

**TOWNSHIP OF MONTGOMERY
ORDINANCE NO. 16-1518**

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY IN SOMERSET COUNTY, NEW JERSEY CONCERNING ELIGIBILITY FOR DEER HUNTING PERMITS AMENDING SUBSECTIONS 9-9c.2 – 9-9h OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984).

BE IT ORDAINED by the Township Committee of the Township of Montgomery in Somerset County, New Jersey as follows:

Section 1. Subsections 9-9c.2 through 9-9h of the Code of the Township of Montgomery (1984) Amended. Subsections 9-9c.2 through 9-9h of the Code of the Township of Montgomery (1984) are hereby amended in their entirety to read as follows (additions are underlined and deletions are ~~struck through~~):

- c. Application Process. A permit shall be obtained by application to the Clerk of Montgomery Township, which application shall contain the following:
 1. The name and address of the applicant.
 2. The applicant's date of birth. Applicants must be eighteen (18) years of age or older to be eligible for a municipal deer management permit. Applicants for Youth Hunting permits, if authorized by the annual resolution establishing dates and locations for hunting, and subject to any restrictions imposed by the annual resolution and this ordinance, must be between the ages of fifteen (15) years of age to seventeen (17) years of age by the first day of Fall Bow season.
 3. The applicant's social security number.
 4. The applicant's license plate number.
 5. Current firearm or bow and arrow hunting license number, or proof of application for same and participation in a State hunter education course.

6. A photocopy of any applicable State permits (fall and winter bow, permit shotgun or muzzleloader rifle).
7. A signed certification that the applicant is not prohibited by law from possessing a firearm and has not been convicted of any felonies. Any applicant who is prohibited by law from possessing a firearm or who has been convicted of a felony shall not be eligible for a permit.
8. A release authorizing the Township to conduct a background check for violations of the New Jersey Fish and Game Code, N.J.A.C. 7:25-5 et seq., and for violations of any local regulations pertaining to parks or to hunting. Any applicant who has violated any provision of the Fish and Game Code or violated any local regulation pertaining to parks or to hunting within ten (10) years of the date of the application shall not be eligible for a permit.
9. A copy of a certificate of insurance confirming general liability insurance with coverage with combined single limits for bodily injury and property damage of at least one million (\$1,000,000.00) dollars per single occurrence and one million (\$1,000,000.00) dollars annual aggregate.
10. The property for which a permit is sought.
11. For Youth Hunting permits, applicants shall provide all of the information required for a municipal deer management permit, but shall also supply a signed permission slip from the youth hunter's parents or guardian, and a separate acknowledgment from the hunter agreeing to take responsibility for the youth's actions while hunting.

Applications shall be available in the Township Clerk's office. Prior to any permits being issued, all applications will be reviewed by the Montgomery Township Police Department for accuracy of information supplied and for compliance with the requirements set forth herein. Applications for new, first-time permittees must be submitted in person by the applicant; new applications not submitted in person will not be processed. All other applications may be submitted either in person or by mail.

- d. Hunter Education and Safety Course. Prior to receiving a permit, each applicant shall be required to complete the Township's site-specific hunter education and safety course.
- e. Eligibility for Permit. Permits shall be available to any resident of the State of New Jersey except Montgomery Township employees who are involved in the administration and/or enforcement of this section, or individuals whose permit has been revoked previously for violations under Section 9-9i. ~~Individual hunters may form a group to purchase all of the permits available for a specific property, provided each member of the group supplies the information and satisfies the requirements set forth in paragraphs c. and d. above.~~ Permits shall be issued on a first-come, first-served basis, subject to the following limitations:

1. There shall be two (2) drawings for permits. The first drawing shall be open only to those past permittees who have harvested two (2) or more deer if hunting with a bow or three (3) or more deer if hunting with a firearm, and who otherwise meet all eligibility requirements set forth in this section.

These permits will be issued on a first-come, first-served basis.

