

**BOARD OF TRUSTEES
VILLAGE OF THIRD LAKE, ILLINOIS**

ORDINANCE NO. 20-01-02

**AN ORDINANCE ESTABLISHING RULES AND REGULATIONS
REGARDING FISH CRIBS**

This 21st day of January, 2020

A handwritten signature in cursive script, reading "Diane Hope", is written over a solid horizontal line.

Diane Hope, Village Clerk

**Published in pamphlet form by the authority of the Board of Trustees of the
Village of Third, Lake County, Illinois this 21st day of January, 2020**

ORDINANCE NO. 20-01-02

AN ORDINANCE ESTABLISHING RULES AND REGULATIONS REGARDING
INSTALLATION OF FISH CRIBS

WHEREAS, pursuant to 65 ILCS 5/7-4-4, municipalities have jurisdiction over all waters within or bordering upon the municipality, to the extent of three (3) miles beyond its corporate limits; and

WHEREAS, pursuant to 625 ILCS 45/5-7, municipalities may designate certain water areas as restricted areas; and

WHEREAS, pursuant to 65 ILCS 5/11-44-1, municipalities may regulate public and private water-landing places, wharves, docks, canals, slips and levees; and

WHEREAS, fish cribs are important in maintaining diverse, healthy lake ecosystems and in sustaining fish population by providing places for fish to hide from predators, shade from the hot summer sun, nesting and spawning habitat and places for food organisms to live and grow; and

WHEREAS, the corporate authorities of the Village of Third Lake deem it to be in the best interests of the public to regulate materials being put into its lakes, to ensure public safety and to establish rules and regulations regarding installation of fish cribs in Third Lake and Druce Lake.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Third Lake, Lake County, Illinois, as follows:

SECTION ONE: Installation of Fish Cribs. Installation of fish cribs in Third Lake and Druce Lake shall be subject to the following conditions and restrictions:

A. *Application required.* Prior to the installation of any fish crib, a resident must submit a completed application, in the form maintained by the Village Clerk, to the Lakes Commission of the Village. Installation shall not occur until such application is approved by the Lakes Commission. Upon approval, the Lakes Commission shall notify the corporate authorities and the Illinois Department of Natural Resources County fish biologist.

B. *Purpose.* Fish cribs are permitted solely for the purpose of improving fish habitat. If it is determined that a fish crib is in violation of this subsection, in addition to the enforcement powers set forth below, the Village shall be entitled to file a complaint in the Circuit Court of Lake County, 19th Judicial Circuit Court, seeking removal of the fish crib.

C. *Limitation.* No more than six (6) fish cribs shall be installed in Third Lake and no more than six (6) fish cribs shall be installed in Druce Lake.

D. *Installation Specifications.* Installation of an approved fish crib shall meet the following specifications:

Village of Third Lake
Fish Crib Application for Third Lake & Druce Lake

Name:

Address:

Phone:

Email:

Location of Fish Crib & GPS coordinates:

Materials:

Depth:

A SEPARATE APPLICATION MUST BE MADE FOR EACH FISH CRIB

___ Notification: Board of Trustees

___ Notification: IDNR County Fish Biologist

*You must notify the Village of the removal of any fish crib *

Signature of Applicant

Date

Signature Lake Commission Chair

1. Dredging is not allowed for the installation of the fish crib.
2. In order to protect fish habitat during spawning season, no fish cribs may be installed between April 1st and June 15th of each year.
3. Fish cribs shall have a minimum of twelve feet (12') of water over the top of the structure. The depth and clearance of the fish crib shall be based on the level of the water at the top of the dam.
4. Fish cribs shall be constructed of non-treated biological/organic/natural materials, with the exception of fastening and anchoring devices.
5. The general location and GPS coordinates must be identified and filed with the Village.
6. The Village shall be notified in the event of the removal of any fish crib.

SECTION TWO: Enforcement. Any person convicted of a violation of any provision of this Ordinance shall be fined a sum of not less than Fifty Dollars (\$50) nor more than Seven Hundred Fifty Dollars (\$750). Notwithstanding the foregoing, whenever any Village officer or official authorized to charge a person or arrest a person without a warrant for a violation of this Ordinance, the Village officer or official may, in lieu of filing a complaint in court, issue the alleged violator a citation, which citation shall contain statements which in substance: advise the person that he has violated a specific Ordinance; request him to make payment as set forth herein as settlement of the violation claim; and inform him that upon failure to so settle, a complaint will be filed in the Circuit Court of Lake County, 19th Judicial Circuit Court, charging him with the violation. For purposes of this Section, Village officers authorized to issue citations shall include, but not be limited to, the Village President (or designee).

Pursuant to said citation, a person accused of the violation may settle the violation claim by paying to the Village the amount of Fifty Dollars (\$50) within a period to be specified in the citation, which period shall not be more than ten (10) days from the time the alleged violation was committed. The settlement payment shall be made in accordance with the instructions contained in the citation at the Office of the Village Clerk. In the event that the person to whom the citation is issued fails to settle and pay the violation claim within ten (10) days of issuance of the citation, a final notice shall be issued. If payment of the prescribed amount plus Five Dollars (\$5) is not made within fifteen (15) days of issuance of the final notice, then the Village is authorized to cause a notice to appear to be served upon the alleged violator and the Village is authorized to file a complaint and to prosecute the complaint in the 19th Judicial Circuit Court of Lake County.

SECTION THREE: Conflicts. That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

SECTION FOUR: Effective Date. That this Ordinance shall be in full force and effect ten (10) days from and after its passage, approval and publication in pamphlet form as provided by law.

AYES: Mateja, Honegger, Humeister, Rzewitch, Van Zeyl
 NAYS: None

ABSENT/NOT VOTING: Penny

PASSED: January 21, 2020

APPROVED: January 21, 2020


Village President

ATTEST:


Village Clerk

PUBLISHED: January 22, 2020

State of Illinois

County Of Lake

I, Diane Hope, do hereby certify that I am the duly appointed, qualified and acting Municipal Clerk of the Village of Third Lake, Lake County, Illinois, and keeper of said Village, and that the attached and foregoing Ordinance is a true and correct copy of said Ordinance entitled:

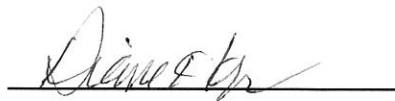
ORDINANCE NO. 20-01-02

This 21st Day Of January, 2020

In Witness, I have hereunto set my hand and caused to be affixed the corporate Seal of the Village of Third Lake, Lake County, Illinois

Done at the Third Lake, Illinois this 21st day of January 2020.

SEAL

A handwritten signature in cursive script, appearing to read "Diane Hope", is written over a solid horizontal line.

Diane Hope, Village Clerk