

MANAGING PIERS AND WHARVES

(fact sheet #11 of the Shoreland Management and Lake Classification Series)

ISSUE:

Definitions: A **pier** is “a structure extending into navigable waters from the shore with water on both sides, built or maintained for the purpose of providing a berth for watercraft or for loading and unloading cargo or passengers onto or from watercraft. This structure may include a boat shelter which is removed seasonally and may include a boat hoist or lift.” A **wharf** is a structure “extending along the shore (generally connected to the uplands throughout its length), built or maintained for the purpose of providing a berth for watercraft or for loading or unloading cargo or passengers onto or from watercraft. Such a structure may include a boat shelter which is removed seasonally and a boat hoist or boat lift” (Wis. Stats. § 30.01(5),(8)).



The management of piers and wharves has the potential to:

- ❖ Reduce user conflicts and maintain boating densities consistent with the carrying capacity of the water.
- ❖ Minimize adverse human impacts in the sensitive near shore zone within the waterway.
- ❖ Enhance the natural beauty of the shoreline.
- ❖ Protect water quality by minimizing potential for debris, sediment and other miscellaneous objects from entering the waterway.

MINIMUM STATE STANDARD

Local authority to manage piers and wharves in navigable waterways:

A municipality (e.g. town, village, city or county) may enact ordinances not inconsistent with state law relating to the construction and location of piers, wharves and swimming rafts located within or attached to land within that municipality (Wis. Stats. § 30.13(2)). Municipalities may adopt pier ordinances with standards which are stricter than state law.

State law relating to pier, wharf and swimming raft placement in navigable waters:

- ❖ Piers shall not be constructed so as to interfere with the rights of other waterfront owners
- ❖ Piers shall not unreasonably obstruct navigation or otherwise interfere with public rights in navigable waters.
- ❖ A pier shall not totally enclose any portion of a navigable waterway.
- ❖ Piers shall not interrupt the free movement of water nor cause land to be deposited on bed of the water.
- ❖ Piers shall not extend out into the water beyond the line of navigation (meaning the three foot depth contour or a greater depth contour if required for boats using that waterway) or the length of the boat using the pier.
- ❖ Swimming rafts should not interfere with public rights in navigable waters nor the rights of other waterfront owners (riparians). Swimming rafts should be placed within 200 feet of shore (Wis. Stats. § 30.13(1-1m)).

*Note: The Pier Planner, a DNR publication, should be consulted for additional guidelines on implementing state law. Some of these additional standards are covered below.

OPTIONS:

Management possibilities are presented in the table below.

EXAMPLE:

With a lake classification project, a county may impose different standards on piers and wharves falling within different waterway classes. The table below presents a list of standards (along the left) and hypothetical classes (along the top) of the table. A county may then select certain standards provided they are not inconsistent with state law.

Potential Issues Addressed by a Municipal Pier Ordinance			
Issue	Class 1 (most protected)	Class 2	Class 3 (least protected)
Dimension Standards: <i>length</i>	The greater of: a) distance to 3' waterdepth contour b) length of your boat c) distance to depth required by boat.	The greater of: a) distance to 3' water depth contour b) length of your boat c) distance to depth required by boat.	The greater of: a) distance to 3' water depth contour b) length of your boat c) distance to depth required by boat.
<i>width</i>	less than or equal to 4 feet	less than or equal to 4 feet	less than or equal to 4 feet
Accessory construction Seasonal boat shelters are permissible.	No decks, platforms, roofs, water slides, canopies or other construction not essential for mooring watercraft	No decks, platforms, roofs, water slides, canopies or other construction not essential for mooring watercraft	No decks, platforms, roofs, water slides, canopies or other construction not essential for mooring watercraft
Location	-piers located directly waterward of view corridor -no pier or wharf placement within 10 ft of shared riparian boundaries.	-piers located directly waterward of view corridor -no pier or wharf placement within 10 ft of shared riparian boundaries.	- piers located directly waterward of view corridor -no pier or wharf placement within 10 ft of shared riparian boundaries.
Density standards	No. of berths and moorings <i>shall not exceed 2 per minimum shoreline frontage for lake class.</i>	No. of berths and moorings <i>shall not exceed 2 per minimum shoreline frontage for lake class.</i>	No. of berths and moorings <i>shall not exceed 2 per minimum shoreline frontage for lake class. One additional berth or mooring permitted for next 50 ft.</i>
Neutral color	x	x	x
Construction materials See pier planner for appropriate standards	x	x	x
Ecologically significant areas designated/no pier or wharf construction.	x	x	x
Swim rafts	No	No	Permitted

References and other sources of assistance:

O'Connor, William. 1995. Pier Law and Regulations in Wisconsin. Wisconsin Lakes Partnership-WAL, Stevens Point.
 O'Connor, William. 1996. A Model Local Ordinance to Regulate Piers, Wharves and Berths in Wisconsin. WAL, Stevens Point.
 For an example of a county pier ordinance, contact: **Oneida County:** Steve Osterman (Zoning Administrator) (715/369-6130)

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For more information, contact your regional Department of Natural Resources lake coordinator, the Wisconsin Association of Lakes [800/542-5253] or UWEX/UW-Stevens Point [715/346-2116].