

ORDINANCE NO. 2025-02

Town of Boulder Junction, Vilas County, Wisconsin

AN ORDINANCE RESTRICTING CERTAIN ARTIFICIAL WAKE ENHANCEMENT FOR TOWN BORDER LAKES

WHEREAS, in the interest of public health, safety, and/or welfare, including the public's interest in preserving natural resources, the Town of Boulder Junction ("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 exist within the Town numerous "border lakes", which extend into adjoining towns; 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 Boulder Junction, Vilas County, Wisconsin, does hereby ordain as follows:

Section 1. Applicability and Enforcement: The provisions of this ordinance shall apply to the following border lakes having a portion of their shoreline within the Town of Boulder Junction, and the remainder in one or more other towns:

- i) **Big Lake and Bear Lake**, each of which has a portion of its shoreline in Boulder Junction and the entire remainder of its shoreline in the Town of Presque Isle;
- ii) **Island Lake and Clear Lake** each of which has a portion of its shoreline in Boulder Junction and the entire remainder of its shoreline in the Town of Manitowish Waters; and
- iii) **Big Muskellunge Lake, Escanaba Lake, Palette Lake, Allequash Lake, Crystal Lake and Nixon Lake**, each of which has a portion of its shoreline in Boulder Junction and the entire remainder in the Town of Plum Lake.

Nothing in this ordinance shall apply to Trout Lake, Wild Rice Lake or any other lake not expressly named.

This ordinance shall be enforced by all officers of Boulder Junction 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, fins or similar devices 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 fins, or similar devices or continuous operation at transition speed (the speed below planing speed in which a boat is operating in plowing mode) and similar methods. For the purpose of this provision, "continuous operation" shall mean "operation that is not acceleration for the purpose of achieving a state of planing."

(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 or similar devices or methods: 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 and subsequent offenses within one year. Deposits established in the WISCONSIN CIRCUIT COURT FEE, FORFEITURE, FINE AND SURCHARGE TABLES shall also apply to any violation.

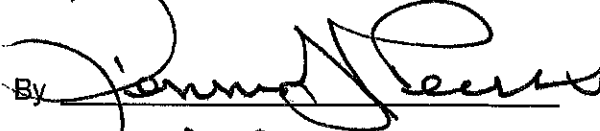
Section 4. Severability. Should any portion of this Ordinance or the affected Code Section(s) be held invalid by a court of competent jurisdiction, the remainder shall not be affected.

Section 5. Effective Date. Upon adoption, this Ordinance shall take effect the day after publication or posting and shall become effective for the affected lakes as follows:

- i) **For Big Lake and Bear Lake--** this ordinance shall take effect upon the date on which both Boulder Junction and the Town of Presque Isle have enacted an ordinance covering Big Lake and Bear Lake, the ordinances being substantively identical as regards sections 2-4 above;
- ii) **For Island Lake and Clear Lake--** this ordinance shall take effect upon the date on which both Boulder Junction and the Town of Manitowish Waters have enacted an ordinance covering Island Lake and Clear Lake, the ordinances being substantively identical as regards sections 2-4 above; and
- iii) **For Big Muskellunge Lake, Escanaba Lake, Pallette Lake, Allequash Lake, Crystal Lake and Nixon Lake** this ordinance shall take effect upon the date on which both Boulder Junction and the Town of Plum Lake have enacted an ordinance covering Big Muskellunge Lake, Escanaba Lake, Pallette Lake, Allequash Lake, Crystal Lake and Nixon Lake, the ordinances being substantively identical as regards sections 2-4 above.

Enacted: July 28, 2025

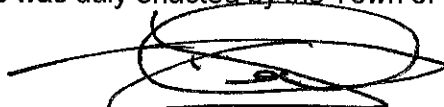
TOWN OF BOULDER JUNCTION

By 
Dennis J. Fless, Town Chair

CLERK'S CERTIFICATE OF ENACTMENT

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

Dated: July 28, 2025


Daniel Briswell, Town Clerk

Published/Posted on July 28, 2025