

RECEIVED DNR,
NOV 11 1994 TOWN OF RED SPRINGS
SHAWANO COUNTY, WISCONSIN
LAKE MICH. DIST.

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A SOLE ORDINANCE TO REGULATE TYPES OF MOTOR ATTACHED TO BOATS AND WATER CRAFT AND THE TYPES OF MOTORS USED ON BOATS OPERATED UPON THE WATERS OF KOONZ AND BEAULIEU LAKES, LOCATED WHOLLY WITHIN SECTION 13 AND SECTION 14, TOWNSHIP OF RED SPRINGS, AND PRESCRIBING PENALTIES FOR VIOLATION HEREOF.

The Town of Red Springs, by action of its Board of Supervisors, does hereby **ORDAIN AS FOLLOWS:**

Section 1. INTENT. The intent of this ordinance is to protect the delicate ecological balance of the lakes and provide safe and healthful conditions for use by competing interests of water recreation activities all consistent with public rights and interests while preserving and perpetuating the quality of the water resource, as well as to provide for the tranquility of the residents of Beaulieu and Koonz Lake.

Section 2. APPLICABILITY AND ENFORCEMENT. The provisions of this ordinance shall apply to the waters of Beaulieu and Koonz Lakes, located wholly within the jurisdiction of the Town of Red Springs, Shawano County. The provisions of this ordinance shall be enforced by any duly elected or appointed law enforcement officers having jurisdiction and/or Town officials as may be designated pursuant to sec. 66.119, Wis.Stats.

Pursuant to the provisions of sec. 66.119, Wis.Stats., the issuance of a citation is hereby authorized for violations hereof.

Section 3. STATE BOATING AND SAFETY LAWS ADOPTED. State boating laws as found in ss. 30.50 to 30.71, Wis.Stats., and amendments thereto, are adopted and incorporated herein by reference.

Section 4. DEFINITIONS. As contained in this ordinance, the following definitions shall apply:

(a) "Powered watercraft" shall include any water vessel equipped with mechanical propulsion machinery, whether or not the principal source of propulsion, and shall include (but not limited to) those vessels commonly referred to as "jet skis" or "personal watercraft".

Section 5. PROHIBITED OPERATION.

(a) Prohibit the attachment of any gas or combination of gas and oil powered motor on any watercraft operated on Koonz or Beaulieu Lakes.

(b) Prohibit the use of any gasoline or oil gasoline ethylene motors on any watercraft operated on the waters of Koonz and Beaulieu Lakes.

Section 6. PENALTIES AND AUTHORITY. This ordinance is enacted under authority contained in sec. 30.77(3), Wis.Stats., and Wisconsin state boating penalties as found in sec. 30.80, Wis.States. are adopted by reference.

Section 7. 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.

NOTE: Conditionally passed and approved this ____ day of _____, 1993 subject to advisory review by the Wisconsin Department of Natural Resources. Upon approval, after advisory review, by the Wis DNR, the town of Red Springs Board of Supervisors shall take further action as may ^{be} necessary to legally implement this ordinance, including final passage in approved form and publication.

DATE OF INITIAL PASSAGE:

Lonnie Schreiber, Chairman

James Warren, Supervisor

John Kloehn, Supervisor

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Koonz and Beaulieu Lakes are located wholly in the township of Red Springs (T 28N R 14 E) Shawano County, Wisconsin. More specifically, Koonz Lake comprises approximately 19 acres of surface area while Beaulieu comprises approximately 28 acres of surface area, and the lakes are located within the area of Sections 13 and Sections 14 of the town of Red Springs.

The Lake

There are 58 dwellings along the shoreline, with about 46 occupied seasonally and 12 occupied year round. The lakes are entirely residential in nature. The two small lakes are connected by a short channel, which is approximately 60 yards long. These two lakes are totally land locked and are spring fed.

The fishery consists of largemouth bass, crappie, bluegill, walleye and northern pike. There are two public accesses to these two small lakes. The ecological balance of these two small land locked spring fed lakes is extremely delicate and fragile. With the growth in this area of the township of Red Springs, which includes, but is not limited to, a large commercial resort within three quarters of a mile of the public access, the traffic through the public accesses and through property owners on the lake, has substantially increased putting pressure on the delicate ecological balance that exists. Boats with gas or a combination of gas and oil driven motors, have resulted in substantial the deposit of gas and oil residue floating on the water and contaminating the shoreline. Individuals launching boats at the public access with gasoline motors have not complied with the no wake restriction on these two lakes. The eastern shore line of both lakes are low and fragile in nature and subject to erosion from the wake of power boats. The ecological health of the lakes has been further compromised by weeds brought in under propeller blades of boats being launched through the public access. This has resulted in the uncontrolled growth of weeds, which in one short year dominates southshore of Beaulieu Lake, and the complete westbank of Beaulieu Lake. This weed contamination is rapidly spreading through the entirety of Beaulieu and Koonz Lake. The weed density in several parts of the lakes has created a potential life threatening hazard to young swimmers or less experienced swimmers.

Purpose of Ordinance

The purpose of the ordinance is to protect the delicate ecological balance of two small lakes. First the elimination of gasoline or combination of gas oil driven motors attached on boats utilizing the lakes will prevent the pollution of the lake by discharge of petroleum, oil or

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gasoline into the landlocked lakes. Secondly, the prohibiting of such motors to be affixed to boats operating in Koonz and Beaulieu will further prevent the transfer into the lake of damaging weeds which may be attached to the propeller blades of such engines. And finally the elimination of gasoline in oil driven motor boats will result in eliminating operators of boats from violating the no wake ordinance.