

Town of Spider Lake
Town Board Meeting
Town Hall, 10896W Town Hall Road
Wednesday, August 13th, 2024
6:00 p.m.

1. Meeting was called to order by Chair Johnson at 6 pm. In attendance were Supervisors Delaney, Johns and Amery with Clerk Cleary and Treasurer Pagenkopf. Dave Thearin was present via zoom.
2. Community Comments by Carole and Richard Dujmovic, attached.
3. **Motion** to approve the agenda made by Sarah Delaney, seconded by Bill Amery. All ayes. Motion carried.
4. Pledge of Allegiance
5. **Motion** to approve the minutes from the July 9th monthly board meeting made by Sarah Delaney, seconded by Mark Johns. All ayes. Motion carried.
6. Treasurer's report by Treasurer Pagenkopf: Total cash year to date: \$530,514.
7. Clerk's report by Clerk Cleary:
 - a. **Motion** to approve vouchers in the amount of \$40,439.88 for the month of July, \$14,14,957.35 from the prior month and any late coming regular vouchers made by Sarah Delaney, seconded by Bill Amery. All Ayes. Motion carried.
 - b. Seeley Lion's Fat Tire Race will take place on 8.23.25, there will be road closures.
 - c. **Motion** to approve the Chequamegon annual bike race on 9.13.25 made by Sarah Delaney, seconded by Mark Johns. All ayes. Motion carried.
8. Committee Reports
 - a. Planning and Review Commission presented by Sarah Delaney

Motion to approve the Siebert CSM made by Sarah Delaney on behalf of the PR&C, seconded by Quentin Johnson. All ayes. Motion carried.

Motion to approve the Hannah Bay Pines LLC CSM made by Sarah Delaney on behalf of the PR&C, seconded by Quentin Johnson. All ayes. Motion carried.

Comment on the Frick LUP 25-19, Zoning Administrator Mike Gardner has been in contact with the Fricks concerning the fact that the proposed plan will not satisfy Towns in the county are voicing discontent of the recent County Board decision to endorse the "Option F" camping cabin amendment without limitations on the number of campsites. John Righeimer is our Distric 12 county representative; feel free to reach out to him and pass on your thoughts.
 - b. Roads Committee presented by Quentin Johnson

Green Point Road has been paved. Upper A was wedged. Murphy Boulevard wedging is planned for 2026.
 - c. Health, Safety and Environment presented by Quentin Johnson

DNR Advisory letter was received and posted to the website. Next meeting will be on 8.21.25 at 4pm to set timeline for passage of ordinance. Additionally, the idea of a lake violations form on the website has been brought up and will be discussed at

Fire report by Mike Schmidt: Cassie Phillip's house burned down - total loss. There was an incredible turnout with Spider Lake sending 3 people, 3 trucks; Round Lake sending 10 people, 6 trucks; Hayward sending 13 people, 5 trucks and 1 ambulance with 2 people. Thank you to everyone who responded. There is a Go Fund Me set up if anyone would like to donate.

Dave Thearin reported that the Fire Department had \$17,605.20 in checking, \$32,490.07 in a 5-mo CD for a total of \$50,095.27.

d. Finance and Insurance presented by Bill Amery

Budgeting workshop process will begin with the meeting to approve the levy & budget being anticipated to occur on November 21.

e. Facilities & Maintenance presented by Mark Johns

Transfer Station - there was a power outage on 7.18.25. Thank you to Meyer's Electric for their prompt response and resolution of the problem! Additionally, there was a mistake on our bill for July which will result in a credit of \$427.09 on the next bill. Aluminum cans were processed for \$74.80.

There was an issue in the Fire Station #2 bathroom which could have easily resulted in a fire. Thank you to Don Fogal for discovering the issue and taking care of it.

Rusk County Farm Supply has confirmed out winter cap program participation with a \$1.45 price

9. General Announcements:

Litigation update: \$11,000 has been spent to date. 9/11/25 is the date set for the pre-trial hearing. Details are available on the county website.

10. **Motion** to adjourn made by Mark Johns, seconded by Bill Amery. All ayes. Motion carried. Next regularly scheduled Town Board Meeting is 9/10/25 at 6pm.

Respectfully submitted,

Bianca Cleary, Clerk

8.17.25

The paperwork submitted with application LUP 25-19 dated June 9, 2025 for an ADDITION at 8241W Nowak Road ALREADY approved by this Board and a "permit" posted on July 2, 2025 provides little resemblance to the proposed change to this already non-conforming lot.

A poorly drawn sketch removes 336 ft.² of living space AND an ADDITION of a Park Mobile Trailer adds only 255 ft.² That's a SUBTRACTION and not an addition. In Real Estate, a housing addition refers to the process of EXPANDING the living space of an existing structure by ADDING to it. This typically involves INCREASING the square footage of the home either by adding new rooms, wings, or stories. By approving the **WORD (ADDITION) and sketch on this permit application**, you have allowed the taking away of a screen porch, two bedrooms, a bathroom, pantry, dining area, hallway, and kitchen all of which have since been destroyed.... to be replaced with a "tiny home" currently sitting along Nowak Road **on wheels** waiting for placement on the property.

The owner applied for a PERMIT for an ADDITION when in reality what has taken place thus far with your approval is a SUBTRACTION of living space from the principal structure with a **"modular premade camper on wheels."**

Because the owner has received APPROVAL for whatever reasons you have seen fit, honest inspections clearly need to take place OFTEN with REQUIREMENTS that are accurate and comply with Spider Lake codes.

How often are these inspections going to be done? It cannot be only ONCE at the end when it's too late! There are numerous issues. Who is responsible for calling and setting up the inspection dates and times? Please share this information with us.

Again, we thank Bianca Cleary, Mike Gardner, and Sarah Delaney for their honest and heartfelt concern and understanding in coming out to LOOK/SEE what's going on. We talked and they honestly understand our concern with this change.

The property values along our private Nowak Road **need to be protected**. This project attaches "a trailer to an existing principle structure." We don't want to change our Northwoods character to that of a campground **at least not yet... and hopefully NEVER along our private Nowak Road.**

We hope you agree.

"What you all have here is GOLD, Carole, my 104 year old Uncle Jim once said."

Please don't be decision-makers who will be part of allowing its destruction!

The application as presented is **inaccurate** and to the point in our opinion.....of being **possibly deceptive**. Plus..... we were NEVER told by the applicant that he was going to ADD/ SUBTRACT onto this structure and for what purpose!!! His words to me last week were: **"I didn't have to tell you!"** *They gave me the permit!*

This person is my neighbor and lives next door! Neighbors don't need to agree, but they should cordially communicate.

These things cannot happen.

It's not good for our community.....

Is this "tiny home RV" planned as a VRBO? Has the owner told anyone?

Do you care? You all live here and it could happen to you if it's happening to us. We will be watching what comes next. **We didn't love and buy up here in the Northwoods 40**

years ago for this to happen! Like many others, we were hoping to pass this uniqueness on to our children. Now we wonder if it will be AS SPECIAL for them with requests for changes like this!

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and
with
this* *

Nowak Road is **not** a "campground."

Campers and look alike campers belong with other campers.

Don't let it get started here just to have additional income!

Carole and Richard Dujmovic

8219W Nowak Road

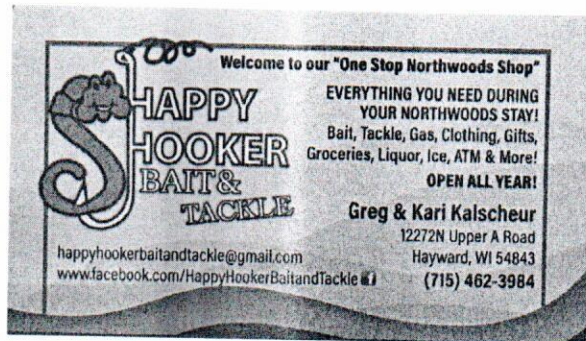
Here is a mock-up of the webpage

Business Directory

All businesses listed below are located in and doing business in the Town of Spider Lake and elected to share their information on this page. Each business is responsible for maintaining the accuracy of their information by emailing a new business card to deputyclerk@townofspiderlakewi.gov.

There is no implied recommendation by the Town for any business.

