

Lelia Loomis

Subject: FW: Some Ideas on the Shooting Ordinance

From: Gammelgard, Alexander K <agammelg@zagmail.gonzaga.edu>

Sent: Monday, November 19, 2018 9:05 AM

To: Hank Weston

Cc: Dan Miller

Subject: Some Ideas on the Shooting Ordinance

Hank (and Dan),

In follow up to our phone conversation, I have a few "concerns" I would like to express on the first reading version of the ordinance. After seeing the article in the paper I went to the BOS packet and read the ordinance and the staff report. I must say that for the most part I very much agree with what is trying to be accomplished; however, I have some concerns about a few of the regulations and the process by which the thresholds may have been recommended by staff. Some history on my situation and how I think I am well positioned to express a concern:

We bought a vacant parcel of land zoned RA-10 that is 4.64 acres. My understanding is that when the larger parcel was split in the 1970s into five parcels, each was 5 acres or larger. At some point, the County expanded the "easement/boundaries" of the County road, thereby reducing the mapped acreage on our parcel to 4.64 from 5.00 acres (I have not confirmed this information for certain but it is really only anecdotal). The five parcels from the original split are, 5.11, 4.91, 5.23, 4.65, and 4.64 acres now (see attached map).

Our parcel is a generally "square shape" and borders Pasquale Rd to the north (undeveloped lot across the street), the 4.65 acre parcel to the east, a 17+ acre parcel (undeveloped) to the south, and 85 acres owned by NID (undeveloped) to the east. The parcel across Pasquale Rd (5.11 acres) borders 307 NID acres to the west. My closest neighbor to the west is well over 1/2 of a mile. The neighbor on the 4.65 acre parcel to the east is much further than 150 yards. However, under the 5 acre rule I would not be able to shoot on my property. I understand that often times problem people ruin things for others, and I would only occasionally (maybe) shoot a .22LR with my boys, but this would eliminate this simple pleasure.

My proposal:

If the purpose of this ordinance is to protect the safety and enjoyment of neighbors, I would propose that the arbitrary "5 acre" restriction for RA lands be loosened and the 150 yard number remain as the litmus test rather than acre size. If you look at the map of the three rectangular parcels on the north side of Pasquale Road you will see that:

Under the proposed ordinance two parcels would be allowed to shoot, and the one in the middle would not. By definition, if the two side parcels could adequately have 150 yards of setback, then the middle parcel could too. But, the middle parcel would be prohibited from shooting pursuant to the 5acre rule. In my case (16031 parcel), even if I was well over 150 yards away from any dwelling I couldn't shoot, but the parcel directly across the street would be allowed to.

Please take a look and let me know if you have any questions/comments/concerns. Sorry for the long email, but I wanted to be able to explain the disparity under the ordinance draft.

***On another note, I am not sure that the 2 hour shooting/2 hour break is all that clear – not that it affects me as I would never shoot for 2 hours. But someone could shoot for 90 minutes, take a 10 minute break, and shoot again and not trigger the rule. Maybe a round count in a 24 hour period may be less subjective as the neighbor could count the number much easier (like not more than 100 rounds in a 24 hour period on any RA zoned property???) Also maybe prohibit any shooting for commercial purposes? I'm just throwing ideas out

that would make it easier for NCSO to handle any complaints. I also just saw that it is a misdemeanor rather than infraction first misdo second??

Thank you for all you do on the BOS and for being willing to look at this.

-Alex Gammelgard

