

**TOWNSHIP OF WEST VINCENT
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 148-2009

AN ORDINANCE OF WEST VINCENT TOWNSHIP, CHESTER COUNTY, ADOPTING THE WHITE TAIL DEER REGULATED ARCHERY HUNTING PROGRAM, TOGETHER WITH RULES AND REGULATIONS APPLICABLE THERETO.

BE IT ORDAINED AND ENACTED BY THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF WEST VINCENT AND IT IS ORDAINED AND ENACTED BY THE AUTHORITY OF THE SAME:

Section 1. Authorization. The harvesting of white tail deer populations on the areas of West Vincent Township Open Space property depicted on the attached Deer Management Program Map, attached as Exhibit "B," is hereby authorized by Township permit issued to qualified archery hunters on an annual basis. The instant Ordinance is only applicable to Open Space property under the ownership of the Township.

Section 2. Adoption of Rules and Regulations. The White Tail Deer Regulated Archery Hunting Program Rules and Regulations, attached hereto as Exhibit "A," are hereby adopted. All participants in the Regulated Archery Hunting Program are required to comply with the Rules and Regulations.

Section 3. Adoption of Deer Management Program Map. The Deer Management Program Map, attached hereto as Exhibit "B," is hereby adopted. Harvesting of white tail deer pursuant to the White Tail Deer Regulated Archery Hunting Program shall only be permitted on those designated areas of the Deer Management Program Map.

Section 4. Harvesting pursuant to the White Tail Deer Regulated Archery Hunting Program shall be limited to archery hunting (i.e., compound, recurve or long bow, or crossbow), by permit issued by West Vincent Township, pursuant to the Pennsylvania Game Commission Archery Hunting Season Schedule.

Hunting on Township Property is only permitted from dawn to dusk, Monday through Saturday.

Section 5. Prior to the commencement of the hunting schedule, the Township shall procure and post outwardly facing signs to inform residents: that a certain Open Space area for which a hunting permit has been issued is part of the Township's White Tail Deer Regulated Archery Hunting Program; that the archery hunting is occurring from the start date

of the program to the end date of the program; and that residents in the Township Open Space property should wear brightly colored clothing to ensure visibility.

Section 6. Enforcement. The West Vincent Township Police Department or its designees are authorized to enforce the provisions of this Ordinance and the Rules and Regulations attached hereto. In addition to any penalties prescribed by the Pennsylvania Game Law, any violation of this Ordinance shall constitute a summary offense, pursuant the Second Class Township Code. Any person violating any of the provisions of this Ordinance, upon being found guilty thereof in an action commenced by West Vincent Township before a district justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be ordered to pay a fine of not more than One Thousand Dollars (\$1,000.00), plus all court costs, including reasonable attorney's fees incurred by the Township. Such fines shall be collected as like fines are now collected by law, and in default, the violator shall undergo imprisonment to the extent allowed by law for the punishment of summary offenses. Each day or portion thereof in which a violation is found to exist shall constitute a separate offense.

Section 7. Any provision of any prior Ordinance which may be in conflict with this Ordinance is hereby repealed insofar as a conflict may exist.

Section 8. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of West Vincent Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause section or part thereof not been included herein.

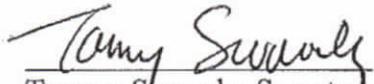
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Section 9. This Ordinance shall take effect five (5) days after its adoption.

ORDAINED AND ENACTED this 13 day of July 2009.

WEST VINCENT TOWNSHIP
BOARD OF SUPERVISORS

ATTEST:



Tammy Swavely, Secretary



Kenneth Miller, Jr. Chairman



Zoe Perkins, Vice Chairman



Barry DiLibero, Member

EXHIBIT A

(White Tail Deer Regulated Archery Hunting Program Rules and Regulations)

WEST VINCENT TOWNSHIP

White Tail Deer Regulated Archery Hunting Program



West Vincent Township
729 Saint Matthews Road
Chester Springs, PA 19425
610-458-3205

PARTICIPANT ACKNOWLEDGEMENT

I, _____, do hereby acknowledge that I have read the White Tail Deer Regulated Archery Hunting Program and understand the rules and regulations as set forth in this booklet, including that I agree to indemnify and release West Vincent Township, its officials, employees, staff and agents, as provided in the Release and Indemnification Agreement required by the Program rules and regulations. I understand that I am voluntarily participating in any hunting activities on West Vincent Township Open Space property AT MY OWN RISK, acknowledging that dangerous conditions of the property may be present and that there are dangers inherent in hunting activities. I also understand that deviation from or violation of the West Vincent Township Hunting Program Rules and Regulations, the Pennsylvania Game Law, or the US Fish and Wildlife Service Regulations shall not be tolerated. Such conduct or behavior, whether witnessed by, or reported to, the West Vincent Township staff and/or Police Department, may be considered grounds for permanent expulsion from the West Vincent Township Hunting programs. Conduct or behavior that is in violation of the West Vincent Township Hunting Program Rules and Regulations may result in non-traffic citations and other penalties.