Convenience Stores



Lodging/Restaurants



Services

Here is a proposed News and Notice

Business Directory on the Website

If you own a business located in the Town of Spider Lake and provide services to the Town residents, you may list your business on the Business Directory page of the Town's website. To have your business listed, please send a clear image of your business card to deputyclerk@townofspiderlakewi.gov.



File Code: 1950

Date:

Dear Interested Party:

We are pleased to announce that the USDA Forest Service Chequamegon-Nicolet National Forest (CNNF) is initiating an Environmental Assessment (EA) and is seeking the public's input on the proposed West Zone Aspen Fir Regeneration Project (project). The project area spans three ranger districts (Great Divide, Medford-Park Falls, and Washburn) across five counties (Ashland, Bayfield, Price, Sawyer, and Taylor).

Proposed project activities (Proposed Action) include vegetation management and associated transportation system improvements. These activities are summarized below. For more details about the Proposed Action, please read the project description in the scoping package and review figures of the project area in the map book available for download on the Forest's website at: <https://www.fs.usda.gov/r09/chequamegon-nicolet/projects/67980>.

The purpose of the Proposed Action is to create early successional patches and bring age class distribution in project area stands containing aspen (*Populus sp.*) and balsam fir (*Abies balsamea*) in line with desired conditions as outlined in the 2004 Chequamegon-Nicolet National Forest Land and Resource Management Plan (LRMP). This improvement of early successional habitat and age class distribution would benefit wildlife species, such as ruffed grouse (*Bonasa umbellus*), American woodcock (*Scolopax minor*), and golden-winged warbler (*Vermivora chrysoptera*), which depend on early successional habitat and the populations of which have been declining in their range. Vegetation management activities also are needed to meet the LRMP objective for sustainable timber production that is critical to the nation's well-being and needs pursuant to Executive Order 14225, "Immediate Expansion of American Timber Production."

Proposed vegetation management activities include 45,827 acres of vegetation treatment (timber harvest) across the project area and throughout the implementation period (15 to 20 years). Clearcutting has been identified as beneficial for moving aspen and balsam fir stands toward desired conditions and would be the vegetation treatment method under the Proposed Action. A two-step approach would be taken for treatment timing across the three ranger districts in the project area: in Phase 1, stands needing treatment as soon as possible, such as older and less vigorous stands, would be treated; and in Phase 2, younger stands that could wait at least five years would be targeted for later harvests. The staggered timing approach to harvesting has multiple benefits that include (1) reducing the number of temporary openings in the project area at a given time and (2) providing greater diversification of age classes, which meets aspen objectives. The exact timing of treatment of any one stand would depend on the timing of a given timber sale contract, which is often implemented over multiple years.



Temporary openings greater than 40 acres would be created as part of the Proposed Action. These treatments are proposed to reach vegetation composition objectives for young aspen and balsam fir. The National Forest Management Act and the 2012 Planning Rule (36 Code of Federal Regulations (CFR) 219.11(d)(4)) include provisions for a limitation on temporary openings created through even-aged management. With the forest types that occur in the eastern United States, this size limit is set at 40 acres for Region 9. Exceptions to this limitation are allowed with review by the Regional Forester and 60-day public notice. The project's proposed temporary openings greater than 40 acres are included in the legal notice for the West Zone Aspen scoping package, which was published in the newspaper of record, the Northwoods River News, starting the 60-day public notice required pursuant to 36 CFR Part 219 (note that this review period is separate from the scoping/comment period described below).

To accomplish vegetation management activities under the Proposed Action, some roads would need to be relocated, reconstructed, or closed to the public to protect resources, provide sustainable access, or decrease transportation system maintenance costs. Some new road construction would also be needed. Roads no longer needed for management would be decommissioned.

In accordance with the National Environmental Policy Act, your comments will be used to identify relevant issues, describe potential environmental effects, and develop a range of reasonable alternatives to the enclosed draft Proposed Action. The CNNF will consider potential environmental consequences of the alternatives and will document the analysis in the EA, which will be made available to the public.

Please address your comments with the title "West Zone Aspen Fir Regeneration Project" in the subject line to Forest Supervisor Janelle Crocker, ATTN: Ginger Molitor, Great Divide Ranger District, P.O. Box 896, 10650 Nyman Avenue, Hayward, WI 54843. Office hours, for those who wish to hand deliver comments, are 7:30 a.m. to 4:00 p.m., Central time, Monday through Friday (except federal holidays). Send comments to the above Hayward address or electronically to comments-eastern-chequamegon-nicolet-great-divide@usda.gov. If you are unable to submit comments via the avenues described above, please contact Ginger Molitor at 715-638-0272. It is the responsibility of the sender to ensure timely receipt of any comments submitted.

We appreciate any comments or concerns you may have regarding the proposed project. This project will be subject to a pre-decisional administrative review process (36 CFR 218), which has requirements for commenting. Please read the enclosure "How to File Comments and Objections" for these requirements.

For your comments to be considered timely under 36 CFR 218.5, they must be received within 30 days beginning on the first day after the date of publication of the legal notice in the newspaper of record, the Northwoods River News. Comments are most valuable if they are within the scope of the Proposed Action, are specific to the Proposed Action, have a direct relationship to the Proposed Action, and include supporting reasons for me, the Responsible Official, to consider in the EA and my subsequent decision.

Comments received in response to this letter, including the names and addresses of those who comment, are considered part of the public record for the project.

If you have any questions concerning the proposed project, or do not wish to submit comments at this time but would like to receive future information on this project, please contact Ginger Molitor at 715-638-0272. Thank you for your interest in the proposed project. We look forward to hearing from you.

Sincerely,

SITKA
PENCE
JANELLE CROCKER
Forest Supervisor

Digitally signed by SITKA
PENCE
Date: 2025.08.25
13:58:27 -05'00'

(for)

Enclosures

cc: Sitka Pence, Dan Eklund, Mike Martin, Matt St. Pierre, Sarah Holmes, Matt Monahan, Jennifer Maziasz, Karl Welch, Ginger Molitor

Communications Unlimited
N3097 State Road 73
Sheldon, Wi 54766
Cell # (715) 492-1367
dbaselt@hotmail.com

Location Spider Lake, WI
Bid
Date 9/3/2025
Customer: Town of Spider Lake, WI

Qty	Job Description	Rate	Total
1	Rig tower & remove any & all materials associated with town of- Spider Lake at the American tower site near the intersection of- upper A rd / Brant rd Spider Lake WI	\$3,600	\$3,600.00

Definitions

The following have been defined to aid in understanding and application of the rules, regulations and processes surrounding boating related ordinances and waterway markers.

Aids to Navigation are buoys, beacons and other fixed objects in the water which are used to mark obstructions to navigation or to direct navigation through safe channels.

Boating Law Administrator means a Bureau of Law Enforcement staff person whose specific responsibilities include boat safety, education, boating enforcement, waterway marker permits, boat accident investigations, patrol funding, boating ordinances, boat theft, lien fraud prevention, underwater archeological protection, managing federal boating grants, and the development of public service announcements and other media articles. Additional responsibilities include the development of proposed legislation and the drafting of natural resource rules related to boating issues.

Condition Report means a report that is compiled by the governing entity that addresses the questions of why the proposed related boating ordinance is necessary.

Governing Entity means any county, city, village, town, town sanitary district, or public inland lake protection and rehabilitation district.

Non-Regulatory Markers are buoys and other fixed objects in the water which are used to mark navigational channels, hazards, other dangerous areas or to provide general information to the boating public.

Ordinance means a local regulation relating to boating under s. 30.77(3), Wis. Stats.

Ordinary High Water Mark is the point on the bank of a navigable stream or on the shore of a lake up to which the presence and action of surface water is so continuous as to leave a distinctive mark by erosion, destruction of terrestrial vegetation, or other easily recognized characteristics under s. 236.025(2), Wis. Stats.

Recreation Warden (RW) is a conservation warden who provides training and guidance to local and county law enforcement boating, snowmobile and all-terrain-vehicle safety patrols and who assists governing entities in the drafting and review of recreational related ordinances. RWs enforce recreational safety laws, conduct accident investigations and review accident reports.

Register of Waterbodies (ROW) is the WDNR's inventory of many of the surface waters of the state. Each surface water body that is added to the ROW gets a unique identifier called a Water Body ID Code (a.k.a. WBIC). This number has been used in tabular systems to help differentiate the multiple lakes with the same name from one another. The ROW also contains some basic, historical characteristic data about the waterbodies such as the maximum depth, area, Local Name, shoreline length, etc.

