

**Ordinance No. 030519-04**

**An Ordinance Repealing and Recreating Section 54-163, Commercial launches, of the  
Municipal Code of the Village of Fontana-on-Geneva Lake.**

The Village Board of the Village of Fontana-on-Geneva Lake, Walworth County, Wisconsin, do ordain as follows:

**SECTION 1.** Section 54-163 is hereby repealed and recreated to read as follows:

*(a) Seasonal Commercial Launches*

1. *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Commercially launched boat* means a boat owned by a person who owns property with a residence in the Town of Linn, Village of Williams Bay, City of Lake Geneva, or Village of Fontana-on-Geneva Lake, with current state registration, launched for them by a person engaged in the business of launching boats in Geneva Lake (the commercial launch operator) which occurs on an occasional basis, usually once annually in the spring, for owners who customarily moor their boats on Geneva Lake for the entire boating season, and removal, usually once annually in the fall.

2. *Commercial launch fee imposed.* There is imposed an annual fee for each commercially launched boat at the municipal launch ramp in the amount set by the board to be paid by the commercial launch operator. The commercial launch fee will be required for all commercially launched boats unless such boat has affixed to it a current village launch pass, in which case the commercial launch fee will not be required.
3. *Time of commercial boat launches regulated.* Commercial boat launches in spring and fall are allowed any time during the week.
4. *Written commercial boat launch application required.* Prior to the initial annual launch of a commercially launched boat, the commercial launch operator shall register with the clerk and pay the required commercial launch fees.

*(b) Other Commercial Use of Village Launch Site*

1. Any person or entity undertaking boat launches as part of a commercial enterprise, boat rental business or short-term boat launch and boat retrieval service (other than a seasonal commercial launch service) shall obtain an annual Commercial Launch Permit pursuant to this Section 54-163(b) of the Village Municipal Code.
2. In order to be approved for an annual Commercial Launch Permit, the person or entity shall first apply for and be approved according to the following criteria and requirements:
  - i. Submit a signed application on a form provided by the Village Clerk. Said application shall include an applicant commitment to abide by the DNR

approved "Handbook of Wisconsin Boating Laws and Responsibilities" pamphlet as to either the launching of boats at the Village launch, use of the Village pier or the use of launched boats by a boat renter customer of the applicant. Furthermore, said application shall include an indemnification of the Village and its agents by the applicant as to the use permitted.

- ii. Pay an application fee in an amount determined by the Village Board from time to time.
  - iii. Provide proof of a substantial local physical business presence, legally located in a required zoning district, and proof of available owners, staff and employees to adequately and safely undertake said business and respond to customer inquiries.
  - iv. Provide proof of at least \$1,000,000 of liability insurance for the permitted commercial launch business, with the Village of Fontana named as an additional insured and on such additional terms as the Village may require.
3. Said annual Commercial Launch Permit may be permanently revoked or temporarily suspended by the Village Board on a finding that the holder of said permit has failed to undertake the permitted use in a timely, safe and appropriate manner, including a failure to abide by the DNR approved "Handbook of Wisconsin Boating Laws and Responsibilities" pamphlet as to the launching of boats at the Village launch, use of the Village pier, or the use of launched boats by a boat renter customer of the permit holder.

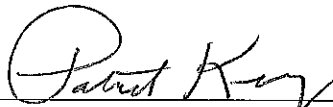
The annual Commercial Launch Permit must be reapplied for annually per the same process and criteria described at Section 54-163(b)2. and at which time the past permitted use of the Village launch and Village pier shall be considered by the Village.

## **SECTION 2. Effective Date**

This ordinance shall be in full force and effect upon its passage approval, and publication as required by law.

**PASSED AND ADOPTED** by the Village Board of the Village of Fontana on Geneva Lake, Walworth County, WI this 5<sup>th</sup> day of March, 2019.

Village of Fontana on Geneva Lake

By:   
Patrick Kenny, President

Attest:   
Theresa Loomer, Clerk