

Exhibit A-1

Sec. 54-202. Issuance of permit.

- (a) If the chief of police determines from the information provided in the application that the shooting facility will satisfy the specific requirements of this article, the chief of police shall conditionally approve the permit for the shooting facility, subject to the completion of any improvements shown on the application in accordance with the approved plans and specifications. After inspecting the completed improvements and certifying that the criteria of this article have been satisfied, the chief of police shall issue the permit. Conditional approval of a permit under this section shall not be deemed or construed to constitute approval of any building permit or other permit required pursuant to other applicable provisions of this Code and any other ordinances of the city.
- (b) The application for a permit for a shooting facility shall demonstrate compliance with the following specific criteria:
- (1) *Safety standards.*
- a. Any shooting facility shall be designed and operated in a manner to prevent any bullet or other projectile from traveling beyond the boundaries of such shooting facility. In reviewing the design of a shooting facility, the chief of police may consider range development guidelines promulgated by the National Rifle Association or other national governing body of the specific shooting sport as appropriate.
 - b. Any outdoor shooting facility shall be designed to prevent any projectile fired from the firing line within the firing station from initially striking any surface not designed to completely stop the projectile or prevent the occurrence of potentially dangerous ricochets.
 - c. The possession or use of alcoholic beverages shall be prohibited at the shooting facility, and no person under the influence of alcoholic beverages shall be permitted to discharge any firearm.
 - d. The operating procedures for the shooting facility shall prohibit the use of any firing line at the facility except when the permit holder, or a bona fide employee, is present and directly supervising the range operation to ensure compliance with the approved rules and regulations.
 - e. The applicant for a permit shall deposit one percent of the yearly gross revenues of the shooting facility into a specially-designated account at a financial institution acceptable to both parties, to be used exclusively for expenses related to lead extraction and lead abatement. The amount shall be deposited quarterly, on January 1, April 1, July 1 and October 1. The permit holder shall provide an accounting or other reasonable proof that the amount deposited equals one percent of gross revenues. Lead abatement shall be performed at such time as:
 1. The surrounding berms are determined to be structurally unsafe;
 2. The property is sold;
 3. The property ceases to be used as a shooting facility; or
 4. The permit holder voluntarily chooses to conduct lead abatement activity.
 - f. The applicant for a permit issued pursuant to this article shall obtain and maintain in effect during the operation of the shooting facility insurance coverage in a minimum amount of \$500,000.00 for bodily injuries or death and another policy in the amount of \$500,000.00 for property damage resulting from firing any firearm while on the gun or shooting range.
 - g. The use of machine guns shall be prohibited.
 - h. The use of armor-piercing or steel-core ammunition shall be prohibited.
 - i. The use of .50 caliber or larger ammunition shall be prohibited.
- (2) *Noise standards.*

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- a. If necessary, the applicant shall implement noise mitigation measures, which may include landscaping and insulation of firing stations and other measures as necessary to attain compliance with subsection (b)(2)d of this section.
 - b. An "A" scale sound level meter that meets the standards of the American Standards Association must be used to determine whether the level of noise violates this section. A calibration check shall be performed prior to and following any noise investigation. Measurements shall be taken by a certified safety specialist, an industrial hygienist, or other person trained and qualified in the operation of sound-measuring devices.
 - c. For permitting compliance, noise shall be measured every 200 feet along the bounding property line, for eight-minute intervals at each location. For noise complaints, measurements shall be taken first at the identical 200-foot intervals along the bounding property line, or at the bounding property line of the complaining party. Weapons shall be discharged from each firing line at the shooting facility for both permitting and complaint testing.
 - d. A person may not conduct an activity that creates a noise level which exceeds the levels established in subsections (b)(2)d.1 through (b)(2)d.4 of this section or which exceeds the ambient noise level by five decibels, whichever is greater. References to districts are as defined in the city zoning ordinance.
 1. In any residential district, the sound pressure level on the bounding property line shall not exceed 61 decibels during operating hours.
 2. In an O office, C planned center, BN neighborhood business, or BG general business district, the sound pressure level on the bounding property line shall not exceed 68 decibels during operating hours.
 3. In an AG agricultural or GC governmental complex district, the sound pressure level on the bounding property line shall not exceed 70 decibels during operating hours.
 4. In a ML light manufacturing, MH heavy manufacturing, or AP airport district, the sound pressure level on the bounding property line shall not exceed 75 decibels during operating hours.
 - e. Weapons shall be discharged only from the designated firing line within an insulated firing station.
 - f. The hours of operation of an outdoor, unenclosed shooting facility are 9:00 a.m. to 5:00 p.m., Monday through Friday, 11:00 a.m. to 6:00 p.m. on Saturday, and closed on Sundays. Enclosed shooting facilities may operate at any time unless otherwise restricted by applicable statute or ordinance.
 - g. The permit holder shall give the chief of police notice of shooting competitions no less than seven days before the event.
- (3) *Lighting.* Lighting regulations shall be in compliance with chapter 150, Article 5: Exterior Lighting.
- (c) *General standards.* Permits which are issued under this article shall recite that the issuance thereof does not constitute any assurance by the city, its employees, officers, or agents that injury will not result from the operation or use of the approved shooting facility. Permits shall be valid for a one-year period and may also provide for:
- (1) Maintenance of improvements and safety equipment;
 - (2) No more frequently than 12 times per year, and for not more than two consecutive days, waivers of hours of operation granted by the chief of police for specially designated events, such as competitions and governmental agency training;

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- (3) Minors (16 and under) must be under the supervision of a parent or adult legal guardian unless registered and participating in a gun safety class, in which case the minor must be under the supervision of the adult safety instructor; and
- (4) Other reasonable terms and conditions relating to the use and operation of the shooting facility as the chief of police may deem reasonably necessary to ensure the safety and welfare of the public, neighboring property owners, and persons using the shooting facility.

(Code 1982, § 16-94; Ord. No. 2001-01-001, § 4, 1-2-2001)