

SURRY COUNTY BOARD OF SUPERVISORS
PUBLIC HEARING NOTICE
AMENDMENTS TO HUNTING ORDINANCE

NOTICE is hereby given pursuant to Virginia Code § 15.2-1427 that the Surry County Board of Supervisors will hold a Public Hearing at 6:00 PM on Thursday, October 3, 2024, at the Surry County Government Center, 45 School Street, Surry Virginia, to consider and intends to take action on, the adoption of amendments to Chapter 20, Article III, Division 3, Hunting, Sections 20-93 through 20-101 of the Surry County Code, to update or repeal existing provisions including, language pertaining to hunting near roadways and landowner permissions.

All interested parties may appear and present their views at the above time and place. If you require assistance or special accommodation to participate, please contact the Surry County Administrator's Office at (757) 294-5271 at least 72 hours before the hearing.

A full copy of the proposed Ordinance amendments may be obtained on the Surry County website at <https://www.surrycountyva.gov/> or a copy of the information may be reviewed in the Office of the County Administrator, Surry County Government Center, 45 School Street, Surry, Virginia. Office hours are Monday through Friday from 9:00 am to 5:00 pm. The meeting will be held in-person and will be broadcast on the Surry County website: <https://www.surrycountyva.gov/387/Watch-A-Meeting>.

BY ORDER OF THE BOARD OF SUPERVISORS SURRY COUNTY, VIRGINIA
MELISSA ROLLINS, CLERK TO THE BOARD OF SUPERVISORS

ORDINANCE 2024-

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ARTICLE III, DIVISION 3, SECTIONS 20-94, 20-95 and 20-98 TO UPDATE OR REPEAL CERTAIN EXISTING LANGUAGE PERTAINING TO HUNTING NEAR ROADWAYS AND WRITTEN LANDOWNER PERMISSION.

BE IT ORDAINED, by the Board of Supervisors of Surry County, that Chapter 20, Offenses and Miscellaneous Provisions, of the Surry County Code is hereby amended and reordained by amending Article III, Offenses Involving Public Safety, Division 3, Hunting, as follows:

Chapter 20 - OFFENSES AND MISCELLANEOUS PROVISIONS ARTICLE III. - OFFENSES INVOLVING PUBLIC SAFETY DIVISION 3. HUNTING

Sec. 20-93. Violation; penalty.

Any person violating any provision of this division shall be guilty of a class 3 misdemeanor, except as designated in this article.

Sec. 20-94. Hunting prohibited near public roads.

- (a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:
Hunt shall not include the necessary crossing of highways for the bona fide purpose of going into or leaving a lawful hunting area.
- (b) It is unlawful to hunt any game bird or game animal with a firearm in the county from the road and within 10 feet of the ditch bank. 100 yards of a primary or secondary road; except for those persons possessing permits issued for medical reasons pursuant to the provisions of Code of Virginia, § 29.1-521.3.

Sec. 20-95. Hunting with firearms.

- (a) Hunting in the county, with a rifle of .22 caliber or larger, of groundhogs, between March 1 and August 31 of each year, and of all other game, bird and nuisance species shall be permitted as allowed by state law and regulations.
- (b) Hunting in the county, with muzzle-loading rifles, is permitted during the prescribed open seasons for the hunting of game species as allowed by state law and regulations.

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- (c) Notwithstanding the above, deer and bear hunting with a rifle of a .23 caliber or larger during the prescribed open seasons, as allowed by state law and regulations, shall be allowed in the county only as follows:
 - (1) The person shall hunt only from an elevated stand located at least ten feet above the ground, except that such weapon may also be discharged on the ground when it is necessary to do so in order to dispatch the animal wounded from the elevated hunting platform.
 - (2) The rifle may have a round in its chamber only when it is on the elevated stand or in route to a wounded animal as set forth in (c)(1).
 - (3) The provisions of Section 29.1-528.2 of the Code of Virginia shall exempt a permanently disabled hunter, as defined in Section 58.1-3217 of the Code of Virginia, from the requirements of this section regarding hunting from an elevated stand located at least ten feet above the ground.
 - (d) ~~Written permission from the landowner must be obtained prior to hunting on property not owned by the person hunting.~~
 - (e) Nothing in this section shall prohibit a landowner or lessee from killing a deer or bear that is damaging fruit trees, crops, livestock or personal property utilized for commercial agricultural production in accordance with Section 29.1-529 of the Code of Virginia and other applicable laws.

Sec. 20-96. Reserved.

Sec. 20-97. Reserved.

Sec. 20-98. Bow and arrow hunting; permitted when.

- (a) Bow and arrow, slingbow, and crossbow hunting in the county shall be permitted as allowed by state law and regulations.
- (b) The times at which hunting shall commence and end each day shall be in accordance with the provision of § 29.1-520 of the Code of Virginia.
- (c) ~~Written permission from the landowner must be obtained prior to hunting on property not owned by the person hunting.~~
- (d) It is unlawful to discharge a bow and arrow in a manner that can be reasonably expected to result in the impact of the arrow upon the property of another without permission from the owner of such property.

Sec. 20-99. Hunting near dwellings prohibited.

- (a) No person shall hunt with firearms or other weapons in the Surry Landing on the James subdivision, including future and developed lots, as recorded in the subdivision plat in Deed Book 120 Pages 785-793, and as amended by Plat Book 7, Page 267 in 2010 and as further amended by Plat Book 8, Page 23 in 2011.
- (b) Appropriate signs shall be erected designating the boundaries of such area.

Sec. 20-100. Reserved.

Sec. 20-101. Discharging a firearm near a school or park prohibited.

It is unlawful in the county for any person to shoot a firearm or to hunt within 100 yards of any property line of a public school or a county park. This section does not apply on lands within a national or state park or forest, or wildlife management area.