State of Wisconsin
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July 2, 2025

Town of Schleswig
Manitowoc County

Town of Schleswig
PO Box 204
Kiel, Wisconsin 53042

Subject: **Town of Schleswig Ordinance**
Boating Ordinance Advisory Review

Thank you for submitting for advisory ordinance review the Town of Schleswig boating ordinance, more specifically titled as: ***ORDINANCE 2025-01 - AN ORDINANCE RESTRICTING CERTAIN ARTIFICIAL WAKE ENHANCEMENT***

Wisconsin Statute 30.77(3)(d) requires that local regulations pertaining to the equipment, use or operation of boats on inland lakes shall be subject to advisory review and be submitted to the Department at least 60 days prior to final action. The purpose of the ordinance advisory review is to evaluate the proposed ordinance and identify any inconsistencies within chapter 30.77.

In addition to the submitted ordinance, the Town of Schleswig has provided a separate condition report that serves to outline their reasoning and justification for implementing a more stringent local boating ordinance on the waters within the Township. WI State Statue 30.77 provides the local unit of government the discretion to implement more restrictive local regulations if these ordinances are enacted in the interest of the public's health and safety or enacted in the interest of preserving our state's natural resources. The accompanying condition report serves to document and summarize the township's public safety and natural resource concerns.

Upon review of the attached ordinance, we find it to be consistent with ss. 30.50 to 30.71 of the Wisconsin Statutes and the Department rules adopted to implement those sections. ***This advisory review was drafted by the WI-DNR in accordance with the statutory requirements enumerated within ss.30.77(3)(d) and is not intended or implied to serve as neither support nor opposition to the proposed local ordinance.***

In accordance and in consistency with ss. 30.77, the Town of Schleswig has:

- Submitted a condition report citing public safety/natural resource concerns on lakes throughout the Town of Schleswig.
- The ordinance is limited to those lakes that lie wholly within the township boundaries
- Shared nationwide studies supporting these natural resource concerns of wake enhancement.
- Drafted ordinance language specific "to the equipment, use, or operation of boats..." and avoids explicitly prohibiting a specific type of vessel from operating on the waters within the Town of Schleswig.
- Identified within the condition report, several public safety concerns. These include:
    - Safety to swimmers along the shore and in the open water from the large, generated wakes.
    - Paddle craft safety concerns due to large waves, including potential swamping of pontoons, canoes, and kayaks.
- Identified within the condition report several natural resource concerns. These include:
    - The smaller size and shallow depth of most of the town lakes. The report attributes these lake characteristics as justification for the wake enhancement restrictions.
    - The town has referenced WI-DNR data suggesting the relatively small and shallow nature of their two largest lakes. Those were identified as:
        - Wilke Lake - 93 acres – Maximum Depth 21feet

        - Cedar Like -136 acres - Maximum Depth 21 feet
    - Within the town's condition report they have described heavy involvement in state sponsored AIS and Aquatic Plant management plans, as well as large investments in weed harvester equipment, operational training, staffing, and storage facilities.
    - Lake bottom disruption causing sedimentation dispersal spreading invasive plant/animal species.
    - Invasive species being introduced from outside lakes transported within the vessels ballast tanks.
    - Increased turbidity impacting fish and aquatic insect health through suspended particles within the water column.
- Sent the draft ordinance to the WI-DNR for review prior to implementation.

If you have not already done so, it is advised you consult with your local law enforcement official(s) regarding enforceability of the proposed ordinance, seek public input, and to consult with your legal counsel should you have any legal questions. After an ordinance is signed, a copy must be sent to your Recreation Warden and notice of the ordinance must be posted at all public access sites.

If you have any questions, concerns, or need assistance, please email me at

As outlined in s. 30.77(4), Wis. Stats., no ordinance is valid until it is prominently posted at all access points within your jurisdiction <u>and until a signed copy is received by this office including proof of publication</u>. The posting of local ordinances would only be required for those boating ordinances that are deemed more restrictive than state law.

Please contact me at (262)903-9399, should you have any questions regarding this review.

Sincerely,

Jason Roberts

Recreational Boating Program
WI - DNR Law Enforcement