Regulatory Markers – are buoys, signs and other fixed objects in the water which are used to restrict and regulate boating related activity such as swim areas, dams, prohibited entry areas, and slow-no-wake areas.

Waterbody Identification Code (WBIC) is a 7-digit number assigned to uniquely identify a "waterbody".

Lakes 50 acres or less - See s. 30.635, Wis. Stats. On lakes 50 acres or less having public access, motorboats may not be operated in excess of slow-no-wake speed, except when such lakes serve as thoroughfares between 2 or more navigable lakes. Lake size is determined in the most current version of "Wisconsin Lakes", PUB-FH-800, at <http://dnr.wi.gov/lakes/lakebook/wilakes2009bma.pdf>

Introduction

The amount and type of water-based activities is constantly growing and local regulation can be responsive to the public need. Through regulation, a safe, enjoyable water environment can be provided while at the same time controlling undesirable conflict. Understanding is needed by everyone involved in the regulatory process in order to solve Wisconsin's boating problems.

These guidelines for creating boating ordinances and placing waterway markers have been designed to help you with the basic questions and format. This handbook contains some example ordinances that may be used in drafting a local ordinance to meet your specific needs. Feel free to use the suggested wording, filling in the blanks and making revisions for local conditions where necessary. We recommend following the suggested format to ensure accuracy, uniformity and completeness, and encourage you to work with your attorney to ensure compliance with all current laws.

If assistance is desired in writing your ordinance, your local Conservation Warden or the Recreation Warden assigned to your county should be contacted. Included at the end of this guidance is a list of the DNR regional contacts. Please also refer to this list when submitting any documents for DNR review or approval.

Taking the time to review these guidelines will help all of us to expedite processing your ordinance or waterway marker permit application.

With your help we can make Wisconsin's waterways a safer place to recreate.

Local Boating Ordinances

State law allows counties, towns, villages, cities, public inland lake protection and rehabilitation districts and town sanitary districts to enact local boating regulations in the interest of public health, safety or welfare, which includes the public's interest in preserving the state's natural resources. State boating law provides a general framework for regulation, but it is up to the governing entity to provide regulations tailored to local conditions. The authority to enact local regulation is found in Chapter 30 of the Wisconsin State Statutes. See [Section 30.77\(2\)](#) and [Section 30.77\(3\)](#), Wis. Stats (Local Regulation of Boating) and [Chapter 33](#), Wis. Stats., (Public Inland Lake Protection and Rehabilitation Districts).

An Inland Lake Protection and Rehabilitation District or Town Sanitary District can become an approved governing entity only when a resolution allowing such enactment and enforcement is passed by the (village, city or town), at least 50% of the approved governing entities having jurisdiction over the lake adopt a resolution authorizing the Inland Lake Protection and Rehabilitation District or Town Sanitary District to enact or enforce ordinances, and at least 60% of the lake's shoreline is within the boundaries of the approved governing entities.

If created, an Inland Lake Protection and Rehabilitation District or a Town Sanitary District can create ordinances relative to boating the same way a town, village or city can. Authority to enact these ordinances is located within Wisconsin State Statutes ss. [30.77\(3\)\(am\)](#), [30.77\(3\)\(am\)1m](#) and [33.01\(3\)](#).

In enacting boating ordinances, governing entities shall take into account factors that include all of the following:

1. The type, size, shape and depth of the body of water, and any of its features of special environmental significance.
2. The amount, type and speed of boating traffic on the body of water, boating safety, and congestion.
3. The degree to which the boating traffic on the body of water affects other recreational uses and the public's health, safety and welfare, including the public's interest in preserving the state's natural resources.

The types of ordinances that may be enacted include the following:

1. Restrictions on speed.
2. Restrictions on certain types of boating activities on all, or in specified parts, of the lake, river or stream.
3. Restrictions on certain types of boating activities during specified hours of the day or specified days of the week.

Ordinances pertaining to the equipment, use, or operation of boats on inland lakes shall be subject to advisory review by the Department of Natural Resources (DNR). Proposed ordinances shall be submitted by the governing entity to the department at least 60 days prior to final action by the governing entity. The DNR will advise the governing entity in writing as to the results of its advisory review no later than 20 days after receipt of the proposed ordinance.

1. The following guidelines are designed to aid in the drafting of your ordinance.¹ Identify the official name or a legal description of the waters covered by the ordinance. Identify whether an inland lake lies entirely within the jurisdiction of your governing entity. If there is more than one jurisdiction with authority over an inland lake, at least one of the following situations must occur for an ordinance to be valid and enforceable.
 - a. All towns, villages and cities having jurisdiction over the lake have enacted an identical ordinance.
 - b. At least 50% of the towns, villages and cities having jurisdiction over the lake have enacted an identical ordinance and at least 60% of the shoreline footage of the lake lies within the boundaries of these towns, villages and cities.

If a town, village or city proposes to amend or repeal its ordinance and the criteria listed in 1.b. above would no longer apply, it must hold a hearing on the issue at least 30 days before the amendment or repeal takes effect. If after holding

¹ Please work with your attorney to make sure that all current statutory requirements are satisfied.

the hearing, the town, village or city amends or repeals the original ordinance, then all of the identical ordinances are void.

2. A Public Inland Lake Protection and Rehabilitation District or a Town Sanitary District may enact and enforce ordinances applicable to a lake entirely within its boundaries only if one of the following apply:

- a. Each town, village, or city that has jurisdiction over the lake adopts a resolution authorizing the district to do so.
- b. At least 50% of the towns, cities, or villages having jurisdiction over the lake adopt resolutions authorizing the lake district or town sanitary district to enact or enforce boating ordinances, and at least 60% of the shoreline footage of the lake, is within the boundaries of these towns, villages or cities.

If a town, village or city proposes to rescind the resolution authorizing a lake district or town sanitary district to enact ordinances so that 2.b. above no longer applies, it is required to hold a hearing on the issue at least 30 days before the recession will take effect. If after holding the hearing the town, village or city rescinds the resolution, the ordinances adopted by the lake district or town sanitary district are void.

3. In any multiple jurisdiction situation identified in 1. or 2. above, a public hearing must be held on any proposed ordinance at least 30 days before it is enacted. The notice of public hearing must be published at least 30 days before the hearing date. This requires the notice of public hearing must occur a minimum of 60 days before the proposed ordinance would be enacted.
4. All citizens have public rights to navigable waters. The state holds these waters in trust for all people. Ordinances cannot be adopted to restrict non-residents of the local jurisdiction or non-Wisconsin residents from access or use of the navigable water.
5. Riparian rights must be considered. Local ordinances cannot unreasonably interfere with the riparian's basic right of gaining access to the water.
6. Uniformity of traffic rules throughout the state is necessary so that the transient boater and the general public may know the law. Ordinances regulating local conditions such as approaching or leaving docks and landings should conform to State law.
7. Local ordinances cannot be less restrictive than State law. Local ordinances cannot have any special features that counter or reduce the restriction found in State law.
- a. State boating laws should be adopted by reference to avoid confusion and ensure that the local ordinance remains valid without future revision in the event of State statutory changes.
 - b. Where State law specifically allows something, local law cannot prohibit the same. For example, age requirements for operation cannot deviate from State law.
 - c. Provisions such as Section 30.60, 30.61, 30.62, 30.63, 30.64, 30.67, 30.675, 30.68(3)(b) and 30.71, Wis. Stats., which deal with equipment requirements and safety regulations, may not be changed by local ordinances except pursuant to NR 5.19, Wis. Adm. Code, which allows certain exceptions for water exhibitions and races.
8. Where an ordinance imposes regulations which are more restrictive than State law, DNR may request a condition report outlining the local ordinances which necessitate such a restriction. See the Condition Report section for further direction.
9. Across-the-board regulation by boat size, type of boat, or horsepower has been considered an unwarranted restriction of public rights in previous court rulings.

