

# HUNTING WITH PERMISSION



# *HUNTING WITH PERMISSION*

## *INTRODUCTION*

**Trespassing is a prime reason that private land in Ohio is closed to hunting and fishing.**

This fact emerged from the Division of Wildlife's surveys of landowner attitudes in 1951, 1958, 1963, and 1976. The trespassers usually are sportsmen who have no particular place to hunt or fish. In the past landowners have closed their land, rather than be constantly bothered.

However, land closure doesn't give the desired results.

Some landowners find that they must patrol to enforce their "No Trespassing" signs. Ill feelings sometimes become worse between the landowner and the sportsman.

## *BACKGROUND of the project*

The Cooperative Hunting, Trapping, and Fishing Project began in southwestern Ohio in 1961. During the 1961-62 hunting season, the project included 10 farm units, totaling 3,455 acres. The project has grown rapidly: In 1964, there were 1,100 cooperators representing 214,000 acres. During the 1990 upland game season, 4,496 agreements were in effect and covered more than 852,000 acres of private land open to hunting with permission. Two post-season surveys (1964-65 and 1965-66) revealed some of the reasons these landowners are participating in the project. Of the 10 percent of project cooperators interviewed each

year, 94 percent in the first survey and 92 percent in the second survey reported that they had benefited from the project. Reasons cited most often included "control," "knew who was hunting," "asked permission," and "more respectful hunters."

Most of the cooperators said that issuing the permits took a little more of their time than other methods of permitting hunting. But all agreed the extra time was well spent, because the permit really allowed them to control access to their land.

Landowners were asked why they allowed hunting, trapping, or fishing on their land. They gave many reasons. Most replied that they liked to hunt, trap, and fish and they felt it a courtesy to allow others to enjoy these outdoor sports. Some mentioned that fish and game belong to all the people, and so they felt obliged to give "city people" a chance to hunt, trap, and fish. The overwhelming majority of cooperators were not interested in charging a fee.

In general, lands with good wildlife cover produced better game harvests than those with poor cover. Many landowners showed an interest in improving the cover on their land. Under the Division's Private Lands Program, cooperators can receive technical assistance on how to enhance their existing habitat from Division private lands biologists.

## **WHY** *have this project?*

The Ohio Cooperative Hunting, Trapping, and Fishing Project can be used wherever pressure is a bother.

In this project the Division of Wildlife cooperates with the landowner, the sportsman, and sportsmen's clubs to reduce bothersome pressure.

### **There are Two Major Objectives:**

1. To help landowners control recreational users on their land.
2. To increase hunting, trapping, and fishing opportunities for the sportsman.



## **WHAT** *is this project?*

Basically, the project involves a mutual agreement between landowners and the Division of Wildlife:

1. The Division agrees to furnish landowners certain materials that will help them control access to their land. These materials are shown later.
2. Landowners, or their agents, agree to permit hunting, trapping, or fishing on a first-come, first-served basis without regard to a person's race, color, national origin, sex, age, or handicap. The landowners always have the right to limit the number of permits they issue. They can, at any time, refuse hunting, trapping, and fishing rights to anyone who is intoxicated, abusive, or disrespectful.

An important part of this project is the Safety Zone. The Safety Zone regulation forbids hunting within 400 feet of buildings, without the landowner's specific prior permission. However, this regulation can be enforced only if the land is under the operation or control of the Division of Wildlife. For this reason, a formal written agreement is necessary.

*What MATERIALS are furnished the landowner?*

Signs and permits:



# HUNTING, TRAPPING, AND FISHING PERMITS

Each hunter, trapper, or fisherman must obtain a permit signed by the landowner. The hunter, trapper, or fisherman agrees to the conditions listed on the back of the permit. The most important feature is reference to landowner liability in case the sportsman is injured or suffers personal property damage while on the landowner's property.



