

Attach a copy of the Inner/Outer Harbor Map

CHAPTER 4

HARBOR, RIVERS, BRIDGES AND AIRPORT

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4.01 Definitions. The following terms shall have the following definitions when used in this chapter:

(1) "Harbor Commission" shall mean the City of Manitowoc Board of Harbor Commissioners created by resolution found in §3.04 of the Municipal Code.

(2) "Harbor Master" means the person appointed pursuant to §3.59 of the Municipal Code and employed by the Harbor Commission as permitted by Wis. Stats. §30.37(5).

(3) "Inner Harbor" shall mean that portion of the Manitowoc River lying within the city limits west of between the railroad bridge located immediately east of the 21st Street Bridge and a line drawn from the rangehead light south to the east end of the Chicago and Northwestern Company "carferry" slip. This area is

shown on the map revised March, 1999 found at the end of this chapter.

(4) "Marina" shall refer to the Manitowoc Marina facilities bounded on the south by the north government breakwall, on the west by the Lake Michigan shoreline, on the north by the causeway and the containment vessel. This area is shown on the map revised March, 1999 found at the end of this chapter.

(5) "Outer Harbor" is that part of the Manitowoc River or Lake Michigan between the two government breakwalls lying east of a line from the rangehead light south to the east end of the Chicago and Northwestern Company slip. This area shown on the map revised March, 1999 which is found at the end of this chapter.

(6) "Vessel" means every description of water craft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

4.03 Harbor Master. The Harbor Master shall perform such duties as are required by ordinance. The Harbor Master shall also serve as Secretary of the Harbor Commission.

4.05 Mooring of Vessels.

(1) **Lease of Dock Space.** The Harbor Commission shall have authority to establish rents and lease dock space on the Manitowoc River and within the Manitowoc Marina, either directly or by contract with other parties. The exercise of these powers shall be subject to approval by the Common Council as provided in Wis. Stats. §30.38(6) and (8).

(2) **Navigational Obstructions and Improperly Docked Vessels.** The Harbor Master or his designee may cause to be removed to a convenient and safe place any vessel obstructing or interfering with the free navigation of the inner harbor, marina, or any dock space after having given reasonable notice to the master or owner of his agent, if known and a resident of this state, or to the person in charge thereof, to so remove such vessel. In an emergency, the Harbor Master may direct relocation of a vessel without notification. He shall then immediately endeavor to contact the owner through any reasonable means. In addition to any other penalties prescribed by ordinance, all costs, charges and expenses of such removal shall be a first lien on such vessel, which lien may be enforced in the manner provided by law. The owner or person in charge of any such vessel shall also be personally liable for such costs, charges and expenses which may be recovered by the City in a civil action.

4.07 Navigation Rules.

(1) **Applicability.** The navigation rules contained in this section shall be applicable to all areas of the inner harbor, outer harbor and marina.

(2) **Statutes and Rules.** Except as otherwise specifically modified herein, and as authorized by Wis. Stat. {30.77(2), the following statutory provisions, and any amendments thereto, are hereby specifically incorporated by reference:

- 30.50 Definitions
- 30.501 Capacity plates on boats
- 30.51 Operation of unnumbered boats prohibited; exemptions
- 30.52 Certificates of number; applications issuance; renewals, fees.
- 30.53 Identification number to be displayed on boat; certificate to be carried.

- 30.54 Transfer of ownership of numbered boat.
- 30.55 Notice of abandonment or destruction of boat or change of address
- 30.60 Classification of motorboats.
- 30.61 Lighting equipment
- 30.62 Other equipment
- 30.63 Sale and use of certain outboard motors restricted
- 30.635 Motorboat prohibition
- 30.64 Patrol boats.
- 30.65 Traffic rules
- 30.66 Speed restrictions.
- 30.67 Accidents and accident reports
- 30.675 Distress signal flag
- 30.68 Prohibited operation
- 30.69 Water skiing
- 30.70 Skin diving
- 30.71 Boats equipped with toilets

Any rules at any time adopted by the Wisconsin Department of Natural Resources pursuant to the above statutory provisions are also hereby adopted by reference.

(3) Additional Rules. As authorized by Wis. Stats. §30.77(3)(a) the following additional rules are adopted:

(a) Speed. No person shall operate a vessel while in the inner or outer harbor at a speed in excess of 4 miles per hour that would create a wake in those areas so designated by official City signage or as listed below:

- West of the east red nun buoy in the outer harbor and east of the 10th Street Bridge.
- Anywhere within the Marina.
- Within 200 feet of the docking facilities at the Burger Boat Company and Boatworx properties.
- As signed along the Manitowoc River.

No person shall operate a vessel while in the marina or west of the east red nun buoy in the outer harbor at a speed in excess of 5 miles per hour. This limit shall not apply in the case of motorboat regattas, motorboat races, exhibitions, speedboat trials or water ski or aquaplane exhibitions for which permission has been obtained from the Harbor Master. This speed limit shall also not apply to harbor patrol boats of the City of Manitowoc, U.S. Coast Guard or any other vessels engaged in life saving activities.

(b) Alcohol Beverages. No operator of a vessel shall permit any person who is so intoxicated as to be unable to provide for such person's safety to ride as a passenger in such vessel.

(c) Bridges. All vessels passing through the 8th or 10th Street Bridge shall be moved as expeditiously as possible. No vessel shall be anchored or fastened so as to interfere at any time with the opening of any bridge.

