

ORDINANCE NO. 3726

**ORDINANCE APPROVING CONTROLLED DEER HUNTING WITHIN SPECIFIED PORTIONS OF THE LAKE LOU YAEGER RECREATION AREA FOR PURPOSES OF MAINTAINING A HEALTHY WILDLIFE POPULATION**

WHEREAS, the City of Litchfield, Montgomery County, Illinois (hereinafter "City"), is a non-home rule municipality duly established, existing and operating in accordance with the provisions of the Illinois Municipal Code (Section 5/1-1-1 et seq. of Chapter 65 of the Illinois Compiled Statutes); and

WHEREAS, City has determined that, without many natural predators present, the Lake Lou Yaeger Recreation Area ("LLYRA") now has a higher, and potentially dangerous, concentration of deer residing within its borders; and

WHEREAS, City has determined the probability for a mass disease outbreak from deer overpopulation, as well as car accidents from deer strikes in and around LLYRA, may increase if the deer herd is not thinned; and

WHEREAS, City has determined the best way to keep the deer heard healthy and reduce the likelihood of the public striking a deer with their vehicle is to reduce the number of deer through controlled hunting in specific portions of LLYRA; and

WHEREAS, City has determined it to be in the best interests of public health, safety, general welfare, and economic welfare to authorize limited and controlled hunting of deer in specific portions of LLYRA; and

WHEREAS, the Mayor is authorized and directed to execute any documents necessary to permit limited and controlled hunting of deer in specific portions of LLYRA.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LITCHFIELD AS FOLLOWS:**

*Section 1.* The foregoing recitals are incorporated herein as findings of the City Council of the City of Litchfield, Illinois.

*Section 2.* City Code, Chapter 96 – Lake Lou Yaeger; Regulations, Section 96.300, Deer Hunting Regulations, shall be amended to state:

Chapter 96. – Lake Lou Yaeger; Regulations

DEER HUNTING REGULATIONS

Sec.96.300 – Deer Hunting Regulations.

## ***Lake Lou Yaeger Recreational Area (LLYRA)***

### **Rules & Regulations for Controlled Hunting Areas**

- Ten (10) licensed hunters will be provided a City Hunting Permit via a lottery process
- Ten (10) licensed youth hunters will be provided a City Hunting Permit via a lottery process
- Hunting will take place during seasons set by the State of Illinois
- To be eligible for a youth hunter permit, interested hunters must:
  - Possess a current, valid Youth Deer Hunt Permit and an apprentice or youth hunting license, or must have completed a state-approved hunter education course and have a valid hunting license
  - Have not reached their 18<sup>th</sup> birthday prior to the opening date of the season
  - Be accompanied by a non-hunting, validly-licensed (IL Hunting License) adult who is 21 years of age or older and has a hunter education certificate
  - Possess a valid deer tag issued by the State of Illinois for the proper season
  - Understand and be willing to follow all State and Federal Laws & Regulations governing hunting in the State of Illinois
- To be eligible for a licensed hunter permit, interested hunters must:
  - Possess a valid Illinois Hunting License for the proper season
  - Possess a valid deer tag issued by the State of Illinois for the proper season
  - Understand and be willing to follow all State and Federal Laws & Regulations governing hunting in the State of Illinois
- Archery will be the only method approved for hunting deer in the Controlled Hunting Areas.
- **Firearms are not permitted for use.**
- **ATV's may not be used to access deer stands.** They may only be used to retrieve a harvested deer. Please make every effort to avoid making ruts in the East Controlled Hunting Area.
- All hunters are **required to take a doe from the Controlled Hunting Areas before they may take a buck.** They must report their harvest to the Litchfield Lake Department within 24-hours so that we may track the program's success. **Lake Department – (217) 324-5832**
- A map of the Controlled Hunting Areas has been created for reference. While it provides a general outline of the Controlled Hunting Area boundaries, it does not necessarily provide a final say of where hunting is permitted. The hunter is fully responsible for making sure that s/he is not on the privately-owned land of another without that landowner's permission.
- Hunters shall understand that recreational activities will not be deterred due to hunting and are encouraged to use caution and best safety practices while hunting. Hunters are expected to know their backdrop and to use common sense along with their best judgement when choosing a location to set up within the boundaries.
- Informational bulletins will be posted throughout the park in different locations to advise visitors to be aware of active hunting within restricted areas near the trails during the hunting season.
- Hunters are required to provide the permit granted to them by the City of Litchfield when encountering Illinois Conservation Officers or City Officials to show that they have permission to be hunting within the Controlled Hunting Areas.
- Hunters shall place a provided placard in the window of their vehicle where it is clearly visible to passersby notifying them that they are actively hunting the Controlled Hunting Area when parking their vehicle during their hunting activities in the Controlled Hunting Areas.
- The City of Litchfield and representatives thereof reserve the right to terminate any permits granted at any time for any reason without dispute.

