



COUNTY OF HUMBOLDT

AGENDA ITEM NO.

For the meeting of: July 10, 2018

Date: May 14, 2018
To: Board of Supervisors
From: William F. Honsal, Sheriff
Subject: Introduction of Ordinance Amending Chapter 5.5, to Title IX of the Humboldt County Code Prohibiting Target Shooting of Firearms in Public Places

RECOMMENDATION(S):

That the Board of Supervisors:

1. Introduce the attached ordinance by title and waive the first reading; and
2. Set the ordinance for adoption at least one (1) week away from the date of this hearing; and
3. Direct the Clerk of the Board of Supervisors to publish the pre-adoption summary of the ordinance and to post a certified copy of the full text of the ordinance in the office of the Clerk of the Board of Supervisors at least five (5) days prior to the Board of Supervisors meeting at which the ordinance will be adopted [Government Code Section 25124(b)(1)]; and

Prepared by Norma S. Lorenzo
Norma S. Lorenzo, Deputy Director Sheriff Admin

CAO Approval [Signature]

REVIEW:

Auditor _____ County Counsel [Signature] Human Resources _____ Other _____

TYPE OF ITEM:

☐ Consent
☒ Departmental
☐ Public Hearing
☐ Other _____

PREVIOUS ACTION/REFERRAL:

Board Order No. _____

Meeting of: _____

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT
Upon motion of Supervisor
Seconded by Supervisor

Ayes
Nays
Abstain
Absent

And carried by those members present, the Board hereby approves the recommended action contained in this report.

Dated: _____

By: _____
Kathy Hayes, Clerk of the Board

4. Direct the Clerk of the Board, within fifteen (15) days after adoption of the ordinance, to publish a post-adoption summary of the ordinance with the names of the Supervisors voting for and against the ordinance and to post in the office of the Clerk of the Board of Supervisors a certified copy of the full text of the adopted ordinance along with the names of those Supervisors voting for and against the Ordinance [Government Code Section 25124(b)(1)].

SOURCE OF FUNDING:

General Fund

DISCUSSION:

In response to numerous complaints to the Humboldt County Sheriff's Office, the Sheriff proposes a draft ordinance aimed at target shooting within the unincorporated areas of the county.

The Sheriff determined that a large number of beaches, dunes and river bars located in the County of Humboldt are being used by the public to discharge firearms for the purpose of target shooting. Due to some irresponsible shooters, the properties located adjacent to these areas have become unsafe for owners, visitors, and animals, denying owners the ability to enjoy their own land. Because of the proximity of people, occupied dwellings, livestock, and equipment, the discharge of firearms for the purpose of target shooting in areas not meeting safe shooting standards poses a serious hazard to the public health, safety, and welfare.

County staff has drafted the attached ordinance (Attachment 1) to codify the prohibition of the discharge of firearms for the purpose of target shooting in areas not meeting safe shooting standards. The industry standard for target shooting requires a 20 foot tall backdrop of earth behind the target area. The backdrop must catch all stray projectiles that do not stop at the target area. Any shooting location not meeting the industry standard is an unsafe shooting location and would be a violation of the proposed ordinance.

Any person who violates any provision of the proposed ordinance shall be guilty of a misdemeanor which is punishable by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in the county jail not to exceed six months, or both.

This ordinance is not intended to interfere with the lawful hunting activities outlined in the California Fish and Wildlife Regulations, or target shooting on private property.

FINANCIAL IMPACT:

There is minimal financial impact in the drafting and presentation of the ordinance. Staff time to prepare the ordinance is included in the Sheriff's Operations General Fund allocation for budget unit 1100-221 as part of the FY 2017-18 approved budget.

The proposed target shooting ordinance meets the Board of Supervisors Strategic Framework Plan goals of creating opportunities for improved safety and health and enforcing laws and regulations to protect residents.

OTHER AGENCY INVOLVEMENT:

None

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board may choose not to adopt the target shooting ordinance, however this is not recommended as the Sheriff would be unable to ensure the health and safety of rural residents in some of the unincorporated areas of the county.

