



CITY OF CHESTERFIELD
PUBLIC HEALTH & SAFETY
COMMITTEE MEETING OF THE WHOLE

MONDAY, FEBRUARY 27, 2017
5:30 PM

CONFERENCE ROOM 102-103
AGENDA

I. APPROVAL OF MINUTES

II. VRBO (Vacation Rental By Owner)

The committee will discuss the issue of short-term rentals of residential property.

III. Managed Deer Hunts –

Chief Johnson will share additional information regarding managed deer hunts.

IV. Clarkson Valley – RFP provision of Police Services –

Chief Johnson will discuss a request for the provision of Police Services for Clarkson Valley.

V. Drone Ordinance

The committee will discuss the potential need for an ordinance regulating the use of drones within the city.

VI. Other?

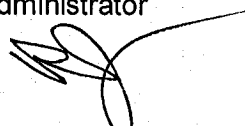
VII. Next Meeting

VIII. Adjournment

Note: The Public Health & Safety Committee will consider and act upon the matters listed above and such other matters as may be presented at the meeting and determined to be appropriate for discussion at that time.

MEMORANDUM

1

DATE: December 13, 2016
TO: Mike Geisel, City Administrator
FROM: Chief Ray Johnson 
SUBJECT: PUBLIC HEALTH & SAFETY COMMITTEE MEETING

The Public Health and Safety (PH&S) Committee met on Monday, December 12, 2016. Those in attendance included Chairperson Bridget Nations Councilmember - Ward II, Councilmember Barry Flachsbart, Ward I, Councilmember Randy Logan, Ward III, Councilmember Tom DeCampi, Ward IV, Mayor Bob Nation, Chief Ray Johnson and City Administrator Mike Geisel. Those also in attendance included City Attorney Chris Graville, Chesterfield Prosecuting Attorney Tim Engelmeyer, and Captain Steve Lewis

The meeting was called to order at 5:30 PM, by Vice Chairman DeCampi.

I. Approval of Minutes – October 24, 2016

Councilmember Flachsbart motioned and Councilmember Logan seconded to approve the minutes from the October 24, 2106 Public Health & Safety Committee meeting. The motion carried 3-0.

Councilmember Logan motioned and Councilmember Flachsbart seconded to suspend the order of items on the agenda to allow the review of items III and V first so that the City Attorney could address the Committee before his attendance was required at another City meeting. The motion carried 4-0.

(Councilmember Bridget Nations arrived at the meeting at 5:36 PM.

III. Elementary School Resource Officer

The Committee reviewed a request by Councilmember Dan Hurt to budget for an additional Elementary School Resource Officer (ESRO) to the police force. Chief Johnson provided information regarding the time that a single ESRO spends in the schools and the cost to the City for that officer. Chief Johnson noted that the ESRO would spend 75% of his/her time in the school (during the school year) and 25% of his/her time as a patrol officer (during the summer months). Chief Johnson also reported that currently there are four ESRO's in the thirteen elementary schools within the City of Chesterfield. Chief Johnson also noted that no other surrounding municipalities provide ESRO's to elementary schools.

Councilmember Flachsbart asked Chief Johnson if the current ESRO's voiced a request for additional manpower to cover the schools. Chief Johnson replied there have been no requests from the ESRO's or from command staff but none had been asked that question.

Councilmember Logan recognized Councilmember Hurt's concern for safety but noted that every elementary school is visited every school day by an ESRO. He voiced his opinion that the Chesterfield Police Department is doing the best job of covering the schools compared to our surrounding areas.

Councilmember Flachsbart noted that he is sympathetic to Councilmember Hurt's concerns but he also noted budgetary concerns regarding the addition of additional manpower at this time when each of the elementary schools is being visited each day. Councilmember DeCampi also noted that there has been no evidence or threats to safety at the schools to warrant this action at this time. Councilmember DeCampi also suggested that an increased ESRO presence in a school may create a false concern about student safety.

Councilmember Logan inquired if there were additional officers available to assist at schools during drop off and pick up times daily. Chief Johnson replied that officers are regularly in areas but are not assigned to the schools every day at morning and afternoon transport times. Chief Johnson did inform the Councilmembers that the ESRO's rotate at the schools regularly so that they are at the morning or afternoon transport time on a regular basis.

After discussion, Councilmember Logan motioned and Councilmember Flachsbart seconded to table this issue and review it again in two years. The motion carried 4-0.

V. State Crime Victims Bill

City Attorney Graville reviewed the State Statute on Victims' Rights and also informed the Committee that the Police Department is in compliance with the Statute by virtue of its' General Orders and CALEA compliance. He suggested that the City consider an ordinance outlining a framework for the Municipal Court to follow the mandates.

City Prosecuting Attorney Engelmeyer voiced his support for an additional ordinance noting that the Municipal Court is experiencing a recent increase in the volume of serious crimes because the St. Louis County Courts are referring more cases back to the municipal court.

Councilmember Logan voiced concern over additional potential liability the City may incur in adopting a victims rights ordinance.

City Attorney Graville indicated that the implementation of new court rules by the Missouri Supreme Court may impact any proposed victims rights ordinance and as such, any proposed new ordinance should be crafted after issuance of the new Supreme Court Rules. Councilmember DeCampi motioned and Councilmember Flachsbart seconded to direct City Attorney Graville to work with City Prosecuting Attorney Tim Engelmeyer to draft an ordinance that will work within the framework of the new Supreme Court rulings for Court operations. Once the draft is complete it will be placed on a future Public Health & Safety Committee meeting agenda. The motion carried 4-0.

II. Deer Overpopulation

Chief Johnson provided a detailed report regarding methods used by surrounding municipalities to remedy the overpopulation of deer. He noted that this issue is still very controversial among residents.

Councilmember Flachsbart suggested possible changes to the bow hunting ordinance including the reduction of the amount of land required to hunt from one acre to one-half acre and decrease the amount of liability insurance required by the hunter/land owner. He also suggested the City consider contracting with sharpshooters and/or bow hunters in the future; and, to again contact subdivision trustees encouraging them to also contract with hunters.

Councilmember DeCampi asked if hunting could be done on City property such as Railroad Park or the River's Edge Park.

Discussion continued regarding the options available including hiring White Buffalo, Inc. to provide a managed hunt and the cost to the City of Chesterfield for that service. Suggestions were made for the City to conduct its own managed hunt. Liability issues were discussed. Chief Johnson informed the Committee members that a deer count must be done before any managed hunt could occur and at this time, White Buffalo is the only option for a deer count.

Councilmember Logan motioned and Councilmember Flachsbart seconded to have City staff explore the possibility of opening Railroad Park to hunters, and also to contact the owners of the property contiguous to the park to open their property to hunting. The motion carried 4-0.

Councilmember Flachsbart motioned and Councilmember DeCampi seconded to direct staff to bring additional information regarding a managed hunt and ordinance revision for hunting to the next meeting. This motion carried 4-0.

IV. City Policy Review

Chief Johnson reported that he had reviewed the City's policies in the category of Public Health & Safety. He noted that there were twenty-one policies that were reviewed, with the oldest of the policies initiated in 1990 and the most recent was in 2013. He had several suggestions on which policies to keep, which policies to delete, which policies to modify. The Committee reviewed the suggestions and agreed with Chief Johnson's suggestions.

Councilmember motioned and Councilmember Nations seconded to accept the recommended changes. The motion carried 4-0. The proposed actions regarding the City Policies will be forwarded to the full City Council with a recommendation for approval.

V. Other -- Arrest Protocols

Councilmember DeCampi asked about the arrest procedures particularly the choice between custodial arrest and the issuance of summonses. Chief Johnson reviewed the process and noted Court directives, outstanding warrants, and officer discretion.

Councilmember DeCampi had a question about a particular incident and Chief Johnson agreed to further investigate the incident for him.

Having no other business, the meeting adjourned at 6:50 PM.

From: Mike Geisel
Sent: Tuesday, February 14, 2017 6:51 AM
To: Ray Johnson <RJohnson@chesterfield.mo.us>
Cc: Derrick Flannigan <DFlannigan@chesterfield.mo.us>
Subject: Re: House Apparently Being Rented Out in West Mills



Do either of you know what the issue is?

Sent from my iPhone

On Feb 13, 2017, at 8:48 PM, Flachsbart, Barry B. <barryf@mst.edu> wrote:

I had a conversation with the President of the West Mills subdivision about this issue, which Derrick is aware of, I believe.

The lady will attend our Council Meeting on Feb. 22 and speak.

I told her I would then ask that it be referred to the Public Health and Safety Committee for consideration as to how the City should address it.

I understand that Maplewood has an Ordinance – perhaps the Chief and the City Administrator might get a copy of that one (and any others) to see what they did.

This note is primarily a “heads-up” that the topic is coming up and that I’ll ask to refer it to your Committee, Bridget.

I’m confident that Derrick and the Chief can give us some pertinent information at the Committee meeting.

Ray Johnson

From: Justin Wyse
Sent: Wednesday, February 15, 2017 3:19 PM
To: Mike Geisel; Derrick Flannigan; Ray Johnson
Cc: Chris Graville
Subject: RE: House Apparently Being Rented Out in West Mills

The boarding section of code is below. If they are renting rooms, it would certainly seem to fall under this ordinance.

Sec. 21-77 Renting of single-family dwellings. [1]

[Ord. No. 2268, 5-15-2006]

(a) No individual, family or family member who occupies or resides in a single-family dwelling shall accept or charge rent to allow or permit an individual who is not a family member to occupy or dwell in the same single-family dwelling.

(b) No individual, family or family member shall pay rent or offer to pay rent to occupy or reside in a single-family dwelling which is currently occupied by another family.

(c) For the purpose of this section "Rent" is defined as something given by way of compensation for the right to dwell or occupy in a single-family dwelling. "Rent" shall not include a stipend or payment of living expenses for a student under the age of nineteen (19) who is then participating in a recognized foreign exchange student program.

(d) Violation of this section shall be a misdemeanor, punishable by a fine of not less than five dollars (\$5.00) and not more than one thousand dollars (\$1,000.00) or by imprisonment for a period not to exceed three (3) months or by both such fine and imprisonment.

From: Mike Geisel
Sent: Wednesday, February 15, 2017 3:01 PM
To: Derrick Flannigan <DFlannigan@chesterfield.mo.us>; Ray Johnson <RJohnson@chesterfield.mo.us>
Cc: Justin Wyse <JWyse@chesterfield.mo.us>; Chris Graville <cbg@gravillelaw.com>
Subject: RE: House Apparently Being Rented Out in West Mills

This sounds different than an Airbnb issue. This sounds like a boarder issue. Justin, please advise.