ACKNOWLEDGEMENT	Date: _____
	Name: _____
	Address: _____
	City: _____ State: _____ Zip: _____
	Telephone No.: _____ Date of Birth: _____
	Applicant's Signature: _____

SAFETY STATEMENT

Hunting within the boundaries of West Vincent Township Open Space Property is a privilege granted by the West Vincent Township Board of Supervisors through the suspension of the West Vincent Township Ordinance as it pertains to the “No Hunting” regulations. West Vincent Township conducts these hunts in an effort to scientifically manage wildlife populations within the Township, and in an effort to preserve a balanced ecosystem while providing ongoing viewing opportunities for the general public. The future success of these hunts depends on the ethical and safe conduct of all those who participate in these hunting programs. If these programs are to continue, each participant must make their safety, and the safety of the public, as the first and foremost priority.

Management Goals and Objectives:

White tail deer (*Odocoileus virginianus*) are an important big game species in the Commonwealth of Pennsylvania, the overpopulation of which can generate public health and safety concerns related to traffic accidents, Lyme Disease density, depletion of the understory of woodlands, and damage to private landscaping. It is the responsibility of the Township to recommend and enact means of deer population controls that meet these objectives, such as varieties of regulated hunting. Regulated hunting has been the tool employed and shall follow the guidelines established by the Pennsylvania Game Commission. Through a regulated white tail deer hunting program on the Township’s Open Space Property, West Vincent Township seeks to better manage the white tail deer population by permitting the harvesting of white tail deer populations on such property consistent with current seasons, bag limits and objectives established by the Pennsylvania Game Commission. The regulated hunting on the Township’s Open Space property will be permitted in limited areas, as depicted on the attached Deer Management Program Map, and will only be authorized by permit issued by the Township to qualified archery hunters.

A. APPLICANT SELECTION PROCESS

1. West Vincent Township residents who submit an application, who pay the requisite permit fee and who satisfy all requirements herein will be issued a hunting permit unless the total number of applications outnumbers the total number of permits to be issued as established by the Township. Under those circumstances, applicant permits will be issued by random drawing conducted by the Township. The Township may also issue permits to the law enforcement officers of West Vincent Township as well as active members of law enforcement from nearby municipalities, who shall be permitted hunting privileges as described herein, but shall serve the additional purpose of monitoring an archery zone for Participant compliance with the instant Rules and Regulations.
2. Applicants seeking to obtain a permit to participate in the Regulated Deer Hunting program must submit a completed application, the form of which is attached hereto, together with information regarding the applicant’s archery experience, personal vitae, game law compliance record, and criminal record. Information will strongly be considered when permits are issued. Applicants shall also submit an executed copy of the Participant Acknowledgement Form.
3. Applicants who are chosen by the Township to become participants in the Regulated Deer Hunting Program shall complete and execute the Indemnification Agreement attached hereto. The failure of an applicant to submit an executed Indemnification Agreement shall disqualify the applicant from obtaining a permit.
4. Applicants who are chosen by the Township must demonstrate proficiency with the archery tackle to be used (while hunting) in order to qualify for an open space hunting permit.

5. Proficiency testing shall be conducted at a specified time and location prior to hunting season.
6. Only those individuals selected as the result of the permit assignment may participate in the proficiency process. **Each individual must pass the proficiency testing to participate in the archery program.**
7. The **proficiency test** shall require individuals using compound, recurve or longbow to place 3 of 4 arrows in an area of a target at twenty (20) yards equivalent in size to the vital area of medium size white tail deer. Individuals using crossbows shall be required to place 4 of 5 bolts in an area of a target at 30 yards equivalent in size to the vital area of medium size white tail deer. The bow and arrows to be used for hunting shall be used for the proficiency testing, with the exception that arrows shall be equipped with field points during the proficiency testing. This same rule applies for crossbows and crossbow bolts.

