

ORDINANCE NO. 1493

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCATA AMENDING THE ARCATA MUNICIPAL CODE PERTAINING TO UPLAND GAME AND MIGRATORY WATERFOWL HUNTING

The City Council of the City of Arcata does ordain as follows:

Section 1: Title IV (Public Welfare, Morals and Conduct), Chapter 2 (Other Violations), Article 2 (Firearms) Section 4120 of the Arcata Municipal Code is hereby amended as shown in the following strike through and double underscore.

SEC. 4120. Upland Game and Migratory Waterfowl Hunting.

A. Nothing in this Article shall be deemed or construed to restrict or prohibit the use of a shotgun while engaged in the lawful pursuit of upland game or migratory water fowl, provided that all applicable Federal and State laws pertaining thereto are complied with, and further provided that it shall be lawful to pursue said game only within the following described areas: (1) a~~Areas zoned agricultural pursuant to the Zoning Map of said the City, those parcels that are used as agricultural lands which~~ ~~and exceed five (5) ten (10) acres individually or in aggregate among smaller parcels in common ownership; or,~~ (2) on public facility lands where authorized by the City Manager.

a.B. For the purpose of this Section, the following shall apply:

- (1) a~~A~~ shotgun means a weapon designed or redesigned, made or remade, to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore a number of ball shots.
- (2) Use of ammunition containing lead projectiles is prohibited.
- (3) Hunting is prohibited within 150 yards of a dwelling unit, commercial building, or public facility.
- (4) The discharge of any firearm or release of any arrow or crossbow bolt over or across any public road or trail open to the public is prohibited.

Section 3: Severability. If any section, subsection, sentence, clause or phrase of this chapter is for any reason held to be invalid or unconstitutional, the decision shall not affect the validity of the remaining portions of the Chapter. The City Council hereby declares that it would have passed this Chapter, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid under law.

Section 4: This ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines, because it can be seen with

certainty that there is no possibility the amendments to the existing ordinance may have a significant effect on the environment.

Section 5: This ordinance will take effect thirty (30) days after the date of its adoption.

DATE: October 18, 2017

ATTEST:

APPROVED:

/s/ Bridget Dory
City Clerk, City of Arcata

/s/ Susan Ornelas
Mayor, City of Arcata

CLERK'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 1493, passed and adopted at a regular meeting of the City Council of the City of Arcata, Humboldt County, California, held on the 18th day of October, 2017, by the following vote:

AYES: ORNELAS, PEREIRA, PITINO, WATSON, WINKLER

NOES: NONE

ABSENT: NONE

ABSTENTIONS: NONE

/s/ Bridget Dory
City Clerk, City of Arcata