2. A second and subsequent drawing will be held for all remaining permits. This drawing shall be open to anyone from the State of New Jersey who meets the eligibility requirements set forth in this section. These permits will be issued on a first-come, first-served basis.
 3. Youth Hunting permits will be awarded based on the order in which the youth's responsible hunter is selected in the drawings outlined in Section 9-9e,1 and Section 9-9e,2. No more than two youth hunters will be permitted per property.
- f. Rules and Regulations. The following rules and regulations shall apply to any permit issued ~~either to individuals or groups of~~ an individuals:
1. Prior to any hunting activities taking place, permittees shall post warning signs along the boundaries of the properties for which they have received a permit (boundary signs will be provided by the Township) and the Township shall post warning signs at the entrances to all properties for which permits have been issued.
 2. Only portable stands that do not harm the trees shall be permitted. All stands shall be removed no later than fifteen (15) days following the expiration of the permit. Hunters shall display their State license number or Township permit number on their tree stand so that it is visible from the ground.
 3. All deer must be checked in at a State-approved check-in station. Hunters shall provide on their annual questionnaire their State issued harvest confirmation number(s) and/or a photograph of the deer taken in front of the boundary sign posted by the Township as proof of season culls.
 4. All permits shall be site-specific and nontransferable. Except as set forth in subsection 9-9f,5. below, permittees shall be authorized to hunt only the property for which they have been issued a permit and shall be responsible for knowing where they are at all times. Each permittee shall be required to display his or her permit prominently when engaging in hunting activities.
 5. Deer drives shall be allowed, subject to the following limitations:
 - (a) Only permittees may drive deer. It shall be a violation of this section for any person to drive deer who does not possess a Montgomery Township Deer Management Permit.

- (b) No person shall carry a weapon of any kind while driving deer, except that this provision shall not apply to those permittees who possess a permit for the property being driven.
6. Vehicles shall be restricted to public roads and designated parking areas.
 7. Target practice is strictly prohibited.
 8. All season dates and bag limits designated by the State of New Jersey Division of Fish and Wildlife and the Fish and Game Council for deer management zones 12 and 14 shall apply.
 9. Permittees are authorized to take coyotes while hunting white-tailed deer on the Township property, provided that the taking of coyotes is incidental to, and not separate from, their deer hunting activities during the six-day firearm, muzzleloader rifle permit or shotgun permit deer seasons if the coyote is encountered before said permittee has taken the season bag limit of deer. However, after the permittee has taken a daily bag limit of deer he or she must cease hunting immediately. Coyote hunting at night is strictly prohibited, and shall conclude on the last day of white-tailed deer hunting season. The hunting, shooting, killing, pursuit or removal of any other wildlife is strictly prohibited.
 10. Youth Hunting permit holders, in addition to following all rules and regulations outlined for municipal deer management permit holders, must abide by the following additional rules and regulations.
 - A. A Youth Hunting permit holder must be accompanied by the municipal deer management permit holder identified in the Youth Hunting permit application.
 - B. The Youth Hunting permit holder must occupy the same tree of blind as the responsible municipal deer management permit holder identified in the Youth Hunting permit application.
 - C. The Youth Hunting permit holder may only hunt on Fridays and Saturdays during the permitted hunting season.

In addition, any permit issued by the Township ~~either~~ to an individuals ~~or groups of individuals~~ may contain such additional conditions as the Director or Chief of Police of the Township of Montgomery determines are reasonably required to ensure the safety of Montgomery's residents, including but not limited to limiting the days and times during which the permittees may hunt thereon and restricting the areas within the parks or open spaces on which the permittees may hunt.

- g. Duration of Permit. Permits shall be valid only during the applicable State-approved deer hunting seasons, as said dates may be amended from time to time by the New Jersey Division of Fish and Wildlife and the Fish and Game Council.
- h. Permit Fees. In order to defray increased maintenance, materials, labor and administrative costs incurred by the Township in connection with its deer management program, a permit fee of one hundred (\$100.00) dollars is herewith established, except that for the following properties the permit fee shall be fifty (\$50.00) dollars: (1) Bennett Track (Block 31010, northern portion of Lot 9.03); (2) Platz Track (Block 15001, Lot 26 and Block 15004, Lot 9); (3) Montgomery Meadows (Block 15001, Lot 43); and (4) Saxon Ridge (Block 16012, Lots 1.02 and 1.03). Any adult who is awarded a municipal deer management permit and also accepted responsibility for an applicant for a Youth Hunting permit will be charged an additional fifty (\$50.00) dollars for the Youth Hunting permit fee. Any permit fees collected that are not needed to defray the costs of administering the program shall be deposited into the Township's Open Space Fund and dedicated to the acquisition or maintenance of open space.

Section 2. **Repealer.** All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

Section 3. **Severability.** If any section, paragraph, subsection, clause or provision of this ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this ordinance shall be valid and enforceable.

Section 4. **Effective Date.** This ordinance shall take effect upon final adoption, publication, and as otherwise provided by law.