

1 RESOLUTION NO. 7479

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3 A RESOLUTION introduced by Councilmember Lisa Stubbs concerning the approval of
4 airgun discharge permit regulations pursuant to City of Topeka
5 Ordinance No. 18253.
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7 WHEREAS, the Council of the City of Topeka has adopted Ordinance No. 18253,
8 which establishes an airgun discharge permit that allows the discharge of airguns within the
9 limits of the City of Topeka, subject to certain restrictions and regulations, and

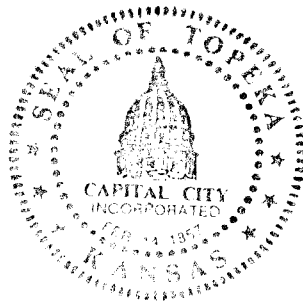
10 WHEREAS, the Council of the City of Topeka has directed the Chief of Police to
11 develop regulations for the evaluation of applications and the monitoring of permitted
12 airgun activities, and

13 WHEREAS, the Council of the City of Topeka has directed that airgun permit
14 regulations be subject to the review and approval of the City Council.

15 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka,
16 Kansas, that the airgun discharge permit regulations attached and incorporated herein as
17 "Attachment A" are hereby approved pursuant to City of Topeka Ordinance No. 18253.

18 PASSED and APPROVED by City Council JUN 02 2004

19 CITY OF TOPEKA, KANSAS



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James A. McClinton
James A. McClinton, Mayor

ATTEST:

Iris E. Walker
Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE <u>5/26/04</u> BY <u>PL</u>

POST ON ALL BULLETIN BOARDS

TOPEKA POLICE DEPARTMENT SPECIAL ORDER	Number: SPO# 04-05
SUBJECT: PERMITS TO DISCHARGE AIR GUNS	
AMENDS:	
OTHER REFERENCES: Topeka City Code 54-102 as amended by City Ordinance 18253	DATE ISSUED: 05/26/2004

- I. Application Process
 - A. Applications must be submitted to the Office of the Chief of Police at least two weeks prior to the requested beginning date of the permit.
 - B. Applications will be in a format supplied by the Police Department and will contain the following information:
 1. Name, address, and phone of the organization (if applicable) responsible for the event.
 2. Name, age, address, and phone of the person(s) who will be on site and in charge of the event during the hours of the permitted activity.
 3. Name, age, address, and phone of the contact person for the event.
 4. The dates and time of day the permit is requested for.
 5. The exact location of the event with sketch or diagram of the site including:
 - a. Target area
 - b. Firing line area
 - c. Spectator area
 - d. Any safety devices/markers
 - e. Surrounding property within range of the air guns to be used
 6. A list of steps to protect the participants from injury.
 7. A list of steps to protect any non-participants in the area from injury.
 8. Name and age of the safety monitor(s) and the written directions for monitoring safety of the operation.
 9. A list of all air gun types to be used including the type of projectile to be fired and the estimated maximum range of the projectile.
 10. Proof that all property owners or occupants of property within the range of the air guns to be used are notified of:
 - a. the proposed dates and times of operation, and
 - b. their right to notify the Chief of Police of any objection to granting the permit.
 11. All of the required information contained in Topeka City Ordinance 54-102.
 - C. The Topeka Police Department Rangemaster will review all applications for safety considerations.
 - D. Applications will be processed in five working days.
 - E. The applicant will be notified by phone and by letter whether or not the application for permit is approved. A denial of the permit will include the points of concern supporting the denial.
 - F. A copy of the permit will be filed with the Watch Office of the Topeka Police Department and with CECC.
- II. Points to be considered for approval, denial, suspension, revocation of the permit:
 - A. Safety of the participants.
 - B. Safety of any non-participants in the area.
 - C. Effectiveness of overall safety plan.
 - D. Training of persons supervising the activity.
 - E. Steps to prevent a non-participant from unknowingly entering the firing range area.

POST ON ALL BULLETIN BOARDS

- F. Potential for damage to surrounding property.
 - G. Objection of neighboring property owners.
 - H. Previous problems with violating the conditions of a permit or not adhering to safety practices.
 - I. Acts that would endanger any person or property.
 - J. Non-compliance with any provision on the application or permit.
 - K. Any false information on the application.
- III. Immediate suspension or revocation during time of permitted operation
- A. Officers will investigate any complaint received about the operation.
 - B. If the investigation reveals concerns for the safety of any person or property a Topeka Police Department supervisor may suspend the permit and cause the activity to cease immediately.
 - C. If the investigation reveals any acts in violation of the conditions of the permit or contrary to the application document a Topeka Police Department supervisor may suspend the permit and cause the activity to cease immediately.
 - D. A supervisor directing the suspension of the permit shall complete of written report documenting the reasons for the action and shall notify the Watch Commander or Administrative Duty Officer as soon as possible.
 - E. Any injury or damage to property caused by the air guns will result in the immediate suspension of the permit.
- IV. Permit required to be on site
- A. The permit will be kept on site during the entire period of the permitted activity.
 - B. The permit shall be provided to any law enforcement officer requesting to see the permit.

BY ORDER OF

CHIEF OF POLICE