

**NOTICE OF PUBLIC HEARING
TOWN OF NEWBOLD**

NOTICE is hereby given that on Saturday, April 6, 2024, at 10:00 a.m., at the Newbold Community Center, 4608 Apperson Drive, Rhinelander, Wisconsin 54501, a PUBLIC HEARING will be held in consideration of the PROPOSED AMENDED ORDINANCE:

CHAPTER 11.09, BOATING REGULATIONS RESTRICTING CERTAIN ARTIFICIAL ENHANCED WAKES

(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.*

- (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.

(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 purpose of the hearing is to allow the public to make comments regarding the proposed amendments to the existing ordinance. The complete Chapter 11 Town Ordinance, is available for inspection by contacting the Town Clerk, Kim Gauthier at 715-362-1092 or on the town website at www.newboldwi.gov

**Dated this 26th day of February 2024.
Daniel Hess, Town Chairman**

(3/5/2024 editions River News and Lakeland Times)