

TOWN OF SUMNER  
ORDINANCE NUMBER B20211012  
PROHIBITING THE USE OF MOTORBOATS PROPELLED BY MECHANICAL  
MEANS ON MUDLAKE AND CARCAJOU WETLANDS/MARSH

STATE OF WISCONSIN  
Town of Sumner  
Jefferson County

The Town Board of the Town of Sumner, Jefferson County, Wisconsin has specific authority under 30.77 (3) (a), Wisconsin Stats to adopt this ordinance.

This Ordinance, adopted by a majority of the Town Board on a roll call vote with a quorum present and voting and proper notice having been given, does ordain as follows:

**SECTION 1.01-TITLE** This Ordinance shall be known as, referred to, cited as, and entitled Town of Sumner Ordinance PROHIBITING THE USE OF MOTORBOATS PROPELLED BY MECHANICAL MEANS ON MUDLAKE AND CARCAJOU WETLANDS/MARSH.

**SECTION 1.02-PURPOSE AND INTENT** For the purpose and intent is the promoting of public health and safety and in the public's interest in the preservation of the state's natural resources by protecting and enhancing native vegetation in the lake and the wetlands/marsh thereby providing habitat for fish, wildlife, spawning and nursery habitat inhabiting the body of waters known as Mud Lake and Carcajou Wetlands/Marsh.

Additionally, this Ordinance B20211012 PROHIBITING THE USE OF MOTORBOATS PROPELLED BY MECHANICAL MEANS ON MUDLAKE AND CARCAJOU WETLANDS/MARSH repeals and replaces Ordinance Number B20130610 PROHIBITING THE USE OF MOTORBOATS PROPELLED BY MECHANICAL MEANS ON MUDLAKE AND CARCAJOU WETLANDS/MARSH.

**SECTION 1.03-DESCRIPTION** The bodies of water known as Mud Lake and Carcajou Wetlands/Marsh whose legal description is as follows:

- A. Mud Lake-a PART OF Government Lots 6, 7, 8, 9 and 10 located in Section 12, Township 5 North, Range 13 East and a part of Government Lots 8, 9, 11, 12 and 13 located in section 13, Township 5 North, Range 13 East, Town of Sumner, Jefferson County, Wisconsin.
- B. Carcajou Wetlands/Marsh is located in the fractional Northwest quarter of section twenty-one (21) containing 11.38 acres. In addition, the marsh is also located in the North East Quarter of section twenty (20); containing 70 acres more or less. Beginning on the North and South quarter line of section twenty, town five, North range thirteen East, of the forth principal meridian, at a point 219 4/10 feet South of the North quarter corner of said section. Thence West 900 feet along the East West section line, thence South 2400 feet due South to the shore of Lake Koshkonong, the fractional North East quarter of section twenty-one (21) containing 11.3 8 acres.

**SECTION 1.04-PROVISIONS**

- A. No person shall operate a motorboat, as defined in section 30.50(6) to 3.71, Wisconsin Statutes that is propelled by internal combustion engine or engines on the waters of Mud Lake and Carcajou Wetlands/Marsh. Electric motors are not permitted on said waters.
- B. It is the intention of this Ordinance to prohibit the use of any motorboats on Mud Lake and the Carcajou Wetlands/Marsh that is propelled by internal combustion engine or engines which includes but is not limited to, inboard motors, outboard motors, electric motors or other types of gasoline powered motors.
- C. It is the intention of this Ordinance that only watercraft propelled by non-mechanical means such as paddling, rowing or sailing may be used upon Mud Lake and the Carcajou Wetlands/Marsh.

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**SECTION 1.05-STATE BOATING LAWS** Wisconsin state boating penalties as found in Wis. Stat. 30.50 to 3.71, Wis. Stats., are adopted by reference.

**SECTION 1.06-PENALTY** 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. The Town of Sumner sets graduated forfeitures according to the following schedule which are within the State Statutes:

- 1) First Offense = \$250
- 2) Second Offense = \$500
- 3) Third Offense = \$750
- 4) Fourth and Subsequent Offenses = \$1000

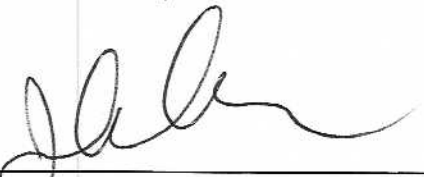
**SECTION 1.07-ENFORCEMENT** Jefferson County Sheriff's Department, Rock River Safety Patrol, or the Town constable shall enforce the provisions of this Ordinance. The Jefferson County Sheriff's Department, Rock River Safety Patrol or the Town Constable is authorized to institute whatever legal proceedings or issue whatever citation they may deem necessary to effect compliance with or penalize persons for violating the provisions of this Ordinance.

**SECTION 1.08-POSTING** The Town of Sumner shall place and maintain a synopsis of this Ordinance at all public access points within the jurisdiction of the Town of Sumner pursuant to the requirements of NR 5.15 Wisc. Admin. Code.

**SECTION 1.09-SEVERABILITY** The provisions of this Ordinance shall be deemed severable, and it is expressly declared that the Town of Sumner, Jefferson County, Wisconsin 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 1.10-EFFECTIVE DATE** This Ordinance will become effective upon passage and the day after publication. The Town Clerk shall properly publish or post this ordinance as required under s.60.80 Wisc. Stats.

Adopted this 12<sup>th</sup> day of October 2021

X   
\_\_\_\_\_  
John Dohner  
Chairman

X   
\_\_\_\_\_  
Sam Meyers  
Supervisor I

X   
\_\_\_\_\_  
Lindsay Jilek  
Supervisor II

X   
\_\_\_\_\_  
Amanda Collins  
Clerk

Attest: