



City Council Agenda Item Report

FROM: Ryan Cummins, City Manager

MEETING DATE: August 11, 2025

SUBJECT: Ordinance No. 250811-A: Amendment to Chapter 135 of City Code

DESCRIPTION:

In late 2024, City Council agreed to partner with the City of the Village of Douglas and Saugatuck Township to create a Tri-Community Wildlife Management Committee with a sunset date of December 31, 2025.

The committee held several meetings and recommended that each municipality adopt the attached resolution. City Council approved the resolution on April 14.

During the committee's work, staff and legal counsel flagged the need to update our existing ordinance. Based on feedback from the Saugatuck City committee members and staff, legal has prepared proposed amendments. Legal advised the following:

Chapter 135 currently prohibits the discharge of any firearms or archery equipment within City limits except with a permit from the City Council, which an exception only for law enforcement officers acting pursuant to their official duties. The proposed amendment to Chapter 135 would revise the City's regulations on weapons to: 1) better facilitate lawful deer hunting in accordance with state regulations, in hopes of mitigating the City's current deer overpopulation issues; 2) align with current state and federal law on the topic of weapon regulation as there have been notable developments in this area in recent years; 3) remove the permitting process that historically has not been utilized by the City; and 4) remove regulations that may be ambiguous or simply better regulated on a state or federal level.

Under the new regulations, the discharge of firearms is still prohibited within City limits, with exceptions law enforcement officers discharging their duties and now for deer culls that have received approval from the City, the Allegan County Sheriff's Department, and

other applicable local and state agencies. As the City has been exploring the possibility of employing a cull to reduce the deer population, this new exception would allow that to occur, provided the requisite approvals have been obtained.

Updates to Archery Regulations

At the June workshop meeting, the consensus of the City Council was that there was not a desire to allow archery hunting citywide, but there may be interest in allowing archery hunting in areas where the parcel size is larger, such as Dunegrass.

Legal updated the drafted ordinance to prohibit discharge of archery equipment unless the area is specifically designated by resolution of the City Council. The use of any archery equipment must comply with applicable state laws, rules, and regulations. This would include a requirement for anyone using archery equipment to hunt to obtain a hunting license from the DNR, which in turn entails taking a hunter safety class. This revision would allow interested people to hunt in designated areas during hunting season in accordance with the rules and regulations established by the DNR. Also of note, anyone using archery equipment in a reckless fashion or in such a way as to harm or endanger people or property would be subject to applicable state law sanctions.

Designating Areas by Resolution

As Dunegrass was listed as an example, staff evaluated parcel sizes in that area. The smallest parcel is .4 acres and the largest is 5.03 acres. The average parcel is 1.96 acres.

Staff prepared the attached map of the City showing parcels that have at least one or more acres of land.

Staff checked with the Department of Natural Resources Wildlife Biologist, Don Poppe, for any recommendations on minimum parcel size. He advised the following:

I consulted with our deer specialist, and it doesn't sound like the minimum parcel size concept is widely used.

There are so many unique situations as far as trying to make sure one parcel versus another is more safe or sufficient. It is difficult to define.

As a review, **safety** is the responsibility of the hunter. There is little evidence to indicate bowhunters are dangerous to other people, they are at much higher risk of hurting themselves through an unfortunate accident. Certainly, hunting around people, a hunter should be hyper conscious of safety and image.

Whether a parcel is **sufficient** in my opinion revolves around whether there are deer to hunt, preferably in a somewhat discreet setting, and can the hunter have reasonable confidence that they can legally retrieve the deer. That last one can have so many

variables beyond parcel size, but relies on the hunter having permission to retrieve the deer wherever it can be reasonably expected to expire, which with a good shot should be less than 100yds, but could be in the 200 yd range as well.

Sgt. Haas with the Sheriff's Office had similar feedback.

Ottawa County has established rules and regulations for hunting in their parks. Their regulations prohibit hunting within 450 feet of occupied buildings and require hunters to maintain a 30 yard distance from property lines.

Workshop Consensus

At the recent workshop meeting, staff sought further Council direction on:

- Is there a minimum parcel size you wish to establish for archery hunting of deer?
 - If a parcel doesn't meet the minimum size, would you allow hunters to obtain permission of multiple private property owners to meet the minimum area requirement, so long as the properties were contiguous?
- Are you willing to allow hunting of deer on public lands or only private?
- Is there a minimum distance from occupied buildings or property lines that you would like to establish for archery hunting?

