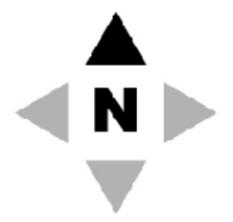


- Restricted Bow and Restricted Shotgun
- Restricted Bow
- Non-Restricted
- No Hunting

Hunting Restrictions Map

September 2014



Chapter 5

BOWS, FIREARMS AND TRAPPING

7-5-1: DEFINITIONS:

BOW: Any device capable of propelling an arrow or similar projectile for a distance greater than fifty feet (50').

CARRY: The handling or transportation of a bow or firearm, concealed or otherwise, outside a person's domicile.

DISMANTLED BOW OR FIREARM: Any unloaded firearm or bow which is dismantled in such a manner so as to prevent shooting it.

ENCASED BOW OR FIREARM: Any unloaded bow or firearm, placed in case which is tied or otherwise secured, to prevent shooting it.

FIREARM: A device that discharges shot or a projectile by means of an explosive, a gas, a spring or compressed air.

LANDOWNER: Any person, group, firm or corporation owning, leasing or legally controlling any lands within the territorial limits of the city.

NONRESTRICTED: That area in the city in which the use of firearms and bows and arrows is regulated by state and federal statutes, without any further restrictions of this chapter.

PROJECTILE: Any object intended and capable of being discharged from a bow or firearm.

RESTRICTED: That area of the city in which the use of firearms and bows and arrows is restricted by regulations included in this chapter in addition to state and federal statutes.

RESTRICTED SHOTGUN: That area of the city in which hunting with a firearm is restricted to the use of a shotgun.

SHOOTING: The firing or discharge of any bow or firearm.

SUITABLE BACKSTOP: Any natural or manmade barrier of sufficient mass, size, or construction to wholly contain the projectile being discharged from a bow or firearm.

TRAPPING: The act of setting or laying a trap used to catch, snare or kill an animal or bird.

WRITTEN PERMISSION: A written document containing the following information: the full name, address, date of birth and signature of the person authorized to hunt or shoot; the full name, address and signature of the landowner providing the written permission. (Ord. XIV.11, 10-6-1992; and Ord. XVI.51, 6-3-2003; Ord. XVI.58, 9-16-2008)

7-5-2: DESIGNATED AREAS:

For purposes of regulating the use of bows and firearms within the city, all area within the corporate city limits is divided into certain restricted (R) and nonrestricted (NR) areas. The area designated R shall be all portions of the city west of Akron Avenue and all areas within the corporate city limits zoned residential or rural residential. The area designated NR shall be all areas within the city limits except that designated R. Within the R area there is an area designated as restricted shotgun (SH). This area includes: All portions of land zoned agriculture in the area west of Akron Avenue to Bacardi Avenue on the north side of County Road 38 (renamed Bonaire Path), and the area west of Akron Avenue to the east of the southern half of the eastern section line of section 21, township 115, range 19 and the northern half of the eastern section of section 28, township 115, range 19 north of County Road 42 to County Road 38 (renamed Bonaire Path). (Ord. XVI.51, 6-3-2003)

7-5-3: PERMITTED USES OF BOWS AND FIREARMS:

In areas R and NR, the shooting or carrying of bows and firearms which are not encased or dismantled is permitted under the following circumstances in the designated areas R and NR unless otherwise prohibited by state or federal law:

A. By law enforcement officers in the line of duty or military personnel in the line of duty.

B. By any person to resist or prevent an offense which that person reasonably believes exposes him or her or another person to great bodily harm or death.

C. By any person on a rifle, trap, archery or target range established in accordance with the city's zoning ordinance or as part of a city-sponsored or authorized activity. (Ord. XIV.11, 10-6-1992)

D. By any person target practicing with a bow and a suitable backstop in a designated city park(s) area(s) or on school grounds in connection with a school-sponsored class or program in an area zoned rural residential and at least two hundred feet (200') from all buildings, unless the buildings are owned by him or her or unless he or she has the owner's written permission carried on his or her person. Bow and arrow target practice may also take place within the confines of a building if a suitable backstop is used. (Ord. XVI.47, 6-5-2001)

E. By a person participating in a special hunting season, which season may not conflict with state law regulations, established by the city council upon the recommendation of the chief of police for the purpose of wildlife management. The seasons shall be established by the city council when, based upon competent professional advice (such as a conservation officer), a season is needed to reduce an animal population. (Ord. XIV.11, 10-6-1992)

