Agenda	Item	Number
	, 1,	. /

<b>A</b>			
X	Roll	Call	Number

	September	25,	2006
Date			

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 by amending Section 70-84 thereof, relating to bow hunting",

which was considered	and voted upon	for the first	time under Roll
Call No. 06- 1688	of August 2/	2006, and cons	idered and voted
upon for the second t	ime under Roll (	Call No. 06- 18	62 of September
11, 2006, again pres	ented.		

Moved	by		that	this	ordinance	do	now	pass.
		,	מאד מסר	NICE N	VIO.			

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

MOTION CARRIED

APPROVED

#### **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
CAUJ	CICIAL

# Guide to Controlled Bowhunts in City of Des Moines Park & Wildlife Areas 2006-2007

Carney Park, Case Lake, Crocker Woods, Prospect Park
MacRae Park Western Woods, Pioneer Park,
Laurel Hill Cemetery Woods and
Ewing Park (along Yeader Creek)

This fall, the Des Moines Park and Recreation Department will issue special use permits allowing bowhunters to participate in a controlled bowhunt for antlerless deer at several City of Des Moines parks and wildlife areas. A limited number of special use permits will be issued for these parks and open areas, The bowhunt is limited to antlerless deer only, and will take place from Saturday, September 16, 2006 to Sunday, January 21, 2007. Maps of the hunting areas of each area will specify where bowhunting is allowed within that area. There may be an occasional variance to these dates, whereby the hunt may be halted after notification from DMP&R.

This controlled bowhunt is being held in response to a 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 program is designed with the intent to harvest in coordination with Polk County Task Force. Urban deer populations can double three to four years if left unchecked.



**Des Moines Park and Recreation Department** 

3226 University Avenue Des Moines, Iowa 50311 (515) 237-1386

# Deer Control Management Procedures For City of Des Moines Park and Recreation Department

#### **DEER MANAGEMENT IN CITY PARKS**

The Des Moines Park and Recreation Board has approved the concept of working toward reducing the over-abundance of deer in our city parks and open spaces. Areas recommended for controlled bow hunting are Case Lake, Carney, Prospect and Crocker parks starting Saturday, September 16, 2006; with approval of the City of Des Moines Park Board may include portions of Laurel Hill Cemetery Woods, MacRae Park Western Woods, Pioneer, and Ewing (NE section along Yeader Creek) parks effective October 1, 2006. Bow hunting will be restricted to the generally low-use areas and will be marked by signage at these areas.

Our reasons to allow bow hunting for deer are to maintain the biodiversity, reduce vehicle deer collisions, and reduce damage to private property.

Enclosed are the rules, procedures, ethics, and qualifications governing the hunt.

#### Special Hunts Within City of Des Moines Parks Rules, Procedures, and Ethics (Bow and Arrow Hunting Only)

- 1. To be eligible for a special Park and Recreation Department deer permit, participating hunters must have successfully completed the Iowa Department of Natural Resources approved bowhunter education course and have written proof of passing the archery proficiency test.
- 2. Only antlerless deer may be harvested.
- 3. Hunters must carry with them at all times in the field: 1. the DNR license, 2. a copy of the special Des Moines Parks and Recreation bowhunting permit and 3. a copy of the Des Moines Special Deer Management Zone.
- 4. No bow may be used within 200 feet of any residence. All bows must be kept within a case while walking to and from a hunting stand. All stands must be at least 25 yards from all trails, roads, buildings, etc.
- 5. All shots must be taken from an elevated stand. The hunter should know their effective shooting range and never shoot beyond that range. Only high percentage shots should be taken to avoid wounding deer. Shots must be 25 yards or less.
- 6. The stalking or driving of deer is not permitted.
- 7. The hunter should be sure what is downrange of their hunting stand and make every effort to retrieve every arrow.
- 8. Hunters must be sure to identify their target as an antlerless deer before shooting.
- 9. If unable to locate a wounded deer, a hunter must report this within 12 hours to a Department of Natural Resources Conservation Officer.
- 10. Hunters must always use proper field dressing techniques and never leave entrails in a conspicuous location.
- 11. All violations must be reported to the Department of Natural Resources Conservation Officers.
- 12. The harvesting of any deer must be reported to the Des Moines Park and Recreation Department. A representative must be present for the marking of all deer. Contact phone numbers: From 5:00 pm 5:00 am weekdays, all day Saturdays, Sundays and Holidays 283-4811, weekdays only from 5:00 am 5:00 pm, see permit for phone numbers.
- 13. Hunters should immediately remove themselves from any harassment situation and report the incident to a DNR Conservation Officer 238-4849 or the Des Moines Park and Recreation Department 237-1386.

