

BY: Mr. Saettle/Mr. Zimmer

DATE: July 2, 2014

SECOND READING: _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BRIDGETON BY ADDING NEW PROVISIONS RELATING TO A DEER CONTROL POLICY AND DEER HUNTING REGULATIONS

WHEREAS, the City Council of the City of Bridgeton, Missouri, finds that an increasing deer population within the corporate boundaries of the City of Bridgeton and adjoining municipalities constitutes a threat to personal property within the City and that the continued growth of the deer population within the corporate boundaries of Bridgeton and adjoining municipalities also creates potential hazard to the physical safety of children, homeowners, residents, pedestrians and motorists; and

WHEREAS, it is the intent of the City Council of the City of Bridgeton, Missouri in enacting a Deer Control Policy and Hunting Regulations to exercise reasonable police power over the growth of the deer population in order to safeguard the general welfare and safety of the community, and

WHEREAS, in order to preserve the physical safety of children, homeowners, residents, pedestrians and motorists within the City of Bridgeton, and in order to prevent additional property damage by deer to residences within the City of Bridgeton, the City Council hereby enacts the following Deer Control Policy and Hunting Regulations,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIDGETON, MISSOURI, AS FOLLOWS:

SECTION 1: Notwithstanding any other Ordinance relating to the discharge of firearms in the City of Bridgeton, the Code of Ordinances of the City of Bridgeton, Missouri, is hereby amended by adding a new Article VIII: *Deer Control Policy and Hunting Regulations* in Chapter 205: Weapons Offenses in the Code of Ordinances of the City of Bridgeton as follows:

SECTION 205.590: DEFINITIONS.

As used in this Article, the following terms shall have these prescribed meanings:

ARCHERY DEVICE: Any longbow or compound bow.

CROSSBOW: A device for discharging quarrels, bolts, or arrows, formed of: a bow set cross-wise on a stock, usually drawn by means of a mechanism and discharged by the release of a trigger.

FIREARM: The term "firearm" as is used in this Ordinance means any rifle, shotgun, weapon or similar mechanism by whatever name known, which is designed to expel a projectile or projectiles through a gun-barrel, tube, pipe, cylinder or similar device by the action of any explosive. The term "firearm" shall not apply to devices used exclusively for commercial, industrial or vocational purposes.

PROJECTILE WEAPON: The term "projectile weapon" means any bow, crossbow, pellet gun, slingshot or other weapon that is not a firearm, which is capable of expelling a projectile that could inflict serious physical injury or death by striking or piercing a person.

UNDER THE INFLUENCE: Under the influence shall be defined by the state regulation applied to motor vehicle operation.

SECTION 205.595: REGULATIONS.

This Section establishes regulations for hunting within the corporate limits of the City of Bridgeton during deer hunting season set by the Department of Conservation or such other specific time authorized by the City of Bridgeton.

- a. Hunting within City limits is limited to discharging or releasing arrows from archery devices. Crossbows are not permitted under this Ordinance.
- b. Prior to any hunting activity under this section, the property owner shall notify the Bridgeton Police Department of his or her intent to hunt on his or her property. This notification shall include the names of all property owners, the address of the proposed hunt property, the dates of the proposed hunt, and the names of all proposed hunters. In addition to the foregoing, the property owner shall complete a *Notification of Intent to Hunt* form and return said form to the Police Department prior to engaging in or permitting any hunting activity on his or her property.
- c. All current laws of the State of Missouri in regards to the regulations of hunting shall be obeyed within the corporate limits of the City of Bridgeton.
- d. The hunt shall conform to all state regulations as defined by this Missouri Department of Conservation.
- f. Permission to Hunt
 1. It shall be unlawful for any person carrying an archery device of any type, to knowingly enter into the premises or property of another, or to discharge any of the aforesaid archery devices while on the premises or property of another without first having obtained permission in writing from the owner, lessee, or person in charge of such premises or property. The duly obtained written permission shall be carried on the person of the hunter requesting and receiving such permission.
 2. In addition to the requirements set forth herein, it shall be at the discretion of the owner, lessee, or person in charge of any premises or property to set the parameters under which any person may hunt upon any such premises or property under the control of the owner, lessee, or person in charge.
 3. Each hunter shall be held responsible for the actions of such hunter, including but not limited to during the period in which permission was granted by the landowner, lessee, or person in charge.
 4. No person without lawful authority, or without the expressed or implied consent of the owner, lessee or his agent, shall enter any building or enter upon any enclosed or improved real estate, lot or parcel of ground within the City of Bridgeton or being upon the property of another, shall fail or refuse to leave such property when requested to do so by the owner, lessee, or person in charge of said property.
 5. Continuous neighbors must be notified in writing by the property owner and the property owner must be able to show the appropriate documentation of receipt of the notification of the approximate date and time period of the hunt. For purposes of this sub-section, contiguous shall mean any adjoining property that shares a common property line (or point) with the lot on which

the proposed hunt shall occur. Lots separated by streets, common areas, or other public thoroughfares shall not be considered contiguous.

