

**A RESOLUTION DIRECTING TOWN STAFF TO TAKE CERTAIN ACTIONS TO DEAL WITH
DEER OVERPOPULATION**

Draft Resolution No. 36/2010-11

WHEREAS, urban deer populations have increased in the Town of Carrboro; and

WHEREAS, deer have damaged landscaping and gardens and have been involved in traffic accidents within Town limits; and

WHEREAS, the Board of Aldermen has directed staff to prepare a report on options for dealing with the deer overpopulation; and

WHEREAS, the Board of Aldermen has directed staff to prepare a draft ordinance prohibiting the intentional feeding of deer;

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen that the Board of Aldermen:

1. Receives the report;
2. _____
3. _____

AN ORDINANCE AMENDING THE CARRBORO TOWN CODE TO PROHIBIT THE
FEEDING OF DEER

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Article III of Chapter 10 of the Carrboro Town Code is amended by adding a new Section 10-7.1 to read as follows:

Section 10-7.1 Feeding of Deer Prohibited.

(a) Subsection to subsection (f), no person within the corporate limits of the town may place or allow any device or any fruit, grain, mineral, plant, salt, vegetable, or other material to be placed outdoors on any public or private property for the purpose of feeding or attracting deer.

(b) There is a rebuttable presumption that the placement of any fruit, grain, mineral, salt, plant, vegetable, or other material edible by deer at a height of less than five (5) feet off the ground is for the purpose of feeding deer.

(c) There is a rebuttable presumption that the placement of any fruit, grain, mineral, salt, plant, vegetable, or other material edible by deer in a drop feeder, automatic feeder, or similar device regardless of the height of such device is for the purpose of feeding deer.

(d) Each property owner shall remove any materials placed on the owner's property in violation of this section within 48 hours of being notified by the town that such violation exists. Failure to do so shall constitute a separate violation of this section.

(e) Each property owner shall remove any device placed on the owner's property to which deer are attracted or from which deer actually feed. Alternatively, a property owner may modify such device or make other changes to the property that prevent deer from having access to or feeding from the device. Failure to remove the device or make necessary modifications with 48 hour of notice from the town shall constitute a separate violation of this section.

(f) This section does not apply to:

- (1) Naturally growing materials, including but not limited to fruits, grains, seeds, vegetables, or other crops or vegetation.
- (2) Stored crops, provided that such crop materials are not intentionally made available to deer.
- (3) Feeders used to provide food to domestic animals or livestock.

Section 2. The first sentence of Subsection 10-39(b) of the Carrboro Town Code is amended to read as follows:

A violation of any of the provisions cited in subsection (a) [except 10-25(n)] as well as Sections, 10-4(b), 10-4(c), 10-4(d), 10-5(a), 10-5(b), 10-7.1, 10-11(a), 10-12(e), 10-15, 10-17.1 10-21, 10-28(b), 10-29(b), 10-29(c), 10-30(c), 10-31(a), 10-34, and 10-35 shall subject the offender to a civil penalty of \$25.00.

Section 3. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 4. This ordinance shall become effective upon adoption.

AGENDA ITEM ABSTRACT

MEETING DATE: October 12, 2010

TITLE: Staff report on options to deal with deer overpopulation

DEPARTMENT: Police	PUBLIC HEARING: NO
ATTACHMENTS: A. Resolution; B. Memorandum to Chapel Hill Town Manager, dated 1/11/2010	FOR INFORMATION CONTACT: Carolyn Hutchison, Police Chief 918-7412

PURPOSE

At the April 20, 2010 Board of Aldermen meeting, North Greensboro Street resident Ashley Stanford addressed the Board about the Town's growing deer population and the various problems caused by deer. Mr. Stanford asked that the Town of Carrboro investigate options to deal with its deer overpopulation and that we consult and coordinate efforts, where possible, with the Town of Chapel Hill staff as we consider available options.

INFORMATION

Deer overpopulation is a growing problem throughout the United States and in North Carolina. In Orange County's municipalities, including Carrboro, deer populations have adapted and adjusted to the urban environment. Deer are able to find shelter, and they forage freely, treating landscaped yards and gardens as salad bars provided for their nourishment. While they freely roam, they apparently don't travel too far from home, and they reproduce easily and quickly, which is why we see more deer in our area at all hours.

The police chief spoke with N.C. Wildlife Resources Commission and Chapel Hill staff in an effort to more fully understand this issue. Chapel Hill staff shared a January 20, 2010 memorandum to Chapel Hill Town Manager Roger Stancil, written in response to a petition for an urban deer hunt in the Mt. Bolus Neighborhood. That memo is attached to this report as it more fully explains various deer management and population control methods that are briefly described below. Unlike population control methods, deer management methods are not designed to reduce the number of deer inside Town limits; rather, they serve to educate the public about living with deer.