(d) Cleaning of Flues Prohibited. It shall be unlawful to clean or blow the flues of any boiler in any craft situated within the inner harbor, outer harbor or marina.

(e) Littering. No person shall throw or deposit any type of debris or waste material into any portion of the inner harbor, outer harbor or marina.

4.09 Regulation of Marina and Pier Facilities.

(1) Vehicles Prohibited. No person shall operate any bicycle, motor vehicle or any other vehicle on the north side pier, the south side pier, any breakwater or portion of the containment vessel, or any other portion of the marina facilities located in Lake Michigan or the outer harbor. This provision shall not apply to maintenance vehicles or any other vehicles authorized to be operated on the premises by the City Engineer.

(2) Regulations of Fishing. Fishing in the Manitowoc Marina and the entrance to the Marina from the outer harbor, both from the shore and from boats, is prohibited except as follows:

(a) From April 1 through October 31, fishing is permitted, both from shore and from the water, over that portion of the Marina lying 100 feet north of "E" dock, provided a distance of at least 100 feet is maintained between any fisherman and any other boat.

(b) From April 1 through October 31, fishing is permitted off the north government breakwater, which forms the south boundary of the Manitowoc Marina, provided lines are not placed into the entrance channel to the Marina.

(c) From November 1 through March 31, fishing is permitted over any portion of the Marina except from the docks themselves.

(3) Swimming, Diving or Jumping Prohibited. No person shall swim, dive or jump into the water from or around the north or south government piers.

4.11 Regulation of Wharves and Piers. Wis. Stat. §30.13 is hereby adopted by reference. Any person desiring to erect, construct, rebuild, alter or repair any pier, wharf, dock or other structure in the Manitowoc River along the harbor line of the Manitowoc Harbor as shown on the map prepared by the federal government on file in the City Engineer's Office shall first obtain a permit from the City Engineer's Office. Such permit shall be granted at the City Engineer's discretion and only if the proposed improvement is consistent with the requirements of Wis. Stat. §30.13 and if the improvement appears to be of sufficient structural integrity to meet expected conditions on the Manitowoc River (NOTE: For violations of Wis. Stat. §30.14 see, Wis. Stat. §30.14(1) which requires report to Department of Natural Resources.)

BRIDGES

4.21 Adoption of Federal Regulations. The regulations contained in 33 C.F.R. Part 117, Drawbridge Operation Regulations, as applicable to the City of Manitowoc, are hereby adopted by reference, including any future amendments or alterations thereto.

4.23 Authority Over Bridges. Authority and responsibility for control and operation of the bridges shall be under the supervision of the City Engineer. The City Engineer is authorized to adopt such rules and regulations governing the conduct of bridgetenders in the City of Manitowoc as the City Engineer deems necessary and appropriate.

4.25 Schedule of Operation. (1) The draws of the Eighth Street Bridge, mile 0.3, and Tenth Street Bridge, mile 0.5 both at Manitowoc shall open on signal except that:

(a) From April 1 through October 31, Monday through Friday, the bridges need not open from 6:50 a.m. to 7:00 a.m., 7:50 a.m. to 8:00 a.m., 11:55 a.m. to 12:10 p.m. and 12:45 p.m. to 1:00 p.m. except federal holidays. From 10:30 p.m. to 4:30 a.m. the draws shall open on signal if at least a 6 hour advance notice is given.

(b) From November 1 through March 31 the draws shall open on signal if at least a 12 hour advance is given.

(c) During the time the bridges are not required to be manned, request for openings shall be given by calling the Manitowoc Police Department (414) 683-4474.

4.27 Signals. The opening signals for these bridges are: Eighth Street - one prolonged blast followed by one short blast. Tenth Street - two short blasts followed by one prolonged blast. When signal is given by car ferry or other large vessel to pass either of the two bridges, the remaining bridges shall open promptly so that such vessels shall not be held between the two bridges.

(The schedule of operations and signal for the Soo Line Railway Bridge, while not a part of this ordinance, are inserted herein for reference purposes. Those regulations are as follows:

(1) From April 1 through October 31 between the hours of 10:30 p.m. and 4:30 a.m., the draws shall open on signal if at least a 6 hour advance notice is given..

(2) From November 1 through March 31 the draw shall open on signal if at least a 12 hour advance notice is given.

(3) Opening signal for this bridge is two short blasts followed by one prolonged blast.)

4.29 Approach of Bridges by Vessels. The operator of a vessel approaching either the 8th Street or the 10th Street bridge shall stay far enough from either bridge such that the vessel can safely be brought to a stop without striking either bridge or its surrounding abutments until such time as such bridge has been fully open.

4.31 Vehicular and Pedestrian Traffic. No pedestrian or operator of any vehicle shall enter on any portion of the 8th Street or 10th Street bridges or approaches thereto after the signal process has begun to indicate that the bridge is about to be opened. Any such pedestrian or operator of any vehicle shall only proceed across either such bridge after all signals that the bridge is closed to pedestrian or vehicular traffic have ceased.

4.33 Preservation of Order on Bridges. All Manitowoc Police Officers are empowered to give any directions necessary for the preservation of order on any bridge in the City of Manitowoc. All bridgetenders, the Director of Public Works and Deputy Director of Public Works of the City of Manitowoc shall have the power of a police officer for this purpose. Anyone failing to obey an order of a police officer hereunder shall be guilty of a violation of this section.

4.41 Penalty. Any person violating any provision in Chapter 4 shall be subject to a forfeiture of not more than \$500.00.