



## MEMO

**TO:** Mayor and Town Council

**FROM:** Peggy Piontek

**DATE:** October 26, 2010

**SUBJECT:** Urban Archery Deer Hunting

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This matter is a request received from Councilman Hullinger. Attached are copies of documentation received from Mr. Hullinger, along with a copy of our Ordinance pertaining to fire arms. I have found nothing in our Code of Ordinances that addresses Archery.

# TOWN OF INDIAN TRAIL AGENDA ITEM REQUEST FORM

This form must be completed and attached to all supporting documentation for items to be included on the Town of Indian Trail Town Council Agenda.

Submitted By: John Hullinger Department: Town Council

Contact Phone # 704-882-4309 Date Submitted 10/12/2010

Date of Town Council Meeting to consider this item: October 26, 2010  
(Meetings are generally 2<sup>nd</sup> & 4<sup>th</sup> Tuesday of each month. 4<sup>th</sup> Tuesday meeting begins @ 6:00 p.m., a light supper will be served to staff & Council @ 5:30.

Please indicate how much time you expect this matter to take: 1/2 hour

Description (give short summary of topic, this is how item appears on the Agenda.)

Discussion and Possible Action: Allowing Urban Archery deer hunting in Indian Trail.

Who will attend Council meeting able to respond to questions? Give name & title:

Jonathan Shaw, PhD. Certified Wildlife Biologist (r), NC Wildlife Resources Commission, District 6 Wildlife Biologist

Where does this item need to appear? Check all that apply:

<input type="checkbox"/> Consent Agenda	<input type="checkbox"/> Schedule Public Hearing**
<input type="checkbox"/> Presentation/Recognition	<input type="checkbox"/> Closed Session
<input checked="" type="checkbox"/> Business Items	<input type="checkbox"/> Discussion Item

\*Board, commission, or group requesting joint meeting: \_\_\_\_\_

Supply General Statute or local ordinance that governs this item (attach copy)

Has this item been reviewed by Town Attorney? Yes NO X (Attach recommendation.)

What action is requested of the Council? Discussion and possible action.

What action is requested of the Manager? Research any Town Ordinances to see id there is one regarding archery in Indian Trail

Are Town funds required? Yes / No \$ No Funding Source: \_\_\_\_\_

**PLEASE PROVIDE:** Twenty (20) copies of all attachments for Council's Agenda to the Clerk no later than 5:00 pm the Tuesday before for above referenced meeting.

\*\* If requesting a Public Hearing, attach a copy or sample Ad to run in newspaper \*\*



## **URBAN ARCHERY DEER SEASON IN NORTH CAROLINA**

Deadline for applying for the 2012 season is April 1, 2011

Bowhunting has proven to be a safe, humane, and effective way to deal with overabundant deer in urban areas. In 2007 the NC Wildlife Resources Commission approved an Urban Archery Season to encourage bowhunting in urban areas.

The Urban Archery Season is an extension of the normal deer season and is available only for incorporated municipalities. The 5-week season begins the second Saturday after Jan. 1.

All general hunting regulations for taking big-game apply during the Urban Archery Season. This includes permission from a landowner to hunt a given property. The Urban Archery Season does not obligate a landowner to allow hunting on his or her property, nor does it eliminate ethical or legal requirements for obtaining permission from a landowner before hunting. Any additional hunting restrictions (safety zones, minimum height to discharge bow, etc) are left to the discretion of the city/town.

An interested city/town should first contact their NCWRC District Wildlife Biologist (District 6, Jon Shaw, 704-474-7202). Any city or town may opt into the Urban Archery Season by simply sending a letter of intent and a detailed map of the area to be included in the season to:

Attn: Amy Willis  
NCWRC Division of Wildlife Management  
1722 Mail Service Center  
Raleigh, NC 27699-1722

The deadline for applying for the Urban Archery Season is April 1<sup>st</sup>. The city/town name and a city/town phone number or web address will be printed in the NCWRC Hunting Regulations Digest the following July. The city/town will participate in the Urban Archery Season the following January.