- 14. The Des Moines Park and Recreation Department controlled bow hunt shall take place *Saturday, September 16, 2006 through Sunday, January 21, 2007* as set by the Iowa Department of Natural Resources.
- 15. Each park area, as indicated below, will allow a maximum number of hunters at any one time. Application will ask if you will only be able to hunt weekends or perhaps only weekdays, only partial or entire season. All permits will be issued on a lottery basis. When a hunter harvests a deer in any particular area, the Park and Recreation Department can issue a permit to a new person on a waiting list. Applications for permits are due Friday, September 8, 2006 at the Des Moines Park and Recreation office at 3226 University Avenue, Des Moines, IA 50311, to be included in the lottery. Applications received after that date will be on a first come first served basis depending on availability.

Number of hunters allowed at any one time in each special deer management area are:

4 at Case Lake

2 at Carney Park

2 at Prospect Park

2 at Crocker Woods

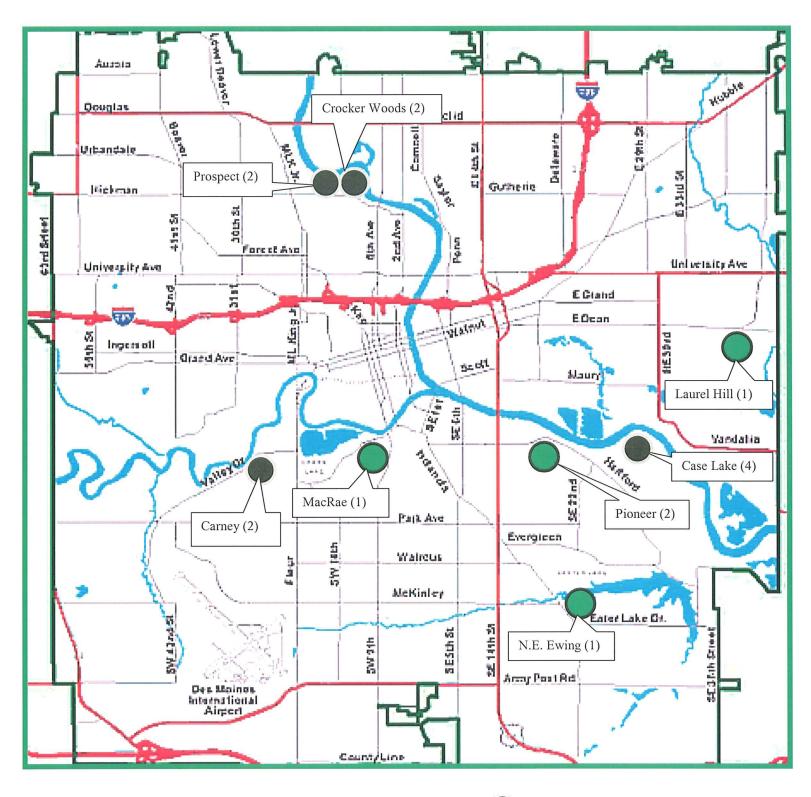
2 at Pioneer Park

1 at MacRae Park Western Woods

1 at Laurel Hill Cemetery Woods

1 at Ewing (along Yeader creek)

#### City of Des Moines Deer Management



Existing sites are designated as a black circle with a light gray line -



Proposed sites are designated as a bright green circle with a black line –



(Number) represents hunter/s per site

# Polk County Deer Management Task Force Qualifications for Hunters

In accordance with a special deer management zone established by the Iowa Department of Natural Resources for Polk County, the following rules will apply to all persons wanting to participate in any *controlled bowhunt*.

