



Office of the Chicago City
Clerk



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Office of the City Clerk

City Council Document Tracking Sheet

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| Meeting Date: | 7/28/2011 |
| Sponsor(s): | Mayor Emanuel |
| Type: | Ordinance |
| Title: | Amendment of Chapters 4, 8 and 13 of Municipal Code relating to shooting range requirements |
| Committee(s) Assignment: | Committee on Public Safety |



PUB.
SAFETY

OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

July 28, 2011

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Superintendent of Police and the Corporation Counsel, I transmit herewith an ordinance amending provisions of the Municipal Code relating to shooting range requirements.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Mayor

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Section 4-5-010 of the Municipal Code of Chicago is hereby amended by adding the language underscored and deleting the language struck through as follows:

4-5-010 Establishment of license fees.

This chapter shall establish fees for various licenses created by this title unless otherwise provided. The following fees shall apply for the specified licenses. The chapter in which each fee requirement is created is also provided. Unless otherwise stated, fees shall be assessed every two years.

(omitted text is unaffected by this ordinance)

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| (82) Shooting range facility | \$4,000.00 <u>\$2,000.00</u> |
|------------------------------|------------------------------|

(omitted text is unaffected by this ordinance)

SECTION 2. Chapter 4-151 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

CHAPTER 4-151 Shooting Range Facility license.

4-151-020 License – Required.

It shall be unlawful for any person to conduct, maintain, or operate a shooting range without first securing a shooting range facility license under this chapter. Except as provided in section 4-151-170(c), the The license required by this chapter shall be in addition to any other license required by law.

(omitted text is unaffected by this ordinance)

4-151-030 License – Application and issuance procedures.

(omitted text is unaffected by this ordinance)

(b) The application shall be in writing, signed by the applicant if an individual. If the applicant is a partnership or corporation, the application shall be signed by an officer or partner. If the applicant is a limited liability company managed by managers, the application shall be signed by a manager. If the applicant is a limited liability company managed by its members, the application shall be signed by a member. The application shall be verified by oath or affidavit, and shall include the following statements and information:

(omitted text is unaffected by this ordinance)

(6) the applicant's, manager's and employees' federal firearms license, CFP and FOID card numbers;

(omitted text is unaffected by this ordinance)

(e) At the time an application is originally filed for a shooting range facility license, the applicant shall pay the license fee required by **Section 4-5-010** and, no later than 30 days after payment of the license fee, shall submit to the department all required documentation, as prescribed by the rules and regulations of the department, necessary to complete the license application.

If the applicant submits all required documentation in a timely manner, the commissioner shall review the application materials and shall approve or deny the application within 60 days after all required documentation has been submitted.

If the applicant fails to submit all required documentation within 30 days after payment of the license fee, the application shall be deemed incomplete and no further action shall be taken on the application, unless the applicant reactivates the application within six months after the original application is filed by: (i) submitting all required documentation necessary to complete the application process; and (ii) paying a ~~\$500.00~~ \$100.00 application reactivation fee. If the applicant reactivates the license application in accordance with the requirements of this subsection, the commissioner shall review the application materials and shall approve or deny the application within 60 days after all required documentation has been submitted and the application reactivation fee is paid.

(omitted text is unaffected by this ordinance)

4-151-040 Qualifications for licenses.

No license shall be issued under this chapter if the applicant, the manager, or any employee:

(omitted text is unaffected by this ordinance)

(d) Does not possess a valid CFP; and an Illinois FOID card ~~and any necessary federal firearms license;~~

(omitted text is unaffected by this ordinance)

4-151-050 License denial or renewal.

A license or a renewal of a license shall be denied or revoked for any of the following reasons:

(a) The applicant's license under this chapter, or any other license for the manufacture, sale, use or possession of firearms, has been revoked for cause if such revocation occurred within 5 years of the date of application.

(omitted text is unaffected by this ordinance)

~~(f) An applicant whose license issued under this chapter has been revoked for cause if such revocation occurred within 5 years of the date of application;~~

4-151-100 Standards of operation.

(omitted text is unaffected by this ordinance)

(b) A range master shall be on duty during all operating hours of shooting range facility. Prior to permitting anyone to discharge a firearm, the range master shall ensure that no person is in the direct fire zone. ~~There shall be a minimum of 1 range master for every 3 shooting range patrons who are discharge a firearm from the firing line.~~

(omitted text is unaffected by this ordinance)

(m) Every shooting range facility shall be in compliance with the applicable building, environmental and fire code requirements, including any rule or regulations promulgated thereunder.

(n) The manager shall maintain a record of all shooting range patrons, which shall include the patron's name, the patron's CFP and FOID card numbers, if any, the date of the patron's visit to the facility, and the times that the patron begins and ends use of the facility. The record shall be maintained for not less than one year.

4-151-120 Restricted areas.

No premises licensed under this chapter may be located, as measured from property line to property line, within 500 feet of:

(a) ~~Within 1,000 feet of another premises licensed as a shooting range facility;~~

(b) ~~Within 1,000 feet of any zoning district zoned for residential use, including a planned development, that authorizes such residential use; or~~

(c) ~~Within 1,000 feet of any school, day-care facility, park, place of worship, any premises licensed for the retail sale of liquor, children's activities facility, library, museum or hospital.~~

4-151-170 Registration of firearms and sale of ammunition.

(a) A licensee shall not provide or otherwise give a shooting range patron a firearm for the patron's use at the shooting range; except that the licensee may provide a firearm to a shooting range patron only for the purpose of receiving the one-hour range training required for a CFP. All such firearms provided to the shooting range patrons shall be registered pursuant to section 8-20-140.

