TOWN OF BREED
Oconto County, State of Wisconsin
Ordinance O2025-2
Motorboat Wake Enhancement Ordinance

An ordinance to regulate Wake Enhancement upon all waters within the Town of Breed, Oconto County, Wisconsin described as Township 30 North Range 17 East prescribing penalties for violations thereof. The town board of the Town of Breed, Oconto County, Wisconsin does ordain as follows:

Section 1 – APPLICABILITY AND ENFORCEMENT

A. The provisions of this Ordinance shall apply to all waters within the Town of Breed, Oconto County.

B. This chapter shall be enforced by the officers of the Town of Breed or by individuals appointed by the town officers and/or Oconto County Sheriff's Office as requested along with all other state and county officers authorized by law to enforce the same. The Clerk shall forward a copy of this ordinance to the Wisconsin Department of Natural Resources and the Oconto County Sheriff's Office.

Section 2 - INTENT

The intent of this ordinance is to provide safe and healthful conditions for the enjoyment of aquatic recreation consistent with public rights and interests, and the capability of the water resources.

Section 3 – STATE BOATING AND SAFETY LAWS ADOPTED

State boating laws as found in SS. 30.50 to 30.99, WI Stats., are adopted by reference.

Section 4 – DEFINITIONS

"Motorboat" – means any boat equipped with propulsion machinery, whether the machinery is the principal source of propulsion.

"Motorized Watercraft" – includes Motorboats and PWC's.

"Public Access" – is any access to the waters by means of public property.

"PWC" – means a personal watercraft powered by an internal combustion engine commonly known as a jet ski.

"Slow-no-wake" – means that speed at which a boat moves as slowly as possible while still maintaining steerage control.

"Shore Zone" – means all surface water within 35 feet of the shoreline.

"Transition Speed" – means the speed at which the boat is operating at greater than slow-no-wake speed, but not fast enough so that the boat is planning.

Section 5 – RESTRICTIONS

A. No person may use or employ water sacks, ballast tanks, submersible wings or any other device which causes a boat to operate in a bow-high manner, or which increases or enhances a boat's wake.

B. No person may operate any motorized watercraft in an artificially bow-high manner, to increase or enhance the boat's wake. Such prohibited operation shall apply to wake enhancement using ballast, mechanical hydrofoils, uneven loading or operation at transition speed (the speed at which the boat is operating at greater than slow-no-wake speed, but not fast enough so that the boat is planning).

C. No person may operate any motorized watercraft at a transition speed for over 100 feet in length.

Section 6 – POSTING REQUIREMENTS

The Town of Breed shall place and maintain a synopsis of this ordinance at public access points pursuant to the requirements of NR 5.15 Wis. Admin.Code.

Section 7 – PENALTIES

A. Wisconsin state boating penalties as found in Section 30.80, Wis. Stats., and deposits as established in the Uniform Deposit and Bail Schedule established by the Wisconsin Judicial Conference, are hereby adopted by reference, with all references to fines amended to forfeitures and all references to imprisonment deleted.

B. Any person violating a provision of this Ordinance for which no statutory equivalent exists in Ch. 30, Wis. Stats., shall forfeit the following:

1. Anyone found guilty of violating Section 5 of this Ordinance shall pay a forfeiture established by the Town Board, together with the costs of prosecution.

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 one or more provisions may be declared invalid. If any provision of this Ordinance or the application thereof to any person or circumstances held invalid, the remainder of this Ordinance and the application of such provision to other persons or circumstances shall not be affected.

Section 9 - EFFECTED DATE

This Ordinance shall take effect and be in force from and after its passage and posting as provided by law.

APPROVED and ADOPTED this 8TH day of APRIL, **2025.**

Phillip Christenson, Chairman

Mark Quandt, Supervisor

Timothy Mitchell, Supervisor

Attested by:

Kristen Telford, Clerk

Roll Call Vote: Aye: 3 Nay: _____

Posted in the following places for 30 days following passage on: 4/8/25

Town Office
Town Website
Recycle Center