

Town of Barnes Board Survey:

An advisory Survey asking the question, "Keep" or "Rescind" - The 10 am to 5 pm hours for water ski and jet boat activity- Chapter 8, Section 4 -- Vote to Keep--

As conveyed previously, It is our understanding that the Town of Barnes is proceeding with a thorough and deliberative review of all town ordinances. We applaud and support this effort.

With reference to Chapter 8 section 4, which limits water -skiing and jet -boat operation to the hours of 10 am and 5 pm, they are initiating a survey of Barnes property owners and registered voters for a non-binding, "advisory" vote to rescind or keep Ordinance 8, Chapter 4. Copies of the postcard from the Town of Barnes and letter can be viewed below.

Completed surveys will be sent to the University of Wisconsin Extension Service Bayfield office by April 30th for tabulation. The results are scheduled to be discussed at the May 15, 2018 monthly meeting of the Town of Barnes Supervisors.

The purpose of Chapter 8 is to "provide safe and healthful conditions for the enjoyment of aquatic recreation consistent with public rights and interest and the capability of the water resource", and the ordinance states *"no person shall water ski, operate a motorboat or other power propelled device pulling an object and/or a person, or use a jet ski on the waters herein described after the hour of 5:00 p.m. and before the hour of 10:00 a.m."*

Repealing this ordinance would be inconsistent with our association's mission and contrary to our interests, which are to:

- support activities that preserve the quality of our lakes and shore-lands.
- support actions that enable everyone to enjoy our lakes safely.

The Friends of Eau Claire Lakes Area Board of Directors has carefully considered the benefits and drawbacks of the decades-old 10 am to 5 pm waterskiing and jet boat operation ordinance and ask you to consider the following:

- A fair plan limiting waterskiing to the hours of 10AM to 5PM was incorporated into Barnes and Gordon ordinances in the 1960s and 1970s after thorough

evaluation. This ordinance has been frequently and regularly reconsidered over the decades by the public, service organizations and the town. Surveys conducted by the Town of Barnes in 2004 and by FOECLA in 2016 have shown that a consistent majority favor keeping the waterskiing & jetskiing hours as 10am to 5pm.

- Fairness in the use of the Eau Claire Lakes and surrounding lakes for water-sports, fishing and enjoyment of its beauty is required because they are public resources and the public has conflicting interests. Restricting water-skiing to 10 am to 5 pm leaves roughly half of the daylight hours to fishing, quiet water-sports and enjoyment of the quiet beauty of the lakes.
- High speed water-skiing and jet-skiing can fragment, disperse and spread invasive aquatic plants, can reduce water clarity, can damage the lake bottom and shorelines.
- The northern Wisconsin lakes and streams of the Eau Claire Lakes Area have been pristine, need protection . The cabin-dwellers, lake users and our fishing and tourism-based economy depend on it.
- There are published peer reviewed papers that demonstrate reduced water quality leads to reduced property values.
- The Wisconsin DNR has failed to give support to changing the 10 AM-5 PM water-skiing and jet-boat operation hours ordinance unless both the towns Gordon and Barnes agree on making a change.
- Contrary to comments made, ordinances such as number 8 are enforceable.
- Our position continues to be that of maintaining the ordinance as currently written. We adopted this position at the direction of a majority of our membership who responded to our April 2016 survey.

If you receive a Town of Barnes survey, we ask that you participate in the survey and carefully consider the ramifications of altering this ordinance. We ask that you vote to keep the ordinance. We also encourage you to contact the members of the Town of Barnes Board. You can find the contact information at: www.barnes-wi.com. It is important that you attend the Annual Meeting of the Town of Barnes on April 17, 2018 and the monthly Town of Barnes board meeting on May 15, 2018. If you have any questions about the survey or the importance of voting to "keep" or "rescind" the ordinance please contact us via eauclairefriends@gmail.com or Cris Neff (cneff86@gmail.com) or Ted Eastlund (tedeast@centurylink.net)

We ,with other members of the community, will continue to request that the Barnes Town Board consider appointing an ad hoc water safety committee that would provide a neutral forum for public input and dialogue so that varying interests and perspectives could be shared, considered and discussed in a constructive and productive manner. This ad hoc committee could be charged with the following:

- Research options for establishing a Water Safety Initiative and enforcement plan to ensure the safety of all who enjoy spending time on our lakes.
- Provide the Town Board and taxpayers with well-researched enforcement options, including information on costs, personnel, and equipment needs. Include possible implementation strategies, with concrete "examples of programs" (such as a Town Water Safety Patrol), and a description of potential funding sources.
- Explore the feasibility of establishing a standing Water Safety Committee to make recommendations as needed to the Town Board on issues related to the safe and responsible use of the lakes. This committee would function in a manner similar to the Town of Barnes AIS Committee.
- Such a committee could be structured to also obtain and provided input from and to the Town of Gordon.

