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**ORDINANCE NO. 2020-21-13**

***An Ordinance Amending Certain Sections of Chapter 43, Offenses  
Against Public Peace, Safety, and Morals, of the Johnsburg Municipal Code***

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AN ORDINANCE PASSED BY THE  
PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF JOHNSBURG  
AT A REGULAR MEETING ON SEPTEMBER 1, 2020  
PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE  
PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF JOHNSBURG

President

Edwin P. Hettermann

Board of Trustees

Tom Curry  
Beth Foreman  
Kyle Frost  
Josh Hagen  
Greg Klemstein  
Kevin McEvoy

Village Administrator

Claudett E. Sofiakis

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***An Ordinance Amending Certain Sections of Chapter 43, Offenses  
Against Public Peace, Safety, and Morals, of the Johnsburg Municipal Code***

BE IT ORDAINED by the President and Board of Trustees of the Village of Johnsburg, McHenry County, Illinois, as follows:

SECTION 1: That Chapter 43.05 Firearms be amended as follows:

**43.05 FIREARMS.**

A. Except as provided herein, the discharge of any firearm or hunting in the Village is prohibited:

1. For purposes of this Section 43.05, the term “slug” is a solid projectile including but not limited to a bullet.
2. No person shall discharge any firearms within the Village. In addition to those firearms defined by the Illinois Compiled Statutes, for purposes of this section, firearms shall include pump air rifles, potato guns, CO2 pellet guns and any other device capable of discharging a projectile if used with intent to inflict harm to person or property or to assault or threaten harm to a person or property or when used in a reckless manner. It shall be unlawful to discharge any firearm or airgun, BB gun, or any toy gun, projecting lead or any missiles except in a regularly established shooting gallery within the Village of Johnsburg, provided that this section shall not be construed to prohibit any officer of the law from discharging a firearm in the performance of his/her duty, nor to any citizen from discharging a firearm when lawfully defending person or property.
2. Hunting and target or skeet shooting is permitted in the Village only when permission has been granted by the property owner on whose land such activity occurs. Such hunting and shooting is limited to land that is zoned A-1 or A-2 Agricultural District from sunrise to sunset. It shall also be unlawful under this ordinance for any person to discharge any firearm for any purposes within 300 yards of a school, park, place of gathering, commercial district or an inhabited dwelling without first obtaining written permission from the owner ~~and/or~~ tenant of such adjacent properties dwelling pursuant to 520 ILCS 5/2.33(u).
3. Shotgun ammunition which discharges 21 projectiles or less in a single discharge, including all types of slugs, is prohibited in the Village, except when used for hunting purposes.
4. This Section shall not apply to:

- a. Peace officers in the line of duty;
- b. Any citizen discharging a firearm when lawfully defending person or property;
- c. The discharge of starter pistols at sporting events;
- d. The discharge of nail guns or other devices used by contractors in the performance of a construction project;
- e. The discharge of firearms in military and funeral ceremonies;
- f. Animal training devices used by animal trainers;
- g. Thunder cannons and devices used to disperse animals and birds; and
- h. Weapons that fire only non-projectile charges and pellets.

**B. Discharge of bows and arrows and crossbows prohibited within the Village limits of Johnsburg, Illinois;**

(1) Definitions:

Bow and arrows shall mean a bow and arrow combination that requires completely manual operation without any means to cock the weapon. This definition excludes bow and arrow combinations considered as toys and intended to release arrows incapable of penetrating a target or other surface.

Crossbow shall mean a traditional crossbow utilizing a mechanism wherein the weapon can be cocked and left in a stable state until it is subsequently released or fired at a later time via a trigger mechanism.

(2) It shall be unlawful for any person within the Village Limits to discharge any bow and arrow or crossbow unless that person complies with the following regulations and in either subsections 41-6 (C) or 41-6(D).

(a) It shall be unlawful for any person to discharge any type of bow and arrow or crossbow within Johnsburg Village Limits in a manner that endangers persons or property.

(b) It shall be unlawful for any person to discharge any type of bow and arrow or crossbow in such a manner that causes, or reasonably could cause, the arrow or bolt to land on any property other than the property on which the arrow or bolt was discharged, unless written permission is granted by the impacted property owner(s) and where the target and shooter are at least one hundred (100) yards from the nearest habitable dwelling.

(c) It shall be unlawful to use and/or discharge any type of bow and arrow or crossbow on public property unless authorized by the Johnsburg Village Board.