ATTACHMENTS:

- | | |
|--------------|---|
| Attachment 1 | Ordinance No. _____ adding Chapter 5.5 to Title IX of the Humboldt County Code Prohibiting Target Shooting of Firearms in Public Places |
| Attachment 2 | Summary for Publication before Adoption of the Ordinance |
| Attachment 3 | Summary for Publication after Adoption of the Ordinance |

Attachment 1

Ordinance No. _____

Chapter 5.5 to Title IX of the Humboldt County Code Prohibiting
Target Shooting of Firearms in Public Places

ORDINANCE NO. _____

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY
OF HUMBOLDT ADDING CHAPTER 5.5 RELATING TO PROHIBITING TARGET SHOOTING
OF FIREARMS IN PUBLIC PLACES TO DIVISION 1 OF TITLE IX
OF THE HUMBOLDT COUNTY CODE**

The Board of Supervisors of the County of Humboldt ordains as follows:

SECTION 1. Chapter 5.5 of Division 1 of Title IX of the Humboldt County Code is added as shown on the attached pages.

SECTION 2. This ordinance shall take effect and be in force thirty (30) days from the date of its adoption. A summary shall be published at least five (5) days before the date set for adoption and again fifteen (15) days after passage of this ordinance. It shall be published once with the names of the Board of Supervisors voting for and against the ordinance in a newspaper of general circulation published in the County of Humboldt, State of California.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2018.

AYES: Supervisors--
NOES: Supervisors--
ABSENT: Supervisors—

Chair of the Board of Supervisors of the
County of Humboldt, State of California

(SEAL)

ATTEST:

Kathy Hayes, Clerk of the Board of Supervisors
County of Humboldt

TITLE IX – PUBLIC PEACE, SAFETY AND WELFARE

DIVISION 1

TARGET SHOOTING

CHAPTER 5.5

- § 915.5-1. Findings and Purpose.
- § 915.5-2. Authority.
- § 915.5-3. Provisions Supplementary to State Law.
- § 915.5-4. Area Affected.
- § 915.5-5. Definitions.
- § 915.5-6. Target Shooting Near State Highway/Highways.
- § 915.5-7. Restricted Target Shooting.
- § 915.5-8. Safe Shooting Standards.
- § 915.5-9. Penalty.

TITLE IX – PUBLIC PEACE, SAFETY AND WELFARE

DIVISION 1

TARGET SHOOTING

CHAPTER 5.5

915.5-1. FINDINGS AND PURPOSE.

The Board of Supervisors finds that a large number of beaches, dunes and river bars located in the County of Humboldt are being used by persons to discharge firearms for the purpose of target shooting. Due to some irresponsible, unsafe shooters, the properties located adjacent to these areas have become unsafe for owners, visitors, and animals, denying owners the ability to enjoy their own land.

The Board of Supervisors finds that the unsafe discharge of firearms for the purpose of target shooting is interfering with the lawful use of the adjacent land. Because of the proximity of people, occupied dwellings, livestock, and equipment, the discharge of firearms for the purpose of target shooting in areas not meeting safe shooting standards poses a serious hazard to the public health, safety, and welfare. In order to promote the health, safety, and welfare of the land owners and visitors to lands adjacent to these areas, the Board finds it necessary to prohibit the discharge of firearms for the purpose of target shooting in areas not meeting safe shooting standards. Further, the Board finds that target shooting in unsafe conditions constitutes the unnecessary firing and discharge of firearms.

This ordinance does not interfere with the lawful hunting activities outlined in the California Fish and Wildlife Regulations, or target shooting on private property. The Board of Supervisors finds that the Humboldt County Sheriff is responsible for investigating unlawful shooting on public lands located in the unincorporated area of the County.

915.5-2. AUTHORITY.

Pursuant to the authority in section 25840 of the Government Code, the County of Humboldt establishes the following restrictions on the unnecessary firing and discharge of firearms.

915.5-3. PROVISIONS SUPPLEMENTARY TO STATE LAW.

The provisions of this chapter are not intended to conflict with, but shall supplement, all laws of the State of California relating to the use and discharge of firearms.

915.5-4. AREA AFFECTED.

The provisions of this chapter shall be operative in the unincorporated area of the County and within the areas more particularly described below.

915.5-5. DEFINITIONS.

