

AN ORDINANCE AMENDING THE ARTICLE V OF CHAPTER 205 OF THE MUNICIPAL CODE RELATING TO THE CITY'S DEER CONTROL POLICY AND HUNTING REGULATIONS.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF MANCHESTER, STATE OF MISSOURI, AS FOLLOWS:

Section One: Manchester Municipal Code Chapter 205, "Animal Regulations," Article V, "Deer Control Policy and Hunting Regulations" is hereby amended by repealing the words shown as struck through below and replacing them with the words shown as underlined:

**Chapter 205. Animal Regulations**

**Article V. Deer Control Policy and Hunting Regulations**

Section 205.190. Definitions.

As used in this Article, the following terms shall have the following meanings:

ARCHERY DEVICE

Any longbow, compound bow, recurve bow, or crossbow.

FIREARM

Any rifle, shotgun, weapon, or similar mechanism by whatever name known, which is designed to expel a projectile or projectiles through a gun barrel, tube, pipe, cylinder, or similar device by the action of any explosive. The term "firearm" shall not apply to devices used exclusively for commercial, industrial or vocational purposes.

UNDER THE INFLUENCE

Shall be defined by the State regulation applied to motor vehicle operation.

**Section 205.200 Hunting Regulations Within City Limits.**

A. Deer hunting within the corporate limits of the City of Manchester shall only be permitted during the deer hunting season as set by the Missouri Department of Conservation or during such other specific time periods authorized by the City of Manchester and the Missouri Department of Conservation.

1. Archery devices are permitted for hunting in accordance with this Article but discharging or releasing arrows from archery devices within the City limits is limited to hunting permitted under this Article. Deer hunting with a firearm is prohibited.

2. Prior to any hunting activity under this Section, for any applicable deer season, a city-provided Hunting Permission Form must be completed by the property owner/owners and the proposed hunter/hunters with a copy of the form to be submitted to the Manchester Police Department prior to hunting and a copy of the form to be carried on the person of the proposed hunter/hunters requesting and receiving such permission while hunting. The Hunting Permission Form shall include the name of the property owner/owners, the address/addresses of the proposed hunt

## INTRODUCED BY ALDERMAN TOBEN

**AMENDED BILL NO. 18- 2347**

**ORDINANCE NO. 18-2231**

---

property/properties, and the name of the proposed hunter/hunters. All property owner/owners and all proposed hunter/hunters shall sign the Hunting Permission Form indicating they have read, understand, and will comply with the requirements of the City's deer hunting ordinance and guidelines including the one million dollar (\$1,000,000) liability insurance coverage requirement.

3. Prior to engaging in any hunting activity, the property owner/owners, proposed hunter/hunters, or property owner/owners and proposed hunter/hunters in combination shall provide to the City acknowledgement on the Hunting Permission Form of an individual liability insurance policy or policies in aggregate of not less than one million dollars (\$1,000,000.00) and/or indemnity bond in an amount not less than one million dollars (\$1,000,000.00) per occurrence insuring or bonding the property owner/owners and/or the proposed hunter/hunters. Said liability insurance and/or indemnity bond shall provide insurance coverage and/or indemnity for all claims for damages resulting from the act of negligence of the proposed hunter/hunters or by any agent, assign, employee, independent contractors, or licensees of the proposed hunter/hunters.

4. All current laws of the State of Missouri in regard to the regulations of hunting shall be obeyed within the corporate limits of Manchester.

5. The hunt shall conform to all state regulations as defined by the Missouri Department of Conservation.

6. Permission to Hunt.

a. It shall be unlawful for any person carrying an archery device of any type, to knowingly enter into the premises of another, or to discharge any type of archery device while on the premises or property of another without first having obtained permission in writing from the owner, lessee, or person in charge of such premises or property. The duly obtained written permission shall be carried on the person of the hunter requesting and receiving such permission. This Subsection (A) shall not apply to a person carrying or discharging an archery device while in the immediate presence of the owner, lessee or person in charge of said premises or property.

b. In addition to the requirements set forth herein, it shall be at the discretion of the owner, lessee or person in charge of any premises or property to set the parameters under which any person may hunt upon any such premises or property under the control of the owner, lessee or person in charge.

c. The hunter on any property upon which the permission to hunt has been granted shall be held responsible for the actions of those persons to whom such permission has been granted by the landowner, lessee or person in charge.

d. No person without lawful authority, or without the expressed or implied consent of the owner, lessee or his agent, shall enter any building or enter upon any enclosed or improved real estate, lot or parcel of ground in the City of Manchester or, being upon the property of another, shall fail or refuse to leave such property when requested to do so by the owner, lessee, or person in charge of said property.

e. For parcels less than 2 acres in size, the property owner and/or hunter must provide a copy of the Hunting Permission Form by mail, hand delivery, or email to owners/residents of contiguous

properties. For purposes of this Subsection (A)(6), "contiguous" shall mean any adjoining property that shares a common property line (or point) with the lot on which the proposed hunt shall occur. Lots separated by streets, common areas, or other public thoroughfares shall not be considered contiguous. This Notice requirement shall not apply to hunting on common ground parcels of less than two (2) acres for which hunting permission has been granted by subdivision trustees, or parcels of two (2) acres in size or greater.

7. In addition to any requirements imposed by the Missouri Department of Conservation regulations, any individual who successfully harvests a deer during a hunt must report the hunter's name, sex of the deer, and the location of the harvest within two (2) business days by written notification to or calling the Manchester Police Department.

