



COMMERCIAL BIRD SHOOTING PRESERVE REQUIREMENTS

DEFINITION

“Commercial bird shooting preserve” means an area of land where game birds are released and hunted by shooting as authorized by a commercial bird shooting preserve license obtained under section 1533.72 of the Revised Code.

GENERAL INFORMATION & REQUIREMENTS

1. Annual shooting preserve license cost: \$200.00
2. A hunting license is required for all Ohio residents. Nonresidents are not required to have a hunting license.
3. The preserve shall be one contiguous block of land.
4. Maximum preserve size: 640 acres; minimum preserve size: 80 acres.
5. Preserves shall not be located within 1500 feet of each other.
6. The boundaries of the preserve must be posted with signs prescribed by the Division of Wildlife. Signs must be posted at intervals of no more than 200 feet.
7. The license will expire on the thirtieth (30) day of April each year.
8. Hunting hours: between sunrise and sunset.
9. No closed season on game birds legally acquired or propagated under the authority of a propagating license: Hunting may occur on Sundays.
10. Artificially propagated pheasants, bobwhite quail, black ducks, mallards, chukar partridge, and any other game bird, on which there is an open season in Ohio, approved by the chief of the Division of Wildlife may be hunted. Other game can be hunted on the preserve only during the regular state seasons for those species.
11. No bag limit on artificially propagated game birds.
12. All birds, dead or alive, must be banded with bands furnished by the Division of Wildlife before being transported outside the preserve.
13. Licensee must own or lease the preserve land.
14. At least five hundred (500) game birds must be released on the preserve during the season.
15. The operation of the commercial bird shooting preserve does not conflict with a prior reasonable public interest;
16. All preserves holding game birds must also purchase a commercial propagators license as prescribed by 1533.71.

ALLIED ACTIVITIES

1. Only a bona fide field trail club may apply for a permit from the state to hold a shooting field trial, and only from September 1 through April 30. Shooting field trails may be conducted without a state permit on a licensed shooting preserve on any day that the preserve may be legally operated if the preserve owner grants permission to do so.

WHERE TO GET ASSISTANCE, MATERIALS, AND ADDITIONAL INFORMATION

1. Sign Requirements:
 - a. Lettering and layout as shown here:



- b. Dimensions: 10" x 14" minimum
 - c. Material: Minimum of 5-ply cardboard; metal, plastic, or wood is preferable
 - d. Color: Black letter on white sign.
 - e. Posting: Place signs no more than 200' apart.
 - f. The words “No Trespassing” on the sign are optional. These words may be white on black or black on white.
2. The Ohio Association of Shooting Preserve Operators usually meets each spring. The licensed operator may wish to contact one of the established preserves regarding membership in the group.
 3. A list of all shooting preserves in Ohio may be obtained from the Division of Wildlife by contacting any Division of Wildlife district office.
 4. For additional information, contact the wildlife district office or the wildlife officer in your county.

SECTIONS OF THE OHIO REVISED CODE DEALING WITH LICENSED COMMERCIAL BIRD SHOOTING PRESERVES

1533.71 License to raise or keep game birds and animals

Unless otherwise provided by division rule, any person desiring to engage in the business of raising and selling game birds, game quadrupeds, reptiles, amphibians, or fur-bearing animals in a wholly enclosed preserve of which the person is the owner or lessee, or to have game birds, game quadrupeds, reptiles, amphibians, or fur-bearing animals in captivity, shall apply in writing to the division of wildlife for a license to do so.

The division, when it appears that the application is made in good faith and upon the payment of the fee for each license, shall issue to the applicant any of the following licenses that may be applied for:

(A) "Commercial propagating license" permitting the licensee to propagate game birds, game quadrupeds, reptiles, amphibians, or fur-bearing animals in the wholly enclosed preserve the location of which is stated in the license and the application therefor, and to sell the propagated game birds, game quadrupeds, reptiles, amphibians, or fur-bearing animals and ship them from the state alive at any time and permitting the license and the licensee's employees to kill the propagated game birds, game quadrupeds, or fur-bearing animals and sell the carcasses for food subject to sections 1533.70 to 1533.80 of the Revised Code. The fee for such a license is forty dollars per annum.

(B) "Noncommercial propagating license" permitting the licensee to propagate game birds, game quadrupeds, reptiles, amphibians, or fur-bearing animals and to hold the animals in captivity. Game birds, game quadrupeds, reptiles, amphibians, and fur-bearing animals propagated or held in captivity by authority of a noncommercial propagating license are for the licensee's own use and shall not be sold. The fee for such a license is twenty-five dollars per annum.

(C) A free "raise to release license" permitting duly organized clubs, associations, or individuals approved by the division to engage in the raising of game birds, game quadrupeds, or fur-bearing animals for release only and not for sale or personal use.

