

**ORDINANCE NO. 23-006**  
**AN ORDINANCE AMENDING CHAPTER 188 BOATING and SWIMMING OF THE CODE**  
**OF ORDINANCES OF THE CITY OF OCONTO FALLS**  
**July 11, 2023**

The Common Council of the City of Oconto Falls, Oconto County, Wisconsin, does ordain that Zoning of the Code of Ordinances of the City of Oconto Falls are amended to read as follows:

## Chapter 188. Boating and Swimming Article I. General Regulations

[Adopted 2-8-2005 by Ord. No. 05-003 (Ch. 32)] [Amended 7.13.2023 by ORD 23-006]

### § 188-1. Applicability and enforcement.

- A. The provisions of this article shall apply to the waters of the Oconto River Flowage within the jurisdiction of the City of Oconto Falls, together with all beaches, boat ramps, docks, piers and landings that provide public access to such waters.
- B. The provisions of this article shall also apply to all other waters of this state which, from time to time, may be within the jurisdiction of the City of Oconto Falls, together with all boat ramps, docks, piers and landings that provide public access to such waters.
- C. The provisions of this article shall be enforced by the law enforcement officers of the City of Oconto Falls and all state and county officers authorized by law to enforce the same. Copies of this article shall be posted at all public landings on the Oconto River Flowage in the City of Oconto Falls.

### § 188-2. Definitions.

- A. The definitions contained in § 30.50, Wis. Stats., as amended and/or renumbered from time to time, are hereby adopted and incorporated into this article by reference.
- B. "Watercraft" shall mean any device or vessel used and designed for navigation on water, provided that it is required to be numbered and registered under Wisconsin law.

### § 188-3. Launching fees and Beach Parking Fees.

- A. The City shall, from time to time, establish user fees for the launching of watercraft from, or use of any public boat ramp and for parking at the West Side Beach and East Side Beach parking lot and Main Street adjacent to East Side Beach as marked for permit parking only.
- B. No person shall launch a watercraft from, or by use of any public boat ramp, or park at West Side Beach and East Side Beach lots or Main Street, adjacent to East Side Beach, as marked for permit parking without first paying the posted fee. City residents shall display their recycle sticker and non-residents shall pay for and display the daily or the annual parking fee for each vehicle. Provided, however, that all government-owned or -operated watercraft are exempt from the payment of ramp user fees.
- C. All annual ramp user fees and parking permits for the designated areas shall expire on January 1 of each year. The annual fee shall not be prorated but shall be paid in full regardless of when it is

paid.

## § 188-4. Display of receipt.

Beach parking at West Side or East Side Beaches in the City of Oconto Falls.  
Watercraft Daily or Annual Permit Display See § **188-12** of this chapter.

- A. Upon payment of the fee set forth herein, a receipt shall be displayed prominently in the lower left-hand corner of the front windshield of the vehicle parking at either West Side or East Side Beaches, including adjacent roadways marked permit parking only in the City of Oconto Falls.
- B. Daily receipts shall be obtained at the applicable beach.
- C. Annual applications and permits shall be obtained at the Office of City Administrator - Clerk/Treasurer during normal business hours.
- D. The annual permit shall be prominently displayed and permanently attached upon the left-hand corner of the front windshield the vehicle.

[ORD 23-006 Amended 7.11.2023]

## § 188-5. Prohibited conduct.

- A. It shall be unlawful for any person to park, stop or leave standing any motor vehicle, or watercraft trailer, whether attended or unattended, at any public boat launching area in the City of Oconto Falls:
  - (1) Without first obtaining a ramp user of parking permit as provided in § § **188-3**; and
  - (2) Unless the receipt for the fee is displayed as provided in § **188-4**.
- B. All daily or annual fees are to be prepaid, and it is a violation of this article to deposit fees after the launching of any watercraft.
- C. No individual shall use a public boat ramp in the City of Oconto Falls for a period in excess of 10 minutes.
- D. No individual shall stop, park, let stand, or operate a boat in the Oconto River so as to interfere with ingress or egress of boats into or out of the Oconto River to and from public boat landings.
- E. It shall be unlawful for any person or owner of a vehicle to engage in any scheme, device or plan which results in payment of less than the actual fee due for parking or launching a watercraft from a public boat ramp in the City of Oconto Falls.
- F. No person shall deposit, place or throw from any boat, vehicle, raft, pier, platform, or similar structure any cans, papers, bottles, debris, refuse, garbage, or solid or liquid waste into the waters of the Oconto River or on the lands of the public boat launch in the City of Oconto Falls.

