

CATO TOWNSHIP
ORDINANCE NO. 27-1
BUBBLERS ORDINANCE

Cato Township ordains:

Section 1. Title.

This Ordinance shall be known and may be cited as the “Cato Township Bubbler Ordinance.”

Section 2. Purpose

The purpose of this ordinance is to promote the health, safety and welfare of the residents of Cato Township by prohibiting the use of bubblers or other ice-retardant systems on all waterfront properties on inland lakes within Cato Township. The Township Board finds that these regulations are necessary to:

- A. prevent or avoid impairment of important irreparable natural resources, namely the inland lakes in Cato Township;
- B. avoid or prevent impairment of property values of lands adjoining said inland lakes;
- C. protect the public health, safety and welfare of the users of the lakes and winter navigability of the lakes;
- D. minimize or reduce the dangers from the use of ice-retardant systems and bubblers in the lakes to persons using the lakes and riparian property owners

Section 3. Definitions

- A. Ice-retardant System or Bubbler: A mechanical device(s) or a series of mechanical devices, whether automatically or manually operated, that is designed, intended or functions to retard, interrupt, stop, slow down or prevent the formation of ice in or around inland lakes or to break up any ice surrounding or adjacent to any boat, vessel, pier, dock, or seawall. Said devices utilize as their mode of operation one or more of the following mechanisms: pumped air, artificial water turbulence, other motion to weaken or prevent ice, or the addition of heat to the lake.
- B. Inland Lake: Tamarack and Townline Lakes and Lake Forest as well as their waters, ice, shores and bottomlands.

Section 4. Regulations

No person shall operate an ice-retardant system or bubbler on or in an inland lake in Cato Township from October 15 through April 15.

Section 5. Violations and Penalties

Violations of the provisions of this constitute a civil infraction and a nuisance per se. Any person who is found responsible or admits responsibility for a civil infraction shall be subject to a civil fine and costs. The civil fines are set by Resolution of Cato Township. Further, the judge or district court magistrate shall summarily tax and determine the costs of the action, which are not limited to the costs taxable in ordinary civil actions and may include all expenses, direct and

indirect, including attorney fees, to which the plaintiff has been put in connection with the civil infraction, up to the entry of judgment. However, in no case shall costs of more than \$500.00 be ordered. Each day that a violation occurs shall be considered a separate offense.

In addition to any other remedies that may be available under this Section, Cato Township may commence proceedings in a court of proper jurisdiction to enjoin or abate a violation of this Ordinance. Such proceedings must be governed by the applicable statutes and court rules of the State of Michigan and may include compensating Cato Township for its costs and reasonable attorney's fees.

Section 6. Validity and Severability

Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance. To the extent the provisions of this Ordinance conflict with any provisions in other Cato Township Ordinances, the provisions in this Ordinance shall control.

Section 7. Repealer

All other ordinances inconsistent with the provisions of this Ordinance are hereby repealed but only to the extent necessary to give this Ordinance full force and effect.

Section 8. Effective Date

This Ordinance shall be published and take effect thirty days after publication as provided by law.

Approved this 14th day of September, 2026.