

ORDINANCE NO. 89164-0904

AN ORDINANCE AMENDING TITLE 7 POLICE REGULATIONS  
CHAPTER 24 WEAPONS TO ADD A NEW SECTION 5 TO AUTHORIZE  
BOW HUNTING OF DEER WITHIN THE CITY LIMITS

Be It Enacted by the City Council of the City of Muscatine, Iowa:

SECTION 1. AMENDMENT. Title 7 POLICE REGULATIONS, Chapter 24 WEAPONS, of the City Code of Muscatine is amended to add a new Section 5 to provide as follows:

7-24-5 Bow Hunting Deer - Exception. It shall not be deemed a violation of this chapter to use a bow and arrow to hunt deer on parcels of three (3) acres or more zoned agricultural or classified as agricultural by the Muscatine County Assessor or on parcels of ten (10) acres or larger that are neither zoned as agricultural or classified as agricultural by the Muscatine County Assessor with the following conditions:

(A) The person is the owner of the property or has permission from the owner to allow for bow hunting.

(B) The person bow hunting must successfully complete a proficiency test as approved by action of the Muscatine City Council.

(C) The person has a license or permit required by the State of Iowa to hunt deer with a bow.

(D) The person has a permit issued by the Muscatine City Clerk and paid the permit fee in the amount of Fifteen Dollars (\$15.00).

(E) The hunt shall be authorized by action of the Muscatine City Council prior to October 1 of each year, during the time when such hunting is allowed by the law and regulations of the State of Iowa.

(F) Hunting shall not occur within one hundred (100) yards of any residence, church, occupied structure or park ground.

(G) The hunt shall be limited to the sex of the deer allowed by the laws or regulations of the State of Iowa and as allowed by action of the Muscatine City Council.

(H) The person hunting must demonstrate compliance with these requirements to any law enforcement officer upon request.

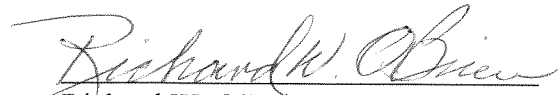
SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

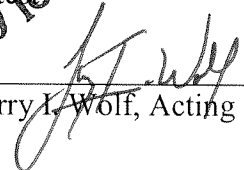
SECTION 3. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED by the City Council the 2nd day of September, 2004, and  
APPROVED the 2nd day of September, 2004.



  
Richard W. O'Brien, Mayor

  
Larry I. Wolf, Acting City Clerk

First Reading	<u>08/05/04</u>
Second Reading	<u>08/19/04</u>
Third Reading	<u>09/02/04</u>
Publication	<u>09/17/04</u>

## PROOF OF PUBLICATION

I, Jeff Lee, being duly sworn, on my oath, say that I am an advertising clerk at the *Muscatine Journal*, a newspaper of general circulation, published in the City of Muscatine, Muscatine County, Iowa; and that the following Notice:

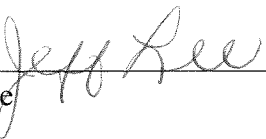
Muscatine City Clerk

Ordinance 89164-0904

Bow Hunting


Of which the annexed printed slip is a true, correct and complete copy, was published in said *Muscatine Journal* one time having been made there in on:

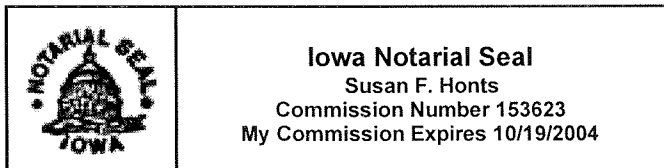
September 17, 2004

  
Jeff Lee

### STATE OF IOWA MUSCATINE COUNTY

Subscribed and sworn to before me this  
21st day of September 2004

  
Susan F. Honts, Notary Public



ORDINANCE  
NO. 89164-0904  
AN ORDINANCE  
AMENDING TITLE 7, POLICE  
REGULATIONS CHAPTER  
24 WEAPONS TO ADD A NEW  
SECTION 5 TO AUTHORIZE  
BOW HUNTING OF DEER  
WITHIN THE CITY LIMITS  
Be It Enacted by the City  
Council of the City of Muscatine,  
Iowa:

SECTION 1. AMENDMENT.  
Title 7, POLICE REGULATIONS,  
Chapter 24, WEAPONS, of the  
City Code of Muscatine is  
amended to add a new Section 5  
to provide as follows:

7-24-5 Bow Hunting Deer -  
Exception. It shall not be deemed  
a violation of this chapter to use a  
bow and arrow to hunt deer on  
parcels of three (3) acres or more  
zoned agricultural or classified as  
agricultural by the Muscatine  
County Assessor or on parcels of  
ten (10) acres or larger that are  
neither zoned as agricultural or  
classified as agricultural by the  
Muscatine County Assessor with  
the following conditions:

(A) The person is the owner of  
the property or has permission  
from the owner to allow for bow  
hunting.

(B) The person bow hunting  
must successfully complete a  
proficiency test as approved by  
action of the Muscatine City  
Council.

(C) The person has a license  
or permit required by the State of  
Iowa to hunt deer with a bow.

(D) The person has a permit  
issued by the Muscatine City  
Clerk and paid the permit fee in  
the amount of Fifteen Dollars  
(\$15.00).

(E) The hunt shall be autho-  
rized by action of the Muscatine  
City Council prior to October 1 of  
each year, during the time when  
such hunting is allowed by the  
laws and regulations of the State  
of Iowa.

(F) Hunting shall not occur  
within one hundred (100) yards of  
any residence, church, occupied  
structure or park ground.

(G) The hunt shall be limited to  
the sex of the deer allowed by the  
laws or regulations of the State of  
Iowa and as allowed by action of  
the Muscatine City Council.

(H) The person hunting must  
demonstrate compliance with  
these requirements to any law  
enforcement officer upon  
request.

SECTION 2. REPEALER. All  
ordinances or parts of ordinances  
in conflict with the provisions of  
this ordinance are hereby  
repealed.

SECTION 3. SEVERABILITY  
CLAUSE. If any section, provi-  
sion or part of this ordinance shall  
be adjudged invalid or unconsti-  
tutional, such adjudication shall  
not affect the validity of the ordi-  
nance as a whole or any section,  
provision or part thereof not  
adjudged invalid or unconstitu-  
tional.

SECTION 4. WHEN EFFEC-  
TIVE. This ordinance shall be in  
effect from and after its final pas-  
sage, approval and publication  
as provided by law.

PASSED by the City Council  
the 2nd day of September, 2004,  
and APPROVED the 2nd day of  
September 2004.

Richard W. O'Brien,  
Mayor

Larry I. Wolf,  
Acting City Clerk  
First Reading 08/05/04  
Second Reading 08/19/04  
Third Reading 09/02/04  
Publication 09/17/04