

TOWN OF SPRING BROOK

APR 07 2009

ORDINANCE NO: 2009-1
SLOW-NO-WAKE ZONE FOR ELK CREEK LAKE

A Sole Ordinance to Regulate Boating Upon the Waters of Elk Creek Lake and Prescribing Penalties for Violations Thereof.

The Town Board of the Town of Spring Brook, Dunn County do ordain as follows:

Section I. Applicability and Enforcement

- (a) The provisions of this Ordinance shall apply to the waters of Elk Creek Lake.
- (b) This chapter shall be enforced by the officers of the Town of Union, Eau Claire County and the officers of the Town of Spring Brook, Dunn County, working cooperatively with officers of the Eau Claire County, State of Wisconsin; Dunn County, State of Wisconsin; and the Wisconsin Department of Natural Resources.
- (c) This ordinance shall not apply to official emergency personnel providing emergency services or to official emergency personnel engaged in training approved by the agency's chief of emergency services.

Section II. Intent

The intent of this Ordinance is to provide safe and healthful conditions for the enjoyment of aquatic recreation consistent with public rights and interests, and the capability of the water resources.

Section III. State Boating and Safety Laws Adopted

State boating laws as found in SS. 30.50 to 30.71, Wis. Stats., are adopted by reference.

Section IV. Definitions

- (a) "Slow-no-wake" means that speed at which a boat moves as slowly as possible while still maintaining steerage control.
- (b) "Elk Creek Lake" means all bays, lake area and back waters of the Elk Creek Lake area of Sect 18 Twp 27N, Range 10W and Sections 13 and 24, Twp 27N, Range 11W all in the Town of Spring Brook, Dunn Co., WI and the Town of Union, Eau Claire Co., WI.

Section V. Controlled Area

No person shall operate a boat or water craft faster than slow-no-wake in the waters of Elk Creek Lake at any time.

Section VI. Posting Requirements

The Towns of Union, Eau Claire Co., and Spring Brook, Dunn Co. shall place and maintain a synopsis of this ordinance at all public access points within their respective jurisdictions pursuant to the requirements of NR 5.15 Wis. Admin. Code.

Section VII. Penalties

Wisconsin state boating penalties as found in Wis. Stat. 30.80 and deposits as established in the Uniform Deposit and Bail Schedule established by the Wisconsin Judicial Conference, are hereby adopted by reference and all references to fines amended to forfeitures and all references to imprisonment deleted.

Section VIII. Severability

The provisions of this Ordinance shall be deemed severable and it is expressly declared that the Town of Spring Brook Board would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the applications to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected.

Section IX. Effective Date

This section will become effective as of April 1, 2009.

Passed this 12th Day of March 2009.

Marvin D. Saxton
Marvin D. Saxton, Chairperson

Mary L. Strand
Attest by: Mary L. Strand, Clerk

Michael J.H. Hase
Michael J.H. Hase, Supervisor #1

Published/~~Posted~~: March ^{25^{mea}} ~~24~~, 2009
Posted March 19, 2009

John E. Schaefer
John E. Schaefer, Supervisor #2

TOWN OF SPRING BROOK – DUNN COUNTY, WISC

April 3, 2009

APR 07 2009

Wayne Ringquist
Wisconsin Dept of Natural Resources
101 South Webster Street
Box 7921
Madison, WI 53707-7921

Wayne,

Enclosed are photocopies of Ordinance #2009-1, "Slow-No-Wake Zone for Elk Creek Lake," and the notarized affidavit of publication by the *Dunn County News*. You may notice that the publication date has been revised on the ordinance. The newspaper publishes twice weekly and missed the requested publication date due to their in-house computer malfunction.

The ordinance signs are planned to be posted today.

If you need additional information, please contact me according to the information below.

Sincerely,



Mary L. Strand, Clerk
Town of Spring Brook
N2616 County Road H
Elk Mound, WI 54739-9402

715-664-8545 (Town Hall Office)
715-874-4979 (Home Office)
springbrookclerk@yahoo.com

/mls

Enclosures: Ordinance #2009-1 – Slow-No-Wake Zone for Elk Creek Lake
Affidavit of publication by the *Dunn County News*

STATE OF WISCONSIN, } ss.,
COUNTY OF DUNN }

APR 07 2009

Denny Bodoh of said County, being duly sworn, deposes that he/she of the printers of

THE DUNN COUNTY NEWS

a weekly newspaper of general circulation, and published in the city of Menomonie, in said county, and that the printed notice, a copy of which was taken from the said newspaper and is here unto annexed, was published therein 1 time(s), the date of the first publication having been on the 25th day of March A.D. 2009, and the second publication on xx xxx xx, and the date of the last publication having been on the 25th day of March A.D. 2009.

Denny Bodoh

Subscribed and sworn to before me this 27th day of March A.D. 2009.

Bonnie Hansen expires April 15, 2012

Notary Public, Dunn Co., WI

Printing Fees, \$0.00

March 25

**TOWN OF SPRING BROOK
SLOW-NO-WAKE ORDINANCE
FOR ELK CREEK LAKE**

The Town of Spring Brook Board of Supervisors recently approved Ordinance #2009-1, designating all of Elk Creek Lake to be "slow-no-wake," effective April 1, 2009. The complete ordinance is posted on the Town Hall posting board and is available in its entirety by contacting the Town Clerk.

Mary L. Strand, Clerk
Town of Spring Brook
715-664-8545

WNAXLP

