



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
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May 23, 2008

Dolly Burr, President
Tilleda Pond Rehabilitation District
PO Box 44
Tilleda WI 54978

DNR Ordinance ID#0854
Shawano County

SUBJECT: Boating Ordinance Review – Tilleda Pond

Dear Ms. Burr;

This letter acknowledges receipt by the Wisconsin DNR, a copy of the proposed Tilleda Pond Rehabilitation District Ordinance 08-01, 'A Sole Ordinance to Regulate Boating upon the Waters of the Tilleda Pond, and Prescribing Penalties for Violations thereof'. This ordinance as proposed, would create a 'NO Boats' restriction area that would extend from shore to shore at a minimum distance of 60 feet from the Tilleda Pond dam. I have assigned the program identification number #0854 to this draft ordinance and review.

Review of this ordinance finds this proposed ordinance to be considered for adoption by the Tilleda Pond Rehabilitation District Board, to be consistent with ss.30.50 to 30.71, Wisconsin Statutes, and the DNR rules adopted to implement those particular sections of the State Statutes.

Please provide to this office a copy of the final, signed and dated, ordinance as adopted by the Tilleda Pond Rehabilitation District Board. Please include information that verifies the publication date of this ordinance, to satisfy another requirement of this statutory section that would allow this ordinance to be enforceable.

That portion of the Wisconsin Statutes, also states that no ordinance is valid until it is prominently posted at all public access points within your jurisdiction. I have enclosed a photocopy of NR 5.15, Wisconsin Administrative Code which prescribes the posting requirements.

If you have questions regarding this review, or the requirements expressed in this letter, please contact Recreational Safety Warden Jeremy Cords at 920-662-5129 or you can reach me at 608-266-2203.

Sincerely,

Wayne Ringquist
Recreation Enforcement & Safety Section
Bureau of Law Enforcement

Enclosures

Cc: Dennis Rickert, Tilleda Pond Dam Operator, W13143 County Rd D, Bowler WI 54416
RSW Jeremy Cords - NER
Mark Schaufnagel, Shawano County Warden - Shawano



Tilleda Pond Rehabilitation District

Ordinance 08-01

A SOLE ORDINANCE TO REGULATE BOATING UPON THE WATERS OF THE TILLEDA POND, AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF.

The Tilleda Pond Rehabilitation District Board of Commissioners does hereby ordain as follows:

1. Applicability and Enforcement

- a. The provisions of this ordinance shall apply to the waters of the Tilleda Pond
- b. This chapter shall be enforced by the Commissioners of the Tilleda Pond Rehabilitation District, the Shawano County Sheriffs Department and the Department of Natural Resources Law Enforcement officers

2. 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.

3. State Boating and Safety Laws Adopted

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

4. Definitions

- a. "Public access" means any access to the waters by means of public property.
- b. "Slow-No-Wake" means that speeds at which a boat moves as slowly as possible while maintaining steerage control.

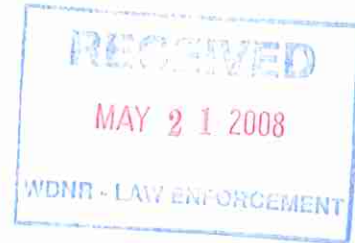
5. Controlled Area

No person shall operate a boat within 60 feet of the dam at any time.

Exempt- boats used by Tilleda Pond Rehabilitation District personnel, for use when installing buoys, repairing buoys, or doing maintenance work on or near the dam.

6. Posting Requirements

The Tilleda Pond rehabilitation District shall place and maintain a synopsis of this ordinance at all public access points within the jurisdiction of the Tilleda Pond Rehabilitation District Boundaries, pursuant to the requirements of NR 5.15 Wis. Admin. Code.



7. 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.

8. Severability

The provisions of this ordinance shall be deemed severable and it is expressly declared that the Tilleda Pond Rehabilitation District 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 application 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.

9. Effective Date

This section will become effective upon passage and the day after publication.

Passed this _____ day of _____, 20_____.

Tilleda Pond Rehabilitation District President (Name)

Signature of Tilleda Pond Rehabilitation District President