

ORDINANCE NO. 2020-0-46

AN ORDINANCE TO REPEAL AND RE-CREATE SECTION 78-9(c)(1) and (2),
SPECIFIC RULES FOR LOWER PHANTOM LAKE; AND REPEAL AND RE-CREATE
SECTION 78-10(c)(1) and (2) SPECIFIC RULES FOR UPPER PHANTOM LAKE OF
CHAPTER 78, WATERWAYS; OF THE MUNICIPAL CODE OF THE
TOWN OF MUKWONAGO

WHEREAS, on July 11, 1988, July 13, 1992, the Town Board adopted ordinances regulating the use of Lower Phantom Lake and Upper Phantom lake respectively; and

WHEREAS, at the Phantom Lakes Management District 2018 and 2019 annual meetings of the electors, the electors voted to modify the slow-no-wake hours in a compromise resolution; and

WHEREAS, the Phantom Lake Management District board recommends the slow-no-wake ordinance be modified; and

WHEREAS, the Wisconsin Department of Natural Resources agrees that the slow-no-wake ordinance to be modified; and

WHEREAS, the Town Board agrees that the slow-no-wake ordinance be modified.

NOW, THEREFORE, the Town Board of the Town of Mukwonago, Waukesha County, Wisconsin, DO ORDAIN AS FOLLOWS:

SECTION 1: Section 78-9(b) and (c) "Specific Rules for Lower Phantom Lake" of Chapter 78 "Waterways" of the Municipal Code of the Town of Mukwonago is hereby repealed and re-created to read as follows:

(b) *Waterskiing.* The Town Board prohibits waterskiing or towing a waterskier during the following hours:

- (1) No waterskiing any day before 10:00 a.m.
- (2) No waterskiing after 7:00 p.m. or sunset, whichever occurs first on Monday, Tuesday, Wednesday, Thursday or Friday.
- (3) No waterskiing after 5:00 p.m. on Saturday or Sunday.

(c) *Speed.*

- (1) *Maximum speed restriction.* A speed limit of 40 miles per hour is established on the Waters of Upper Phantom Lake. No person shall operate a boat faster than the established speed limit, unless pre-approval from the town board has been Received and only in conjunction with authorization received under Section 78-7(a).
- (2) *Additional restrictions for certain hours.* No person shall operate a boat in excess of slow-no-wake between the hours of 7:00 p.m. or sunset whichever occurs first, and sunrise on Monday, Tuesday, Wednesday, Thursday or Friday, and between the hours of 5:00 p.m. and sunrise on Saturday and Sundays.

SECTION 2: SEVERABILITY


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 ordinance whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE

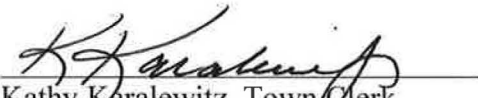
This Ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this 21st day of June, 2020.

TOWN OF MUKWONAGO


Peter Topczewski, Town Chairman

ATTEST:


Kathy Karalewitz, Town Clerk

Posted this 3 day of July, 2020.