

**Ordinance No. 685**

**“Deer Management Pilot Program”**

**AN ORDINANCE OF THE CITY OF GRANITE SHOALS, TEXAS, ADOPTING A PILOT PROGRAM FOR WILDLIFE MANAGEMENT HARVESTING; AMENDING SECTION 24-19 OF THE CITY OF GRANITE SHOALS CODE OF ORDINANCES TO PERMIT BOW HUNTING BY AUTHORIZED PARTICIPANTS IN THE PILOT PROGRAM; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, SAVINGS, SEVERABILITY, REPEALER, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.**

**WHEREAS**, the City Council of the City of Granite Shoals, Burnet County, Texas ("Council") seeks to provide for the public health, safety and welfare of its citizens; and

**WHEREAS**, on or about March 11, 2015, the Council established a Wildlife Committee to study the desirability and feasibility of managing the wildlife populations, with emphasis on white-tailed deer, within the City consistent with the laws and regulations of the State of Texas; and

**WHEREAS**, the Wildlife Committee has worked diligently and continues to work diligently to accomplish its purposes; and

**WHEREAS**, the Wildlife Committee has conducted a citizen survey, held a town hall meeting, reviewed data, and worked closely with the Texas Parks and Wildlife Department to formulate recommendations regarding wildlife management within the City; and

**WHEREAS**, the Wildlife Committee has recommended that the Council approve a pilot wildlife management harvesting program to help control the deer population in the city limits; and

**WHEREAS**, the Council has held workshop sessions and additional public hearings on the proposed pilot program and has carefully considered the public comments and the recommendations of the Wildlife Committee; and

**WHEREAS**, the Council finds that it is in the best interest of the public health, safety, and welfare to approve the implementation of the pilot program for a period of one year (through March 2017); and

**WHEREAS**, at the conclusion of the pilot program, the Council shall review the effectiveness of the techniques used, the recommendations of the Wildlife Committee

and the public, and other relevant information, in deciding whether to continue or expand the program;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRANITE SHOALS, TEXAS:**

**SECTION I. FINDINGS OF FACT**

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION II. 2016-2017 PILOT WILDLIFE MANAGEMENT HARVESTING PROGRAM**

The guidelines and schedule for the 2016-2017 Pilot Wildlife Management Harvesting Program are attached as Exhibit "A" and incorporated for all purposes. The Council hereby adopts and approves Exhibit "A" as an official wildlife management program for the City of Granite Shoals.

**SECTION III. AMENDMENT**

Chapter 24 (Offenses and Miscellaneous Provisions), Article II (Firearms), Section 24-19 (Unlawful discharge), paragraph (b) is hereby amended as follows:

**"Sec. 24-19. Unlawful discharge.**

(b) This Ordinance shall not apply to the following:

....

(8) The discharge of a bow and arrow or crossbow by a person who is an authorized participant in an official Wildlife Management Harvesting Program adopted by city ordinance and who acts in strict compliance with the requirements of the program.

(9) As otherwise permitted by state law."

**SECTION IV. SAVINGS**

The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this Ordinance.



**SECTION V. SEVERABILITY**

Should any sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance be adjusted or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance in whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

**SECTION VI. REPEALER**

The provisions of this Ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent that such inconsistency is apparent. This Ordinance shall not be construed to require or allow any act that is prohibited by any other ordinance.

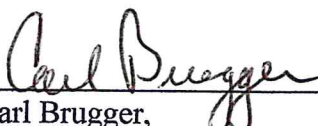
**SECTION VII. EFFECTIVE DATE**

This Ordinance shall take effect immediately from and after its passage and publication as may be required by law.


**SECTION VIII. PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED this 23rd day of February, 2016.

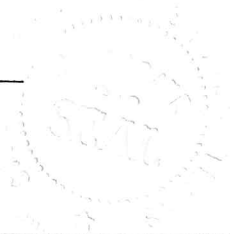
  
\_\_\_\_\_  
Carl Brugger,  
Mayor

ATTEST:

  
\_\_\_\_\_  
Elaine Simpson,  
City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Brad Young,  
City Attorney



