

BOATING ORDINANCE
Town of Swiss
Burnett County, Wisconsin

The Town Board of the Town of Swiss do ordain as follows:

Section I. Applicability and Enforcement

- (a) The provisions of this Ordinance shall apply to the waters of Burlingame Lake to Gull Lake.
- (b) This chapter shall be enforced by the officers of the water safety patrol of the Town of Swiss and Burnett County.

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 are adopted by reference.

Section IV No Wake Areas

No person shall operate a boat in the following area at a speed faster than "Slow - No Wake," as defined in 30.50(12), Wisconsin Statutes 1988, as "that speed at which a boat moves as slowly as possible while still maintaining steerage control." Said "No Wake" areas are:

- (1) The channel between Burlingame Lake and Gull Lake.

This area will be indicated by buoys placed at each end of the restricted area.

Section V Markers and Navigational Aids

Posting Ordinance

- (a) Duty, the Town of Swiss shall place and maintain suitable markers and signs in such waters as shall be appropriate to advise the public of the provisions of this chapter and post and maintain a copy of this Section at all public access points within the jurisdiction of the Township.

Section VI Penalties

Wisconsin state boating penalties as found in ss. 30.80 are adopted by reference.

Section VII **Severability**

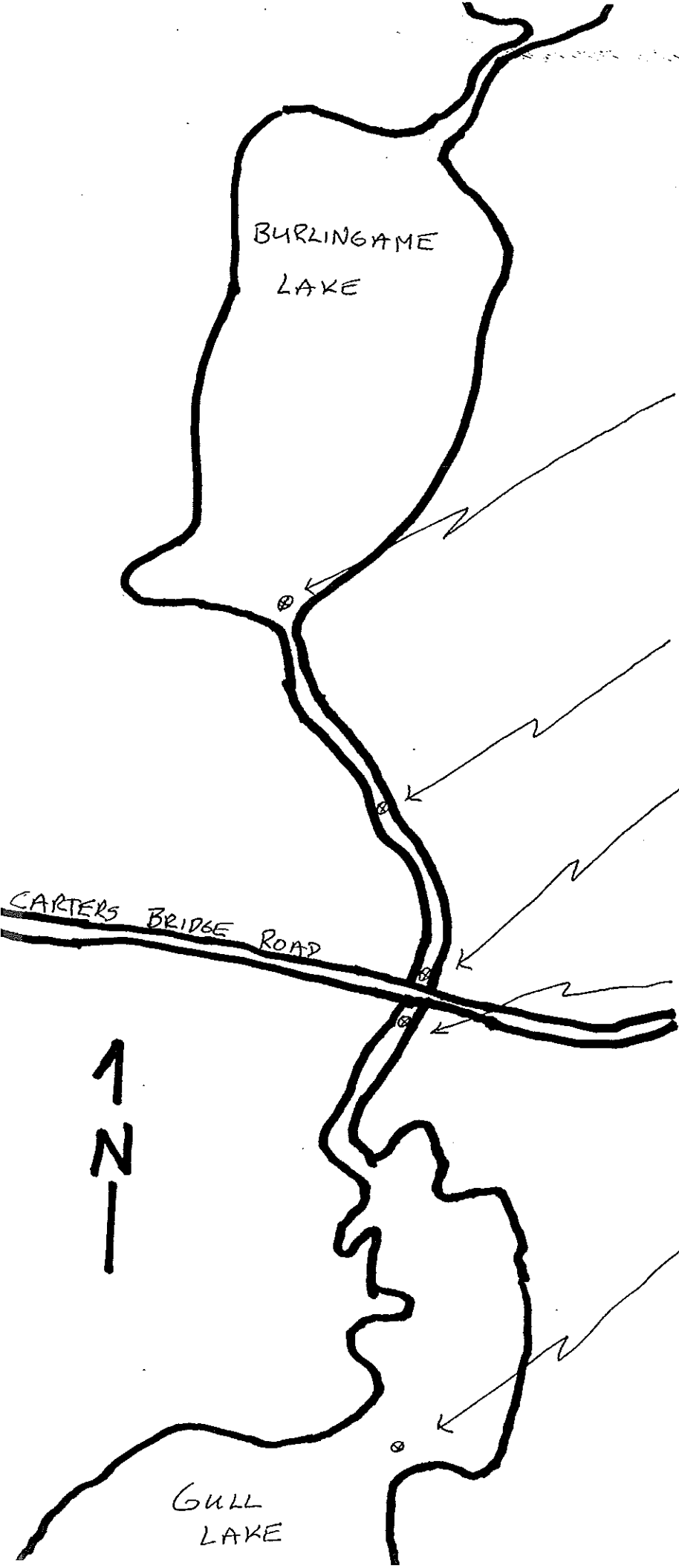
The provisions of this ordinance shall be deemed severable and it is expressly declared that the Town Board would have passed the other provisions of this Ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to 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.

