

**ORDINANCE NO. 261**

**AN ORDINANCE TO CREATE SECTION 20.15(3.5),  
WHICH AMENDS THE ORDINANCE KNOWN AS CHAPTER 20  
ENTITLED LAKES AND BEACHES  
IN THE MUNICIPAL CODE FOR  
THE VILLAGE OF OCONOMOWOC LAKE**

**WHEREAS**, the Village has received complaints about use of the Village public boat launch facility by one or more persons or entities who have launched a barge and then have loaded the barge full of stone using heavy machinery and equipment, at the boat launch facility; and

**WHEREAS**, use of the boat launch facility in this manner has prevented public access to Oconomowoc Lake during the time of such barge launching and loading activities; and

**WHEREAS**, the public boat launch facility was not constructed in a manner that can reasonably withstand heavy machinery and earth moving equipment for the loading of stone and construction materials onto floating barges, and there is a high risk that this use can and will damage the boat launch facility; and

**WHEREAS**, by this ordinance the Village of Oconomowoc Lake Village Board intends to preserve the boat launch facility for public use, and reasonably protect the facility against damage, and prohibit uses that unreasonably impede launching activities at the facility.

NOW, THEREFORE, the Village Board of the Village of Oconomowoc Lake, Waukesha County, Wisconsin DOES HEREBY ORDAIN AS FOLLOWS:

**SECTION 1:** Village of Oconomowoc Lake Ordinance No. 114 dated on or about March 18, 1991, entitled "An Ordinance to Create Chapter 20 entitled Lakes and Beaches in the Municipal Code for the Village of Oconomowoc Lake," Section 1, subsection 20.15 entitled "Boat Launching," subsection 3.5 is hereby created as follows:

- (3.5) The following restrictions are imposed in order to protect the public boat launch facility, and to prevent boats from impeding traffic at the facility. The public boat launch property shall be used only for launching boats into the water, parking in designated areas, and removing boats from the water. Use of power equipment or machinery at the public boat launch property to load materials or goods into the boat after it has been placed in the water, is prohibited. The total weight of the boat and boat launch vehicle shall not exceed 12,000 pounds.

**SECTION 2:** SEVERABILITY.

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or

unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this 19<sup>th</sup> day of DECEMBER, 2011.

VILLAGE OF OCONOMOWOC LAKE

  
\_\_\_\_\_  
Joseph Birbaum, Village President

ATTEST:

  
\_\_\_\_\_  
Cindy J. Schlieve, Village Clerk

Published and/or posted this 19<sup>th</sup> day of JANUARY, 2012.

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STATE OF WISCONSIN )  
 )  
COUNTY OF WAUKESHA )

AFFIDAVIT OF POSTING

Ordinance No. 261 to create Section  
20.15(3.5), which amends Ordinance 114

The undersigned, being first duly sworn, on oath deposes and states that on January 20, 2012, at the direction of the Clerk of the Village of Oconomowoc Lake, he posted copies of the foregoing proceedings of the Village Board in the following public places in said Village:

To-wit:

- (1) Opposite the entrance to the Oconomowoc Lake Club on the Northern side of the road in front of the Club;
- (2) At the entrance to the Village Hall on West Pabst Road;
- (3) At the Village Boat Launch located at 35622 E. Wisconsin Avenue.

  
\_\_\_\_\_  
Posting Officer Signature

Subscribed and sworn to before me

This 19<sup>th</sup> day of January 2012

  
\_\_\_\_\_  
Notary Public, Waukesha County, Wisconsin  
My Commission expires: June 7, 2015