From: Derrick Flannigan
Sent: Wednesday, February 15, 2017 1:24 PM
To: Mike Geisel <mgeisel@chesterfield.mo.us>; Ray Johnson <RJohnson@chesterfield.mo.us>
Cc: Justin Wyse <JWyse@chesterfield.mo.us>
Subject: RE: House Apparently Being Rented Out in West Mills

After lunch, I received a call from a Bridget Cromer, a trustee of WestMill Estates (not West Hills). She informed me that she's been speaking to Councilman Flaschbart regarding a rental issue.

Now that I have some clarification on the subdivision name, I do recall talking to her this past summer (2016) about some questions she had regarding a property owner (14317 Millchester Circle). The neighbors of this property owner were noticing a lot of different cars parked in the street and thought that maybe rooms were

being rented out of the house. The property owner, a resident of Asian descent, was stating that they were having family stay with them temporarily from out of town.

Later, Bridget and some neighbors found evidence of the same property owner using AirBNB.com to rent out rooms in their house (After some difficult searching, I was able to verify this on the AirBNB.com website). In light of the new evidence, Bridget decided that she did not wish to file a formal complaint with the City. Rather, as a trustee, she wanted to discuss the matter with the property owner herself via a letter from the subdivision (I believe she stated that her subdivision indentures do not allow this practice and she wanted to start with that. I believe she was also trying to collect past subdivision dues from this property owner). Because of this request, no work orders were created and no violation letters were sent regarding this matter.

Up until this point, I had not had any further discussion with Bridget Cromer regarding this matter and believed that she had resolved the matter with the property owner of 14317 Millchester Circle. Our discussion today simply involved me telling her the sections of the Code that defined a "Dwelling, Single Family" and "Family".

Sincerely,

Derrick Flannigan

Code Enforcement Inspector
Chesterfield Police Department
690 Chesterfield Parkway West
Chesterfield, MO 63017-0760
Phone: 636-537-3000
Direct Line: 636-537-4756
Fax: 636-537-6798



From: Mike Geisel
Sent: Tuesday, February 14, 2017 11:25 AM
To: Derrick Flannigan <DFlannigan@chesterfield.mo.us>; Ray Johnson <RJohnson@chesterfield.mo.us>
Cc: Justin Wyse <JWyse@chesterfield.mo.us>
Subject: RE: House Apparently Being Rented Out in West Mills

Was there complaints in West Mills (West Hills?) about this before?

From: Derrick Flannigan
Sent: Tuesday, February 14, 2017 8:15 AM
To: Mike Geisel <mgeisel@chesterfield.mo.us>; Ray Johnson <RJohnson@chesterfield.mo.us>
Subject: RE: House Apparently Being Rented Out in West Mills

This is the first I am hearing about this. It sounds like we may possibly be revisiting the whole "AirBNB" issue.

Sincerely,

Derrick Flannigan

Code Enforcement Inspector
Chesterfield Police Department
690 Chesterfield Parkway West
Chesterfield, MO 63017-0760
Phone: 636-537-3000
Direct Line: 636-537-4756
Fax: 636-537-6798



From: Mike Geisel
Sent: Tuesday, February 14, 2017 6:51 AM
To: Ray Johnson <RJohnson@chesterfield.mo.us>
Cc: Derrick Flannigan <DFlannigan@chesterfield.mo.us>
Subject: Re: House Apparently Being Rented Out in West Mills

Do either of you know what the issue is?

Sent from my iPhone

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I understand that Maplewood has an Ordinance – perhaps the Chief and the City Administrator might get a copy of that one (and any others) to see what they did.

This note is primarily a “heads-up” that the topic is coming up and that I’ll ask to refer it to your Committee, Bridget.

I’m confident that Derrick and the Chief can give us some pertinent information at the Committee meeting.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AMENDING ORDINANCE 5573, AS AMENDED, CHAPTER 14, BUSINESS AND BUSINESS REGULATIONS, BY ADDING ARTICLE XIII, DIVISION 3, SECTIONS 14-800 TO 14-804, SHORT TERM VACATION RENTALS, ESTABLISHING REGULATIONS GOVERNING SHORT TERM VACATION RENTALS.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AS FOLLOWS:

Section I. Ordinance 5573, as amended, Chapter 14, Business and business regulations, is hereby amended by adding the following:

Section 14-800 Purpose:

- A. The purpose of this chapter is to establish regulations for short term vacation rentals in order to safeguard the peace, safety and general welfare of neighborhoods within the City of Maplewood by minimizing negative secondary affects related to short term vacation rentals including excessive noise, disorderly conduct, illegal parking, overcrowding, and excessive accumulation of refuse.
- B. This chapter is not intended to provide any owner of residential property with the right or privilege to violate any deed restriction or private conditions, governance or restrictions applicable to the property's owner that may prohibit the use of such owner's residential property for short term vacation rentals as defined in this chapter. Short term vacation rentals are not permitted in dwelling units that have deed restrictions for affordable housing purposes or other city imposed conditions of approval or restrictions would prohibit the use of such dwelling as a short term vacation rental as defined herein.

Section 14-801 Definitions:

- A. *Owner* means the person or entity that holds legal and equitable title to a short term vacation rental property and who resides there as the legal residence of such person.
- B. *Owner occupied* means the owner (or person controlling any entity that is the owner) resides in said short term vacation rental property as the owner's (or such controlling person's) legal residence.
- C. *Short term vacation rental* means a rental of any legally permitted dwelling unit, or a portion of such a legally permitted dwelling unit, located in a single family zoning district as defined by Section 56-71 to 56-73 of this code for a period of less than 30 consecutive calendar days, in compliance with the terms of this Ordinance Sections 14-800 to 14-804.
- D. *Short term vacation rental property* means the property in which a short term vacation rental is located.
- E. *Transient* means any person who occupies any rooms or accommodations within a short term vacation rental property for a period of less than thirty (30) continuous days.

Section 14-802 Short Term Vacation Rentals:

- A. Short term vacation rentals shall be permitted only in owner occupied single family residences within the SR Single Family Residential Zoning District and as permitted as provided in the zoning ordinance.
- B. Short term vacation rentals shall be subject to and shall comply with all requirements of the city and state building, fire, safety and occupancy codes and limits.
- C. The owner of the short term vacation rental shall spend the night on-site at the short term vacation rental property at all times during the term of any short term vacation rental.
- D. Not more than two (2) rooms in any dwelling unit may be rented at the same time as a short term vacation rental.
- E. The owner of any short term vacation rental shall be required to apply for and obtain a short term vacation rental permit and business license from the city before renting or advertising the availability of the short term vacation rental.
- F. A short term vacation rental permit shall be valid from July 1 and shall expire on the following June 30.
- G. Obtaining and renewing a short term vacation rental permit: The owner of the short term vacation rental property shall adhere to the following conditions and shall submit the following information on a short term vacation rental permit application form provided by the city, which shall include, at a minimum, the following information:

- (1) The name, address and telephone number of the owner of the short term vacation rental property.
 - (2) Such other information as the city manager or designee deems reasonably necessary to administer this chapter.
- H. Any false statements or false information provided in the application for a short term vacation rental permit shall be grounds for denial of permit, permit revocation or imposition of penalties as outlined in this Code of Ordinances.
- I. A short term vacation rental permit application shall be denied if the owner has had a short term vacation rental permit revoked within the past twelve (12) months for the same or other short term vacation rental property. If a short term vacation rental permit is revoked twice, no short term vacation rental permit shall subsequently be issued for such owner or such short term vacation rental property.
- J. Operational requirement: The owner shall use reasonable, prudent business practices to insure that the short term vacation rental property is used in a manner that complies with all applicable laws, rules and regulations pertaining to the use and occupancy of the short term vacation rental property.
- K. The name, address and telephone number of a local contact person who shall be available 24 hours per day, 7 days per week, for the purpose of responding within 45 minutes to complaints regarding the condition, operation or conduct of occupants of the short term vacation rental unit or their guests, shall at all times be kept on file with the city.
- L. The owner shall post the short term vacation rental permit on the exterior of the short term vacation rental property within plain view for the general public with a 24 hours a day, 7 days a week local contact phone number for complaints. The permit shall be between 8 ½" by 11" and 4" by 5" in size and shall be displayed at all times that the short term vacation rental property is being used for a short term vacation rental.
- M. The owner or local contact shall upon notification that any Transient, occupant or guest of the short term vacation rental property has created unreasonable noise or disturbances, engaged in disorderly conduct or committed violation of any applicable law, rule or regulations pertaining to the use and occupancy of the short term vacation rental property, respond in a timely and appropriate manner to immediately halt or prevent reoccurrence of such conduct. Failure of the owner or local contact to respond to such calls or complaints regarding the condition, operation or conduct of the occupants and/or guests of a short term vacation rental in a timely and appropriate manner shall be grounds for revocation of the short term vacation rental permit and shall subject the owner to all administrative, legal and equitable remedies available to the city.
- N. The owner or local contact shall use reasonably prudent business practices to insure that the occupants and/or guests of the short term rental unit do not create unreasonable noise or disturbances, engage in disorderly conduct or violate any applicable law, rule or regulation pertaining to the use and occupancy of the subject short term vacation rental property.
- O. No amplified or reproduced sound shall be used outside or audible from the property line of any short term vacation rental property between the hours of 10:00 p.m. and 10:00 a.m.
- P. Prior to rental of a short term vacation rental property, the owner shall:
- (1) Obtain the contact information of all Transients, including the name, permanent address, telephone number and emergency contact for each person to occupy the short term rental vacation property.
 - (2) Require the Transient to execute a formal acknowledgement that he or she is legally responsible for compliance by all occupants or guests of the short term vacation rental unit with all applicable laws, rules and regulations pertaining to the use and occupancy of the short term vacation rental unit.
 - (3) Information required in Items (1) and (2) above shall be maintained by the owner for a period of three (3) years and shall be made available upon request to any officer of the city responsible for the enforcement of any provision of the municipal code or any applicable law, rule or regulation pertaining to the use and occupancy of the short term vacation rental property.
 - (4) On-site parking shall be allowed on approved driveway, garage and/or carport areas only.
 - (5) The number of occupants allowed to occupy any short term vacation rental property shall be limited to two (2) people per bedroom and no more than two (2) bedrooms within any short term vacation rental property shall be rented at the same time.
 - (6) The City Manager or designee shall have the authority to impose additional conditions on the use of any short term vacation rental property to insure that any potential secondary affects unique to the subject short term vacation rental unit are avoided or adequately mitigated.

