

## **Sec. 54-209. Exceptions.**

- (a) The permit provisions of this article do not apply in the extraterritorial jurisdiction of the municipality or in an area annexed by the municipality after September 1, 1981, if the firearm or other weapon is:
  - (1) A shotgun, air rifle or pistol, BB gun, or bow and arrow discharged:
    - a. On a tract of land of ten acres or more and:
      - 1. More than 1,000 feet from:
        - A. the property line of a public tract of land, generally accessible by the public, that is routinely used for organized sporting or recreational activities or that has permanent recreational facilities or equipment; and
        - B. The property line of a school, hospital, or commercial day-care facility;
      - 2. More than 600 feet from:
        - A. The property line of a residential subdivision; and
        - B. The property line of a multifamily residential complex; and
      - 3. More than 150 feet from a residence or occupied building located on another property; and
    - b. In a manner not reasonably expected to cause a projectile to cross the boundary of the tract; or
  - (2) A center fire or rim fire rifle or pistol of any caliber discharged:
    - a. On a tract of land of 50 acres and:
    - b. In a manner not reasonably expected to cause a projectile to cross the boundary of the tract; or
      - 1. More than 1,000 feet from:
        - A. The property line of a public tract of land, generally accessible by the public, that is routinely used for organized sporting or recreational activities or that has permanent recreational facilities or equipment; and
        - B. The property line of a school, hospital, or commercial day-care facility;
      - 2. More than 600 feet from:
        - A. The property line of a residential subdivision; and
        - B. The property line of a multifamily residential complex; and
      - 3. More than 300 feet from a residence or occupied building located on another property; and
  - (3) Discharged at a sport shooting range, as defined by Local Government Code Section 250.001, in a manner not reasonably expected to cause a projectile to cross the boundary of a tract of land.
- (b) Areas within the city that are excepted from the permit requirements of this article, pursuant to subsection (a) of this section, shall comply with the following requirements:
  - (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 the tract of property where the facility is located. 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 to cross the boundary of the tract.
- c. The use of machine guns shall be prohibited.

(2) *Noise standards.*

- a. If necessary, the shooting facility shall implement noise mitigation measures, which may include landscaping and insulation of firing stations and other measures as necessary to attain compliance with subsection d. below.
- 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 made 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 noise complaints, measurements shall be taken first at 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 complaint testing.
- d. A person may not conduct an activity that creates a noise level which exceeds the levels established in subsections d.1 through d.4 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. Hours of operation of an outdoor, unenclosed shooting facility are 9:00 a.m. to 5:00 p.m., Monday through Friday, 11 a.m. to 6 p.m. on Saturday, and closed on Sundays. Enclosed shooting facilities may operate at any time unless otherwise restricted by applicable statute or ordinance.

(3) *Lighting.* Lighting regulations shall be in compliance with Chapter [150, Article 5: Exterior Lighting](#)~~58~~ of this Code of Ordinances.

(Code 1982, § 16-101; Ord. No. 2005-10-097, § 2, 10-4-2005; Ord. No. 2009-08-053, § 2, 8-4-2009)