

*NOTE: If we wish to proceed – a public hearing is required. Notice in the paper 30 days before hearing date & DNR has up to 60 days after the hearing to review the request before an ordinance can be voted on at council.*

**ORDINANCE FOR SLOW NO WAKE AREA**

An amendment to Section 11-6-5  
PUBLIC NUISANCES AFFECTING PEACE AND SAFETY.

The Common Council of Spooner do ordain as follows:

That Section 11-6-5 be amended as follows:

Add section 11-6-5(p)

Section I. **Applicability and Enforcement.**

- a. The provisions of this Ordinance shall apply to the waters of the Yellow River Flowage.
- b. This chapter shall be enforced by the officers of the City of Spooner.

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 §30.50 to 30.71, Wis. Stats., 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 waters of the Yellow River Flowage beginning at the Dam and ending at the East City Limits.

Section VI. **Posting Requirements.**

The City of Spooner shall place and maintain a synopsis of this ordinance at all public assess points within the jurisdiction of the City pursuant to the requirements of NR 5.15 Wis. Admin. Code.

**CONDITION REPORT  
YELLOW RIVER FLOWAGE  
CITY OF SPOONER**

This report describes why the City of Spooner Plan Commission proposed the Ordinance establishing a slow-no-wake area on the Yellow River Flowage.

- 1) Explanation of local conditions which require an ordinance to change.
  - a) There have been complaints from the property owners along the flowage where the flowage intersects the east city limit. The complaints allege frequent high-speed boat traffic, which is damaging the shoreline, injuring wildlife and aquatic vegetation.
  - b) The City has recently acquired property along the flowage and is developing the Veterans Memorial Waterfront Park. The deed for the parkland requires the city to maintain the shoreline. The Park and Recreation Committee feels regulation is needed to protect the shoreline.
  - c) The Plan Commission has discussed a need to regulate the boating traffic to protect people who are operating low speed watercraft from those who are operating at a high rate of speed and creating damaging wakes.
- 2) How the regulation will solve the problem
  - a) The proposed regulation will allow the City of Spooner to enforce the ordinance and stop shoreline damage and injury to wildlife and aquatic vegetation. It will also provide a means to prevent expenditure of moneys to repair shoreline along the park by preventing damage before it happens.
- 3) The negative effects of the Ordinance and who will be affected.
  - a) The city will have to appropriate funds for signing and enforcement. This causes a negative effect on the taxpayer and may cause added work hours for the police department.
  - b) Some boaters will not be permitted to operate their watercraft, as they want to.
- 4) Public Health, welfare or safety concerns.
  - a) The ordinance will provide a public safety benefit in potentially preventing a boating accident.
  - b) The ordinance will provide a public welfare benefit by protecting the natural resources located along the flowage.
- 5) Interests of those opposed to the regulation.
  - a) Some of the City of Spooner Council members feel there is no need for the ordinance and don't feel there is enough high-speed boat traffic to warrant complaints or an ordinance.
  - b) Some of the City of Spooner Council members do not feel that the city should add the expense of signing for or enforcing the Ordinance.
  - c) **There may be other statements that will have to be gathered after the public hearing.**