ORDINANCE NO. 2025-001

Town of Blaine, Burnett County, Wisconsin

AN ORDINANCE RESTRICTING CERTAIN ARTIFICIAL WAKE ENHANCEMENT
WHEREAS, in the interest of public health, safety, and/or welfare, including the public&#39;s
interest in preserving natural resources, the Town of Blaine (“Town”) has the authority to enact
ordinances covering waters within its jurisdiction if the ordinances are not contrary to or
inconsistent with Chapter 30, Wis. Stats., and they relate to the equipment, use, or operation of
boats or to any activity regulated by Sections. 30.60 to 30.71, Wis. Stats.; and
WHEREAS, there exist within the Town numerous lakes; and
WHEREAS, artificially enhanced wakes can cause environmental damage to lakes and
lakeshore, including resuspension of sediment adding nutrients to the water and increased risk of
algal blooms, turbidity, shoreline erosion, and threats to aquatic life and waterfowl; and
WHEREAS, boats with ballast systems increase the likelihood of aquatic invasive species
being introduced and spread on lakes; and
WHEREAS, artificially enhanced wakes can damage shoreline, lake bottom, moored boats,
and shoreline structures including docks; and
WHEREAS, operating boats in a stern down manner creates downward prop wash,
disturbing the lake bottom far below the wave zone, 20 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 has conducted a public hearing in accordance with Wis. Stats.
30.77(3)(aw) owing to McGraw Lake being subject to this Ordinance under Wis. Stats.
30.77(3)(ac)2 owing to a small portion of the shoreline extending into the Town of Dairyland;
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&#39;s interest in preserving
natural resources;
NOW, THEREFORE, the Board of Supervisors of the Town of Blaine, Burnett County,
Wisconsin, does hereby ordain as follows:
Section 1. Applicability and Enforcement: The provisions of this ordinance shall apply
to:

i) all lakes and other waters wholly within the Town of Blaine, Burnett County,
Wisconsin; and
ii) to McGraw Lake, which has over 60% of its shoreline in Blaine and the entire
remainder in the town of Dairyland; and
iii) to No Mans Lake, which is shared with the Town of Minong.
This ordinance shall be enforced by all officers of the Town of Blaine 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&#39;s wake.
(2) Prohibited Operation. No person may operate a boat in an artificially bow-high
manner having the effect of increasing the boat&#39;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 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 come into effect as follows:
I. For all lakes and other waters wholly within the town of Blaine and also for
McGraw Lake –upon enactment this Ordinance shall take effect the day after
publication or posting.
II. For No Mans Lake – following enactment by Blaine, this ordinance shall take effect
upon the date on which both Blaine and Minong have both enacted an ordinance
covering No Mans Lake and being substantively identical as regards sections 2-4

above.
Enacted: April 30th, 2025, TOWN OF BLAINE

By Michael C. Metcalf, Town Chairman

CLERK'S CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing Ordinance was duly enacted by the Town of Blaine Board of
Supervisors on the date indicated above.
Dated: April 30th, 2025

Ryan W. Brennan, Town Clerk
Published/Posted on April 30th, 2025 by Ryan W. Brennan.