

NOTICE TOWN OF NEWBOLD

Take notice the Town of Newbold, Oneida County, Wisconsin, amended a Code of Ordinance, Chapter 11.09, Boating Regulations Restricting Certain Artificial Enhanced Wakes, on May 9, 2024. The ordinance(s) restricts certain artificial enhanced wakes on Newbold Lakes. The complete text of all Town Ordinances may be obtained from the Town Clerk at 715-362-1092 or through the town's website: www.newboldwi.gov

The Newbold Town Board passed Town Resolution #2024-02 on a vote of five (5) yes and zero (0) no, at the board meeting on May 9, 2024. The revision of Chapter 11.09, in its entirety reads as follows:

- (1) Applicability and Enforcement:** The provisions of this ordinance shall apply to all waters within the Town of Newbold, Oneida County, Wisconsin that are under 1500 acres, including the following lakes spanning town boundaries but with over 60% of their shoreline in Newbold: Mildred Lake, Pickerel Lake (61-acre border lake), Townline Lake, and Paradise Lake. This ordinance shall be enforced by a certified law enforcement officer pursuant to definition 164.01, Wis. Stats., "law enforcement officer" means any person employed by the state or by a city, village, town, or county for the purpose of detecting and preventing crime and enforcing laws or ordinances, who is authorized to make arrests for violations of the laws or ordinances which he or she is employed to enforce.
- (2) Certain Artificial Wake Enhancement Prohibited.**
- a) Prohibited Equipment. No person may use or employ water sacks, fins, ballast tanks, ballast bags, mechanical fins, and similar devices to cause a boat to operate in a bow-high manner, or which increases or enhances a boat's wake.
 - b) 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 water sacks, fins, ballast tanks, ballast bags, mechanical fins, and similar devices, or continuous operation at transition speed (the speed below planing speed in which a boat is operating in plowing mode).
 - c) 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 water sacks, fins, ballast tanks, ballast bags, mechanical fins, and similar devices: i) water skiing, ii) tubing, iii) wake boarding employing a tow rope; iv) brief transition operation to empty a boat of water, or v) brief transition operation of a boat accelerating into a planing condition.
- (3) Penalty.**
- a) 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.
 - b) 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.

(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.

(5) Effective Date. Upon adoption, this Ordinance shall take effect the day after publication or posting.

(6) Sunset Clause. The Town Board placed a sunset clause stipulating that this ordinance will be reviewed by a data analysis on complaints, violations, citations, and public safety concerns two years after the date of enactment. Unless further legislative action is taken this ordinance will remain in effect as written.

The amendment to the town ordinance shall be effective the day following this publication in the 5/17/24 edition of the Northwoods River News and Lakeland Times.

Submitted on this 10th day of May 2024 by Kim Gauthier, Newbold Town Clerk.