

ORDINANCE NO. 95-1

AN ORDINANCE TO PROHIBIT HUNTING AND THE DISCHARGE OF FIREARMS AND TO CONTROL SHOOTING BOW AND ARROWS AND "BB" GUNS WITHIN THE VILLAGE OF LAKEVIEW AND TO PROVIDE PENALTIES FOR THE VIOLATIONS THEREOF.

THE VILLAGE OF LAKEVIEW ORDAINS:

Section 1. It shall be unlawful for any person, other than a duly authorized law enforcement official in the discharge of his official duties, to use, fire or discharge any rifle, shotgun, handgun, revolver, pistol or other firearm, within the corporate boundaries of the Village of Lakeview, subject to certain exceptions hereinafter set forth.

Section 2. For the purpose of this ordinance, the word "firearm" shall be construed to include any weapon from which a dangerous projectile may be propelled by using explosives, gas or air as a means of propulsion, except any smooth bore rifle or handgun designed and manufactured exclusively for propelling BB's not exceeding .177 caliber by means of spring, gas or air.

Section 3. Hunting wild game animals and birds is unlawful in the Village of Lakeview, except that a landowner may use a pellet gun on his own property for pest control with respect to rats, coyote, opossum, porcupine, weasel, red squirrel and skunk.

Section 4. Bow and arrow target shooting is lawful in the Village of Lakeview, provided it is carried out in private property in a Designated Practice Area where safety is assured. Such practice areas require written permission of the Chief of Police. A resident may request and obtain a Designated Practice Area designation on his own property by submitting in writing the address, location of target, intended safety zones in the target area, dwelling locations in the surrounding area and a plan for supervision of those engaging in target shooting. The Police Chief has the right at any time to revoke such privilege if the requirements of the Designated Practice Area are violated.

Section 5. No person under 18 years of age shall use or possess any gun designed and manufactured exclusively for propelling BB's not exceeding .177 caliber by means of spring, gas or air, outside the curtilage of his domicile, unless he or she is accompanied by a person over 18 years of age. Under no circumstances shall BB guns be used or possessed on a property owned by the Village of Lakeview.

Section 6. All ordinances or parts of ordinances in conflict with the provisions of this ordinance of the Village of Lakeview are hereby repealed.

Section 7. Any person convicted of violating any provision of this Ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than \$500.00 or by confinement in the County Jail for a term of not more than 90 days or both.

Section 8. This Ordinance shall be published according to law and shall take effect 30 days after publication.

Enacted at a Regular Meeting of the Lakeview Village Council held on 13th day of November, 1995.

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Todd Lincoln, Village President

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L. John Kehl, Village Clerk

VILLAGE COUNCIL  
VILLAGE OF LAKEVIEW  
MONTCALM COUNTY, MICHIGAN

Council Member Winter, supported by Council Member Schottle, moved the adoption of the following ordinance:

ORDINANCE NO. 98-2

~~AN ORDINANCE TO PROHIBIT~~ AMEND SECTION 3 OF ORDINANCE NO. 95-1  
AND TO CONTROL SHOOTING BOW AND ARROWS AND 'BB'  
~~AND TO PROVIDE PENALTIES FOR THE VIOLATIONS THEREOF."~~

THE VILLAGE OF LAKEVIEW ORDAINS:

Section 1. Amendment of Section 3, Ordinance no. 95-1. Section 3 of Village of Lakeview Ordinance No. 95-1 is hereby amended to read in its entirety as follows:

Section 3. Hunting wild game animals and birds is unlawful within the corporate boundaries of the Village except:

(a) A landowner may use a pellet gun or similar device on his or her own property to eradicate pests including rats, mice, opossum, porcupines, raccoons, weasels, red squirrels, and skunks.

(b) For purposes and nuisance control only, and where a waiver has been issued by the Michigan Department of Environmental Quality or other appropriate governmental agency, a person may hunt wild game on public property owned by the Village when so authorized in writing by the Village Manager. Any hunting occurring on Village property shall be strictly restricted to the express terms and conditions of the written authorization issued by the Village Manager with respect to permitted dates, times, locations, and types of animals and birds involved.

Section 2. Effective Date. This ordinance shall become effective twenty (20) days after its adoption, or upon its publication, whichever occurs later.

YEAS: Rasmussen, Earhart, McElhinny, Winter, Schottle

NAYS: None

ABSENT: Jensen

ORDINANCE NO. 98-2 ADOPTED.

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Lee Burlison, President

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L. John Kehl, Clerk

I, L. John Kehl, the Clerk for the Village of Lakeview, hereby certify that the foregoing is a true and accurate copy of an ordinance adopted by the Village Council of the Village of Lakeview at a regular meeting of the Village Council held at the Village Hall on September 14, 1998.

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L. John Kehl, Clerk