- Q. The owner shall post the current short term vacation rental permit number on or in any advertisement appearing in any written publication or any website that promotes the availability or existence of a short term vacation rental property.

Section 14-803 Permit Procedure:

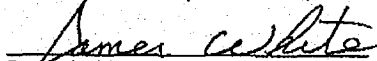
- A. Upon receiving an application for a permit for a short term vacation rental property that complies with the provisions of this chapter, the residents within 200 feet of the property lines of the subject property shall be notified of the application for short term vacation rental permit.
- B. The fee for a short term vacation rental permit shall be \$75 annually.

Section 14-804 Penalties and Enforcement:


- A. Upon request by the City Manager or designee, owners shall provide access to the short term vacation rental property and to any records related to the use and occupancy of the short term vacation rental property during normal business hours for the purpose of determining compliance with this chapter.
- B. Any person violating any of the provisions in this chapter shall be deemed guilty of a misdemeanor punishable pursuant to Section 1-11, General Penalty; Continuing Violations.
- C. In addition to any penalty imposed pursuant to Section 1-11 of this code, the City Manager or his designee may impose additional conditions on the use of any short term vacation rental permit pursuant to Section (P) (6) – Permits.
- D. Except as otherwise expressly provided in Sections 14-800 to 14-804, enforcement of Sections 14-800 to 14-804 is at the sole discretion of the city. Nothing in this chapter shall create a right of action on any person against the city or its agents for damages or to compel public enforcement of the provisions of Sections 14-800 and 14-804 against private parties.
- E. Pursuant to Chapter 1-11(c) of this code, each and every day during any portion of which a violation of this code or any other ordinance of this city is committed, continued or permitted, shall be a separate offense.

Section II. This ordinance shall be in full force and effect fifteen (15) days after its passage and approval.

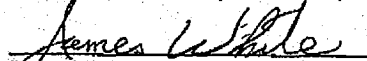
Passed this 13th day of October, 2015


James White, Mayor

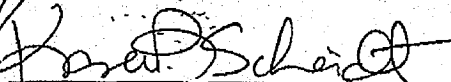
Attest:


Karen R. Scheidt, Acting City Clerk

Approved this 13th day of October, 2015


James White, Mayor

Attest:


Karen R. Scheidt, Acting City Clerk



WHITE BUFFALO, INC.
HELPING RESTORE THE NATURAL BALANCE
a nonprofit organization

3

20 December 2016

Captain Steven Lewis
Chesterfield Police Department
690 Chesterfield Parkway West
Chesterfield, MO 63017

Captain Lewis,

As per our telephone discussion, 20 December 2016, I have included a proposal for White Buffalo, Inc. to conduct a White-Tailed Deer population estimate for the municipality of Chesterfield Missouri. I have drafted budgets for four differing scenarios based on the municipality providing one staff member for the estimate and adjustments based on timing. Ideally we would conduct the estimate during mid-January when we are already working in the western St. Louis area avoiding the additional expense of travel. Our next available opening, after the mid-January period, would be in late February/early March.

We use a population estimation method called Distance Sampling. This approach is based on the premise that you can determine the width of a transect traveled by creating a detection probability from the field observations (i.e., number of deer and distance from the transect). In simple terms, a software program projects the area sampled and then integrates the number of deer observed in that area to determine density.

First, we delineate a non-overlapping spotlighting route on a City road map providing a representative coverage of the community. Then while driving 10 mph spotters search their respective side of the road with 400,000 candlepower spotlights. Upon sighting deer, the number in each social group, age and sex of the individuals, and the perpendicular distance to the group is recorded. These data are then entered into a software program (Distance-Version 6.0) that estimates the deer density. Spotlighting surveys will be conducted from ~21:00-05:00 h. The transect will be surveyed once each evening for three nights.

Do not hesitate to contact me with any questions.

Regards,

Ryan Rodts
Certified Wildlife Biologist ®
White Buffalo, Inc
517-937-7187



WHITE BUFFALO, INC.
HELPING RESTORE THE NATURAL BALANCE
a nonprofit organization

DEER POPULATION ESTIMATION PROGRAM BUDGET 2017

Option 3

One staff member provided by the municipality and late February/early March timing

WHITE BUFFALO, INC. EXPENSES

PERSONNEL

Project Supervisor

Distance Sampling methods, data analysis, travel, and report writing

1 person X 4.0 days X \$1,100/day \$4400

DIRECT COSTS

Travel

Per diem (half rate - \$35/day X 4 days) \$140

Flight \$500

Car Rental \$300

Hotel (4 days at \$150) \$600

TOTAL \$5940



WHITE BUFFALO, INC.
HELPING RESTORE THE NATURAL BALANCE
a nonprofit organization

DEER POPULATION ESTIMATION PROGRAM BUDGET 2017

Option 3

Two White Buffalo Inc. staff members and late February/early March timing

WHITE BUFFALO, INC. EXPENSES

PERSONNEL

Project Supervisor

Distance Sampling methods, data analysis, and report writing

1 person X 4.0 days X \$1,100/day \$4400

Wildlife Biologist

Distance Sampling methods

1 person X 3.5 days X \$950/day \$3325

DIRECT COSTS

Travel

Per diem (half rate - \$35/day X 7 days) \$245

Flight (2 at \$500) \$1000

Car Rental \$300

Hotel (4 days at \$200) \$800

TOTAL **\$10,070**



Chesterfield Police Department DEER RELATED INCIDENTS



OCTOBER 1ST THROUGH DECEMBER 20TH, 2016

MONTHLY TOTALS

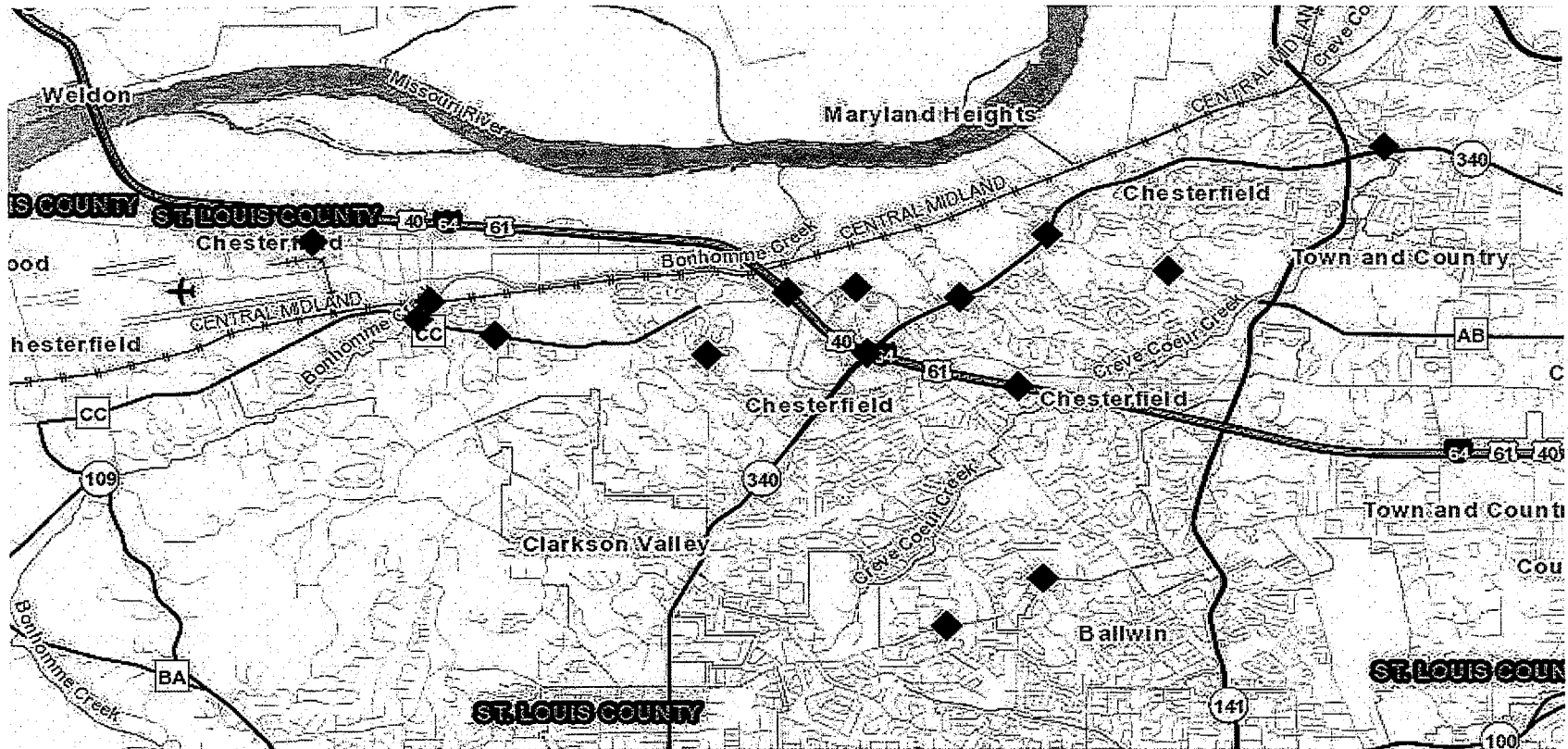
MONTH	VEHICLE COLLISIONS	OTHER
October	13	3
November	16	2
December	5	0



