



**ORDINANCE 556
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY, WISCONSIN**

**REVISING SHORELAND ORDINANCE CONCERNING THE OVERNIGHT
BERTHING OF WATERCRAFT**

WHEREAS, it has come to the attention of the Board of Trustees of the Village of Elkhart Lake that language concerning the overnight berthing of boats needs to be revised in Chapter 17 of the Village Ordinance; and

NOW THEREFORE, BE IT RESOLVED, that Board of Trustees of the Village of Elkhart Lake after duly holding a public hearing on Monday, July 18th, 2011 in accordance with Wisconsin State Statutes and Municipal Code does hereby ordain as follows:

- 1) That Chapter 17 Section 17.08(7)(a) be hereby repealed and recreated as follows:

CHAPTER 17

SHORELAND ORDINANCE

17.08(7) BERTHING OF WATERCRAFT RESTRICTIONS.

- (a) The total number of berthing spots a riparian owner may use for docking of watercraft is restricted to two (2) berths for the first 50 feet of shoreline owned and one (1) additional berth for each additional full 50 feet of shoreline owned, except in certain environmentally sensitive cases, as determined by the *Wisconsin* Department of Natural Resources, when fewer berths may be deemed appropriate. Berthing spots include all forms of watercraft storage below the ordinary high water mark including watercraft tied to piers and/or wharves, to watercraft placed on boat racks and/or boat shelters, to watercraft stored on piers or in other watercraft, as well as to watercraft tied to mooring buoys. However, the number of berthing spots existing as of October 20, 2003 shall be recognized as having nonconforming status. The requirements to receive nonconforming recognition, as well as certain restrictions, are set forth in 17.08 [15], below.

BE IT FURTHER RESOLVED, that this ordinance will become effective upon its publication and posting.

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Attest:

Approved and Adopted this

18th day of July, 2011

Alan S. Rudnick, President

Jeanette L. Moioffer, Clerk

Steven Kapellen, Trustee