All archers will adhere to all rules and regulations of local, city, and state laws and ordinances. Some of those rules may include that...

Archers take and pass an I.B.E.F. (International Bowhunter Education Foundation) safety education course.

Archers take and pass a proficiency test annually. This test will consist of shooting 20 arrows—10 from 20 yards and 10 from 15 yards—at a full sized 3-D deer target. Each archer must score 80% or better in the vital area of the target to pass. Archers will not be allowed to warm-up before attempting the test. Any archer failing this proficiency test twice must wait one calendar year before taking the test again. Archers are allowed one attempt per day at any approved location (cannot fail at one location and retry at the same location or an alternate location the same day).

Archers pass the proficiency test with the weapon they will be using while bowhunting. This may cause each archer to have to take and pass the test more than once in order to qualify to hunt using different styles of equipment (bowhunting can be done with different styles of equipment—recurve, longbow, compound bow, etc.).

All proficiency tests should be administered at an N.F.A.A. (National Field Archery Association) approved indoor lane, by a certified I.B.E.F. (International Bowhunter Education Foundation) instructor.

#### NFAA approved ranges:

Archery Field and Sports	3725 NE 56 <sup>th</sup> St.	Altoona, IA	50009	(515) 265-6500
Happy Apple Orchard and Sporting	3408 Clark St.	Norwalk, IA	50211	(515) 981-1095

#### City of Des Moines Hunting Rules

# All participants in the controlled bowhunt on City of Des Moines property *must abide by* the following:

- 1. Successfully complete a one-time bow-hunter safety education course (see age/supervision restrictions above) authorized by the International Bowhunter Education Foundation (I.B.E.F.).
- 2. Successfully pass an authorized archery proficiency test each year (no warm-up, only 2 qualifying attempts per year, shoot at a life-sized 3-D target, 20 shots total: 10 at 15 yards and 10 at 20 yards with hunter required to score 80% or better in vital area of the target in order to pass the test). Test must be taken at a National Field Archery Association approved indoor lane and administered by a certified I.B.E.F. instructor.
- 3. Obtain a 'special use permit' from City of Des Moines Parks Department to hunt approved park or public area.
- 4. All bows must be cased while traveling to and from the site of the hunting stand.
- 5. There will be no driving or stalking of deer.
- 6. All shots must be taken from elevated tree stands. All stands must be portable with no permanent stands erected or screw-in steps used (no nails/lag screws driven into trees). Strap-on steps, a ladder, or a climbing stand are allowed. Tree stands can be put up one week prior to the Urban Bow Hunt Season, and shall be removed no later than one week post hunt season.
- 7. All stands must be located at least 75 feet from roads or recreation trails and at least 200 feet (66.67 yds) from any residence or building, and oriented in such a position as to direct shots away from roads, trails and structures (or as stated in City of Des Moines ordinance).
- 8. Hunters should know their effective shooting range and not shoot beyond that range. *Shots shall not exceed 25 yards in City of Des Moines managed areas.*
- 9. Be sure to identify your target as an antlerless deer (unless hunter has Buck Incentive Tag for that area), focusing on adult does.
- 10. Be aware of what is downrange of your hunting stand and attempt to retrieve all arrows.
- 11. Report your harvest of an antlerless deer within 12 hours to the City of Des Moines for the area in which you are hunting. Hunters are required to call the IDNR to report all harvested deer (phone number will be printed on transportation tag). Hunters shall remove 1½" 2" off the tip of either ear of all antlerless deer in the presence of the verifying official when checked in.
- 12. Contact a local Conservation Officer from the IDNR within 12 hours if you are unable to locate a wounded deer.
- 13. Use proper field dressing techniques. Don't leave entrails in a noticeable location.
- 14. Respect private property.
- 15. Remove yourself immediately from any harassment situation with another hunter or citizen, and report the incident to the City of Des Moines official, or IDNR Conservation Officer.
- 16. Report violators of any rules or regulations to the IDNR Conservation Officer.
- 17. Have in your possession at all times while bowhunting a valid Iowa hunting license, wildlife habitat stamp, Bow Hunter Safety Course Certification, Proficiency Test Certification and 'special use permit' from the City of Des Moines.
- 18. Be aware that seasons as well as rules and regulations for the controlled bowhunt may vary from one public hunting area to another. It is the bowhunter's responsibility to know the rules, regulations and boundaries for the public area in which they are hunting.
- 19. \*\*Hunters found in violation of any of these rules shall immediately have their' special use permit' revoked. \*\*