- (a) "Firearm" for purposes of this chapter, means any device design to be used as a weapon, from which a projectile may be expelled by the force of any explosion, or other form of combustion.
- (b) "Public Place" for purposes of this chapter, means any area open to common, or general use, participation or enjoyment, including, but not limited to, such areas as beaches, parks, parking areas, roadways, trails, river bars, and other areas which are open and accessible to the public.
- (c) "State Highway" for purposes of this chapter, includes:
 - (1) State Route 211 from US 101 to Ocean Ave and Main Street in Ferndale;
 - (2) California 254 from the interchange at Sylvandale to 1/10 mile north of Jordan Creek;
 - (3) California 255 from US 101 at 5th Street in Eureka to the interchange with US 101 in Arcata;
 - (4) Highway 36 from the interchange with US 101 to the Trinity County line;
 - (5) State Route 96 from the intersection with Highway 299 to the Hoopa Indian Reservation boundary;
 - (6) Highway 101 from the Mendocino County Line to the Del Norte County line; and
 - (7) Highway 299 from the interchange with US 101 to the Trinity County line.
- (d) "Target Shooting" means any recreational or sport activity involving a person who discharges a firearm at a specified target, from a distance.

915.5-6. TARGET SHOOTING NEAR STATE HIGHWAY/HIGHWAYS.

Target shooting in a public place shall not be allowed within one half-mile of any State Highway/Highway as defined in subsection (c) above, and shown on map in Figure 1.

915.5-7. RESTRICTED TARGET SHOOTING.

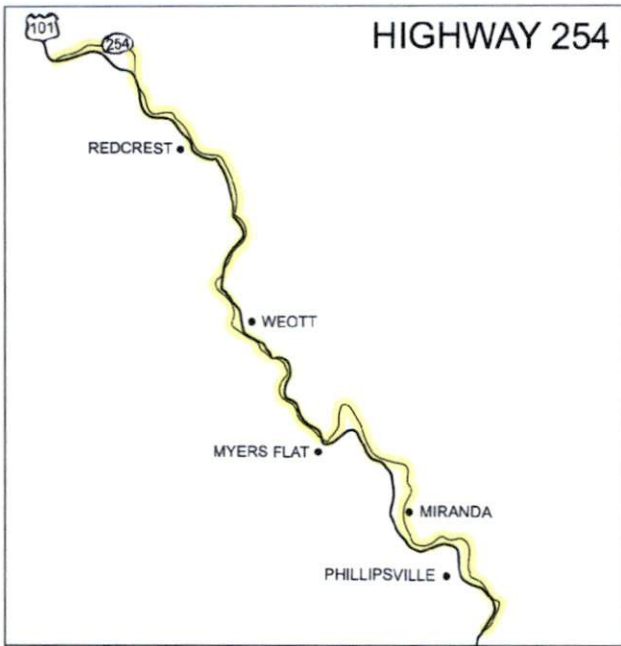
No person shall discharge any firearm for the purpose of target shooting on, into or over any public place, as defined in subsection (b) above, unless the safe shooting standards listed below are met.

915.5-8. SAFE SHOOTING STANDARDS.

The industry standard for target shooting requires a twenty (20) foot tall backdrop of earth behind the target area. The backdrop must catch all stay projectiles that do not stop at the target area. Any shooting location not meeting the industry standard is an unsafe shooting location. Shooting in an unsafe shooting location is a violation of this chapter.

915.5-9. PENALTY.

Any person who violates any provision of this chapter shall be guilty of a misdemeanor which is punishable by a fine not exceeding one thousand dollars, or by imprisonment in the county jail not to exceed six months, or both.