Section VIII **Effective Date**

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

Passed this _____ day of _____, 1997.

Chairman



BURLINGAME
LAKE

EXACT LOCATIONS OF SLOW-NO-WAKE
BUOYS ON BURLINGAME TO GULL LAKE
WATERWAY.

BUOY #1 - From an iron pipe that anchors a dock located at the ordinary high water mark in the SW NW of section 30, T41N-R15W at a compass reading of 105° for a distance of approximate 160 feet.

BUOY #2 - From the quarter section line between the NW and SW of the SW $\frac{1}{4}$ of section 30, T41N-R15W and the junction of the waterway.

BUOY #3 - From the Northeast corner of the road culvert on Carters Bridge road in Section 31, T41N-R15W at a compass reading of 355° for a distance of approximately 150 feet.

BUOY #4 - From the southeast corner of the road culvert on Carters Bridge road in Section 31, T41N-R15W at a compass reading of 180° for a distance of approximately 150 feet.

BUOY #5 - From an iron pipe located at the ordinary high water mark in the SW SW section 31, T41N-R15W at a compass reading of 320° for a distance of approximate 210 feet.



GULL
LAKE

CARTERS
BRIDGE
ROAD

State of Wisconsin
 Department of Natural Resources
 Box 7201
 Madison, Wisconsin 53707

WATERWAY MARKER APPLICATION AND PERMIT
 Section NR 5.09, Wis. Adm. Code
 Form 8700-58 Rev. 7-92

Placement Discontinue Change

BLE	District
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THE Town OF Swiss
 COUNTY OF Burnett, WISCONSIN.

Instructions and qualifications on back of form. Complete form set (all 3 copies) and contact your local conservation warden.

SECTION I -- APPLICANT AND PROPERTY OWNER

Property Owner's Name		Applicant's Name	
Street or Route		Street or Route	
City, State, Zip Code		City, State, Zip Code	
Telephone Number (include area code)		Telephone Number (include area code)	
I consent to the placement of water marker(s) adjacent to the waters of my private property. Property Owner's Signature		Name of lake or body of water on which buoys are to be placed	
Date Signed		Burlingame Lake waterway to Gull Lake	
Type of Marker(s)	Qty.	Type of Marker(s)	Qty.
Aid to Nav. Center		Boat Excluded	
Aid to Nav. Red		Swim Area	
Aid to Nav. Green		Controlled Area	5
Mooring		Hazard Warning	
		Informational <input type="checkbox"/>	
Non-standard		Describe:	
<p>Attach a sketch(es) or chart(s) showing the proposed location of the marker(s). Express exact location of water marker(s) in distance from one or more fixed objects, whose location is known.</p>			
<p>The above information provided in support of the application for placement of water marker(s) is true and correct.</p>			
Applicant's Signature		Date Signed	

SECTION II -- POLITICAL SUBDIVISION

<input type="checkbox"/> Approved -- The above named applicant may place and maintain, subject to DNR approval, the described marker(s). <input type="checkbox"/> Disapproved -- The placement of the described marker(s) may not take place.	
Restrictions <input type="checkbox"/> None <input type="checkbox"/> Yes -Restrictions:	
Approved By (Name)	Title
Date Signed	
Agency - Political Subdivision or DNR	Applicant Shall Comply with all State and/or Local Requirements.

