



NOTIFICATION OF INTENT TO HUNT

The undersigned property owner(s), after having the opportunity to fully read and understand the City of Ballwin Deer Control Policy and Hunting Regulations (Ordinance 12-37), hereby notifies the City of Ballwin Police Department of his/her intent to permit archery hunting on the following property or contiguous properties:

Address(es) of Property to be Hunted: 1. _____
2. _____
3. _____
4. _____

Property Owner(s) Information: (Must list all owners for each property.)

Property 1

Property Owner's Name(s): _____

Property Owner's Address(es): _____

Property 2

Property Owner's Name(s): _____

Property Owner's Address(es): _____

Property 3

Property Owner's Name(s): _____

Property Owner's Address(es): _____

Property 4

Property Owner's Name(s): _____

Property Owner's Address(es): _____

Hunter Identification:

Hunter's Name(s): _____

Hunter's Date of Birth: _____

Missouri Dept. of Conservation ID#: _____

Dates of Proposed Hunt(s): _____

(List all dates when hunting might occur on above said properties. **Must comply with deer season dates set by MO Dept. of Conservation.**)

Please read and complete reverse side.

For Office Use Only:

Date Intent Received:	Date Insurance Proof Received:	Date Hunter Documentation Received:
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I/We the Property Owner(s) hereby certify the following:

	<u>YES</u>	<u>NO</u>
I/We have provided a certificate of insurance or indemnity bond providing evidence of a policy of liability insurance and/or indemnity bond in an amount not less than two million dollars (\$2,000,000.00) per occurrence insuring or bonding the property owner and/or the designated hunter.		
I/We have received, reviewed and understand the regulations of the City of Ballwin Deer Control Policy and Hunting Regulations (Ordinance #12-37) as contained in City of Ballwin Code of Ordinances Chapter 18, Article V., Sections 18-90, 18-91, 18-92, 18-93, and 18-94.		
I/We understand all current laws of the State of Missouri in regards to the regulations of hunting shall be obeyed with the corporate limits of Ballwin at all times. Furthermore, I/We understand the hunt must conform to all State regulations as defined by the Missouri Department of Conservation.		
I/We understand the only permissible method of hunting is by archery device as defined in Section 18-90 and at no time is firearm, black-powder, or crossbow methods allowed within the corporate limits of Ballwin.		
I/We shall notify all contiguous neighbors/property owners in writing of the approximate date and times of hunts. I/We further understand appropriate documentation must be maintained to show proof of receipt of said notification.		
I/We certify all hunters shall be at least 18 years of age at the time of the hunt.		
I/We have provided a certificate of completion of an archery device hunter safety course as approved or provided by the Missouri Department of Conservation for every individual seeking to hunt.		
I/We certify the property or combined properties on which the hunt shall occur is at minimum a total of one (1) acre in area.		
I/We certify all hunters shall permanently mark arrows/projectiles to be discharged with his or her Missouri Department of Conservation Identification Number.		
I/We understand all harvested deer must be reported to the Ballwin Police Department within two (2) business days during normal business hours by either phone call or written notification. Reports must include hunter's name, sex of deer, and location of harvest. This is in addition to any Missouri Department of Conservation regulations or reporting requirements.		

All property owners of proposed hunt(s) must sign.

Signature _____ Date: _____
 Signature _____ Date: _____
 Signature _____ Date: _____
 Signature _____ Date: _____