#### Sec. 96.301 – Deer Hunting Map

A map will be available to ensure that hunters licensed through this Chapter hunt on the property designated for said property. By accepting a license, and hunting deer at LLYRA under this Section of the City Code, all hunters assume all responsibility for staying within the designated hunting area, and assume all responsibility for safely hunting said area.

#### Sec. 96.302 – Indemnity and Hold Harmless of City by Deer Hunters at LLYRA

By accepting the license to hunt deer at the LLYRA, all licensed hunters (or their guardians in the case of an underage hunter) under this Code Section (“Hunters”) agree in no event will City of be liable for any special, direct, indirect, consequential, or incidental damages, or any damages whatsoever, whether in an action of contract, negligence, intentional tort, other tort, or any cause of action of any kind, in law or equity, arising out of or in connection with Hunter’s conduct while hunting at LLYRA.

By accepting the license to hunt deer at the LLYRA, all Hunters shall indemnify and hold harmless the City, its agents, officers, lawyers, and employees against all injuries, deaths, losses, damages, claims, suits, liabilities, judgments, costs and expenses (including any liabilities, judgments, costs and expenses and attorney’s fees) which may arise directly or indirectly from hunting deer at LLYRA. Hunter understands and agrees that in no way does a license under this Code Section create any liability of any kind for City. Hunter shall, at Hunter’s own cost and expense, appear, defend and pay all charges of attorneys, costs and other expenses arising therefrom or incurred in connection therewith with Hunter’s conduct at LLYRA. If any judgment shall be rendered against City as a result of Hunter’s conduct at LLYRA, Hunter shall satisfy and discharge the same.

#### Sec. 96.303 – City Hunting Licenses are Exclusive to the License Holder and May Not Be Transferred.

By accepting the license to hunt deer at the LLYRA, Hunter agrees that the license is exclusive to the license holder and may not be shared or transferred. Only the licensed hunter may harvest deer under the City Code Section at LLYRA.

#### Sec. 96.303 – Sec. 96.310 – Reserved.

*Section 3.* Any Ordinances, Resolutions, or any documents or communications related in any way to hunting at LLYRA in conflict with this Ordinance are hereby repealed and replaced by this Ordinance.

*Section 4.* This Ordinance shall be known as Ordinance No 3726 and shall be in full force and effect upon adoption.

*Section 5.* This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

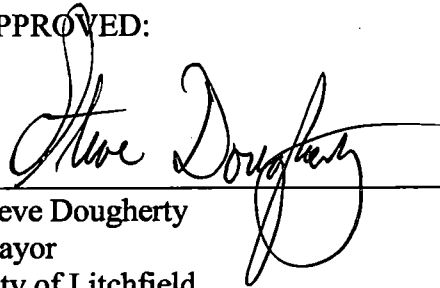
Passed by the City Council of the City of Litchfield, Illinois, and deposited and filed in the office of the City Clerk on the 19<sup>th</sup> day of Sept 2024, the roll call vote being taken by ayes and noes and entered upon the legislative record as follows:

AYES: 7

NOES: 0

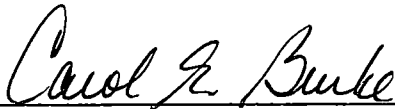
*Absent: 1*

APPROVED:

A handwritten signature in cursive script, appearing to read "Steve Dougherty", written over a horizontal line.

Steve Dougherty  
Mayor  
City of Litchfield  
Montgomery County, Illinois

ATTEST:

A handwritten signature in cursive script, appearing to read "Carol E. Burke", written over a horizontal line.

Carol Burke  
City Clerk  
City of Litchfield  
Montgomery County, Illinois