



City of Harrisonburg, Virginia

Office of the City Manager

409 South Main Street
Post Office Box 20031
Harrisonburg, VA 22802
(540) 432-7701 / FAX (540) 432-7778

G. Chris Brown
City Attorney

TO: Kurt Hodgen, City Manager
FROM: Wesley Russ, Assistant City Attorney
DATE: August 11, 2017
RE: Discharge of Airguns Ordinance Amendments

Summary: Proposed amendments to Sections 16-6-36 (Gravel shooters, air guns, slingshots, etc.) and 16-6-41 (Discharge of firearms within city) to update the City's ordinances to comply with recent changes to the Code of Virginia.

Background: Current Section 16-6-36 prohibits the shooting of any air gun, gravel shooter, slingshot or any other type of missile-throwing device capable of doing injury to persons or property. Since the time that ordinance was passed, Code of Virginia Section 15.2-915.4 came into effect, limiting the City's authority to regulating the shooting of "pneumatic guns." The proposed Section 16-6-36 complies, by adding exceptions for "pneumatic guns" – guns that use air pressure to shoot a BB, pellet, etc.

The proposed amendment to Section 16-6-41 removes the reference to "sling shots, slung shots, air rifles, BB guns, pellet guns, etc.," as those devices are all covered under Section 16-6-36.

Key Issues: One important consideration for City Council is whether to adopt stricter restrictions for those under the age of 16. State Code allows the City to require adult supervision and parental permission for anyone under 16 to use a pneumatic gun.

Environmental Impact: N/A

Fiscal Impact: N/A

Prior Actions: N/A

Alternatives:

- (a) Approve ordinance amendments as presented;
- (b) Approve ordinance amendments, with provision in Section 16-6-36(b) regarding use of pneumatic guns by minors stricken; or
- (c) Deny ordinance amendments.

Community Engagement: N/A

Recommendation: Staff recommends approval of the ordinance amendments as presented.

Attachments: 1. Proposed 16-6-36 reflecting proposed changes.



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2. Proposed 16-6-41 reflecting proposed changes.

Review:

The initiating Department Director will place in Legistar, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda. The completion of review only addresses the readiness of the issue for Council consideration. This does not address the recommendation for approval or denial of the issue.

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