

ORDINANCE NO 2025-13

**AN ORDINANCE TO RECREATE SECTION 175-8F OF THE TOWN OF
OCONOMOWOC MUNICIPAL CODE TO RESTRICT THE USE OF AERATORS ON
THE LAKES**

WHEREAS, in the interest of public health, safety, or welfare, the Village of Lac La Belle has the authority to enact ordinances related to the use and operation of “Aerators” on inland lakes;

WHEREAS, the frozen surface of the lakes within the Village of Lac La Belle is frequently enjoyed by snowmobilers, UTV/ATV riders, cross-country skiers, snowshoers, and other outdoor and recreational enthusiasts;

WHEREAS, the use of aerators on the lakes to dissipate or block ice from forming on the lakes presents a public health, safety and welfare issue for people utilizing the frozen surfaces of the lake;

WHEREAS, it is the intent of these regulations to provide for the safe and healthful use of the inland lakes (lakes and rivers) located solely within the Village of Lac La Belle pursuant to the grant of authority under the police power of the Village;

WHEREAS, the Village Board has determined that it is necessary to regulate the use of Aerators upon inland waters within the Village of Lac La Belle to protect the health and welfare of the Village of Lac La Belle, its citizens, and those who use and enjoy inland waters within the Village of Lac La Belle;

WHEREAS, the Village of Lac La Belle hereby adopts the following restrictions on the use or operation of Aerators on inland lakes;

NOW, THEREFORE, the Board of Trustees of the Village of Lac La Belle, Waukesha County, Wisconsin, does hereby ordain as follows:

Section 1. Create Section 175-18 of the Town of Oconomowoc Municipal Code is hereby created to **read as follows**:

175-18. Use of Aerators on Inland Lakes.

- A. The purpose of this chapter is to protect the public health, safety and welfare from the potential adverse effects which may arise from the use of aerators on inland lakes (lakes and rivers) in the Village of Lac La Belle. The Village of Lac La Belle Board recognizes and concludes that the proper and safe use of lakes and rivers in the Village of Lac La Belle is desirable to maintain the physical, ecological, cultural and aesthetic characteristics of such lakes and rivers, their shorelines and the rights of riparian owners and users as well as the Village as a whole, and to promote the public health, safety and welfare of all persons making use of lakes and rivers within the Village of Lac La Belle. Accordingly, it is the intent and purpose of the Village Board to adopt reasonable regulations for the removal of ice and the use of aerators in lakes and rivers in the Village of ac La Belle.

- B. Scope and Application. The terms and provisions of this chapter shall be interpreted and applied as minimum standards and requirements for the promotion and protection of the public health, safety, and welfare and for the public peace and preservation of natural resources and public and private property within the Village of Lac La Belle.
- C. Definitions. "Aerator" means any device or equipment used on Village lakes which affects the water's surface by supplying or inducing air into water to prevent or inhibit the natural formation of ice on the water's surface.
- D. Aeration Safety Regulations. Aerators that prevent the natural formation of ice to occur must be removed prior to the November 15th of any given year and may not be reinstalled until April 15th or later of any given year.
- E. Penalties and Enforcement.
 1. General Penalty. Except as otherwise provided, any person who shall violate this chapter shall upon conviction thereof forfeit not less than \$100.00 nor more than \$250.00 together with the costs of prosecution.
 2. Continuing Violations. Each violation and each day a violation continues shall constitute a separate offense and shall be punishable as such.

Violation of this chapter shall be deemed a nuisance, irrespective of how that term is defined elsewhere in this code. Nothing in this chapter shall preclude the Town from maintaining any appropriate action, including seeking injunctive relief from a court of competent jurisdiction to prevent or remove a violation of any provision of this chapter.

Section 3. Severability. Should any portion of this Ordinance or the affected Code Section(s) be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder shall not be affected.

Section 4. Effective Date. Upon adoption, this Ordinance shall take effect the day after publication or posting.

DATED: 11-3-25

VILLAGE OF LAC LA BELLE

By: Robert C. Hultquist
Robert C. Hultquist, President

ATTEST:

Lori Opitz
Lori Opitz, Clerk

Date Adopted: 11-3-25
Date Published: 11-3-25
Effective Date: 11-3-25