

INTRODUCED: July 26, 2021

AN ORDINANCE No. 2021-230

To repeal City Code §§ 19-328, concerning the discharge of arrows, and 19-329, concerning shooting arrows at or upon property of another, and to amend ch. 19, art. VII, div. 2 of the City Code by adding therein a new section 19-328, concerning the discharge of bows and arrows and urban archery, for the purpose of permitting the discharge of arrows upon the property of another.

Patron – Ms. Larson

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: SEP 27 2021 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That sections 19-328 and 19-329 of the Code of the City of Richmond (2020) be and hereby are **repealed** as follows:

[Sec. 19-328. Discharging arrows.

~~It shall be unlawful for any person to discharge arrows from a bow or crossbow in any street or public alley of this City. The provisions of this section shall not apply to firing ranges or shooting matches maintained, and supervised or approved, by law enforcement officers and military personnel in performance of their lawful duties.~~

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: NOV 8 2021 REJECTED: _____ STRICKEN: _____

~~Sec. 19-329. Shooting arrows at or upon property of another.~~

~~It shall be unlawful for any person to shoot an arrow, from any form or type of bow, at or upon the property of another without permission.]~~

§ 2. That Chapter 19, Article VII, Division 2 of the Code of the City of Richmond (2020) be and hereby is amended by **adding therein a new section** numbered 19-328 as follows:

Sec. 19-328. Discharge of bows and arrows; urban archery hunting.

(a) For the purposes of this section, “bow” includes all compound bows, crossbows, slingbows, longbows, and recurve bows having a peak draw weight of ten pounds or more. The term “bow” does not include bows that have a peak draw weight of less than ten pounds or that are designed or intended to be used principally as toys. The term “arrow” means a shaftlike projectile intended to be shot from a bow.

(b) No person shall discharge an arrow from a bow in a manner that can be reasonably expected to result in the impact of the arrow upon the property of another without the written permission from the owner or tenant of such property. The discharge of an arrow across or over the boundaries of a property for which no permission has been given by the property owner shall create a rebuttable presumption that the use of the bow was not conducted with reasonable care.

(c) No person shall discharge an arrow from a bow from, over, across or into any street, sidewalk, alley, roadway, public land or public place, or towards any building or dwelling in such a manner that the arrow may strike such building or dwelling.

(d) No person shall hunt with a bow within the city, except deer may be hunted with bows within the city in accordance with this subsection. Any such hunting activity shall be subject to the following conditions:

(1) Hunting is permitted only during applicable hunting seasons designated by the Virginia Department of Wildlife Resources.

(2) Hunters shall abide by all applicable provisions of state law and state hunting regulations, including but not limited to licensing requirements.

(3) Hunting with bows is permitted only on parcels which are three acres or more of contiguous area. Hunting with bows is prohibited in all other areas within the city.

(4) Property owners must obtain an annual urban archery hunting permit from the Chief of Police. The Chief of Police shall issue annual urban archery hunting permits at no cost to property owners upon application by property owners meeting all requirements of this section.

(5) Property owners shall identify urban archery hunting permit property with signs approved by the Chief of Police.

(6) It is unlawful to hunt except from a stand elevated a minimum of ten feet above the ground.

(7) A hunter must obtain written permission from the owner or tenant of the property on which hunting activity is to take place before hunting and shall carry a copy of the written permission and a copy of the urban archery hunting permit issued to the property owner at all times while hunting.

(8) No person shall discharge an arrow from a bow within 100 yards of a building, dwelling, street, sidewalk, alley, roadway, public land, or public place.

(9) Hunters are responsible for the appropriate disposition of deer carcasses.

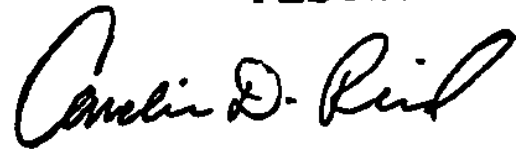
(10) If a deer which has been shot with an arrow leaves the property on which the hunter has permission to hunt, the hunter shall obtain permission from any property owner over which he or she must travel to pursue or retrieve the deer.

(11) No person shall hunt deer in the city by use of a dog or dogs.

(e) Any violation of this section shall be a Class 3 misdemeanor.

§ 3. This ordinance shall be in force and effect upon adoption.

**A TRUE COPY:
TESTE:**

A handwritten signature in black ink, appearing to read "Carolin D. Reed". The signature is written in a cursive style with a large initial 'C'.

City Clerk



Richmond City Council

The Voice of the People

Richmond, Virginia

RECEIVED
By City Attorney's Office at 7:48 am, Jul 15, 2021

Office of the Council Chief of Staff

Ordinance/Resolution Request

TO Haskell Brown, Interim Richmond City Attorney
Richmond Office of the City Attorney

THROUGH Joyce Davis
Interim Council Chief of Staff

FROM Samson Anderson, Council Budget Analyst

COPY Kristen Larson, 4th District Representative
Aaron Bond, 4th District Liaison
Tabrica Rentz, Interim Deputy Richmond City Attorney

DATE July 14, 2021

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TITLE Urban Archery

This is a request for the drafting of an **Ordinance** **Resolution**

REQUESTING COUNCILMEMBER/PATRON

Kristen Larson, 4th District Representative

SUGGESTED STANDING COMMITTEE

Land Use, Housing, Transportation

ORDINANCE/RESOLUTION SUMMARY

The Patron wishes to expound on the City's limitations on Urban Archery, as permitted by the State, in a manner that is consistent with local Urban Archery laws throughout the Commonwealth of Virginia. The proposed limitations are as follows:

