

TOWN OF MARSHFIELD
FOND DU LAC COUNTY, WISCONSIN

**ORDINANCE RESTRICTING CERTAIN ARTIFICIAL WAKE ENHANCEMENT
ORDINANCE NO. 2024-007**

WHEREAS, in the interest of public health, safety, and/or welfare, including the public's interest in preserving natural resources, the Town of Marshfield ("Town") has the authority to enact ordinances covering waters within its jurisdiction if the ordinances are not contrary to or inconsistent with Chapter 30, Wis. Stats., and they relate to the equipment, use, or operation of boats or to any activity regulated by Sections. 30.60 to 30.71, Wis. Stats.; and

WHEREAS, there exists within the Town a lake known as Wolf Lake; and

WHEREAS, artificially enhanced wakes can cause environmental damage to lakes and lakeshore, including resuspension of sediment adding nutrients to the water and increased risk of algal blooms, turbidity, shoreline erosion, and threats to aquatic life and waterfowl; and

WHEREAS, boats with ballast systems increase the likelihood of aquatic invasive species being introduced and spread on lakes; and

WHEREAS, artificially enhanced wakes can damage shoreline, lake bottom, moored boats, and shoreline structures including docks; and

WHEREAS, operating boats in a stern down manner creates downward prop wash, disturbing the lake bottom far below the wave zone, 25 feet and more below the surface; and

WHEREAS, artificially enhanced wakes can endanger swimmers, anglers, and other watercraft; and

WHEREAS, the use of ballast and wake enhancing fins can cause unsafe operation by causing the bow to rise obscuring vision forward; and

WHEREAS, the Town submitted a draft of this ordinance to the Wisconsin DNR for advisory review at least 60 days prior to passage, pursuant to 30.77(3)(d), Wis. Stats.; and

WHEREAS, the Town Board, after considering public comments and any DNR suggestions, determines that adopting this Ordinance is consistent with all other ordinances of the Town and would promote the public health, safety and welfare, including the public's interest in preserving natural resources;

NOW, THEREFORE, the Board of Supervisors of the Town of Marshfield, Fond du Lac County, Wisconsin, does hereby ordain as follows:

Section 1. Applicability and Enforcement: The provisions of this ordinance shall apply to Wolf Lake, which is wholly within the Town of Marshfield, Fond du Lac County, Wisconsin. This

ordinance shall be enforced by all officers of Town of Marshfield, Fond du Lac County, Wisconsin and all other individuals empowered to enforce ordinances in this Town.

Section 2. Certain Artificial Wake Enhancement Prohibited

(1) Prohibited Equipment. No person may use or employ ballast tanks, ballast bags or fins to cause a boat to operate in a bow-high manner, or which increases or enhances a boat's wake.

(2) Prohibited Operation. No person may operate a boat in an artificially bow-high manner having the effect of increasing the boat's wake. Such prohibited operation shall include wake enhancement by use of ballast tanks, or ballast bags, or mechanical fins, or continuous operation at transition speed (the speed below planing speed in which a boat is operating in plowing mode).

(3) Certain Operations Excluded. In no event shall any of the following operations be deemed a violation of this Ordinance, provided such operations do not use or employ ballast tanks, water sacks or wake enhancing fins: i) water skiing, ii) tubing, iii) wake boarding employing a tow rope; iv) brief transition operation to empty a boat of bilge water, or v) brief transition operation of a boat accelerating into a planing condition.

Section 3. Penalty.

(1) Wisconsin state boating penalties as found in s. 30.80, Wis. Stats., and deposits established in the Uniform Deposit and Bail Schedule established by the Wisconsin Judicial Conferences, are hereby adopted by reference, except all references to fines are amended to forfeitures and all references to imprisonment are deleted.

(2) To the extent that the penalty for any violation of this Ordinance is not provided under Wisconsin state boating penalties as found in s. 30.80, Wis. Stats., any person violating this Ordinance shall forfeit \$500 for the first offense and shall forfeit \$1000 for the second offense within one year. Deposits established in the WISCONSIN CIRCUIT COURT FEE, FORFEITURE, FINE AND SURCHARGE TABLES shall also apply to any violation.

Section 4. Severability.

Should any portion of this Ordinance or the affected Code Section(s) be held invalid by a court of competent jurisdiction, the remainder shall not be affected.

Section 5. Effective Date.

Upon adoption, this Ordinance shall take effect the day after publication or posting.

Enacted: September 9, 2024


TOWN OF MARSHFIELD

By 
John Bord, Town Chairperson

CLERK'S CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing Ordinance was duly enacted by the Town of Marshfield Board of Supervisors on the date indicated above.

Dated: September 9, 2024



Marlene J. Sippel, Town Clerk.



Wisconsin
GANNETT

PO Box 630848 Cincinnati, OH 45263-0848

AFFIDAVIT OF PUBLICATION

Marlene Sippel
Marlene J Sippel
Marshfield, Town Of Fdl County
Po Box 94
Mount Calvary WI 53057-0094

STATE OF WISCONSIN, COUNTY OF BROWN

I being duly sworn, doth depose and say that I am an authorized representative of The Reporter, a daily newspaper published in the city of Fond du Lac, Wisconsin; and that an advertisement of which the annexed is a true copy, taken from said paper, has been published in said newspaper in the issues dated:

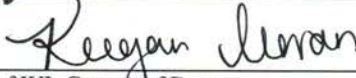
09/13/2024

That said newspaper was regularly issued and circulated on those dates and that the fees charged are legal.

Sworn to and subscribed before on 09/13/2024



Legal Clerk



Notary, State of WI, County of Brown

21428

My commission expires

Publication Cost: \$39.07
Tax Amount: \$0.00
Payment Cost: \$39.07
Order No: 10562491 # of Copies:
Customer No: 1012835 1
PO #:

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

KEEGAN MORAN
Notary Public
State of Wisconsin

TOWN OF MARSHFIELD
FOND DU LAC COUNTY, WISCONSIN
PLEASE TAKE NOTICE that on September 9, 2024, the Town of Marshfield, Fond du Lac County, adopted Ordinance 2024-006, an Ordinance to Repeal and Recreate An Ordinance to Regulate Water Traffic, Boating, and Water Sports Upon the Waters of Wolf Lake and Prescribing Penalties for Violation Thereof.

Included are the following topics:
Section 1 – Applicability and Enforcement
Section 2 – State Statutes Adopted
Section 3 – Speed Restrictions
Section 4 – Shore Zone
Section 5 – Water Sports
Section 6 – Penalties
Section 7 – Repeal of Ordinances
Section 8 – Severability
Section 9 – Effective Date; Clerks Duty

PLEASE TAKE FURTHER NOTICE that the Town adopted Ordinance 2024-007, an Ordinance Restricting Certain Artificial Wake Enhancement. Included are the following topics:

Section 1 – Applicability and Enforcement
Section 2 – Certain Artificial Wake Enhancement Prohibited
Section 3 – Penalty
Section 4 – Severability
Section 5 - Effective Date

PLEASE TAKE FURTHER NOTICE that all the above ordinances contain penalties and forfeitures for violations of the various provisions.

Interested parties may view a copy of the ordinances by contacting Marlene J Sippel, Town Clerk at 920-627-1146 to set up a time to view the ordinances at the Marshfield Town Hall, 999 Fond du Lac St, Mt. Calvary, WI 53057.

Dated this 10th day of September, 2024.
Marlene J Sippel, Clerk
RUN: September 13, 2024
WNAXLP