

# Wisconsin's Pier Regulations



## *Everything you need to know for 2008*

On April 16<sup>th</sup>, 2008, new legislation concerning the placement of piers on Wisconsin Waterways went into effect. Piers have been a hot topic in the news since 2004 when the Wisconsin Legislature updated the regulations by setting size requirements for piers to be exempt from permitting. The new 2008 legislation expands the configuration options for piers to be exempt, provides greater flexibility in the number of boat slips permitted for commercial and multifamily lots, and creates a registration system to grandfather certain pre-2004 piers that no longer meet today's standards. Historically and still today, most piers do not require a permit or a fee from the Department of Natural Resources.

### **Sizes for an Exempt Pier**

**Width** – Maximum 6 feet wide for the pier. If the pier is not located in an Area of Special Natural Resource Interest a maximum 8 feet long by 8 feet wide loading platform or deck is allowed at the end of a pier

**Length** – The length needed to moor your boat or use a boat lift, or 3-foot water depth, which ever is greater

**Location** – Does not interfere with the rights of other riparian owners

**Number of Boats** – 2 for the first 50 feet of frontage, 1 for every additional full 50 feet.

**Even more piers are “exempt”, meaning no permit, registration, or fee is required.**

Most piers do not trigger the need for any action, registration or application for a permit. An existing or new pier can be placed without a DNR permit or fee, if it meets the standard dimensions (see inset), and a few other requirements. All the exemption requirements are described in DNR's brochure “Pier Planner” (DNR publication #FH-017), available at [dnr.wi.gov](http://dnr.wi.gov). A 2005 DNR study showed that more than 85% of all existing piers already meet these requirements, so most waterfront owners have exempt piers and don't need to do anything differently!

**If your pier is not exempt, but you had the pier before 2004...go ahead and enjoy your pier again this summer.** Keep doing what you've been doing – just don't expand or modify the pier you had before 2004. Most piers that are not exempt (see inset) are eligible to be grandfathered through a one-time free registration process. To be eligible for registration piers must:

- Have been placed before Feb. 6<sup>th</sup>, 2004.
- Have a main stem that is a maximum 8 feet wide.
- Have a loading platform at the end of the pier that is a maximum of 200 square feet or a maximum of 300 square feet if it's 10 feet wide or less
- Not interfere with the rights of other riparian owners.

All existing piers that meet these criteria must be registered with the DNR by April 1, 2011. A 2005 DNR study showed that around 10% of all existing piers that do not meet the exemption criteria already meet the grandfather requirements, so most waterfront owners that do not have exempt piers will need to register.

Of course you can also choose to modify your pier so it's exempt; if you want to be sure you won't need to register your pier.

**If you have an existing pier with a large deck on it . . .** your deck is likely causing harm to habitat, navigation or your neighbor. None of the recent law changes grandfather piers that are over 8 feet wide or piers with loading platforms or decks that are over 300 sq feet and 10 feet wide. If your pier falls into one or both of those categories you should downsize your pier to meet the new basic exemption standards (which would require you to do nothing with the Department) or downsize your pier to meet the grandfather standards and register. You may also apply for an individual permit to keep your pier. Please be aware that applying for a permit is not a guarantee that you will be able to keep your pier in its current configuration. Some of the very large “party platforms” will need to be downsized to reduce their harmful impacts.

**For new piers . . .** follow the requirements described in the “Pier Planner” to be sure your pier is exempt. New piers can be installed without a permit if they meet the exemption standards. Grandfathering will not apply to piers first installed after Feb, 6<sup>th</sup>, 2004, so these new piers should not have large decks or extra boats. Its important to follow today’s requirements for new piers in order to be exempt. Permits are required for piers that are larger than the dimensional standards or have more boats.

**If you already have a DNR permit for your piers or pier . . .** it’s still good. Just continue to follow the terms and conditions of that original permit.

**If you are selling your waterfront property . . .** and your pier is exempt, the new owner can place the same pier and they won’t need a permit either. If you received a permit or registered your pier, the permit and registration automatically transfers with the property, so the new owner can simply follow the conditions of the original permit or registration. If the new owner wants to install a different pier, they can design it to be exempt, or obtain a permit if they need something different.

**If you are thinking about replacing your pier . . .** and you’re going to follow the exemption requirements, go ahead. If your existing pier doesn’t meet these requirements, it’s a good time to consider a different pier design that meets the dimensions to be exempt and minimizes impacts on the lake or river.

**FLAGS, FLOWERPOTS AND BENCHES** are all fine to have on a pier.

**DNR has never required a waterfront owner to remove their pier . . .** and we don’t intend to start now. We’ll continue to provide information about the requirements, investigate complaints, and work cooperatively with owners to come up with reasonable solutions so every waterfront can enjoy navigational access and be in compliance with state laws. Once additional law changes are complete, clear definitions, procedures and standards will make it easy for everyone to follow the rules, and maintain the quality of our state’s water resources for all to enjoy.

**Piers can cause  
“Side Effects”**

**Navigation** – Piers that are too long or have many boats can block other users’ enjoyment of the waterway.

**Habitat** – DNR research shows that large decks on piers block growth of aquatic plants. These plants are an important food source for fish and wildlife, and prevent algae growth.



To learn more about piers and other issues important to waterfront owners, and to find brochures and application forms, visit DNR’s website at:

<http://dnr.wi.gov>  
**TOPICS: Piers**