Chesterfield Police Department DEER RELATED INCIDENTS



OCTOBER 1ST 2016 TO DATE



Note: Map only indicates reported Vehicle Collisions with Deer



Chesterfield Police Department DEER RELATED INCIDENTS



DECEMBER 1ST TO DECEMBER 31ST 2016

REPORTED INCIDENTS

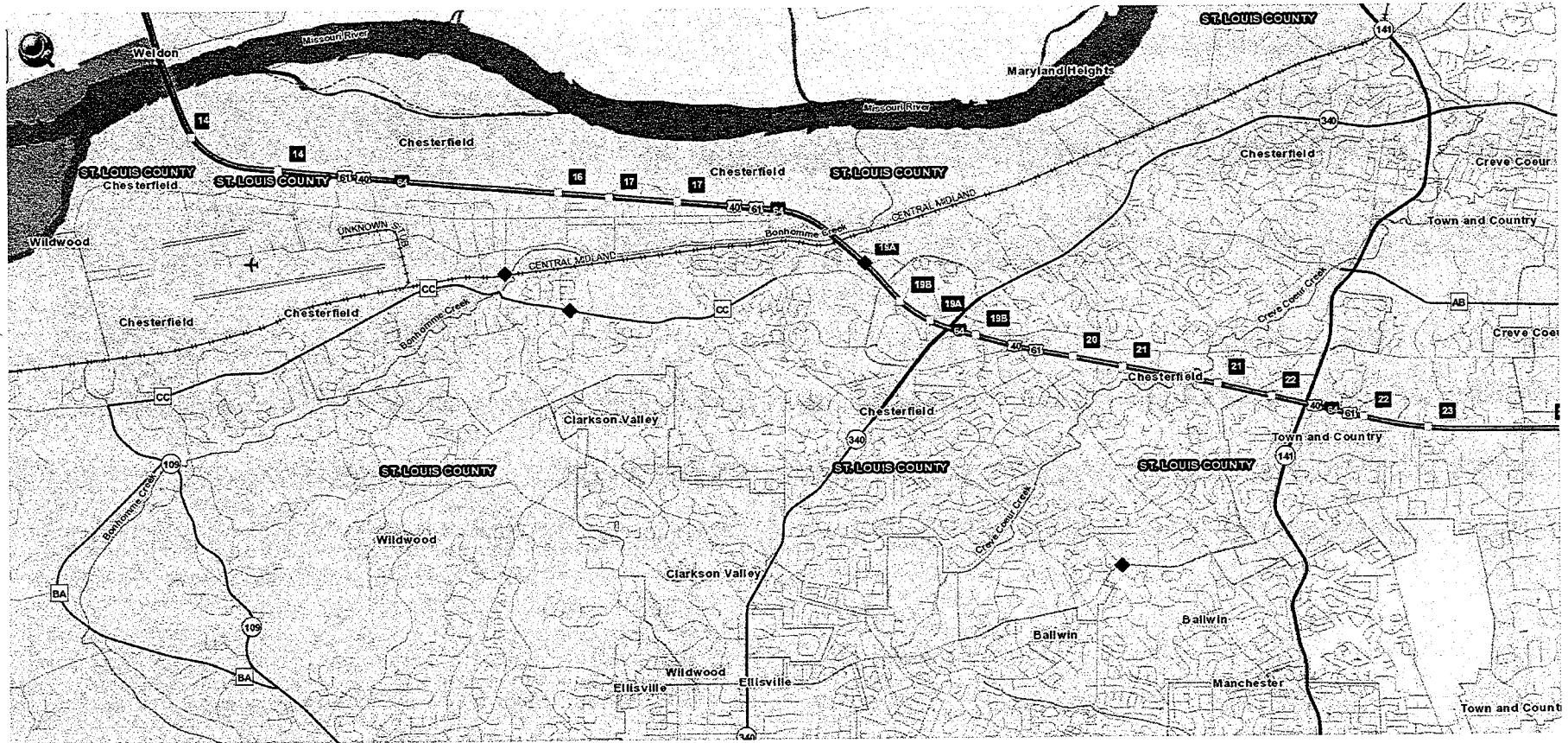
SECTOR	DAY / DATE	TIME	LOCATION	DEER DISPATCHED	PROPERTY DAMAGED	REPORT NUMBER	NOTES
3	Thu 12/01/16	1920	Clayton & Clayborn	Dispatched by Officer	None reported	16-6205	Animal Destruction Report
5	Fri 12/02/16	1940	Long & Wildhorse Creek	Deer deceased	Front end of car	16-6225	Collison Report
6	Fri 12/02/16	2140	Kehrs Mill/Courtside	Dispatched by Officer	None reported	16-6227	Animal Destruction Report
4	Tue 12/06/16	0415	Hwy 40 & Chf. Pkwy. W	No	Driver side of car	16-6267	Collison Report
6	Fri 12/09/16	1240	Wildhorse Creek/Wildhorse Meadows	Dispatched by Officer	None reported	16-6344	Animal Destruction Report
6	Wed 12/14/16	1921	Wildhorse Creek & Somerset Field	No	Front end of car	16-6438	Collison Report (PD-15)
3	Thu 12/15/16	2130	Clayton & Straub	No	Front end of car	16-6462	Collison Report



Chesterfield Police Department DEER RELATED INCIDENTS



DECEMBER 1ST TO DECEMBER 31ST 2016



Note: Map only indicates reported Vehicle Collisions with Deer



Chesterfield Police Department DEER RELATED INCIDENTS



DECEMBER 1ST TO DECEMBER 31ST 2016

MONTHLY TOTALS

MONTH	VEHICLE COLLISIONS	OTHER
October	13	3
November	16	2
December	7	0

Ray Johnson

From: Steve Lewis
Sent: Tuesday, January 24, 2017 8:19 AM
To: Ray Johnson
Subject: FW: Deer Survey Request

Information from another Deer Specialist. I sent out 4 requests for proposals and only received the one from White Buffalo and this one. VERY EXPENSIVE.....

From: merlinbenner@gmail.com [<mailto:merlinbenner@gmail.com>] **On Behalf Of** Merlin Benner
Sent: Wednesday, January 18, 2017 8:39 AM
To: Steve Lewis <SLewis@chesterfield.mo.us>
Subject: Deer Survey Request

Hello Captain Lewis,

I apologize for taking so long to respond to you. I have been going over your request for a deer survey for Chesterfield, looking at it 3 different ways, and think I've come to the best solution for you. The three options are as follows:

1. Baited Camera Survey using Trail Cameras: this method is defensible and reliable, but requires high logistical support on the ground. For an area this size, we would need to deploy around 120 camera sites for three weeks, which would result in around 5 weeks of time onsite when you factor in setup and takedown. For us to come out and provide the service, it would get expensive (\$75,000+). And the best time to conduct this type of survey is in late-August. Some costs could be reduced by using local labor, but it is still logistically a big project.
2. Aerial Drone Thermal (FLIR) Survey: I really like this option because I also own an aerial drone services company, Remote Intelligence (www.remote-intelligence.com). It is a big project, but doable from a physical standpoint. We have the proper technology and licenses, and significant aerial FLIR survey experience on our team. The biggest limiting factor would be the large restricted airspace which covers 50% of the City. This would require many flights within that airspace, which requires FAA approval, which takes 2-3 months to achieve. The price of a complete survey using this methodology would run around \$50,000+. There is the potential to reduce costs on this by doing a sampling of the area instead of a complete census, but that hasn't been tested enough to statistically evaluate our confidence level.
3. Aerial Thermal (FLIR) Survey using Manned Aircraft: I have used this option in the past with the contractor I would recommend, and they have produced satisfactory results. They could conduct the survey and provide you with results directly for around \$25,000 (probably less). For just the survey, it would make sense for you to contract with them directly. I recommend Vision Air Research, who can be reached at wildlife@visionairresearch.com. If you would want additional support like developing and negotiating a deer management plan with the state, then it may make sense to contract through us. Of course, that would come with additional charges.

I hope this helps you, and please feel free to contact me.

J. Merlin Benner, President

Wildlife Specialists, LLC
2780 Hills Creek Road
Wellsboro, PA 16901

RESEARCH PROJECT FOR THE MANAGEMENT OF DEER

CITY OF CHESTERFIELD

I. Missouri Conservation Recommendations and Information

The Missouri Department of Conservation representative, Ms. Erin Shank, who is the recognized expert in deer management issues within the State of Missouri, provided a great deal of information and background on the control of the deer population. Ms. Shank first offered the following qualifying statement:

"There is no panacea for the control of the rampant deer population within any community. Unfortunately, there is no superior management tool for the control of deer that does not involve an extreme cost, outside of allowing and encouraging residential hunting of deer within the community."

Ms. Shank then further provided the following:

Additional information provided from Missouri Conservation.

- Missouri Conservation no longer conducts municipal deer counts. Before a City can do anything they must conduct a deer count, which can only be done by professional organizations, the primary one being White Buffalo. There is a definitive cost for this count, based on numerous factors which can range from several hundred dollars to several thousand dollars.
- Before any management of the deer population can occur, the municipality must obtain permits from the Department of Conservation.
- Looking at organizations outside of the State of Missouri is not an effective comparison due to widely varying conservation requirements and restrictions. That being said, White Buffalo is the answer the majority of municipalities turn to for assistance, when outsourcing this function.
- By far, managed community hunts through the use of private partnerships between hunters and landowners, is the accepted practice for controlling deer.
- The emotional side of this argument is always present, and factual data should be obtained prior to attempting to address the issue. Studies identifying deer count, destruction of property, traffic crashes and the like should be undertaken before a response is decided upon.
- The Missouri Department of Conservation is available to provide advice and consultation at any point during this pursuit.

Additionally, Ms. Shank confirmed this is an issue with many surrounding communities; our research indicates there are a few basic response approaches that have local cities have taken as follows: with limited results. Those responses are listed as follow:

A. Managed hunting of deer during approved seasons with bow hunting.

The overwhelming majority of communities choose to allow or expand the properties and locations on which hunting is allowed by certified hunters, during the normal bow hunting season. Often time's specific restrictions are placed on the hunters, including extreme high bond insurance riders, and, adherence to all conservation laws and other liability restrictions to ensure the safety of the general public. This method, while effective in some circumstances, typically falls very short of controlling the deer population due to a lack of participation of properties and hunters, as well as the low overall number of deer actually harvested. Some communities allow for specific hunting in common ground owned by the municipality to increase the number of deer taken. One such community, which does so with great success, is the City of Sunset Hills, who at last count had a large deer population but reduced that population by over 60 deer, through participating in a managed hunt system. It is observed that 60 deer, out of the overall deer population, may not be enough to reduce the issues created by the deer. A downside as stated by Ms. Shank, is the fact that hunted deer, tend to be more timid and eventually become difficult to cull beyond a natural point creating the potential for diminishing returns.

B. Police Sharpshooters.

The process to conduct a police program involves the following criteria.

Obtain a wildlife management company to identify the number of deer through a certified count based on inspections and observational research. During this process have a sworn officer accompany the researcher. The White Buffalo Company is the accepted expert in this area and conducts both the deer counts as well as animal destruction through managed hunts.

Contact Missouri Conservation to do an analysis of appropriate healthy deer counts for an area and to recommend the number of deer to be removed to maintain a healthy population. They will recommend the exact number of deer to be removed annually and dictate Antlered and Non-Antlered deer to be taken.

Identify 1-2 police sharp shooters that are trained marksman to conduct the deer management project, preferably those officers with both marksmanship skills and hunting experience.

Task a Safety Officer to research the areas to be hunted, including identifying property owners who desire a reduction in deer population, identifying through survey and topographical maps to determine areas with no risks of population or property damage, and obtaining permission from landowners to shoot deer on their property.