**DIVISION OF WILDLIFE** Form 75  
Ohio Department of Natural Resources (R999)

## HUNTING, TRAPPING, OR FISHING PERMIT ON PRIVATE LAND

In accepting this permit, the undersigned agrees to assume and release the landowner from any and all liability for personal injuries, property damage or for loss of life or property resulting from or in any way connected with the issuance of this permit whether or not due in whole or in part to any act, omission, or negligence of landowner or any of his representatives.

\_\_\_\_\_  
(Date) (Sportsman's Signature)

Hunting or Fishing License No. \_\_\_\_\_

(check one)  Daily  Season

DNR 8995 (Landowner or Agent's Signature)

**DIVISION OF WILDLIFE** Form 75  
Ohio Department of Natural Resources (R999)

## HUNTING, TRAPPING, OR FISHING PERMIT ON PRIVATE LAND

(check one)  
 Daily  Season \_\_\_\_\_  
(Date)

Permission is hereby granted to the undersigned sportsman for the purpose of  hunting,  trapping, or  fishing (check blocks that apply) on land owned by the undersigned landowner or his agent in Ohio under the direction and supervision of the Division of Wildlife, Ohio Department of Natural Resources of the state of Ohio for the date issued and according to the conditions stated on the reverse side of this permit.

In accepting this permit, I agree to assume and release the landowner from any and all liability for personal injuries, property damage or for loss of life or property resulting from, or in any way connected with the issuance of this permit whether or not due in whole or in part to any act, omission, or negligence of landowner or any of his representatives.

\_\_\_\_\_  
(Sportsman's Signature)

Hunting or Fishing License No. \_\_\_\_\_

DNR 8995 (Landowner or Agent's Signature)

### CONDITIONS

1. To respect the rights of the property owner,
2. To be careful in the handling of firearms,
3. To obey all laws and restrictions as issued by the Ohio Division of Wildlife Orders,
4. Not to damage fences, buildings, and other property,
5. Not to litter the area or dump any rubbish,
6. Not to indulge in the use of alcoholic liquors,
7. Not to hunt within posted "Safety Zones",
8. Agree to leave the lands of the owner immediately if requested by him, his agent, or by an employee of the Ohio Division of Wildlife,
9. This free permit is only valid on the lands of the issuing landowner,
10. To return this permit to the landowner or to his or her representatives at the conclusion of its stipulated use.



**The following paragraphs from the Ohio Revised Code tell, in legal language, the protection given the landowner by the permit:**

*1533.18 Premises, recreational user, defined.*

As used in sections 1533.18 and 1533.181 of the Revised Code:

- (A) “Premises” means all privately-owned lands, ways, waters, and any buildings and structures thereon, and all state-owned lands, ways, and waters leased to a private person, firm, organization, or corporation, including any buildings and structures thereon.
- (B) “Recreational user” means a person to whom permission has been granted, without the payment of a fee or consideration to the owner, lessee, or occupant of premises, other than a fee or consideration paid to the state or any agency thereof, to enter upon premises to hunt, fish, trap, camp, hike, swim, or engage in other recreational pursuits.

*1533.181 Exemption from liability to recreational users.*

- (A) No owner, lessee, or occupant of premises:
  - (1) Owes any duty to a recreational user to keep the premises safe for entry or use;
  - (2) Extends any assurance to a recreational user through the act of giving permission, that the premises are safe for entry or use;
  - (3) Assumes responsibility for or incurs liability for any injury to person or property caused by any act of a recreational user.

## ***INSTRUCTIONS to the Cooperator***

### **Posting Farm Boundary Signs**

Sign your name on each Hunting With Permission sign if it is not already on the sign.

Erect the signs at approximately 200-foot intervals around the farm boundary.

Be especially careful to place signs at corners of property lines, and at lanes, field entrances, and other places where people may enter your property.

Be sure the signs can be seen easily from several directions. You may have to remove some brush when posting brushy fence lines.

Be sure that all signs are signed by the landowner or agent.

### **Posting No Parking Signs**

This is one of your best means of control. Post the No Parking signs where you do not want hunters, trappers, or fishermen to park.

