



COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY

950 MAIDU AVENUE, SUITE 170, PO Box 599002
NEVADA CITY, CA 95959-7902
(530) 265-1222 ~ FAX (530) 478-5799 <http://mynevadacounty.com>

Trisha Tillotson, Agency Director

Agricultural Commissioner

Building

Environmental Health

Farm Advisor

Planning

Public Works

NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo

MEETING DATE: August 10, 2021

TO: Board of Supervisors

FROM: Trisha Tillotson, CDA Director

SUBJECT: An Ordinance amending Section 1.27 to Chapter VII Article I of the General Code of the County of Nevada pertaining to Discharging a Firearm.

RECOMMENDATION: Adopt the attached Ordinance.

FUNDING: N/A

BACKGROUND: On July 14, 2020, the Board considered a proposed amendment to Section 1.27 of Article I Chapter VII of the General Code of the County of Nevada pertaining to Discharging a Firearm with the purpose to address unintended consequences on commercial shooting ranges resulting from Ordinance 2459 adopted by the Board on December 11, 2018. A motion to adopt the amendment failed 2-3 with discussion largely centering on a disagreement to reverse the restriction of allowable shooting time to ½ hour before sunrise and ½ after sunset from 9 a.m. to 5 pm. The failed amendment also included proposed changes to allow commercial shooting ranges that receive annual review and approval from an applicable fire agency to operate on Red Flag Warning Days and clarified that exemptions of subparagraph B are only allotted to permitted and grandfathered commercial shooting ranges and are not applicable to private shooting ranges.

On November 7, 2019, the Board of Supervisors received a letter from the Nevada County Sportsmen, Inc. ("also referred to as the Nevada County Sportsmen Club"), outlining its concerns that Ordinance 2459 resulted in a negative impact on their commercial operations that included a) the change of time for allowable shooting from ½ before sunrise to ½ after sunset to 9 a.m. to 5 p.m., and b) the prohibition of shooting during a Red Flag Warning. Historically, the Nevada County Sportsmen Club hours of operation have been Wednesdays 9 a.m. to 6 p.m., Saturdays, 10 a.m. to 6 p.m. and Sundays, 9 a.m. to 6 p.m. The 6 p.m. curfew allows for members that have a later quitting time at work to be able to use the shooting range. Ordinance 2459 prevents members to shoot during the Club's historic hours of operation. Secondly, the prohibition of shooting during Red Flag Warning Days prevents members from using the Club's facilities despite having no vegetation in the shooting lane with an equipped 6' +/- tall earthen berm placed at various yardages to catch bullets which effectively eliminate ricochets.

In consultation with Nevada County Consolidated Fire District, it was recommended that any commercial shooting range that meets an annual inspection and receives approval from an applicable fire authority could be allowed to continue shooting on Red Flag Warnings as outlined in a letter from Nevada County Consolidated Fire District dated February 13, 2020 (attached hereto).

Therefore, in consideration of the Board's discussion and primary concern over increasing the time for allowable shooting, the proposed revised amendment does the following:

- Changes the end time for allowable shooting from 5 p.m. to 6 p.m.
- Allows commercial shooting ranges that receive an annual review and approval from an applicable fire agency to allow shooting on Red Flag Warning Days.
- Removes provisions for shooting ranges to register with the Sheriff's Department and clarifies that the exemptions of subparagraph B are only allotted to permitted and grandfathered commercial shooting ranges.

When the Board adopted Ordinance 2459, negatively impacting commercial shooting ranges in Nevada County was not vocalized as an intent but rather it was discussed that the ordinance was needed to effectively address the nuisance caused and prevent public safety hazards from shooting on residential zoned parcels. As such, the attached Ordinance attempts to correct the unanticipated consequences on commercial shooting ranges and provides an administrative clean-up to the County's Code while still addressing the concerns of the Board outlined on July 14, 2020. Staff recommendation is that the Board adopt the attached Ordinance amending Section 1.27 of Article I Chapter VII of the General Code of the County of Nevada pertaining to the Discharging of a Firearm.

Item Initiated and Approved by: Trisha Tillotson

Submittal Date: July 22, 2021
Revision Date: