

CHAPTER 4: VILLAGE ORDINANCES REGARDING LAKE OF LAKE ZURICH AND BEACHES

SECTION:

[7-4-1](#): Title

[7-4-2](#): Purpose

[7-4-3](#): Definitions

[7-4-4](#): Marine Unit Officers

[7-4-5](#): Vessels And Watercraft

[7-4-5-1](#): Lake Watercraft Maintenance And Use Permit

[7-4-5-2](#): Lake Watercraft Maintenance And Use Permit Fee; Financial Reviews; Reserve Fund

[7-4-5-3](#): Operation Of Watercraft; Responsibilities Of Owners Or Operators

[7-4-5-4](#): Equipment

[7-4-5-5](#): Accidents

[7-4-6](#): Ice Fishing Sheds (Rep. by Ord. 95-02-712, 2-21-1995)

[7-4-7](#): Water Sports And Activities

[7-4-8](#): Swimming Only If Lifeguard

[7-4-9](#): Prohibited Acts And Conditions

[7-4-10](#): Unlawful Deposits; Polluting Waterways And Beaches

[7-4-11](#): State Laws Adopted

[7-4-12](#): Enforcement

[7-4-13](#): Penalties

7-4-1: TITLE:

This chapter shall be known as, and may be cited as, the *SAFE USE OF THE LAKE AND BEACHES*. (Ord. 2010-01-689, 1-18-2010)

7-4-2: PURPOSE:

This chapter establishes specific regulations affecting the operation of watercraft on the lake of Lake Zurich, the equipment that watercraft must maintain, and the recreational and sporting activities on and

in the lake and the beaches, including ice fishing, skiing, swimming, and similar activities. (Ord. 2010-01-689, 1-18-2010)

7-4-3: DEFINITIONS:

Terms used in this chapter, unless the context clearly requires a different meaning, mean as follows:

AIRBOAT: Any vessel (but not including airplane or hydroplane) propelled by machinery applying force against the air rather than the water as a means of propulsion.

BEACH FLOAT DEVICES: Includes tire tubes, inflatable floats, floating chairs, inflatable boats, etc.

DEPARTMENT: The Department of Conservation of the State of Illinois.

DESIGNATED SWIMMING AREA: The area within fifty feet (50') of a swimming buoy.

OPERATE: To navigate or otherwise use a vessel.

OWNER: A person, other than lienholder, having title to a vessel or structure.

SAILBOAT: Any watercraft propelled by sail or canvas. For the purpose of this chapter, any watercraft propelled by both sail or canvas or machinery of any sort shall be deemed a vessel when being so propelled.

STRUCTURE: Any shelter which is placed on or used on such water or ice of any waterway in the Village shall be a portable structure vessel for fishing purposes only and may be constructed of a framework of metal or wood covered with canvas, paper, plastic material or any similar fabric.

SWIMMING BUOY: A buoy placed in a public waterway by the Village for the purpose of marking a designated swimming area.

VESSEL OR WATERCRAFT: Every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water. (1989 Code; amd. Ord. 90-06-389, 6-18-1990; Ord. 91-09-478, 9-3-1991; Ord. 2008-05-564, 5-19-2008)

7-4-4: MARINE UNIT OFFICERS:

The Chief of Police, with the consent of the Village Manager, may appoint marine unit officers to enforce the provisions of this chapter. The compensation of the marine unit officers shall be set by the Board of Trustees. The duties of the marine unit officers shall be to enforce the provisions of this chapter and the applicable laws and regulations of the State. The marine unit officers shall have the authority to board and inspect any watercraft at any time it is being used on any waterway in the Village to determine whether such watercraft complies with the provisions of this chapter. (Ord. 2018-02-247, 2-5-2018)

7-4-5: VESSELS AND WATERCRAFT:

7-4-5-1: LAKE WATERCRAFT MAINTENANCE AND USE PERMIT:

A. Lake Watercraft Maintenance And Use Permit Required: No watercraft may be moored or operated on the lake of Lake Zurich without first obtaining and displaying a lake watercraft maintenance and use permit from the Lake Property Owners' Association of Lake Zurich (the "LPOA") and paying the fee required by section [7-4-5-2](#) of this section [7-4-5](#).

