

★ Roll Call Number

Agenda Item Number

44

Date September 24, 2007

An Ordinance entitled, "AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, and amended by Ordinance No. 13,999 passed September 24, 2001, and Ordinance No. 14,131 passed August 5, 2002, and Ordinance No. 14,524 passed December 19, 2005, and Ordinance No. 14,587 passed September 25, 2006 by adding a new paragraph (4) to Section 70-84(b) thereof, relating to hunting permits",

which was considered and voted upon under Roll Call No. 07-1750 of August 6, 2007; again presented.

Moved by _____ that this ordinance be considered and given second vote for passage.

(Second of three required readings)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk

MOTION CARRIED

APPROVED

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Mayor

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**Council
Communication**
Office of the City Manager

Date	September 10, 2007
Agenda Item No.	48
Roll Call No.	07-1750
Communication No.	07-533
Submitted by: Donald M. Tripp, Park and Recreation Director	

AGENDA HEADING:

First reading of an ordinance to amend the Municipal Code of the City of Des Moines to authorize the Park and Recreation Director to issue hunting permits to licensed bow hunters for hunting antlerless deer within the public or private areas in the City designated as the "Des Moines Special Deer Management Zones."

SYNOPSIS:

Recommend approval of an ordinance amendment authorizing the Park and Recreation Director to issue hunting permits to licensed bow hunters for hunting antlerless deer. Bow hunting would only be permitted within the public or private areas of the City designated as the "Des Moines Special Deer Management Zones."

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

Controlled bow hunting of deer within the City limits of Des Moines is held annually in the Fall in response to continued growth in the urban deer population that has resulted in damage to natural vegetation, increased deer/vehicle collisions and damage to private landscaping. The current ordinance does not require bow hunters to obtain a "special use permit" from the Park and Recreation Department when hunting on private property within the boundaries of the City of Des Moines. Registration of all bow hunters with the Park and Recreation Department ensures that hunting rules are disclosed to all hunters regardless of whether they hunt on public or private property within the City. It also assists in documenting the deer harvest and helps to disseminate awareness of hunting rules to participating property owners and the general public.

PREVIOUS COUNCIL ACTION(S):

Date: September 25, 2006

Roll Call Number: 06-1901

Action: Amending Chapter 70 of the Municipal Code regarding bow hunting. Moved by Hensley that this ordinance do now pass. #14,587. Motion Carried 6-0.

Date: December 19, 2005

Roll Call Number: 05-3018

Action: Amending Chapter 70 of the Municipal Code to allow the Park & Recreation Director to permit deer hunting in City Parks. (Council Communication No. 05-736) Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Nays: Brooks.

Date: August 5, 2002

Roll Call Number: 02-1965

Action: Amending Section 70-84 of the Municipal Code, reducing distance to 200' from residence, to carry an uncased hunting bow. Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: McPherson.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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ORDINANCE NO. _____

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, and amended by Ordinance No. 13,999 passed September 24, 2001, and Ordinance No. 14,131 passed August 5, 2002, and Ordinance No. 14,524 passed December 19, 2005, and Ordinance No. 14,587 passed September 25, 2006 by adding a new paragraph (4) to Section 70-84(b) thereof, relating to hunting permits.

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

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, and amended by Ordinance No. 13,999 passed September 24, 2001, and Ordinance No. 14,131 passed August 5, 2002, and Ordinance No. 14,524 passed December 19, 2005, and Ordinance No. 14,587 passed September 25, 2006 is hereby amended by adding a new paragraph (4) to Section 70-84(b) relating to hunting permits, as follows:

Sec. 70-84. Hunting.

(b) Licensed bow hunters meeting the requirements established by the state 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:

(4) Hunters must have a permit issued by the director of the park and recreation department and comply with the terms and conditions of such permit.

(45) Upon application of the property owner, the director of the park and recreation department may issue a permit which waives the 100 feet residency requirement

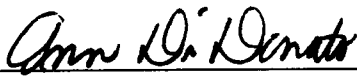
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as provided in subsection (b)(3) of this section and provide for a lesser distance. Such waiver permit may be issued only after an on-site inspection by the park and recreation department and a determination by the director that the hunt may be safely performed. Such waiver permit may include special hunt restrictions to ensure the safety of the hunt and must adhere to the distance requirements provided in subsection (b)(3) of this section from adjoining properties;

- (56) Hunters must take all shots from an elevated stand and shoot no further than 25 yards;
- (67) Hunters must comply with all rules of the state department of natural resources for hunting in such zone; and
- (78) Hunters must take all deer meat to be processed or given to charity.

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

FORM APPROVED:



Ann DiDonato
Assistant City Attorney