**Exhibit "A"**

**CITY OF GRANITE SHOALS, TEXAS**

**2016-2017 PILOT WILDLIFE MANAGEMENT HARVESTING PROGRAM**

**WILDLIFE HARVESTING TEAM REQUIREMENTS AND TESTING**

**TEAM MEMBERS:**

1. 10 MEMBERS ON THE TEAM WITH 2-3 ALTERNATES
2. PREFERRED LOCAL RESIDENCE

**REQUIREMENTS FOR TEAM MEMBERSHIP:**

1. MINIMUM 21 YEARS OF AGE
2. POSSESS A BOW OR CROSSBOW WITH MINIMUM 60 POUNDS OF DRAW WEIGHT
3. POSSESS A TEXAS HUNTING LICENSE
4. POSSESS A TEXAS BOWHUNTER EDUCATION CERTIFICATE
5. POSSESS A CELL/SMART PHONE WITH CAMERA AND TEXTING OR EMAIL ABILITY
6. POSSESS A VALID TEXAS DRIVERS LICENCE AND THEIR OWN TRANSPORTATION
7. ATTEND AN OVERVIEW OF THE OVERALL WILDLIFE MANAGEMENT PROGRAM GOALS, REQUIREMENTS, AND THE LAW

**PROFICIENCY DECISION TEST REQUIRMENTS:**

1. 15 QUESTION EXAMINATION WILL BE ADMINISTERED WITH A 100% PASSING SCORE REQUIRED (MAXIMUM 2 ATTEMPTS)
  - A. 10 PHOTOS / PICTURES WITH SHOOT OR NO SHOOT SITUATIONS
  - B. WHEN TO CALL FOR ASSISTANCE
  - C. WHEN TO SAY "NO" TO A SITUATION

**PROFICIENCY SHOOTING TEST REQUIREMENTS**

1. SHOOT BOW OR CROSSBOW WITH A MINIMUM 1-1/2" FIXED OR MECHANICAL BROADHEAD
2. SHOOT WITH GAME TRACKER MODEL 2500 PROFESIONAL UNIT STRING ATTACHED TO ARROW
3. SHOOT WITH LIGHTED ARROW OR BOLT NOCK
4. SHOOT FROM NO LESS THAN 8 FT. ELEVATED HUNTING TYPE PLATFORM

**PROFICIENCY SHOOTING REQUIREMENTS:**

1. SHOOT THREE ARROWS FULLY OUTFITTED WITH BROADHEAD AND GAME TRACKER STRING INTO A 3-INCH DIAMETER BULLSEYE. MAXIMUM OF TWO ATTEMPTS ALLOWED TO ATTAIN 100% ACCURACY WITH ALL THREE ARROWS OR BOLTS.
2. SHOOT AT A DISTANCE OF 20 YARDS.

**REGULAR MONTHLY PROFICIENCY MAINTENANCE REQUIREMENTS:**

1. MONTHLY, EACH TEAM MEMBER WILL HAVE TO PASS THE PROFICIENCY SHOOTING REQUIREMENTS TO MAINTAIN HIS OR HER ABILITY TO PARTICIPATE.
  - A. IF A MEMBER DOES NOT PASS, HE CAN ATTEMPT TO BE AN ALTERNATE IN THE NEXT MONTH'S MONTHLY PROFICIENCY SHOOTING TEST.
2. ATTEND A MONTHLY OVERVIEW OF THE OVERALL WILDLIFE MANAGEMENT PROGRAM GOALS AND REQUIREMENTS.



## **The City of Granite Shoals urban deer management program guidelines**

The city's pilot program shall work within the Texas Parks and Wildlife Department's (TPWD's) Managed Land Deer Permit (MLD) program.

The Wildlife Committee shall identify all proposed harvest locations within the City. The Committee shall submit a Wildlife Management Plan (WMP) for each selected harvest location to TPWD biologist. Any WMP submitted after August 15 would be reviewed as time allows with no guarantee that tags would be issued prior to season.

Any occupied dwelling within 75 yards of proposed harvest location to be contacted regarding retrieval of animals.

The following documentation must be completed for each harvest location prior to any hunting on that location:

1. Hunting Liability Release Form (completed by hunter)
2. Release, Hold Harmless, and Indemnification Form (completed by hunter)
3. GSPD Registration Form for Deer Management Program (completed by hunter)
4. City Of Granite Shoals Urban Deer Management Program Registration Form (completed by hunter)
5. Pilot Program Guidelines Acknowledgment (completed by hunter)
5. Land Use Permission Form (completed by property owner, unless harvest location is city-owned property)
6. Animal Retrieval Permission Form (completed by owner and primary occupant of any occupied dwelling within 75 yards of harvest location, unless occupied dwelling is city-owned property)
7. Any other documentation required by the City

The Wildlife Committee shall construct and secure all harvest locations.

All MLD level 1 permits shall be issued from TPWD to the individual property owners. It shall be the shared duty of the property owners and the Wildlife Committee to ensure that the guest harvester has registered with the City of Granite Shoals.

MLD level 1 permit hunting starts Sept. \_\_\_\_\_ thru Feb \_\_\_\_\_.