If your city/town votes to adopt the Urban Archery Season, but currently does not allow discharge of bows within your city/town limits, the city/town council will have to amend its local ordinances.

If landowners wish to allow bowhunting on their property, but do not know any bow hunters, the NC Bowhunters Association may be able to provide some assistance. The NCBA has a list of bowhunters statewide that participate in the Bowhunter Certification and Referral Service (BCRS) program. The BCRS requires members to pass a proficiency test, and the program carries a \$2 million liability insurance policy to guard against accidents. Interested persons should contact NCBA President, Ramon Bell, 336-643-4455 (H) or 336-402-0691 (C).

The Urban Archery Season is available for cities, towns and villages that submit to the Wildlife Resources Commission by **April 1** of each year a letter of intent to participate in the season. A map clearly defining the area included in the season should also accompany the letter of intent. Interested municipalities should call the Division of Wildlife Management (919) 707-0050 and request to be contacted by a district wildlife biologist.

Contact For Indian Trail:

Jonathan Shaw, PhD  
Certified Wildlife Biologist (r)  
NC Wildlife Resources Commission  
District 6 Wildlife Biologist  
704-474-7202 - Office  
704-438-0453 - Cell

**Following is additional information and restrictions pertaining to the Urban Archery Season:**

- Deer harvested during the Urban Archery Season must be registered via telephone (800) I GOT ONE or online at [www.ncwildlife.org](http://www.ncwildlife.org). Deer harvested during the Urban Archery Season shall not be registered with a wildlife cooperator agent.
- Season bag limits, as well as possession limits, for both antlerless and antlered deer, including Bonus Antlerless Harvest Report Cards, that apply to the general bow-and-arrow, muzzleloader, and gun deer seasons also apply to the Urban Archery Season.
- Deer of either sex may be harvested in participating areas during the Urban Archery Season. Hunters harvesting an adult buck that has dropped its antlers should validate the kill and insert the harvest authorization number on an authorization space specified for an antlerless deer on the hunter's Big Game Hunting License or Bonus Antlerless Harvest Report Card. However, note that the telephone and Internet reporting systems will capture such harvests as adult bucks.
- Hunters wishing to hunt in an area participating in the Urban Archery Season should call the participating municipality or visit its website to obtain a map showing lawful areas to hunt and additional information on specific restrictions that may apply to each area.
- The Urban Archery Season does not obligate private landowners to allow hunting on their property, nor does it eliminate the ethical requirement for obtaining permission from the land - owner before hunting. Hunters are legally required to obtain written permission to hunt on posted property.

## **Urban Archery Season**

Bow-and-Arrow only: Jan. 15 – Feb. 19, 2011

Hunting during the Urban Archery Season is allowed ONLY in participating municipalities. Hunters may contact the following municipalities about hunting opportunities:

- Cleveland
- Concord
- Elkin
- Fairview
- Kannapolis
- Kill Devil Hills
- Locust
- Midland
- Mooresboro
- Nags Head
- Oak Ridge
- Pleasant Garden
- Pittsboro
- Randleman
- Richfield
- Sanford
- Smithfield
- Stanfield
- Stokesdale
- Summerfield
- Town of Pleasant Garden
- Unionville
- Valdese
- Waxhaw
- Wentworth

# Salisbury Post

## Cleveland to allow in-town bowhunting for deer in 2010

By Kathy Chaffin

kchaffin@salisburypost.com

CLEVELAND — Town commissioners voted Monday to join 10 other municipalities across the state in extending bowhunting season for five weeks after the regular season ends.

Beginning on the second Saturday in January 2010, deer hunters will be able to bowhunt in the Cleveland town limits during the state's new urban archery deer season. The extended season will be available exclusively in municipalities which opt to allow it.

"Essentially, it's the only game in town," said Jonathan Shaw, biologist for District VI of the N.C. Wildlife Resources Commission, which includes Rowan and nine other counties. Shaw was at Monday night's meeting with N.C. Wildlife Resources Commission Officer Scott Isley to answer questions about the urban archery season.

