

**TOWN OF PRESCOTT VALLEY
REQUEST FOR COUNCIL ACTION
Date: August 28, 2014**

SUBJECT: Amendments to Town Code Article 10-04 “WEAPONS (DISCHARGE)”

SUBMITTING DEPARTMENT: Police

PREPARED BY: James Edelstein for Brian Jarrell, Police Chief

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

ATTACHMENTS: a) Ordinance No. 795

SUMMARY/BACKGROUND: On April 16, 2014, the Governor Brewer signed into law HB 2483 which revises the Arizona Revised Statutes related to (among other things) the lawful discharge of firearms within municipal boundaries during an open season established by the Arizona Game and Fish Commission for the lawful taking of wildlife.

This is one of several changes relating to state statutes in recent years governing local authority to regulate discharge of weapons in municipal limits. Many of the changes have been designed to further the interests of hunters on lands within municipalities. Because of this most recent change, Town staff is proposing this Ordinance No. 795 amending Town Code Article 10-04 “WEAPONS (DISCHARGE)” to conform to HB 2483 and clarify that pursuant to ARS §13-3107 it is unlawful to discharge a firearm within one mile of an occupied structure within the Prescott Valley town limits except during open hunting seasons. During hunting seasons, discharges may occur within one quarter mile (and even closer with the permission of owners or occupants).

At its regular meeting on July 24, 2014, the Council voted to read Ordinance No. 795 on two separate occasions then place the same on final passage. The Clerk then read the Ordinance for the first time.

OPTION ANALYSIS: The Council may adopt Ordinance No. 795 to amend Town Code Article 10-04 to conform with HB 2483 OR decline to do so at this time.

ACTION OPTION: [The Mayor asks the Town Clerk to read Ordinance No. 795 by title only for the second reading, then asks “Shall the Ordinance Pass?”] **VOTE.**

RECOMMENDATION: Staff recommends adopting Ordinance No. 795.

FISCAL ANALYSIS: Approval of the proposed Ordinance No. 795 is not expected to have any direct fiscal impact on the Town.

REVIEWED BY:

Management Services Director _____

Town Clerk _____

Town Attorney _____

Town Manager _____

COUNCIL ACTION:

Approved Denied Tabled/Deferred Assigned to _____