

CHAPTER 5
SPECIAL REGULATIONS DURING FLOOD AND OVERFLOW CONDITIONS

- 5.01 Waterway Zones
- 5.02 No Wake Boating Area
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5.01 **WATERWAY ZONES**, *Amended, 2006-0427-01*

In the event of flood and overflow conditions on the Waterway, the Agency or the IDNR may designate all or part of the Waterway as a No Wake Boating Area or a Restricted Boating Area subject to the boating restrictions set forth in this Chapter. For the purposes of this Chapter, the Waterway territory shall be divided into three zones: Zone A, Zone B and Zone C, which zones include the following territory:

1. Zone A: Waterway territory from the Algonquin dam north to the McHenry dam.
2. Zone B: Waterway territory from the McHenry dam north to Pistakee Lake
3. Zone C: Waterway territory from Pistakee Lake north to the Wisconsin State line.

5.02 **NO WAKE BOATING AREA**, *Amended, 2006-0427-01*

A. A zone may be deemed “No Wake” upon the Agency’s receipt of notice from the IDNR/OWR that severe high water conditions exist, and:

1. for Zone A, whenever the IDNR/OWR’ notifies the Agency that the IDNR’s Stratton Lock and Dam tail water downstream gauge (hereinafter “Stratton Dam gauge”) reading exceeds 3.00;
2. for Zone B, whenever the IDNR/OWR notifies the Agency that the IDNR’s Johnsburg gauge exceeds 4.50; and
3. for Zone C, whenever the IDNR/OWR notifies the Agency that the IDNR’s Fox Lake gauge exceeds 5.00.

B. A “No Wake” designation under this Chapter shall remain in effect until the Stratton Lock and Dam personnel notify the Agency that water gauge reading in the affected zone has decreased to at or below the levels set forth in this section.

5.03 **CLOSURE OF ONE OR MORE ZONES**, *Amended, 2006-0427-01*

A. The IDNR/OWR, with concurrence of the U.S. Coast Guard, may declare the Waterway, or any zone(s) thereof, a Restricted Boating Area closed to all navigation

pursuant to applicable federal and state laws and regulations. In the event that the IDNR determines the presence of conditions that make navigation of the Waterway, or any zone(s) thereof, significantly dangerous to the public, the IDNR may, in coordination with the federal government, designate such area(s) Restricted Boating Area(s). This designation will remain in effect until the IDNR determines that navigation is no longer significantly dangerous to the public.

B. Immediately upon the Agency's receipt of notice from the IDNR/OWR that conditions in a zone warrant closure of the zone, such zone shall be deemed a Restricted Boating Area and shall be closed to all navigation until such restriction is rescinded by the IDNR/OWR or U.S. Coast Guard.

5.04 **PUBLIC NOTIFICATION OF RESTRICTED AREA**, *Amended, 2007-0426-01, 2006-0427-01*

Designation of a restricted area due to flood and overflow conditions by either the Agency or the IDNR shall be made by public announcement. Immediately upon the designation of a No Wake Boating Area or a Restricted Boating Area in one or more zones, the Agency shall notify the public through its web site, by local radio, local newspaper, or any other reasonable means. Signage will be posted on main navigational thoroughfare bridges and on highway traveled roadways to the Waterway area. Rescission of a No Wake Boating Area or Restricted Boating Area designation shall be similarly publicly announced by the Agency.

5.05 **PROHIBITED OPERATIONS IN A RESTRICTED AREA**, *Amended, 2006-0427-01*

A. No Wake Areas: It shall be unlawful to operate a private motor-powered watercraft at any speed great enough to create a wake in any zone declared to be a "No Wake" Boating Area. For purposes of this Code, a "wake" is defined as a movement of water created by a boat underway great enough to disturb a boat at rest, but under no circumstances shall a boat underway exceed five miles per hour while in a posted "No Wake" Boating Area.

B. Restricted Boating Areas: It shall be unlawful to operate any private motor or sail vessel or public vessel in any zone, which has been closed to navigation.

C. A lack of actual knowledge that a zone has been declared a No Wake Boating Area or Restricted Boating Area shall not be a defense to any charge or citation brought hereunder.

D. Exception: The restrictions in this Section shall not apply to Agency personnel and any law enforcement personnel of the State or other governmental entity when such personnel are involved in providing emergency services, or enforcing the provisions of this Code or State or Federal law. In such event and wherever practical, the watercraft shall be operated at No Wake speeds.