Obtain two suppressors to fit the AR-15 .223 rifles currently utilized by the police department. This is not a hunting process; the deer are euthanized through fatal shots to the head through a scoped rifle.

The deer are transported through an agreement with Public Works via truck or ATV, and taken to a local Butcher Shop, who through agreement, dresses and processes the animals. All deer must be tagged via Dept. of Conservation tags to determine disease, health of the population and statistical data. (It should be noted that there is a cost associated with this program, as the agency must pay for the cost of processing the deer which is approximately \$190.00 per animal.)

C. The hiring of White Buffalo Company

White Buffalo is the only agency that the Missouri Conservation would recommend in the Country. They are the leader in deer control across the Nation, and while other organizations exist, they do not have the level of expertise, backing, or validity of White Buffalo. The below information provides the services offered by their company.

1. Fertility Control

Fertility control is widely perceived to be the ideal solution. However, agents are currently not widely available for managing overabundant deer populations. These agents remain strictly regulated by the Environmental Protection Agency, and further research is required to assess the feasibility and practicality of using contraceptives. Fertility control agents do exist that can prevent reproduction in individual deer. However, the need for repeated administration and limited delivery technologies significantly restrict the population size that can be experimentally manipulated. Data collected to date shows costs ranging from ~\$500 - \$1,500 per doe treated and includes the cost of manpower and materials. Likely the use of contraceptive agents will be limited to small, insular herds.

2. Sharpshooting

Approved by the American Veterinary Medical Association (AVMA) as a humane form of euthanasia, sharpshooting to manage deer populations that are overabundant requires trained personnel to use a variety of techniques to maximize safety, discretion and efficiency. This method is often implemented in suburban and urban settings with access to both public and private lands. Costs can range from \$200 to \$400 per deer for sharpshooting and processing is an additional \$70-\$125 per deer. Typically all meat harvested is donated to area food shelters for distribution.

Sharpshooting Protocol

Subsequent to a decision by the landowner/s and the state wildlife management agency to implement a controlled deer reduction using White Buffalo Inc., the following procedures are used:

- a) Prior to initiating any field activities the target area/s and surrounding properties are thoroughly surveyed using digital aerial images followed by field confirmation. By knowing the location of every occupied structure and areas of human use we are better able to work safely, discretely, and efficiently;
- b) Bait sites are selected with the involvement of the landowner/s and the cooperating state agency. Each site is selected based on safety concerns and deer activity;
- c) We conduct field operations during hours of lowest human activity. In addition, during the removal operation we search intensively for people and non-target animals to avoid mishaps;
- d) Deer of all ages and sexes are harvested, however, adult does are prioritized. Deer are shot from a vehicle with a rifle during the night with the aid of spotlights. Some deer are shot over bait from a tree stand with a rifle during the day or at night. Nightvision equipment and suppressed firearms (only in states where they are legal to possess) are used to expedite field procedures and to ensure discrete operations;
- e) During suburban deer reductions there will be continuous open communication between community members, municipality officials, and White Buffalo Inc. to keep people well informed regarding field activities to avoid conflicts;
- f) When in doubt, never shoot;
- g) All deer carcasses are transported and dressed with the highest degree of discretion;
- h) When desired, we are willing to be responsible for the disposal of all by-products and transport of deer carcasses to a USDA inspected facility for processing and subsequent donation to the needy.

3. Managed Hunts

As an expansion of legally regulated hunting methods, managed hunts can be successful. Using vetted and trained hunters to manage deer populations that are overabundant may require state agency and law enforcement involvement to assist with a variety of issues. Costs range from \$100 to \$200 per deer harvested depending on the manpower required. Archery is a discreet removal technique, however, lower success rates because of limited shooting ranges may require a longer time frame of operation. Firearms, when feasible, can be used to maximize the efficiency (number of deer harvested/program duration). We are presently evaluating the relative increase in harvest potential through the professional training of hunt participants. We strongly believe that hunters can significantly improve their ability to humanely harvest

more deer in developed environments with additional knowledge that has been accrued through decades of professional deer management project

II. Local City/Police Efforts

The following police agencies were contacted and their methodology for addressing the issue follows each organization's name. Where available detailed information was provided as to the identification and solutions to the deer problem when applicable.

A. Ballwin Police

Allows Citizens to hunt certain areas comparable to the current policies of the City of Chesterfield. Their Officers do not take part in any way in the destruction of animals outside of humane destruction of injured animals. They also do not have any other solutions for the limiting of deer populations in place.

B. Des Peres Police

CITY ADMINISTRATOR REPORT DES PERES MO FEBRUARY 8, 2016 ON DEER POPULATION ESTIMATES

Deer population estimating was completed on January 17, 18 & 20th by White Buffalo Inc. using high power spotlights while driving at 10MPH along 16 miles of roads representing four routes. When deer were observed, the number in each group was recorded along with age and sex of the deer.

Deer were observed on 9 miles of the 16.0 mile transect with all deer sighting located west of I-270.

1. EAST OF I-270

No deer were observed east of I-270.

The deer density EAST of I-270 can be assumed to be low density at less than 10 deer per square mile.

Residents in this area will experience some deer conflicts – mainly vegetation damage. This is consistent with police data which finds no deer/vehicle conflicts East of I-270 during the past 4 years.

2. WEST OF I-270

10-12 groups of deer were sited west of I-270 with deer evenly distributed generally in the areas of Highland & Shari; in the Dougherty Woods & Dougherty Ridge subdivisions; in Four Winds Farm and along Topping Lane. This was not unexpected given the

large tracts of natural areas (Phantom Forest and Bittersweet Woods) and large tracts of wooded common ground in those areas.

Population estimates WEST OF I-270 at 39.9 deer per square mile and a total deer count within a range of 58-131 deer. White Buffalo reports that these are pre-fawning estimates and we can expect to see an increase in population in May and June.

Herd Demographics: Estimated at 53% fawns, 32% yearling and adult females and 15% yearling and adult males. The data suggest a high birth rate of 1.6 fawns per adult doe.

NOTE:

Wildlife biologists generally recommend a deer population in an urban area not greater than 20 deer per square mile. The West St. Louis County Deer Task Force sponsored by the MO Department of Conservation has recommended a 15-20 deer square mile target for West ST Louis County.

4. ACTUAL OUTCOME FOR THE CITY OF DES PERES

- a. Public Safety to continue to monitor and report annually on the number of deer incidents involving both deer/car collisions and number of injured dead deer along roadways.
- b. Continue to monitor annually the deer population using White Buffalo or a similar outside vendor to do annual deer estimates in January of 2017 and beyond.
- c. Consideration of changes in ordinances to allow archery deer hunting on limited sites based on tract size, location with insurance requirements and notification and inspection by local police.

C. TOWN & COUNTRY

Town & Country estimated their deer population at 60-85 deer per square mile (again primarily west of I-270) when they instituted their Deer Management Program. The Town & Country Deer Management Task Force has set a goal of 30 deer per square mile.

Town & Country hired White Buffalo Company to conduct deer eradication. Baseline cost was \$79,000 for 200 deer. Additional cost, which included the cost for mandated processing and distribution to food pantries was \$104,000, for a total expenditure of \$183,000.00.

D. CREVE COEUR

Allows Citizens to hunt certain areas comparable to the current policies of the City of Chesterfield. Their Officers do not take part in any way in the destruction of animals outside of humane destruction of injured animals. They also do not have any other solutions for the limiting of deer populations in place.

E. ST. CHARLES COUNTY MO

Allows Citizens to hunt certain areas comparable to the current policies of the City of Chesterfield. Their Officers do not take part in any way in the destruction of animals outside of humane destruction of injured animals. They also do not have any other solutions for the limiting of deer populations in place.

F. ELLISVILLE

Ellisville utilizes an Officer Sharpshooter Program. For this program, Ellisville Police followed the guidelines set forth above in paragraph I, B.

Police Sharpshooters.

The Ellisville police department is the only agency in the area that currently uses this method. This method was highlighted in a specific memo prepared in December of 2015 and presented to the Ellisville City Council for approval at that time. (Ellisville suspended its urban archery hunt after a child found an arrow in his yard and the Mayor concluded that the program wasn't working anyway.)

G. MARYLAND HEIGHTS

Has deer population issues but does not have any remediation efforts in place at all, nor are they pursuing any at this time.

III. ANECDOTAL INFORMATION FROM AROUND THE COUNTRY

Non-Lethal Deer Population Control for Urban and Suburban Environments

Suburban Deer Population Management: Communities relying on lethal methods to manage deer create a public safety issue and provide only a short term solution, requiring a perpetual killing program - the cull. Although degraded habitat is a major cause for the decline of the U.S. deer population, suburbs often provide excellent deer habitat. Deer are edge dwellers, living at the interface of the meadow and the thick forest. A lush suburban habitat can support more deer, the carrying capacity, than a forest. Communities wanting fewer deer can reduce the carrying capacity (see figure above) using fences, deer resistant landscaping and repellents. Careful use of dogs or other deterrents can replicate the effect of a predator in a natural environment, keeping deer on the move and restricting their access to food. Examples of non-lethal approaches, news below

for contraception, sterilization, and relocation. A ban on feeding deer is often a first approach, sometimes a required approach. Also a deer population survey.

Deer respond to a cull with increased fertility, producing more twins and triplets, and more female fawns that will further increase the deer population -- the rebound effect in the figure above [research support] --compensatory reproduction, also observed in coyote populations. Light to moderate hunting, as in many urban culls, does not change the long-run total deer population in an otherwise stable environment. Also, other deer may migrate into the area, although suburban does have very small ranges and migration rates will depend on local factors. A sterile doe will discourage new deer from entering her range.

The result of a cull is a future, perpetual negative cash outlay for communities and lots of slaughtered deer. For example, after 10 years of an annual urban cull, the environmental manager for Wilton, Connecticut, concludes "if we harvest 300 a year it could take us maybe seven [more] years... But of course that does not include baby deer." More Examples of the Perpetual, Annual Deer Cull Cost analysis of urban deer cull programs typically ignores the future cost of maintaining the program and also ignores the intrinsic value of the life of each deer, an icon of wildlife.

Deer culls using sharpshooters or bow hunters may not be feasible in suburban environments because of public safety concerns. Bow hunting is becoming more popular, but even under the best conditions a significant number of deer are likely to be wounded and not recovered by archers, 50 percent rates are reported in the literature. Although many hunters will not participate in an urban cull, considering it an extermination rather than a hunt, cities often find others willing to pay a license fee to participate. Professional sharpshooters improve public safety and kill efficiency, but costs run from about \$300 to \$1,000 per deer.

