

ORDINANCE NO. 13,741

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, and amended by Ordinance No. 13,608, passed June 1, 1998 by repealing Section 17-35.05 hereof and enacting a new Section 17-35.05, 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, and amended by Ordinance No. 13,608, passed June 1, 1998 is hereby amended by repealing Section 17-35.05 hereof and enacting a new Section 17-35.05, relating to hunting deer within the City, 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 subsections (a) and (b) below.

(a) Licensed bow hunters meeting the requirements established by the Iowa Department of Natural Resources (DNR) may hunt antlerless 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 if 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 Iowa DNR rules for hunting in the Polk County and Des Moines Special Deer Management Zones; and

(6) Hunters must take all deer meat to be processed or given to charity.

(7) Hunting may occur in Water Works Park according to the requirement of this code if permitted by

resolution of the Des Moines Water Works Board of Trustees, 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 or within 75 feet of any city-owned recreational trail or on any other property owned or leased by the city other than Water Works Park.

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

(1) All conditions listed in (a) above must be met.

(2) A limited number of antlered deer may be taken according to an incentive program that may be adopted by the Polk County Deer Task Force and approved by the Iowa Department of Natural Resources (DNR).

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

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

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Attest:

I, Donna Boetel-Baker, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 99- 2543), passed by the City Council of said City at a meeting held August 16, 1999, signed by the Mayor on August 16, 1999, and published as provided by law in the Business Record on August 30, 1999. Authorized by Publication Order No. 6246.

Donna Boetel-Baker, CMC/AAE, City Clerk

