

MOTION: CANDLAND

**January 13, 2015
Regular Meeting
Ord. No. 15-01**

SECOND: NOHE

**RE: AMEND SECTIONS 31-23, 31-40, 31-41 AND 31-42 OF THE PRINCE
WILLIAM COUNTY CODE CONCERNING THE SHOOTING OF
ARROWS FROM BOWS**

ACTION: APPROVED

WHEREAS, Section 31-23 of the Prince William County Code currently provides that it shall be unlawful to shoot or hunt within 100 yards of any regularly-occupied structure without advance permission of the owner or occupant, subject to certain exceptions; and

WHEREAS, it is the opinion of the Commonwealth's Attorney and the County's Chief of Police that Section 31-23 applies to bows, as well as to conventional firearms; and

WHEREAS, Section 31-23 is authorized by Section 15.2-1209 VA Code Ann., and Section 15.2-1209 allows the County to prohibit the shooting of firearms or arrows from bows in any areas of the County which are in the opinion of the governing body so heavily populated as to make such conduct dangerous to the inhabitants thereof; and

WHEREAS, it is the opinion of the Prince William Board of County Supervisors that the shooting of bows, as well as firearms, within 100 feet of any regularly-occupied structure is dangerous to the inhabitants thereof, without the advance permission of the owner or occupant; and

WHEREAS, Sections 31-23, 31-40, 31-41 and 31-42 should be clarified by adding language identifying bows, as well as firearms, to specify those mechanisms addressed by 31-23; and

WHEREAS, Sections 31-41 and 31-42 should be clarified to specify those limitations and exceptions applicable to the shooting or discharge of bows; and

WHEREAS, a public hearing, duly advertised was conducted on this date for the purpose of considering adoption of the proposed amendments to Sections 31-23, 31-40, 31-41 and 31-42 of the Prince William County Code; and

WHEREAS, the Prince William Board of County Supervisors finds it appropriate and in the public interest to adopt these amendments; and

WHEREAS, by Resolution Number 15-24, the Prince William Board of County Supervisors has voted to amend the main motion as proposed that will ultimately amend the provisions of Sections 31-23, 31-41 and 31-42 of the Prince William County Code concerning the shooting of arrows from bows to include the following:

- Sec. 31-41 (a) - change the wording from “which may land on” to “which lands on”
- Change the title and wording of Sec. 31-42 to read as follows:

Exception to limitations on use of bows where killing of deer has been authorized on specific property in writing by the Virginia Department of Game and Inland Fisheries

Notwithstanding any other provision of this article, bows may be used for the killing of deer on a parcel of land that is at least two acres in area and zoned for agricultural use, provided that the owner or lessee of that land has first obtained specific written authorization from the Virginia Department of Game and Inland Fisheries under Section 29.1-529 to kill deer on that property due to damage or hazard which the Department has been satisfied is caused by deer on that property. The possession of a hunting license shall not be deemed to be in compliance with the requirement for the specific written authorization described in either Section 29.1-529 of the Code of Virginia or this Section.

- Direct the Weapons Control Committee to look at safety issues in regard to Sec. 31-41 (c);

NOW, THEREFORE, BE IT ORDAINED that the Prince William Board of County Supervisors does hereby amend Sections 31-23, 31-40, 31-41 and 31-42 of the Prince William County Code concerning the shooting of arrows from bows to include the following:

- Sec. 31-41 (a) - change the wording from “which may land on” to “which lands on”
- Change the title and wording of Sec. 31-42 to read as follows:

Exception to limitations on use of bows where killing of deer has been authorized on specific property in writing by the Virginia Department of Game and Inland Fisheries

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Notwithstanding any other provision of this article, bows may be used for the killing of deer on a parcel of land that is at least two acres in area and zoned for agricultural use, provided that the owner or lessee of that land has first obtained specific written authorization from the Virginia Department of Game and Inland Fisheries under Section 29.1-529 to kill deer on that property due to damage or hazard which the Department has been satisfied is caused by deer on that property. The possession of a hunting license shall not be deemed to be in compliance with the requirement for the specific written authorization described in either Section 29.1-529 of the Code of Virginia or this Section.

