

ROWING CLUB SPEED

118-80. Boat Regulations, Milwaukee Harbor.

1. STATE REGULATIONS. The city of Milwaukee adopts ch. 30, Wis. Stats., and all subsequent amendments thereto, defining and describing regulations with respect to boating regulations upon the waters of the city and for which the penalty for violations thereof is a forfeiture only, including penalties to be imposed.

2. DEFINITIONS. In this section:

a. "Inner harbor" includes the Milwaukee River from Lake Michigan to the dam, and that portion across the dam to the city limits, and all those portions of the Kinnickinnic River and the Menomonee River, including the canals, water channels and slips as laid out and established by authority of the city charter and amendments thereto.

b. "Municipal Mooring Basin" includes those waters of the Kinnickinnic River lying south of the Harbor entrance and downstream from the Chicago & North Western Transportation Co. swing bridge.

c. "Outer harbor" includes all waters of Lake Michigan within the government breakwater, known as the "harbor of refuge" and all waters of Lake Michigan between the rubble mound shore protection south of the government breakwater and the lake shoreline of the city of Milwaukee.

d. "Waters of the city" means any navigable waters within the limits of this city. For the purposes of this section, the easterly boundary of the city of Milwaukee and its harbor is the center line of Lake Michigan coincident with the easterly boundary of the state of Wisconsin and said city limits are bounded on the north by East Edgewood Avenue extending to the center line of Lake Michigan and bounded on the south by an imaginary line 500 feet south and parallel to the center line of East Oklahoma Avenue extended to the center line of Lake Michigan.

3. SPEED RESTRICTIONS. No person shall operate a motorboat at a speed in excess of the posted notice established by regulatory markers as follows:

a. Five miles per hour, slow no wake, in the inner harbor.

b. Five miles per hour, slow no wake, in the McKinley mooring areas.

c. Five miles per hour, slow no wake, in the south shore mooring areas.

d. Five miles per hour, slow no wake, in the gaps of the government breakwater and in the breakwater rubble mound of the outer harbor.

e. Exceptions. Rowing teams shall be allowed to operate a motor chase boat at speeds up to 15 miles per hour in the following portions of the Milwaukee River system, provided that the chase boat does not operate within 100 feet of any vessel or floating pier within the river systems, except other rowing team vessels, within 150 feet of any vessel or floating pier within the Municipal Mooring Basin, or within the canal system:

e-1. On the Milwaukee River from the North Avenue Dam to the Pleasant Street Bridge.

e-2. On the Menomonee River from approximately North 25th Street east to the CP/Soo Line swing bridge at the confluence of the Milwaukee and Menomonee Rivers.

e-3. In the Municipal Mooring Basin.

No speed limit
for non motor boats

Unofficial Text (See Printed Volume). Current through date and Register shown on Title Page.

(c) The department may request additional information from the manufacturer to determine if the engine complies with SAE J34a, dated April, 1977, and s. 30.62 (2), Stats.

(3) (a) *Manufacturer's standard.* The noise level testing procedures of the Society of Automotive Engineers Recommended Practice Report J34a, dated April, 1977, shall be adhered to by manufacturers when submitting proof of compliance according to s. 30.62 (2) (d), Stats.

(b) *Operation standard.* Noise level testing procedures J34a, J1970 or J2005 of the Society of Automotive Engineers shall be adhered to by boat operators when requested to submit to one or more of them by officers conducting noise tests on boats operating in the state of Wisconsin.

(4) *CUTOUT MECHANISMS.* No person may operate a boat that is equipped with a muffler cut out, by-pass switch or similar device unless the operator of the boat can demonstrate at the time of inspection that the boat cannot operate contrary to s. 30.62 (2) (b), Stats.

(5) *REFUSAL TO ALLOW TESTING.* No operator of any boat may refuse to operate his or her boat in a manner prescribed by the law enforcement officer who reasonably suspects a violation of s. 30.62 (2), Stats.

Note: Copies of the Society of Automotive Engineers Recommended Practice Report J34a, entitled "Exterior Sound Level Measurement Procedure for Pleasure Motorboats", dated April, 1977, may be obtained from the Society of Automotive Engineers, Inc., 400 Commonwealth Drive, Warrendale, Pennsylvania 15096 and are also available for inspection at the following offices: The Department of Natural Resources, 101 South Webster, Box 7921, Madison, Wisconsin 53707; The Office of the Secretary of State, Madison, Wisconsin; and The Office of the Revisor of Statutes, Madison, Wisconsin.