You may use these as Parking signs by clipping the “No” part off the sign.

Have the users park their vehicles at a place convenient for you and where they will not block an entrance lane or farming operation. If you can permit parking in or near the barn lot, you will be more certain that the sportsmen will follow the rules set forth in the permit.

### **Posting Safety Zone Signs**

Erect the signs no farther than 400 feet from buildings. Place the signs as far away from buildings (but not more than 400 feet away) as you feel it necessary to protect your property. For example, if you placed a sign directly on a building, hunters would be within shotgun range before they could read the sign.

Place the signs about 100 feet apart, on a line. Be sure to post the barn lot, lanes, driveways, and gates where hunters might travel through the Safety Zone to an outlying hunting area of the farm.



## Issuing Hunting, Trapping, and Fishing Permits

A properly written permit allows all parties to comply with the state law requiring written permission to hunt, trap, or fish on another's land. It further relieves the landowner from legal liabilities.

During upland hunting season, most hunter trips are made on four days: opening day, the first and second Saturdays, and Thanksgiving. Requests for hunting rights will usually follow this pattern. On most farms, there will be no more than one or two days when many hunters will request permission to hunt. Deer gun season traditionally begins on the first Monday after Thanksgiving. This will also be a popular time of year for access.

### When Issuing Permits:

(1) Date the permit. Check the proper box to show whether the permit is good for only one day or for the entire season.

(2) Write in the user's hunting or fishing license number.

(3) Sign the permit and the stub.

(4) Be sure the user signs both the permit and the stub.

The user should return the permit to you before leaving, and should have written notes on the permit to show the user's game or fish harvest.

You may not want to limit the number of hunters, trappers, or fishermen on your land. However, you should still issue the permits. They are important to the successful operation of the project.

Permits must be issued to responsible individuals on a first-come, first-served basis. The landowner may restrict the types of activities



allowed but the agreement will be terminated if the landowner unduly restricts access.

### Law Violations

If you note a violation of the permit regulations, or a violation of the fish and game laws:

(1) Write down all the information you can about the violation, such as time, description of violators, color of clothes, names, hunting and fishing license numbers, and vehicle license.

(2) Contact your local wildlife officer immediately.



***HOW  
is this project set up on an  
area?***

1. First, someone must determine that an agreement is needed. This “someone” may be the landowner who is being bothered by excessive hunting, trapping, or fishing pressure. Or it may be any other interested individual or group who would like to see a closed area opened up to controlled hunting, trapping, or fishing.

2. The landowner should contact the local wildlife officer for infor-

mation and help. Other interested individuals or groups should also contact the wildlife officer, then help him or her to contact the landowner and explain the project. The name of the local wildlife officer can be obtained from a current Ohio hunting or fishing digest or from the local Wildlife District office.

3. Once the landowner understands the project, he or she can sign a formal agreement. When the agreement is signed by all parties, a copy is returned to the landowner.





**DIVISION OF WILDLIFE**  
Ohio Department of Natural Resources



**COOPERATIVE HUNTING, TRAPPING, & FISHING AGREEMENT**

Submit Three Copies

This Agreement is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, to continue in force until terminated as provided herein, by and between the state of Ohio, Department of Natural Resources, Division of Wildlife, acting by and through the chief, Division of Wildlife, hereinafter referred to as the Division, with approval of the Director, Department of Natural Resources, 1840 Belcher Drive, Columbus, Ohio 43224, and

\_\_\_\_\_ (Name of Cooperator)

\_\_\_\_\_ (Address)

Telephone: \_\_\_\_\_

hereinafter referred to as the Cooperator. In consideration of the mutual benefits to be derived herefrom, the Division and Cooperator agree as follows:

- The Cooperator will make available his or her lands for hunting, trapping, and fishing located in (strike words not applicable):  
\_\_\_\_\_ County, \_\_\_\_\_ Township, consisting of \_\_\_\_\_ acres more or less. (Map or aerial photo attached.)
- The Division will furnish the Cooperator with Hunting Permits, and Hunting With Permission Boundary and Safety Zone Signs, which will be erected by the Cooperator on the lands described herein.
- The Division may offer technical assistance to improve wildlife habitat conditions and hunting opportunities on Cooperator's land.
- The Cooperator will issue permits to hunt, fish, or trap upon Cooperator's lands to responsible and respectful persons on a first-requested or first-come, first-served daily basis without regard to their race, color, national origin, sex, age or handicap. The Cooperator may limit the number of permits issued to an amount which the Cooperator determines to be reasonable. No payment of a fee or consideration shall be extracted by the Cooperator for the public to enter upon the land for purposes set forth in this Agreement. If the Cooperator unduly restricts access the Division may terminate this Agreement as provided in paragraph 6.
- The Cooperator may restrict the type of firearms used on the Cooperator's lands. The Cooperator may also restrict the species hunted or trapped.
- The Division or the Cooperator may terminate this Agreement by giving 30 days written notice using certified mail to the address indicated herein. The Division has the right to remove any sign materials furnished by the Division of Wildlife during or after the period of this Agreement.
- The Cooperator releases the Division of Wildlife, the Department of Natural Resources, and the state of Ohio from any liability arising from the performance of this Agreement.
- Obligations of the state are subject to provisions of Section 126.07 of the Ohio Revised Code.

\_\_\_\_\_ (Witness)

\_\_\_\_\_ (Cooperator)

\_\_\_\_\_ (Witness)

\_\_\_\_\_ (Street or Road)

Wildlife  
Mgt. Sup.

Wildlife  
Officer

District  
Manager

\_\_\_\_\_ (City and State)

**APPROVED:**

\_\_\_\_\_ (Chief, Division of Wildlife  
as designee for Director, Department of Natural Resources)

Distribution of Copies: 1 - Wildlife District Office  
2 - Owner  
3 - Wildlife Officer

Form 86/DNR 8897  
(R601)

## **REASONS**

### ***for success of the project***

1. Landowners have a method to control the amount of hunting, trapping, and fishing on their land.

2. Sportsmen have more hunting, trapping, and fishing opportunity than under other methods of control used by landowners.

3. The project is most successful

where control of sportsmen is needed, and where all recommendations are carried out.

4. The project is most effective where the landowner or the landowner's agent resides on the farm.

5. The project is available for all hunting, trapping, and fishing seasons, if it is needed by the cooperator.

## **QUESTIONS AND ANSWERS**

### **Q. To take part in this project, how much land must a landowner control?**

A. Any single farm unit 30 acres or larger, or one with special problems.

### **Q. If I want to take part, or learn more about the project, what should I do?**

A. Contact the local wildlife officer, or the Wildlife District office:

District 1 – 1500 Dublin Road, Columbus 43215 (614) 644-3925

District 2 – 952 Lima Avenue, Findlay 45840 (419) 424-5000

District 3 – 912 Portage Lakes Drive, Akron 44319 (330) 644-2293

District 4 – 360 East State Street, Athens 45701 (740) 594-2211

District 5 – 1076 Old Springfield Pike, 45835 (937) 372-9261

### **Q. How can a sportsmen's club participate?**

A. This project offers sportsmen's clubs a great opportunity to improve landowner-sportsman relations. The club can make this project a part of its activities. Any member who knows of a problem area should contact the local wildlife officer or Wildlife District office. A club member should go with the Division of Wildlife representative who contacts the landowner and explains the project. After the agreement has been signed, club members can aid the landowner in posting signs, making backings for signs, and in other ways.

### **Q. If the landowner becomes dissatisfied with the project, can the agreement be cancelled?**

A. Either party – the landowner or the Division – can cancel the agreement by giving 30 days written notice to the other party by registered mail.