Hunter Guidelines for Deer Hunting in the City of Ballwin

1. Property owners and hunters must abide by the City of Ballwin Deer Control Policy and Hunting Regulations (Ordinance 12-37) **at all times in its entirety. Deer is the only animal subject to hunting!**
2. Discharging or releasing arrows from archery devices (longbow or compound bow) within the City limits is limited to hunting permitted under Ordinance 12-37. Crossbows are not permitted. No other means (i.e. Rifle, firearm, black powder, etc.) are permitted for hunting.
3. A Notification of Intent to Hunt Form must be completed by **the property owner** and on file with the Ballwin Police Department **prior** to commencement of any hunting on the property. You must first obtain permission to hunt 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.
4. All current laws of the State of Missouri as regards to the regulations of hunting shall be obeyed within the corporate limits of Ballwin. The hunt shall conform to all State regulations as defined by the Missouri Department of Conservation, including but not limited to deer archery season time frames, limits, etc.
5. All hunters must be 18 years of age or older and possess a state license to hunt from the Missouri Department of Conservation. All hunters must have completed an archery device hunter safety course provided by or approved by the Missouri Department of Conservation and provided the certificate as proof.
6. Ensure you know and understand property boundary lines of the property authorized for hunting. Also ensure you are familiar with and are in compliance with no hunting zones and set back distances in section 18-92 of Ordinance 12-37.
7. All hunters' arrows are to be marked permanently with his or her MO Dept. of Conservation ID number.
8. The tree stand location must be at least ten (10) feet tall and facing towards interior of property to ensure it is in compliance with Ordinance 12-37 and provide for shooting downward.
9. Hunter's vehicles must be parked on property of landowner only and must comply with all other existing parking regulations.
10. Property Owners have the right to give permission to hunt on their property within the archery season. Property Owners may set limitations and revoke permission at any time. Any hunter told to leave any property by a property owner, including with prior permission to hunt, must do so immediately.
11. Nothing in Ordinance 12-37 authorizes Trespassing. A hunter has the sole responsibility of notifying any property owner of property not authorized for hunting of an injured or deceased deer on their property. **A hunter must obtain permission from property owners before entering property in pursuit or reasonable search of a deer for harvest.** If permission cannot be obtained, hunter must notify Missouri Department of Conservation and the Ballwin Police Department per ordinance.
12. Field dressing must be done in accordance to Missouri Department of Conservation guidelines and waste properly disposed. Transportation of a carcass along any public right of way must be done with carcass covered or hidden from public view.
13. In addition to any requirements imposed by 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 calling the Ballwin Police Department during normal business hours or by delivering written notification to the Police Chief.



Property Owner Guidelines for Deer Hunting in the City of Ballwin

1. Property owners and hunters must abide by the City of Ballwin Deer Control Policy and Hunting Regulations (Ordinance 12-37) **at all times in its entirety. Deer is the only animal subject to hunting!**
2. Discharging or releasing arrows from archery devices (longbow or compound bow) within the City limits is limited to hunting permitted under Ordinance 12-37. Crossbows are not permitted. No other means (i.e. Rifle, firearm, black powder, etc.) are permitted for hunting.
3. A Notification of Intent to Hunt Form must be completed by **the property owner** and on file with the Ballwin Police Department prior to commencement of any hunting on your property. **The notification shall include the names of all property owners, the address of the proposed hunt property, the dates of the proposed hunt, and the names of all proposed hunters.** Archery hunter safety class certificates must also be provided with the application for each hunter (classes must have been provided or approved by Missouri Dept. of Conservation).
4. You must notify contiguous neighbors **in writing prior** to any hunting activity. **The property owner** must be able to show the appropriate documentation of receipt of the notification of the approximate date and time period of the hunt. For purposes of this Subsection, "*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.
5. Prior to the engagement of any hunting activity, the property owner shall provide to the City, a certificate of insurance or indemnity bond providing evidence of a policy of liability insurance and/or indemnity bond in an amount not less than two million dollars (\$2,000,000.00) per occurrence insuring or bonding the property owner and/or the designated hunter. The indemnity of the property owner and the hunter may be combined to reach the minimum limits mandated by Ordinance 12-37.
6. All current laws of the State of Missouri in regards to the regulations of hunting shall be obeyed within the corporate limits of Ballwin. The hunt shall conform to all State regulations as defined by the Missouri Department of Conservation.
7. All hunters must be 18 years of age or older and possess a state license to hunt. It is suggested you only use/allow experienced archery hunters and have only one hunter on property at a time.
8. Ensure each hunter knows and understands your boundary lines. Review with each hunter the hazards of your property, i.e. – sink holes, walking path easements, buildings, etc. It is suggested you have each hunter sign a liability release for any damage that might occur to him or her while on your property.
9. Check to make sure hunter's arrows are marked permanently with his or her MO Dept. of Conservation ID number.
10. Determine how close deer are to be before an arrow is released (suggested maximum distance is 20 yards). Review the tree stand location with the hunters to ensure it is in compliance with Ordinance 12-37 and it will provide for shooting down.
11. Obtain a commitment from hunters of their willingness to harvest does. Furthermore, obtain commitment for disposition of all harvested deer.
12. Hunter's vehicles must be parked on property of landowner only and must comply with all other existing parking regulations.
13. Property Owners have the right to give permission to hunt on their property within the archery season. Property Owners may set limitations and revoke permission at any time.



