

**ORDINANCE 18-15**  
**TO AMEND TITLE 11 (LAKES AND RESERVOIRS) AND TITLE 14 (PEACE AND SAFETY) OF THE BLOOMINGTON MUNICIPAL CODE**  
**- Re: Amending Sections 11.08.040 (Prohibited Activities) and 14.20.020 (Discharging Firearms) of the Bloomington Municipal Code to Permit Firearm Hunting for the Purpose of Deer Population Control at Griffy Lake Nature Preserve.**

- WHEREAS, Griffy Lake Nature Preserve (hereafter “Griffy”) is a woodland area composed of approximately 1,200 acres owned by the City of Bloomington and managed by the City of Bloomington Board of Park Commissioners (hereafter “Board”); and
- WHEREAS, In 2008, the Griffy Lake Nature Preserve Master Plan observed that deer herbivory and trampling were having a deleterious effect on certain areas of Griffy and called for further study to determine the effects of deer browsing, noting that it may be necessary to introduce deer population controls; and
- WHEREAS, In 2012, the Joint City of Bloomington-Monroe County Deer Task Force produced a report documenting the deleterious effects of deer overbrowsing at Griffy and recommending deer population controls; and
- WHEREAS, In 2014, the Common Council passed Ordinance 14-04 which authorized the Board to hire a professional to perform sharpshooting at Griffy for the purpose of reducing the deer population and in 2017 the Board engaged a contractor to reduce the deer population; and
- WHEREAS, The Indiana Department of Natural Resources (hereafter “IDNR”) encouraged the City to apply for a grant to utilize hunting as the means of controlling the deer population at Griffy; and
- WHEREAS, IDNR has awarded \$32,500 to the City to implement hunting at Griffy; and
- WHEREAS, The Board requests that the Common Council make the necessary changes to the Bloomington Municipal Code so that the Board may engage a consultant to organize firearm hunting at Griffy; and
- WHEREAS, The Board has expressed that hunting is an efficient and effective long-term tool for controlling the deer population at Griffy; and
- WHEREAS, The Bloomington Municipal Code prohibits the discharge of firearms and hunting at Griffy, but provides that the Board may authorize hunting as a management tool when the situation warrants (Bloomington Municipal Code § 11.08.300); and
- WHEREAS, In order for the Board to organize deer hunting with firearms at Griffy, Bloomington Municipal Code §§ 11.08.040 and 14.20.020 must be amended;

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA, THAT:

SECTION 1. Section 11.08.040 of the Bloomington Municipal Code is amended to remove the hyphen between the words “fire” and “arm” in the Section’s first sentence, to modify the Section’s final sentence, and shall now read, in its entirety, as follows:

**11.08.040 Prohibited activities.**

No person shall be allowed to engage in the following activities on the waters of or the lands owned by the city surrounding Griffy Lake: bicycling, motorcycling, use of four wheel drives, all terrain vehicles and other vehicles, snowmobiling, swimming, camping, woodcutting, creating any temporary structures, fire-building, rafting, hunting, trapping, use of firearms, use of alcoholic beverages, horseback riding, military exercises, dumping, and behavior, as judged by the police, exercising good faith, which impedes or prevents legitimate use of the site by the

public. The board of park commissioners, at their discretion, may grant permission to engage in select activities for authorized management purposes including, but not limited to, discharging firearms for the purpose of deer population control, provided that such discharge complies with Section 14.20.020(c) or 14.20.020(d) of the Bloomington Municipal Code.

SECTION 2. Section 14.02.020 of the Bloomington Municipal Code is amended to delete the word “nor” from subsection (b) and to add subsection (d) and shall now read, in its entirety, as follows:

**14.20.020 Discharging firearms.**

It is unlawful for any person to shoot any firearm within the limits of the city. However, this section shall not apply to:

- (a) Any legally appointed officer in the discharge of his or her duty;
- (b) Any person when acting in self-defense;
- (c) Any contractor of the city of Bloomington board of park commissioners hired for the purpose of deer reduction via sharpshooting at the Griffy Lake Nature Preserve, provided that:

- (1) The contractor takes such actions in accordance with:

- (A) A currently valid contract executed by the city of Bloomington board of park commissioners and such contractor; and

- (B) A currently valid state of Indiana, Department of Natural Resources permit for such actions; and

- (C) All applicable city of Bloomington laws and regulations; and

- (D) All applicable state of Indiana laws and regulations; and

- (2) The discharge of a firearm authorized under subsection (c) shall be limited to areas within the boundaries of the Griffy Lake Nature Preserve as defined by Section 11.08.010(7) of the Bloomington Municipal Code;

- (d) Any individual who has obtained a valid permit from the City of Bloomington for the hunting of deer at Griffy Lake Nature Preserve provided that:

- (1) An individual who has obtained a valid permit for the hunting of deer at Griffy Lake Nature Preserve complies with:

- (A) All applicable rules, regulations, and requirements of the Indiana Department of Natural Resources; and

- (B) All applicable city of Bloomington laws and regulations; and

- (C) All applicable state of Indiana laws and regulations; and

- (2) The discharge of a firearm authorized under subsection (d) shall be limited to areas within the boundaries of the Griffy Lake Nature Preserve as defined by Section 11.08.010(7) of the Bloomington Municipal Code; and

- (3) The discharge of a firearm authorized under subsection (d) shall be permitted only for the purpose of deer hunting; and

- (4) The discharge of a firearm authorized under subsection (d) shall be permitted only during such times that deer hunting is authorized by both the Indiana Department of Natural Resources and the City of Bloomington Board of Park Commissioners.


SECTION 3. If any section, sentence, or provision of this ordinance, or the application thereof to any person or circumstance, shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 4. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.


PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 19 day of September, 2018.

  
DOROTHY GRANGER, President  
Bloomington Common Council

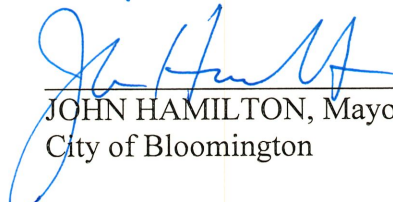
ATTEST:

  
NICOLE BOLDEN, Clerk  
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 21<sup>st</sup> day of September, 2018.

  
NICOLE BOLDEN, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this 24<sup>th</sup> day of September, 2018.

  
JOHN HAMILTON, Mayor  
City of Bloomington

#### SYNOPSIS

This ordinance comes forward at the request of the Board of Park Commissioners, with the support of the Administration, and with the sponsorship of Councilmembers Rollo and Ruff. The ordinance amends: (1) Bloomington Municipal Code § 11.08.040 clarifying that the Board of Park Commissioners may authorize hunting and sharpshooting for the purpose of deer population control at Griffy Lake Nature Preserve; and, (2) Bloomington Municipal Code § 14.20.020 adding an exception to the general rule that firearms may not be discharged within the City of Bloomington. The new exception authorizes the discharge of firearms at Griffy Lake Nature Preserve for the purpose of deer hunting provided that: (1) the individual utilizing the firearm has obtained the necessary permit and license(s); (2) said discharge is in accordance with all applicable laws, regulations, and rules; (3) the discharge is within the geographic boundaries of the Nature Preserve; (4) the discharge is at such a time as authorized by the Indiana Department of Natural Resources and the Board of Park Commissioners; and, (5) the discharge is for the purpose of hunting deer.