Management methods include the use of deer resistant plants, deer repellants, and fencing. It is important to note that when food supplies are low, deer will eat plants that they don't choose to eat otherwise. They will also eat plants that have been treated with repellants (that smell or taste bad to deer). Repellants must be applied repeatedly, and such repeated use becomes expensive. Fencing is the best method for protecting landscaping from deer; however, it is often neither practical nor possible to enclose certain landscaped areas.

Population control methods include capture and relocation, capture and euthanasia, sterilization, and hunting. **Capture and relocation** is not permitted in our area. The North Carolina Wildlife Resources Commission does not approve of this method. Even if it were an option, capture methods, including traps,

pens, nets, and anesthesia darts, are both expensive and complicated to use. Apparently, many deer die from stress associated with capture, making this a less viable option. **Capture and euthanasia** is expensive, and to be effective, requires the "harvesting" of a large number of deer in a select area. This method would have to be repeated, probably annually, since the "harvested" deer would be replaced by new deer moving in from other areas or by others born within the area. Such a program would require approval by the N.C. Wildlife Resources Commission. **Sterilization measures** have not been approved for use in North Carolina. According to the N.C. Wildlife Resources Commission, sterilization methods would have to be approved at the federal level before they could be approved by the Commission.

Hunting deer, in areas where hunting may be conducted safely, is the most effective and least expensive way to control the deer population. The N.C. Wildlife Resources Commission recommends the use of urban hunts to curb deer overpopulation when possible. Municipalities may apply to participate in the urban archery program if they determine that such a program would benefit them.

Carrboro's current ordinance prohibits the discharge of any pistol, rifle, shotgun, or other gun or any air pistol, slingshot or any like instrument used to eject a pellet or projectile within Town limits [Chapter 5, Section 5-15(a)]. As a result, the use of a bow and arrow within Town limits is not permitted. Certainly, the Board could reconsider and rewrite this ordinance to allow that use, and the Town could submit an application to participate in the urban archery program during the winter months of 2011. However, the current ordinance has served the Town exceptionally well, and any alteration to the ordinance must be very carefully considered. Carrboro is very densely populated and there are very few areas where an urban deer hunt could be safely conducted. Even if the Town were to identify an area in which to hunt, ensuring that the hunt could be safely conducted would be a very difficult task. Town staff would be responsible for developing the urban archery program to be used within Town limits. Town staff would also be responsible for ensuring the safety of hunters and anyone else who may purposefully or mistakenly enter the hunt area. Some Carrboro police officers hunt deer but are not interested in hunting within Town limits as they believe that hunting here would be too dangerous.

It is also important to note that deer struck by arrows do not always die immediately. In fact, on September 28, 2010, in a Carrboro neighborhood off Eubanks Road, a deer that had been shot by an arrow wandered into the yard of a residence. The resident was quite upset and called for assistance. She did not want the young children inside the house to witness the very grim situation. Carrboro's animal control officer and a police officer responded and found the badly wounded deer standing close to the house. The deer finally ran away, which in this situation, was the best case scenario. "Dispatching" a deer in the yard of a private residence is difficult at best and would require the removal of the carcass.

To date, the Town of Chapel Hill has not held a town-sponsored deer hunt. Staff has researched the issue and the Council will consider options in the near future. While Carrboro and Chapel Hill personnel are able to share information about this issue, each Town must decide individually what option, if any, to pursue. The Towns are governed by separate ordinances, and the deer who roam in Carrboro may not ever visit Chapel Hill.

It is clear that the green space that in many ways defines our community and enhances our quality of life is also very attractive to deer. As long as green space is available, the deer will live within it. As long as residents provide landscape plants that deer enjoy eating, the deer will return to their gardens to eat. Some have suggested that it should be illegal to feed the deer. While the Board may adopt an ordinance prohibiting the feeding of deer, it may be extremely difficult to prove that food left outside is intended for deer, and thus may be very difficult to enforce.

FISCAL IMPACT

If the Town were to help to educate residents about deer management methods, there would be minimal costs associated with that effort. There would be significant costs associated with the use of any population control method.

STAFF RECOMMENDATION

Staff does not believe that an urban archery program within Town limits is a viable option. We recommend that the Board adopt the attached resolution, which authorizes Town staff to develop an information packet for residents interested in protecting their landscaping and gardens from deer.

