

ORDINANCE NO. 11-01-10-02

An Ordinance Creating Sections 17-7(15) and 18-36 and Amending Section 18-17 and repealing Section 18-99 of the Municipal Code for the Village of Fontana-on-Geneva Lake.

The Village Board of the Village of Fontana-on-Geneva Lake, Walworth County, Wisconsin, do ordain as follows:

SECTION 1.

Sec. 17-7(15) of the municipal code of the Village of Fontana-on-Geneva Lake is hereby created to read as follows:

Sec. 17-7(15). Pyramiding Prohibited.

(a) No subdivision, condominium, or other development shall be approved that creates riparian rights in land which, prior to said subdivision, condominium or other development, was land which did not have riparian rights.

SECTION 2.

Sec. 18-17 of the municipal code of the Village of Fontana-on-Geneva Lake is hereby amended, as follows:

Sec. 18-17. Definition of Pyramiding.

(a.) *Pyramiding defined.* The act of obtaining, providing, conveying or permitting riparian rights or uses to benefit non-riparian land, including land development which includes an expansion, conveyance, assignment or contract whereby riparian rights may be utilized by non-riparian lands. Publicly owned land and public access points shall not fall within this definition.

SECTION 3.

Sec. 18-36 of the municipal code of the Village of Fontana-on-Geneva Lake is hereby created to read as follows:

Sec. 18-36. Pyramiding Not Permitted.

(a) *Pyramiding not permitted.* No lakeshore lot or tract of land shall be used, occupied, subdivided into lots or outlots, condominiumized, sold, leased, or otherwise transferred or disposed of, nor shall any easement or interest therein be created, so as to convey riparian use of or access to Geneva Lake or any waterway connected therewith, to any offshore land, including lot(s) or outlot(s) in a subdivision, condominium or development. Doing so would be considered pyramiding which shall not be permitted.

(b) *Exceptions.* This Section shall not be deemed to restrict in any manner any publicly owned land or access points to Geneva Lake or waterway connected therewith. This Section shall not be deemed to prohibit a lease agreement whereby a tenant is granted use of property for use as a single-family residence if said lease precludes recreational access to the lake or use of riparian rights by the owner or owners throughout the term of the tenancy. Publicly owned land or public access points, public utility easements or patrons of a commercial use shall not fall under the requirements of this Section.

SECTION 4.


Sec. 18-99 of the municipal code of the Village of Fontana-on-Geneva Lake is hereby repealed in its entirety.

EFFECTIVE DATE: This ordinance shall be in full force and effect upon and from its passage, approval and publication as required by law.

PASSED AND ADOPTED by the Village Board of the Village of Fontana-on-Geneva Lake, Walworth County, Wisconsin this 1st day of November, 2010.

VILLAGE BOARD OF THE VILLAGE
OF FONTANA-ON-GENEVA LAKE

By: 
Arvid E. Petersen, Village President

Attest: 
Dennis Martin, Village Clerk