

ORDINANCE NO. 397

**AN ORDINANCE AMENDING ORDINANCE NO. 118 AND AUTHORIZING
ARCHERY DEER HUNTING WITHIN THE CITY LIMITS UNDER
SPECIFIED CONDITIONS.**

WHEREAS, Ordinance 118 effectively prohibits hunting within the City's limits by banning the discharge of any firearm, air rifle, pellet gun and all similar implements and contrivances made or used for the purpose of hurling, throwing, launching or shooting objects; and,

WHEREAS, the Board of Directors of the City of Barling, Arkansas, has determined that, with the continued growth of the City in and around Chaffee Crossing, an increased deer population has created problems which threaten the health, safety, and general welfare of the citizens and residents of the City of Barling; and,

WHEREAS, the Board of Directors of the City of Barling, Arkansas, has determined that allowing the hunting of deer within the City's corporate limits, at specified times, by use of specified archery, will protect the health, safety, and general welfare of the citizens and residents of the City of Barling, Arkansas,

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF BARLING, ARKANSAS:

SECTION 1: Ordinance No. 118 shall be amended as set forth below:

SECTION 1: (a) That the discharging of any firearm, air rifle, pellet gun and all similar implements and contrivances made or used for the purpose of hurling, throwing, launching or shooting objects or projectiles within the city limits of Barling, Arkansas be, and same is, hereby prohibited unless used in self-defense or while executing some law or authorized act;

(b) It shall be unlawful to discharge any firearm, air rifle, pellet gun and all similar implements and contrivances made or used for the purpose of hurling, throwing, launching or shooting objects or projectiles in the city limits, except as provided in subsections (b) and (d);

(c) The City of Barling has elected to participate in Urban Deer Hunts in partnership with the Arkansas Game and Fish Commission and the Arkansas Bowhunters Association under the Arkansas Game and Fish Commission's rules, regulations and protocols;

(d) The hunting of deer with longbows, recurve bows, or compound bows inside the corporate limits of the City of Barling shall be allowed during that period of time authorized by the Arkansas Game and Fish Commission for a deer archery season, subject to the following conditions and restrictions:

(1) Each hunter must be at least sixteen (16) years of age and possess a valid Arkansas license to hunt deer;

(2) Each hunter must possess a valid Urban Bowhunting Permit issued by Arkansas Game and Fish Commission;

(3) No hunting referenced or authorized by this Ordinance will be allowed within the City limits except as follows: all lands within the city limits of Barling, Arkansas east of State Highway 59 and north of State Highway 22;

(4) Each year in which an urban deer hunt is authorized by the Arkansas Game and Fish Commission, the Barling City Administrator, in conjunction with the Barling Chief of Police, shall identify areas on a map of the City of Barling where it is permissible to bow hunt with written permission of the owner of any private property designated as an authorized hunt area (per Section 1(d)(3), above). If the City identifies such areas, these will be for informational purposes only and the hunter must actually have written permission from the owner of the applicable land that the hunter designates as the area of the intended hunt. Such written permission must be in the hunter's possession at all times while hunting inside the City's corporate limits/authorized hunt area.

(5) Only longbows, recurve bows or compound bows of at least forty (40) pounds draw weight may be used to hunt deer inside the City's corporate limits/authorized hunt area. Broadheads must be used and must be at least 7/8ths of an inch in size. Special consideration for the use of crossbows by hunters with disabilities may be approved by the City Administrator and Chief of Police in their exclusive discretion.

(6) Hunters may hunt only from stands elevated at least ten (10) feet off the ground. Hunting while walking, stalking or from ground blinds is absolutely prohibited. Hunting with dogs is also prohibited.

(7) Except as modified by this Ordinance, all Arkansas Game and Fish Commission rules and regulations, including bag limits, will apply.

(8) The first deer harvested by each permitted hunter during the authorized archery season must be a doe.

(9) Permitted hunters are encouraged to donate some of the deer harvested to Arkansas Hunters Feeding the Hungry or other charitable non-profit organizations that assist the hungry or homeless.


(10) If it is reasonable to do so, all harvested deer should be removed during daylight hours.

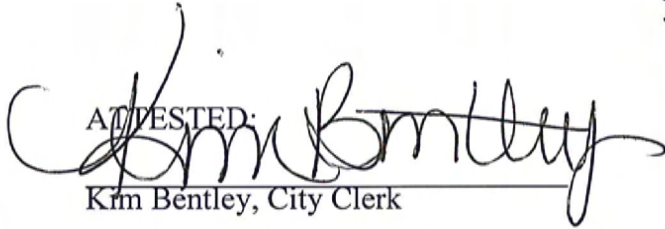
(11) Each violation of any condition contained in this Ordinance shall be deemed a Class B Misdemeanor. Any archery equipment or other hunting equipment in possession of the hunter when cited or arrested for a violation of any condition contained in this Ordinance shall be seized by law enforcement as evidence and upon conviction shall be subject to forfeiture by the court as contraband.

SECTION 2: All ordinances or parts of ordinances in conflict with this Ordinance are repealed to the extent of the conflict.

PASSED AND APPROVED THIS 14th DAY OF May, 2013.

