

**TOWN OF MARSHFIELD
FOND DU LAC COUNTY, WISCONSIN**

**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
ORDINANCE NO. 2024-006**

The Town Board of the Town of Marshfield, Fond du Lac County, Wisconsin, hereby repeals and recreates an Ordinance to Regulate Water Traffic, Boating, and Water Sports Upon the Waters of Wolf Lake and Prescribing Penalties for Violation Thereof to read as follows:

SECTION 1. Applicability and Enforcement. The provisions of this ordinance shall apply to the waters and to persons, vessels, objects or things upon the waters of Wolf Lake, which waters are all within the jurisdiction of the said Town of Marshfield. The provisions of this ordinance shall be enforced by the officers of the Town of Marshfield, Fond du Lac County, Wisconsin.

SECTION 2. State Statutes Adopted. The following statutory provisions describing and defining regulations with respect to water traffic, boats, boating and related water activities and safety in the following enumerated sections of the Wisconsin Statutes, as amended, are hereby adopted and by reference made a part of the Chapter to be enforced upon the waters of Wolf Lake, Fond du Lac County, Wisconsin:

- (1) 30.50 Definitions
- (2) 30.51 Certificate of number and registration; requirements; exemptions.
- (3) 30.52 Certificate of number and registration; application; certification and registration period; fees; issuance.
- (4) 30.53 Certificate of origin; requirements; contents; guaranteed asset protection waivers.
- (5) 30.54 Lost, stolen or mutilated certificates.
- (6) 30.55 Notice of Abandonment or Destruction of Boat or Change of Address
- (7) 30.60 Classification of Motor Boat
- (8) 30.61 Lighting Equipment
- (9) 30.62 Other Equipment
- (10) 30.64 Patrol Boats
- (11) 30.65 Traffic Rules
- (12) 30.66 Speed Restrictions
- (13) 30.67 Accidents and Accident Report

(14) 30.68 Prohibited Operation

(15) 30.70 Skin Diving

(16) 30.71 Disposal of waste from boats equipped with toilets.

SECTION 3. Speed Restrictions.

(A) Maximum Speed. No person shall operate a vessel (motorized boat, personal water craft or other similar watercraft) upon Wolf Lake at a speed in excess of 35 mph during wake hours or above slow no-wake speed during no-wake hours. This provision shall not apply to vessels participation in duly authorized races or other events over a course laid out and plainly marked and adequately patrolled.

(B) Passing a non-powered boat or swimmer. No person shall operate a vessel within 200 ft of any non-powered boat or swimmer at a speed in excess of slow no-wake speed.

(C) Wake/No-Wake Hours.

(1) Wake Hours. All vessels may operate above no-wake levels only between the hours of 10:00 a.m. and 5:00 p.m. on Sundays, Mondays, Tuesdays, Thursdays and Saturdays. On Wednesdays and Fridays all vessels may operate above no-wake levels only between the hours of 10:00 a.m. and 7:00 p.m., except as outlined in subsection 2 of this Section

(2) Slow No-Wake Hours of Operation. No person shall operate a boat or any vessel faster than slow-no-wake during the hours of 5:00 p.m. to 10:00 a.m. on Sundays, Mondays, Tuesdays, Thursdays and Saturdays. On Wednesdays and Fridays the slow-no-wake are 7:00 p.m. to 10:00 a.m.

(D) Direction. When traveling at greater than slow no-wake speeds, all vessels shall operate in a counter clockwise direction.

SECTION 4. Shore Zone. "Shore Zone" shall mean all surface water within two hundred (200) feet of shoreline or island(s).

(A) No person shall operate in excess of slow no-wake speeds:

(1) A personal watercraft within 200 feet of shore.

(2) A boat within 100 feet of shore or in a channel less than 400 feet wide defined by no-wake buoys.

(3) At a public boat landing.

(B) No person shall operate a vessel in an authorized swimming area marked by official buoys.

SECTION 5. Water Sports.

- (A) The term "Water Sports" or the work forms thereof shall include any ski, saucer, wake board, inflatable or other similar device towed by a vessel and any surf board, wake board or like device riding the wake of any vessel.
- (B) Persons in Vessel. When a vessel is participating in water sports, the operator must have another competent person on board to act as an observer or the vessel must be equipped with a wide-angle rearview mirror.
- (C) Hours. Water Sport hours are 10:00 a.m. to 5:00 p.m. on Sundays, Mondays, Tuesdays, Thursdays, and Saturdays. On Wednesdays and Fridays water sports hours are 10:00 a.m. to 7:00 p.m.
- (D) Personal Watercraft. No person may operate a personal watercraft that is towing a person who is on water skis, an aquaplane, or similar device unless the personal watercraft is designed to seat at least 3 persons.

SECTION 6. Penalties.

- (A) Major Violations. Any person who shall violate the provisions adopted by reference in Section 2 of this ordinance as described and defined in:
 - a. 30.50 to 30.80 Wisconsin Statutes shall forfeit not more than \$500 for the first offense and shall forfeit not more than \$1,000 upon conviction of the same offense a 2nd or subsequent time within one year.
 - b. 30.67 (1) Wisconsin Statutes shall upon conviction thereof forfeit not more than \$1,000 nor less than \$300 together with the costs of prosecution and in default of payment of such forfeiture and costs shall be imprisoned in the County Jail until full payment thereof is made, but not exceeding 6 months.
 - c. Any person violating 30.68 (2) Wisconsin Statutes shall be fined not more than \$200 or imprisoned for not more than 6 months or both.
- (B) Other Violations. Any person who shall violate any provision of this ordinance except as specified in sub. (A) of this section shall upon conviction thereof forfeit not less than \$100 nor more than \$500 together with the costs of prosecution and in default of payment thereof shall be imprisoned in the County Jail until full payment is made, but not exceeding 30 days.

SECTION 7. Repeal Of Ordinances.

All ordinances regulating water traffic, boats, boating or water sports upon the waters covered by this ordinance and all ordinances or parts thereof in conflict with this ordinance heretofore enacted by the Town Board of the Town of Marshfield, Fond du Lac County, Wisconsin, are hereby repealed.

SECTION 8. 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 and if any provision of this ordinance or the application thereof 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 thereby.

SECTION 9. Effective Date: Clerks Duty.

- (A) The ordinance shall take effect and be in force from and after its passage, publication and posting as provided by Wis. Stat. § 30.77(4) and NR 5.15.
- (B) The clerk is directed to file a copy of this ordinance with the Department of Natural Resources.

Dated this 9th day of September, 2024

TOWN OF MARSHFIELD

By: John Bord
John Bord, Chairperson

Attest: Marlene J. Sippel
Marlene J. Sippel, Clerk