B. Applications: Each person seeking a lake watercraft maintenance and use permit must apply for that permit on a form approved by the Village and provided by the LPOA. That application form will be available from the LPOA. The completed form must be submitted to the LPOA by mail or at the location stated on the application form. The Village may post the location on the Village's website. Each person submitting an application for a lake watercraft maintenance and use permit must provide the following information with the application:

1. The name, address, telephone number, and other pertinent contact information related to the owner of the watercraft for which the permit is sought.

2. The make, model, and Illinois Department of Natural Resources registration number for the watercraft for which the permit is sought.

3. For motorized watercraft, three (3) copies of proof of liability insurance establishing the existence of coverage for not less than the full length of the operating season for which the permit is sought.

4. Documentation regarding the right of legal access to the lake of Lake Zurich.

C. Display Of Permit: No watercraft may be moored or operated on the lake of Lake Zurich at any time unless a current, valid lake watercraft maintenance and use permit is affixed to that watercraft at the lower starboard stern.

D. Liability Insurance: The holder of a lake watercraft maintenance and use permit for a motorized watercraft must notify the LPOA if the liability insurance coverage for the permitted motorized watercraft lapses or otherwise is no longer in force or effect during the term of the permit. It is unlawful to operate a motorized watercraft on the lake of Lake Zurich at any time without liability insurance.

E. Lake Access For Multiple Mooring Sites: For any mooring site on the lake of Lake Zurich that includes moorings for more than two (2) watercraft owned by unrelated parties (a "multiple mooring site"), each application for a lake watercraft maintenance and use permit for a watercraft moored at that multiple mooring site must include: 1) the name and contact information of the deeded lake rights owner or authorized representative of that multiple mooring site and 2) a statement that the owner or authorized representative has approved the submission of the application. No application will be processed that does not include that information.

F. Exception For Village Parks And Official Business: The provisions of this section do not apply to Village operated watercraft programs at Village owned parks, official lake maintenance watercraft, or other government agency watercraft. (Ord. 2017-7-208, 7-17-2017)

G. Violation: A violation of this section shall be punishable by a fine pursuant to title 13, chapter 1, "Fee Schedule", of this Code. (Ord. 2017-7-208, 7-17-2017; amd. Ord. 2018-12-279, 12-3-2018)

7-4-5-2: LAKE WATERCRAFT MAINTENANCE AND USE PERMIT FEE; FINANCIAL REVIEWS; RESERVE FUND:

A. Annual Budget: The Lake Property Owners' Association of Lake Zurich (the "LPOA") must submit to the Village, on or before March 15 each year, its detailed budget for maintenance and protection of the lake of Lake Zurich during the upcoming boating season, including matters such as weed control; fish stocking; police services; insurance costs; supplies, postage, and third party administrative costs related to the Lake Watercraft Maintenance and Use Permit Program; and a reserve fund for extraordinary maintenance.

B. Uniform Fee: For each boating season the LPOA will establish a fee structure that is reasonably related to the costs of the budgeted maintenance and protection activities for that season.

C. Financial Reviews: The Village, from time to time, may conduct a limited financial review to confirm the actual costs and expenses incurred, and expenditures made, by the LPOA for maintenance and protection services for the lake of Lake Zurich. The Village will provide the LPOA a written notice of a financial review, and the LPOA within ten (10) business days, or another date agreed to by the Village and the LPOA, must provide receipts and other relevant records to Village representatives, to verify that the permit fee structure is consistent with the actual and necessary expenditures.

D. Extraordinary Maintenance Reserve Fund: The budget submitted under subsection A of this section may include, and an increment of the fees established under subsection B of this section may be related to, creation and maintenance of a Maintenance Reserve Fund. The Maintenance Reserve Fund may not exceed fifteen percent (15%) of the lake maintenance and protection services' portion of that budget. The LPOA may apply money from the Maintenance Reserve Fund to the costs of extraordinary maintenance activities for the lake of Lake Zurich not included in the LPOA's annual budget. No extraordinary maintenance activity may be undertaken without the prior approval of the LPOA Board in accordance with its chart and bylaws and acceptance of that activity by the Village. (Ord. 2017-7-208, 7-17-2017)

7-4-5-3: OPERATION OF WATERCRAFT; RESPONSIBILITIES OF OWNERS OR OPERATORS:

A. Traffic Regulations:

1. Direction Of Traffic: All powered watercraft shall travel in a counterclockwise direction around the lake of Lake Zurich at all times when being operated outside of the marked no wake areas of the lake. (Ord. 98-06-917, 6-15-1998)

2. Speed: No vessel will be allowed to operate at a speed greater than thirty five (35) miles per hour.

3. Right Of Way:

a. When two (2) vessels are approaching each other "head on" or nearly so (so as to involve risk of collision), each vessel shall bear to the right and pass the other vessel on its left side.

b. When vessels approach each other obliquely, or at right angles, the vessel approaching on the right has the right of way.

c. One vessel may overtake another on either side but must grant right of way to the overtaken vessel.

d. When a vessel is approaching another vessel propelled solely by sail or oars, the vessel shall yield right of way to the sailboat or rowboat.