October 12, 2010 Agenda Abstract

A RESOLUTION AUTHORIZING THE PREPARATION AND DISTRIBUTION OF INFORMATION
RELATED TO DEER MANAGEMENT METHODS

WHEREAS, urban deer populations have increased in the Town of Carrboro; and

WHEREAS, deer have damaged landscaping and gardens within the Town limits; and

WHEREAS, it may be possible to prevent some property damage by utilizing deer management methods;
and

WHEREAS, the Board of Aldermen has directed staff to prepare a report on options for dealing with the
deer overpopulation;

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen that the Board of
Aldermen:

1. Receives the report;
2. _____
3. _____

This is the 12th day of October in the year 2010.

Resolution Concerning the Increasing Urban Deer Population in Orange County

Whereas the Chapel Hill Town Council held a public forum in April 2010 during which experts and citizens described the following hazards caused by an increasing urban deer population and suggested methods for reducing this population:

- Deer carry ticks which can transmit Lyme disease, ehrlichiosis, STARI, Spotted Fever and other diseases. Some of these infections may be fatal. Lyme disease frequently goes undiagnosed because it is newly recognized in our region.
- Deer-related vehicular accidents are on the increase.
- Connecticut studies have demonstrated that if the deer population in a given area is less than about 12 deer per square mile, the deer tick population cannot be sustained, so there is a reduction in Lyme disease cases.
- Urban deer produce significant losses to vegetable gardens, ornamental shrubbery, and to native flora on private as well as public lands.
- The safest way to cull an urban deer population is through bowhunting.

Whereas the North Carolina Department of Wildlife Resources Commission recently notified the Town of Chapel Hill that the estimated deer population of Orange County is 24 to 35 deer per square mile ; and

Whereas studies show that an urban deer population can have an annual growth rate of 30% to 50% without natural predators; and

Whereas it was recently reported that a vehicle struck a deer on Fayetteville Rd. in Durham that resulted in the death of a child riding in the car; and

Whereas there are now documented cases of Lyme disease caused by local deer ticks and ehrlichiosis and STARI in Orange County; and

Whereas eighteen towns in North Carolina, including Pittsboro and Smithfield, plus Duke Forest, have culled deer populations under permits obtained from the NCWRC; and

Whereas the Chapel Hill Town Manager recently notified the Mount Bolus Road neighborhood that it is legal for owners to invite licensed bow hunters to hunt deer on their properties; and

Whereas the Mount Bolus Road neighborhood homeowners recently endorsed a set of voluntary guidelines to produce a safe and orderly process for bowhunting there; and

Whereas the Mount Bolus Road neighborhood homeowners allowed licensed bowhunters on to several properties during the recently concluded hunting seasons during which a significant number of deer were harvested without endangering the public health and safety; and

Whereas the announced size of our urban deer herd of 25 to 35 per square mile poses an environmental threat to the public health and general well-being of the Orange County towns;

Now, therefore be it resolved that the Orange Country Democratic Party requests that the Towns of Carrboro, Chapel Hill, and Hillsborough develop a policy to reduce the urban deer population to a more sustainable size of less than 10 deer per square mile, and that this policy contain at least the following elements:

1. Each Town shall pass an ordinance discouraging the deliberate feeding of deer within the Town limits, and also requiring that any injured deer be put down and properly disposed of.
2. Each Town shall survey property owners in those heavily wooded areas where deer are most likely living to determine those owners who will permit bowhunters onto their property to cull the deer herd.
3. Each Town shall seek permission from the NC Wildlife Resources Commission to organize an Urban Archer Program in addition to the normal hunting season.
4. Each Town shall annually facilitate urban bowhunting during the normal hunting season and the special urban archer season on appropriate public lands and on owner-approved private properties.
5. Each Town shall invite members of the North Carolina Bowhunters Association to hunt within their respective urban areas since these licensed hunters have liability insurance and special urban deer hunting training.
6. Chapel Hill shall invite UNC Chapel Hill to take steps to cull the deer herd on University properties within the Town and to coordinate these two programs.

Matt Efird

From: Susan Browning [srbkpb@hotmail.com]
Sent: Thursday, October 27, 2011 9:02 PM
To: Matt Efird
Subject: Deer problem

Dear Mr. Efird,

This email is a follow-up to our conversation on Wednesday. My name is Kenyon Browning and I own property at 105 and 107 Simpson St. in Carrboro. (approx. 4 1/4 acres) I have been plagued by the presence of many deer. I am a conservationist and enjoy the beauty of nature, but, in this case, there are too many deer. I have seen as many as twelve deer of various ages on my property at one time. This overpopulation means there is not enough food in the wild for these creatures. So the deer have destroyed many azaleas, camellias, acuba, hosta and other plants and shrubs on my property. The damages run well over a thousand dollars. The deer have become pests.

This problem needs to be addressed and a solution found. Perhaps allowing the deer to be hunted could be an option. Such a practice has been successful in other communities.

Thank you for your attention to this matter. I hope to hear from you soon.

Kenyon Browning