- Prohibit hunting on City property;
- Limit permitted hunting to parcels that are 3 acres or larger of a contiguous area;
- Prohibit hunting except on property for which the Chief of Police has issued an annual permit allowing for bow hunting on that property, and around which is posted signage as approved by the Chief of Police;
- Require individuals to possess on their person written permission from the land owner to hunt on their premises, in order to legally discharge a bow within the City limits;
- Prohibit individuals from discharging a bow within 100 yards of a building, dwelling, street, sidewalk, alley, roadway, public land, or public place within City limits;
- Prohibit individuals from discharging a bow from, over, or across any roadway, ally, street, sidewalk, building, dwelling, public land, or public place;
- Require bow hunting to be conducted from a tree stand and not the ground; and
- Require that deer carcasses be disposed of appropriately.

BACKGROUND

Summary:

Currently, the Commonwealth of Virginia allows for Urban Archery programs in 54 local jurisdictions, including Charlottesville, Fredericksburg, Colonial Heights, Hopewell, and Chesterfield County. (<https://dwr.virginia.gov/hunting/urban-archery-season/>)

The passage of this paper would bring the City of Richmond into the same level of structure and restrictions in their Urban Archery Program as other localities, including: Charlottesville, Hopewell, Winchester, Blackstone, Bedford, Blacksburg, Christiansburg, and Front Royal.

City Code has this limitation: *Sec. 19-328. - Discharging arrows.*

It shall be unlawful for any person to discharge arrows from a bow or crossbow in any street or public alley of this City. The provisions of this section shall not apply to firing ranges or shooting matches maintained, and supervised or approved, by law enforcement officers and military personnel in performance of their lawful duties.

(Code 1993, § 20-148; Code 2004, § 66-343)

State Code has this limitation: *Sec. 19-329. - Shooting arrows at or upon property of another.*

It shall be unlawful for any person to shoot an arrow, from any form or type of bow, at or upon the property of another without permission.

(Code 1993, § 20-148.1; Code 2004, § 66 – 344)

Other Statewide limitations:

Like other forms of hunting, Urban Archery is limited to certain seasons during the year. The most recent seasons ran from September 5-October 2, 2020 and January 3-March 28, 2021.

Only antlerless deer may be hunted during the Urban Archery Season.

City Limitations as suggested by the City Attorney's Office:

Strike through §§ 19-328 and 19-329 in their entirety, and insert:

Sec. 19-328. - Discharge of bows and arrows; urban archery hunting.

(a) For the purposes of this section, "bow" includes all compound bows, crossbows, slingbows, longbows, and recurve bows having a peak draw weight of ten (10) pounds or more. The term "bow" does not include bows that have a peak draw weight of less than ten (10) pounds or that are designed or intended to be used principally as toys. The term "arrow" means a shaft-like projectile intended to be shot from a bow.

(b) No person shall discharge an arrow from a bow in a manner that can be reasonably expected to result in the impact of the arrow upon the property of another without permission from the owner or tenant of such property. The discharge of an arrow across or over the boundaries of a property for which no permission has been given by the property owner shall create a rebuttable presumption that the use of the bow was not conducted with reasonable care.

(c) No person shall discharge an arrow from a bow from, over, across or into any street, sidewalk, alley, roadway, public land or public place, or towards any building or dwelling in such a manner that the arrow may strike it.

(d) No person shall hunt with a bow within the city, except deer may be hunted with bows within the city in accordance with this subsection. Any such hunting activity shall be subject to the following conditions:

(1) Hunting is permitted only during applicable hunting seasons designated by the state department of game and inland fisheries.

(2) Hunters must abide by all applicable provisions of state law and state hunting regulations, including but not limited to licensing requirements.

(3) Hunting with bows is permitted only on parcels which are three (3) acres or more of contiguous area. Hunting with bows is prohibited in all other areas within the city.

(4) Property owners must obtain an annual urban archery hunting permit from the Chief of Police. The Chief of Police shall issue annual urban archery hunting permits at no cost to property owners upon application by property owners meeting all requirements of this section.

(5) Property owners must identify urban archery hunting permit property with signage approved by the Chief of Police.

(6) It is unlawful to hunt except from a stand elevated a minimum of ten (10) feet above the ground.

(7) A hunter must obtain written permission from a property owner before hunting and shall carry a copy of the written permission and a copy of the urban archery hunting permit issued to the property owner at all times while hunting.

(8) No person shall discharge an arrow from a bow within 100 yards of a building, dwelling, street, sidewalk, alley, roadway, public land, or public place.

(9) Hunters are responsible for the appropriate disposition of deer carcasses.

(10) If a deer which has been shot with an arrow leaves the property on which the hunter has permission to hunt, the hunter shall obtain permission from any property owner over which he or she must travel to pursue or retrieve the deer.

(11) No person shall hunt deer in the city by use of a dog or dogs.

(e) Any violation of this section shall be a Class 3 misdemeanor.

FISCAL IMPACT STATEMENT

Fiscal Impact Yes No
Budget Amendment Required Yes No
Estimated Cost or Revenue Impact:

Attachment/s Yes No

Richmond City Council Ordinance/Resolution Request Form/updated 10.5.2012 /srs