



CITY COUNCIL ACTION

Council Meeting Date: April 8, 2019

Item No: 19-138

Responsible Dept: Planning

Action Requested: Ordinance

Map/Lot: N/A

Title, Ordinance

Amending Chapter 165, Land Development Code, to Allow Indoor Firearms Ranges in the City of Bangor

Summary

This ordinance would identify where firearms ranges may locate in the City, indicate what standards must be used in designing firearms ranges, and clarify the distinction between a firearms range and target shooting.

The Bangor land use ordinance currently does not specifically address firearms ranges. When applying noise and safety buffers typically used in other communities, little or no land is available in Bangor that appears suitable for an outdoor firearms range. Indoor firearms ranges, however, do not produce similar noise and safety concerns, and are more suitable as a commercial use in Bangor. The General Commercial and Services (GC&S) zoning district appears to be the most appropriate location for this use, given the importance of operating safely and limiting disturbance to neighbors.

The General Services Administration (GSA) has compiled a single set of standards for the design and operation of indoor firearms ranges in public buildings based on standards from the Environmental Protection Agency, Occupational Safety and Health Administration, Department of Defense, and others. It appears that the GSA standards are the best single source of regulations available for indoor ranges.

This ordinance would also clarify the distinction between the kind of target shooting area that is customarily accessory to the more rural homes in the City, and a firearms range as defined under the ordinance. In order to protect the health and safety of neighbors and others, but still allow homeowners in more rural areas to conduct the traditional activity of target shooting, the ordinance would place limits on the amount and type of activity that could occur.

Committee Action

Committee: Planning Board

Meeting Date: April 16, 2019

Action:


For:

Against:

Staff Comments & Approvals



 City Manager



 City Solicitor

 Finance Director

Introduced for: First Reading and Referral



CITY COUNCIL ORDINANCE

Date: April 8, 2019

Assigned to Councilor: Schaefer

ORDINANCE, Amending Chapter 165, Land Development Code, to Allow Indoor Firearms Ranges in the City of Bangor

WHEREAS, firearms ranges operate in many communities throughout Maine; and

WHEREAS, noise and safety buffers used in other communities result in little or no land available in Bangor for an outdoor firearms range; and

WHEREAS, accounting for noise and safety regarding firearms ranges is important in order to protect the health, safety, and welfare of neighbors and passersby; and

WHEREAS, an indoor firearms range is able to operate in the General Commercial and Service (GC&S) District with little or no impact to surrounding properties; and

WHEREAS, the General Services Administration of the federal government has compiled a single set of standards for the design and operation of indoor firearms ranges; and

WHEREAS, within limits, target shooting is an accessory use customarily incidental to the residential use of more rural properties in the City, and should be allowed to continue; and

WHEREAS, limits on such target shooting are necessary to protect the health, safety and welfare of neighbors and passersby, given the potential noise and safety concerns for a target shooting area that is otherwise largely unregulated;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BANGOR AS FOLLOWS, THAT

Chapter 165 of the Code of the City of Bangor is amended as follows:

§165-13 Definitions

...

FIREARMS RANGE

An area or structure designed for the discharge and use of firearms. A firearms range shall not include a target shooting area as defined elsewhere in this section that is accessory to a dwelling.

...

TARGET SHOOTING AREA

An area for the discharge and use of firearms that is accessory to a dwelling and meets the following criteria:

- A. No more than three people unrelated by blood or marriage to the owner or tenant of the property on which the target shooting area is located shall be present in the target shooting area at one time.
- B. Target shooting by more than three people in the course of a day shall not happen more than once per month.
- C. Target shooting shall not occur between 6pm and 10am.
- D. Target shooting shall not happen more than once per day and shall not last for more than two hours at a time.
- E. No money or thing of value shall exchange hands for target shooting or related purposes.
- F. The requirements imposed by section 113-2 of the Code of the City of Bangor must be met.

...

§165-102 General Commercial & Service District (GC&S).

...

C. Permitted Uses. The following uses are permitted in this district:

...

(11) Firearms range, provided that:

(a) The range is indoors.

(b) The range is designed, constructed, and operated in accordance with the most recent Indoor Firing Range Design, Operations & Maintenance Criteria document, published by the Public Building Service of the General Service Administration, and is available for inspection by the Bangor Police Department during regular business hours and all hours during which the range is operated.

(c) No odors, or noise in excess of 65 dBA, resulting from the operation of the range shall be detectable at the property line.

(11~~2~~) Accessory uses on the same lot and customarily incidental and subordinate to the above uses and any use approved under subsection D below.

Additions are underlined, deletions ~~struck through~~.