

**BOATING ORDINANCE**  
**Town of Birchwood**  
**Washburn County, Wisconsin**

**A SOLE ORDINANCE TO REGULATE BOATING UPON THE WATERS OF LOON AND MATSON LAKES, AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF.**

*The Town Board of the Town of Birchwood do ordain as follows:*

**Section I.     Applicability and Enforcement**

- (a)     *The provisions of this Ordinance shall apply to the waters of Loon and Matson Lakes.*
- (b)     *This chapter shall be enforced by the officers of the water safety patrol of the Town of Birchwood.*

**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    Motor Boat Prohibited Area**

*No person shall operate a motorboat, as defined in 30.50(6), Wisconsin Statutes, that is propelled by internal combustion engine or engines on the waters of Loon and Matson Lakes. Electric motors only are permitted on said waters.*

- (1)     *Outboard motors are permitted to be attached to a boat, but must not be running at any time while on the water.*

**Section V     Posting Requirements**

- (a)     *The Town of Birchwood shall place 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 \_\_\_\_\_, 1996.

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Chairman

CONDITION REPORT

*Loon and Matson Lakes are located wholly in the Town of Birchwood. Loon Lake comprises 46 acres of surface water while Matson Lake comprises 33 acres of surface area.*

*The ecological balance of these two small land-locked, spring-fed lakes is extremely delicate and fragile. The increase of boat traffic on these two lakes in the past ten years has been substantial, putting increased pressure on the delicate ecological balance that exists. Boats with gas or a combination of gas and oil-driven motors have resulted in the deposit of gas and oil residue floating on the water and contaminating the shoreline. Also, the shoreline of both lakes is low and fragile in nature, and subject to erosion from the wake of power boats. For the above-mentioned reasons, Matson and Loon Lakes should have a prohibition on the use of gasoline-powered motors.*