

Ordinance #O.17.01

**An Ordinance TO PROHIBIT FEEDING DEER IN THE CITY LIMITS OF GALENA.**

Adopted by the City Council of the City of Galena this 9<sup>th</sup> Day of January 2017.

Published in pamphlet form by authority of the City Council of the City of Galena, Jo Daviess County, Illinois, this 9<sup>th</sup> Day of January 2017.

STATE OF ILLINOIS            )  
  )  
COUNTY OF JO DAVIESS    )

City of Galena

CERTIFICATE

I, Mary Beth Hyde, certify that I am the duly elected municipal clerk of the City of Galena, Jo Daviess County, Illinois.

I further certify that on the 9<sup>th</sup> Day of January 2017, the Corporate Authorities of said municipality passed and approved Ordinance No. O.17.01 entitled **AN ORDINANCE TO PROHIBIT FEEDING DEER IN THE CITY LIMITS OF GALENA**, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. O.17.01 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing the 9<sup>th</sup> Day of January 2017 and commencing for at least ten (10) days thereafter.

Dated at Galena, Illinois, this 10<sup>th</sup> Day January 2017.

  
Mary Beth Hyde  
City Clerk

(Seal)

**Ordinance #O.17.01**

**AN ORDINANCE TO PROHIBIT FEEDING DEER IN THE CITY LIMITS OF GALENA**

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**WHEREAS**, the City of Galena seeks to prevent the spread of Chronic Wasting Disease in the deer population, prevent deer-vehicle accidents, and reduce damage to landscaping caused by deer in the city limits of Galena; and

**WHEREAS**, making food available, including salt, mineral blocks, or other products for ingestion, whether intentional or unintentional, may attract deer into the city limits and increase the number of deer living within the city limits; and

**WHEREAS**, Title 17, Chapter 1 (b), part 635.40 of the Illinois Administrative Code makes it illegal to make food available to wild deer in Illinois; and

**WHEREAS**, the State of Illinois restriction on making food available to wild deer exempts “elevated bird/squirrel feeders providing seed, grain, fruit, worms, or suet for birds or squirrels located within 100 feet of a dwelling devoted to human occupancy”; and

**WHEREAS**, the City of Galena seeks to emphasize that feeding deer is prohibited in the City of Galena, clearly define what it means to feed deer, and set forth the penalty for persons in violation of the prohibition on feeding deer; and

**WHEREAS**, this ordinance is adopted in accordance with the powers granted to municipalities in 65 5/1-1-1, et seq. of the Illinois Compiled Statutes.

**BE IT ORDAINED** by the City Council of the City of Galena, Jo Daviess County, Illinois, as follows:

**SECTION I:** The following shall be added to Chapter 95.01, “Nuisances Declared”:

(K) To knowingly, purposefully or intentionally disburse food on the ground, at any feeding station, in a feeding device, or in a container of any kind, or provide a salt or mineral lick, or by any other means provide food to deer on any public or private property. A person shall be deemed to have knowingly, purposely or intentionally fed deer, cause deer to be fed or provided food to deer, if the person places, or allows to be placed, wheat, pellets, livestock feed, corn in any form, fruit, vegetables, hay or alfalfa, human food scraps, any form of wildlife seed, birdseed or livestock feed, or any other edible matter that deer will consume on the ground or within the reach of deer. “Within the reach of deer” shall be defined as having been located less than five (5) feet above the ground unless such items are screened or protected in a manner that prevents deer from feeding on them. This prohibition shall include allowing residue that deer will consume to remain underneath a birdfeeder. This prohibition shall not

include live vegetation such as ornamental landscaping, flowers, trees, vines, vegetable gardens, edible matter located either in an enclosed building or stored in a securely sealed package, or unmodified commercially purchased bird feeders or their equivalent when placed out of the reach of the deer.

**SECTION II:** Chapter 95.99 (A), "Penalty", shall be amended to as follows:

(A) Whoever creates, causes, erects or continues any nuisance named in § 95.01 shall be guilty of a misdemeanor, **except that Section (K) thereof shall be punished as provided in Section 10.99.**

**SECTION III:** This ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

**SECTION IV:** Passed on this 9<sup>th</sup> day of January, A.D., 2017, in open Council.

**AYES:** Bernstein, Fach, Hahn, Kieffer, Westemeier, Renner

**NAYS:** Lincoln

  
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**TERRY REMNER, MAYOR**

  
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**ATTEST: MARY BETH HYDE, CITY CLERK**