

SUMMARY: An ordinance removing restrictions against shooting in portions of Warm Springs under certain circumstances.

BILL NO. 1723

ORDINANCE NO. 1541

AN ORDINANCE AMENDING CHAPTER 50 OF THE WASHOE COUNTY CODE (PUBLIC PEACE, SAFETY AND MORALS), AMENDING SECTIONS 50.090 AND 50.092 TO REMOVE CERTAIN RESTRICTIONS ON THE DISCHARGE OF FIREARMS IN PORTIONS OF WARM SPRINGS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1. Through NRS 244.364 boards of county commissioners have legislative authorization to regulate through ordinances the unsafe discharge of firearms. Washoe County has such ordinances (WCC 50.090 – WCC 50.120). The Washoe County Board of County Commissioners adopts this ordinance to remove restrictions against shooting in specifically defined portions of Warm Springs under certain circumstances.

SECTION 2. Chapter 50 of the Washoe County Code (Public Peace, Safety and Morals) is hereby amended by amending section 50.090 which shall read as follows:

50.090 Definitions. As used in sections 50.090 to 50.158, inclusive:

1. "Congested area" means that portion of the county so determined pursuant to sections 50.094 to 50.154, inclusive, where uncontrolled discharge of firearms would result in the greatest risk of injury to life and limb.

2. "Firearm" means any weapon the discharge of which in the ordinary manner contemplated by its design and construction will or is likely to cause death or great bodily harm.

3. "Peace officer" means any person who lawfully carries a gun, pistol or other firearm in the course of his official duties.

4. "Warm Springs Defined Area" means the geographical area depicted on the exhibit attached to this ordinance and which area is entirely within the Warm Springs Planning Area of the Washoe County Master Plan, and which is entirely south of the boundary between Townships 23 and 24, Range 20. The Warm Springs Defined Area does not include the areas designated on the Washoe County Master Plan as C, SR or RR within: Sections 3, 4, 5, 6, 8, 9, 10, 15, 16, 21 and 22 of Township 22, Range 21; and Sections 31, 32 and 33 of Township 23, Range 21.

SECTION 3. Chapter 50 of the Washoe County Code (Public Peace, Safety and Morals) is hereby amended by amending section 50.092 which shall read as follows:

50.092 Unlawful discharge of firearms; exemption.

1. It is unlawful for any person to:

(a) Discharge any gun, pistol, rifle, shotgun or other firearm in, on or across any county road or highway.

(b) Discharge in the unincorporated area of the county, except the Warm Springs Defined Area, any gun, pistol, rifle or other firearm, with the exception of shotguns, air rifles or B-B guns, within 5,000 feet of any dwelling occupied by another person or persons.

(c) Discharge in the unincorporated area of the county, except the Warm Springs Defined Area, any shotgun, air rifle or B-B gun within 1,000 feet of any dwelling occupied by another person or persons.

(d) Discharge any gun, pistol, rifle, shotgun or other firearm within any congested area of the county.

(e) Discharge any firearm on a parcel in the Warm Springs Defined area within 500 feet of a dwelling located on another parcel.

2. This section does not apply to:

(a) Peace officers in the lawful discharge of duty;

(b) To persons shooting in any regularly established and lawfully authorized and licensed rifle range, gun club or shooting gallery;

(c) To any person lawfully discharging a firearm in protection of life or property.

SECTION 4.

If any section of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION 5. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases, or sentences contained in the Washoe County Code in conflict herewith are hereby repealed.

SECTION 6. This ordinance shall be published by title only, together with the names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Washoe County, Nevada, at least once a week for a period of two (2) weeks, and shall be in force and effect thereafter.

[Business Impact Note: The Board of County Commissioners hereby finds that this ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.]

Proposed on the 12th day of August, 2014.
Proposed by Commissioner Weber.
Passed on the 26th day of August, 2014.

Vote:

Ayes: Humke, WEBER, JUNG, BERKBIGLER & Hartung


Nays: none

Absent: none



David Humke, Chairman
Washoe County Commission

ATTEST:



Dancy L. Parent
County Clerk

This ordinance shall be in force and effect from and after the 5th day of September, 2014.

WASHOE COUNTY
COMMISSIONER

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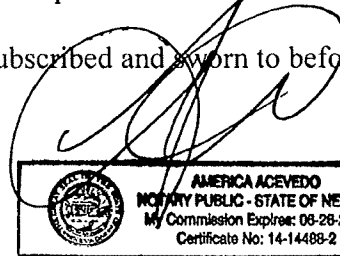
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STATE OF NEVADA
COUNTY OF WASHOE

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper of general circulation published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the dates: **8/29/2014 - 9/5/2014**, for exact publication dates please see last line of Proof of Publication below.

Subscribed and sworn to before me

Signed: _____



 **AMERICA ACEVEDO**
NOTARY PUBLIC - STATE OF NEVADA
My Commission Expires: 08-28-2018
Certificate No: 14-14488-2

Proof of Publication

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1541 BILL NO. 1723
NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office in the Washoe County Complex, 1001 E. Ninth Street, Building A, Reno, Washoe County, Nevada; and that the ordinance was proposed on August 12, 2014 by Commissioner Weber and was passed and adopted without amendment at a regular meeting held on August 26, 2014 by the following vote of the Board of County Commissioners: An Ordinance amending Chapter 50 of the Washoe County Code (Public Peace, Safety and Morals), amending Sections 50.090 and 50.092 to remove certain restrictions on the discharge of firearms in portions of Warm Springs; and providing for other matters properly relating thereto. (Bill No. 1723) Those Voting Aye: David Humke, Vaughn Hartung, Marsha Berkbigler, Bonnie Weber, and Kitty Jung Those Absent: None This Ordinance shall be in full force and effect from and after September 5, 2014. IN WITNESS WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has caused this Ordinance to be published by title only. DATED August 27, 2014 Nancy Parent, Washoe County Clerk and Clerk of the Board of County Commissioners No. 40003 Aug. 29, Sept. 5, 2014

✓ 1541

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BILL NO. 1723**

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Those Voting Aye: David Humke, Vaughn Hartung, Marsha Berkgigler, Bonnie Weber, and Kitty Jung

Those Absent: None

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DATED August 27, 2014

Nancy Parent, Washoe County Clerk and
Clerk of the Board of County Commissioners

No. 40003

Aug. 29, Sept. 5, 2014