B. Careless Operation: No person shall operate any vessel in a careless or heedless manner so as to be grossly indifferent to the person or property of another person, or at a rate of speed greater than that which will permit him, in the exercise of reasonable care, to bring the vessel to a stop within the assured clear distance ahead. (1989 Code)

C. Reckless Activities Prohibited: No person shall operate any vessel or watercraft, or manipulate any water skis, aquaplane, or similar device, in such a manner as to:

1. Wilfully or wantonly endanger the life, limb, or property of any person;

2. Weave through congested traffic;

3. Jump the wake of another watercraft unreasonably or unnecessarily close to such other watercraft or when visibility around such other watercraft is obstructed;

4. Operate any watercraft toward or near another watercraft in such a manner as to require swerving or other sudden movement to avoid collision; or

5. Operate any watercraft so as to approach or pass another watercraft in such a manner or at such a rate of speed as to create a hazardous wake or wash. (Ord. 2004-12-330, 12-20-2004)

D. Interference With Water Traffic: No person shall operate any vessel in a manner which unreasonably or unnecessarily interferes with other vessels or with the free and proper navigation of the waterways of the village.

E. Prohibited Areas: It shall be unlawful for any person to operate any sailboat, rowboat, houseboat, pontoon boat or boat propelled by machinery or other watercraft in any pond, lake, river, canal or other body of water where posting clearly indicates that certain specific boating usage is prohibited. (1989 Code)

F. Night Operations: All motorized watercraft are restricted to low speed with no wake between sunset, as determined by the national weather service for the Lake Zurich area, and nine o'clock (9:00) A.M. every day. The village may further restrict such activities at any time when the village determines

that the current weather has reduced visibility to less than five hundred feet (500') or otherwise has created an unsafe or potentially unsafe condition. (Ord. 2008-05-564, 5-19-2008)

G. Overloading:

1. No vessel shall be loaded with passengers or cargo beyond its safe carrying capacity, taking into consideration weather and other existing operating conditions.

2. The owner of any vessel or any person having such in charge or in control shall not authorize or knowingly permit to overload any vessel having a two (2) person capacity.

3. The owner of any vessel or person having such in charge or in control shall not authorize or knowingly permit any vessel to be overloaded in violation of the vessel's capacity plate and state statute.

H. Minors And Incapable Operators:

1. The owner of any vessel or any person having such in charge or in control shall not authorize or knowingly permit the same to be operated by any person who by reason of physical or mental disability is incapable of operating such vessel under the prevailing circumstances; nor shall the owner of any vessel or vessel's motor, or any person having such in charge or in control, permit any minor to operate such motor attached to a vessel or to operate a vessel without having first determined that such minor is familiar with the provisions of this section. The owner of a vessel or vessel's motor shall be liable for any damage to person or property caused by the vessel or the vessel's motor being operated in violation of this section; nor shall said owner permit a minor to operate a vessel when the owner has knowledge that the minor has violated this section.

2. No person under ten (10) years of age may operate a vessel equipped with a motor. Persons at least ten (10) years of age and less than twelve (12) years of age may operate a motorboat only if they are accompanied on the motorboat and under the direct control of a parent or guardian.

3. Persons between the age of twelve (12) years and eighteen (18) years may operate a motorboat if they have in their possession a valid boating safety certificate issued by the department of conservation, department of law enforcement, authorizing the holder to operate motorboats.

4. Persons between the ages of twelve (12) years and eighteen (18) years may operate a motorboat without a boating safety certificate, issued by the department of conservation, department of law enforcement, only when accompanied on the motorboat by a parent or legal guardian over the age of eighteen (18) years. (1989 Code)

I. Personal Flotation Devices:

1. Passengers Under Thirteen Years Of Age: No owner, operator, or person in charge or control of any watercraft shall authorize or knowingly permit any person under thirteen (13) years of age to ride in the vessel or watercraft without wearing a U.S. coast guard approved personal flotation device.

