

ORDINANCE NO. 590

AN ORDINANCE ADDING ARTICLE IV TO CHAPTER VII OF THE CITY OF WATFORD CITY ORDINANCES RELATING TO WILDLIFE MANAGEMENT.

7-401. City Wildlife Management Program.

The City of Watford City deems it necessary and appropriate to establish a Wildlife Management Program within its city limits. Through this program, the City may authorize persons to use an archery device for purposes of meeting the goals of the program. The City Council shall have authority to adopt such rules and regulations as are necessary to implement the Wildlife Management Program.

7-402. Definitions.

In this article, unless the context or subject matter otherwise requires:

- A. "Archery device" shall mean any longbow or compound bow.
- B. "Crossbow" shall mean a device for discharging quarrels, bolts, or arrows, formed of a bow set cross-wise on a stock, usually drawn by means of a mechanism and discharged by the release of a trigger.
- C. "Enrolled and Approved Property" shall mean property for which the landowner has granted the City necessary permission to for it to be utilized in its Wildlife Management Program, and the City has accepted and added the property to a hunting zone in its Wildlife Management Program.
- D. "Projectile weapon" shall mean any bow, crossbow, pellet gun, slingshot or other weapon that is not a firearm, which is capable of expelling a projectile that could inflict serious physical injury or death by striking or piercing a person.
- E. "Under the influence" shall mean that condition as defined by state regulation applied to motor vehicle operation.

7-403. Designated season and areas for inclusion within Wildlife Management Program, number of permits, permit fee.

The City Council may annually, by resolution, designate a period of time during which persons may participate in the City's Wildlife Management Program. The City Council may also, by resolution designate specific areas within the city limits for inclusion within the program as well as designate the appropriate number of permits. The City Council shall also have authority to charge a fee for participating in the program which may be set annually by resolution.

7-404. Proficiency requirements for participants.

No person shall be allowed to participate in the Wildlife Management Program until he or she can present certification of having completed an archery proficiency course approved by the chief of police or his designee.

7-405. Properly Enrolled and Approved Property only.

- A. It shall be unlawful for any person to carry or discharge an archery device or crossbow while knowingly on the premises of another for purposes of this program unless that person is on Enrolled and Approved Property.
- B. Any person entering upon the property of another for purposes of this program shall be held responsible for their actions while on that person's property regardless of whether or not it is Enrolled and Approved Property.

7-406. Rules and regulations of participation.

- A. Eligibility for participation in the Wildlife Management Program is limited to persons eighteen years of age or older.
- B. Any person participating in the Wildlife Management Program shall:
 - 1. Pass an archery proficiency test and meet all requirements to be allowed to legally hunt in North Dakota;
 - 2. Apply for and obtain a city of Watford City permit to participate in the program and pay any related fee;
 - 3. Obtain a North Dakota Game and Fish Department special archery license and tag;
 - 4. Permanently mark all arrows in his or her possession with the participant's last name and City of Watford City permit number;
 - 5. Comply with any rules and regulations governing the Wildlife Management Program;
 - 6. Comply with all other applicable archery rules and regulations issued by the North Dakota Game and Fish Department; and
 - 7. Follow all North Dakota Game and Fish Department guidelines regarding field dressing and processing of the animal.
- C. Nothing in this article shall authorize the parking or standing of vehicles on private property without the consent of the property owner or the parking or standing of any vehicles in violation of these ordinances.

7-407. Specific actions prohibited.

- A. It shall be unlawful for any person to discharge any archery device or crossbow from across any street, sidewalk, road, highway, or playground.
- B. It shall be unlawful for any person to discharge an archery device or crossbow within one hundred (100) yards of any church, school, or playground.

- C. It shall be unlawful for any person to discharge any archery device or crossbow within fifty (50) yards of any dwelling, building, structure, or vehicle, unless the person has previously received express authority to discharge the archery device or crossbow within fifty (50) yards from the owner of the dwelling, building, structure, or vehicle.
- D. No arrow or other projectile authorized for use under this article may be discharged or projected at such an angle or distance as to land on public or private property other than the property on which the participant lawfully hunting.
- E. No arrow or other projectile may be discharged or projected at such an angle or distance as to land within fifty (50) feet of any street or public-right of way.
- F. No hunting is authorized on tracts of land under one (1) acre in area, except that adjacent property owners may combine their parcels to satisfy the property line discharge restrictions.
- G. No person shall possess, consume, or be under the influence of alcohol or any other controlled substance while participating in activities authorized under this article.
- H. Any person participating in in activities authorized under this article shall either wear a head covering or an outer garment above the waistline of daylight fluorescent orange color conspicuously on the person.
- I. Wildlife drives or efforts to direct or push wildlife to certain locations as part of assisting participants shall be prohibited.

7-408. Wildlife retrieval.

- A. Participants shall make every reasonable effort to retrieve wildlife.
- B. Nothing in this article authorizes the act of trespass.
- C. It shall be the participant's responsibility to immediately notify any property owner, other than the specific property owner on whose property the participant is lawfully hunting, of the fact that an injured/dying/dead animal is located on his or her property.
- D. It shall be the participant's responsibility to obtain the permission of any property owner upon which an animal is located prior to engaging in a reasonable search and retrieval of the animal.
- E. In the event the participant cannot obtain the permission of a property owner to conduct a reasonable search and retrieval of an animal, the participant shall notify the North Dakota Game and Fish Department.

7-209. - Feeding of deer prohibited.

No person shall feed or allow the feeding of any deer within the city limits of the city of Watford City. For purposes of this section, feeding shall mean the provision of one-half cubic foot or more of grain, fruit, vegetables, nuts, hay, or other edible material, either on the ground or at a height of less than five feet above the ground, in a manner that

attracts deer on a regular basis. Living food sources such as fruit trees and other live vegetation shall not be considered as deer feeding. This prohibition shall not apply to veterinarians, city animal control officers, and park maintenance staff, or county, state or federal game officials who, in the course of their duties, have deer in their custody or under their management.

7-410. Penalty for violations.

Any person who violates any provision of this article, other than the unlawful carrying, possession, or discharge of a weapon as described in Article VI, Chapter IX, or who fails to follow any related rules or regulations, shall be charged with an infraction, punishable by a fine not to exceed \$500.00.

Veeder moved the adoption of the foregoing Ordinance. The motion was seconded by Liebel. On roll call vote of the Council members, the following Council members voted "AYE": Sanford, Liebel, Devlin, Veeder, Brenna, Beard, and the following Council members voted "NAY": None Absent and not voting: None.

WHEREUPON, the motion was passed and the Ordinance declared adopted this 4th day of April, 2022.



Mayor Philip K. Riely
City of Watford City

ATTEST:



Peni Peterson, City Auditor

First Reading: 03/21/2022
Second Reading: 04/04/2022
Published: