

ORDINANCE NO.2025-01

An Ordinance Restricting Certain Artificial Wake Enhancement For Kangaroo Lake

WHEREAS, in the interest of public health, safety, and/or welfare, including the public's interest in preserving natural resources, the Town of Jacksonport ("Town") has the authority to enact ordinances covering waters within its jurisdiction if the ordinances are not contrary to or inconsistent with Wis. Stat. Chapter 30, and they relate to the equipment, use, or operation of boats or to any activity regulated by Wis. Stats. § 30.60 - §30.71; and

WHEREAS, The Towns of Baileys Harbor and Jacksonport share ownership of Kangaroo Lake; and

WHEREAS, If there is more than one jurisdiction with authority over an inland lake, an ordinance pertaining to the equipment, use or operation of boats on inland lakes is valid and enforceable per Wis. Stat. § 30.77 (3)(ac)(2.) if the following applies: *"At least 50 percent of the towns, villages and cities having jurisdiction over the lake have enacted an identical ordinance and at least 60 percent of the footage of shoreline of the lake is within the boundaries of these towns, villages and cities; and*

WHEREAS, The Town of Baileys Harbor has enacted Ordinance #2024-03 *"An Ordinance Restricting Certain Artificial Wake Enhancement"*; and

WHEREAS, The Town of Baileys Harbor owns 75.95% of Kangaroo Lake and the Town of Jacksonport owns 24.05% of Kangaroo Lake; and

NOW, THEREFORE, the Board of Supervisors of the Town of Jacksonport, Door County, Wisconsin does hereby approve and adopt the Ordinance as presented by Baileys Harbor, Wisconsin and does ordain as follows:

Section 1. Applicability and Enforcement

The provisions of this ordinance shall apply to the entirety of Kangaroo Lake. This ordinance shall be enforced by all officers of Jacksonport, Door County, Wisconsin and all other individuals empowered to enforce ordinances in the Town.

Section 2. Certain Artificial Wake Enhancement Prohibited

- (1) Prohibited Equipment: No person may use or employ ballast tanks, ballast bags or fins to cause a boat to operate in a bow-high manner, or in a manner 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 continuous operation at transition speed (the speed below planing speed in which a boat is operating in plowing mode).
- (3) Certain Operations Excluded: In no event shall any of the following operations be deemed a violation of the Ordinance, provided such operations do not use or employ ballast tanks, water sacks or wake enhancing fins:
 - i) Water skiing
 - ii) Tubing
 - iii) Brief transition operation to empty a boat of bilge water
 - iv) Brief transition operation of a boat accelerating into a planing condition.

Section 3. Penalty

- (1) Wisconsin state boating penalties as found in Wis. Stat. § 30.80, 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 the Ordinance is not provided under Wisconsin state boating penalties as found in Wis. Stat. § 30.80, any person violating this Ordinance shall forfeit \$500 for the first offense and shall forfeit \$1000 for the second and subsequent offenses within one (1) 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 on the day after the date on which the ordinance is published. It is understood that the Ordinance, to be effective, must also be signposted and provided to the Department of Natural Resources as required by law.

Enacted on January 28, 2025

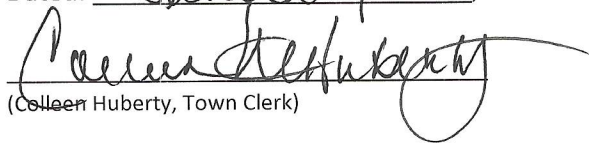
TOWN OF JACKSONPORT


Theresa Cain-Bieri (Town Vice-Chairperson)

CLERK'S CERTIFICATE OF ENACTMENT:

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

Dated: January 28, 2025


(Colleen Huberty, Town Clerk)

Published on _____, 2025 by _____