A. BIRTH CONTROL

Products: Gonacon, Spayvac a PZP (porcine zona pellucid) Cost per deer can be in the two hundred dollar range, but will vary depending local labor costs, number of deer and related issues. Birth control needs to be reapplied after a few years, up to six years for Spayvac, but the time is being extended as the technology develops. Success rates are often reported to be in the 90 to 95 percent range. This approach generally has a lower risk of deer fatalities than sterilization. An update from HSUS. A private effort to experiment with contraception in British Columbia that you can support with donations. The U.S. Humane Society provides this service, contact information and an example proposal. The nonprofit Science and Conservation Center in Billings, Montana, has many years experience working with horses, deer, and other animals.

B. STERILIZATION

While spaying can be expensive, \$1,000 per deer, because of high labor costs, local volunteers can bring costs down. A \$500 per deer cost can be

achieved. In many states, deer contraception is illegal. Sterilization is typically 100 percent effective and only needs to be done once, but may result in the death or injury of some deer. This field surgery requires more supplies and equipment than contraception so easier access to deer such as through small roads becomes an issue. Tubal ligation requires less intervention than spaying or ovariectomy, but may result in does going into heat and attracting bucks or a few does becoming pregnant. Follow the progress of Maryland's first deer sterilization program at Wildlife Rescue. A recent case example from New York. A program just getting started in Clifton, Ohio

C. RELOCATION, TRANSLOCATION

A common objection to relocation is that many deer perish as a result, since deer are flight animals and easily stressed by any constraint. A 2008 study in Texas where there had been significant experience with Trap, Transport, and Transplant concludes "reasonable survival rates can be achieved." (see research below). Costs can be as low as \$150 to 200 per deer. As the information below suggests, success varies widely depending on circumstances. Significant deer mortality may result from the difficulty of adjusting to a new environment and the transportation stress, although wild deer are routinely transported for deer research. As with a cull, if there is ample food the remaining deer will respond with increased fertility. Also, the potential of spreading Chronic Wasting or other diseases should be considered: Geography of Chronic Wasting. Relocating deer into a chronic wasting disease zone may improve genetic diversity and hasten the herd's adaption to disease resistance.

IV. RECOMMENDATION BASED ON THE PROVIDED RESEARCH

The only recommendation at this time is based on the research and believed to be the most cost effective and reasonable way of addressing the deer population. That is the method employed by most area municipalities, and is the current approach the City of Chesterfield has taken, which is to encourage hunting by local hunters in agreements set forth with local property owners. (The major obstacle with this is the lack of property owners willing to participate in the program.)

There are some changes and minor modifications to the program which may assist in the culling of more deer. The first possibility would be to consult with the City Attorney, and examine the possibility of lowering the bond amount required to hunt.

Another possibility would be to lower the land area requirement from one acre to one half acre which would allow for more properties able to approve hunting.

Advertising in a much more aggressive method for neighborhoods who believe the overpopulation of deer to be a problem and the private hunter solution would in all likelihood be successful. That being said, surveying specific areas for a perception of the problem may be a good first step. **For example, while the Riverbend community has been used as an example of an area with an overpopulation of deer problem, there is only one property owner in all of ward 1 who currently allows hunting on their property.** This fact either belies the actual problem or means that those persons who are concerned with the deer cannot or, are not willing to take the necessary steps to allow deer to be culled from their neighborhoods.

Additionally, and probably the greatest variance from the current approach but one that many municipalities have adopted, is to allow managed hunts via a lottery system. This would allow hunting on City owned property in an effort to reduce the overall number of deer. This would be the most cost effective and reasonable attempt to cull overpopulated deer herds and in all likelihood a very good start. While this may not "spot reduce" it would lessen the overall numbers of deer.

DEER MANAGEMENT PROGRAM

Typical elements of a municipal deer management program might include some or all of the following components:

1. Legislation to prohibit feeding of deer by area residents. (Currently in place)
2. Change in local ordinances to allow deer hunting (usually limited to archery season) on large tracts of land in the city.
3. Herd reduction using sharpshooters from a private firm like White Buffalo Inc. The estimated cost would be roughly **\$17,000 for hunting and meat processing for 20 deer (\$850 per deer)**. The Conservation Commission requires that all meat from these hunts be donated to charity such as Share the Harvest. Conservation does not allow sharpshooters in their conservation areas.
4. Deer Capture and Sterilization; estimated \$1300.00 per deer, or **\$26,000 for every 20 deer sterilized.**

MDC Urban Deer Management Guidelines

Revised June 2008

Background:

The Urban Deer Management Program of the Missouri Department of Conservation (MDC) encourages urban development that conserves green space and native wildlife populations using science-based management to maintain wildlife populations at levels compatible with urban and suburban lifestyles.

The Role of MDC in this Program is to serve as a technical advisor and provide assistance when deemed necessary to communities that desire assistance in managing urban deer populations. MDC guides deer population assessment and goal setting, informs individuals and communities on lethal and non-lethal methods of management that can help minimize conflict between deer and humans, advises regarding statutory language that is compatible with deer management goals, cultivates public awareness of deer population impacts, and authorizes management efforts.

The Goal of the MDC Urban Deer Management Program is to assist individuals and communities as requested in the management of white-tailed deer by providing management expertise, deer management plans, and population control options that provide residents and communities effective ways to manage deer in accordance with MDC Urban Deer Management Guidelines and wildlife laws while keeping in mind all state, county, and municipal laws.

MDC Responsibilities and Strategies:

As trustee for the fish, forest, and wildlife resources of Missouri, MDC is mandated to provide management programs governed by sound ecological principles for the conservation of these resources. The Department strives to maintain statewide deer populations at densities compatible with habitat types and that provide for public utilization and enjoyment while minimizing deer-human conflicts.

Although MDC is responsible for statewide deer management, the Department does not implement deer management programs on non-MDC lands without consent and cooperation of landowners. MDC serves in an extension role to evaluate deer populations, advise on appropriate management strategies, and establish geographic and regulatory boundaries through which feasible management alternatives can be developed. Successful implementation of management alternatives can only be accomplished with landowner consent and approval. Therefore, extensive effort to inform and educate landowners is essential.

On MDC managed properties, hunting is utilized to control deer populations whenever practical. On most public areas in urban settings, deer hunting access must be controlled due to high public use and close proximity to human development. Hunting in or near urban areas may initiate controversy among hunting and anti-hunting groups, especially where hunting has not occurred in the recent past. Such responses should be anticipated

so that appropriate educational and public relations efforts can be incorporated in hunt development and implementation.

Urban deer management falls into two broad categories: management on public lands and management on private lands. Expansion of deer hunting opportunities and programs on public lands in urban areas will continue. MDC will continue to implement managed deer hunts on Department lands in urban areas where necessary to control expanding deer populations. Such programs should be maintained at levels consistent with appropriate and acceptable deer densities. MDC will work cooperatively and form partnerships with public landowners, such as local governments and other state and federal agencies, to promote development of managed hunts in urban areas where practical. Specific urban areas will continue to be designated as urban deer management zones, with special regulations developed as necessary for hunting programs designed to control expanding deer populations. Wherever feasible, MDC will work closely with private landowners to encourage deer hunting opportunities on their lands.

Department Guidelines for Urban Deer Management Programs:

Regulations enacted each year by MDC establish deer harvest levels within the framework of the statewide deer management program. MDC, however, lacks direct control over access to private and much public land, including urban sites. The following guidelines apply to deer population control and human-deer conflict on non-MDC public and private land in predominantly urban and suburban areas of Missouri.

- 1) Successful deer management on non-MDC lands within the MDC regulations framework requires cooperation of private citizen and local government landowners.
 - a) MDC personnel will provide expertise in evaluating the problem and advise on appropriate management strategies.
 - b) Implementation of a deer management plan is the landowners' responsibility, with MDC acting in an advisory and support capacity.
- 2) Deer herd control concerns and human-deer conflicts in the 4 major metropolitan areas of the state (Kansas City, St. Louis, Springfield - Joplin, and Columbia - Jefferson City) will be directed to the Urban Wildlife Biologist or the Wildlife Management Biologist assigned urban responsibilities. Deer control problems in smaller urban areas of the state will be directed to the local Conservation Agent and/or Wildlife Damage Biologist.
 - a) In the major metropolitan areas, the Urban Wildlife Biologist, with Resource Scientist support and assistance, will have primary responsibility for resolution of human-deer conflicts and urban deer control programs.
 - i) The Resource Scientist will provide expertise in deer population assessment, management planning, and evaluation of herd reduction and removal methods.
 - ii) The Urban Wildlife Biologist will direct conflict resolution, team building, removal proposals, permit application, and associated administrative requisites.
 - b) In complex urban situations where potential controversy exists, the Urban Wildlife Biologist, Wildlife Management Biologist, Wildlife Damage Biologist and/or Conservation Agent may assist with the organization of a local committee

- that includes government officials, involved landowners, concerned citizens, and Department of Conservation representatives to assess the problem and evaluate and recommend management options.
- c) In urban areas without an Urban Wildlife Biologist, the Conservation Agent and/or Wildlife Damage Biologist will assess the problem and make specific control recommendations or consult with the Resource Scientist on potential management programs.
- 3) Urban deer control measures include the following, some of which require a permit(s):
 - a) Non-lethal:
 - i) No action
 - ii) Habitat modification
 - iii) Repellants (chemical, noise, etc.)
 - iv) Fencing
 - v) No deer feeding ordinances
 - b) Lethal:
 - i) Statewide regulated or managed hunting (permit required)
 - ii) Sharp shooting (permit required)
 - iii) Trapping and euthanasia (permit required)
 - 4) A standing subcommittee of the Regulations Committee, known as the Urban Deer Task Force, will review situations and requests for deer control outside of these guidelines and procedures. The Task Force will recommend appropriate control action and removal protocol, and be responsible for updates and revisions to the Guidelines as necessary and/or mandated.
 - 5) An MDC and/or landowner(s) evaluation of initial control effectiveness may be required. Control activities may be modified to maintain long term effectiveness.
 - 6) In those situations where managed deer hunting is the most viable control option, a hunt specific regulatory mechanism, such as longer seasons, additional seasons, higher per hunter bag limit, sex-specific harvest, and others, will be developed as needed to control deer population densities.
 - 7) Wildlife Division, in conjunction with all Department divisions and local communities, will compile and maintain an information system on urban deer populations that includes number and severity of deer-human conflicts, number of deer-vehicle accidents, public complaints of deer damage, and other related information as appropriate. This information will aid in the identification of, planning for, and response to, urban deer conflicts, and will be directed by the Urban Wildlife Biologist or the Wildlife Management Biologist assigned urban responsibilities.
 - 8) Where and when practical, Resource Science Division will assess deer population status and make recommendations for optimum deer densities for a specific area based on deer habitat availability, management goals, and landowner objectives.
 - a) Resource Science Division will assess efficacy of control methods and their potential for application in Missouri, and make appropriate recommendations.

