

CHAPTER 48

SPECIAL BOW HUNTING OF ANTLERLESS DEER

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

1. “Antlerless” means a deer with no visible forked antler.
2. “Arrow” means the same as defined and limited by the State Department of Natural Resources (herein IDNR).
3. “Bow” means the same as defined and limited by the IDNR.
4. “Elevated stand” means 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.
5. “License” means either of the following:
 - A. Incentive License. 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 previous year’s antlerless deer program in the City.
 - B. Urban Antlerless Deer License. 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 special bow hunting program.
6. “Offal” means entrails, which includes most internal organs other than muscle or bones.
7. “Permission form” means 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.
8. “Usable portion” means any part of a deer that is customarily processed for human consumption.
9. “Viscera” means the internal organs within the chest.

48.02 URBAN DEER MANAGEMENT AREA. The IDNR has determined that 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 areas.

48.03 SPECIAL BOW HUNT. 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.

1. Hunters wishing to participate in the special bow hunt shall first obtain an urban antlerless deer license or incentive license after completing the following and providing proof thereof:
 - A. An annual archery proficiency test; and
 - B. A bow hunter safety education course conducted by the IDNR or approved equivalent.
2. 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 unacceptable to the Police Department.
3. Hunting shall be prohibited within the following protection zones, and no shot shall be directed into or across any protection zone:
 - A. Within 200 feet of any home or building not owned by the hunter, unless the owner thereof waives the prohibition in a written statement filed with the City; and
 - B. Within 100 feet of a recreation trail or street.
4. Shots shall only be taken from an elevated stand; provided that a hunter with an IDNR-qualifying disability may request permission to use an alternative; shall be restricted to a distance of not more than 75 feet; and shall clearly have a downward angle intended to minimize travel of an arrow beyond the 75 feet maximum shot distance. A diligent attempt shall be made to retrieve every arrow.
5. 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.
6. Bows and arrows shall be cased while traveling to and from every hunting site.

48.04 BOW HUNTING.

1. 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.
2. Hunters shall comply with all requirements established by the IDNR and by this Code of Ordinances, including, but not limited to, this chapter.
3. Hunters shall complete and file a permission form prior to hunting.
4. Hunting shall be prohibited on all City-owned property unless expressly approved by the City Council after review and recommendation by the governing City Board or Commission.
5. The minimum age for participation in the special bow hunt shall be 18 years old on the day of the hunt.
6. Each hunter shall carry all of the following on said hunter's 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.
7. 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.
 8. A hunter shall not dispose any animal part on any public property, including roadside ditches.
 9. 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 the case of City property, the City Police Department, before entering the other property to recover the mortally wounded deer.
 10. 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.

48.05 HUNTING ON RURAL PROPERTY.

1. Bow hunting may be allowed on any property located within predominately agricultural areas of the City as designated annually by City Council resolution (hereafter rural property) in accordance with all IDNR regulations and without obtaining an urban antlerless deer license or incentive license, subject to the restrictions listed in this section.
2. A bow hunter is not required to complete the City permission form nor comply with the annual proficiency or safety education course required for the City's special bow hunt program to hunt on rural property unless the bow hunter desires to have any antlerless deer taken on a rural property to be included in the season harvest requirement for a possible incentive license in the following season, if any are awarded; and is not required to case the bow and arrows while traveling to hunting sites located on rural property.
3. A bow hunter may obtain an "any sex license" from the IDNR to hunt on rural property, but the tag shall not be used to take any antlered deer within the boundaries designated by the City for the special bow hunt. This restriction shall not apply to an incentive license awarded for the prior season under the City's special bow hunt program.

48.06 FEEDING DEER PROHIBITED.

1. 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.
2. Prohibition.
 - A. No person may place or allow any device or any fruit, grain, mineral, plant, salt, vegetable, or other material to be placed outdoors on any public or private property for the purpose of attracting or feeding deer.
 - B. Each property owner or occupant of the property shall have the duty to remove any materials placed on the owner's property in violation of this chapter. Failure to remove the materials within 24 hours after notice from the City shall constitute a violation of this chapter.
 - C. Each property owner or occupant of the property shall have the duty to remove any device placed on the owner's property to which deer are attracted or from which deer actually feed. Alternatively, a property owner or occupant may modify the device or make other changes to the property that prevent deer from having access to or feeding from the device. Failure to remove the device or to make modifications within 24 hours after notice from the City shall constitute a violation of this chapter.
 3. Rebuttable Presumption. There is a rebuttable presumption that the placement of fruit, grain, mineral, plant, salt, vegetable, or other materials in a drop feeder, deer feeder kit, automatic feeder, or similar device regardless of the height of the fruit, grain, mineral, plant, salt, vegetable, or other material is for the purpose of feeding deer.
 4. Exceptions.
 - A. Naturally Growing Materials. This chapter does not apply to naturally growing materials, including, but not limited to, fruit, grain, nuts, seeds, and vegetables.
 - B. Planted Materials. This chapter does not apply to planted materials growing in gardens, as standing crops or in a wildlife food plot.
 - C. Stored Crops. This chapter does not apply to stored crops, provided that the stored crop is not intentionally made available to deer.
 - D. Incidental Spills. This chapter does not apply to spills of seed materials intended for planting or to crop materials that have been harvested if the spills are incidental to normal agricultural operations and those materials are not intentionally made available to deer.

48.07 PENALTY. Failure to comply with City or State regulations may subject a hunter or landowner to revocation of permission to participate in the special bow hunt, and to be subject to other penalties prescribed by the *Code of Iowa* and by this Code of Ordinances, including, but not limited to, fines and penalties as set forth in Chapter 3. Any resident that violates Section 48.06 shall be guilty of a municipal infraction and subject to fines and penalties as set forth in Chapter 3.

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