Except as provided by law, no person shall possess game birds, game quadrupeds, or fur-bearing animals in closed season, provided that municipal or governmental zoological parks are not required to obtain the licenses provided for in the section.

All licenses issued under this section shall expire on the fifteenth day of March each year.

The chief of the division of wildlife shall pay all monies received as fees for the issuance of licenses under

this section in the state treasury to the credit of the fund created by section 1533.15 of the Revised Code for the use of the division in the purchase, preservation, and protection of wild animals, and for the necessary clerical help and forms required by sections 1533.70 to 1533.80 of the Revised Code.

This section does not authorize the taking or the release for taking of the following:

(1) Game birds, without first obtaining a commercial bird shooting preserve license issued under section 1533.72 of the Revised Code;

(2) Game or nonnative wildlife, without first obtaining a wild animal hunting preserve license issued under section 1533.721 of the Revised Code.

1533.72 Licensing of commercial bird shooting preserves

(A) No person shall own or operate a commercial bird shooting preserve without a license issued by the chief of the division of wildlife under this section.

(B) Application for a commercial bird shooting preserve license shall be made on a form prescribed by the chief and shall be accompanied by an annual license fee of two hundred dollars. The application shall contain a list of which species of game birds are to be released for hunting in the preserve, a description of the lands that are to constitute the preserve, and any other information required by the chief.

(C) The chief, upon payment of the license fee, may issue to the applicant a commercial bird shooting preserve license if all of the following conditions are met:

(1) The operation of the commercial bird shooting preserve does not conflict with a prior reasonable public interest:

(2) The proposed commercial bird shooting preserve meets the requirements established in division (A) of section 1533.73 of the Revised Code;

(3) The applicant is the owner or lessee of the land described in the application and maintains his status as the owner or lessee of the land until the license expires;

(4) The applicant produces evidence satisfactory to the chief that he will comply with division (E) of section 1533.73 of the Revised Code.

(D) All licenses issued under this section shall expire on the thirtieth day of April of each year. Any license holder wishing to own or operate a commercial bird shooting preserve in the year following the expiration of his license shall apply for a new license under division (B) of this section.

(E) In accordance with Chapter 119. of the Revised Code, the chief may suspend or revoke a commercial bird shooting preserve license if he finds that the license holder has violated or is violating this chapter of Chapter 1531. of the Revised Code or any division rule.

1533.73 Regulations for commercial bird shooting preserves

(A) Except as otherwise provided in this division or by division rule, licensed commercial bird shooting preserves may be established in any county of the state, but no such preserve shall be less than eighty acres or more than six hundred forty acres in area. A commercial bird shooting preserve shall be in one continuous block of land, except that the block of land may be intersected by highways or roads. No commercial bird shooting preserve shall be located within fifteen hundred feet of any other such preserve.

A licensed commercial bird shooting preserve operated by a municipal corporation on lands located within its corporate limits is not subject to this division.

(B) The boundaries of each licensed commercial bird shooting preserve shall be clearly defined by posting, at intervals of not more than two hundred feet, with signs prescribed by the division of wildlife.

(C) Mallard or black ducks and other game birds upon which there is an open season in this state, which the chief of the division may approve for such use, and that have been legally acquired or propagated under the authority of a propagating license issued under section 1533.71 of the Revised Code may be released and harvested by shooting within the confines of any licensed commercial bird shooting preserve between sunrise and sunset, without regard to sex, daily bag limit, or open season, and including Sundays, by licensed hunters authorized by the holder of the commercial bird shooting preserve license to hunt on those lands.

(E) The holder of a commercial bird shooting preserve license shall raise, or purchase, and release on the licensed commercial bird shooting preserve, at least five hundred pheasants annually. With the approval of the chief, the license holder may raise, or purchase, and release, in lieu of pheasants, a like number of other game birds. No person shall fail to release the required number of game birds on a licensed commercial bird shooting preserve as required by this division.

(F) The holder of a commercial bird shooting preserve license is not liable for any damage to or destruction of growing crops on land adjacent to the preserve caused by game birds released on the preserve.

(G) No holder of a commercial bird shooting preserve license shall violate this chapter or Chapter 1531. of the Revised Code or any division rule.

1533.74 Sale of game or wildlife for food; tags for sale or transportation

No game birds, game quadrupeds, or fur-bearing animals shall be sold for food unless the carcass of each game bird, game quadruped, or fur-bearing animal is tagged with a suitable tag or seal supplied by the division of wildlife. Game birds, game quadrupeds, and fur-bearing animals so killed and tagged may be possessed, bought, or sold at any time. Common carriers shall receive and transport game birds, game quadrupeds, and fur-bearing animals so tagged, but to every package containing them shall be affixed a tag or label upon which shall be plainly printed or written the name of the person to whom the license was issued, the name of the person to whom they are to be transported, the number of game birds, game quadrupeds, or fur-bearing animals contained in the package, and a statement to the effect that they were killed and tagged in accordance with sections 1533.70 to 1533.80 of the Revised Code.