History: Cr. Register, August, 1986, No. 368, eff. 9-1-86; renum. (1) (a) to (d) to be 5.001 (8), (11), (9), (10), Register, July, 1993, No. 451, eff. 8-1-93; cr. (1), (4) and (5), Register, May, 1995, No. 473, eff. 6-1-95; r. and recr. (1) (b), renum. (3) to be (3) (a), cr. (3) (b), am. (4), Register, March, 2000, No. 531, eff. 4-1-00; CR 01-007: r. and recr. (1) (c), Register November 2001 No. 551, eff. 12-1-01.

NR 5.13 Personal flotation and life saving device requirements. (1) This section applies to all boats that are propelled or controlled by machinery, sails, oars, paddles or poles or another vessel including but not limited to inflatables and sailboards, used on waters subject to the jurisdiction of this state except:

(a) Racing shells, rowing sculls, and racing kayaks that are recognized by national or international racing associations for use in competitive racing and one in which all occupants row, scull, or paddle with the exception of a coxswain, if one is provided, and is not designed to carry and does not carry any equipment not solely for competitive racing.

(b) Foreign boats temporarily using waters subject to state jurisdiction.

(c) Military or public boats of the United States, except recreational-type public vessels.

(2) **PERSONAL FLOTATION DEVICE (PFD) REQUIREMENTS.** (a) No person may operate or use a boat unless at least one PFD of the following types or their equivalents listed in figure 1 is on board for each person:

1. Type I PFD
2. Type II PFD
3. Type III PFD

(b) No person may operate or use a boat 16 feet or more in length, except a canoe or kayak, unless at least one type IV PFD or its equivalent listed in figure 1 is on board in addition to the PFD's required in par. (a).

(c) A type V PFD may be carried in lieu of any PFD required in sub. (2), if that type V PFD is approved for the work activity in which the boat is being used.

(d) No person may operate or use a boat of any size to carry passengers for hire unless at least one type I PFD or its equivalent listed in figure 1 is on board for each person and in addition one ring life buoy as listed in figure 1 must be carried on board such boats which are 26 feet or more in length.

(3) **STOWAGE.** (a) No person may use a boat unless each type I, type II, type III or type V PFD required by sub. (2) is readily accessible.

(b) No person may operate or use a boat unless each type IV PFD required by sub. (2) is immediately available.

(4) **CONDITIONS, APPROVAL, MARKING.** No person may operate or use a boat unless each device required by this section is:

(a) In serviceable condition to perform the intended uses and absent of any tears, punctures or other deformations from its original manufactured design.

(b) Legibly marked with the approval number as listed in figure 1 for items subject to approval, and

(c) Of an appropriate size for the person for whom it is intended.

(5) **PERSONAL FLOTATION DEVICE EQUIVALENTS.** Figure 1 lists devices that are equivalent to personal flotation devices.

FIGURE 1

Devices marked	Are equivalent to
160.002 Life preserver -	Performance type I personal flotation device
160.003 Life preserver -	Performance type I personal flotation device
160.004 Life preserver -	Performance type I personal flotation device
160.005 Life preserver -	Performance type I personal flotation device
160.009 Ring life buoy -	Performance type IV personal flotation device
160.047 Buoyant vest -	Performance type II personal flotation device
160.048 Buoyant cushion -	Performance type IV personal flotation device
160.049 Buoyant cushion -	Performance type IV personal flotation device
160.050 Ring life buoy -	Performance type IV personal flotation device
160.052 Buoyant vest -	Performance type II personal flotation device
160.053 Work vest -	Performance type V personal flotation device
160.055 Life preserver -	Performance type I personal flotation device
160.060 Buoyant vest -	Performance type II personal flotation device

History: Cr. Register, June, 1974, No. 222, eff. 7-1-74; am. (1) (intro.), (2) (a), (b), (c), r. (3) (a), renum. (3) (b) and (c) to be (2) (d) and (e), (4) to (6) to be (3) to (5) and am. (4) (intro.) and (5), Register, April, 1985, No. 352, eff. 5-1-85; am. (4) (a), Register, July, 1993, No. 451, eff. 8-1-83; am. (2) (a), r. (2) (b), renum. (2) (c) to be (2) (b) to (d) and am. (2) (b), Register, May, 1995, No. 473, eff. 6-1-95.

NR 5.14 Jurisdiction of municipal water safety patrols. The Wisconsin department of natural resources hereby defines by rule, pursuant to s. 30.79 (4), Stats., the following waters which may be patrolled by the respective water safety patrol units mentioned:

(1) The waters of Wallace lake, located in section 1, township 11 north, range 19 east and section 6, township 11 north, range 20 east in Washington county, by a water safety patrol operated by the town of Trenton.

