

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO. 1141

AN ORDINANCE AMENDING ORDINANCE NO. 1132, AN ORDINANCE REGULATING FISHING ON PROPERTIES OWNED BY THE TOWN OF ST. JOHN AND THE ST. JOHN BOARD OF PARKS AND RECREATION INCLUDING PONDS, LAKES, AND STREAMS WITHIN THE JURISDICTION OF THE TOWN AND/OR THE PARK DEPARTMENT.

WHEREAS, on May 12, 1980, the Town Council of the Town of St. John, Lake County, Indiana, did pass Resolution No. 5-12-80A which prohibited fishing without a permit in any St. John Park District properties, with certain exceptions; and

WHEREAS, the Park Department has passed, by motion at a duly called meeting, a resolution calling for the allowance of fishing in Park Department properties including ponds, lakes, and streams within its jurisdiction, but for residents only without the requirement of a permit; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, did on July 29, 1999 pass Ordinance No. 1132, the same being an ordinance regulating fishing on properties owned by the Town of St. John and the St. John Board of Parks and Recreation including ponds, lakes, and streams within the jurisdiction of the Town and/or the Park Department; and

WHEREAS, the foregoing ordinance allowed fishing by an authorized resident's guest or relative; but that this provision has caused enforcement difficulties and may in the future cause the St. John Police Department unnecessary time and expense in enforcement; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, does hereby find that it is in the best interest of the citizens and residents of the Town of St. John, Lake County, Indiana that fishing be allowed by St. John residents only in those ponds, lakes, and streams within the jurisdiction of the Town of St. John and the St. John Park Department, and that resident's guests or relatives, unless residents of the Town, should not be allowed to conduct fishing activity.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of St. John, Lake County, Indiana as follows:

SECTION ONE. It shall be unlawful for any person or entity, not a resident of the Town of St. John, Lake County, Indiana, to conduct any fishing activity in any pond, lake, or stream within the jurisdiction of the Town of St. John or the St. John Park Department.

SECTION TWO. The term "fishing" as it is utilized in this ordinance shall be defined as the sport of catching fish by hook and line; that no commercial or business fishing shall be allowed; and the use of nets of any kind or nature to catch fish shall be prohibited.

SECTION THREE. Any person, firm, or corporation violating any portion of this ordinance shall be punished by a fine not to exceed \$2,500.00. Every day any violation of this ordinance shall continue shall constitute a separate offense. The fine provided for herein shall be the maximum fine.


BE IT FURTHER ORDAINED that the Town of St. John Police Department shall be empowered to enforce the terms of this ordinance and shall issue appropriate citations for violators; and that the Police Chief and/or the St. John Public Works Department, at the Police Chief's specific instance and request, shall be empowered to place such signs signifying "Fishing for Residents Only" at the appropriate locations throughout the Town and governed by this ordinance.

BE IT FURTHER ORDAINED that if any section, clause, provision, or portion of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this ordinance.

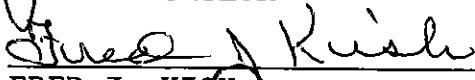
BE IT FURTHER ORDAINED that the Town Council declares an emergency and this ordinance shall take effect and be in full force and effect from and after its passage and after publication required by law.

PASSED AND ADOPTED by the Town Council of the Town of St. John, Lake County, Indiana, this 28th day of October, 1999.

TOWN COUNCIL, TOWN OF ST. JOHN,
LAKE COUNTY, INDIANA



JOHN R. TAYLOR



FRED J. KISH



KATHLEEN J. WILLMAN

ATTEST:



JUDITH L. COMPANIK
Clerk-Treasurer