F. Bow and arrow use for hunting purposes is permitted on platted parcels of a minimum of 2.5 acres that are zoned rural residential or agriculture. All hunting must be done from an elevated stand of a minimum of five feet (5') in height. Hunting with a bow and arrow shall be in accordance with all applicable state laws and regulations. (Ord. XVI.51, 6-3-2003)

7-5-4: ADDITIONAL PERMITTED USES OF FIREARMS IN AREA NR:

The shooting or carrying of firearms which are not encased or dismantled is permitted under the following circumstances in designated area NR unless otherwise prohibited by state or federal law:

- A. By any person for target practice provided that the projectiles are stopped by a suitable backstop and provided further that the property on which the target practice occurs is owned by him or her or is undertaken with the owner's written permission carried on his or her person.
- B. By any person hunting provided that the projectiles do not leave the property on which the hunting is occurring and provided further that the shooting occurs at least five hundred feet (500') from all buildings unless owned by the hunter or with the owner's written permission carried on the hunter's person. (Ord. XIV.11, 10-6-1992)

7-5-5: BOW AND FIREARM PROHIBITIONS:

Except as specifically allowed in sections 7-5-3 and 7-5-4 of this chapter:

- A. Unless it is encased or dismantled, the carrying of a bow or firearm in a motor vehicle, in a place or area open to the public or in any private place or area, unless the private place or area is owned by the person carrying the bow or firearm, or with the owner's permission, is prohibited.
- B. The shooting of or hunting using a bow or firearm is prohibited.
- C. Carrying or shooting a bow or firearm by any person under the age of fourteen (14) is prohibited except when accompanied by a parent, adult guardian or certified safety training instructor. (Ord. XIV.11, 10-6-1992)

7-5-6: PERMITTED USES OF SHOTGUNS WITHIN THE RESTRICTED R AREA:

The shooting or carrying of shotguns that are not encased or dismantled is permitted under the following circumstances in designated SH areas in accordance with applicable state and federal law:

- A. Single projectile slugs are authorized only for deer hunting.
- B. Shot up to number 2 is authorized for all other hunting or target shooting.
- C. All hunting of deer must be done from an elevated stand of a minimum of five feet (5') in height. (Ord. XVI.51, 6-3-2003)

7-5-7: HUNTING MAP: (see attachment)

7-5-8: TRAPPING PERMITTED IN DESIGNATED AREAS AND PROHIBITIONS: linklink

A. Permitted Where; Exceptions:

- 1. Trapping is permitted on platted parcels of a minimum of 2.5 acres that are zoned rural residential or agriculture; and parcels of a minimum of five (5) acres located east of County Road 71 (Blaine Avenue) and zoned heavy industrial. All trapping shall be conducted in accordance with all applicable state laws and regulations. Trapping may be conducted by an owner, members of the owner's family or by written consent of the owner of the platted parcel. Written consent shall be carried on the person while trapping is being conducted on the property.
- 2. In addition, trapping shall not be done:
 - a. Within fifty feet (50') of any city, county or state park land or other public property. This restriction shall include public roadways and the fifty feet (50') shall be measured from the curb or edge of the roadway.
 - b. Within twenty five feet (25') of any property line when the trapping is conducted in an area zoned as rural residential.
 - c. Within twenty five feet (25') of any property line when the trapping is conducted in an area zoned as agriculture if the adjoining property is not also zoned as agriculture.

B. Prohibited Where: Trapping is prohibited in all areas not listed in subsection A of this section.

C. Restrictions Of Types And Sizes Of Traps: Traps used in the permitted areas are restricted as follows:

- 1. Snare traps are prohibited.
- 2. No leg hold trap larger than #2 or conibear type with a jaw spread larger than six and one-half inches (6 1/2") shall be used.
- 3. If conibear type traps are to be baited or bait is used in conjunction with the trap sets, it must be set in the following way: They must be set in a cubby with the trap inserted a minimum of seven inches (7") from the front, with the cubby opening no more than fifty (50) square inches in area. Openings may be restricted with wire mesh, wood strips, or other material.

D. Exceptions: This section does not apply to:

- 1. Quick kill trapping if the traps are designed and intended to kill rats, mice, gophers or moles.
- 2. Live trapping of wild animals.
- 3. Any person duly appointed and designated through city council action for the purpose of wildlife management and control. (Ord. XVI.58, 9-16-2008)