10. Local ordinance demands should equal the ability to enforce. DNR Conservation Wardens enforce state law, but should not be expected to respond to complaints of local ordinance violations.
 - a. Speed restrictions designated in miles per hour are difficult to enforce. Slow-no-wake is preferable where appropriate.
11. It is suggested that all ordinances contain a severability section.
12. All ordinances must contain a separate penalty section. As required by s. 800.037, Wis Stats., deposits for boating violations shall be in accordance with the amount established by the uniform deposit schedule under s. 23.66, Wis. Stats. It is suggested that the penalty section be worded as follows:

Wisconsin state boating penalties as found in s. 30.80, Wis. Stats. and deposits as established in the Uniform Deposit and Bail Schedule established by Wisconsin Judicial Conference, are hereby adopted by reference and all references to fines amended to forfeitures and all references to imprisonment deleted. (Note: a uniform bond schedule may be obtained from the Recreational Safety Warden in your area.)
13. Ordinances for inland lakes must be submitted to WDNR for review at least 60 days prior to the possible final action.
14. Submit a signed, dated copy of each ordinance after passage, in order for the ordinance to be posted to the DNR's Boating Ordinance Webpage: <http://dnr.wi.gov/lakes/boatingordinances/>

Condition Reports

If a regulation or a regulation change is being enacted pursuant to Section 30.77(3), Wis. Stats., DNR suggests that a condition report providing the facts supporting the ordinance or change be submitted with the draft ordinance for review. The Condition Report is an integral document to identify the need and justification for the ordinance.

The condition report should include, at a minimum, the following items:

- A description of the local conditions necessitating the regulation or regulation change and how the new or changed local regulation will solve the situation.
- A description of the probable or possible negative effects of the measures that were considered, and people or groups who may be adversely affected by the adopted ordinance.
- An opinion statement concerning the impact on public health, safety, or welfare if the regulation is not adopted.
- A statement summarizing the arguments of the interests opposed to the regulation or regulation change.

Local conditions to consider are:

- number of citations issued
- physical size of the waterbody
- width of a channel
- water depth of the entire lake or the area impacted
- concentration of boaters due to constricted areas
- egress and ingress from a landing or marina
- number of accidents or complaints
- number of boat slips

The Condition Report should make explicit why an ordinance or ordinance amendment is in the public interest. This is important because an ordinance change may raise substantial and material questions of fact. A court test may be required to settle these questions. By showing how and why an ordinance is in the public interest, the Condition Report may reduce the ordinance opposition or prevent a court test.

This report will enable DNR to investigate the pertinent local conditions requiring the ordinance and complete its advisory review in a timely manner. Advisory reviews will consider the effect the regulation has on the state from the standpoint

of uniformity and enforcement. The DNR review will also consider whether or not regulations are consistent with Chapter 30, Wis. Stats., with regard to public health, safety or welfare. Our review is designed to prevent regulations that do not coincide with the public interest from being adopted.

An unenforceable or difficult to enforce ordinance is a burden and a source of conflict between the enforcing authority and the people it was enacted to protect. A major reason for creating an ordinance is to lessen conflict. DNR may take action to contest local ordinances that do not provide public health, safety, or welfare benefits, and ordinances that are contrary to inconsistent with state or federal boating laws.

Regulation of Watercraft by Type

There has been much debate regarding local ordinances which restrict or ban certain types of watercraft, primarily personal watercraft. The Attorney General has stated that regulations restricting a particular type of watercraft may be appropriate under certain circumstances if the municipality can demonstrate that the interests of public health, safety, or welfare justify the ordinance. The Department of Justice has outlined points that should be considered in determining the validity of such a regulation. DNR cannot say whether a restriction of this type would be upheld in court, but recommends that governing entities evaluate their situation based on the following criteria when drafting their boating ordinances and include this information in a Condition Report which should be submitted to WDNR together with the draft ordinance for review.

1. What is the goal of the regulation?
2. Why is this a reasonable and rational purpose?
3. How will the regulation accomplish the goal?
4. Is a type of boat reasonably singled out?
 - a. What are the substantial distinctions between this type of boat and every other type of boat?
 - b. Do these distinctions reasonably suggest substantially different regulations for this type of boat?
 - c. Are there any other types of boats which do, or could potentially, cause the same problem(s)? How are these types of boats being regulated?
 - d. Does the regulation apply equally to each boat of this type? To each boat which would potentially cause the same problem(s)?
5. Is the condition that causes the perceived need for the regulation only in existence during a certain time of year or day? If so, when?
6. What are the anticipated results if this regulation is not enacted?
7. Describe the public support for this regulation.
8. Describe the public opposition to this regulation.
9. Are there other less restrictive regulations that could accomplish the same goal?
 - a. Have other types of regulations been tried? If so, what were the regulations and what was the outcome?

Many of the complaints DNR receives regarding personal watercraft are with regard to either noise or location of operation. There are laws in place to deal with these problems. Often times, enforcement of existing laws can eliminate the problem.

- Section 30.62(2), Wis. Stats., regulates boat noise. Have decibel readings been taken to determine whether any boats are exceeding the legal decibel limit? If so, enforcement action should be taken under s. 30.62(2), Wis. Stats.
- Sections 30.66 and 30.69(3), Wis. Stats., state that personal watercrafts cannot operate faster than slow-no-wake within 100' of another craft or 200' of the shoreline of a lake, and that they cannot operate within 100' of a boat towing a skier, the ski rope, or the skier.

Posting of Local Ordinances

Wisconsin Statutes – s. 30.77(4). **Publicizing ordinances.** “All ordinances enacted under sub. (3) shall be prominently posted by the local authority which enacted them and, for ordinances enacted under sub. (3)(ac) 2., by all local authorities

having jurisdiction over the lake, at all public access points within the local authority's jurisdiction and also shall be filed with the department."

Wisconsin Administrative Code: NR 5.15. **Posting requirements.** "The posting requirements for local authorities under s. [30.77 \(4\)](#), Stats., shall be a sign with a minimum of 3 inch lettering stating "Local Ordinance" posted at each public landing. The sign shall list, in letters with a minimum height of one inch, a summary, synopsis, or outline of those regulations more restrictive than state law, or shall contain a map made of a durable material showing those areas with local restrictions, or both, including but not limited to speed limits, water ski hours and personal watercraft restrictions, if any."

Posting Requirements:

1. Shall be posted by the local authority which enacted the regulation.
2. Shall be posted at all public access points.
3. Shall be a sign with "Local Ordinance" in 3" lettering (minimum size).
4. Shall list those regulations more restrictive than state law in 1" lettering.
5. Shall identify the adoption date of the ordinance or any subsequent revision dates.
6. May be a summary, synopsis or outline of those regulations.

Note: A posted map of the local water highlighting the restricted zones is an excellent way to convey information to boaters.

Posting Example:

A township passes a boating ordinance that is 4 pages in length. The ordinance lists which waters the regulations pertain to, the agency responsible for enforcement, which state laws are adopted, definitions as found in Chapter 30, Wis. Stats., designation of all slow-no-wake areas to be marked by buoys, waterski hours, and hours of slow-no-wake. The ordinance also includes the placement of rafts and construction materials to be used in piers.

What must the township post?

- ✓ YES - Waterski hours or slow-no-wake times.
- ✓ YES - Boat traffic towing skiers, boarders or other aqua plane devices must go in a counter-clockwise direction on this lake.
- ✓ NO - State laws adopted, (i.e., battery covers, registration, age requirements, slow-no-wake within 100' of a dock, no waterskiing after sunset, no personal watercraft operation within 100' of other watercraft at speed greater than slow-no-wake, etc.). State laws need not be posted as they are the same for all boaters throughout Wisconsin.

LOCAL ORDINANCE
Slow-no-wake speed from sunset to sunrise.
Slow-no-wake in areas marked by slow-no-wake buoys.
No waterskiing or similar activity between 7:00 p.m. and 10:00 a.m.
Boat traffic towing skiers, boarders or other aqua plane devices must go in a counter-clockwise direction on this lake.
Should identify the local ordinance identification or code number
Date the ordinance(s) was adopted

Helpful, but not required information the sign could contain:

- ✓ Telephone number of local enforcement agency, fire department or 9-1-1.
- ✓ Map of the lake showing slow-no-wake areas, marinas, depth contours, direction of boat movement flow (if it is required in the ordinance).

Designated Mooring Area Procedures

Per s. 30.772(1), Wis. Stats., and subject to department approval, a municipality with jurisdiction over navigable waters may establish designated mooring areas as provided in this section. Municipalities may establish designated mooring areas by following the procedures outlined in s. 30.773, Wis. Stats.