2. Nonswimmers: No owner, operator, or person in charge or control of any watercraft shall authorize or knowingly permit any person who cannot swim to ride in the watercraft unless such person wears a U.S. coast guard approved personal flotation device. (Ord. 2004-12-330, 12-20-2004)

J. Swimming From Watercraft:

1. Designated Swim Area: Swimming from watercraft is allowed only in a designated swimming area and is subject to the following requirements:

a. The watercraft must be a minimum of eighteen feet (18') in length. Swimming from any watercraft less than eighteen feet (18') in length is prohibited.

b. The watercraft must be anchored and equipped with a ladder or rear platform for swimmer recovery.

c. The watercraft must have an occupant ratio of no more than three (3) children per adult.

d. One person at least sixteen (16) years of age must remain in the watercraft at all times.

e. All swimmers must remain within twenty feet (20') of their watercraft and within the designated swimming area.

f. Children ten (10) years of age and younger who are swimming must wear a U.S. coast guard approved life vest at all times.

g. All types of beach float devices are prohibited in conjunction with swimming from boats.

h. Swimming from boats is prohibited between sunset, as determined by the national weather service for the Lake Zurich area, and nine o'clock (9:00) A.M. every day. The village may further restrict such activities at any time when the village determines that the current weather has reduced visibility to less than five hundred feet (500') or otherwise has created an unsafe or potentially unsafe condition.

2. Appropriate Equipment Required Outside Designated Swim Area: Except as provided in subsection J1 of this section for swimming in a designated swimming area, no person may dive, jump, or otherwise disembark from any vessel except for waterskiing or a similar activity, with appropriate equipment. (Ord. 2008-05-564, 5-19-2008)

K. Top Or Cover When Towing: When a vessel is used as a towing vehicle, no convertible top or weather cover will be allowed to be in place while towing so as not to restrict or impair the watcher's or driver's vision of any skiers or other vessels.

L. Beach Floats: Beach float devices shall be restricted to marked swimming areas or within one hundred feet (100') of the shoreline. (1989 Code)

M. Restricted Areas: No person shall operate a motorboat within a water area which has been clearly marked by buoys or some other distinguishing device as a bathing, fishing, swimming or otherwise restricted area by an owner or lessee of property in accordance with his rights to the use of said

property; provided, that this subsection shall not apply in the case of an emergency, or to patrol or rescue craft; except further that such boat may be operated in the manner prescribed by the buoys or signs. (1989 Code; amd. Ord. 90-06-389, 6-18-1990)

N. Distance From Beach Areas: No person shall operate a watercraft within one hundred feet (100') of any swimming area marked by line buoys or any posted swimming area when swimmers are present, except only when docking with a pier or leaving a pier. (Ord. 98-06-917, 6-15-1998)

7-4-5-4: EQUIPMENT:

A. Lights:

1. Every vessel less than twenty six feet (26') in length shall carry and display when underway the following lights from sunset to sunrise:

a. A bright, white light aft, capable of rotating a full circle, and being visible for a distance of two (2) miles. The word "visible", as used herein, means visible on a dark night with clear atmosphere.

b. A combination of light in the forepart of the vessel lower than the white light aft, showing green to the starboard and red to port, so fixed as to throw a light from dead ahead to two (2) points aft the beam on their respective sides and visible for a distance of not less than one mile.

2. Watercraft propelled by muscular power shall not be operated from sunset to sunrise unless it has a lantern or flashlight capable of showing a white light visible all around the horizon at a distance of two (2) miles or more, and shall display such lantern to avoid collision with another watercraft.

3. Every vessel twenty six feet (26') or more in length shall carry and display when underway such additional or alternate lights as shall be required by the United States coast guard for watercraft of equivalent length and type. (1989 Code)

4. Every vessel when operated between sunset and sunrise, shall carry a bright white lantern or flashlight ready at hand which shall, upon the approach of another watercraft, be exhibited and shall be flashed continually in sufficient time to avert collision. (1989 Code; amd. Ord. 90-06-389, 6-18-1990)

5. Dinghies, tenders and other watercraft, whose principal function is as an auxiliary to other larger watercraft, when operated between sunset and sunrise, need carry only a flashlight visible to other craft in the area, anything in this section to the contrary notwithstanding.

