

**TOWN OF GIBRALTAR
ORDINANCE 2022-16**

USE OF MUNICIPAL DOCKS

Ordinance 2022-16 Identified in the code of ordinances as 10.21 shall repeal and replace any previous ordinance(s) in whole or part, or any other ordinances contradicting to this new ordinance.

The Town Board of Gibraltar, in the County of Door, State of Wisconsin, does hereby ordain as follows:

Purpose To maintain and conduct dock operations in a safe and secure manner.

State Statutes Adopted – Authority

The Board of Supervisors of the Town of Gibraltar is granted authority for adopting this ordinance under its general 60.10(2)(c) and 60.22(3), Wisconsin Statutes. The Town Board Adopts this Ordinance under its general village powers authority and 66.1014 of the Wisconsin Statutes, 2917 Act 59.

General Provisions

(1) Generally. Anyone using the Town municipal docks shall have the permission of the Town of Gibraltar harbor master to do so, shall obey all rules, regulations and special conditions imposed by the Town relevant thereto and shall pay the appropriate dock rate therefor.

(2) Town boat ramp use fees.

(a) Launch fee. No person shall use a Town boat ramp facility without first paying a daily launch fee, as recommended by the Harbor Commission, and approved by the Town Board, to the dockmaster, Town Clerk/Treasurer or depositing it in the collection box provided. This subsection shall include any boat ramp owned or operated by the Town.

(b) Annual launch fee. For a person desiring to pay on an annual basis, an annual launch fee is established, as recommended by the Harbor Commission, and approved by the Town Board.

(c) Determination of fee. Fee amounts shall be recommended by the Harbor Commission and approved by the Town Board.

(d) Applicability. This subsection is applicable to all craft used or capable of being used as a means of transportation on water.

(f) Owner liable for violation. The owner of a vehicle involved in a violation of this subsection shall be liable for the violation. It shall be no defense to a violation of this subsection that the owner was not operating the vehicle at the time of the violation.

Penalty

(a) Any person found guilty of violating this ordinance or any part of this ordinance, shall be subject to a forfeiture of not less than \$50.00 or more than \$500.00 Together with the costs of prosecution and in rueful default of payment of such forfeiture and cost of prosecution, shall be imprisoned in the county jail until said forfeiture is paid, but not exceeding 60 days.

(b) Any person, firm, or corporation, violating any of the sub-sections of this ordinance may stipulate to the guilt or no contest and may pay to the Clerk of Court a bond according to a schedule prescribed by the Circuit Court of Door County. Such stipulation will make it unnecessary for the subject charged to appear in court and will act as a basis for the court to enter judgment and order forfeiture of the bond. Forfeitures, penalty assessments, costs and fees shall be disbursed as provided in Wisconsin Statutes, Section 66.12.

Enforcement

(a) Enforcement shall be by citation

(b) Schedule of Deposits. Deposits shall be made in cash, money orders, or certified check to the Clerk of Door County Circuit Court, who shall provide a receipt to the other office and the amount of the forfeiture schedule shall be stated above or such amount that the Circuit Court of Door County hereafter affixes.

Reference to Statutes

Reference to specific statutory sections whenever used in this ordinance, shall mean Wisconsin Statutes as amended, modified, repealed or otherwise altered by the State Legislature.

Severability

If any of this Ordinance be declared invalid or unconstitutional by a court of competent jurisdiction, such a decision shall not affect the validity of any other provisions of this ordinance.