

COUNCIL DECISION REQUEST

SUBJECT: Pellet and BB Gun Ordinance

MEETING DATE: May, 5, 2011

PAYSON GOAL: NEW: EXISTING:

ITEM NO.:

TENTATIVE SCHEDULE:

SUBMITTED BY: Donald B. Engler, Chief of Police

AMOUNT BUDGETED:

SUBMITTAL TO AGENDA

EXPENDITURE REQUIRED:

APPROVED BY TOWN MANAGER

CONT. FUNDING REQUIRED:



EXHIBITS (If Applicable, To Be Attached):

POSSIBLE MOTION

I move to direct the Town Staff to prepare an ordinance to regulate the use of pellet, BB and similar type guns within the Town of Payson.

SUMMARY OF THE BASIS FOR POSSIBLE MOTION:

The Payson Police Department has been responding to a growing number of calls for service regarding pellet and BB gun use within the Town limits of Payson. The Town of Payson formally had a firearms ordinance which also covered pellet and BB gun usage within the Town limits. However, that ordinance was rescinded in 2008 when State law took over jurisdiction of firearms within local jurisdictions. Therefore, the Town of Payson has been without a pellet and BB gun ordinance for a considerable period of time. We have noticed an increase recently in the number of calls for service regarding this type of activity. The majority of our calls have been generated when community members see youth in possession of weapons and it is unknown whether it is a pellet, BB gun or other style of weapon. It is apparent that this type of activity must be addressed within our community. We have also had a growing number of criminal damage incidents involving the use of pellet or BB guns within the community. It is apparent that an ordinance limiting this type of behavior could reduce some of the apprehension of members within the community.

PROS:

The adoption of a pellet and BB gun ordinance within the Town of Payson would allow law enforcement to intervene in situations with the use of a pellet or BB gun within the community to adequately solve these types of issues. Much of the apprehension is involving situations where these types of weapons are utilized in a reckless nature or in which the youthful possessor of a pellet or BB gun is observed in the community. By utilizing this new ordinance the Police Department will be able to provide some direction and education regarding the dangers and responsibilities of possessing this type of weapon. In addition parental involvement could be assured with youthful possessors of these styles of weapons. The planned ordinance will allow law enforcement to have some discretion and ultimately an enforcement arm if necessary in cases where pellet or BB gun use occurs within the Town limits.

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CONS:

If this ordinance is not enacted the situation within the community will remain the same, thus not allowing law enforcement any ability to direct or enforce circumstances regarding pellet or BB guns within the community.

PUBLIC INPUT (if any):

BOARD/COMMITTEE/COMMISSION ACTIONS/RECOMMENDATIONS (if any) (give dates and attach minutes):

FUNDING:

Acct:	Budget:	Available:	Expense:	Remaining:
Acct:	Budget:	Available:	Expense:	Remaining:
Acct:	Budget:	Available:	Expense:	Remaining:

BA: _____ Date: _____