

County snafu hinders enforcement of slow/no wake

By Jeff Brown
Reporter staff

An apparent oversight by the Rock County board of supervisors has left the Rock River Safety Patrol high and dry.

When the board enacted an ordinance on June 27 establishing the levels at which a slow/no-wake order goes into effect on various sections of the Rock River, it did not include the safety patrol in the list of law enforcement agencies authorized to enforce the ordinance.

That means that only Rock County Sheriff's deputies and wardens with the Department of Natural Resources, the two agencies listed in the ordinance, can issue citations to boaters who violate the slow/no-wake order.

That didn't sit well with town of Fulton residents who live along the

Rock River in the town of Fulton and attended the safety patrol board's monthly meeting on July 3 at Culver's in Newville.

Rich Plywacz, who lives on Elendale Road, was upset that the patrol wasn't writing tickets to boaters he said were speeding up and down the river in violation of the slow/no-wake order and causing waves that damaged his property. Plywacz, his voice rising above the din in the meeting room where families with yelling children sat munching burgers and fries, said the patrol should treat the slow/no-wake order like the speed limit on roads and streets.

Safety patrol captain Harry Sautin was sympathetic, but said his hands were tied by the county board's failure to list the safety patrol in the slow/no-wake ordinance. He said writing tickets to boaters making violating the slow/no-wake order

might cause more harm than good. "More harm can be done if we issue citations without the proper authority."

Sautin pointed out that the safety patrol is a joint police department formed by an intergovernmental agreement between the towns of Fulton, Milton, Albion, Sumner, and Koshkonong, and the agreement grants the patrol the limited authority to enforce boating laws contained in chapter 30 of the Wisconsin Revised Statutes.

Those statutes include a no-wake speed limit on boats operating within 100 feet of the shoreline in a lake, and a speed limit on personal watercraft operating within 200 feet of the shore line of a lake and within 100 feet of another boat, but no speed limits for rivers. That makes sense, because local municipalities establish slow/no-wake orders on waters in

their jurisdictions based on local conditions.

Sautin said he spoke with Captain Jude Maurer with the Rock County Sheriff's office earlier in the day, and that the sheriff's office agreed to allow the safety patrol to enforce the slow/no-wake order under the terms of a mutual aid agreement to which the sheriff's office and the safety patrol are signatories. The safety patrol will have to stop violators, then call the sheriff's office to confirm the invoking of mutual aid, before they can issue a citation.

Safety patrol board chairman Frank Micale, a member of the Sumner town board, reminded Plywacz and the other residents that the state's rivers belong to the public—including boaters—and not to those who own land along them. "The waterways belong to the people of Wis-

(Continued on page 3)

Slow/no wake

(Continued from page 1)

consin. It doesn't belong to the riparian owners."

Sautin said that even if the patrol had the direct authority to enforce the slow/no-wake ordinance, it lacks the resources to ticket every boater who violates the slow/no-wake order on the river because it has only one boat and one personal watercraft and also has to patrol Lake Koshkonong, whose 10,000-acre surface makes it the state's seventh largest.

Safety patrol officer Ryan Peterson added that even if the safety patrol had the resources to ticket every boater who violates the slow/no-wake order, doing so would be a bad idea because it would drive out-of-state boat traffic away from businesses on the lake and river that depend on summer revenue. "We want the business," said Peterson.