After discussing the safety aspects of bowhunting in the town limits, Cleveland commissioners voted 4-0 to apply for the extended season. Mayor Pro Tem Danny Gabriel was absent, and Mayor Jim Brown only votes in case of a tie.

"It's kind of scary to me," Commissioner Mary Frank "Frankie" Fleming-Adkins said when Isley and Shaw presented the extended urban archery season as a way to control the town's growing deer population.

Commissioner John I. Steele Jr. expressed concern about "buzzing arrows" in the town.

Shaw said there wouldn't be any buzzing arrows. If a bowhunter in a deer stand 20 to 30 feet up in a tree shoots at a deer 20 to 30 yards away, he said, the hunter is "essentially shooting down to the ground. You're not going to hit a dog. You're not going to hit somebody's pet ..."

The biggest safety issue with urban archery season, he said, is hunters falling out of deer stands.

Shaw and Isley said the same regulations governing hunting during the regular season, including the requirements of a hunting license and permission of the landowner, will be in effect during the urban archery season. They noted that people aren't able to obtain a hunting license unless they've passed the state Hunter Safety Course.

Maj. Keith Templeton of the Enforcement Division of the N.C. Wildlife Commission office in Raleigh said Tuesday that the course, taught in a minimum of 10 hours, includes instruction on archery hunting.

"The hunters' education program covers a wide variety of training that one would find very beneficial in hunting situations," he said, "from outdoor first aid to survival to basic game identity, tree stand safety, the different uses of firearms and also archery equipment."

The Central North Carolina deer hunting season, which includes Rowan and 18 other counties, allows bowhunting from Sept. 13 through Nov. 7. This applies to municipalities unless they have ordinances against bowhunting, which Cleveland does not.

"Once people understand what it is and learn more about bowhunting in general and realize it is a safe way to manage the deer population," he said, "I think they will become more accepting."

The deadline for applying for the 2010 urban archery season is April 1, 2009.

Names of cities and towns with the urban archery seasons and a contact phone number will be printed in the N.C. Wildlife Resources Commission Hunting Regulations Digest in July. If landowners wish to allow bowhunting on their property, but do not know any hunters, they may contact the N.C. Bowhunters Association for names.

Shaw said the problem of deer overpopulation is likely to continue.

"I think the more this state grows, the bigger a problem it's going to be," he said. "The more the state grows, the harder it's going to be for people to find a place to hunt, and the harder it gets to hunt, the worse our deer population is going to be."

In 2007, he said, the estimated deer population in North Carolina was 1.3 million. "There are some areas where we absolutely have an overabundance of deer, particularly around urban areas," he said, "but also in some of our rural areas." Farmers in areas of overpopulation often have their crops damaged by deer.

# Town of Elkin

TOWN MANAGER  
Lloyd Wm. Payne, Jr.



MAYOR  
Lestine H. Hutchens  
COMMISSIONERS  
Gambill Aldridge  
J. L. Lowe, Jr.  
Gill Ripley  
Harold L. Wagoner  
Joe Walker

February 18, 2008

Ramon Bell  
7796 NC Hwy. 68 N  
Stokesdale, NC 27357

Dear Ramon,

Saturday, February 16, 2008, marked the end of the Town of Elkin's Urban Archery Season, one of the first in the State of North Carolina. This bow hunting season began on Saturday, January 12<sup>th</sup> and ran for five weeks. The restrictions on hunters were simple; the same valid hunting license as needed during any other season, bow and arrow hunting only, tags as for any other season, and written permission from the property owner for each place they wanted to hunt. As Elkin was the first Town in North Carolina to apply to the NC Wildlife Resource Commission to be a part of their new Urban Archery Season and receive their permit, I think Town officials, surrounding municipalities, and actually the NC Wildlife Commission were all anxious to see just what would happen.