The consensus was that Council is not interested in establishing areas for archery hunting at this time. The draft ordinance language retains the option for Council to do so in the future by resolution, should it choose to designate an area or approve a specific request. Until such a resolution is adopted, archery hunting within the City will be prohibited.

LEGAL REVIEW:

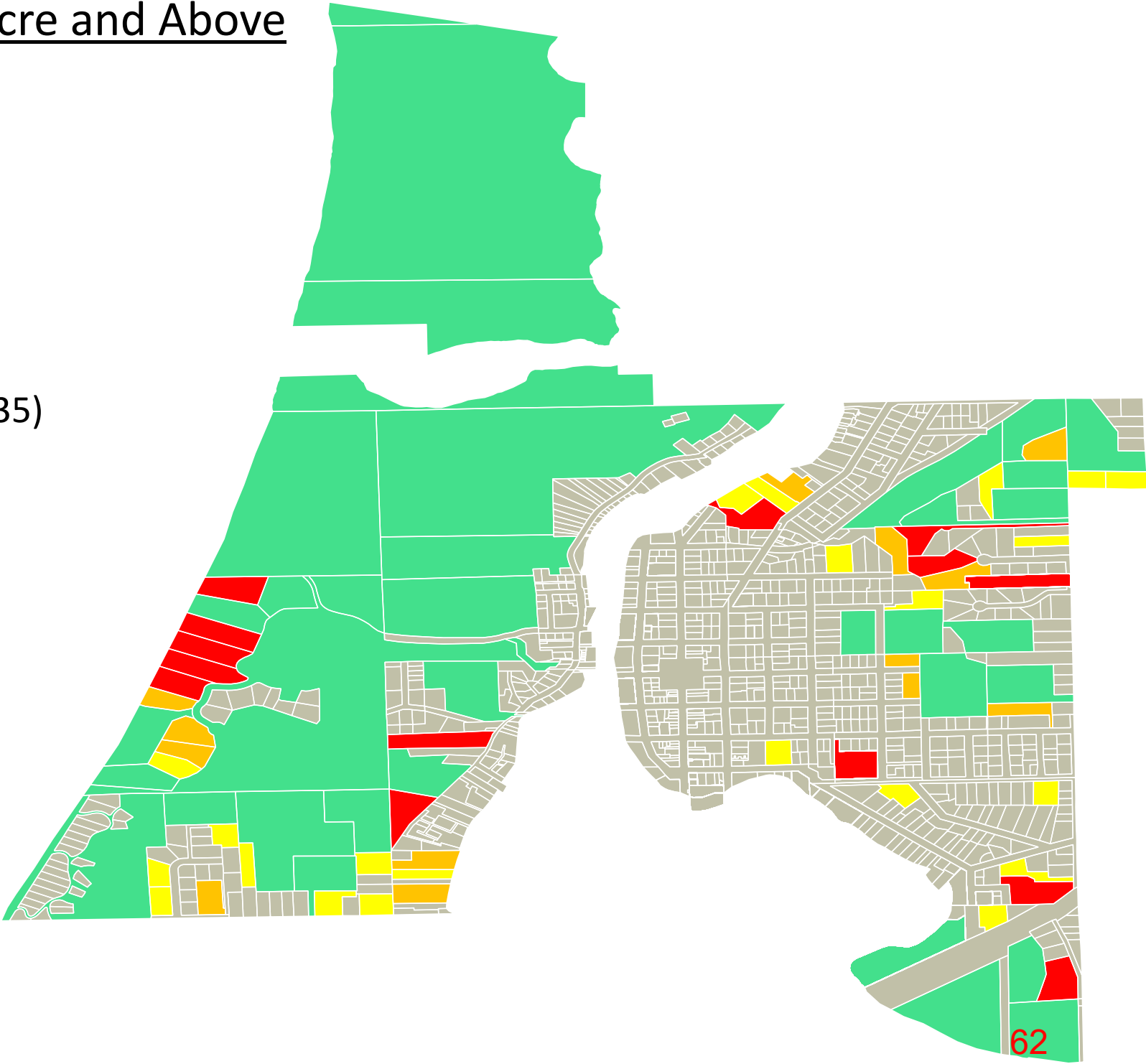
Legal prepared the proposed amendments and provided a legal opinion which has been shared with City Council.