B. Muffler: Except in case of a vessel actually competing in a race or regatta sanctioned by the department of conservation or the village, it is unlawful to use a vessel propelled in whole or in part by an internal combustion engine unless the same is provided with a serviceable muffler or underwater exhaust capable of adequately muffling the sounds of the exhaust of the engine. The phrase "adequately muffling" shall mean that the motor's exhaust at all times be so muffled or suppressed as not to create excessive or unusual noise. The discharge of cooling water through the exhaust of an inboard engine shall be considered an adequate muffling device.

C. Backfire Prevention: Carburetors on all engines of vessels other than those propelled by a detachable outboard motor shall be fitted with or protected by a United States coast guard approved device for arresting backfire. (1989 Code)

D. Horn: It shall be unlawful to operate any watercraft with a motor, regardless of size or horsepower, without a mouth, hand, or power operated whistle, horn or other appliance capable of producing a blast of two (2) seconds or more duration and audible for at least one-half ($\frac{1}{2}$) mile. (Ord. 2004-12-330, 12-20-2004)

E. Fire Extinguisher: All vessels powered by an internal combustion engine shall carry at least one United States coast guard approved fire extinguisher, so placed as to be readily accessible and in such condition as to be ready for immediate and effective use.

F. Ventilation System: All watercraft, other than those which are entirely open, carrying or using fuel or any other flammable or toxic in any enclosure, shall be provided with an efficient natural or mechanical ventilation system which shall be capable of removing resulting gases prior to and during the time such watercraft is occupied by any person. (1989 Code)

G. Life Preservers:

1. No person shall operate a watercraft unless at least one U.S. coast guard approved personal flotation device (PFD) of one of the following types or their equivalents is on board for each person: type I, type II or type III.

2. No person shall operate a watercraft of sixteen feet (16') or greater in length, except a canoe or a kayak, unless at least one type IV U.S. coast guard approved PFD or its equivalent is on board in addition to the PFDs required pursuant to subsection G1 of this section.

3. All persons shall wear a U.S. coast guard approved PFD at all times when operating a sailboat or a sailboard.

4. Every watercraft used to assist or tow a person on water skis, an aquaplane or any similar device shall be equipped with at least one U.S. coast guard approved PFD for each person being assisted or towed.

5. No person shall operate a watercraft unless each PFD required pursuant to this subsection G is:

- a. Readily accessible; and
- b. In serviceable condition; and
- c. Of appropriate size for the person for whom it is intended; and
- d. Legibly marked with the U.S. coast guard approved number.

6. PFDs approved for use pursuant to this subsection G shall be as defined by article IV, section 314-1 of the Illinois board registration and safety act. (Ord. 92-08-548, 8-3-1992)

H. Prohibited Equipment: It shall be unlawful for any person to use a vessel equipped with a siren, or to use any red or blue flashing light, except duly designated patrol boats, and such siren or flashing lights used in violation of this subsection shall be considered a public nuisance subject to confiscation and disposal as determined by a competent court of jurisdiction. (1989 Code)

7-4-5-5: ACCIDENTS:

A. Assistance: The operator of a vessel involved in a collision, accident or other casualty, so far as he can do so without serious danger to his own vessel, crew, passengers and guests, if any, shall render to other persons affected by the collision, accident or other casualty, such assistance as may be practicable and as may be necessary in order to save them from or minimize any danger caused by the collision, accident or other casualty, and also shall give his name, address and identification of his vessel to any person injured and to the owner of any property damaged in the collision, accident or other casualty.

B. Reports Required: In the case of collision, accident or other casualty involving a vessel, the operator thereof, if the collision, accident or other casualty results in death or injury to a person or damage to property in excess of one hundred dollars (\$100.00), shall file with the department and the village a full description of the collision, accident or other casualty, including such information as the department and the village may, by regulation, require. (1989 Code)

7-4-6: ICE FISHING SHEDS:

(Rep. by Ord. 95-02-712, 2-21-1995)

7-4-7: WATER SPORTS AND ACTIVITIES:

A. Waterskiing:

1. Minimum Number Of Boaters: No watercraft which has in tow, or otherwise is assisting, a person on water skis, aquaplane, inflatable tube or toy, kneeboard, or any similar device shall be operated or propelled in or upon any waterway unless such watercraft is occupied by at least two (2) competent persons, including one (1) person operating the watercraft and one (1) person observing who is physically capable of assisting in the rescue or helping the towed person in the water. The person operating the watercraft shall be at least sixteen (16) years of age.

