

**TOWN OF BIRCHWOOD  
N1549 Co. Hwy T  
Birchwood, WI 54817**

**AFFIDAVIT OF POSTING AND PROCEDURES**

**STATE OF WISCONSIN**     }  
                                      }  
**COUNTY OF WASHBURN**   } **ss**

I, Vicki Busick, being first duly sworn on oath acknowledge:

That at least 60 days prior to the Public Hearing for Ordinance #2-2007 letters were sent out to all residents living within at least 100 feet of the controlled area where the buoys would be placed. The letter contained time, date and place of public hearing as well as a map showing the area involved. This information was also posted at the three designated posting places.

That on April 14, 2008 a Public Hearing was held at the Birchwood Town Hall to hear testimony for or against the placement of buoys defined in Section V. Controlled Area. There were 22 residents present.

Hearing no negative responses to the placement of the buoys the Board granted the adoption of Ordinance 2-2007.

That on the 15<sup>th</sup> day of April, 2008 I posted Boating Ordinance #2-2007 at the three designated posting places in the Town of Birchwood.

- Ed's Pit Stop
- North End Posting
- Town Hall posting board

Dated this May 2, 2008

*Vicki Busick*

Vicki Busick, Clerk – Town of Birchwood



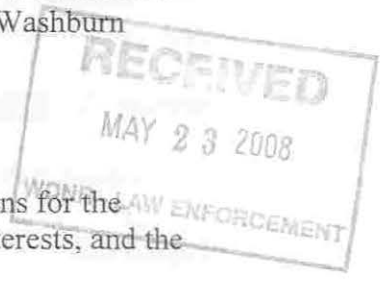
**BOATING ORDINANCE  
TOWN OF BIRCHWOOD  
WASHBURN COUNTY, WISCONSIN  
ORDINANCE NO. 2-2007**

**A SOLE ORDINANCE TO REGULATE BOATING UPON THE WATERS OF  
SPIDER LAKE #5 AND PRESCRIBING PENALTIES FOR VIOLATIONS  
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 Spider Lake #5.
- (b) This chapter shall be enforced by the Town of Birchwood, and Washburn County Sheriff's Department.



**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, Wisconsin statutes 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.

**Section V. Controlled Area**

No person shall operate a boat faster than slow-no-wake in the posted waters Spider Lake #5

Said "No-Wake" areas will be marked with two buoys in:

Section 10 37N R10W - in front of lots 8, 9, 10 & 11, Block A  
Chicago Point Add:

Residents will take full responsibility to purchase buoys. Residents will also see that they are responsible for the placement and removal of said buoys.

**Section VI. Posting Requirements**

The Town of Birchwood shall place and maintain a sign at the public access point on Spider Lake #5 within the jurisdiction of the Town of Birchwood pursuant to the requirements of NR 5.15 Wis. Admin. Code.

Section VII. Penalties

Wisconsin state boating penalties as found in Wisconsin Statute 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.

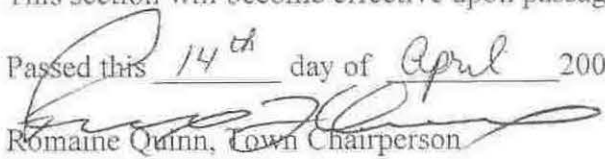
Section VIII. Severability

The provisions of this Ordinance shall be deemed severable and it is expressly declared that the Town 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 provisions 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 IX. Effective Date

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

Passed this 14<sup>th</sup> day of April 2008.

  
Romaine Quinn, Town Chairperson

Vote of Approval: 3

Against 0

Attest: Vicki Busick, Clerk