ORDINANCE NO. 6358

AN ORDINANCE TO AMEND TITLE 4 "HEALTH AND SANITATION" OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING "CHAPTER 4.21.020(b)(2) – HUNTING REGULATIONS AND 4.21.025(c) - FEEDING PROHIBITED."

BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

SECTION 1. That Title 4 "Health and Sanitation" of the 2015 Municipal Code of Council Bluffs, Iowa, is hereby amended to read as follows:

4.21.020 - Hunting regulations.

(a) Licensed bow hunters meeting the requirements established by the Iowa Department of Natural Resources (DNR) may hunt antlerless deer or female turkey within the areas designated A1 or A2 on public or private property, and areas designated R1, R2, and R3 on private property totaling three acres or more, under all of the following conditions:

(1) Hunting may occur only on dates designated by DNR as bow-hunting season in the areas designated R1, R2, R3 on private property totaling three acres or more, A1 or A2 by persons who are at least eighteen (18) years of age and licensed for such hunting, and this license must be carried on his/her person;
(2) Hunters must have written permission from the property owner, and must carry that written permission form on his/her person, and the portion of the Council Bluffs zoning map which verifies that the property is within the R1, R2, R3 on private property totaling three acres or more, A1 or A2 zone;
(3) Hunters cannot carry an uncased bow within five hundred (500) feet of any residence or within one hundred fifty (150) feet of any city improved trail, road or building;
(4) Hunters must take all shots from an elevated stand and shoot no further than twenty-five (25) yards;
(5) Hunters must comply with all Iowa DNR rules for hunting within the corporate limits of Council Bluffs; and
(6) Hunters must participate in a bow hunter safety education course certification and an annual archery proficiency test certification; and
(7) Hunters must take all deer meat to be processed or given to charity.

(b) Licensed bow hunters meeting the requirements established by the DNR may hunt antlered deer and female turkey within the areas designated as A1 or A2 on public or private property and areas designated R1, R2, and R3 on private property totaling three acres or more, under all of the following conditions:

(1) All conditions set forth in Section 4.21.020(a)(1) through (a)(7).
(2) A limited number of antlered deer and male turkey may be taken according to an incentive program that may be adopted by the City and approved by the DNR.

4.21.025 – Feeding prohibited.

(a) No person shall place or permit to be placed on the ground, or within five feet of the ground surface, any grain, fodder, salt licks, fruit or vegetables, nuts, hay or other edible materials, which may reasonably be expected to intentionally result in deer or turkey feeding, unless items are screened or protected in a manner that prevents deer from feeding on them. Living fruit trees and vegetation shall be not considered as deer or turkey feeding.

(b) Exceptions. This prohibition shall not apply to:

(1) Veterinarians, city animal control officers, county, state or federal game officials who are in the course of their duties, have deer or turkey in custody or under their management.
(2) Persons authorized by the city of Council Bluffs to implement the deer or turkey management program approved by the city council.
(3) Any food placed upon the property for purposes of trapping or otherwise taking deer or turkey where such trapping or taking is pursuant to a permit issued by the Iowa Department of Natural Resources.
(4) Persons feeding birds using self-enclosed feeding devices or containers.
(5) The use of straw, hay or straw-related materials for erosion control, mulching, gardening or other landscape purposes.

(c) Enforcement. The Administrative authority and the Council Bluffs Police Chief, or the mayor's designee, shall enforce the provisions of this chapter.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED
AND
APPROVED October 8, 2018.

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk

First Consideration: 10-8-18
Second Consideration: 10-22-18
Public Hearing: N/A
Third Consideration: _____