## § 188-6. State boating and safety laws adopted.

The provisions of §§ 30.60 through and including 30.71, Wis. Stats., as amended and/or renumbered from time to time, are hereby adopted and incorporated into this article by reference.

## § 188-7. Beach and parking areas.

The area commonly known as the "East Side Beach" shall be available for swimming during the hours posted and at no other times.<sup>[1]</sup> Parking at West Side and East Side Beach parking lots and Main Street adjacent to East Side Beach, as marked for permit parking only, and require display by residents of recycling sticker or daily or annual parking permits in each vehicle.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. I, General Provisions, Art. II).*

- A. All municipal parks shall be seasonally available for public use between the hours of 5:00 a.m. and 10:00 p.m. Recreation areas are available at posted times.<sup>[2]</sup>

[2] *Editor's Note: Amended at time of adoption of Code (see Ch. I, General Provisions, Art. II).*

- B. It shall be unlawful for anyone to be on the East Side Beach or the West Side Beach, or in any municipal park or recreation area, at times other than the hours stated, except that it shall be lawful for the public to use the boat landing and driveway at the East Side Beach for the purpose of putting in the water or taking out of the water a boat which was used or is to be used for fishing or other activity not prohibited by law.
- C. It shall be unlawful for animals of any kind to be on the beach, in the park, on or around the boat landings or in the water, at any time, whether they are tethered or confined in any manner.
- D. The Common Council may, from time to time, promulgate rules and regulations as it deems necessary in order to ensure that hazardous activities are not permitted or continued in the municipal parks and recreation areas. The rules and regulations shall take effect upon their being filed in the office of the City Administrator - Clerk/Treasurer.
- E. Upon notice by an officer of the City, or his representative, of an impending natural disaster or other emergency, all persons shall immediately vacate the beach, park and boat landing areas until such time as the official deems it safe to return to the areas mentioned.
- F. Trespassing on all beach and adjacent park areas, including motor vehicle parking areas, within the City of Oconto Falls shall be prohibited during the hours that such beaches are closed.
- G. *The use of motorbikes, motorcycles or any motor-driven vehicle on the athletic field, playground area, running track and the entire area commonly known as "Memorial Field" is hereby prohibited except:*
- (1) *The parking of automobiles in designated parking lots or areas, at regularly scheduled events, is permitted;*
  - (2) *Emergency vehicles and municipal and school district maintenance vehicles are exempt; and*
  - (3) *As otherwise authorized, from time to time, by the Common Council.*

## § 188-8. Violations and penalties.

- A. Any person violating the provisions of §§ **188-3** through **188-5** above shall be subject to a forfeiture as provided in § **1-9** of this Code.<sup>[1]</sup>

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. I, General Provisions, Art. II).*

- B. With regard to a violation of any provision adopted under § 188-6 above, § 30.80, Wis. Stats., as amended and/or renumbered from time to time, together with deposits as established in the Uniform Deposit and Bail Schedule established by the Wisconsin Judicial Conference, is hereby adopted and incorporated into this article by reference, with all statutory references to "fines" being amended to read "forfeitures" and all statutory references to imprisonment being deleted.
- C. A violation of any provision of this article may be prosecuted against either the person launching a watercraft, the operator of the watercraft or the owner of the motor vehicle used in conjunction with launching a watercraft or parking at the East Side or West Side Beach in violation of this ordinance.
- D. Any person who shall violate any provision contained in § 188-7 above shall forfeit not less than \$25 nor more than \$200, plus the costs of prosecution.
- E. Each day on which a violation of any provision of this article is committed is considered a separate offense.

## Article II. Watercraft Launching

[Adopted 7-10-2007 by Ord. No. 07-011 (Ch. 33)]

### § 188-9. Applicability and enforcement.

- A. The provisions of this article shall apply to all public boat ramps within the jurisdiction of the City of Oconto Falls, Oconto County, Wisconsin.
- B. The provisions of this article shall be enforced by the law enforcement officers of the City of Oconto Falls, along with any and all other state and county officers authorized by law to enforce the same.
- C. Copies of this article shall be posted at all public landings within the City of Oconto Falls, Wisconsin.

### § 188-10. Fee.

- A. The fee shall apply to any person launching any watercraft from a public boat ramp, and parking at the West Side and East Side Beach parking lots and Main Street adjacent to East Side Beach as marked for permit parking only within the City of Oconto Falls, Wisconsin, and shall be categorized as follows:
  - (1) A daily fee as established by the City Fee Schedule; and
  - (2) An annual fee in the amount established by the City Fee Schedule.
- B. For the purposes of this section all annual permits shall expire on January 1 of each year. The annual fee shall be due and payable in its entirety regardless of the time of the year application is made.

