

ORDINANCE NO. 2358

AN ORDINANCE ADOPTING 6.23 FORT DODGE MUNICIPAL CODE

BE IT ORDAINED by the City Council of the City of Fort Dodge, Iowa.

CHAPTER 6.23: URBAN CONTROLLED BOW HUNTING

Sections:

6.23.01 Purpose

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6.23.05 Bow Hunting

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6.23.01 PURPOSE. The purpose of this ordinance is to create and provide an organized, effective and safe method for deer population control inside City limits. This ordinance will outline the regulations and processes for an Urban Controlled Bow Hunt that aims at reducing the overall deer population with approved DNR, Department of Natural Resources, proven methods. This hunt focuses on the reduction of antlerless, primarily female deer, to reduce the current population, but moreover reduce future deer population.

6.23.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ANTLERLESS. A deer with no visible forked antler.

ARROW. As defined and limited by the State Department of Natural Resources (herein IDNR).

BOW. As defined and limited by the IDNR.

ELEVATED STAND. A manufactured stand (tree stand, ladder stand, tripod, quadpod or tower) with a safety harness and of sufficient height to place the hunter's feet at least six vertical feet above the highest ground elevation within 25 yards of the stand location, to ensure a downward thrust of an arrow when released by the bow.

LICENSE.

- (1) **INCENTIVE LICENSE / TAG.** A document issued by the IDNR to allow a bow hunter to harvest an antlered deer as a designated buck incentive program award recipient based on the City's Urban Controlled Bow Hunt program.

- (2) **URBAN ANTLERLESS DEER LICENSE / TAG.** A document issued by the IDNR in addition to the small game hunting license to allow a bow hunter to harvest an antlerless deer under the City's Urban Controlled Bow Hunt program.

OFFAL. Entrails, which includes most internal organs other than muscles and bones.

PERMISSION FORM. A document issued by and filed with the City to affirm that the hunter has received written authorization to hunt on private property from the owner or manager thereof.

USABLE PORTION. Any part of a deer that is customarily process for human consumption.

VISCERA. The internal organs with the chest.

6.23.03 URBAN DEER MANAGEMENT ZONE.

The City of Fort Dodge has determined areas exist within the City limits where deer are overly abundant and a reduction in population is warranted for proper management of resources, and these areas have been designated by the IDNR to be recommended urban deer management zones.

6.23.04 SPECIAL BOW HUNT.

- (A) A special bow hunt is hereby established and shall be administered by the City in accordance with the provisions of this chapter. The dates and boundaries for the special bow hunt shall be set annually by City Council resolution and may be more restrictive than the dates and boundaries designated by the IDNR.
- (B) Hunters wishing to participate in the special bow hunt shall first obtain an urban antlerless deer license or incentive license after completing the following providing proof thereof:
- a. An annual archery proficiency test; and
 - b. A bow hunter safety education course conducted by the IDNR or approved equivalent.
 - c. See 4C, Hunters must follow ALL state and local regulations, policies and registrations.
- (C) The City hereby reserves the right to approve the content and operation of the test or safety course and to reject any that is not compliant with IDNR requirements or recommendations, or otherwise deemed acceptable to the Police Department.
- (D) Only hunting areas that are, at a minimum, of 200 yards by 200 yards will be considered for the special bow hunt.
- (E) Shots shall only be taken from an elevated stand; provided that a hunter with IDNR-qualifying disability may request permission to use an alternative; shall be restricted to a distance of not more than 75 feet (25 yards); and shall clearly have a downward angle intended to minimize travel of an arrow beyond the 75 feet (25 yards) maximum shot distance. A diligent attempt shall be made to retrieve every arrow.
- (F) Shots shall only be taken so that a shot would not cross recreational trail or street or at any home or building. Responsible and selective shot practices shall be necessary for bow hunting.
- (G) Legal weaponry for all hunting allowed by this chapter shall be restricted to bows and arrows, except that a hunter with a qualifying disability as defined by IDNR regulations may be allowed to use a crossbow and bolts as defined and limited by the IDNR.
- (H) Bows and arrows shall be cased while traveling to and from every hunting site.
- (I) All state-wide IDNR hunting regulations are to be followed if not specified otherwise.