**Q. Do the landowners have to issue permits?**

A. Yes, although they do not have to do it themselves. They can authorize their spouse, tenant, or someone else to issue the permits. The written permit is one of the most important control measures of this project. It gives the cooperators a complete accounting of the people hunting, trapping, and fishing on their land.

**Q. Must the hunters, trappers, or fishermen return the permits when they are through hunting, trapping, or fishing?**

A. Yes. This is part of their obligation for the privilege of hunting, trapping, or fishing on the cooperator's land.

**Q. What if landowners want to improve wildlife cover conditions on their land? Can they get assistance from the Division of Wildlife?**

A. Yes, through the Division's Wildlife Habitat Development Projects for Private Lands. Cooperators are encouraged to request assistance from their Wildlife District office or the local wildlife officer.

**Q. Who is responsible for posting the boundary signs, parking signs, and safety zone signs?**

A. The landowner.

**Q. Does the Division furnish all signs and permits?**

A. Yes. The Division furnishes all materials, except backing for the signs.

**Q. Does the Division patrol the cooperator's land?**

A. Yes. The local wildlife officer patrols these areas during the hunting season as a routine part of his or her duties.

**Q. Can the landowners still control the number of hunters, trappers, and fishermen on their land at all times? And can they refuse a permit to anyone who is intoxicated or disrespectful?**

A. Yes. The landowners retain complete control of hunting, trapping, and fishing privileges on their land.

**Q. Can the landowner charge a fee under this program?**

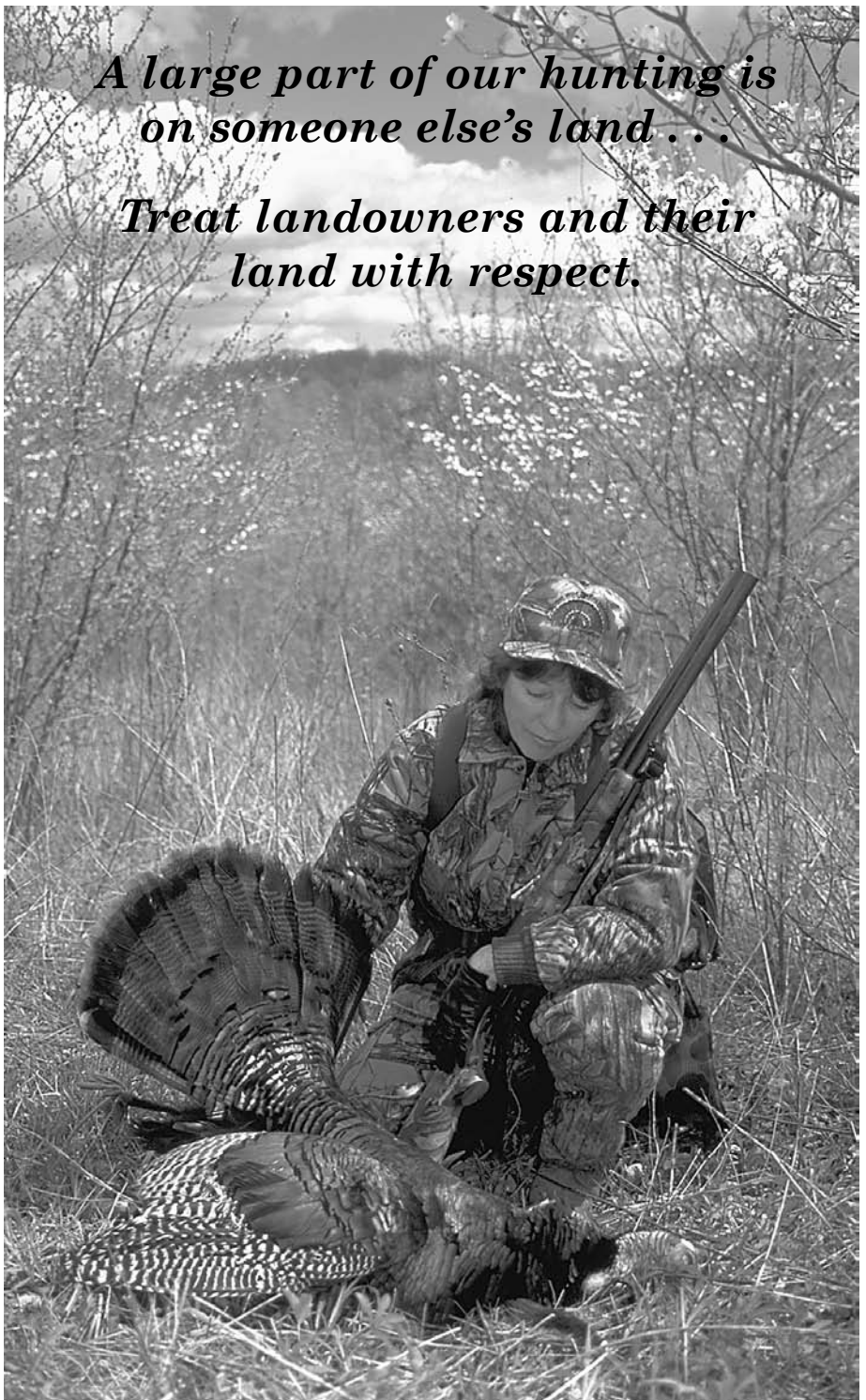
A. No. If the landowner charges a fee, all materials supplied by the Division revert immediately to the state and the agreement will be terminated. The landowner will also lose the liability exemption.