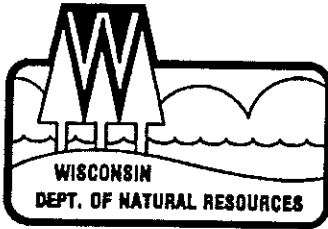
LEAVE BLANK -- DEPARTMENT OF NATURAL RESOURCES USE ONLY

Warden's Recommendation	LE Safety Specialist	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved
<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved	By	Date Signed
By (Warden's Signature)	Date Signed	Bureau of Law Enforcement
Ordinance on File	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved	By
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Required	Date Signed	

Permit Distribution: Copy 1 - Dept. of Natural Resources, Madison, Copy 2 - Political Subdivision, Copy 3 - Permittee.

Waterway marker(s) may not be placed until all the requirements of Section NR 5.09, Wis. Adm. Code, are met.





State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
William H. Smith, Regional Director

Northern Region Headquarters
810 W. Maple Street
Spooner, WI 54801
TELEPHONE 715-635-2101
FAX 715-635-4105
TDD 715-635-4001

May 7, 1997

Mr. Bob Rosenwald
30190 W. Burlingame Lake Road
Danbury, WI 54830

Dear Bob:

Enclosed is the ordinance for the town of Swiss and the Waterway Marker Application and Permit that we discussed this morning.

Please ask the town of send a copy of the signed ordinance and the original Waterway Marker Application to me at 810 Maple Street, Spooner, WI 54801.

I have enclosed a copy for the town of Swiss and a copy for the Lake association.

If you have any questions, please call me at 715 635-2101 or my residence 635-3658.

Thanks.

Sincerely,

William F. Hoyt
Boating Safety Program

Called 5-2-97 1110 AM
Sent a copy of ^{revised} ordinance 5/1/97
from 1994

April 22, 1997

Bart Halvorson
DNR
810 West Maple Street
Spooner, WI 54801

Dear Mr. Halvorson:

There is a safety and natural resource problem that I want to present to you. I live on the Minerva Chain of Lakes in Swiss Township, Burnett County. This is a chain of eight lakes. Three lakes - Tabor, Robie and Burlingame, make up the northern half of the chain while Gull, Falk, Minerva and Cranberry lakes make up the southern half of the chain. These lakes are connected by the Loon Creek Flowage. This flowage is a large natural resource, mostly all weeds, rushes, rice and all the other aqua culture plants that abound in Wisconsin. The clear channel for boats is about 15 feet at the narrowest part and some 50 yards wide at the widest. The average channel width for most boats is about 30 feet. This flowage is between Burlingame Lake and Gull Lake. There are no buildings on this part of the flowage except for 3 near the Burlingame outlet with only 2 having access to the flowage.

The flowage area abounds with geese, ducks, blackbirds, eagles, herons, loons, beaver, muskrats, and a multitude of various marsh birds and aqua culture plants. The flowage is approximately one mile long considering all the turns and curves in the channel.

The problem I am addressing has surfaced in the last 2 years. Jet powered water craft are using this flowage as a racetrack. They may start at Gull Lake and race up to Burlingame Lake, always full throttle. They pass all other water craft within a matter of feet, still at full throttle. People in canoes, fishing boats, pontoon boats and paddle bikes, have all complained about this safety problem. The jet boats also run through the weedy areas. Their wake and noise is causing potential damage to all the various wildlife.

The recommendation is to make that part of the Loon Creek Flowage from the outlet at Burlingame Lake to the entrance of Gull Lake a Slow-No-Wake-Zone. This will still provide access to the entire chain of lakes but will certainly greatly help a safety problem and a natural resource problem.

Please let me know your thoughts on this problem. Would you agree?

Very truly yours,



Bob Rosenwald
President, Burlingame Lake Association
656-3059

BR/kb

Attachment: Note the advertisements on the new personal water craft.

30190 W. Burlingame Lake Rd
Dowling 54830

CONDITION REPORT

The local conditions necessitating this regulation is that a channel connects Burlingame Lake and Gull Lake. Because of the lack of state regulation and because of the danger of a boating accident, with boats traveling at a high rate of speed, this channel should be a "Slow - No Wake" area. At the present time, boats travel through this channel at a high rate of speed, creating an unsafe boating environment. This Ordinance would prevent boats from traveling in the channel at a high rate of speed and would protect public rights, interests and the capability of the water resource.

If this ordinance is not adopted, the impact on public health, safety or welfare could be great, creating a condition where the prospect of a boating accident is great.