CITY OF BALLWIN

14811 Manchester Road, Ballwin, MO 63011

BILL NO. 3760

ORDINANCE NO. 12-37

INTRODUCED BY

ALDERMEN TERBROCK, FINLEY, DOGAN, HARDER, FLEMING, LEAHY, BOERNER, KERLAGON

AN ORDINANCE PROVIDING REGULATIONS FOR DEER HUNTING BY CERTAIN ARCHERY METHODS WITHIN THE CITY OF BALLWIN.

WHEREAS, the Board of Aldermen has determined that it is appropriate to allow deer hunting by certain archery methods to control the deer population in the City of Ballwin and to protect persons and property from damage caused by deer.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BALLWIN, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1: The Code of Ordinances of the City of Ballwin shall be amended by adding a new Chapter 18, Article V thereto, as follows:

**CHAPTER 18 – PARKS AND RECREATION
ARTICLE V. DEER CONTROL POLICY AND HUNTING
REGULATIONS**

SECTION 18-90: DEFINITIONS

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

ARCHERY DEVICE: Any longbow or compound bow.

CROSSBOW: A device for discharging quarrels, bolts, or arrows, formed of a bow set crosswise on a stock, usually drawn by means of a mechanism and discharged by the release of a trigger.

FIREARM:

1. The term "*firearm*", as is used in this Article, means 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.

2. The term "*projectile weapon*" means any bow, crossbow, pellet gun, slingshot or other weapon that is not a firearm, which is capable of expelling a projectile that could inflict serious physical injury or death by striking or piercing a person.

UNDER THE INFLUENCE: Under the influence shall be defined by the State regulation applied to motor vehicle operation.

SECTION 18-91: REGULATIONS

Establishing regulations of hunting within the corporate limits of the City of Ballwin during deer hunting season set by the Department of Conservation or such other specific time authorized by the City of Ballwin.

1. Discharging or releasing arrows from archery devices within the City limits is limited to hunting permitted under this Article. Crossbows are not permitted under this Article.
2. Prior to any hunting activity under this Section, the property owner shall notify the Ballwin Police Department of his or her intent to hunt on his or her property. The notification shall include the names of all property owners, the address of the proposed hunt property, the dates of the proposed hunt, and the names of all proposed hunters. In addition to the foregoing, the property owner shall complete a notification of intent to hunt form and return said form to the Police Department prior to engaging in or permitting any hunting activity on his or her property.
3. Prior to the engagement of any hunting activity, the property owner shall provide to the City, a certificate of insurance or indemnity bond providing evidence of a policy of liability insurance and/or indemnity bond in an amount not less than two million dollars (\$2,000,000.00) per occurrence insuring or bonding the property owner and/or the designated hunter. The indemnity of the property owner and the hunter may be combined to reach the minimum limits mandated by this Subsection. Said liability insurance and/or indemnity bond shall provide insurance coverage and/or indemnity for all claims for damages resulting from any act of negligence of the designated hunter or by any agent, assign, employee, independent contractors, or licensee of the designated hunter.
4. All current laws of the State of Missouri as regards to the regulations of hunting shall be obeyed within the corporate limits of Ballwin.
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 of the aforesaid devices 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 Section shall not apply to a person carrying or discharging such a 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. Each hunter on any property, upon which the permission to hunt has been granted, shall be held responsible for the actions of such other persons to whom such permission has been granted for the same time period 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/her agent, shall enter any building or enter upon any enclosed or improved real estate, lot or parcel of ground in the City of Ballwin; or being upon the property of another shall fail or refuse to leave such property when requested to do so by owner, lessee, or person in charge of said property.

e. Contiguous neighbors must be notified in writing by the property owner and the property owner must be able to show the appropriate documentation of receipt of the notification of the approximate date and time period of the hunt. For purposes of this Subsection, "*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.