2. Maximum Number Of Skiers: No watercraft shall be used at any time in or upon any waterway to tow or otherwise assist more than two (2) persons at one time on water skis, aquaplanes, inflatable tubes or toys, kneeboards, or any similar device. (Ord. 2003-07-231, 7-7-2003)

3. Prohibited Hours; Exceptions: No vessel or watercraft may be used to tow or otherwise assist any person on water skis, aquaplane, inflatable tube or toy, kneeboard, or similar device on any waterway between sunset, as determined by the national weather service for the Lake Zurich area, and nine o'clock (9:00) A.M. every day. The Village may further restrict such activities at any time when the Village determines that the current weather has reduced visibility to less than five hundred feet (500') or otherwise has created an unsafe or potentially unsafe condition. (Ord. 2008-05-564, 5-19-2008)

4. Careful Operation Required: All watercraft shall be operated in a careful and prudent manner at all times and shall remain at a reasonable distance from, and shall not endanger, persons and property. No watercraft used to tow or otherwise assist any person on water skis, aquaplane, inflatable tube or toy, kneeboard, or any similar device shall be operated in a manner to collide, or threaten collision, with any person, object, or property. (Ord. 2003-07-231, 7-7-2003)

B. Skin Diving: No person may engage in underwater diving or swimming with the use of swimming fins or skin diving gear in waters other than marked swimming areas. The foregoing shall not apply to training by rescue organizations authorized by the Village. (1989 Code)

C. Regattas And Special Events:

1. Authority: The Village and the Lake Property Owners' Association of Lake Zurich, and no others, may authorize the holding of a regatta, other vessel races, triathlons, fishing derbies, or other special events on the lake of Lake Zurich. The Village may from time to time adopt regulations concerning the safety of vessels on the lake and of observers of, and participants in, any regatta or other vessel race. (Ord. 2010-01-689, 1-18-2010)

2. Application For Permit: Whenever a regatta or other vessel race is proposed to be held, the person in charge thereof shall, at least fifteen (15) days prior thereto, file an application with the Department of Conservation and the Village for permission to hold such regatta or other vessel race. The application shall set forth the date, time and location where it is proposed to hold such regatta or other vessel race and it shall not be conducted without authorization of the Department of Conservation and the Village, in writing.

3. Interpretation: The provisions of this subsection shall not exempt any person from compliance with applicable Federal law or regulation, but nothing contained herein shall be construed to require the securing of a State permit where there has been obtained a permit from an authorized agency of the United States. (1989 Code)

7-4-8: SWIMMING ONLY IF LIFEGUARD:

It shall be unlawful to swim at any Village owned public beach unless there is on duty a qualified, Village employed lifeguard. (Ord. 99-12-1004, 12-6-1999)

7-4-9: PROHIBITED ACTS AND CONDITIONS:

A. Intoxicated Persons:

1. No person shall operate any watercraft or vessel or manipulate any water skis, aquaplane or similar device while intoxicated or under the influence of any narcotic drug, barbiturate or marijuana.

2. The owner of any watercraft or any person having such in charge or in control shall not authorize or knowingly permit the same to be operated by any person who is under the influence of intoxicating liquor, narcotic or habit forming drug.

B. Aircraft: The taking off or landing of any aircraft, including, but without limitation, airplanes or hydroplanes, shall not be permitted on the waterways of the Village.

C. Prohibited Use On Waterways: It shall be unlawful for any person to operate any jet ski, wet bike, wave runner, snowmobile or similar vehicle of any kind on any waterway of the Village.

D. Buoys: It shall be unlawful for any person, without proper written authorization, to move or to relocate any buoy placed in any waterway for the purpose of designating areas for powerboat traffic. (Ord. 2017-7-208, 7-17-2017)

E. Private Property Launch: It shall be unlawful for any person to launch any type of watercraft from their individual private property or from a shared homeowner's association property without a lake watercraft and use permit. A violation of this section shall be punishable by a fine pursuant to title 13, chapter 1, "Fee Schedule", of this Code for motorized watercraft. A violation of this section shall be punishable by a fine pursuant to title 13, chapter 1, "Fee Schedule", of this Code for non-motorized watercraft such as rowboats, canoes, paddleboats and similar watercraft. (Ord. 2017-7-208, 7-17-2017; amd. Ord. 2018-12-279, 12-3-2018)

7-4-10: UNLAWFUL DEPOSITS; POLLUTING WATERWAYS AND BEACHES:

A. Unlawful Deposits In Waterways:

1. Soil, Rock, Sand: It shall be unlawful to fill in or to place soil, rock, sand or any similar material in any part of any waterway within the Village without having obtained a permit.