Operational Procedures for Site-Specific Urban Deer Management Programs on Lands Not Managed by MDC:

The following management protocol is recommended for administration and implementation of urban deer management plans and programs. However, landowners choosing not to follow established MDC deer management protocol can make management decisions within the MDC legal framework.

- 1) In order to implement deer management programs within urban areas, a cooperative relationship with landowners must be developed. MDC will provide technical advice and information on advantages and disadvantages of various management strategies and afford opportunity for management through its regulatory authority.
- 2) The Urban Wildlife Biologist will be the initial contact for urban deer control concerns in the major metropolitan areas of the state. In other areas of the state, the local Conservation Agent and/or Wildlife Biologist will be notified.
- 3) In case of single ownership and small deer numbers, non-lethal or lethal methods can be implemented in accordance with the Wildlife Conflicts Handbook.
- 4) Where multiple ownerships occur or the property is controlled by city, county, state, or federal government, formation of a community task force consisting of representative MDC staff and community leadership is recommended to address the issues, develop alternatives, and recommend appropriate action.
- 5) In situations involving multiple landowners, a standard citizen opinion survey designed by MDC may be administered to all landowners if required or requested. Administration and analysis of the survey must be approved by MDC.
- 6) MDC and/or MDC approved assignee may conduct deer population surveys to determine current deer densities and recommend population goals, when necessary and/or requested.
- 7) In the absence of a landowner and/or deer population survey, on-site evaluation will be used to determine the need for and conditions of a deer removal permit.
- 8) Following monitoring and assessment, the community task force should develop a deer management plan that establishes deer population goals and defines management alternatives. MDC will assist with plan development by providing necessary expertise and information on population assessment and management, control alternatives, and regulatory guidelines requiring compliance. The plan will facilitate data collection on the problem, pull diverse groups together in a concerted effort, and encourage constructive solutions to the problem. The plan should include the following information:
 - a) Title - course of action and the name of the agency/organization requesting MDC assistance in deer population control.
 - b) Introduction - Brief description of the area, its location or address and size. Definitive statement on the problem(s) caused by deer.
 - c) Goal - long term purpose of the management program.
 - d) Objective - specific description of management tasks to be accomplished at this time.
 - e) Site Description - detailed description of the area, estimated deer numbers, and history of deer management problems.

- f) Documentation of deer-related damage or potential safety hazards - cost estimates of damage, potential or actual safety hazards to the public.
 - g) Proposed methods and procedures - the number of animals to be removed and the recommended techniques to accomplish the short and long term goals. Names and telephone numbers of the contractors/volunteers that will perform the work, urban officials to be contacted by members of the media and the general public concerning the project. For many management methods this section may also need to include information on how to deal with protests, set up check stations, organize public meetings, and similar public relations specifics.
 - h) Evaluation - a description of the criteria used to determine the progress of the management program.
 - i) Schedule - establish a timetable for implementation of the program.
 - j) Support Documents – additional support documents as necessary.
- 9) An MDC permit is required for removal of deer by any method other than statewide hunting or managed hunt regulations. This permit will specify all removal criteria based on protocols submitted by the landowner(s) or community task force and approved by MDC.
- 10) MDC will be the primary advocate on first-time managed deer hunts on MDC lands in urban areas. However, appropriate citizens, citizen groups, and other government agencies having an interest in population management of deer on the proposed lands should be involved in the planning process, and relevant public relations and educational strategies should be implemented as part of the proposed hunt.

Urban Deer Population Control Alternatives

Where control of deer numbers is required, only the following techniques (each summarized with a summary of realistic expectations) are recognized by MDC as potential management options:

- 1) *Legal hunting* may occur under statewide deer hunting regulations or during a special managed hunt outside the normal season framework. Managed hunts must receive Commission approval.
 - a) Firearms hunting is the most efficient way to reduce deer populations but may not be practical in all urban areas.
 - b) Archery hunting can be effective and safe when constraints are placed on the age/sex and number of deer that can be taken.
 - c) Crossbows and draw-locking devices are tools that can be used during certain seasons and have shown to be effective deer management tools in urban settings.
 - d) Persons with disabilities and youth-only hunts may be considered for urban settings. Persons with disabilities could be assisted by approved civic groups or others deemed qualified. Such hunts could serve as both resource management strategies and urban management promotional strategies.
 - e) Hunter orientation sessions should be required prior to these special hunts if local staff think conflicts could arise between hunters, area users, and/or neighbors.
- 2) *Sharp shooting* by trained marksmen over bait can be an effective deer removal technique where location renders legal firearms hunting unsafe and archery hunting is not a feasible control mechanism. Small caliber center fire rifles are most effective

and are safe when used under controlled situations. Deer taken by sharp shooters will be processed by approved facilities and donated for use. MDC will not be responsible for compensating contracted sharp shooters or for meat processing. Communities should be aware that sharp shooting is not a one time solution and needs to be followed up with an annual population maintenance program.

- 3) *Live Trapping and Euthanasia* using bait should be considered only in special circumstances and should be conducted in a humane and socially acceptable manner under the supervision of a licensed veterinarian or a trained contractor. Landowners will be responsible for all trapping, euthanasia, and processing costs. MDC, in some instances and on a limited basis, may have traps to loan out to individuals or communities.
- 4) *Reproductive control* can be implemented only with Federal and MDC approval and when proven to be an effective population control method. Landowners will be responsible for all procedures and associated costs. Landowners may be required to monitor and record trapping and reproductive control efforts.
 - a) *Live trapping and sterilization* is presently not an efficient or cost effective population control technique because it requires animal capture, administration of drugs or surgery, high stress to animals, and produces little if any reduction in deer density.
 - b) *Contraception* procedures are presently under strict Federal authority and not legal in most situations. Presently, they are neither cost-effective nor biologically feasible population management techniques, but may hold promise for future urban deer population management and may be considered if they prove safe, effective, and practical in controlling numbers.


Urban Deer Population Control-Prohibited Actions

Live Trapping and Transfer is NOT allowed as a deer management alternative because high mortality is associated with the process and there are risks of spreading deer diseases and parasites.



Chesterfield Police Memorandum



Date: 12-15-2015
To: Chief Ray Johnson
From: Captain Steven Lewis 
RE: Research on utilizing officers to control the Deer Population

Sir,

I have researched the use of Officers to control the Deer Population and have provided information relative to this topic below.

The Ellisville Police Department is the only current police agency in the area that manages deer population through a police sharpshooter program. They will begin their program in January of 2016.. There are other cities that use sharpshooters to manage their deer population; however they use a service to conduct these shoots.

The process to conduct a police program involves the following criteria.

- Obtain a wildlife management company to identify the number of deer through a certified count based on inspections and observational research. During this process have a sworn officer accompany the researcher. The White Buffalo Company is the accepted expert in this area and conducts both the deer counts as well as animal destruction through managed hunts.
- Contact Missouri Conservation to do an analysis of appropriate healthy deer counts for an area and to recommend the number of deer to be removed to maintain a healthy population. They will recommend the exact number of deer to be removed annually and dictate Antlered and Non-Antlered deer to be taken.
- Identify 1-2 police sharp shooters that are trained marksman to conduct the deer management project, preferably those officers with both marksmanship skills and hunting experience.
- Task a Safety Officer to research the areas to be hunted, including identifying property owners who desire a reduction in deer population, identifying through survey and topographical maps to determine areas with no risks of population or property damage, and obtaining permission from landowners to shoot deer on their property.
- Obtain two suppressors to fit the Rock River Arms AR-15 .223 rifles currently utilized by the police department. This is not a hunting process; the deer are euthanized through fatal shots to the head through a scoped rifle.

- The deer are transported through an agreement with Public Works via truck or atv, and taken to a local Butcher Shop, who through agreement, dresses and processes the animals. All deer must be tagged via Dept. of Conservation tags to determine disease, health of the population and statistical data.

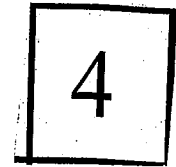
In Ellisville there was no ordinance enacted, it was simply done by a work session, the deer are to be taken to John's Butcher Shop in Overland MO who agrees to take care of all aspects of the deer processing. Erin Shank is the Missouri Conservation contact who identifies the number of deer to be removed in a given area and the makeup of the deer to be removed. Typically the deer are taken at a rate of 40% Antlered and 60% Antlerless, Does and Young Deer. The hunts take place in the late afternoon over the identified safe zones and are conducted over feed corn. Ellisville currently has a 60 deer per square mile population and anticipates removing 120-140 deer from January 1 – February 28, 2016.

There are no courses for officers to take in conjunction with Missouri Conservation, permissions are granted and it is assumed that the best marksman will be selected to carry out the task. Utilizing police officers to conduct deer control appears much more cost effective as thousands of dollars are spent through White Buffalo by neighboring jurisdictions to remove deer. Their stated rates are \$200-\$400 per deer plus an additional \$70-\$125 processing fee. For the removal of 150 deer the low cost estimate would be \$40,000.00 and the high cost would be \$78,000.00.

**Scott Douglass
MAYOR**



**Michele McMahon
CITY CLERK**



January 11, 2017

Honorable Bob Nation
City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, MO 63017

Dear Mayor Nation:

As you know, the City of Clarkson Valley maintained a contract for police services with the City of Ballwin from 1982 until July 2007. On December 13, we wrote St. Louis County indicating the current contract has a termination date of June 30, 2017. At this time, we are asking you to consider bidding for a contractual agreement to service our city for its police protection.

The commencing date of the contract would be July 1, 2017. If you choose to make a proposal, please stipulate the length of time the bid would be valid. The general provisions for this bid are enclosed.

The City has 913 homes, two schools, one church and three office buildings. In addition, there is a not-for-profit country club/golf course. The 2010 census deemed us to be 2,632. There are approximately 21 miles of roads and we are comprised of 2.73 square miles. We are served by both Metro West and Monarch Fire Protection Districts.

