

(b) Whoever violates this section is guilty of a minor misdemeanor for a first offense, a misdemeanor of the fourth degree for a second offense, a misdemeanor of the third degree for a third offense and a misdemeanor of the second degree for a fourth or subsequent offense. Punishment shall be as provided in Section 698.02.
(Ord. 1982-44. Passed 10-12-82.)

618.15 HUNTING PROHIBITED.

(a) The hunting of animals within the Municipality is prohibited. No person shall hunt, kill or attempt to kill any animal by the use of firearms or any other means.

(b) No person shall trap, hunt, shoot or attempt to shoot or molest in any manner, any bird or wild fowl, or to rob birds' nests or wild fowls' nests. Provided, however, if starlings or similar birds are found to be congregating in such numbers in a particular locality that they constitute a nuisance or menace to health or property in the opinion of the proper health authorities of the City, then in such event the officials of the City shall meet with representatives of the local Audubon Society, garden clubs and service clubs of the City after having given at least three days' notice to meet.

If, as a result of such meeting, no satisfactory alternative is found to abate such nuisance, then such birds may be destroyed in such numbers and in such a manner as is deemed advisable by the above authorities under the supervision of the Chief of Police.
(Ord. 1966-31. Passed 9-13-66.)

(c) Whoever violates any of the provisions of this section is guilty of a misdemeanor of the fourth degree. Punishment shall be as provided in Section 698.02.

618.151 DEER HUNTING.

(a) Notwithstanding the prohibition of Section 618.15, hunting by use of a crossbow, long bow, or other bow and arrow hunting device may be permitted within the City upon the granting of a Deer Hunting Permit.

(b) The Chief of Police may issue a Deer Hunting Permit if the application meets the following requirements:

- (1) The Chief of Police determines that the applicant has complied with all laws, rules, and regulations of the Ohio Division of Wildlife;
- (2) The applicant demonstrates completion of the Ohio Division of Wildlife hunter safety course and all other State requirements;
- (3) The property from which the hunting is to be conducted meets the following requirements:
 - A. It consists of no more than two adjacent parcels of land that, combined, consist of no less than two (2) acres;
 - B. The hunting is conducted from an elevated platform. The platform and its location shall be inspected and approved by the Chief of Police or his designee to ensure the safety of persons and property;

- (4) Written permission from the property owner(s) has been obtained;
 - (5) The application provides the global positioning system ("GPS") coordinates of the approved site/platform;
 - (6) The applicant agrees, in writing, to defend and indemnify the City for any acts committed by the applicant while exercising hunting rights granted hereunder; and
 - (7) The Chief of Police does not find that the application otherwise infringes upon the health, safety, and welfare of the residents of the City.
- (c) The Deer Hunting Permit shall be used only by the named permit holder.
- (d) Each Deer Hunting Permit shall be valid only during the dates specified on the Permit.
- (e) The number of does and bucks harvested shall be reported to the Independence Police Department at the end of the deer hunting season.
- (f) Permit holders shall remove all deer carcasses and deer remains from the hunting site.
- (g) The Mayor shall not authorize hunting upon any lands where, in the Mayor's opinion, such hunting would constitute a potential hazard to the safety of persons or property.
- (h) Whoever violates this section is guilty of a first degree misdemeanor.
(Ord. 2007-45. Passed 10-9-07.)

618.16 ANIMAL OWNER LIABLE FOR DAMAGE TO PROPERTY.

The owner, keeper or harbinger of any animal which damages or destroys public or private property shall be held liable for the full value of the property damaged or destroyed in addition to any penalty imposed for a violation of this chapter.
(Ord. 1985-31. Passed 6-11-85.)