

ORDINANCE NO. 538

AN ORDINANCE OF THE CITY OF CHAPPELL, NEBRASKA, PROVIDING FOR GOOSE HUNTING AT THE CHAPPELL LAKE AS A MEANS OF CONTROLLING THE GOOSE POPULATION BY AMENDING CHAPTER 95 ANIMALS SECTION 95.04 KILLING AND INJURING OF ANIMALS TO ALLOW FOR HUNTING OF DARK GEESE AT CHAPPELL LAKE IN COMPLIANCE WITH CITY ORDINANCES; ADDING SECTION 95.07 GOOSE HUNTING TO CHAPTER 95 ANIMALS PROVIDING FOR A METHOD AND FEE FOR ISSUING GOOSE HUNTING PERMITS FOR HUNTING AT CHAPPELL LAKE; PROVIDING FOR SPECIFIC SAFETY PRECAUTIONS DURING GOOSE HUNTING SEASON AT CHAPPELL LAKE, INCLUDING, BUT NOT LIMITED TO, CLOSING OF THE LAKE WHEN HUNTING IS AUTHORIZED; MAKING NONCOMPLIANCE WITH THIS ORDINANCE WHEN HUNTING AT CHAPPELL LAKE A VIOLATION OF CITY ORDINANCES PUNISHABLE BY FINES; REPEALING ANY OTHER ORDINANCE OR PART OF ORDINANCE IN CONFLICT WITH THE ABOVE PROVISIONS THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF CHAPPELL, NEBRASKA THAT:

SECTION 1.

That Chapter 95 ANIMALS of the Codified Ordinances Section 95.03 KILLING AND INJURING, is amended to read as follows:

95.04 KILLING AND INJURING. No person shall kill or injure any animal by the use of firearms, stones, clubs, poisons, or any other manner, unless hunting dark geese at Chappell Lake in compliance with state statutes and Chappell Ordinances or unless the animal is vicious or dangerous and cannot be captured without danger to the persons attempting to affect a capture of the animal. Penalty, see § 10.99

Statutory reference: Definitions, see Neb. RS 28-1008 Cruelty prohibited, see Neb. RS 28-1009

SECTION 2.

That Chapter 95 ANIMALS of the Codified Ordinances is amended to add and include Section 95.07 GOOSE HUNTING, to read as follows:

95.07 GOOSE HUNTING

- a) PURPOSE. The purpose of goose management at the Chappell Lake is to maintain a healthy body of water to support aquatic activities and habitat. Proper management will also assist with maintaining a clean environment in the surrounding area for people to enjoy and recreate. The plan has been discussed with fisheries and wildlife biologists with the Nebraska Game and Parks Commission and has been unanimously determined to be the best solution to curb the migratory goose population at Chappell Lake.
- b) TYPE. Limited dark goose hunting will be allowed at Chappell Lake, provided that all Nebraska Game and Parks Commission rules and regulations and City of Chappell Ordinances

shall apply. Only dark goose may be taken at Chappell Lake.

c) LOCATIONS AND TIMES. All hunting shall only be from city- owned blind(s) installed by city employees or personal blind boats which shall be parked directly in front of City- owned blinds and said blinds shall not be moved to other locations. Shot markers will be placed outside of the blind to clearly mark “no shot” zones on one or both sides of the blind. Hunting days will be Tuesday’s, Thursday’s and Sundays during the legal hunting hours permitted by Nebraska statute.

d) CLOSING OF LAKE. During hunting hours, the north side of the lake shall be blocked off to vehicle and pedestrian access and clearly marked with signs stating the closure.

e) APPLICATION AND AWARD OF BLINDS. Blind(s) will be awarded by a lottery system each month wherein a person or group of no more than four (4) persons shall have the right to hunt in accordance with State and City laws for one week beginning on Tuesday morning and ending on Sunday evening. The drawing for each month shall be held at the first city council meeting of the month prior to the month of the draw. Applications for the drawing must be turned in no later than 4:00 pm the day of the drawing. Each application must be accompanied by a \$40 application fee. The application fee shall be used for lake improvement projects.

f) PENALTIES. It shall be unlawful for any person to hunt at Chappell Lake in violation of this Ordinance. Penalty, see § 10.99

SECTION 3.

All previously adopted Resolutions and Ordinances or parts of law in conflict herewith are hereby repealed, and should any part or section(s) of this Ordinance be declared void and unenforceable, such declaration shall not render any other part void or unenforceable.

SECTION 4.

This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED AND APPROVED this 18th day of October, 2021.

Mayor

ATTEST:

City Clerk