No hunting locations are to be active during the Holidays (Thanksgiving, Christmas, New Year's Day, or any other official holiday on which city offices are closed).

Harvesting to be done by means of MLD level 1 tags only. It is unlawful to harvest any buck within the city limits. Antlerless only deer to be harvested at this time. NO antlered deer to be taken. Any hunters who harvest antlered deer will have their hunting privileges revoked immediately.

All hunt stations will be predetermined locations and may be monitored by GSPD. Hunting outside of one of these locations will be considered poaching, and appropriate action will be taken.

Stands will be no more than 8' elevated, and no shot shall be more than 20 yards.

Archery Proficiency exam must be completed and passed prior to any harvesting and may be completed using any lawful archery means as described by TPWD.

Any hunter not hunting on his or her own property must display a placard issued by the City on the dash of his or her vehicle, which must be parked in a conspicuous location at or adjacent to the harvesting location when the hunting occurs.

If an animal expires on an occupied property, the hunter must make every attempt to notify owner prior to retrieval of the expired animal. In no event shall the hunter retrieve an expired animal from private property without express verbal or written permission from the property owner.

All hunters must sign liability waiver and other required documentation upon registration.

The Wildlife Committee shall at all times have discretion to revoke one's hunting privileges if the committee determines that such revocation is in the best interest of the city and/or the integrity of the program.

All hunters must provide proof of a valid hunting license.

All animals harvested must be cared for in accordance to state law. Anyone caught violating these requirements will be turned over to the appropriate law enforcement authority.

All hunters must dispose of deer carcasses appropriately – *i.e.*, double bag and taken to local landfill or waste disposal company pick up.

All hunters must keep record of approximate yardage that the deer ran from shot location to its place of expiration.



The program is a "one shot" program: once you shoot a deer, that deer is to be recovered before another shot can be taken. Furthermore, the hunter must make every attempt to recover the arrow/bolt.

All hunters must be registered with the Granite Shoals Police department, even if harvesting is being done on private property.

A hunter discharging any archery equipment shall use reasonable care to ensure the arrow does not cross any property line and enter any other property on which the hunter does not have permission to hunt. The discharge of an arrow across or over the boundaries of other property for which no permission has been given by the property owner shall create a rebuttable presumption that the use of the bow and arrow was not conducted with reasonable care, and the hunter's privileges will be revoked.

Hunters shall serve on a volunteer basis only and without financial compensation. The hunter will be responsible for lawful recovery and disposal of the harvested animal in the manner provided by state law.

### **Archery Equipment**

All archery equipment and hunting apparel (i.e. camouflage) must be stored inside of vehicle or dwelling while recovery process is taking place. A hunter may carry a knife to dispatch deer if needed.

All hunters are required to use a string tracking device and illuminated nock on arrows or bolts.

All harvesters must provide their own safety harnesses, and a safety harness must be used at all times even if hunter is on private land. Any hunter caught not using a safety harness will be asked to leave the hunt location, and his or her hunting privileges will be revoked.

All hunters must shoot expandable broad head with minimum 1.5" cutting width.

I \_\_\_\_\_ hereby agree to the terms of the program and understand that a violation of these terms could result in revocation of all hunting privileges under the pilot program and/or legal charges.

Signature \_\_\_\_\_

Date \_\_\_\_\_



## Pilot Program Schedule of events

Feb-March

Obtain approval to proceed with archery pilot program

April

Continue gathering information regarding locations, and schedule Town Hall Meeting for education about the program, and meet with TPWD about program details. Start contacting harvesters

May

Conduct Town Hall Meeting, NO Feeding ordinance implemented, and have all related documents approved and ready for public. Contact harvesters

June

Contact TPWD about planning of deer census, start contacting residences and gaining proper documentation. Contact harvesters

July

Conduct Deer Census, and continue gathering documentation, clearing, constructing backstops at hunt location. Contact harvesters

August

1<sup>st</sup> round of qualifying hunters, qualified hunters meeting, set up hunt stands and notify occupied property owners within 75 yards of hunt locations. WMP's submitted to TPWD for approval, weigh station set up.

September

Harvest location stands to be set up and secured. MLD tags issued, Qualify hunters

October

Qualify Hunters, Hunting starts,

November

Qualify Hunters, hunting continues, 1st report to City Council with results

December

Qualify Hunters, hunting continues, no report unless issues preset

January

Qualify Hunters, hunting continues 2<sup>nd</sup> report to City Council with results

February

Qualify Hunters, hunting ends.

March

Final report to City Council with results, Results and documentation sent to TPWD