2. Garbage And Refuse: It shall be unlawful to throw, place or deposit any garbage, refuse or waste materials of any kind in or upon any waterway within the Village.

B. Offensive Matter On Beaches Or In The Water: The throwing, depositing or permitting to remain of any ashes, offal, dirt, garbage or any offensive matter on any beach or in any waterway in Lake Zurich and/or the discharging of any inadequately treated liquid, liquid carried wastes or solid substances of a decomposable or putrescible, acid or other character which may cause pollution of any waterway in Lake Zurich, either over the surface of the ground or through the ground, the seepage of which enters any waterway in Lake Zurich and/or the discharging of any of said liquid, liquid carried wastes or solid substances into any pipe, tile, ditch or natural watercourse discharging any said liquid, liquid carried wastes or solid substances on the surface of the ground or in the ground, any seepage of which enters any storm sewer, surface drain or tile discharging into the waterways in Lake Zurich, are prohibited. (1989 Code)

C. Sewage Treatment: (Rep. by Ord. 90-06-389, 6-18-1990)

D. Public Beach Waters: The waters of all bathing beaches shall be maintained free from dangerous pollution, and all dead aquatic plants and dead animal, bird and fish life floating on the surface of the waters of any waterway in Lake Zurich or on the shore shall not be left to decompose but shall be removed and disposed of in such a manner as not to contaminate any waterway in Lake Zurich and,

whenever it is found by the Village or representatives of the State Department of Public Health and/or Lake County Health Department, that any beach is unsafe for bathing, the Village shall order said beach closed to the public.

E. Application Of Provisions: For the purpose of this section, all waterways and/or waterways that are frozen shall be deemed to be included. (1989 Code)

7-4-11: STATE LAWS ADOPTED:

The Boat Registration and Safety Act [1](#) of Illinois is hereby incorporated by this reference and made a part of this Code. Any person violating the provisions of the aforementioned Act shall be deemed as having violated a provision of this Code, and any person charging such a violation shall do so by citing this chapter and section and in the specifications thereunder shall also set forth the section of the Boat Registration and Safety Act so violated. (1989 Code)

Notes

[1](#) 1. 625 ILCS 45/1-1 et seq.

7-4-12: ENFORCEMENT:

A. Any police officer or other authorized Village officer may arrest, or issue a citation to, any person found to be in violation of any provision of this chapter. The Village will promptly investigate reports of potential violations of the provisions of this chapter and may, when appropriate, cause a citation to be issued and a complaint to be filed for a violation.

B. Any police officer or other authorized Village representative may inspect any watercraft or structure at any time for the purpose of determining compliance of that watercraft or structure with the provisions of this chapter. If the inspector discovers any violation of any provision of this chapter, then that inspector may issue a citation to the operator or occupant of such watercraft or structure requiring that the operator or occupant appear before the Village's administrative hearing system or before the Illinois Circuit Court for the Nineteenth Judicial Circuit (Lake County).

C. Prosecutions under the provisions of this chapter may be brought before the Village's administrative hearing system or before the Illinois Circuit Court for the Nineteenth Judicial Circuit (Lake County). (Ord. 2010-02-697, 2-1-2010)

7-4-13: PENALTIES:

A. General: Any person who violates or assists in the violations of any provision of this chapter shall be deemed to have committed a misdemeanor and shall be fined pursuant to title 13, chapter 1, "Fee Schedule", of this Code for each such violation. Each day on which, or during which, a violation occurs shall constitute a separate offense.

B. Payments To Avoid Prosecution: Any person who receives a citation for a violation of this chapter may avoid prosecution by paying a fine pursuant to title 13, chapter 1, "Fee Schedule", of this Code.

If payment in the amount of citation is not made within thirty (30) days after issuance of the citation, then a court appearance shall be required. (Ord. 2018-02-247, 2-5-2018; amd. Ord. 2018-12-279, 12-3-2018)