#### City of Des Moines Buck Incentive Program

(Revised 08/07/06)

In an effort to further enhance what has been a successful program, the Polk County Deer Task Force implemented a buck incentive program. This is intended to increase harvests helping to reduce deer numbers within the Urban Deer Management Zone.

The Buck Incentive Program will be implemented in City of Des Moines areas. The number of bucks taken from a park each year will be dependent upon the total number of doe harvested during the previous year and the latest aerial survey statistics, effective with the 2007-2008 season.

#### Eligibility:

All hunters who take a doe during the current hunting season are eligible for a buck incentive license. Hunters will be required to remove 1 1/2"-2" off either ear of the doe in the presence of the official verifying the harvest. If it is removed before checked-in, the doe will not be counted towards the hunter's total.

#### **Process:**

The drawing will be based on a lottery system. This is a less competitive format. For each doe harvested by a hunter, their name will be "placed in a hat" and a drawing will be held at the end of the season. Hunters can only receive one buck incentive license each year in the Urban Deer Management Zone

#### Contacts

#### Polk County Conservation Bow-Hunt areas and contacts:

Pat Spain, Planning and Outreach Coordinator, 323-5280

Dean Bruscher, Ranger; Brown's Woods, 285-7612, cell phone 249-1543

Mark Hurm, Ranger; Jester Park/Sycamore Trail, 323-5366, cell phone: 249-3229

Brian Herrstrom, Ranger; Four Mile Creek Greenbelt, Mally's Weh-Weh-Nee-

Kee, Thomas Mitchell Park, 967-4889, cell phone: 249-1753

Charlie Finch, Ranger; Yellow Banks Park, 266-1563, cell phone: 250-1031

#### Iowa Department of Natural Resources:

Conservation Officers:

(Open), cell phone: 238-5006

Jeff Swearngin, cell phone: 238-4849

#### Archery proficiency test and

#### Bow-hunter safety education course questions:

Archery Field and Sports 2542 East University Ave., DM,

265-6500

Happy Apple Orchard and Sporting Goods

3408 Clark S., Norwalk

981-1095

# The following public park and recreation areas will also be sponsoring controlled bowhunts this fall and winter in Polk County. Contact each area individually to obtain information on the application procedures and rules for participating in the bowhunt in that area.

City of Johnston	Jim Sanders	278-2344
Des Moines Park and Recreation Department	Randy Fiscel	248-6327
	Mike Gaul	208-0310
Des Moines Water Works	Sue Morgan	283-8791
U.S. Army Corps of Engineers, Saylorville Lake	Scott Rolfes	276-4656
Walnut Woods State Park	Tim Gedler	285-4502
West Des Moines Park and Recreation Dept.	Sally Ortgies	222-3447
Clive Parks and Rec.	Kelly Canfield	223-5246

# The controlled bowhunt will also take place on privately-owned land in special deer management zones in several Polk County cities. The bowhunter must obtain landowner permission. Contact each city individually to obtain a map of the deer management zone, City Ordinance and procedures for participating in these controlled bowhunts taking place on privately-owned land within city limits.