7. In addition to any requirements imposed by 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 calling the Ballwin Police Department during normal business hours or by delivering written notification to the Police Chief.

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 the City Code. All hunters shall park their vehicles on the same property on which they are hunting.

10. Prior to hunting within the City limits of Ballwin, every individual seeking to hunt shall provide a certificate of completion of an archery device hunter safety course as approved or provided by the Missouri Department of Conservation.

11. Hunting shall not be allowed on property owned or controlled by the City of Ballwin.

SECTION 18-92: SPECIFIC ACTIONS PROHIBITED/REQUIRED

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

B. It shall be unlawful for any person to discharge an archery device at or in the direction of any person, vehicle, dwelling, house, church, school, playground or building that is within the range of discharge including a safety margin of at least seventy-five (75) feet.

C. It shall be unlawful any person to discharge an archery device within one hundred fifty (150) yards of any church, school, or playground. It shall be unlawful for any person to discharge an archery device, within thirty (30) yards of any dwelling, building, structure, or vehicle, unless the hunter has previously received express authority to discharge the archery device within thirty (30) yards from the owner of the dwelling, building, structure, or vehicle.

D. 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.

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 within seventy-five (75) feet of any front yard property line.

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 ten (10) feet in height and faces the interior of the property. The elevated position (deer stand) shall be located in such a way as to direct arrows towards the interior of the property and to prevent any arrow from landing any closer than twenty-five (25) feet from any side or rear property line.

H. No hunting is authorized on tracts of land under one (1) acre in area, except that adjacent property owners may combine their parcels to satisfy the property line discharge restrictions contained in Subsections (E) and (G) herein. All other provisions of the Deer Control Policy shall apply to combined lots.

I. It shall unlawful for any person under the age of eighteen (18) years old to hunt deer within the City limits of Ballwin.

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 Ballwin.

SECTION 18-93: DEER RETRIEVAL

A. Any person who harvests 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.

D. It shall be the hunter's responsibility to obtain the permission of any property owner upon which an injured or dead deer is located prior to engaging in a reasonable search and retrieval of the deer.

E. 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 Missouri Department of Conservation and the Police Department.

SECTION 18-94: FIELD CLEANING

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

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

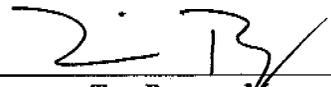
C. Any person who field dresses or otherwise processes a deer shall properly dispose of the discarded organs and/or body parts in plastic bags in private trash depositories, or by other appropriate means. Nothing contained herein shall authorize the illegal dumping of solid waste or authorize the illegal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

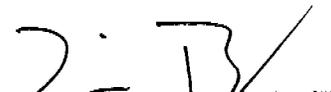
Section 2: All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict repealed.

Section 3: This ordinance shall take full force and effect from and after the date of its passage by the Board of Aldermen and approval of the Mayor.

PASSED this 8 day of Oct, 2012.


TIM POGUE, MAYOR

APPROVED this 8 day of Oct, 2012.


TIM POGUE, MAYOR

ATTEST: 
ROBERT KUNTZ, CITY ADMINISTRATOR

DEER HUNTING CONTIGUOUS NEIGHBOR NOTIFICATION

Date: _____

Property Owner Name(s): _____

Property Address(es) of Hunt: _____

Dear Neighbor:

Please consider this form to be your notification that I (we) plan to allow bow hunting on our property during archery season in accordance and compliance with the City of Ballwin Deer Control Policy and Hunting Regulations (Ordinance 12-37).

I/We reasonably expect hunting activity on our property during the following dates and times:

(Provide approximate dates and times of hunting activity)

We ask you kindly complete the bottom portion of this form and return it to us.

Sincerely,

Property Owner(s) Signature

To be completed by contiguous neighbor:

The hunter(s) having permission to hunt in accordance with the City of Ballwin Deer Control Policy and Hunting Regulations (Ordinance 12-37) at the adjoining property of _____:

(Enter address of hunt from above)

(check one)

_____ **MAY** enter my property for the sole purpose of deer retrieval

_____ **MAY NOT** enter my property for any reason.

Name: _____

Address: _____

Signature: _____ Date: _____