B. RULES AND REGULATIONS FOR HUNTING

1. **Hunting on West Vincent Township property is restricted to archery only. Long bow, recurve bow, compound bow and cross bow are permitted. The use of any type of firearm is strictly prohibited.**
2. **BAG LIMITS** – Each participant, with appropriate licenses, may harvest one (1) antlerless deer for each legal antlerless license they possess.
3. **BAITING – Baiting is permitted in strict accordance to Pennsylvania Game Commission Rules and Regulations.** Hunters who choose to set up a bait site will first obtain a Game Commission-issued permit and provide a copy of that permit to the Township. Also a reminder: Per Game Commission, bait sites must be at least 250 yards apart.
4. Each participant must endeavor to harvest an antlerless female deer before a participant may harvest an antlered deer.
5. **GENERAL PROCEDURES** – Participants must register with the Township before each hunting event and must sign out following each hunting event. Forms for this purpose shall be placed in a weatherproof box at the Township building. When in the field, participants must display the township-issued hunting permit at all times.
6. **PARKING** – Participants must park their vehicles in the area designated for the assigned hunting area and display Township parking permit.
7. **ARCHERY TACKLE** – Must conform to that which is specified by the Pennsylvania Game Commission for use during the season.
8. **Participants must wear a blaze orange hat and vest/coat** that meet the minimum square inch requirements specified by the Pennsylvania Game Commission during the overlapping muzzleloader/shotgun seasons.
9. **Participants must hunt a minimum of 20 hours during each archery season (defined by Pennsylvania Game Commission) to be considered for future archery programs as they may occur.** *Failure to do so will result in revocation of hunting privileges at the discretion of the Township.*
10. **HUNTING ZONES** – Archery-only hunting zones have been established for the white tail deer management program at each Township site. The archery hunting zones are identified on the respective Deer Management Program Map, which is forwarded to all participants with their hunting permits. Additionally, the Township will post outwardly facing signs to inform residents: that a particular area is part of the White Tail Deer Archery Hunting Program; that archery hunting will be occurring from the start date of the program to the end date; and that residents shall wear brightly colored clothing to ensure visibility. In the event that a Participant

observes that his/her designated archery hunting zone is not so posted, the Participant shall immediately notify the Township and shall not hunt in said area unless and until such signs are erected.

11. Participants may hunt in the **assigned areas only**. Safety zone boundaries may exceed the 150 foot minimum, as is established statewide by the Pennsylvania Game Commission for a variety of reasons, including safety and respect for adjacent landowners. It is imperative that all hunters adhere to their area boundaries and safety zones accordingly.
12. All participants, other than handicapped individuals and those certified by physician as unable, must hunt from an elevated platform commonly known as a tree stand and must use a fall restraint system commonly known as a safety harness.
13. Reasonable efforts will be made to accommodate handicapped participants.
14. **TREE STANDS** – Participants may use portable tree stands; self-climbing type of tree stand being preferred. Fixed position stands will be considered, but type of stand and proposed location(s) of stands must be approved by the Township, and access to climbing devices by others must be restricted by removal or other approved means following each hunting event. Steps or other devices that pierce the outer and inner bark of trees are not permitted. Participants must supply their own tree stands, and must remove the tree stands at the expiration of their hunting permit or the end of the hunting season established by the Township Board of Supervisors, whichever is earlier. Tree stands may be left in place only at the participant's risk. Participants must label fixed position stands with name and permit number.
15. The Pennsylvania Game Law and the West Vincent Township Ordinance and Regulations shall apply. Hunters shall abide by all of the Pennsylvania Game Laws.
16. The Township reserves the right to discontinue the program at any time.
17. Permits are not transferable.
18. The Township reserves the right to revoke a permit holder's permit at any time.
19. Permit holders who cannot participate in the management program are asked to call the Township to allow staff to make timely adjustments.
20. Participants are permitted to field dress a harvested deer on the Township's Open Space property provided that such is generally out of sight of residents. Remains may be left behind, but must be concealed and placed away from likely human access.
21. Participants shall not make any attempt to harvest a deer while any non-archer is within sixty (60) yards of the targeted deer.
22. Participants shall not make any attempt to harvest a deer within the one hundred (100) yards of a residence, school or playground.
23. Hunting will be for white tail deer only. Trapping for furbearers and hunting and/or trapping of any other mammal or bird is strictly prohibited.

