

2084

Yolanda Adrean
13-0-1028
(Do Not Write Above This Line)

AN ORDINANCE BY

COUNCIL MEMBER YOLANDA ADREAN

AN ORDINANCE TO AMEND CHAPTER 14, (AMUSEMENTS AND ENTERTAINMENTS), SECTION 14-5 (SHOOTING GALLERIES), OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, SO AS TO REGULATE THE LOCATION OF SHOOTING GALLERIES; AND FOR OTHER PURPOSES.

Approved By:

Yolanda Adrean
Councilmember

ADOPTED BY
MAY 20 2013
COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 5/6/13
 Referred To: Public Safety
 Date Referred _____
 Referred To: _____
 Date Referred _____
 Referred To: _____

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

Committee PSA
 Date 5/1/13
 Chair [Signature]
 Action [Signature]
 Fav, Adv, Hold (see rev. side) _____
 Other _____
 Members [Signatures]
 Refer To [Signature]

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side) _____
 Other _____
 Members _____
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side) _____
 Other _____
 Members _____
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Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side) _____
 Other _____
 Members _____
 Refer To _____

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Readings
- Consent
- V Vote
- RC Vote

CERTIFIED
 MAY 20 2013
 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
 MAY 20 2013
 Yolanda Daughin Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
 MAY 29 2013
 WITHOUT SIGNATURE
 BY OPERATION OF LAW



Goyle m. Shepherd
CITY COUNCIL
ATLANTA, GEORGIA
12/15/13

13-0-1028
2084

AN ORDINANCE BY

COUNCILMEMBER YOLANDA ADREAN

AN ORDINANCE TO AMEND CHAPTER 14, (AMUSEMENTS AND ENTERTAINMENTS), SECTION 14-5 (SHOOTING GALLERIES), OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, SO AS TO REGULATE THE LOCATION OF SHOOTING GALLERIES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in promoting the general health, safety, and welfare of the citizens of the City of Atlanta; and

WHEREAS, pursuant to its police powers the City of Atlanta is authorized to enact legislation to regulate certain businesses and industries which could potentially affect the public health, safety, and welfare including shooting galleries and firearm ranges, OCGA § 48-13-9(a), (b)(6); and

WHEREAS, section 14-5 of the City of Atlanta Code of Ordinances requires that “[a]ny person desiring to open a shooting gallery shall make a written application for a permit to the department of police”; and

WHEREAS, it is the desire of the City of Atlanta to ensure that shooting galleries do not become concentrated in certain districts of the City; and

WHEREAS, it is the desire of the City of Atlanta to encourage balanced development through the creation of distance requirements between shooting galleries and certain other uses; and

WHEREAS, the City of Atlanta has determined that it would be in the best interest of the public safety and welfare of the citizens of the City of Atlanta to regulate the location of shooting galleries.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1: That Chapter 14, Article I, Section 14-5 of the Code of Ordinances of the City of Atlanta, Georgia, (entitled “Shooting galleries”), is hereby amended such that it shall read as follows:

Sec. 14-5. - Shooting galleries.

- (a) *Permit required.* Any person desiring to open a shooting gallery shall make a written application for a permit to the department of police. This application will be considered at a regular meeting of the license review board which shall conduct a hearing and report its conclusions and recommendations to the mayor.



The mayor, upon receiving the recommendation of the license review board, may, within 60 calendar days of receipt of said recommendation, deny or grant an application for a new permit. In addition, within said 60-day period, if the mayor determines there is a need to correct a clear error or prevent a manifest injustice, the mayor may remand the application back to the license review board for further hearing. If the mayor fails to take action within the 60-day period, the recommendation of the license review board shall become the final decision of the mayor.

- (b) *Renewal of permit.* Owners or operators of shooting galleries shall renew their permits not later than January 1 of each year with the department of police.
- (c) *Shooting by minors and drunken persons.* It shall be unlawful for persons conducting any shooting gallery to allow minors, except with the consent of their parents or guardians, or drunken persons to practice shooting therein.
- (d) *Restrictions in fire district.* All shooting galleries located within the fire district shall close at 12:00 midnight of each day on which they are opened for business and shall not open until after 8:00 a.m. the following day. When so closed, the entire business of the galleries shall cease. No shooting or operation of targets or any of the activities of the place shall then be carried on. After 10:00 p.m. each day, only smokeless powder shall be used, and no loud bells or gongs shall be attached to targets.
- (e) ***Additional location restrictions.*** **No shooting gallery shall be located within 800 feet of any other shooting gallery, and no shooting gallery shall be located within 800 feet of any of the following uses:**
 - (1) **From any structures in residential use.**
 - (2) **From any public or private school.**
 - (3) **From any public or private park or recreation facility.**
 - (4) **From any public library branch.**
 - (5) **From any church or similar place of religious worship.**
 - (6) **From any public or private hospital or mental health care facility.**
 - (7) **From any child care or day care facility.**

The distance in this subsection shall be measured in a straight line from the closest point of the property line of the site proposed to be occupied by the shooting gallery to the closest property line of any use identified above.

- (f) **An applicant for a permit to operate a shooting gallery shall include with their application, a plat of survey prepared and sealed by a surveyor registered in the state certifying that all of the locational requirements in subsection (e) have been met.**



(g) An applicant for a new permit to operate a shooting gallery, who has acquired a previously permitted location may, within one year after the expiration of the previous owner's permit, apply for a shooting gallery permit for that location even though the location may not meet distance requirements contained in this section, though it shall meet and qualify under all other requirements of this section for the granting of a new permit.

SECTION 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3: That this Ordinance shall take effect immediately upon approval.

A true copy,

Deputy Clerk

ADOPTED by the Atlanta City Council
APPROVED as per City Charter Section 2-403

MAY 20, 2013
MAY 29, 2013

RCS# 2714
5/20/13
3:56 PM

Atlanta City Council

13-O-1028 AMEND CHAPTER 14; AMUSEMENTS & ENTERTAIN
 SECTION 14-5 SHOOTING GALLERIES
 ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Bond
NV Hall	B Wan	NV Martin	Y Watson
Y Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell