

**TOWN OF PRESCOTT VALLEY
REQUEST FOR COUNCIL ACTION
Date: January 9, 2014**

SUBJECT: Amendments to Town Code Article 10-04 Re Weapons

SUBMITTING DEPARTMENT: Police

PREPARED BY: Commander James Edelstein for Bryan Jerrell, Police Chief

AGENDA LOCATION: Comments/Communications , Consent , Work/Study ,
New Business , Public Hearing , Second Reading

ATTACHMENTS: a) Resolution No. 1863, and b) Document titled "WEAPONS (DISCHARGE)"

SUMMARY/BACKGROUND: On April 16, 2010, the Governor of Arizona signed into law S.B. 1108 "Weapons" which substantially amended the Arizona Revised Statutes related to transportation, possession, carrying, sale, transfer, purchase, acquisition, gift, devise, storage, licensing, registration, discharge or use of firearms. Conforming amendments to Town Code Article 10-04 "Weapons" were adopted by the Town Council on May 12, 2011 (Ordinance No. 759).

After further review, staff is proposing some further clarifying amendments to Article 10-04 with regard to regulation of weapons other than firearms and unneeded duplications of state regulations. With regard to regulation of other weapons, the Town Code conforms its definition to the state definition and simply applies a reasonableness standard.

[Note: when ordinances are of any length, it is a cost-saving measure for the Town Clerk's office to adopt the substantive changes by "reference" in accordance with A.R.S. §9-802. This reduces publication costs. It involves a first step of declaring by Resolution that the substantive changes are a separate public document, then adopting those changes by reference in the published ordinance.]

OPTION ANALYSIS: The Council may adopt this Resolution declaring the proposed changes to Article 10-04 to be a public document for adoption by reference, OR decline to adopt this Resolution.

ACTION OPTION: a) Motion to authorize the Mayor (or, in his absence, the Vice-Mayor) to sign Resolution No. 1863 declaring the attached document "WEAPONS (DISCHARGES)" to be a public record for adoption by reference, **OR** Motion not to approve Resolution No. 1863. **VOTE.**

RECOMMENDATION: Staff recommends authorizing signature of Resolution No. 1863 declaring the document "WEAPONS (DISCHARGE)" to be a public document for adoption by reference.

FISCAL ANALYSIS: Adoption of the proposed Resolution is not expected to have any additional fiscal impact on the Town.

REVIEWED BY:

Management Services Director _____

Town Clerk _____

Town Attorney _____

Town Manager _____

COUNCIL ACTION:

Approved Denied Tabled/Deferred Assigned to _____