APPROVED:


Jerry Barling, Mayor

ATTESTED:

Kim Bentley, City Clerk



2012-2013 Urban Deer Hunt Protocol

Purpose: To provide a framework for municipalities attempting to address urban deer issues, namely human/ deer conflicts, by utilizing archery hunting. This will be accomplished by establishing a partnership between the Arkansas Game and Fish Commission (AGFC), the Arkansas Bowhunters Association (ABA), and the city.

Time Frame: All urban deer hunts will open September 1, 2012 and close January 31, 2013.

Operating Rules: All hunters are required to:

- Pass the International Bowhunter Education Course.
- Attend an urban hunt orientation; after attending the orientation, hunters will be eligible to hunt all the urban deer hunts for that year.
- Pass a shooting proficiency test.
- Pay annual confirmation fee, which includes membership in the ABA for liability insurance purposes.
- Possess a valid Arkansas (resident or nonresident) big game license. Hunters must be at least 16 years of age.
- Possess a valid Urban Bowhunting Permit (issued by AGFC). Permit will be valid for all the urban deer hunts for that year.
- Hunter will be provided a vehicle placard that must be signed by a representative from each municipality that he/she wishes to hunt.
- Display placard in full view on the dashboard of their vehicle and carry the approved permit at all times while hunting.
- Use a longbow, recurve or compound with at least a 40-pound pull and broadheads at least 7/8-inch wide (mechanicals OK); string-locks are not permitted.
- Hunt in designated areas, and if hunting on private property, hunters must possess written permission from the property owner.
- Hunt at least 50 yards from designated trails or parks.
- Hunt at least 50 yards from any occupied dwelling without written permission.
- Keep all bows cased to and from stands.
- Shoot from stands that are at least 10 feet above the ground (no walking, stalking or ground blinds).
- Cover harvested animals from sight before transporting/ moving from the field.
- Remove harvested animals during daylight hours if at all possible.
- Special considerations will be made for disabled hunters in wheelchairs.
- Donate first deer to Arkansas Hunters Feeding the Hungry (a 501C-3 charitable organization).
- Check deer online at www.agfc.com or by telephone toll-free at 866-305-0808.

Deer Bag Limit: No bag limit. The first deer taken must be a doe, and must be donated to Arkansas Hunters Feeding the Hungry; all subsequent deer harvested may be either-sex. Deer are considered bonus deer and do not count in the hunter's seasonal bag limit. No antler restrictions.

Hunter Orientation: Officials from the AGFC, ABA, and participating municipalities will attend and oversee each hunter orientation. Scheduled activities for each orientation will include: shooting proficiency tests, payment for annual confirmation fee, review of hunt rules, and distribution of permits and dash placards.

Arkansas Game and Fish Commission

Participating Cities:

Fairfield Bay

Heber Springs

Lakeview

Bull Shoals

Horseshoe Bend

Cherokee Village

Russellville

The dates for our IBEP classes are:

July 14 8am-5pm Lake Dardanelle State Park Visitor Center (Conference Room)

July 15 8am-5pm Lake Dardanelle State Park Visitor Center (Conference Room)

July 21 8am-5pm Fairfield Bay Senior Center (385 Dave Creek Pkwy.)

Each class is only one day. We are having two classes at Lake Dardanelle because this is a large city and their first Urban Hunt. The participant can attend any one of these three classes if they don't already have Bowhunter Education.

The dates for the orientations are:

July 28 Fairfield Bay Dept. of Public Safety (101 Little Rock Dr.)

Aug.11 Lake Dardanelle State Park (Weigh-In Pavilion)

Aug.18 AGFC Regional Office-Calico Rock

Each orientation will start at 8:00 am.

Participants will be able to attend any orientation listed above even though it may not be the area they want to hunt. The fee will be \$50 which will cover insurance, ABA membership and permit fees. This will allow the participant to hunt one or all of the hunts in which they wish to participate.

From: Micheal Milton [<mailto:mmilton@chaffeecrossing.com>]
Sent: Friday, November 02, 2012 2:27 PM
To: Ray Caruthers
Subject: Urban Hunt Request

Because of deer issues in the urban areas of Arkansas, several cities and municipalities have opted for a controlled hunt. The FCRA believes this can best be accomplished by using an existing Arkansas Game and Fish Commission program. Since FCRA land resides in both Barling and Fort Smith city limits, we respectfully request that both cities consider joining the AGFC Urban Hunt Protocol which is outlined below.

Urban Deer Hunt Protocol:


Purpose: To provide a framework for municipalities attempting to address urban deer issues, namely human/ deer conflicts, by utilizing archery hunting. This will be accomplished by establishing a partnership between the City of Barling, Arkansas, the Arkansas Game and Fish Commission, and the Arkansas Bowhunters Association.

Time Frame: All Urban Deer Hunts will open the first Saturday in September and close January 31st.

Hunting Rules: These will be addressed in detail by Ralph Meeker – Assistant Deer Program Coordinator with the Arkansas Game and Fish Commission.

More Information: Please see the AGFC website page
<http://www.agfc.com/licenses/Pages/PermitsSpecialUrban.aspx>

Sincerely,
J. Michael Milton
Fort Chaffee Redevelopment Authority
Phone 479-452-4554
Cell 479-459-8997
mmilton@chaffeecrossing.com

 Please consider the environment before printing this e-mail

Sincerely,
J. Michael Milton
Fort Chaffee Redevelopment Authority
Phone 479-452-4554
Cell 479-459-8997
mmilton@chaffeecrossing.com