

INTRODUCED BY: COUNCILPERSONS GREDEL, CICHOCKI, WISNIESKI

AN ORDINANCE
ENACTING NEW SECTION 618.151 OF THE CODIFIED ORDINANCES OF
CITY OF INDEPENDENCE RELATING TO ANIMALS
AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Independence, State of Ohio,
that:

Section 1. New Section 618.151 of the Codified Ordinances of the City of Independence is hereby to read as follows:

“618.151 DEER HUNTING.

(a) Notwithstanding the prohibition of Independence Ordinance 618.15, hunting by use of a crossbow, long bow, or other bow and arrow hunting device may be permitted within the City upon the granting of a Deer Hunting Permit.

(b) The Chief of Police may issue a Deer Hunting Permit if the application meets the following requirements:

- (1) The Chief of Police determines that the applicant has complied with all laws, rules, and regulations of the Ohio Division of Wildlife;
- (2) The applicant demonstrates completion of the Ohio Division of Wildlife hunter safety course and all other State requirements;
- (3) The property from which the hunting is to be conducted meets the following requirements:
 - A. It consists of no more than two adjacent parcels of land that, combined, consist of no less than two (2) acres;
 - B. The hunting is conducted from an elevated platform. The platform and its location shall be inspected and approved by the Chief of Police or his designee to ensure the safety of persons and property;
- (4) Written permission from the property owner(s) has been obtained;
- (5) The application provides the global positioning system (“GPS”) coordinates of the approved site/platform;
- (6) The applicant agrees, in writing, to defend and indemnify the City for any acts committed by the applicant while exercising hunting rights granted hereunder; and
- (7) The Chief of Police does not find that the application otherwise infringes upon the health, safety, and welfare of the residents of the City.

(c) The Deer Hunting Permit shall be used only by the named permit holder.

(d) Each Deer Hunting Permit shall be valid only during the dates specified on the Permit.

(e) The number of does and bucks harvested shall be reported to the Independence Police Department at the end of the deer hunting season.

(f) Permit holders shall remove all deer carcasses and deer remains from the hunting site.

(g) The Mayor shall not authorize hunting upon any lands where, in the Mayor's opinion, such hunting would constitute a potential hazard to the safety of persons or property.

(h) Whoever violates this section is guilty of a first degree misdemeanor."

Section 2. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the inhabitants of the City of Independence by reason of the immediate necessity of making changes to the City's Codified Ordinances. Wherefore, this Ordinance shall take effect immediately upon its passage and approval by the Mayor.

Introduced: September 11, 2007

First Reading: September 11, 2007

Passed: OCTOBER 9, 2007



Fred P. Ramos, Mayor


Attest:



Susan E. Kurshuk, Clerk of Council

CERTIFICATE OF POSTING

"I, the undersigned, Clerk of the City of Independence, Ohio, hereby certify that the foregoing 02007-45 was posted on the 15th day of OCTOBER and for the period of fifteen days thereafter, by duly posting true copies thereof in three of the most public places within the City, being the same as determined and directed by Council."



CLERK