

ORDINANCE AMENDING AND RE-ENACTING SECTIONS 16-6-41 – DISCHARGE OF FIREARMS WITHIN CITY LIMITS, AND SECTION 16-6-42 – ARCHERY SEASON TO HUNT DEER, OF THE CODE OF ORDINANCES CITY OF HARRISONBURG, VIRGINIA

Be it ordained by the Council of the City of Harrisonburg, Virginia:

That Section 16-6-41 and 16-6-42 are modified by amending and reenacted as follows:

Sec. 16-6-41. - Discharge of firearms within city.

It shall be unlawful for any person to discharge or cause to be discharged any firearm within the city; or to hunt with other weapons, specifically to include, but not limited to, bows and arrows, crossbows, or similar devices, except as provided in Section 16-6-42; provided, that this section shall not apply to any law enforcement officer in the performance of his or her official duties, nor to any other person whose willful act is otherwise justifiable or excusable at law in the protection of his or her life or property, or that of another, or as otherwise specifically authorized by law; provided further, that this section shall not apply to any person shooting in licensed shooting galleries or shooting inside a building on a shooting range so constructed as to prevent the shot, projectile or other missile which has been fired from escaping or ricocheting; provided further, that this section shall not apply to any citizen who, having obtained permission and a permit from the chief of police, may shoot at rats, birds or other nuisance species as defined in § 29.1-100 of the Code of Virginia, 1950, as amended, upon his or her premises; and in addition shall not apply to any person, who in compliance with § 29.1-529 of the Code of Virginia, 1950, as amended, is granted permission by the Director of the Department of Wildlife Resources to kill deer, elk, or bear.

Sec. 16-6-42. - Archery season to hunt.

(a) The regulations of the Virginia Department of Wildlife Resources pertaining to **archery** hunting ~~bow and arrow~~, as they may be amended from time to time, are hereby adopted, subject to the following rules, regulations, specification and limitations:

(1) Geographic areas. Hunting with archery equipment inside the city boundaries may occur on parcels of private property with the written permission from the property owner. The discharge of archery equipment shall not occur on school property or church property. The discharge of archery equipment shall occur on city property only with the written permission of the city manager or designee of the city manager.

(2) License. At all times while hunting under this section, all hunters shall have on their person, the applicable Virginia licenses and the written permission of the landowner.

(2) Elevated stands. Hunting with archery equipment shall be from platforms or stands elevated not less than ten (10) feet above the level of surrounding land. Otherwise, the discharge of archery equipment shall be prohibited.

(3) Proximity to structures and streets. No person shall discharge a bow from, over or across any street, sidewalk, alley, roadway or public land or public place within the city limits or toward any building or dwelling in such a manner that an arrow may strike it.

(4) Firearms. Firearms of any type, caliber or description, shall not be used. ~~or carried while hunting.~~

(b) It is the intent of this section to permit hunting with archery equipment during the hunting seasons declared by the Virginia Department of Wildlife Resources, including the full general firearms season and any early, late, or special urban archery season.

(c) No pursuit of injured or wounded game shall be permitted upon the land of neighboring landowners unless the hunter has first obtained permission from that landowner. No field dressing shall be permitted without the permission of the landowner. A hunter with permission to hunt or to enter property must remove all game harvested from the property.

(d) All persons violating this section shall be guilty of a Class 1 misdemeanor.


(e) Except as otherwise specifically provided by this section, the prohibitions contained in section 16-6-41 of this Code, as amended, shall remain in full force and effect.

(f) Conservation Police Officers appointed pursuant to § 29.1-200 of the Code of Virginia, 1950, as amended, shall be vested with authority to enforce the regulations of this section.

This ordinance shall be effective from the 9th day of April, 2024. Adopted and approved this 9 day of April, 2024.


MAYOR

ATTESTE:


CITY CLERK