

Ordinance No:	<u>2019-04</u>
Introduced by Town Council:	<u>03/11/2019</u>
Public Hearing:	<u>xx/xx/2019</u>
Enacted:	<u>xx/xx/2019</u>
Effective:	<u>xx/xx/2019</u>

ORDINANCE

ADOPTING AMENDMENTS TO THE WASHINGTON GROVE CODE OF ORDINANCES  
ARTICLE I, PUBLIC NUISANCES, MORALS AND CONDUCT,  
TO PROVIDE FOR DEER MANAGEMENT HUNT SESSIONS WITH CONDITIONS

**WHEREAS**, a Forest Stewardship Plan prepared by Bill Bond, a Maryland registered forester, for the 83 wooded acres of the East Woods and West Woods of the Town of Washington Grove provided a comprehensive analysis of the forests, their current health, and made management recommendations to address specific concerns, including control of non-native invasive plants and the impact of deer, and which Plan was approved by the Town Council in December 2015; and

**WHEREAS**, the continuing overpopulation of white tail deer (*Odocoileus virginianus*) has raised public health and safety concerns over increased deer-vehicle accidents and the increased risk of deer tick-borne disease; and ongoing concern over damage to private property and landscaping from foraging; and

**WHEREAS**, the habitat loss due to depletion of native forest understory has led to pervasive replacement by non-native invasive species and an unhealthy reduction in new growth trees, all of which threatens the long-term health of our forests; and

**WHEREAS**, the Town seeks to better manage the white tail deer population within the Town's corporate boundaries to respond to these concerns; and

**WHEREAS**, the State of Maryland Department of Natural Resources (DNR) and Montgomery County have established safety regulations for bow hunting of deer within the County, and the Montgomery County Department of Parks has a program for authorizing established groups of qualified individuals for managed bow deer hunting in County parks; and

**WHEREAS**, Town representatives have met with County officials and with County-authorized groups of State-licensed archery hunters to explore Town-authorized bow hunting deer management during the State DNR scheduled hunt season in the East Woods and West Woods; and

**WHEREAS**, the Town also continues to explore other methods for managing the impacts of deer in the East Woods and West Woods, including exclosures to protect limited or sensitive areas, protective barriers for individual plantings, and other proposals to reduce deer browsing within these Town-owned properties.

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CAPS : Indicate matter added to existing law.  
[Brackets] : Indicate matter deleted from law.  
Asterisks \* \* \* : Indicate matter remaining unchanged in existing law but not set forth in Ordinance

**PART 1. THE TOWN COUNCIL CONCLUDES:** It is in the public interest to amend the Washington Grove Code of Ordinances to provide for bow hunting deer management sessions on Town-owned property, with Town authorization for each deer management hunt session specified by Resolution adopted in an open meeting of the Town Council, and to incorporate by reference Montgomery County Department of Parks Managed Deer Hunting Program Regulations, Group Leader Expectations, and Archery Participant Expectations and Procedures to the extent applicable for bow hunting.

**PART 2. NOW THEREFORE, BE IT ORDAINED AND ENACTED,** by the Mayor and Council of the Town of Washington Grove, Maryland that Article I, Public Nuisances, Morals and Conduct, Section 12, Hunting; Fishing, is hereby amended to read as follows:

Section 12. Hunting; Fishing

(a) EXCEPT AS OTHERWISE AUTHORIZED IN THIS SECTION, Hunting by any weapon such as firearms, bow and arrow, or by using dogs, or birds such as falcons or hawks, is prohibited in the Town.

(B) MANAGED DEER BOW HUNTING SESSIONS MAY BE AUTHORIZED IN THE TOWN AS FOLLOWS:

1. A RESOLUTION AUTHORIZING EACH DEER BOW HUNTING SESSION, WHICH SHALL SET THE DATES, TIMES AND OTHER REQUIREMENTS OF THE SESSION, MUST BE ADOPTED BY THE TOWN COUNCIL IN AN OPEN MEETING.
2. DEER BOW HUNTING SESSIONS MAY BE AUTHORIZED ONLY WITHIN THE TOWN-OWNED EAST WOODS AND WEST WOODS PROPERTIES; AND MAY, WITH APPROPRIATE CONSULTATION WITH AND CONCURRENCE FROM M-NCPPC, BE CONDUCTED IN THE CONSERVATION MEADOW.
3. HUNTING SESSIONS WILL BE COINCIDENT WITH AND LIMITED TO THE STATE DEPARTMENT OF NATURAL RESOURCES DESIGNATED DEER BOW HUNTING SEASON.
4. THE TOWN-AUTHORIZED DEER BOW HUNT WILL BE LIMITED TO A SELECTED ESTABLISHED GROUP, OR GROUPS, OF STATE-LICENSED AND STATE-QUALIFIED BOW HUNTERS, WHO SHALL PROVIDE ALL INFORMATION REQUIRED BY THE TOWN TO PARTICIPATE, AND MUST BE CONDUCTED IN ACCORDANCE WITH ALL APPLICABLE STATE AND COUNTY RULES AND REGULATIONS.
5. WHEN POSSIBLE, DEER MEAT HARVESTED DURING BOW HUNTING SESSIONS WILL BE DONATED TO FOOD BANKS, FOOD PANTRIES, AND/OR SOUP KITCHENS TO FEED THE HUNGRY.
6. ANY BOW HUNTING AUTHORIZED BY THE TOWN SHALL COMPLY WITH THE APPLICABLE PROVISIONS OF THE MONTGOMERY COUNTY DEPARTMENT OF PARKS MANAGED DEER HUNTING PROGRAM REGULATIONS, GROUP LEADER EXPECTATIONS, AND ARCHERY PARTICIPANT EXPECTATIONS AND PROCEDURES, AS AMENDED.

(b) Fishing by any means is prohibited in the Town except in conformance with State law.

**PART 3. EFFECTIVE DATE:** This Ordinance shall become effective thirty (30) days from the date of enactment hereof in the absence of a petition by qualified voters as set forth in Section 15 of the Charter of the Town.

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

TOWN OF WASHINGTON GROVE

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Date

\_\_\_\_\_  
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