SAMPLE MOTION:

Motion to approve Ordinance No. 250811-A to amend Chapter 135 of the City Code.

Parcels by Size: 1 Acre and Above

- 1.0 - 1.5 Acres (22)
- 1.5 - 2.0 Acres (13)
- 2.0 - 3.0 Acres (14)
- 3.0 Acres or more (35)



CITY OF SAUGATUCK
ALLEGAN COUNTY, MICHIGAN

AMENDMENT TO CITY CODE

ORDINANCE NO.250811-A

At a meeting of the City Council of the City of Saugatuck, Allegan County, Michigan, held at the City of Saugatuck Hall on _____, 2025 at _____ p.m., City Council Member _____ moved to adopt the following ordinance, which motion was seconded by City Council Member _____.

An ordinance to amend the City of Saugatuck's Code of Ordinances, Chapter 135, to revise and update the City's regulations of weapons to align with applicable law and to provide an exception for the discharge of firearms within City limits as part of a City-sanctioned deer cull, to protect the public health, safety, and welfare.

CITY OF SAUGATUCK, ALLEGAN COUNTY, ORDAINS:

SECTION 1. AMENDMENT TO CITY CODE OF ORDINANCES, CHAPTER 135, SECTION 135.01: City of Saugatuck Code of Ordinances, Chapter 135, Section 135.01, shall be amended to read as follows:

§ 135.01 WEAPONS

(A) No person shall fire or discharge a firearm within the limits of the City, except for the following:

- (1) A police officer or other peace officer in the discharge of his or her duty; and
- (2) Individuals participating in a deer cull approved by the City, the Allegan County Sheriff's Department, and any other applicable local or state agencies or authorities.

(B) No person shall discharge a bow, crossbow, or archery equipment within the limits of the City except in the areas specifically designated by resolution of the City Council. In such areas, the use of bows, crossbows, or archery equipment shall comply with any applicable state laws, rules, and regulations.

SECTION 2. AMENDMENT TO CITY CODE OF ORDINANCES, CHAPTER 135, SECTION 135.02: City of Saugatuck Code of Ordinances, Chapter 135, Section 135.02, shall be deleted in its entirety.

SECTION 3. SEVERABILITY: Should a court of competent jurisdiction find any provision, clause, or portion of this ordinance amendment to be invalid or unconstitutional, the balance or remainder of this ordinance amendment shall remain valid and in full force and effect and shall be

deemed “severable” from the portion, clause, or provision deemed to be invalid or unconstitutional by the court.

SECTION 4. REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 4. EFFECTIVE DATE: This Ordinance shall become effective immediately upon the date of this Ordinance’s publication as required by law.

YEAS: _____

NAYS: _____

ABSENT/ABSTAIN: _____

ORDINANCE DECLARED ADOPTED.

Holly Anderson
City of Saugatuck, Mayor

CERTIFICATION

I hereby certify that:

1. The above is a true copy of an ordinance adopted by the City of Saugatuck at a duly scheduled and noticed meeting of the City Council held on _____, _____ 2025, pursuant to the required statutory procedures.
2. A summary of the above ordinance was duly published in the _____ newspaper, a newspaper that circulates within the City of Saugatuck, on _____, 2025.
3. Within 1 week after such publication, I recorded the above ordinance in a book of ordinances kept by me for that purpose, including the date of passage of the ordinance, the names of the members of the City Council voting, and how each member voted.
4. I filed an attested copy of the above ordinance with the Allegan County Clerk on _____, 2025.

ATTESTED:

Jamie Wolters
City of Saugatuck, Clerk

**CITY OF SAUGATUCK
ALLEGAN COUNTY, MICHIGAN**

NOTICE OF ADOPTION

AMENDMENT TO CITY CODE

ORDINANCE NO. ____

Please take notice that on _____, 2025, the City Council of City of Saugatuck adopted Ordinance No. ____, which, among other things, amends the City of Saugatuck's Code of Ordinances, Chapter 135, to revise and update the City's regulations of weapons to align with applicable law and to provide an exception for the discharge of firearms within City limits as part of a City-sanctioned deer cull. Copies of the ordinance may be obtained from Jamie Wolters, City of Saugatuck Clerk, at 102 Butler Street, P.O. Box 86, Saugatuck, Michigan 49453 during regular business hours.

