

ORDINANCE NO. 2026- 07

TOWN OF NOKOMIS, ONEIDA COUNTY, WISCONSIN

AN ORDINANCE RESTRICTING CERTAIN ARTIFICIAL WAKE ENHANCEMENT

WHEREAS, in the interest of public health, safety, and/or welfare, including the public's interest in preserving natural resources, the Town of Nokomis ("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 exists within the Town of Nokomis and the Town of Bradley, Lincoln Co. the entirety of Lake Nokomis;

WHEREAS, there exists within the Town of Nokomis and the Town of Bradley nearly the entirety of the shoreline of Bridge Lake, with a small portion extending into the Town of Woodboro, Oneida Co.; and

WHEREAS, there exists within the Town of Nokomis and the Town of Bradley well over 60% of the shoreline of the Rice River Flowage, with the remainder of the shoreline being in the Town of Little Rice, Oneida Co. and a very minor portion in the Town of Wilson, Lincoln Co.; and

WHEREAS, there exists entirely within the Town of Nokomis certain other lakes;

WHEREAS, artificially enhanced wakes can cause environmental damage to lakes, lakeshore and rivers 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 plans to conduct a public hearing in accordance with Wis. Stats. 30.77(3)(aw); 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 Nokomis, Oneida County, Wisconsin, does hereby ordain as follows:

Section 1. Applicability and Enforcement: The provisions of this ordinance shall apply to:

- i Lake Nokomis,
- ii Bridge Lake,
- iii The Rice River Flowage,
- iv Prairie Lake, Swamp Lake and all other lakes wholly within Nokomis, and
- v All river segments within the Town of Nokomis.

This ordinance shall be enforced by all officers of Nokomis 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 or fins 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 continuous operation at transition speed (the speed below planing speed in which a boat is operating in plowing mode). 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, ballast bags or wake enhancing fins: 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 as follows:

- i For all lakes wholly within the Town and for all river segments in the Town, this ordinance shall become effective the day after publication or posting, and
- ii for Lake Nokomis, Bridge Lake and the Rice River Flowage this Ordinance shall take effect once both the Town and the Town of Bradley have each enacted and published or posted an ordinance, the ordinances being identical within the meaning of Wis Stats 30.77(3)(ac)(2).

Enacted: 07-31-2026, 2026 TOWN OF NOKOMIS

Nate Gaedtke, Chairman,



Bette Stillman, Supervisor, Bette Stillman

Cheyann Wilke, Supervisor, Cheyann Wilke

Dated this 31 day of July 2026

CLERK'S CERTIFICATE OF ENACTMENT

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

Dated: July 31, 2026

Attest: Wendy Smith, Clerk, Wendy Smith