

1989 Senate Bill 441

Date of enactment: **April 12, 1990**
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1989 WISCONSIN ACT 217

AN ACT to create 30.131 of the statutes, relating to: wharves and piers placed and maintained on riparian land.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 30.131 of the statutes is created to read:

30.131 Wharves and piers placed and maintained by persons other than riparian owners. A wharf or pier of the type which does not require a permit under ss. 30.12 (1) and 30.13 that abuts riparian land and that is placed in a navigable water by a person other than the owner of the riparian land may not be considered to be an unlawful structure on the grounds that it is not placed and maintained by the owner if all of the following requirements are met:

(1) The owner of the riparian land or the owner's predecessor in interest entered into a written easement that was recorded before December 31, 1986, and that authorizes access to the shore to a person who is not an owner of the riparian land.

(2) The person to whom the easement was granted or that person's successor in interest is the person who places and maintains the wharf or pier.

(3) The placement and maintenance of the wharf or pier is not prohibited by and is not inconsistent with the terms of the written easement.

(4) The wharf or pier has been placed seasonally in the same location at least once every 4 years since the written easement described in sub. (1) was recorded.

(5) The wharf or pier is substantially the same size and configuration as it was on the effective date of this subsection [revisor inserts date], or during its last placement before the effective date of this subsection [revisor inserts date], whichever is later.

(6) The placement of the wharf or pier complies with the provisions of this chapter, with any rules promulgated under this chapter and with any applicable municipal regulations or ordinances.