24. Participants may be checked by law enforcement officers from the Pennsylvania Game Commission, Pennsylvania Fish and Boat Commission, West Vincent Township Police Department and the Pennsylvania State Police. Each participant must carry and, if requested, provide photo identification, hunting licenses and Township permits.
25. Participants who observe individuals hunting on Township property without a Township-issued permit displayed are requested to notify West Vincent Township Police immediately.
26. All participants must attend a mandatory meeting scheduled by the West Vincent Township police Chief to discuss safety issues prior to the hunting season.
27. Participants shall not be permitted to bring onto the premises, possess or consume any alcoholic beverage or illegal drugs of any kind; no participant shall enter the Township Open Space Property for the purpose of hunting in an intoxicated state or otherwise be under the influence of alcohol or illegal drugs.
28. Participants must remove all material brought into the hunting area, with the exception of tree stands as provided in paragraph 14 above.
29. Hunting is only permitted during legal hunting hours and seasons established by the Pennsylvania Game Commission.

C. VIOLATIONS

1. PARTICIPANT VIOLATION OF, OR DEVIATION FROM, THE WEST VINCENT TOWNSHIP HUNTING PROGRAM RULES AND REGULATIONS SET FORTH IN THIS BOOKLET, AND/OR THE PENNSYLVANIA GAME LAW AND THE U.S. FISH AND WILDLIFE SERVICE REGULATIONS SHALL NOT BE TOLERATED. SUCH CONDUCT, WHETHER WITNESSED BY, OR REPORTED TO THE TOWNSHIP STAFF, MAY BE CONSIDERED GROUNDS FOR PERMANENT EXPULSION FROM THE WEST VINCENT TOWNSHIP HUNTING PROGRAM.
2. The West Vincent Township Police Department is authorized to enforce the Rules and Regulations set forth herein.
3. Penalty:

Appropriate citations and fines will be issued for violation of these Rules and Regulations, as set forth in the Ordinance authorizing the White Tail Deer Regulated Archery Hunting Program. In addition, the Township may revoke or suspend a Participant's permit for any violation of the Rules and Regulations.

WEST VINCENT TOWNSHIP

729 Saint Matthews Road
Chester Springs, PA 19425

Regulated Archery Hunting Program - Permit Application

Please mail or drop completed application off to the West Vincent Township Police Department.

GENERAL INFORMATION

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone No.: _____ Date of Birth: _____

Cell Phone No.: _____ E-mail: _____

Current Archery Hunting License #: _____ Current PA Backtag #: _____

Please indicate any special accommodations needed for your participation:

Please complete the following section only if the applicant is under 16 years of age. The listed Guardian must accompany Junior Archers while hunting at all times.

GUARDIAN INFORMATION

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone No.: _____ Age: _____ Date of Birth: _____

Check if the Guardian has submitted an application to hunt

DETAILED INFORMATION

1. Number of years experience archery hunting: _____

2. Have you attended a bow hunting education course?

Yes No If Yes, what Year? _____

3. Have you been convicted of a game law violation?

Yes No If Yes, Please describe:

4. Have you ever been convicted of a misdemeanor or felony?

Yes No If Yes, Please describe:

5. List the number of Big Game species that you have harvested in the past three (3) years and the sporting arm used:

Year	Big Game Species	Sporting Arm
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

6. Why do you wish to participate in a regulated archery program in West Vincent Township?

RELEASE AND INDEMNIFICATION

By signature below, I hereby RELEASE and forever discharge West Vincent Township and all of its officials, employees, staff and agents of and from all actions, causes of action, suits, demands, claims, and judgments whatsoever in law or equity, arising out of the use of Township open space lands for hunting purposes of any kind whatsoever. By signature below, I also hereby agree to INDEMNIFY West Vincent Township, its officials, employees, staff and agents from any liability, injury, loss, accident, or damage to person(s) or property arising out of or relating to any activities I undertake on West Vincent Township Open Space Lands, I further agree to abide by the rules and regulations of the White Tail Deer Regulated Archery Hunting Program of West Vincent Township.

Printed Name

Signature

Date

West Vincent Township Police Department

729 St. Matthews Road
Chester Springs, PA 19425

Station: 610-458-3205

Fax: 610-458-3206



Michael Swininger
Chief of Police

Emergency Dial 911

INDEMNIFICATION AGREEMENT

I, _____ have been granted permission by West Vincent Township to hunt, subject to certain restrictions at West Vincent Township Open Space Lands. In consideration of this permission, I agree to hold West Vincent Township harmless for any activities I undertake at West Vincent Township Open Space Lands and in the event that West Vincent Township is sued or found liable for damages as a result of any actions which I have undertaken, I agree to indemnify West Vincent Township for any judgments, settlements and costs including attorney fees in defending such an action. I further agree to, and do, hereby release West Vincent Township from any liability to me for any personal injury or property damage I may suffer as a result of my use of or presence on the property of West Vincent Township Open Space Lands, as well as my participation in the activities of West Vincent Township.

Printed Name

Signature

Date