## § 188-11. Exemption.

All government-owned or -operated watercraft, are hereby exempt from the payment of the boat ramp user fee. All official City of Oconto Falls vehicles are exempt from Beach Parking Permit fees.

## § 188-12. Display of receipt.

- A. Upon payment of the fee set forth herein, a receipt shall be displayed prominently in the lower left-hand corner of the front windshield of the vehicle launching the watercraft.
- B. The receipt shall be displayed at all times the vehicle is at the City's boat ramp.
- C. Daily receipts shall be obtained at the applicable boat ramp.
- D. Annual applications and permits shall be obtained at the office of City Administrator - Clerk/Treasurer during normal business hours.
- E. The annual permit shall be prominently displayed and permanently attached upon the left side of the tongue of the trailer within three feet of the front of the trailer.
- F. Illegible permits are required to be replaced at the applicant's expense.
- G. Payment of the annual permit fee is required for the replacement of all lost or illegible permits.

## § 188-13. Prohibited actions.

- A. It shall be unlawful for any reason to park, stop or leave standing any motor vehicle, or watercraft trailer, at any public boat launching area in the City of Oconto Falls without first obtaining a boat launching permit and paying the fee for the same.
  - (1) All daily or annual fees are to be prepaid.
  - (2) It is a violation of this article to deposit fees after the launching of any watercraft.
- B. It shall be unlawful for any person to park, stop or leave standing any motor vehicle, or watercraft trailer, whether attended or unattended, at any public boat launching area in the City of Oconto Falls unless said vehicle properly displays the permit required of § **188-12** above.
- C. No individual shall use a public boat landing in the City of Oconto Falls for a period in excess of 10 minutes.
- D. No individual shall stop, park, let stand, or operate a boat in the Oconto River so as to interfere with ingress or egress of boats into or out of the Oconto River to and from public boat landings.
- E. No individual shall stop, park, let stand, or operate a vehicle or trailer so as to interfere with ingress or egress of boats into or out of the Oconto River to and from public boat landings.
- F. It shall be unlawful for any person or owner of a vehicle to engage in any scheme, device or plan which results in payment of less than the actual fee due for launching a watercraft from a City of Oconto Falls boat ramp. Either the person launching a watercraft or the owner of the vehicle launching a watercraft in violation of this section shall be held liable for the violation.

G. No person shall deposit, place or throw from any boat, vehicle, raft, pier, platform, or similar structure any cans, papers, bottles, debris, refuse, garbage, or solid or liquid waste into the waters of the Oconto River or on the lands of the public boat launch in the City of Oconto Falls.

§ 188-14. Violations and penalties.

A. Any person violating the provisions of this article shall be subject to a forfeiture as provided in §1-9 of this Code.<sup>[1]</sup>

[1] Editor's Note: Amended at time of adoption of Code (see Ch. I, General Provisions, Art. II).

B. Each separate day is to be considered a separate offense.

§ 188-15. Conflicts.

In any case where a standard is specified in this article which is not in agreement with a corresponding standard in another code or ordinance of the City of Oconto Falls or in a statute of the State of Wisconsin, the more restrictive standard shall apply.

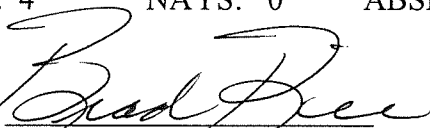
Effective Date. This Ordinance shall be effective upon passage by City Council and publication as required by law. The City of Oconto Falls Code of Ordinances is amended.

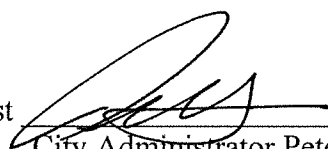
City Council Hereby Adopts City of Oconto Falls Ordinance 23-006, Amend Chapter 188 Boating and Swimming in the Code of Ordinances of the City of Oconto Falls. On this 11th Day of July, 2023.

STATE OF WISCONSIN, COUNTY OF OCONTO

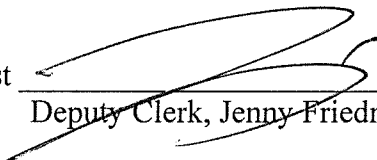
OFFERED BY COUNCIL PERSON: WIRTZ SECONDED BY COUNCIL PERSON: COOPMAN

AYES: 4 NAYS: 0 ABSENT: 2

Attest   
Mayor Brad Rice

Attest   
City Administrator Peter A. Wills

Date of Publication: Friday, July 21, 2023  
Oconto County Times Herald

Attest   
Deputy Clerk, Jenny Friedman

ADOPTED: 11th Day of July, 2023.

APPROVED: 11th Day of July, 2023