Of course with any new endeavor that concerns the public at large, there were many questions and fears from our citizens. We honestly did not know how the citizens would react to the lifting of the restrictions for bow hunting in Town but it seems to have gone quite well. We received many calls the first few weeks after the announcement was made from citizens and hunters alike. As you can imagine, the rumor mill was working overtime on both sides. Some citizens were concerned that hunters would be shooting arrows through their yards around their children at all hours of the day and night, injured deer would be found dying in their yards, and carcasses would be found decaying all through the woods near their homes. Thankfully, none of these fears seemed to have manifested. Hunters called trying to locate property to hunt on and wanting to be "matched up" with a property owner on our list to hunt on their land. We did not allow hunting on any Town owned land and did not, for obvious liability reasons, keep any types of lists to put property owners and hunters together. Actually, we did not have any property owners calling wanting to be put together with a hunter they did not know. I also do not recall any calls from citizens telling of hunters on their property without permission and no calls from hunters having difficulty with citizens. All in all, I would say the new season came and went very smoothly. Over these last two weeks, the novelty had worn off and the phone calls and questions had almost completely stopped.

2009 Reported Urban Archery Season Harvest

City	County	Sex and Age of Harvest				Total
		Antlered Bucks	Button Bucks	Does	Total	
Elkin	Surry	1	2	27	30	
Locust	Stanly	1	0	1	2	
Middlesex	Nash	0	0	1	1	
Midland	Cabarrus	1	0	4	5	
Morganton	Burke	3	1	9	13	
Smithfield	Johnston	1	0	1	2	
Stanfield	Stanly	0	1	1	2	
Stokesdale	Guilford	2	1	7	10	
Summerfield	Guilford	3	2	11	16	
Washington	Beaufort	1	0	1	2	
	<b>State</b>	<b>13</b>	<b>7</b>	<b>63</b>	<b>83</b>	

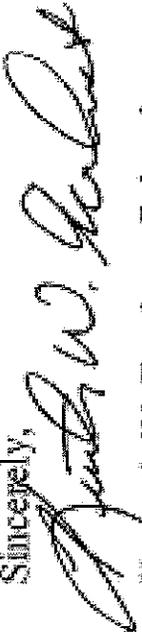


 North Carolina Wildlife Resources Commission 

February 27, 2009

To whom it may concern,

The North Carolina Wildlife Resources Commission is the agency charged with reporting all hunting accidents that occur in the State of North Carolina. Upon review of our records there has not been a single hunting accident where a bow hunter has shot or injured another person. Feel free to contact me if you have any questions.

Sincerely,  
  
Kenneth W. Everhart, Colonel  
NC Wildlife Resources Commission

# I. T. ORDINANCE

## CHAPTER 130: FIREARMS

### Section

- 130.01 Definition
- 130.02 Discharge unlawful
- 130.03 Exceptions
- 130.04 Possession or discharge by children
- 130.05 Applicability
  
- 130.99 Penalty

### § 130.01 DEFINITION.

For the purpose of this chapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

***FIREARM.*** Any weapon or similar instrument from which shot, shells, bullets, or similar projectiles are discharged by means of the explosion of gunpowder.  
(Ord. passed 9-8-1998)

### § 130.02 DISCHARGE UNLAWFUL.

Except as provided in § 130.03 of this chapter, it shall be unlawful for any person to discharge a firearm within the municipal limits of the town.  
(Ord. passed 9-8-1998) Penalty, see § 130.99

### § 130.03 EXCEPTIONS.

The provisions of this chapter shall not apply to the following:

(A) A person hunting with a shotgun on his or her own property, or on another's property if he or she has written permission for the activity from the owner of the property on his or her person at all

**§ 130.05 APPLICABILITY.**

The provisions of the chapter shall apply to all persons engaged in hunting as regulated by Subchapter III of Chapter 113 of the General Statutes, or similar successor statutes.  
(Ord. passed 9-8-1998)

**§ 130.99 PENALTY.**

The violation of any provision of this chapter shall be a misdemeanor and may be punishable by a fine of not more than \$50 or imprisonment for not more than 30 days.  
(Ord. passed 9-8-1998)