

ORDINANCE No. 7152

ORDINANCE AMENDING SECTION 6.25.010 OF THE CODE OF ORDINANCES ENTITLED "HUNTING" AND SECTION 9.32.030 OF THE CODE OF ORDINANCES ENTITLED "DISCHARGING FIREARMS" TO REFLECT CHANGES TO MUNICIPAL BANS ON BOW HUNTING

THE CITY COUNCIL OF THE CITY OF EAU CLAIRE DO ORDAIN AS FOLLOWS:

SECTION 1. That s. 6.25.010 entitled "Hunting" is hereby amended to read as follows:

6.25.010 Hunting. A. No person shall hunt any fur-bearing animal or bird within the city limits except as otherwise expressly permitted by state law or by the City of Eau Claire Code of Ordinances.

B. This section shall not apply to bow hunting of deer when it has been determined by the director of parks and recreation that such hunting is necessary for proper game management or to protect parks or other property. Additionally, a permit for such hunting must be issued by the chief of police, or the chief of police's designee, stating that the activity would not pose a threat to health and safety in the area where such hunting shall take place.

SECTION 2. That s. 9.32.030 entitled "Discharging Firearms" is hereby amended to read as follows:

9.32.030 Discharging firearms. A. For the purpose of this chapter, "firearms" means any rifle, shotgun, handgun, spring gun, pellet gun, air gun, bow and arrow device, crossbow, or any other weapon from which a shot is discharged by an explosive or propellant.

B. It is unlawful for any person to fire or discharge any type of firearm in the city. This section shall not apply to the following:

1. Law enforcement officers when acting in the normal course of their employment;
2. Any bona fide safety training course or practice firing held at a location approved by the chief of police or that person's designee, or other governmental agency;
3. Bow hunting of animals provided that such bow hunting is expressly permitted by state law and otherwise consistent with state hunting regulations, and that the proposed hunt is consistent with the requirements of this ordinance:
 - a. Bow hunting must meet all of the following hunting conditions:
 - i. It shall be unlawful for a person to discharge a bow and arrow or crossbow within a distance of fifty (50) yards from a building located on another person's land. This restriction shall not apply if the person who owns the land on which the building is located allows and gives written permission to the person to use or discharge an arrow or crossbow within the specified distance of the building.
 - ii. Hunting may not occur across or within any public right of way or within fifty (50) feet of the center of a right of way and never closer than thirty (30) feet of the nearest border of a right-of-way.

iii. A bow and arrow or crossbow must be discharged toward the ground.

b. Bow hunting must meet all of the following public health, safety and welfare conditions:

i. Arrows or other projectiles shall not enter, occupy, or traverse land owned or occupied by another without the owner’s prior written consent even if otherwise used in conformance with this section.

ii. No wildlife bait or feed such as deer bait, corn, seed, or other similar items designed to attract deer may be utilized or present on the permitted property during the hunting season.

iii. Bow and arrows or crossbows may not be discharged on or across any portion of land owned or occupied by the City of Eau Claire. This section shall not apply to practice or match shoots of regular clubs or other persons who have received prior written permission from the City of Eau Claire chief of police or the chief of police’s designee.

iv. Bow hunters must follow state hunting laws, Wisconsin DNR hunting regulations, and safe hunting practices such as ensuring no people or property are in the vicinity of the target and the area beyond the target before discharge of an arrow or bolt.

v. Bow hunters must use best efforts to promptly dispatch a deer on the permitted property with a safe and effective shot. If a wounded deer is not recovered on the hunter or co-applicant’s property, then entry on to another’s property is permitted only with the prior permission of the landowner.

vi. Bow hunters shall take all reasonable steps to immediately and properly dispose of any portion of an animal killed or injured during a bow hunt including immediately field dressing any animal killed or injured at the site of the bow hunt, and promptly processing the meat and disposing of the by-products from the hunt.

4. When it has been determined by the director of parks and recreation that such hunting is necessary for proper game management or to protect parks or other property.

5. Spearing carp or other rough fish by bow and arrow in any waters except Half Moon Lake, pursuant to NR 20.09, 20.20, and any other applicable Department of Natural Resources regulation.

6. The chief of police or that person's designee may also authorize other firing or discharge of firearms in the city under special circumstances, provided that it has been established that such conduct will not jeopardize the safety or welfare of the public. The decision of the chief of police shall be final.

SECTION 3. That the City of Eau Claire Fees and Licenses Schedule is hereby amended to reflect the annual hunter permit fee is eliminated.

(SEAL) President Kerry J. S. Kincaid
(SEAL) City Manager Russell VanGompel
(ATTESTED) City Clerk Donna A. Austad

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