- Direct the Weapons Control Committee to look at safety issues in regard to Sec. 31-41 (c).

ATTACHMENT: Proposed Amendments to Sections 31-23, 31-40, 31-41 and 31-42 of the Prince William County Code

Votes:

Ayes: Caddigan, Candland, Jenkins, Lawson, May, Nohe, Principi, Stewart

Nays: None

Absent from Vote: None

Absent from Meeting: None

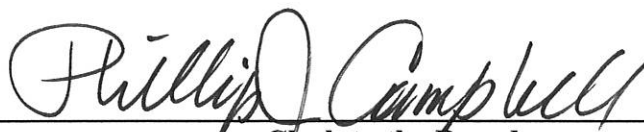
For Information:

Commonwealth's Attorney

Police Chief

County Attorney

ATTEST: _____


Clerk to the Board

Prince William County Weapons Control Committee

ATTACHMENT - Proposed modification by the Weapons Control Committee for Chapter 31 of the Prince William County Ordinance

ARTICLE II. FIREARMS CONTROL

Sec. 31-23. One hundred-yard safety zone.

It shall be unlawful to shoot a firearm ~~or hunt~~ within 100 yards of any regularly occupied structure without advance permission of the owner or occupant, subject to the exceptions below.

ARTICLE III. ~~BOW COMPOUND AND CROSSBOW CONTROL~~

Sec. 31-40. Definitions

For the purpose of this article, the following words and phrases shall have the meanings ascribed to them thereby, unless the context clearly requires a different meaning:

Bow shall mean any compound bow, crossbow, longbow or recurve bow having a peak draw weight of ten pounds or more. The term "bow" does not include bows which have a peak draw weight of less than ten pounds or which are designed or intended to be used principally as toys. Arrow shall mean a shaft-like projectile intended to be shot from a bow.

~~Compound bow shall mean a bow made of strips of wood, metal or other flexible material with a cord and cables that connect the two ends through a series of wheels and pulleys so as to hold the strips bent in an arc under tension, and used to propel an arrow by knocking the arrow on the string and drawing it back against the tension so that upon release it is propelled through the air. Crossbow shall mean any bow that can be mechanically held in the drawn or cocked position.~~

Sec. 31-41. Limitations on use of bows ~~compound bows or crossbows.~~

- (a) It shall be unlawful for any person to discharge an arrow from a bow across or which may lands on ~~shoot a compound bow or crossbow at or upon~~ the property of another without permission of the owner or occupant of such property.
- (b) It shall be unlawful for any person to discharge an arrow from a bow across or which may land upon any public right-of-way, or any public street or highway.
- (c) It shall be unlawful to discharge an arrow from a bow within 100 feet of any regularly occupied structure without advance permission of the owner or occupant.
- (d) A violation of this section shall be a misdemeanor and upon conviction, shall be punished by a fine of not more than \$500.00.

~~Sec. 31-42. Same -- Exceptions.~~

Sec 31-42. Exception to limitations on use of bows where killing of deer has been authorized on specific property in writing by the Virginia Department of Game and Inland Fisheries

~~It shall be lawful to discharge arrows from bows for the killing of deer pursuant to the Code of Virginia § 29.1-529, provided that the discharge occurs on a parcel of land that is at least two acres in area and zoned for agricultural use.~~

Notwithstanding any other provision of this article, bows may be used for the killing of deer on a parcel of of land that is at least two acres in area and zoned for agricultural use, provided that the owner or lessee of that land has first obtained specific written authorization from the Virginia Department of Game and Inland Fisheries under Section 29.1-529 to kill deer on that property due to damage or hazard which the Department has been satisfied is caused by deer on that property. The possession of a hunting license shall not be deemed to be compliance with the requirement for the specific written authorization described in either Section 29.1-529 of the Code of Virginia or this section.