City of Johnston	Jim Sanders	278-2344
City of Urbandale	S.K. Prophet	331-6704
City of Des Moines	Randy Fiscel	248-6327
·	Mike Gaul	208-0310
Planning and Outreach Coordinator	Pat Spain	323-5280



Des Moines Parks and Recreation Department
Application
Special Use Permit for Controlled Bowhunt
Saturday, September 16, 2006 – Sunday, January 21, 2007

Last Name:	First Name:	Middle Initial:
Address:	City:	State: Zip:
Home Phone :	Work Phone:	Mobile Phone:
(Iowa Wildlife Habitat Sta	se Number:nmp required for ages 16-65) c of receipt of special use permit]	
Proof of successful comp Safety Education Course	Bowhunter Safety Education of an authorized IBEF (Internate must be submitted at the time of receivable)	tional Bowhunter Education Foundation)
Location:	Date: Ins	structor:
time of receipt of the spe yards - using weapon to target to pass the proficie	be used while bowhunting. Archer much test.	roficiency test must be submitted at the rrows - 10 from 15 yards and 10 from 20 ast score 80% or better in vital area of the
Location:	Date: Ins	structor:
Drawings will be held to a initially receiving permits throughout the hunting sea		s for each park. Those applicants not ditional permits that may become available
Rank your preference of the	hree hunting areas from 1 to 3 (with 1	being the most desired).
MacRae Pioneer l	ke Woods Park fill Cemetery Woods Park Western Woods	
Weekends	OnlyWeekdays Only	No Preference

**OVER** 

Γο be eligible for a Special Use Permit, <u>hunters must read and check off</u> each of the first four point isted below.
☐ I agree to attend an orientation meeting conducted by Des Moines Parks and Recreation.
I agree to abide by all of the bowhunting guidelines established by Des Moines Park and Recreation Department for City of Des Moines park areas.
I understand that, if for any reason I am found in violation of any City of Des Moines Special Bow-Hunt rule, my hunting privileges for all City of Des Moines areas may be revoked (and will also be reported to all other agencies/entities participating in the Special Urban Bow-Hunt).
I understand that the approved Special Use Permit (for each area) and Proficiency Test Certificate must be carried on my person while participating in the controlled bow hunt for antler-less deer.
Check here if you would like your contact information to be disclosed to property owners, at the owner's request, for approved private property hunts at which the owner would need a hunter.
SIGNATURE OF APPLICANT DATE
Application Approval
Special permit number issued:
Approved: Date:
Assigned Area:
Assigned Times:

The harvesting of any deer must be reported to the Des Moines Park and Recreation Department. A representative must be present for the marking of all does. Contact phone numbers: From 5:00~pm-5:00~am weekdays, all day Saturdays, Sundays and Holidays 283-4811, weekdays only from 5:00~am-5:00~pm, Randy Fiscel 208-0436 or Mike Gaul 208-0310.



# Council Communication

Office of the City Manager

August 21, 2006 Date

Agenda Item No. Roll Call No.

Communication No. 06-548

Submitted by: Donald M. Tripp, Park and

**Recreation Director** 

## AGENDA HEADING:

First Reading of the ordinance amending Chapter 70 of the Municipal Code to allow for expanded bow hunting for deer within the City of Des Moines.

#### SYNOPSIS:

Recommend approval of various ordinance changes in order to adopt the recommendations of the joint Deer Management Task Force regarding expanded bow hunting for deer within the City limits. This action is recommended in response to various complaints that were received last year by both staff and Council members regarding the urban deer population. The recommendations of the task force are outlined below.

