

ORDINANCE NO. 2023-01
AN ORDINANCE ESTABLISHING A "NO WAKE SURFING" POLICY

WHEREAS, no person may use or employ water sacks, ballast tanks, submersible wings or any other device which causes a boat to operate in a bow-high manner or which increases or enhances a boat's wake: and

WHEREAS no person may operate a boat on Green Lake in an artificially bow-high manner in order to increase or enhance the boat's wake; and

WHEREAS such prohibited operation shall include wake enhancement use of ballast, mechanical hydrofoils, uneven loading, or operation at transition speed.

NOW, THEREFORE, the Town Board of the Town of Farmington, Washington County, Wisconsin, does ordain as follows:

SECTION I. This Ordinance shall take effect the day after proof of posting the same in accordance with Section 60.80, has been filed with the Town Clerk.

Introduced by: Doug Neumann

Vote: 3 Ayes 0 Nays 0 Absent 0 Abstained

Adopted this 12th day of December 2023.

By the Town Board:

Doug Neumann
Doug Neumann, Town Chairman

Mike Rodenkirch
Mike Rodenkirch, Town Supervisor

John T. Guttman
John T. Guttman, Town Supervisor

Attest:

Patty Hoeltg
Patty Hoeltg, Town Clerk



TO: JASON ROBERTS WISCONSIN DEPARTMENT OF NATURAL RESOURCES
RE: CONDITION REPORT

THE TOWN OF FARMINGTON, WASHINGTON COUNTY IS IN THE PROCESS OF CREATING AN ORDINANCE PROHIBITING WAKE SURFING ACTIVITIES OR USE OF EQUIPMENT TO ENHANCE A BOATS WAKE OR OPERATE A BOAT IN AN ARTIFICIALLY BOW HIGH MANNER TO ENHANCE THE BOATS WAKE ON GREEN LAKE.

GREEN LAKE IS A 70 ACRE LAKE WITH AN AVERAGE DEPTH OF ABOUT 15 FEET WITH A HOUR GLASS SHAPE. THE USE OF BOATS CREATING ENHANCED WAKES WOULD NOT ONLY BE VERY BAD FOR THE SHORELINE AND LAKE BOTTOM IT WOULD ALSO CREATE MANY SAFETY ISSUES.

GREEN LAKE CURRENTLY DOES NOT HAVE A LOT OF WAKE SURFING ACTIVITY BUT AS MORE LAKES AND COMMUNITIES ADOPT RULES PROHIBITING THEM THE CHANCES OF SEEING MORE IS LIKELY. WE ARE TRYING TO BE PROACTIVE NOT WANTING SOMEONE ON THE LAKE TO MAKE A LARGE INVESTMENT IN SOMETHING THAT WOULD BE HARMFUL TO OR DANGEROUS ON THE LAKE.

GREEN LAKE ALSO UNFORTUNATELY HAS ABOUT 5 INVASIVE SPECIES INCLUDING STARRY STONEWORT THAT WE WOULD PREFER NOT TO SHARE. THE USE OF BALLAST BAGS IS PROBABLY MORE OF A PROBLEM FOR TRANSMISSION THAN TRAILERS AND LIVE WELLS. THERE IS SO MUCH LITERATURE AND INFORMATION AVAILABLE EXPLAINING THE NEGATIVE IMPACT THIS ACTIVITY AND EQUIPMENT HAS ON SMALLER LAKES AND I AM SURE YOU HAVE SEEN MOST OF THEM.

I HAVE INCLUDED A DRAFT OF THE ORDINANCE WE ARE CONSIDERING, KIND OF MIRRORING THE TOWN OF RHINE'S ORDINANCE. THANK YOU FOR YOUR TIME AND CONSIDERATION.

WALTER RASSEL ZONING ADMINISTRATOR
TOWN OF FARMINGTON

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
101 S. Webster Street
Box 7921
Madison WI 53707-7921

Tony Evers, Governor
Secretary
Telephone 608-266-2621
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10/27/2023

Town of Farmington
Washington County

Town of Farmington
9422 STH 144
Kewaskum, WI 53040

Subject: *Green Lake – Town of Farmington*
Boating Ordinance Review

Dear Town of Farmington:

Thank you for submitting the **Town of Farmington boating ordinance addressing the use of wake enhancing devices on the waters of Green Lake.**

Wisconsin Statute 30.77(3)(d) requires that local regulations pertaining to the equipment, use or operation of boats on inland lakes shall be subject to advisory review and shall be submitted to the Department at least 60 days prior to final action. The purpose of the ordinance advisory review is to evaluate the proposed ordinance and identify any inconsistencies within chapter 30.77. The review also serves to provide consideration for all citizens potentially impacted by the proposed ordinance and to give an opinion or suggest changes to the ordinance to insure the public's right to recreate on Wisconsin's waterways are not significantly or unnecessarily impacted.

Upon review of the attached ordinance, we find it to be consistent with ss. 30.50 to 30.71 of the Wisconsin Statutes and the Department rules adopted to implement those sections. As outlined in s. 30.77(4), Wis. Stats., no ordinance is valid until it is prominently posted at all access points within your jurisdiction and until a signed copy is received by this office including proof of publication.

The posting requirements of NR 5.15, Wis. Adm. Code are below:

Posting requirements. The posting requirements for local authorities under s. 30.77 (4), Stats., shall be a sign with a minimum of 3 inch lettering stating "Local Ordinance" posted at each public landing. The sign shall list, in letters with a minimum height of one inch, a summary, synopsis, or outline of those regulations more restrictive than state law, or shall contain a map made of a durable material showing those areas with local restrictions, or both, including but not limited to speed limits, water ski hours and personal watercraft restrictions, if any.

Please contact me at (262)903-9399, should you have any questions regarding this review.

Sincerely,

Jason Roberts

Recreational Boating Program
WI - DNR Law Enforcement