The chief of the division of wildlife may adopt rules under section 1531.10 of the Revised Code necessary to administer this section.

This section and rules adopted pursuant to it do not apply to meat that has been inspected by the department of agriculture under chapter 918. of the Revised Code and rules adopted under it and that has been marked with an official inspection mark, stamp, or brand pursuant to that inspection.

1533.75 Fee for game or wildlife sold for consumption

The division of wildlife shall receive and collect a nominal sum for each tag or seal affixed to the carcasses of game birds, game quadrupeds, fur-bearing animals, and nonnative wildlife as provided in sections 1533.73, 1533.731, and 1533.74 of the Revised Code. Each tag or seal shall remain affixed until the carcass of the game bird, game quadruped, fur-bearing animal or nonnative wildlife is finally prepared for consumption, and the sale of a portion of a game bird, game quadruped, fur-bearing animal, or nonnative wildlife that does not at the time have affixed thereto the tag or seal constitutes a violation of those sections. The keeper of a hotel, restaurant, or boarding house, a retail dealer in meat, or a club may sell a portion of a game bird, game quadruped, fur-bearing animal or nonnative wildlife so tagged to a guest, customer, or member for consumption.

No person shall counterfeit a tag issued by the division in accordance with sections 1533.73, 1533.731, and 1533.74 of the Revised Code, and no tag issued by the division shall be affixed to the carcass of a game bird, game quadruped, fur-bearing animal, or nonnative wildlife not propagated or acquired in accordance with sections 1533.70 to 1533.80 of the Revised Code.

1533.77 Records of game held by a licensee; display of license

Each holder of a propagating license shall keep such license prominently displayed at the place of business specified in his license, and shall keep accurate written records which shall include the total number of game birds, game quadrupeds or fur-bearing animals possessed on the date of application for the license, the number subsequently propagated or acquired by purchase or gift, and the name and address of each person or corporation from whom or to whom game birds, game quadrupeds, or fur-bearing animals were purchased or sold alive or sold for food, and the date of each transaction. These records shall be kept permanently on the premises stated in the license, and shall be open for inspection by any authorized representative of the division of wildlife at all reasonable times.

1533.79 Control of parasites and diseased game and wildlife

The chief of the division of wildlife may adopt, amend, and rescind such rules as he considers necessary to control or eradicate parasites and diseases of domesticated or semi-wild game birds, game quadrupeds, fur-bearing animals, or nonnative wildlife on the lands subject to sections 1533.70 to 1533.80 of the Revised Code.

1533.80 Laws requiring license to hunt not altered; nonresident licenses

Sections 1533.70 to 1533.79 of the Revised Code do not alter or supersede the laws requiring a resident license to hunt. A nonresident may hunt on a commercial bird shooting preserve or wild animal hunting preserve without obtaining a nonresident hunting license otherwise required by section 1533.10 of the Revised Code.

1501.31-31-02 Ohio Administrative Code Commercial bird shooting preserves; tagging; permit application

(A) It shall be lawful to release game birds on a commercial bird shooting preserve without banding each bird prior to hunting. Provided further, it shall be unlawful to possess any bird taken from a commercial bird shooting preserve that does not have attached to it a tag or seal provided by the Division of Wildlife.

(B) Commercial bird shooting preserve owners who are licensed under section 1533.71 and 1533.72 of the Revised Code may apply for a commercial propagators permit at the same time application is made for a commercial bird shooting preserve license. Provided further forms for said permits shall be furnished by the Division of Wildlife.

Tags are available in boxes of 100 for a nominal fee. Special pliers are required to seal these tags and may be obtained from district offices for a nominal fee. Make all checks payable to the Ohio Division of Wildlife.

WILDLIFE DISTRICT OFFICES



Wildlife District One
1500 Dublin Road
Columbus, Ohio 43215
Phone: (614) 644-3925

Wildlife District Four
360 E. State Street
Athens, Ohio 45701
Phone: (740) 589-9930

Wildlife District Two
952 Lima Avenue
Findlay, Ohio 45840
Phone: (419) 424-5000

Wildlife District Five
1076 Old Springfield Pike
Xenia, Ohio 45385
Phone: (937) 372-9261

Wildlife District Three
912 Portage Lakes Drive
Akron, Ohio 44319
Phone: (330) 644-2293

Ted Strickland, Governor • Sean D. Logan, Director
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