The designated mooring area must meet the following requirements:

1. must be more than 150' from the ordinary high-water mark
2. may not materially obstruct navigation
3. cannot be detrimental to public rights or interests in the waterway
4. cannot be within and cannot adversely affect a critical or significant fish or wildlife habitat area
5. must comply with all applicable zoning requirements
6. all riparian owners must agree in writing to the establishment of the designated mooring area
7. use of the mooring area cannot be unfairly restricted or used to exert exclusive privileges for use of the navigable waters.
8. must be properly marked in accordance with sec. 30.74, Wis. Stats.

The required submittals for a designated mooring area application are:

1. A statement indicating the municipality has jurisdiction over the water.
2. A statement indicating approval from the Board of Harbor Commissioners or a statement indicating the municipality does not have a Board of Harbor Commissioner.
3. A copy of the ordinance created by the municipality creating the designated mooring area. The legal description of the designated mooring area in the ordinance must match the metes and bounds description on the map.
4. A map of the designated mooring area. Map requirements:
 - a. Scale not less than 100 feet to the inch.
 - b. Must indicate the exact surveyed boundary of the mooring area.
 - c. Must show the adjacent riparian areas and delineate adjacent riparian areas by a method used in [NR 325, Wis. Adm. Code](#). The method must be stated on the map.
 - d. Must indicate that the map was prepared by a registered surveyor of the State of Wisconsin.
 - e. Must state the metes and bounds description of any bulkhead line adjacent to the designated mooring area.
 - f. Must show the placement of informational waterway markers for the designated mooring areas. The map must include the informational "mooring area" marker placement.
5. A statement indicating the establishment and operation of the mooring area does not materially obstruct navigation.
6. A statement indicating the establishment and operation of the mooring area is not detrimental to public rights or interest in the waterway.
7. A zoning administrator statement that the establishment and operation of the designated mooring area complies with all applicable zoning requirements.
8. The signature of all riparians agreeing to the establishment and operation of the mooring area.
9. A statement from the applicant indicating how the designated mooring area will be used, that the area is not unfairly restricted or used to assert exclusive privileges for use of the navigable waters and will be open to public navigation.
10. A properly completed Waterway Marker Application (Form 8700-58) showing the placement of the informational boundary markers.

Placing Mooring Buoys - For mooring buoys within 150 feet of shore, no Department approval or permit is required. A permit may be required from a local jurisdiction if it has enacted a local ordinance regulating mooring. Local municipalities may enact local mooring ordinances regulating moorings up to 200 feet from shore.

Slow No Wake Area

A Sole Ordinance to Regulate Boating Upon the Water of _____ and Prescribing Penalties for Violation Thereof.

The (County/City/Town/Village) Board of the (County/City/Town/Village) does ordain as follows:

Section 1 - Applicability and Enforcement: The provisions of this Ordinance shall apply to the waters of (Name of Waterbody). This chapter shall be enforced by the officers of the (County/City/Village/Town Board/governing agency).

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 30.71, Wis. Stats., are adopted by reference here.

Section 4 –Penalties: 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 and all references to fines amended to forfeitures and all references to imprisonment are deleted.

Section 5 – Severability: The provisions of this ordinance shall be deemed severable and it is expressly declared that the (County/City/Village/Town Board/governing agency) would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application 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.

Section 6 – Definitions: “Slow-no-wake” means that speed at which a boat moves as slowly as possible while still maintaining steerage control.

Section 7 - Slow No Wake Area: No person shall operate a boat faster than slow-no-wake in the waters of (Name of Waterbody) beginning (specific location) and ending (specific location) at any time.

Section 8 - Posting Requirements: The (County/City/Village/Town Board/governing agency) shall place and maintain a synopsis of this ordinance at all public access points within the jurisdiction of the (County, City, Town, Village) pursuant to the requirements of NR 5.15, Wis. Adm. Code.

Section 9 - Effective Date: This section will become effective upon its passage.

Passed this _____ day of _____, _____

Slow No Wake During High Water Periods

A Sole Ordinance to Regulate Boating Upon the Water of _____ and Prescribing Penalties for Violation Thereof.

The (County/City/Town/Village) Board of the (County/City/Town/Village) does ordain as follows:

Section 1 - Applicability and Enforcement: The provisions of this Ordinance shall apply to the waters of (Name of Waterbody). This chapter shall be enforced by the officers of the (County/City/Village/Town Board/governing agency).

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 30.71, Wis. Stats., are adopted by reference here.

Section 4 – Penalties: 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 and all references to fines amended to forfeitures and all references to imprisonment are deleted.

Section 5 – Severability: The provisions of this ordinance shall be deemed severable and it is expressly declared that the (County/City/Village/Town Board/governing agency) would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application 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.

Section 6 – Definition: “Slow-no-wake” means that speed at which a boat moves as slowly as possible while still maintaining steerage control.

Section 7 - Slow No Wake During High Water Periods: No person shall operate a boat faster than slow-no-wake in the waters of (name of lake/river, etc.) when the water levels exceeds elevation (insert elevation) as based on the bench mark located at (location). This slow-no-wake restriction will be posted at all public access points when in effect.

Section 8 - Posting Requirements: The (County/City/Village/Town Board/governing agency) shall place and maintain a synopsis of this ordinance at all public access points within the jurisdiction of the (County, City, Town, Village) pursuant to the requirements of NR 5.15, Wis. Adm. Code.

Section 9 - Effective Date: This section will become effective upon its passage.

Passed this _____ day of _____, _____

2. Attach map(s) showing the configuration of the buoys with the GPS coordinates for the slalom course boundary markers. You need to include on the map(s) the property boundaries and owner's names for the riparian properties which the slalom course will lie in front of. See the attached diagrams on the next page which demonstrate how to determine riparian boundaries.
3. The local jurisdiction must complete Section II of Waterway Marker Application & Permit (Form 8700-58). If there is no local approval, the permit application will not be approved.
4. Submit the completed, signed application, with the map(s), riparian signatures, and the approved Chapter 30.12 permit (for placement of the structure on the waterbody bed), to your local conservation warden for review. The local warden will indicate his/her approval or disapproval, and forward the application on to the Regional Recreation Safety Warden.

If you have further questions, you will need to contact your local warden or the Regional Recreation Safety Warden assigned to your county.

Waterway Marker Permit Application Process

Applications for placement of waterway markers must be filed on [Waterway Marker Application & Permit \(Form 8700-58\)](#) and must be accompanied by a map or diagram showing the proposed location of the markers. Exact location must be expressed in GPS coordinates or in specific feet distance from one or more fixed objects whose location is easily identifiable. The governing entity should verify that the application is filled out properly and complete Section II of the application form indicating the entities approval or disapproval. The responsibility for the placement and maintenance of waterway markers lies with the applicant and governing entity. If alternate arrangements have been made for the placement and maintenance of buoys, this should be specifically stated on the waterway marker permit application form.

Completed applications and information material should be sent to the DNR Regional Recreational Warden assigned to your County. The Recreation Warden and Local Warden will review the permit application and if approved will forward the permit, map, diagram, GPS Coordinate information, to the DNR Recreational Boating Program Specialist for approval or disapproval. You will receive the completed permit application in the mail with a letter from the Department indicating approval or disapproval.

Applications received by the Department which do not have Section II completed by the governing entity will be returned to the applicant.

Regulatory waterway markers (slow-no-wake, prohibited entry, etc.) require an ordinance. See Local Boating Ordinance section of these Guidelines.

- A draft ordinance must be reviewed by the local Recreation Warden (RW) 60 days before the approved governing entity can vote on it.
- The approved governing entity must provide a public hearing.
- The approved governing entity shall give public notice of the date, location and boating ordinance to be discussed, in at least one local newspaper, 30 days before the vote.
- Upon enactment, the approved governing entity must send a signed copy of the ordinance and proof of public notice to the local RW.
- Generally speaking, only approved governing entities and counties (not individuals or associations) have the authority to apply for regulatory waterway markers permits and pass local ordinances.
- Adjacent riparian landowner permission is not required, provided the application meets all the requirements under s. 30.74, Wis. Stats., and s. NR 5.09, Wis. Adm. Code, including local authorization, department approval, and compliance with other regulatory specifications.

Non-regulatory waterway markers (Navigational, Informational, Hazard, Danger, etc...) do not require an ordinance.