(3) The use of any type of bow and the discharge of target arrows is permitted within Johnsburg Village Limits for the purpose of target shooting. Any person who

participates in target shooting pursuant to this subsection shall abide by subsection 43.05.01(B) and the following rules:

- (1) It shall be unlawful for any person fifteen (15) years of age or younger to participate in target shooting unless under the direct supervision and control of a parent or legal guardian.
- (2) It shall be unlawful for any person who participates in target shooting pursuant to this subsection to discharge a broad-head or any type of hunting arrow.
- (4) The use of longbow, re-curve and/or compound bows, or crossbows, and the discharge of broad-head or other hunting arrows or bolts is permitted within Johnsburg Village Limits for the purpose of taking game as regulated by the Illinois Department of Natural Resources and with the written permission of the property owner. Hunting using bows and arrows or crossbows shall be limited to land that is zoned A-1 or A-2 Agricultural District from sunrise to sunset pursuant to Chapter 22.10A1 thru 10A.2, Zoning, and subject to the provisions of subsection 43.05.01(B).

C. Any violation of this Section may be settled and compromised by the offender by payment to the Village the sum of money stated for a Class D violation in Section 1.07-E of this Code.

SECTION 2: That Chapter 43.06 Weapons be amended as follows:

**43.06 WEAPONS.**

- ~~A. A person who is not a Village officer, shall not carry about his person any concealed pistol, or firearms, switchblade, or knife with a blade three inches or longer, razor, slingshot, metal knuckles or any other weapon or thing of deadly character unless authorized by law~~
  - ~~B. No person shall sell, give or transfer any such weapon to any minor person under the age of 21 unless authorized by law~~
  - A. Unless authorized by law, no person shall wear under his/her clothing, or conceal about his/her person, or display in a threatening-like manner, any dangerous or deadly weapon including, but not limited to, any pistol, revolver, rifle, shotgun, sling shot, knuckles, any bowie or similar knife, or any knife with a switchblade or device whereby the blade or blades can be opened by a button, pressure on the handle or other mechanical contrivance.
  - B. No person shall sell, give or transfer any such weapon or firearm to any minor person under the age of 18 unless authorized by law and No person shall sell, give or transfer any such handgun or pistol to any minor person under the age of 21 unless authorized by law.
- C. Any offense arising under this Section 43.06, may be settled and compromised by the offender by payment to the Village the sum - \$750.00.

D. A minor under the age of 21 shall not be in possession of or carry about his person on school grounds any concealed pistol, switchblade, knife of any size blade, razor, slingshot, metal knuckles or any other weapon or thing of deadly character unless authorized by law.

SECTION 3: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

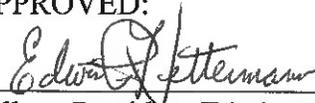
Voting Aye: Trustees Curry, Foreman, Frost, Hagen and Klemstein

Voting Nay: None

Abstain: None

Absent: Trustee McEvoy

APPROVED:



Village President Edwin P. Hettermann

(SEAL)

ATTEST:

  
Village Clerk Claudett E. Sofiakis

Passed: September 1, 2020

Approved: September 1, 2020

Published: September 1, 2020

Prepared by:

Claudett Sofiakis, Village Administrator

Village of Johnsburg

1515 Channel Beach Avenue

Johnsburg, IL 60051

## CERTIFICATION

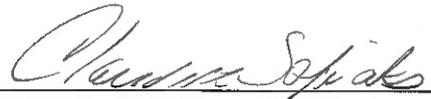
I, CLAUDETT E. SOFIAKIS, do hereby certify that I am the duly appointed, acting and qualified Clerk of the Village of Johnsburg, McHenry County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village of Johnsburg.

I do further certify that at a regular meeting of the President and Board of Trustees of the Village of Johnsburg, held on the 1<sup>st</sup> day of September, 2020 the foregoing Ordinance entitled *An Ordinance Amending Certain Sections of Chapter 43, Offenses Against Public Peace, Safety and Morals*, was duly passed by the President and Board of Trustees of the Village of Johnsburg.

The pamphlet form of Ordinance No. 2020-21-13 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was available in the Village Hall, commencing on the 1<sup>st</sup> day of September, 2020 and will continue for at least 10 days thereafter. Copies of such Ordinance are also available for public inspection upon request in the office of the Village Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said Village for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and seal of the Village of Johnsburg, this 1<sup>st</sup> day of September, 2020.



Claudett E. Sofiakis, Village Clerk  
Village of Johnsburg,  
McHenry County, Illinois

(SEAL)