(omitted text is unaffected by this ordinance)

(c) A person licensed under this chapter is exempt from obtaining a license under Article I of chapter 4-144 when providing a firearm or ammunition in compliance with this section; except that the licensee shall be subject to the same provisions that are applicable to a licensee under sections 4-144-061, 4-144-062 and 4-144-065.

SECTION 3. Chapter 8-20 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

8-20-140 Firearm registration certificate – Required.

(a) Subject to subsection (d), it is unlawful for any person to carry or possess a firearm without a firearm registration certificate.

(omitted text is unaffected by this ordinance)

(f h) Notwithstanding any other provision of this section, a shooting range patron at a licensed shooting range facility who is provided a firearm by the range master, manager or employee, as those terms are defined in section 4-151-010, of a licensed shooting range facility shall be in compliance with this section if the firearm is registered to the person issued a license for the shooting range facility in accordance with chapter 4-151.

SECTION 4. Section 13-96-1210 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

13-96-1210 Ventilation requirements.

In addition to general building ventilation and heat requirements applicable to a shooting range facility, the shooting range shall be provided with an engineered ventilation and exhaust system that complies with OSHA Lead Standard for General Industry, 29 CFR 1910.1025 and that prevents the build-up of noxious gases caused by the discharge of firearms. ~~This system shall be a Total Air Exhaust system utilizing 100% fresh make-up air. All air from the shooting range shall be completely exhausted. The exhausted air shall be filtered and cleaned, in compliance with regulations promulgated by the department of the environment, to remove all lead particulate before exhausting to the open atmosphere. The shooting range HVAC ventilation and exhaust system shall conform to the following requirements:~~

(a) ~~The ventilation air supply system shall provide a horizontal laminar air flow from floor to ceiling at the firing line of 75 fpm. The minimum allowable range laminar air flow shall be 50 fpm. from the firing line to the bullet trap. The laminar flow of air shall be directed away from shooters at the firing line downrange towards the backstop/ bullet trap area. The flow supply air shall be directed away from shooters at the firing line downrange towards the backstop/bullet trap area. Twenty-five percent of the airflow shall be exhausted 15-foot downrange from the firing line and the other 75% shall be exhausted at the apex of the backstop/bullet trap.~~

(b) The entire shooting range shall be maintained at a slightly negative pressure with respect to adjacent areas to prevent the escape of contaminants from the shooting range. Exhaust air shall exceed supplied air by a minimum of 10%.

(c) The shooting range shall be designed and constructed with separation walls, doors, windows and assemblies with related gaskets and sealing materials sufficient to close off the shooting range from the shooting range facility and adjacent spaces to provide the air pressures required for the shooting range HVAC/exhaust ventilation and exhaust system to operate correctly.

(d) ~~Where a shooting range facility contains multiple shooting ranges, each shooting range shall be constructed with a separate HVAC/exhaust system provided with a separate ventilation and exhaust system.~~

(e) The supply and exhaust systems shall be electrically interlocked to turn on each system at the same time.

(f) The shooting range ventilation and exhaust system shall be a totally separate system isolated from any other ventilation and exhaust system which serves the ancillary spaces of the

shooting range facility or building. The HVAC/exhaust system shall operate at one fan speed only.

(g) The HVAC/exhaust ventilation and exhaust system shall be commissioned prior to initial operation and a regular schedule of maintenance and system adjustment shall be included in the description of the ventilation and exhaust system as part of the permit application. For purposes of this subsection (g), "commissioned" has the same meaning ascribed to that term in American Society of Heating, Refrigeration, and Air-conditioning Engineers Guideline 0-2005. The shooting range ventilation and exhaust system shall be operated and maintained in conformance with the submitted schedules and procedures.

(h) The shooting range ventilation and exhaust systems shall be either:

(1) a 100% total exhaust/purge system utilizing 100% fresh make up air. All air from the shooting range shall be completely exhausted. The exhausted air shall be filtered and cleaned to remove lead particulate before exhausting to the open atmosphere. Twenty-five percent of the airflow shall be exhausted 15 feet downrange from the firing line and the other 75% shall be exhausted at the apex of the backstop/ bullet trap. The ventilation system shall operate at one fan speed only and shall be designed and provided with automatic sensors and controls, where required, to monitor and ensure the performance and safety of the system; or

(2) an air cleaning re-circulation system that re-circulates up to a maximum of 75% of the air and cleans and exhausts a minimum of 25% of the air in the shooting range. The air re-circulation system shall be designed and provided with primary and secondary filters, high efficiency particulate air (HEPA) filters, electronic precipitators or other air filtering and cleaning technology, as reviewed and approved by the commissioner pursuant to subsection 13-96-1210 (k), to remove lead particulate from the re-circulated air before re-introduction into the shooting range. System exhaust fans may operate at variable speeds. The ventilation system shall be designed and provided with automatic sensors and controls, where required, to monitor and ensure the performance and safety of the system.

(i) New technology or designs for shooting range ventilation and exhaust systems not authorized in this code shall be reviewed and approved by the committee on standards and tests prior to installation.

(h j) All other ventilation, refrigeration and heating systems for the shooting range facility shall conform to the requirements of Chapter 18-28.

(k) The shooting range shall be provided with heating and cooling for the comfort of shooting range patrons and staff. Where the heating or cooling system is not a component of the ventilation and exhaust system, such as radiant heating or geothermal sourcing, one heating or cooling system in the shooting range facility is permitted.

(l) All ventilation and exhaust equipment, ducts and appurtenances shall be located and installed to allow ready maintenance and inspection.

SECTION 5. This ordinance takes effect after its passage and approval.