The City reserves the right to reject any or all bids, to waive formalities and technicalities, and to accept the bid deemed to be in the best interest of the City of Clarkson Valley.

City of Clarkson Valley

15933 Clayton Road, Suite 105 • Ballwin, Missouri 63011
Office (636) 227-8607 Fax (636) 227-1914
www.clarksonvalley.org • cvcityhall@charter.net

City of Chesterfield - RFP Police Contract

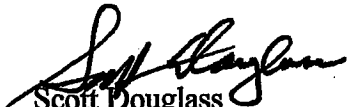
January 11, 2017

Page 2

Please forward your bid to the City Clerk no later than March 15, 2017 but we would appreciate hearing your intentions for bidding before that. We anticipate the decision to be made at our April 4th Meeting of the Board of Aldermen. Questions concerning boundaries and other information should be addressed to City Hall. A map of the City is enclosed.

Sincerely,

CITY OF CLARKSON VALLEY


Scott Douglass
Mayor

Enclosures

cc: Michael Geisel, City Administrator
~~Chief Ray Johnson~~

RFP Additionally Mailed to: St. Louis County Police
City of Ballwin
City of Ellisville

CITY OF CLARKSON VALLEY

RFP # 2017

Page 1 of 2

REQUEST FOR PROPOSAL - ANNOUNCEMENT

Sealed bids, subject to the "Instructions and General Conditions of Bidding" listed below and any special conditions set forth herein, will be received at the Office of the City Clerk, City of Clarkson Valley until the time and date listed on Page 1.

The right is reserved to accept or reject all or any part of the bid, to waive technicalities and to accept the offer the Mayor and Board of Aldermen consider the most advantageous to the City of Clarkson Valley.

INSTRUCTIONS AND GENERAL CONDITIONS OF BIDDING

1. Bidders must return the announcement and bid sheets comprising this bid, sign the bid and indicate the length of time the bid should be valid.
2. Bidders are invited to furnish specifications and descriptive literature.
3. Alternate bids may be submitted, and if deemed advantageous to the City, they will be evaluated and considered. The City is under no obligation to consider or accept an alternate bid and reserves the right to reject any and all such bids. Alternate bids may be made in addition to responding to the terms and conditions of the solicitation or as the only response to the solicitation. Alternatives must be clearly marked and identified.
4. Do not include Federal Excise Tax or State Sales and Use Taxes in bid prices, as the City is exempt from them by law. Federal and State tax exemption certificates will be furnished upon request.
5. Late proposals will not be received for consideration. Any proposal received after the exact proposal closing date and time will not be opened and will not be evaluated regardless of the reason or mitigating circumstances. No faxed proposals will be accepted.
6. Failure to comply with any of the above instructions and general conditions of bidding will disqualify the bidder.
7. Bidders should include a proposed length of contract and schedule of contract payment, understanding the limits of the Missouri Constitution and State Law.
8. Bidding Agency should indicate a proposal for the handling of police training funds and contract offset upon transfer.
9. Procedures should be designated for dispute resolution within the proposal.
10. Bidders should include any additional service and charge not specifically requested, but which the agency has available to offer.
11. The City of Clarkson Valley expressly reserves the right to accept the best qualified bid, which may or may not be the lowest bid. The determination of best qualified bid shall be based upon the sole discretion of the Board of Aldermen of Clarkson Valley.
12. Any and all costs must be included in this proposal. Any questions regarding the bid should be directed to:

Scott Douglass
Mayor
636-227-8607

POLICE SERVICE SPECIFICATIONS

1. Contracted Agency shall provide to the City of Clarkson Valley continuous twenty-four (24) hours-per-day, seven (7) days-per-week police protection.
2. Police Protection shall include enforcement of the Ordinances for the City of Clarkson Valley, local patrols, traffic supervision, incident and traffic reports, special police protection services such as follow-up investigations for all violations of the Statutes of the State of Missouri.
3. Proposal must include specific information on the amount of time officers will spend in the city limits per day and how this will be documented and reported.
4. The Contracted Agency must render to the City of Clarkson Valley the same level of general police services in the enforcement of the laws of the State of Missouri and local ordinances as it now renders to the residents of their jurisdiction.
5. The City of Clarkson Valley agrees upon execution of a contract with said agency to appoint any or all police officers of the agency, designated by the Chief thereof, as police officers of the City.
6. Contracted agency must provide to the City of Clarkson Valley a listing of all other specific services that will be available to the City. These may include but are not limited to: Vacation checks, bicycle/foot patrols and Community based programs.
7. Any costs in a change to or from a communications service must be stipulated in this request for proposal.
8. All communication costs including monthly communication costs, REJIS, and any other costs must be included in this proposal.
9. Bailiff to be provided for Municipal Court one night each month as stipulated in the annual Court schedule (attached).
10. Traffic violations will be prosecuted under the ordinances of the City whenever possible.
11. Officers of the contracted agency shall appear in the Circuit Court of St. Louis County, or the Municipal Court of the City of Clarkson Valley to testify in any cases involving violations committed in the City of Clarkson Valley at no additional cost to the City. This shall pertain to all Ordinance Violations, Misdemeanor, Felony, and any other cases.
12. A representative of the Police Department will attend the monthly meetings of the Board of Aldermen to present a monthly report on Police activities.
13. Contracting Agency should indicate the ability to assist the City of Clarkson Valley with any innovative local, State, and Federal Assistance Programs.
14. Contracting Agency will be expected to assist the City's Emergency Preparedness Director with planning and updates to the Emergency Preparedness Manual for the City, as well as its implementation as necessary.
15. Contracting agency shall either add the City of Clarkson Valley as an additional named insured on its current insurance policy, including liability for all acts of negligence and/or malfeasance, whether intentional or unintentional conduct, or obtain an additional rider to its current insurance policy for the benefit of the City of Clarkson Valley, including liability for all acts of negligence and/or malfeasance, whether intentional or unintentional conduct.
16. The Contractor shall agree to hold harmless and defend the City of Clarkson Valley from and against any or all claims, demands, suits and liability for death or injury to any person or damage to or loss of property, which injury, loss or damage is caused by or arises out of the execution of the contract.
17. All police paperwork, including reports to be filed with any governmental agency, shall be filed by the Contract Agency. A monthly report of all police activities in Clarkson Valley for the preceding month shall be submitted to the City Clerk of Clarkson Valley prior to the first Tuesday of the following month. Additional reports will be prepared by the contract Agency as requested by the City of Clarkson Valley on a reasonable and timely basis.

SAMPLE

5

City of Wildwood, MO
Tuesday, February 21, 2017

Chapter 236. Miscellaneous Regulations

Section 236.010. Regulation of Unmanned Aircraft Systems.

[Ord. No. 2226 §2, 12-12-2016]

- A. *Definitions.* For purposes of this Section, the following words and phrases shall have the following meanings:

UNMANNED AIRCRAFT

A high-powered, aerial vehicle that:

1. Does not carry a human operator and is operated without the possibility of direct human intervention from within or on the aircraft;
2. Uses aerodynamic forces to provide vehicle lift;
3. Can fly autonomously or be piloted remotely; and
4. Can be expendable or recoverable.

UNMANNED AIRCRAFT SYSTEMS (UAS)

An unmanned aircraft, and associated elements (including communication links and the components that control the unmanned aircraft), that is required for the pilot in command to operate safely and efficiently in the national airspace system. To be part of a UAS, the unmanned aircraft must be:

1. Capable of sustained flight in the atmosphere;
2. Flown within the visual line of sight of the person operating the aircraft; and
3. Flown for hobby or recreational purposes.

VISUAL OBSERVER

A person who is designated by the operator of an Unmanned Aircraft System to assist the operator to see and avoid other air traffic or objects aloft or on the ground.

- B. All operators of Unmanned Aircraft Systems shall adhere to applicable Federal and State regulations, rules, and laws regarding their use, and as may be amended from time to time, and implemented thereafter.
- C. Unmanned Aircraft Systems must remain below any surrounding obstacles within the airspace, when possible.
- D. The Unmanned Aircraft System must remain within visual line of sight of the operator of the Unmanned Aircraft System. Alternatively, the unmanned aircraft must remain within the visual line of sight of a visual observer, provided that the operator of the Unmanned Aircraft System and the visual observer maintain effective communication with each other at all times.

- E. Operators of Unmanned Aircraft Systems shall not intentionally operate Unmanned Aircraft Systems over persons unprotected by shelter or moving vehicles, or within twenty-five (25) feet from any person, building, or vehicle.
- F. Operators of Unmanned Aircraft Systems shall not operate an Unmanned Aircraft System within five (5) miles of an airport or heliport without first notifying the airport and control tower.
- G. Operators of Unmanned Aircraft Systems shall not operate an Unmanned Aircraft System in adverse weather conditions, such as in high winds or reduced visibility.
- H. Operators of Unmanned Aircraft Systems shall not operate an Unmanned Aircraft System, nor shall a visual observer observe the operation of an Unmanned Aircraft System, under the influence of alcohol or controlled substances.
- I. Operators of Unmanned Aircraft Systems shall ensure the operating environment is safe and shall not operate Unmanned Aircraft Systems in a reckless or negligent manner so as to endanger the life or property of another.
- J. Operators of Unmanned Aircraft Systems shall not without the consent of the owner of the property, public utility, or appropriate governmental entity operate an Unmanned Aircraft System within twenty-five (25) feet of or over sensitive infrastructure or property, such as power stations, utility lines, water treatment facilities, correctional facilities, heavily traveled roadways, government facilities, or other public utility facilities.
- K. It shall be unlawful to knowingly operate an Unmanned Aircraft System directly over the private property of another without the property owner's consent, if such operation of the Unmanned Aircraft System: (a) enters into the immediate reaches of the air space next to private property and (b) if it interferes substantially with the property owner's use and enjoyment of his/her property.
- L. All Unmanned Aircraft Systems shall be limited to daylight-only operations, or civil twilight (thirty (30) minutes before official sunrise to thirty (30) minutes after official sunset, local time), with appropriate anti-collision lighting. Notwithstanding the foregoing, a person may, with the consent of the property owner, operate an Unmanned Aircraft System between civil twilight and 10:00 P.M. directly above the areas of property - that are fully lit by one or more outdoor light fixture provided that each light fixture is at a height no less than sixty (60) feet above the surface of the ground and conforms to the lighting standards set forth by City Code Section 415.
- M. Except as may be otherwise expressly permitted by Federal or State law, it shall be unlawful to operate any Unmanned Aircraft Systems weighing in excess of fifty-five (55) pounds (twenty-five (25) kilograms) in the City.