(2) The portion of Golden Lake, described herein, located in sections 30 and 31, township 7 north, range 17 east, Waukesha county, by a water safety patrol unit operated by the town of Summit: all of Golden lake except that portion in section 25, township 7 north, range 16 east, Jefferson county, which lies to the west of the easterly boundary of section 25; said boundary marked by a north-south line drawn between two certified land corner monuments; the north concrete monument being located 1167.5 feet south from the northeast corner of section 25 and the south con-

Fed Regs (see next page)

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TITLE 33--NAVIGATION AND NAVIGABLE WATERS

CHAPTER I--COAST GUARD, DEPARTMENT OF HOMELAND SECURITY (CONTINUED)

PART 175_EQUIPMENT REQUIREMENTS--Table of Contents

Subpart B_Personal Flotation Devices

Sec. 175.11 Applicability.

This subpart applies to all recreational vessels that are propelled or controlled by machinery, sails, oars, paddles, poles, or another vessel.

[CGD 92-045, 58 FR 41608, Aug. 4, 1993]

Sec. 175.13 Definitions.

As used in this subpart:

- (a) ``Personal flotation device'' means a device that is approved by the Commandant under 46 CFR Part 160.
- (b) ``PFD'' means ``personal flotation device''.

Sec. 175.15 Personal flotation devices required.

Except as provided in Sec. 175.17 and 175.25:

(a) No person may use a recreational vessel unless at least one PFD of the following types is on board for each person:

- (1) Type I PFD;
- (2) Type II PFD; or
- (3) Type III PFD.

(b) No person may use a recreational vessel 16 feet or more in length unless one Type IV PFD is on board in addition to the total number of PFDs required in paragraph (a) of this section.

(c) No person may operate a recreational vessel under way with any child under 13 years old aboard unless each such child is either--

- (1) Wearing an appropriate PFD approved by the Coast Guard; or
- (2) Below decks or in an enclosed cabin.

[CGD 81-023, 55 FR 32034, Aug. 6, 1990, as amended by CGD 92-045, 58 FR 41608, Aug. 4, 1993; USCG-2000-8589, 67 FR 42493, June 24, 2002]

Sec. 175.17 Exemptions.

(a) A Type V PFD may be carried in lieu of any PFD required under Sec. 175.15, provided:

(1) The approval label on the Type V PFD indicates that the device is approved:

- (i) For the activity in which the vessel is being used; or
- (ii) As a substitute for a PFD of the Type required on the vessel in use;

(2) The PFD is used in accordance with any requirements on the

approval label; and

(3) The PFD is used in accordance with requirements in its owner's manual, if the approval label makes reference to such a manual.

(b) Canoes and kayaks 16 feet in length and over are exempted from the requirements for carriage of the additional Type IV PFD required under Sec. 175.15(b).

(c) Racing shells, rowing **sculls**, racing canoes and racing kayaks are exempted from the requirements for carriage of any Type PFD required under Sec. 175.15.

(d) Sailboards are exempted from the requirements for carriage of any Type PFD required under Sec. 175.15.

(e) Vessels of the United States used by foreign competitors while practicing for or racing in competition are exempted from the carriage of any PFD required under Sec. 175.15, provided the vessel carries one of the sponsoring foreign country's acceptable flotation devices for each foreign competitor on board.

[CGD 92-045, 58 FR 41608, Aug. 4, 1993; 58 FR 51576, Oct. 4, 1993, as amended by CGD 97-023, 62 FR 33365, June 19, 1997; USCG-1998-3799, 63 FR 35533, June 30, 1998]

Sec. 175.19 Stowage.

(a) No person may use a recreational boat unless each Type I, II, or III PFD required by Sec. 175.15 of this part, or equivalent type allowed by Sec. 175.17 of this part, is readily accessible.

(b) No person may use a recreational boat unless each Type IV PFD required by Sec. 175.15 of this part, or equivalent type allowed by Sec. 175.17 of this part, is immediately available.

[CGD 81-023, 55 FR 32034, Aug. 6, 1990]

Sec. 175.21 Condition; size and fit; approval marking.

No person may use a recreational boat unless each PFD required by

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Sec. 175.15 of this part or allowed by Sec. 175.17 of this part is:

(a) In serviceable condition as provided in Sec. 175.23;

(b) Of an appropriate size and fit for the intended wearer, as marked on the approval label; and

(c) Legibly marked with its approval number, as specified in 46 CFR part 160.

[CGD 81-023, 55 FR 32034, Aug. 6, 1990, as amended by CGD93-055, 61 FR 13926, Mar. 28, 1996]

Sec. 175.23 Serviceable condition.

A PFD is considered to be in serviceable condition for purposes of Sec. 175.21(a) only if the following conditions are met:

(a) No PFD may exhibit deterioration that could diminish the performance of the PFD, including--

(1) Metal or plastic hardware used to secure the PFD on the wearer that is broken, deformed, or weakened by corrosion;

(2) Webbing or straps used to secure the PFD on the wearer that are ripped, torn, or which have become separated from an attachment point on the PFD; or

(3) Any other rotted or deteriorated structural component that fails