and address of the alleged violator.
 - (2) The factual allegations describing the alleged violation.
 - (3) The time and place of the offense.
 - (4) The section of the article violated.
 - (5) A description of the offense in a manner that can be readily understood by a person making a reasonable effort to do so.
 - (6) The time at which the alleged violator may appear in court.
 - (7) A statement which in essence informs the alleged violator:
 - a. That the alleged violator may make a cash deposit for the amount of the applicable penalty, to be mailed to the county clerk of courts prior to the initial appearance on the citation.
 - b. That if the alleged violator makes such a deposit, he or she need not appear in court unless subsequently summoned.
 - c. That, if the alleged violator makes a cash deposit and does not appear in court, he or she either will be deemed to have tendered a plea of no contest and submitted to the forfeiture plus costs or will be summoned into court to answer the complaint if the court does not accept the plea of no contest.
 - d. That, if the alleged violator does not make a cash deposit and does not appear in court at the time specified, the court may consider the nonappearance to be a plea of no contest and enter judgment for the amount of the penalty listed on the citation, and that the county may commence an action against the alleged violator to collect this penalty.
 - (8) A direction that if the alleged violator elects to make a cash deposit, the alleged violator shall sign an appropriate statement which accompanies the citation to indicate that he or she read the statement required under subsection (d)(7) of this section and shall send the signed statement with the cash deposit.
 - (9) Such other information as may be deemed necessary.
- (e) Wis. Stats. § 66.0113(3), relating to violator's options and procedures on default, is hereby adopted and incorporated herein by reference.