- Mooring buoys, water ski, race course, and slalom course markers require the written permission of the adjacent riparian land owner. (see NR 5.09(7)(c)).

- Swim area waterway markers do not require an ordinance. Swim area permits are generally approved for use where large numbers of people are likely to congregate such as swim beaches of municipalities, campground, hotels, resorts, civic organizations and clubs.
- Mooring Buoys, if placed within 150 feet of a riparian landowners' shore, do not usually require a waterway marker permit. If placed beyond 150 feet of the riparian landowner's shoreline, a waterway marker permit and a mooring worksheet are required. Because there is a wide range of exceptions associated with moorings, please contact your local RW to determine the requirements for your specific mooring needs. Written permission is required from the riparian landowners

DOT Road Project Waterway Marker Process

This process applies to local or state road or energy projects that impact navigable waters during one or two boating seasons. A local ordinance will be required if regulatory waterway markers are required.

- DNR/DOT liaison communicates with the Recreation Warden and/or local Field Warden regarding the need to place any waterway markers. This assessment is based on how project impacts waterway, volume of boating traffic, project timeframe, needs of project contractor, etc.
- If the Recreation Warden and/or Field Warden assessment indicates waterway markers are not needed, the DNR Project letter to DOT or its contractor will indicate this.
- If the Recreation Warden and/or Field Warden assessment indicates waterway markers are needed, the DNR Project letter will indicate such and will provide the instructions below:

This reach of XX waterway is regularly used by recreational watercraft. It will be necessary to place navigational aids around the construction area during construction. Some types of waterway markers have special requirements for placement. A Waterway Marker Application and Permit is required to place Danger, Information, or Navigation (red, green, black/white or red/white striped) type buoys. To place any type of Control buoy (such as Slow-no-wake Boats Prohibited) requires a Waterway Marker Application and Permit, along with a local ordinance authorizing the placement of these types of buoys. Adequate time should be allowed for the passage of an ordinance with the local municipality.

The general steps for submission of a Waterway Marker Application and Permit are as follows:

1. Complete the Waterway Marker Application & Permit (Form 8700-58). The Department of Transportation should be listed as the applicant.
2. Include an aerial map-diagram or engineered-diagram of the work location and the placement of the waterway markers (buoys). If proposed GPS coordinates for each buoy are not provided, then markers placed on the diagram must show distance (in feet) from each marker location and from one permanent fixture to be used as a benchmark.
3. Provide the completed application/permit to the local municipality(ies) having jurisdictional authority over the area in which the waterway markers will be placed. They will review your plan and provide a signature if they concur.
4. A final permit approval letter and copy of the signed application/permit will be sent to you and local Recreation Warden by the Recreational Boating Program Specialist.

Waterway Markers

Determination and Rules

Waterway markers may be placed in all state waters. The type of waterbody being considered determines the type and degree of permitting allowed. View the [Register of Waterbodies System \(ROW\)](#) website to determine the type of waterbody you are dealing with.

All waterway markers placed in, on, or near the water must comply with the uniform waterway marking system established in NR 5.09, Wisconsin Administrative Code.

Waterway markers can be authorized only by an agency or political subdivision of the state having jurisdiction over the waters and must be approved by the Department of Natural Resources.

Display of Waterway Markers

A waterway marker may be displayed as a sign on a fixed support, as a buoy bearing a symbol on its surface, or as a sign mounted on a buoy. When a waterway marker is displayed as a sign it should conform to the Uniform State Waterway Marking System by:

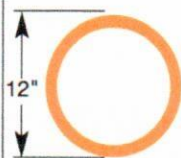
- Being displayed on a white background with a band of international orange at the top and bottom.
- Using Letters and Numerals that are black, in block characters of good proportion, spaced in a manner which will provide maximum legibility, and of a size which will provide the necessary degree of visibility.
- Displaying Uniform State Waterway Marking System symbols in international orange. Symbols shall be not less than 2" in width and shall at least 2/3 of the display area height.

Buoy Types and Requirements

STANDARD INLAND WATERWAY SYMBOLS AND MESSAGES

Special messages
are available.
Request a quotation.

CONTROLLED AREA SYMBOL

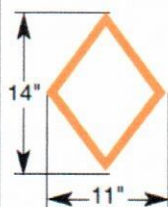


2" band width

STANDARD MESSAGES

SLOW 5 MPH
SLOW NO WAKE
SKI AREA
NO SKI
SLOW 10 MPH
SPEED ZONE
NO WAKE IDLE SPEED

HAZARD WARNING SYMBOL

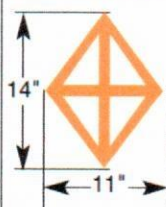


2" band width

STANDARD MESSAGES

ROCK
DANGER
RAPIDS
SHOAL
STUMP
SHALLOW AREA
HAZARD AREA
DANGER DAM

RESTRICTED AREA SYMBOL

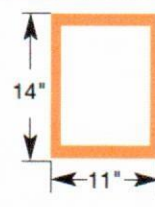


2" band width

STANDARD MESSAGES

SWIM AREA
KEEP OUT
NO BOATS
BOATS KEEP OUT
CLOSED AREA
NO BOATING
DANGER DAM

INFORMATION SYMBOL



2" band width

STANDARD MESSAGES

REST ROOM 1 MILE
STATE PARK AHEAD
MARINA ENTRANCE
FISH ATTRACTOR

Water Exhibitions and Races

A Sole Ordinance to Regulate Boating Upon the Water of _____ and Prescribing Penalties for Violation Thereof.

The (County/City/Town/Village) Board of the (County/City/Town/Village) does ordain as follows:

Section 1 - Applicability and Enforcement: The provisions of this Ordinance shall apply to the waters of (Name of Waterbody). This chapter shall be enforced by the officers of the (County/City/Village/Town Board/governing agency).

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 30.71, Wis. Stats., are adopted by reference here.

Section 4 – Penalties: 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 and all references to fines amended to forfeitures and all references to imprisonment are deleted.

Section 5 – Severability: The provisions of this ordinance shall be deemed severable and it is expressly declared that the (County/City/Village/Town Board/governing agency) would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application 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.

Section 6 -Water Exhibition and Race Permit: The permit shall include the following: Permittee, address, telephone number, day(s) or date(s) of the event, hours of the event, day(s) or date(s) of necessary practice, hours of the practice, legal description of the event area, legal description of the practice area, and expiration date.

Section 7 - Placement of Buoys: Under the authority granted in NR 5.09(7)(d), Wis. Adm. Code, the (County/City/Town/Village) Board hereby authorizes the permittee to place water-ski buoys at the event location described in the permit for the length of the permit.

Section 8 - Exclusive Use Area: An exclusive use event location on (name of water body) is described as follows: (Legal description). The permittee shall be granted exclusive use of the event location described above during the authorized day(s) or date(s) and hours of the permitted event. This section does not apply in the case of an emergency, to the water patrol or to rescue craft, or for the ingress and egress of private riparian owners within the exclusive use area.

Section 9 - Water Exhibition and Race Authorized Area: A water exhibition and race authorized practice area on (name of the water body) is described as follows: (Legal description). The permittee's use of this area is limited to the following days and hours: (List the days and hours).

Section 10 - Posting Requirements: The (County/City/Village/Town Board/governing agency) shall place and maintain a synopsis of this ordinance at all public access points within the jurisdiction of the (County, City, Town, Village) pursuant to the requirements of NR 5.15, Wis. Adm. Code.

Section 11: **Effective Date**

This section will become effective upon its passage.

Passed this _____ day of _____, _____

Control Buoy - Marks an area where boating is restricted, including but not limited to slow no wake speeds or hours. It is colored white, with an orange, open-faced circle on two opposite sides and two horizontal orange bands, one above and one below the circles; a black figure or symbol within the orange circles shows what the restriction is.

- A local ordinance and DNR approval is required for control buoys. The ordinance must specifically describe the location of the restricted area and location of the buoys.
- A [Waterway Marker Application & Permit \(Form 8700-58\)](#) must be completed. Local government approval is required in Section III of the form.
- The "Control" buoy will be white with an orange circle, cylindrical in shape, located a minimum of 36 inches above the waterline, with a minimum diameter of 7 inches.
- The buoys must be placed by individuals with authorization from the governing entity having jurisdiction over the waters involved.



Boats Prohibited Buoy - Indicates swimming areas, waterfalls, rapids, dams, etc. All boats, both motorized and non-motorized, are prohibited from entering the area.

