

ORDINANCE NO. 13,608

AN ORDINANCE to amend the Municipal Code of Des Moines, 1991, adopted by Ordinance No. 11,651, passed April 15, 1991, and amended by Ordinance No. 12,050, passed October 4, 1993 by repealing Sections 17-35.05, 17-37.01, 17-37.02, 17-37.03 and 17-37.04, thereof and enacting new Sections 17-35.05, 17-37.01, 17-37.02, 17-37.03 and 17-37.04, all relating to hunting deer within the City limits.

Be It Ordained by the City Council of the City of Des Moines,

Iowa:

Section 1. That the Municipal Code of Des Moines, 1991, adopted by Ordinance No. 11,651, passed April 15, 1991, and amended by Ordinance No. 12,050, passed October 4, 1993 by repealing Sections 17-35.05, 17-37.01, 17-37.02, 17-37.03 and 17-37.04, thereof and enacting new Sections 17-35.05, 17-37.01, 17-37.02, 17-37.03 and 17-37.04, all relating to hunting deer within the City limits, as follows:

17-35.05. HUNTING.

No person shall pursue, hunt, kill, snare, net, search for, shoot at, stalk, or lie in wait for any game, animal, or bird with an air gun, B-B gun, firearm, bow and arrow, or any other thrown or propelled device within the city limits except as provided in subsection (a) below.

(a) Licensed bow hunters meeting the requirements established by the Iowa Department of Natural Resources (DNR) may hunt deer within the areas designated as the Des Moines Special Deer Management Zones on public or private property, under all the following conditions:

- (1) Hunting may occur only on dates designated by DNR as bow hunting season in the Des Moines Special Deer Management Zone (Zone) by persons who are at least eighteen years of age and licensed for such hunting and this license must be carried on his or her person; and
- (2) Hunters must have written permission from the property owner and must carry that written permission form on his or her person and the portion of the Des Moines Special Deer Management Zone map which verifies that the property is within the Zone; and
- (3) Hunters cannot carry a uncased bow within 300 feet of any residence or within 75 feet of any trail, road or building; and
- (4) Hunters must take all shots from an elevated stand and shoot no further than 25 yards; and
- (5) Hunters must comply with all DNR rules for hunting in the Zone; and
- (6) Hunters must take all deer meat to be processed or given to charity.

(7) Hunting may occur in Des Moines Water Works Park according to the requirements of this code if permitted by resolution of the Board of Water Works Trustees of the City of Des Moines, which resolution may impose greater restrictions than are provided in this code. No hunting may occur in any other park owned by the city and operated by the Des Moines Park and Recreation Department except during the second bow season only by written permit issued by the Park and Recreation Director which permit may limit the dates, time of day and area that hunting is allowed. No hunting may occur within 75 feet of any city-owned recreational trail or on any other property owned or leased by the city other than Des Moines Water Works Park.

Any violation of this section is punishable as provided in section 1-11 of this code.

17-37.01. USE OF BOWS AND ARROWS.

Except as provided in section 17-35.05(a), no person shall shoot a bow and arrow within the city, except pursuant to sections 17-37.02, 17-37.03 and 17-37.04, without permission from the chief of police which permission shall limit the time and place of shooting and may be revoked by the chief of police. In this section and sections 17-37.02, 17-37.03 and 17-37.04, "**shoot a bow and arrow**" means to place the nock of the arrow in the string of a bow or of any other object and to release the arrow in

such fashion that when the string is pulled and released, the arrow thrusts forward.

17-37.02. REGULATIONS FOR USE OF BOWS AND ARROWS.

No person shall shoot a bow and arrow within the city limits except as follows:

(1) Any person may participate in a supervised program of physical education or competitive sports in a public or private school.

(2) Any person may shoot a bow and arrow at a public or private lane or range that has been certified by the Archery Range and Retailers Organization or the National Field Archery Association.

(3) Any participant may shoot a bow and arrow in a tournament which either has been approved by the city manager or his or her designee at least one week prior to the time of the tournament and for which tournament rules have been submitted to the city manager or his or her designee, or is conducted at a licensed lane or range.

(4) Any person may shoot a bow and arrow on private or school property provided the requirements of section 17-37.03 are met.

(5) A properly licensed qualified person may shoot a bow and arrow as provided in section 17-35.05(a).

17-37.03. USE OF BOWS AND ARROWS ON PRIVATE PROPERTY.

No person shall shoot a bow and arrow in such fashion that it travels beyond the boundaries of the private or school property on which the person is shooting. Except as provided in section 17-35.05(a), any person shooting a bow and arrow on private or school property shall direct the arrow toward a backdrop composed of a substance which will not allow the arrow to pass through and such backdrop must extend at least five feet beyond the target on the top and both sides and must extend from the bottom of the target to the ground. The target shall be constructed and installed so that the target face cannot move more than two inches in any direction.

17-37.04. USE OF BOWS AND ARROWS FOR HUNTS.

No person shall shoot a bow and arrow within the city limits at any living being such as an animal, bird, fish, or fowl, except as provided in section 17-35.05(a).

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Emily Gould Chafa

Assistant City Attorney