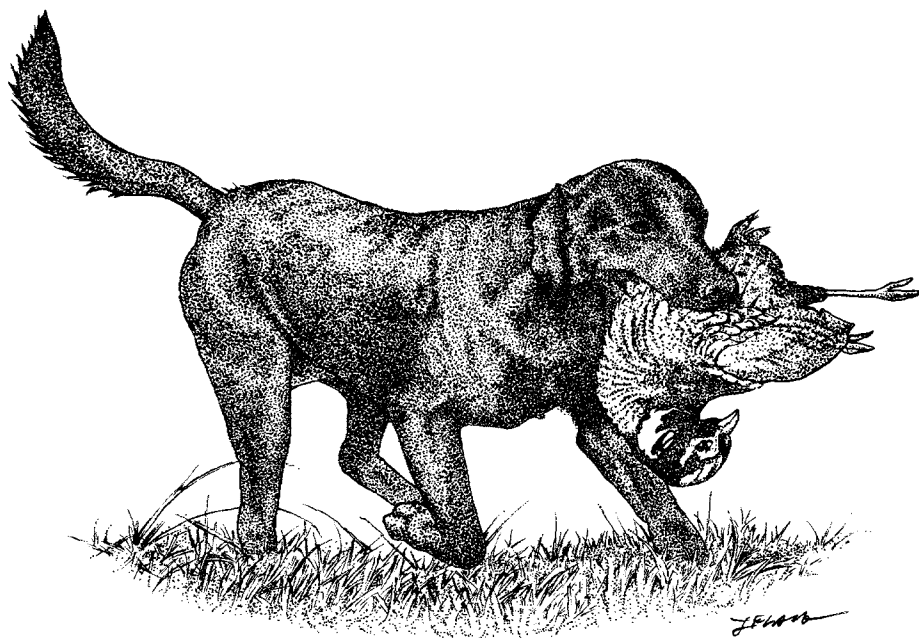
**Q. How can the landowners report wildlife violations on or around their property?**

A. Landowners can contact the local wildlife officer or call TIP, toll-free, at 1-800-POACHER. Most wildlife officers can also be contacted through their county Sheriff's Department.

*A large part of our hunting is  
on someone else's land . . .*

*Treat landowners and their  
land with respect.*





For information on this and other programs of the  
ODNR Division of Wildlife visit us on the Web at  
*[www.wildohio.com](http://www.wildohio.com)*



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Publication 125 (R103)