- A local ordinance and DNR approval is required for boats prohibited buoys, except for those identifying swimming areas. The ordinance must specifically describe the location of the restricted area and location of the buoys.
- The justification for creating the restriction must be the protection of public health, safety, or welfare, and not primarily for the benefit of private interests.
- Swim area buoys can only be approved for placement in conjunction with swim areas operated by resorts, clubs, or civic organizations that are open to the public or used by large number of people.
- A [Waterway Marker Application & Permit \(Form 8700-58\)](#) must be completed. Local government approval is required in Section III of the form.
- The "Boats Prohibited" buoy will be white with an orange diamond with an orange cross inside, cylindrical in shape, located a minimum of 36 inches above the waterline, with a minimum diameter of 7 inches.
- The buoys must be placed by individuals with authorization from the municipality having jurisdiction over the waters involved.



Danger Buoy - Used to warn boaters of rocks, cables, stumps, dams, etc.

- A [Waterway Marker Application & Permit \(Form 8700-58\)](#) must be completed.
- The "Danger" buoy will be white with an orange diamond. Any information will be printed on this buoy in black. It must be cylindrical in shape, a minimum of 36 inches above the waterline, with a minimum diameter of 7 inches.
- The buoys must be placed by individuals with authorization from the governing entity having jurisdiction over the waters involved.



Information or Direction Buoy - Informs boaters of direction, distances, locations, rules, etc.

- A [Waterway Marker Application & Permit \(Form 8700-58\)](#) must be completed.
- The "Information" or "Direction" buoy will be white with an orange square. The information on the buoy must be printed in black. It must be cylindrical in shape, a minimum of 36 inches above the waterline, with a minimum diameter of 7 inches.
- The buoys must be placed by individuals with authorization from the municipality having jurisdiction over the waters involved.



Research/Scientific Buoys

A [Waterway Marker Application & Permit \(Form 8700-58\)](#) and approval is required for buoys related to research, weather recording, etc., that are placed by a research department of a government agency or contracted firm.

There is no statutory or administrative code exemption that would preclude the requirement for an application and approval for placement.

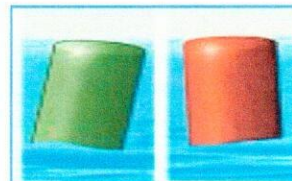
The Scientific Collector's Permit or Research License Application and Authorization-Form 9400-379 includes this requirement on Page 4 – *"All buoys and buoy staffs shall be marked and maintained as required by the department. The permit number, name and address of the permittees shall be maintained in plain figures on the bowl of the buoy."*

AIS Treatment Areas

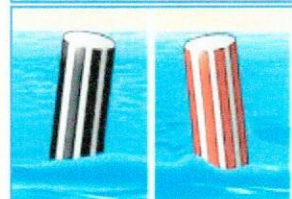
A [Waterway Marker Application & Permit \(Form 8700-58\)](#) and approval is required for waterway markers to identify Aquatic Invasive Species Treatment Areas. The application should specify a limited number of markers and include the dates that the buoys will be in the water to inform boaters of treatment areas. Include a statement regarding treatment or project plans, who will be conducting the treatment, the exact dates of the treatment/project, what the treatment/project hopes to accomplish, and if any long-term benefit will be seen.

Specific waterway marker locations will not be required; therefore, the governing entity may move the markers to treatment areas within the waterbody during the treatment project. These buoys are not meant to be permanently installed in any specific area. Examples of messages to include on the marker are: "AIS Area Keep Away" or "AIS Treatment Area Keep Away"

All Green and All Red Channel Buoy - These buoys are used in pairs and boaters should pass between them. If the buoys are numbered, the red buoys have white even numbers and the green buoys have white odd numbers. When traveling upstream, the green buoys mark the left side of the channel and the red buoys mark the right side of the channel.



All White Buoys with Black Vertical Stripes - These buoys mark the most navigable route of safe passage and should be passed closely on either side.



All White Buoys with Red Vertical Stripes - These buoys mark the most navigable route of safe passage and should be passed closely on either side.

Establishing a Slalom Course

The following are the steps necessary for application for a slalom permit.

If your slalom course involves the placement of a structure on the bed of the waterbody, you may need to obtain a permit per Chapter 30.12, Wis. Stats. Contact the Area Water Management Specialist at your DNR Region office. The permit requires you to do the following:

1. Complete Section I of Waterway Marker Application & Permit (Form 8700-58). You must have the written signature(s) of the riparian owner(s) whose property the course will lie in front of. If there is more than one riparian owner involved, simply write "See Attached" in the property owner section of the form and attach a separate sheet containing names, addresses, phone numbers and signatures of all riparian owners. If any of the riparian owners do not agree in writing to the placement of the slalom course, the application cannot be approved. Indicate the number of informational buoys which will be used to mark the boundaries of the slalom course and also the number of slalom course buoys which you plan to install. Refer to NR 5.09(7)(b), Wis. Adm. Code, which specifies the size and shape requirements for the actual slalom buoys.

Drawings and Maps for Waterway Marker Permit Applications

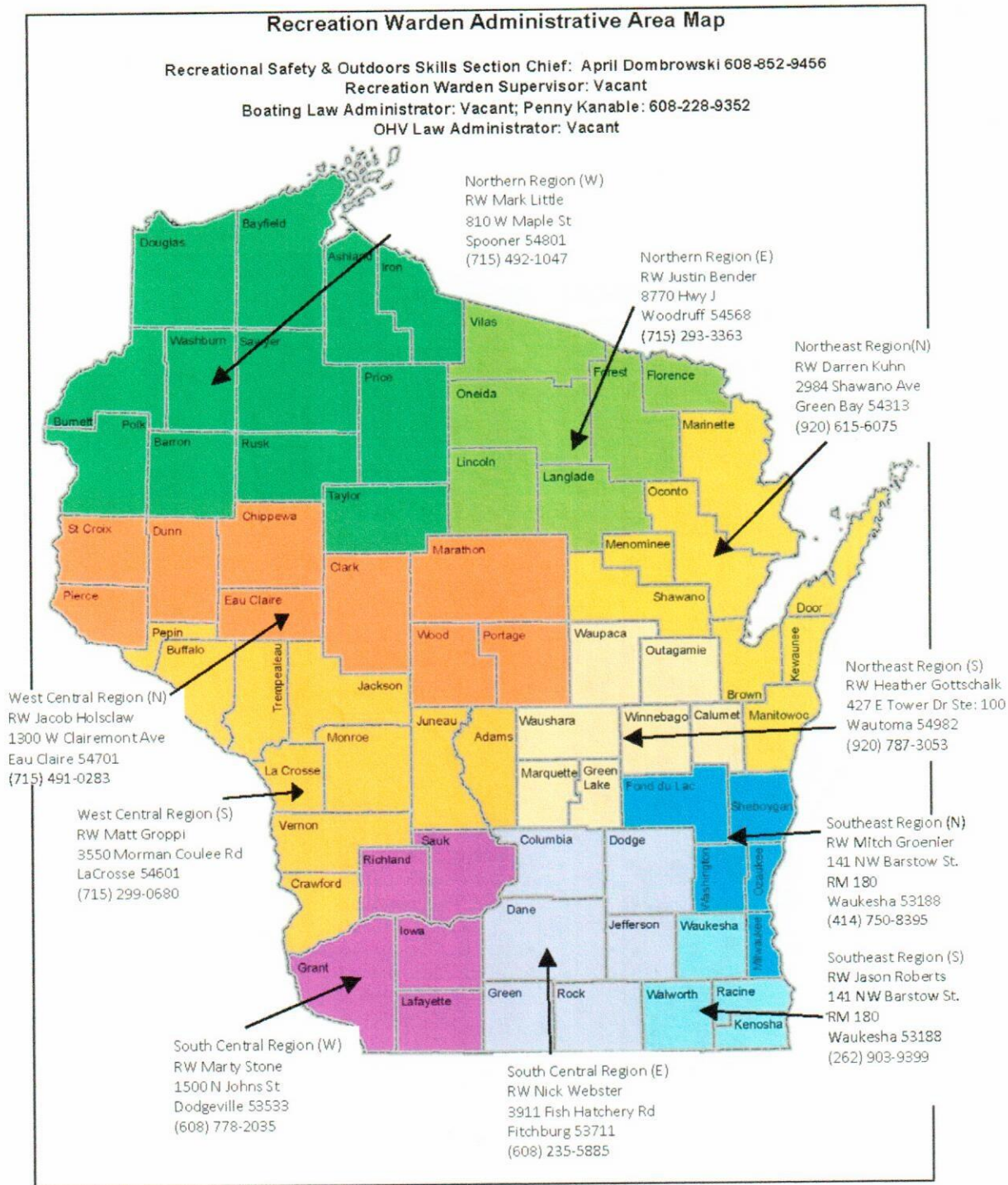
Drawings must show the location of the marker(s) from one or more fixed objects whose precise location is known. This will enable a person to take the application and the map and find the permanent fixed object, and from there, be able to locate the waterway marker(s).