8. Prior to discharging an archery device intended to be used for hunting, it shall be the hunter's responsibility to permanently mark each arrow or other projectile with his or her Missouri Department of Conservation identification number.

9. Nothing in this deer control policy shall authorize the parking or standing of vehicles on private property without the consent of the property owner or to park a vehicle in any manner otherwise prohibited by this Code.

**Section 205.210 Specific Actions Prohibited/Required.**

A. It shall be unlawful for any person to discharge any archery device across or from any street, sidewalk, road, highway, or playground.

B. It shall be unlawful for any person to discharge any archery device at any person, vehicle, dwelling, house, church, school, playground, or building.

C. It shall be unlawful for any person to discharge an archery device within seventy-five (75) yards of any church, school or playground structure.

D. It shall be unlawful for any person to discharge any archery device within thirty (30) yards of any dwelling, building, structure, or vehicle except that it shall be an affirmative defense to any action brought against a hunter under this section that the hunter had previously received express authority to discharge the archery device within said thirty (30) yards from the owner of the dwelling, building, structure, or vehicle.

E. No arrow or other projectile used to hunt deer pursuant to the deer control policy may be discharged or projected at such an angle or distance as to land on public or private property other than the property on which the hunt has been authorized.

F. No arrow or other projectile used to hunt deer pursuant to the deer control policy may be discharged or projected at such an angle or distance as to land within fifty (50) feet of any street or public right-of-way.

G. All hunting shall be conducted from an elevated position that is at least eight (8) feet in height.

H. No hunting is authorized on tracts of land under one (1) acres in area except that adjacent property owners may combine their parcels up to a maximum of four parcels to meet the one (1) acre requirement.

I. Any person under the age of sixteen (16) years old must be accompanied by a parent or legal guardian who is a properly permitted hunter eighteen (18) years of age or older to hunt deer within the City limits of Manchester.

J. No person shall possess, consume, or be under the influence of alcohol or any other controlled substance while engaged in hunting activities within the City limits of Manchester.

**Section 205.220 Deer Retrieval.**

A. Any person who kills or injures any deer while hunting shall make a reasonable search to retrieve the deer and take it into his or her possession.

B. This Section does not authorize the act of trespass.

C. It shall be the hunter's responsibility to immediately notify any property owner, other than the specific property owner who previously authorized the hunt, of the fact that an injured or dead deer is located on his or her property and to obtain the permission of the owner of any property upon which an injured or dead deer is located prior to engaging in a reasonable search and retrieval of the deer.

D. In the event that a hunter cannot obtain the permission of a property owner to conduct a reasonable search and retrieval of an injured or dead deer, the hunter shall immediately notify the Manchester Police Department.

**Section 205.230. Field Cleaning.**

A. Any person who kills any deer while hunting shall follow all Missouri Department of Conservation guidelines regarding field dressing and processing the animal.

B. Any person who kills any deer while hunting shall take all precautionary measures to avoid field dressing the deer in a public or conspicuous location.

C. Any person who field dresses or otherwise processes a deer shall properly dispose of the discarded organs and/or body parts in plastic bags in private trash depositories or by other appropriate means. Nothing contained herein shall authorize the illegal dumping of solid waste or authorize the illegal dumping of bio-hazardous waste.

D. The transportation of a carcass along any public right-of-way is prohibited, unless it is covered or hidden from public view.

**Section 205.235. Interference with lawful hunting, fishing or trapping**

A. It is the intent of the Board of Aldermen of the City of Manchester to recognize that all persons shall have the right to hunt, fish and trap in this state in accordance with law and the rules and regulations made by the Missouri Conservation Commission as established in Article IV of the Constitution of Missouri and in accordance with City's Deer Control Policy and Hunting Regulations.

**INTRODUCED BY ALDERMAN TOBEN**

**AMENDED BILL NO. 18- 2347**

**ORDINANCE NO. 18-2231**

1. A person commits the offense of interference with hunting, fishing, or trapping in the first degree if he or she intentionally interferes with the lawful taking of wildlife by another.
2. It shall be considered a violation of this section to intentionally harass, drive, or disturb any game animal or fish for the purpose of disrupting lawful hunting, fishing or trapping.
3. A person commits the offense of interference with hunting, fishing, or trapping in the second degree if he or she enters or remains in a hunting, fishing or trapping area where lawful hunting, fishing or trapping may occur with the intent to interfere with the lawful taking of wildlife

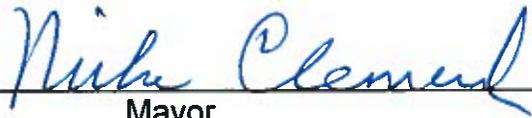
**Section 205.240 Penalty for Violation.**

- A. Any person, entity, or group of individuals who shall perform an act in violation of this Article, or who shall fail to follow the rules and/or regulations contained in this Article V, shall, upon conviction, be punished in the manner prescribed in Section 100.100 of this Code.

Section Two: This Ordinance, having been read by title or in full two (2) times prior to passage, shall be in full force and effect from and after its passage and approval as provided by law.

PASSED AND APPROVED THIS 4TH DAY OF SEPTEMBER, 2018.

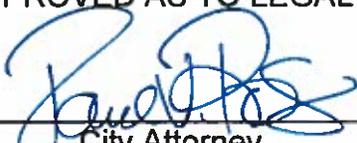
CITY OF MANCHESTER, MISSOURI

By:   
Mayor

ATTEST:

  
City Clerk

APPROVED AS TO LEGAL FORM:

  
City Attorney