The Ordinance Amendment has the following sections, which are summarized below: Section 1: Amendment to City Code Chapter 135, Section 135.01; Section 2: Amendment to City Code Chapter 135, Section 135.02; Section 3: Severability; Section 4: Repeal; and Section 5: Effective Date.

Jamie Wolters
City of Saugatuck, Clerk
(269) 857-2603
JWolters@saugatuckcity.com

Publication Date: _____, 2025

**CITY OF SAUGATUCK
COUNTY OF ALLEGAN
STATE OF MICHIGAN**

RESOLUTION NO. 250414-A

**A RESOLUTION FORMALLY RECOGNIZING THE RECOMMENDATIONS OF THE
TRI-COMMUNITY WILDLIFE COMMITTEE**

Council Member Stanton, offered the following resolution and moved for its adoption, seconded by Council Member Muncey:

RECITALS

WHEREAS, the Tri-Community Wildlife Committee consists of representatives from the City of the Village of Douglas, the City of Saugatuck, and Saugatuck Township; and

WHEREAS, based on observations and community surveys, the Tri-Community Wildlife Committee has determined that there is a substantial overpopulation of deer within all three communities; and

WHEREAS, the Tri-Community Wildlife Committee recommends that the City of the Village of Douglas, the City of Saugatuck, and Saugatuck Township issue permits and facilitate controlled deer hunts using "Licensed Nuisance Wildlife Control Operators" (sharpshooters) authorized by the Michigan Department of Natural Resources (MDNR); and

WHEREAS, such hunts should take place with the permission of private landowners, including Homeowner Associations (HOAs), within their jurisdictions, with all associated costs and liabilities borne by the landowner(s) and/or HOA until the Tri-Community Wildlife Committee determines that the deer population has been brought under control; and

WHEREAS, the Tri-Community Wildlife Committee further recommends that each municipality facilitate and direct controlled deer hunts on publicly owned lands within their jurisdiction, subject to budgetary constraints, using Licensed Nuisance Wildlife Control Operators (sharpshooters) authorized by the MDNR until the Committee determines the deer population is under control; and

WHEREAS, to further manage the deer population, the Tri-Community Wildlife Committee recommends that the City of the Village of Douglas, the City of Saugatuck, and Saugatuck Township revise their existing ordinances to permit the discharge of archery equipment without a special permit, thereby allowing bow hunting of deer during the fall hunting season in accordance with all applicable State of Michigan hunting regulations; and

WHEREAS, while these controlled hunts may provide temporary relief for landowners facing immediate issues, they are not a long-term solution to the deer overpopulation problem; and

WHEREAS, to monitor the effectiveness of population control measures, the Tri-Community Wildlife Committee has authorized an annual deer population census each March using drone technology to establish a baseline for future assessments; and

WHEREAS, through extensive research, the Tri-Community Wildlife Committee has determined that neither deer contraception nor relocation programs are currently viable due to cost and logistical constraints.

THEREFORE, BE IT RESOLVED, that the City of the Village of Douglas, the City of Saugatuck, and Saugatuck Township formally recognize the recommendations of the Tri-Community Wildlife Committee and commit to working collaboratively to implement appropriate measures to manage the deer population, including but not limited to controlled hunts, ordinance revisions, and continued monitoring efforts; and

BE IT FURTHER RESOLVED that each municipality will endeavor to take the necessary steps to enact policies, allocate resources where feasible, and engage with relevant stakeholders to ensure the success of deer population management efforts in the best interest of public safety, ecological balance, and community well-being.

YEAS: Council Members: Anderson, Dean, Gardner, Muncey, Stanton.

NAYS: Council Members: None.

ABSTAIN: Council Members: None.

ABSENT: Council Members: Clark, Peterson.

ADOPTED this 14th day of April, 2025

CITY OF SAUGATUCK

BY: _____

Holly Anderson, Mayor

BY: _____

Jamie Wolters, City Clerk

CERTIFICATION

I, Jamie Wolters, the duly appointed clerk of the City of Saugatuck do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a regular meeting held April 14, 2025.

Signed:  _____
Jamie Wolters, City Clerk