

## Section VII. Aquatic Plants and Invasive Animals.

### (a) - Purpose

The purpose of this ordinance is to prevent the spread of aquatic invasive species in Geneva Lake and surrounding water bodies.

### (b) - Definitions

1. The following words, terms, and phrases, when used in this article shall have the meanings described to them in this section. The words, terms, and phrases defined shall apply to this section only.
2. *Animal* - means all vertebrate and invertebrate species including but not limited to mammals, birds, reptiles, amphibians, fish, and shellfish, or their eggs, larvae, or young, but exclude humans.
3. *Aquatic Animal* - means all animals that live in, on, or near the water. This includes all vertebrate and invertebrate species, including but not limited to reptiles, amphibians, fish, and shellfish, or their eggs, larvae or young.
4. *Invasive Species* - has been previously defined under Wis. Stat. § 23.22(1)(c), and Wis. Adm. § NR 40.02(24) and the definition is hereby adopted under this code.
5. *Aquatic Invasive Species* - has been previously defined under Wis. Adm. § NR 40.02(3m) and the definition is hereby adopted under this code.
6. *Aquatic Plant* - means a nonwoody submerging, emergent, free-floating, or floating leave plant that normally grows in or near water and includes any part thereof. Any permits issued under Wis. Adm. Code § NR 19.09 shall be exempt from this definition.
7. *Decontamination* - is the process of removing Aquatic Invasive Species as defined in (5) or materials that may contain or transmit any type of invasive species by disinfection or other methods.
8. *Portable Boat Cleaning Station* - is a device provided at public or private lake access to remove all potential invasive species.

### (c) - Prohibition Against the Transport of Plants and Aquatic Animals.

1. No person may operate a vehicle, or transport any boat, personal watercraft, canoe, kayak, paddle board or associated trailer, or boating equipment, fishing equipment, hunting and/or trapping equipment from navigable waters onto a public highway if aquatic plants, or aquatic animals are attached. All aquatic

plants and aquatic animals shall be removed prior to entry onto a public highway or launching a boat or placing equipment or trailers into navigable waters.

2. When available, an operator or owner of a vehicle, boat, personal watercraft, canoe, kayak, paddle board, or associated trailer shall use at public or private access, the person shall decontaminate the boat per the posted instructions on the Portable Boat Cleaning Station.
3. This section shall not apply to bait used on that particular body of water in accordance with the Department of Natural Resources, or applicable Wisconsin Administrative Codes.

(d) – Enforcement

1. Any County or Municipality Law Enforcement Officer shall have authority to issue a citation pursuant to Wis. Stat. §66.0113(1)(a).
2. All forfeitures shall be collected and retained by the enforcing agency.
3. An offense shall be considered by each instance of violation, not by each vehicle or equipment subject to this ordinance.

**Walworth County reference**— General penalty, § 1-12; statutory misdemeanors and forfeitures adopted, § 14 Citations, § 38-1; sheriff, ch. 46; excavation regulations enforced by citation, § 54-43; cash deposits for violation of the excavation regulations, § 54-45; issuance of citations, §§ 54-46, 54-98.

**State Law reference**— Citation system, Wis. Stats. § 66.0113

**Section X. Penalties.**

6. Any person who violates Section VII of the Joint Uniform Lake Law Ordinances shall be subject to a forfeiture plus court costs as follows:
  - (a) For the first offense, a forfeiture shall be \$100, plus costs
  - (b) For a second offense, a forfeiture shall be \$175, plus costs.
  - (c) For a third and subsequent offense, a forfeiture shall be \$250, plus costs.

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