



TOWN COUNCIL COMMUNICATION

DATE: October 15, 2024

FROM: Thad Chambers, Town Administrator

AGENDA ITEM: Conduct a Public Hearing to hear public comment, discuss, and consider an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 8, Section 8.02.001.(b). (Exceptions), to conform to recent revisions to Texas Local Government Code Section 229.003, and to add an exception from firearms prohibitions for mounted shooting competition training or exhibition. The applicants are Stacey and Ronnie Smith. [Town of Bartonville File Number ZC-2024-003.] ***(The Planning and Zoning Commission recommended approval by a vote of 4-1-0 at its October 2, 2024 meeting.)***

SUMMARY:

The applicant submitted a request to amend the Bartonville Code of Ordinances (BCO), Chapter 8, Section 8.02.001.(b). (Exceptions), to add a new subpart 5 that would permit the discharge of blank cartridges from firearms on Agricultural zoned property with prior notice to the Town Marshal. Based on the Town Attorney's review of recent state legislation affecting local regulation of the discharge of firearms, most notably HB No. 4559 (2013), which amends Texas Local Government Code Section 229.003, an amendment was prepared for Town Council consideration that combines elements of the applicant's request with the required amendments to conform to Texas LGC 229.003. The proposed text amendment is found in Exhibit 3.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

Approve (4-1). Note that the amendment language found in Exhibit 3 varies from the specific language proposed by the applicant and presented to the Planning & Zoning Commission, though the spirit and intent of the proposed text amendment remains. Revisions to the amendment language were prepared by the Town Attorney in order to meet legal requirements.

PUBLIC COMMENT:

The applicant and two additional associates of the applicant spoke in favor of the proposed additional exception for "mounted shooting competition training or exhibition" at the October 2, 2024 Planning & Zoning Commission Public Hearing. The Town received one email statement, in favor, and is included the exhibit.

RECOMMENDED CONDITIONS OF APPROVAL:

None.

ATTACHMENTS:

1. Bartonville Code of Ordinances Text Amendment Application Packet
2. Published legal notice
3. Email Statement
4. Proposed ordinance amending Bartonville Code of Ordinances Section 8.02.001.(b).