

Citations Dismissed  
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The multiple citations issued to the Lake Management District and the Lauderdale Aqua Skiers by Walworth County in 2008 were all dismissed by the Circuit Court and the dismissal was upheld last week by the Court of Appeals. At issue was the use of the property, which is owned by the Lake District. Attempts were made to curtail both municipal and public activities through citations involving allegations of insufficient public parking, placing temporary structures on the property and public assemblage. Here are further details.

The Court of Appeals decision, dated November 4, 2009, upholds the trial court decision in favor of the Lauderdale Lake District and Lauderdale Aqua Skiers. The Lake District and ski team have defended their right to use district-owned property on Don Jean Bay adjacent to the Lauderdale golf course since 2006. This is the same property where the Lake District docks the weed harvesting equipment and one of the water safety patrol boats. This is also the site of the annual 4th of July fireworks display.

According to court records, “In 2006, William Kochlefl, who owns a seasonal residence adjacent to the district’s property (on Don Jean Bay) started complaining to Walworth County officials about the water ski shows. Complaints continued and in 2008 multiple citations were issued, as noted above, to the Lake District and the ski team by Walworth County.”

In a January 2009 trial in the Circuit Court, the Lake District and ski team defended their rights to use this property. The court ruled in favor of the District and ski team stating that allowing the public to view ski shows from the golf course property is legal. Walworth County then appealed the Circuit Court decision to the Court of Appeals in Waukesha.

The District defended its position on this property because it was clear that the other uses, public and municipal, were at risk. Our use of this site for the weed harvesting and water safety patrol is critical for the continued operation of these important public services.

On a separate but related topic, the Lake District would like to erect some non-conforming board walks on the aforementioned property and was seeking a variance from the Walworth Zoning Department for these board walks. We have just been informed that our request for the variance has been denied. We are considering our options in response to this disappointing decision.