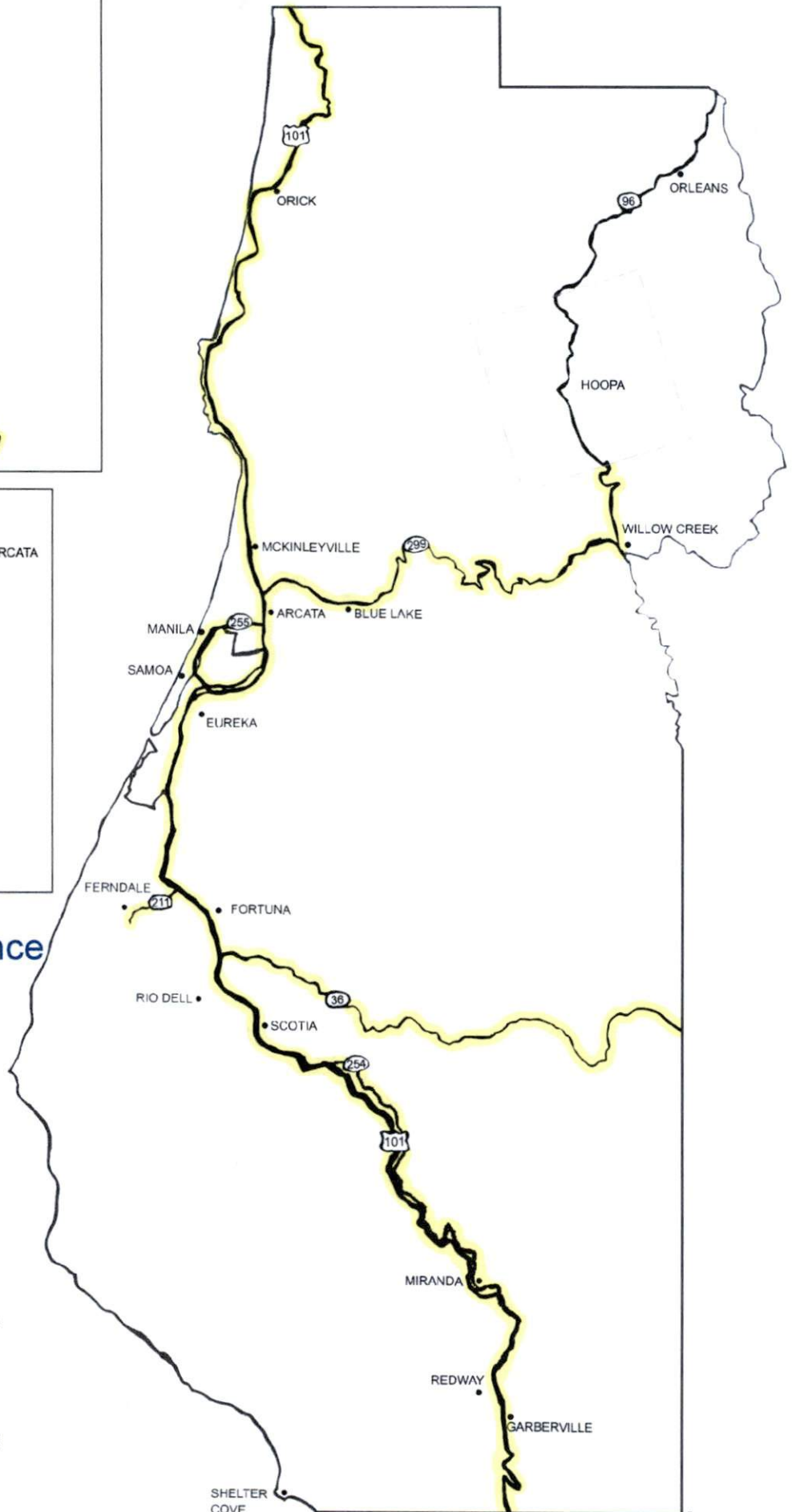


Target Shooting Ordinance Figure 1



HUMBOLDT COUNTY, CA NO SHOOTING ZONES

PREPARED BY THE
HUMBOLDT COUNTY SHERIFF'S OFFICE



Attachment 2

Summary for Publication before Adoption of the Ordinance

SUMMARY FOR PUBLICATION PRIOR TO ADOPTION OF ORDINANCE

(The summary shall be published and a certified copy of the full text of the proposed ordinance shall be posted in the office of the Clerk of the Board of Supervisors at least five (5) days prior to the Board of Supervisors meeting at which the proposed ordinance is to be adopted.)

SUMMARY

On _____, 2018, at its regularly scheduled Board meeting, the Humboldt County Board of Supervisors will consider for adoption a proposed ordinance adding Chapter 5.5 relating to Prohibiting Target Shooting of Firearms in Public Places to Division 1 of Title IX of the Humboldt County Code.

The text of the proposed ordinance is available from the Clerk of the Board, Room 111, 825 Fifth Street, Eureka, CA.

Attachment 3

Summary for Publication after Adoption of the Ordinance

SUMMARY FOR PUBLICATION AFTER ADOPTION OF ORDINANCE

(The summary shall be published within fifteen (15) days after the adoption of the ordinance.)

SUMMARY

On _____, 2018, the Humboldt County Board of Supervisors adopted Ordinance No. _____ adding Chapter 5.5 relating to Prohibiting Target Shooting of Firearms in Public Places to Division 1 of Title IX of the Humboldt County Code.

A copy of the ordinance is posted in the office of the Clerk of the Board of Supervisors.

The votes were:

AYES:

NOES:

ABSENT: