

City Council – Action Request Form

Date: August 12, 2019

To: Mayor, Mayor Pro Tempore, and Members of the City Council

From: Tasha Logan Ford, Assistant City Manager
Lori Sykes, Assistant City Attorney

Council Action Requested:

Ordinance amending Section 38-10(i) of the City Code to allow State and/or Federal wildlife officers to discharge rifles for the purpose of eliminating deer within the boundaries of Smith Reynolds Airport until August 19, 2020*

Strategic Focus Area: Safe and Secure Community

Strategic Objective: No

Strategic Plan Action Item: No

Key Work Item: No



Summary of Information:

Smith Reynolds Airport (the "Airport") made a presentation at the April 8, 2019 Public Safety Committee meeting regarding its proposal for the use of rifles with suppressors/silencers to control the deer population inside the boundaries of the Airport. Currently, City Code Sec. 38-10(i) only allows the use of shotguns to control wildlife on Airport property and requires, as a safety measure, that use of shotguns is limited to areas at least 800 feet away from any point on the boundary line. City Code Sec. 38-10(i) prohibits the use of handguns or rifles for this purpose, so the Airport is specifically requesting that this Code section be amended to allow for the use of rifles.

Airport Director Mark Davidson indicated in his presentation that the presence of wildlife, and particularly deer, inside the boundary fencing and in the runway area presents a threat to the health and safety of those using the Airport's services and that in 2012, the Airport partnered

Committee Action:

Committee	Public Safety 8/12/19	Action	Approval
For	Council Member MacIntosh, Mayor Pro Tempore Burke, Council Member Larson	Against	Opposed: None; Abstain: Council Member Taylor

Remarks:

with USDA Wildlife Officers to assess and address this issue. Mr. Davidson displayed a graph of wildlife concentration on airport property for the previous three months and photographs of wildlife found on the property.

A representative of USDA Wildlife, Wildlife Biologist James Capps, advised that Smith Reynolds Airport has seen as many wildlife strikes as Charlotte Douglas International, which is a much larger facility. Mr. Capps noted that deer have been found to be the most hazardous of wildlife for airport services and that strikes can result in not only damage to an aircraft, but also loss of human life.

Mr. Capps advised that his office has recommended and successfully utilized the proposed methodology - using rifles to remove deer populations from airport property - in many other locations and that the officers who would carry out this activity are experienced and skilled. Mr. Capps also advised that his agency would be able to carry out this project at no cost and that deer meat from the project could be donated to persons in need. Mr. Capps confirmed this would not be an ongoing operation where gunshots would be consistently heard in the area, but that it should only take a few outings to eliminate this problem. He also advised that wildlife would be working at night, using suppressed rifles to minimize noise from the operations and would not be shining bright lighting in the area. Asked about dense population near the airport, Mr. Capps stated that his office has completed this work in many highly populated areas in the past, including both military and traditional airports, as part of its mission to minimize human-wildlife conflict.

In response to questions concerning residential areas close to the airport being alerted to the proposed operations, Mr. Capps stated that his office does alert local law enforcement prior to their operations; as to the general public, he noted that there should not be any individual inside the airport property at night but that his office carefully scouts the area and chooses only safe areas and targets.

This item was forwarded to Council and was discussed at its June 17, 2019 meeting. At that time, it was determined that the item would be referred back to the Public Safety Committee to ensure that the residents who live in the immediate area of the airport would be provided notification of the proposed change to the ordinance. Subsequent to that meeting, on or about June 28, 2019, a letter was prepared and distributed to residents living within 500 feet of the airport. A copy of that letter is attached for reference. The Airport has advised that additional notification measures were taken through local media and the Airport's website. The Airport advised that it had been contacted by nine (9) citizens in response to the notifications. CityLink received at least one call from a citizen expressing safety concerns about the proposed ordinance amendment.

***At its August 12, 2019 meeting, the Public Safety Committee voted to approve this item, with the condition that the ordinance amendment regarding the use of rifles would sunset after one year, such that the Airport would be required to make an additional request for the continued ability of wildlife officers to use rifles for deer elimination within the Airport property. By instituting a sunset provision and requiring an additional request, the City and Airport will be better able to assess the safety and success of this effort and will be better able to ensure and manage notifications to nearby residents.**