If the waterway marker(s) restrict or prohibit operation of a motorboat (such as a swim area), the restricted area must be very noticeable to a boater. In most of these situations, more than one waterway marker will be needed.

Usually the drawing criteria can be satisfied by marking on a map the precise location of the area, and then drawing or producing an additional map that shows the location of the marker(s) from a fixed object. GPS coordinates are the best way to identify the location of the intended waterway marker location.



DNR Recreation Warden Contacts (2019)



**ORDINANCE # 08-2 FOR SLOW-NO-WAKE AREAS
TOWN OF SPIDER LAKE, SAWYER CO. WI**

A SOLE ORDINANCE TO REGULATE BOATING UPON THE WATERS OF THE SPIDER CHAIN OF LAKES AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF.

The Town Board of the Town of Spider Lake do ordain as follows:

Section I. Applicability and Enforcement

- (a) The provisions of this Ordinance shall apply to the waters of the Spider Chain of Lakes.
- (b) This chapter shall be enforced by the officers of the Town of Spider Lake

Section II 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 III State Boating and Safety Laws Adopted

State boating laws as found in ss. 30.50 to 30.71. Wis. Stats., are adopted by reference.

Section IV Definitions

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

Section V Controlled Area

No person shall operate a watercraft faster than slow-no-wake in the waters of the Spider Chain of

Lakes on the following lakes at the following GPS Readings: Little Spider Lake: N-46-05-734, W-091-13-527; Big Spider Lake: N-46-05-839, W-091-13-209; Fawn Lake Channel N-46-06-604, W-091-13-099 and N-46-06-654, W-091-13-100; Fawn Lake N-46-06-828, W-091-13-060, and North Lake N-46-06-975, W-091-12-951.

Section VI Posting Requirements

The Town of Spider Lake shall place and maintain a copy of this ordinance at all public access points within the jurisdiction of the Town of Spider Lake pursuant to the requirements of NR 5.15 Wis. Admin. Code.

Section VII Penalties

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

Section VIII **Severability**

The provisions of this Ordinance shall be deemed severable and it is expressly declared that the town of Spider Lake Board would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application 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.

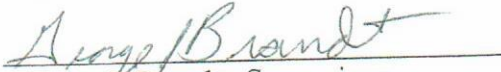
Section IX **Effective Date**

This section will become effective upon passage and the day after publication or posting as required by law.

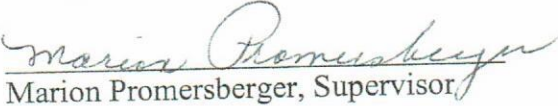
Passed this 10 day of September 2008.



Eugene R. Krause, Chairman



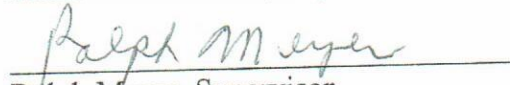
George J. Brandt, Supervisor



Marion Promersberger, Supervisor



Michael McGuinness, Supervisor



Ralph Meyer, Supervisor

Attest: 

Ruth Guyer, Town Clerk

LOCATED IN PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, OF SECTION 36, TOWNSHIP 42 NORTH, RANGE 6 WEST, AND PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, OF SECTION 31, TOWNSHIP 42 NORTH, RANGE 5 WEST, IN THE TOWN OF SPIDER LAKE, SAWYER COUNTY, WISCONSIN.



L1= S88°25'40"E 126.96'
L2= S82°50'39"E 73.28'
L3= S65°20'54"E 63.98'
L4= S82°50'39"E 27.19'
L5= N83°30'51"E 80.79'

STATE HIGHWAY "77"

22

DOC. No. 447966

1

736,274 SQ. FT. ±

SOUTH 1/16 CORNER ON

= 110° 36' 08" W 2625 25'

No. 066235

10

SEC. 36--42-6

Land Surveying LLC

) 558-4668

n Circle

343

heets

SCALE IN FEET 1 - 200

Found 3.5" Brass Capped Iron
Pipe unless noted.

Set .75" x 18" Iron Rod
wt. 1.50 lbs. per foot.

Found 1.25" O.D. Iron Pipe w/D.O.T. cap

O Calculated Position

Recorded Data
(xxxx)

DEED
DOC. No. 414921

THEAST OF SECTION 36 TO EAST 1/4 OF SECTION 36= N00°36'08"W 2625.25'

DEED DOC. No. 066235

Land Surveying LLC

) 558-4668

n Circle

343

heets

SCALE IN FEET 1 - 200

SAWYER COUNTY CERTIFIED SURVEY MAP

Located in part of the Northeast Quarter of the Southeast Quarter, of Section 36, Township 42 North, Range 6 West, and part of the Northwest Quarter of the Southwest Quarter, of Section 31, Township 42 North, Range 5 West, in the Town of Spider Lake, Sawyer County, Wisconsin.

SURVEYOR'S CERTIFICATE:

I, Jesse B. Suzan, a Professional Wisconsin Land Surveyor, do hereby certify that by the direction of Tom Larson, I have surveyed, divided, and mapped a parcel located in part of the Northeast Quarter of the Southeast Quarter, of Section 36, Township 42 North, Range 6 West, and part of the Northwest Quarter of the Southwest Quarter, of Section 31, Township 42 North, Range 5 West, in the Town of Spider Lake, Sawyer County, Wisconsin, described as follows:

Commencing at the Southeast corner of said Section 36; thence along the east line of the Southeast Quarter of the Southeast Quarter of Section 36, N00°36'36"W 1312.65' to a brass capped iron pipe at the South 1/16 corner on the east line of Section 36 and the point of beginning; thence along the south line of the Northeast Quarter of the Southeast Quarter of Section 36, N88°42'24"W 1334.12' to a found brass capped iron pipe at the Southeast 1/16 corner of Section 36; thence along the west line of the Northeast Quarter of the Southeast Quarter of Section 36, N00°34'58"W 417.45' to a set iron rod on the southerly right of way of State Highway "77"; thence along said southerly right of way, N83°30'51"E 171.43' to a found iron pipe; thence, S88°23'21"E 400.05' to a found iron pipe; thence, N83°02'56"E 202.20' to a found iron pipe; thence, S88°25'40"E 126.96' to a set iron rod; thence leaving said right of way, S00°35'40"E 225.00' to a set iron rod; thence, S88°25'40"E 400.00' to a set iron rod; thence, N00°35'40"W 222.35' to a set iron rod on the southerly right of way of State Highway "77"; thence along said southerly right of way, S82°50'39"E 73.28' to a found iron pipe; thence, S88°18'50"E 249.65' to a found iron pipe; thence, S65°20'54"E 63.98' to a set iron rod on a meander line of Ghost Creek; thence leaving said right of way and along said meander line, S00°29'41"W 186.78'; thence, S64°12'31"E 528.79' to a set iron rod on the south line of the Northwest Quarter of the Southwest Quarter, of Section 31; thence leaving said meander line and along said south line of the Northwest Quarter of the Southwest Quarter, S89°47'15"W 814.60' to the point of beginning. Containing approximately 736,274 square feet (16.90 acres). Together with all lands lying between the above described meander line, the center of Ghost Creek, and the side lot lines extended to said centerline of Ghost Creek. Subject to all easements, restrictions, and covenants of record.

I also certify that this Certified Survey Map is a correct representation to scale of the exterior boundaries surveyed, divided, and described; that I have complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the Subdivision Ordinance of the Town of Spider Lake in surveying, dividing, and mapping the same.

Jesse B. Suzan
Professional Wisconsin Land Surveyor No. 2635

Date