6.23.05 BOW HUNTING.

- (A) No person shall pursue, stalk, hunt, lie in wait for, shoot at or kill any deer with a bow and arrow, except as permitted by this chapter.
- (B) Hunters shall comply with all requirements established by the IDNR and by the municipal code, including, but not limited to this chapter.
- (C) Hunters shall complete and file a permission form prior to hunting.
- (D) Hunting shall be prohibited on all city-owned property unless expressly approved by the City Council after review and recommendation by the City Manager's Office.
- (E) The minimum age for participation in the special bow hunt shall be 18 years old on the day of the hunt.
- (F) Each hunter shall carry all of the following on his or her person at all times while hunting:
 - a. An IDNR license for the special bow hunt to hunt within the boundaries designated by the City;
 - b. A permission form for the current year; and
 - c. A map verifying that the property being hunted is located within the hunt area that has been designated by the City Council.
 - d. Hunters must follow all IDNR regulations and possess all documentation required by IDNR rules. It is the Urban Deer Hunter's responsibility to know ALL state and local laws, rules, and guidelines prior to participating in the Urban Deer Management program.
- (G) A hunter shall not leave a usable portion of the deer in the field. In the case of private property, viscera and other offal shall be disposed of in a manner that is acceptable to the property owner and in a location that is not visible from adjoining public or private property.
- (H) A hunter shall not dispose any animal part on any public property, including roadside ditches.
- (I) If a mortally wounded deer travels off the property being hunted onto other property, the hunter shall attempt to notify the other property owner, or in case of City property, the City Police Department, before entering the other property to recover the mortally wounded deer.
 - a. Urban Deer Hunters must make a reasonable effort to retrieve all wounded deer; if such an effort is made and still is unsuccessful, hunters must contact the Fort Dodge Police Department, Community Service Officer (CSO) immediately and at minimum leave a voicemail with pertinent information. The CSO can be reached at XXX-XXX-XXXX.
- (J) Hunters are strongly encouraged to utilize a safety harness conforming to current Treestand Manufacturers Association (TMA) or American Society for Testing and Materials (ASTM) standards, in the manner and method proscribed by the manufacturer, at all times while occupying an elevated stand.

6.23.06 FEEDING DEER; PROHIBITED.

- (A) Feeding prohibited. Residents are prohibited from overtly and intentionally feeding deer for the following reasons:
 - a. There is an increased risk of spreading disease among the herd when deer are concentrated in one place through purposeful feeding, by promoting contact between a sick animal and healthy animals;

- b. An increased chance of exposing self, family or pets to ticks that carry Lyme Disease (*Borrelia burgdorferi*), and to other diseases that may be carried by deer or insects transported by deer; and
 - c. Reduced fear of humans, leading to increased property damage, car / deer accidents and other concerns.
- (B) Prohibition.
- a. No person may place or allow a salt or mineral block to be placed outdoors on any public or private property for the purpose of attracting or feeding deer.
- (C) Exceptions.
- a. Petting Zoo animals. This chapter does not apply to the City's Oleson Park Zoo that has deer onsite and are overseen by the Parks and Recreation Department staff.

6.23.07 PENALTY.

- (A) Failure to comply with City and / or State regulations may subject a hunter or landowner to revocation of permission to participate in the Urban Controlled Bow Hunt program, and to be subject to other penalties prescribed by the Iowa Code and by the municipal code, including, but not limited to, fines and penalties as set forth in Chapter 1.20
- (B) Any resident that violates XXX.99 shall be guilty of a municipal infraction and subject to fines and penalties set forth in Chapter 1.20.020 – Penalty.

REPEALER.

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

SEVERABILITY CLAUSE.

If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

EFFECTIVE DATE.

This Ordinance shall be in full force and effect following passage, approval and publication as by law provided.

The above Ordinance passed and adopted by the City Council of the City of Fort Dodge, Iowa, this 22nd day of August, 2022.

First consideration 25th day of July, 2022.

Ayes: Flattery, Nelson, Conrad, McCaleb, Alstott and Schuur

Nays: Moehnke

Other: None

Second consideration 8th day of August, 2022.

Ayes: Flattery, Nelson, McCaleb, Alstott and Schuur

Nays: Conrad and Moehnke

Other: None

Third consideration 22nd day of August, 2022.

Ayes: Flattery, Nelson, McCaleb, and Alstott

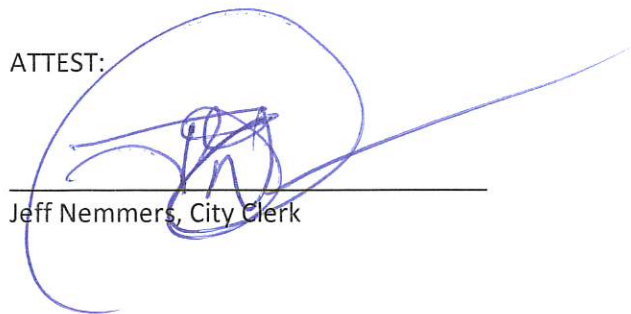
Nays: Conrad, Moehnke and Schuur

Other: None



Matt Bemrich, Mayor

ATTEST:



Jeff Nemmers, City Clerk

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