g. In addition to any requirements imposed by the Missouri Department of Conservation regulations, any individual who successfully harvests a deer during a hunt must report the hunter's name, sex of the deer and the location of the harvest within two (2) business days by calling the Bridgeton Police Department during normal business hours or by delivering written notification to the Office of the Chief of Police.

h. Prior to discharging an archery device intended to be used for hunting, it shall be the hunter's responsibility to permanently mark each arrow or other projectile with his or her Missouri Department of Conservation identification number.

i. Nothing in this Deer Control Policy shall authorize the parking or standing of vehicles on private property without the consent of the property owner or to park a vehicle in any manner otherwise prohibited by the City Code. All hunters shall park their vehicles on the same property on which they are hunting.

j. Prior to hunting within the city limits of Bridgeton, every individual seeking to hunt shall apply for a permit from the office of the Chief of Police and provide a certificate of completion of an archery device hunter safety course as approved or provided by the Missouri Department of Conservation, regardless of age.

SECTION 205.600: SPECIFIC ACTIONS PROHIBITED/REQUIRED

a. It shall be unlawful for any person to discharge any archery device across any street, sidewalk, road, highway or playground.

b. It shall be unlawful for any person to discharge an archery device at or in the direction of any person, vehicle, dwelling, house, church, school, playground or building that is within the range of discharge including a safety margin of at least seventy-five (75) feet.

c. It shall be unlawful for any person to discharge any archery device within one hundred fifty (150) yards of any church, school or playground. It shall be unlawful for any person to discharge an archery device within thirty (30) yards of any dwelling, building, structure or vehicle, unless the hunter has previously received express authority to discharge the archery device within thirty (30) yards from the owner of the dwelling, building, structure or vehicle.

d. No arrow or other projectile used to hunt deer pursuant to the Deer Control Policy may be discharged or projected at such an angle or distance as to land on public or private property other than the property on which the hunt has been authorized.

e. No arrow or other projectile used to hunt deer pursuant to the Deer Control Policy may be discharged or projected at such an angle or distance as to land within seventy-five (75) feet of any front yard property line.

f. No arrow or other projectile used to hunt deer pursuant to the Deer Control Policy may be discharged or projected at such an angle or distance as to land within fifty (50) feet of any street or public right of way.

g. All hunting shall be conducted from an elevated position that is at least ten (10) feet in height and faces the interior of the property. The elevated position (deer stand) shall be located in such a way as to

direct arrows towards the interior of the property and to prevent any arrow from landing any closer than twenty-five (25) feet from any side or rear property line.

h. No hunting is authorized on tracts of land under three (3) acres in area, except that adjacent property owners may combine their parcels to satisfy the property line discharge restrictions contained in Sections (e) and (g) herein. All other provisions of the Deer Control Policy shall apply to combined lots.

i. It shall be unlawful for any person under the age of eighteen (18) years old to hunt deer within the Bridgeton city limits.

j. No person shall possess, consume or be under the influence of alcohol or any other controlled substance while engaged in hunting activities within the Bridgeton city limits.

SECTION 205.315: DEER RETRIEVAL

a. Any person who kills or injures any deer while hunting shall make a reasonable search to retrieve the deer and take it into his or her possession.

b. This section does not authorize the act of trespass.

c. It shall be the hunter's responsibility to obtain the permission of any property owner upon which an injured or dead deer is located prior to engaging in a reasonable search and retrieval of the deer.

d. In the event that the hunter cannot obtain the permission of a property owner to conduct a reasonable search and retrieval of an injured or dead deer, the hunter shall immediately notify the Missouri Department of Conservation and the Police Department.

SECTION 205:320: FIELD CLEANING

a. Any person who kills any deer while hunting shall follow all Missouri Department of Conservation guidelines regarding field dressing and processing the animal.

b. Any person who kills any deer while hunting shall take precautionary measures to avoid field dressing the deer in a public or conspicuous location.

c. Any person who field dresses or otherwise processes a deer shall properly dispose of the discarded organs and/or other parts in plastic bags in private trash depositories, or by other appropriate means. Nothing contained herein shall authorize the illegal dumping of solid waste or authorize the illegal dumping of bio-hazardous waste.

d. The transportation of a carcass along any public right-of-way is prohibited, unless it is covered or hidden from public view.

SECTION 2. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby to the extent of such conflict superseded.

SECTION 3: This Ordinance shall be in full force and effect from and after its passage and approval.

Bill No. _____

ORDINANCE NO. _____

PASSED THIS _____ DAY OF _____, 2014

APPROVED THIS _____ DAY OF _____, 2014

Conrad W. Bowers, Mayor

ATTEST:

Carole A. Stahlhut, City Clerk