The exceptional quality and beauty of our lakes and lakeshores is not an accident. Over the years, they have benefited from the careful consideration and actions of local governments, taxpayers, and lake users. We are most appreciative of their efforts, and we hope all stakeholders will continue to work together for the betterment of our natural resources so they can be enjoyed by future generations.



USA FOREVER

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TOWN OF BARNES SURVEY
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ADVISORY SURVEY TO ASSIST THE TOWN OF BARNES TOWN BOARD

Please read the enclosed Ordinance, complete questions and mail by April 30, 2018.
Responses postmarked after April 30th will not be included in results.

“Should the Town of Barnes Town Board rescind or keep the present
Town Boating & Water Safety Ordinance (enclosed)?” (check one)

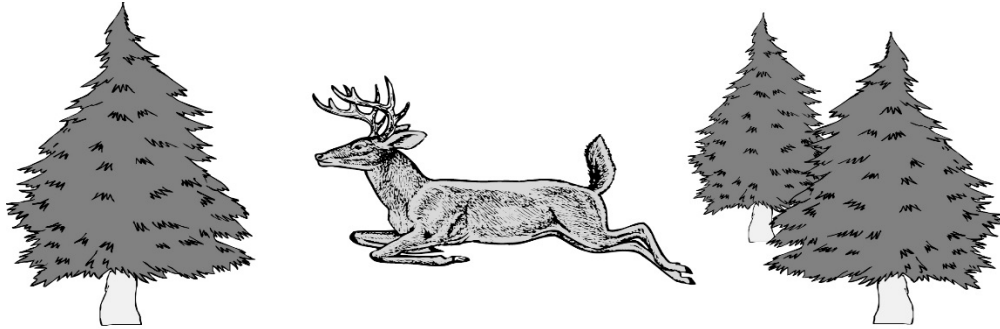
Rescind Keep No Opinion

Are you a: (check one)

Year-round Property Owner Residing in the Town of Barnes (voting resident)

Year-round Renter Residing in the Town of Barnes (voting resident)

Non-resident Property Owner in the Town of Barnes (nonvoting, non-resident)



TOWN OF BARNES

Dear Resident/Property Owner:

The Town of Barnes Town Board would like to hear your opinion on whether to rescind or keep Ordinance Chapter 8, Boating and Water Safety. Please read the Ordinance below, then mark your preference on the enclosed postcard and mail it. The UW-Extension Bayfield County office has agreed to tabulate the results. This is an advisory survey only; not a vote.

Regardless of whether this ordinance is kept or rescinded, the State of Wisconsin water safety and boating laws still apply. You can search the statutes at <https://docs.legis.wisconsin.gov/statutes>. Please mail the postcard by April 30th. The results will be tabulated and provided to the Town Board to be reviewed. The results will be discussed at the board meeting scheduled for May 15, 2018.

**TOWN OF BARNES CHAPTER 8 ORDINANCE
BOATING & WATER SAFETY**

- 8-1 8-1 Purpose.
- 8-2 8-2 Applicability and Enforcement.
- 8-3 8-3 State Boating and Water Safety Laws Adopted.
- 8-4 8-4 Ski Jet and Water Skiing Restrictions.
- 8-5 8-5 Forfeiture and Penalties.

SEC. 8-1 PURPOSE.

The purpose of this ordinance is to provide safe and healthful conditions for the enjoyment of aquatic recreation consistent with public rights and interest and the capability of the water resource.

SEC. 8-2 APPLICABILITY AND ENFORCEMENT.

The provisions of this Ordinance shall apply to all the waters located within the exterior boundaries of the Town of Barnes. The enforcement provisions of this Ordinance shall be by the Constable of the Town of Barnes.

SEC. 8-3 STATE BOATING AND WATER SAFETY LAWS ADOPTED.

The statutory provisions describing and defining regulations with respect to water traffic, boats, boating and water related activities and safety in the following enumerated sections of the Wisconsin Statutes, for which the penalty is a forfeiture only, including penalties to be imposed and procedure for prosecution, are hereby adopted and incorporated by reference by the Town of Barnes and made part of this ordinance as if fully set forth herein.

Wis. Stat. Section	Title
30.50	Definitions
30.66	30.66 Speed Restrictions
30.67	30.67 Accidents and Accident Reports
30.68	30.68 Prohibited Operation
30.681	Intoxicated Boating
30.69	30.69 Water Skiing

SEC. 8-4 SKI JET AND WATER SKIING RESTRICTIONS.

No person shall water ski, operate a motorboat or other power propelled device pulling an object and/or a person, or use a jet ski on the waters herein described after the hour of 5:00 p.m. and before the hour of 10:00 a.m.

SEC. 8-5 FORFEITURES AND PENALTIES.

The forfeitures and penalties provided for in this section shall be applicable to violations of Section 8-4 of this Ordinance.

- (a) (a) Violation of this ordinance shall be in accordance with the schedule of deposit, which are now in existence and as may be amended from time to time in the future, plus any applicable assessments, costs, fees and penalty enhances now in force in the Bayfield County Circuit Court, or as enforced in the future.