FISCAL IMPACT: NONE

Amount:

Funding Source:

# ADDITIONAL INFORMATION:

For the past several months a committee composed of City staff (Legal and Park), Iowa Department of Natural Resources, and Polk County Conservation Board have been meeting with the Polk County Deer Management Task Force to explore changes to the Municipal Code related to bow hunting in order to significantly impact the size of the deer herd. The recommendations of this group are as follows:

- 1. In section b subsection (3) the distance a hunter can carry an uncased bow is reduced from 200 feet to 100 feet. The reduction in distance eliminates the technicality of having an uncased bow within 200 feet of a residence when hunting from a deer stand that is under 200 feet from a residence. This amendment is not intended to allow persons to openly carry bows on City streets. It will, however, allow qualified hunters participating in the Polk County Deer Management Program to hunt in accordance with the City of Des Moines ordinances.
- 2. Subsection (4) is added so that the Park and Recreation Department Director is authorized to issue a waiver of the 100-foot distance requirement in subsection (b)(3). This can only be done after a thorough on-site inspection is made by an inspection team composed of two (2) City of Des Moines Parks & Recreation staff, one (1) City of Des Moines Animal Control staff, one (1) Iowa Department of Natural Resources staff, and (1) Polk County Conservation Board staff. The charge of this inspection team is to determine if a site requesting to participate in the Deer

Management program can safely be hunted, and if a favorable recommendation to the Park Director can be made. Ultimately, the Park Director will determine issuance of the waiver.

3. Section (b) subsections (5, 6, and 7) have only changed in their respective numerical order due to the addition of subsection (4).

## PREVIOUS COUNCIL ACTION(S):

Date: December 19, 2005

Roll Call Number: 05-3018

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

<u>Date</u>: July 26, 1999

Roll Call Number: 99-2334

<u>Action</u>: Amending Chapter 17 of the Municipal Code regarding deer hunting. (Council Communication No. 99-330) Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 7-0.

## BOARD/COMMISSION ACTION(S):

Date:

Roll Call Number:

Action:

# ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Second and third readings of the ordinance.

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 by amending Section 70-84 thereof, relating to bow hunting.

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 is hereby amended by amending Section 70-84 relating to bow hunting, as follows:

#### Sec. 70-84. Hunting.

- (a) 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 airgun, BB gun, firearm, bow and arrow, or any other thrown or propelled device within the city limits except as provided in subsections (b), (c) and (d) of this section, and sections 70-81(d) and 22-101 of this code.
- (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:
  - (1) Hunting may occur only on dates designated by the DNR as bow hunting season in the Des Moines Special Deer Management Zone (zone) by persons who are at least 18 years of age and licensed for such hunting, and this license must be carried on his or her person;
  - 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 special deer management zone map which verifies that the property is within the zone;
  - (3) Hunters cannot carry an uncased bow within 200100 feet of any residence or within 75 feet of any trail, road or

building;
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 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;

(45) Hunters must take all shots from an elevated stand and shoot no further than 25 yards;

(56) Hunters must comply with all rules of the state department of natural resources for hunting in such zone; and

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

- Hunting may occur in Des Moines Water Works Park according to the requirements of this Code if permitted by resolution of the city 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 park and recreation department except during the dates designated by the DNR as bow hunting season within the areas designated as the "Des Moines Special Deer Management Zones" 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 the water works park, except as provided in section 22-101 of this code.
- (d) Licensed bow hunters meeting the requirements established by the state department of natural resources (DNR) may hunt antlered deer within the areas designated as the special deer management zones on public or private property, under all the following conditions:
  - (1) All conditions listed in subsection (b) 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 county deer task force and approved by the state department of natural resources (DNR).

(e) Any violation of this section is punishable as provided in section 1-15 of this Code.

06-1688 H 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:

Ann DiDonato

Assistant City Attorney