

A **REGULAR MEETING** of the City Council Ordinance Committee was held in Room 215 of City Hall on Monday, December 18, 2017. Present were Chairman Gregg Cogswell, City Councilors Paul Cavagnero and Anne Ruwet, Mayor Elinor Carbone, Corporation Counsel Jaime LaMere, Police Chief Michael Maniago, and Mayoral Aide Timothy Waldron.

Chairman Cogswell called the meeting to order at 6:09 p.m.

Mr. Waldron listed the items of feedback his office received.

Councilor Ruwet asked for the origin of this proposed Ordinance change. Atty. LaMere described the White Pine Road area incidents where homeowners found bullets in the siding of their home, caused by an abutting neighbor's practice shooting. She said that, in an attempt to avoid taking away anybody's rights, but also to make it safer, this ordinance for a safe backstop is proposed so that these types of incidents would not be repeated again.

Chief Maniago noted that his officers have been investigating these incidents and have had input for this proposed ordinance. He said it is logical to maximize safety without abridging anybody's rights to the enjoyment of target practicing.

Councilor Cavagnero asked if there are any reasonable arguments for not doing this. Councilor Ruwet noted a letter from a resident in support of second amendment rights. Councilor Ruwet said the proposed ordinance is not necessary and she needs more data to support it, particularly the need to call the Police Department beforehand.

Chief Maniago explained that the Police Department ends up responding to complaints, and should the information be received beforehand, they won't have to deploy resources that would be better used someplace else. Councilor Ruwet said she will probably vote against this.

Councilor Cavagnero said he strongly supports this proposed ordinance. He compared gun regulations to automotive regulations, saying that although they are an inconvenience, it is reasonable to have appropriate protections in place for people who want to own and use these tools.

Councilor Cogswell said he has no problem with the proposed backstop ordinance. Chief Maniago said he will assign one of his firearms officers to inspect backstops with someone from the Engineering Department, but they have not yet had time to discuss this with the City Engineer.

Councilor Cogswell asked about the 10:00 a.m. to sunset timeframe, saying he would prefer to see an earlier start. Chief Maniago said this timeframe is based on what was included in other towns' ordinances. He noted that a reasonable timeframe for target practice should be included to provide guidance and prevent it from becoming arbitrary.

Councilor Cogswell noted that fines should not be applied automatically, and that he would rather see a series of warnings issued. Chief Maniago explained that police response is based on the totality of circumstances, using common sense and discretion. He assured the committee that the incidents will be tracked and he will have the proper quality control in place.

Councilor Ruwet said she would like to see more data on the number of calls that have come in, as this proposed ordinance seems subjective at this point. She objected to an ordinance that is not based on a very large number of complaints. Chief Maniago said it addresses a safety factor, rather than complaints.

Councilor Ruwet continued her objection saying if the ordinance does move forward to a public hearing, people will need to come out and attend as the issue is about gun owners' responsibility. She said the City trusts that pistol owners know what they need to do to safely practice shooting. Councilor Ruwet said this is infringing more and more on our personal responsibility as property owners.

Mayor Carbone requested the Committee consider the opinion of the Engineering Department on backstops inspection. She said she confirmed that there is no Zoning Regulation violation, but Building Codes may be an issue.

Councilor Cavagnero noted that backstops on private property may be a less expensive way to practice shooting than joining the associated clubs. He asked if reporting could be completed online. Chief Maniago said he prefers a more immediate method of notification.

On a motion by Councilor Ruwet, seconded by Councilor Cavagnero, the meeting was adjourned at 6:31 p.m.

Respectfully submitted,

Carol L. Anderson, MMC