

**ORDINANCE NO. 2766**

AN ORDINANCE REPEALING SECTION 19-15, DISCHARGE OF FIREARMS, OF ARTICLE I, IN GENERAL, OF CHAPTER 19, OFFENSES AND MISCELLANEOUS PROVISIONS, OF THE CODE OF ORDINANCES OF THE CITY OF CEDAR FALLS, IOWA, AND ENACTING IN LIEU THEREOF NEW SECTION 19-15, DISCHARGE OF FIREARMS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR FALLS, IOWA:

*Section 1.* Section 19-15, Discharge of Firearms, of Article I, In General, of Chapter 19, Offenses and Miscellaneous Provisions, of the Code of Ordinances of the City of Cedar Falls, Iowa, is hereby repealed in its entirety, and a new Section 19-15, Discharge of Firearms, is enacted in lieu thereof, as follows:

**Sec. 19-15. - Discharge of firearms.**

- (a) No person shall discharge any firearm within the city, except peace officers in the line of duty or peace officers and other authorized persons using a police target range, and no person shall discharge any bow and arrow or similar device within the city; however, the city council may, upon written application, grant annual permits to groups, organizations or individuals approved by the city council allowing the permittees to conduct trapshoots, skeetshoots, archery or rifle ranges or special uses in certain areas designated by the permit and under conditions that will in no way endanger persons or property and under the supervision of the permittee. Persons discharging or shooting firearms or bow and arrows or similar devices in the areas designated in the permit and while under the supervision of a permittee shall not be subject to the terms of this section. The council may revoke the permit granted at any time, at its discretion, where the discharge or shooting of firearms or bow and arrows and similar devices under a permit, in its opinion, constitutes a nuisance or in any way endangers persons or property.
- (b) Subsection (a) of this section shall not apply:
  - (1) to the discharge of shotguns using shot no heavier than "T" or bow and arrows with heads designed for hemorrhaging effect (i.e., broadhead arrows) in the course of hunting game on land devoted to agricultural use containing 40 acres or more, with the consent of the owner or tenant in possession and no closer than 600 feet to any building, and under conditions that will in no way endanger persons or property. The Chief of Police, or his/her designee may approve hunting on smaller portions of private property and non-agricultural land by written approval.
  - (2) to licensed bow hunters engaged in deer hunting as allowed by the Iowa Department of Natural Resources under the special deer management zone procedures for Black Hawk County. All deer hunting allowed within the city boundaries shall follow the procedures and requirements established by the Black Hawk County Deer Management Task Force. The opportunity to hunt

allowed under the program will begin the second Monday of October and will continue to January 10<sup>th</sup> of the following year. During October hunting shall be allowed during weekday mornings until twelve o'clock (12:00 pm) noon. No bow may be carried or displayed within six-hundred (600) feet of any residence without the permission of the property owner/tenant, or in any city park, or within seventy-five (75) feet of any bike trail, nature trail, or other recreational facility, or any area posted as a no hunting area.

- (c) No shotgun slugs shall be discharged within the city limits.
- (d) No person shall discharge or carry on or about his/her person or in a vehicle any air rifles, pellet guns or similar devices capable of discharging any leaden or other dangerous missile or substance within the city, except peace officers in the line of duty. However, it shall be lawful to carry one or more unloaded air rifles, pellet guns or similar devices if the unloaded weapon is carried in a gun case or closed container which is too large to be effectively concealed on the person or within the clothing of an individual.
- (e) Subsection (a) of this section shall not apply to bow fishing for carp, buffalo, quillback, gar, sheepshead, dogfish, and other rough fish so designated from time to time by the Natural Resource Commission of the Iowa Department of Natural Resources. For purposes of this section, the term *bow fishing* shall mean fishing by means of a bow and arrow, which meets all of the following requirements:
  - (1) Each arrow used in such fishing shall be equipped with an arrow head specifically designed for fishing with a bow and arrow; and
  - (2) Each arrow used in such fishing shall be firmly attached to a fishing line not exceeding 40 feet in length which has minimum tensile strength of at least 75 pounds and which shall be firmly attached to the bow; and
  - (3) Such fishing shall in all other respects be carried out in strict compliance with all rules and regulations applicable to fishing as are promulgated from time to time by the Iowa Natural Resources Department.

INTRODUCED: \_\_\_\_\_ April 23, 2012  
PASSED 1<sup>ST</sup> CONSIDERATION: \_\_\_\_\_ April 23, 2012  
PASSED 2<sup>ND</sup> CONSIDERATION: \_\_\_\_\_ May 14, 2012  
PASSED 3<sup>RD</sup> CONSIDERATION: \_\_\_\_\_ May 29, 2012  
ADOPTED: \_\_\_\_\_ May 29, 2012

\_\_\_\_\_  
John Runchey, Mayor Pro Tem

ATTEST:

\_\_\_\_\_  
Jennifer Rodenbeck, CPA, CPFO  
Finance Manager/City Clerk