

## **City river duck hunting rules are complex**

Practically every major city in Indiana has a river running through it. And despite efforts by most towns to enhance recreational opportunities along their urban waterways, one traditional use is getting harder to do every year on inner-city rivers.

Though big city rivers are generally overpopulated with ducks and geese, waterfowl hunting on them may eventually be a thing of the past.

In East Chicago, it's the Grand Calumet River, South Bend the St Joseph River, Fort Wayne the Maumee River, Lafayette the Wabash River, Evansville the Ohio River and in Indianapolis the White River. Six towns, six rivers and all with the same dilemma: how to balance the safety concerns of residents as their homes creep further into the countryside, the traditional rights of hunters and the need to manage a growing urban waterfowl population.

Indianapolis waterfowler, Chris Hirschfeld(cq) has hunted the White River very near the Indianapolis city limits with great success.

"It is convenient to have an option so close to home, especially when I don't get drawn for a refuge area hunt," he said.

The key to a successful and enjoyable hunt near the city limits, he said, is knowing the rules and boundaries that delineate where and how hunting is allowed. In Hirschfeld's case, he called his Conservation Officer at the Indiana Department of Natural Resources before heading out to make sure he wasn't breaking any laws.

According to Scott McDaniel(cq), IDNR Conservation Officer for Marion County, hunting in and around any urban center requires an up to date knowledge of both city and county ordinances, as well as a tolerance for some harassment, even when in the right.

### **Knowing the rules**

Here are the rules for hunting the White River in and around Marion County, according to Officer McDaniel.

The White River within the city limits of Indianapolis falls under the jurisdiction of the city police. And according to The Indianapolis Code of Ordinances, Section 451-2 (a) Firearms generally, it is unlawful for any person to fire off a dangerous weapon, other than for a couple exceptions. And none of them include hunting.

That still leaves a lot of navigable water still within the 465 loop, but outside the city limits.

"City jurisdiction ends on the south side of Indianapolis, roughly where the river nears Hanna Avenue and the IPL building," McDaniel said. "On the north side, the city's jurisdiction ends just north of Broad Ripple, around the 6500 block."

North and south of those two spots, it is legal to discharge a firearm, and law enforcement falls under the jurisdiction of the Marion County sheriff until the river meets the next county line.

Where it gets confusing, said McDaniel, is when hunters launch their boat from the Broad Ripple city park, which is in city limits, and motor north, into county jurisdiction.

"If they are tied off in a legally navigable river, outside city limits, they can legally hunt, even if there is a house right behind them. They must remember, however, that if they are on one of the new sections of

river that is outside city limits, but has a new designation as a “greenway,” the rules change again.” If a hunter shoots a bird along a greenway, and it lands on the shore, he must leave his gun in the boat to retrieve it.

Additional legal problems arise if the hunters are checked by officers at a city park ramp. Even if their guns are unloaded, it is still illegal to possess a firearm in a city park.

McDaniel also warned that hunters can be charged with criminal recklessness for any damage caused by their firearm, regardless of where they are hunting.

“And even when they are within their rights to hunt an area, hunters should realistically expect to be bothered a lot more than if they were farther away from a populated center,” he said. “They need to weigh the benefits of hunting close to home with the inevitable reality that anti-hunters and local officers that might not be aware of the laws, will constantly be interrupting their hunt.”

Which is too bad, according to both McDaniel and Hirschfeld, who say hunting the urban waterfowl benefits both the birds and the local residents.

“I have never gotten a call about pellet damage from a hunter’s gun on the White River, and at the same time, I’ll bet I get 10 calls a day in the fall from residents about nuisance ducks and geese on their property,” McDaniel said.

He added that city and county councils around the state often make rules to cease all hunting within their city limits, then complain to the IDNR that waterfowl are crowding their cities. McDaniel’s answer, he said, is that the IDNR had the problem under control when hunting was allowed, and that the cities created their own problem.

Both Hirschfeld and McDaniel agreed that regardless of the laws, it is incumbent upon the hunter to use good judgment and not hunt in some places that might be legally open to hunting. However, neither man had a lot of sympathy for people who moved into a rural area, and immediately expected all hunting to stop.

“By living in close proximity to an established waterway, a homeowner takes on the burden of living among all of the traditional uses of that waterway, be it hunting or anything else,” McDaniel said.