

ORDINANCE NO. 2021-O-141

AN ORDINANCE OF THE CITY OF ATHENS, TEXAS, AMENDING CHAPTER 22, ARTICLE IV, SECTIONS 22-32(h) AND CHAPTER 22, APPENDIX A, A-3 OF THE CITY CODE OF ORDINANCES REGARDING THE USES OF SHOOTING RANGE, INDOOR AND SHOOTING RANGE, OUTDOOR, PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, on the 4th day of October 2021, the Planning and Zoning Commission of the City of Athens, Texas after due notice and hearing did hereby vote to recommend approval of the amendment of the Zoning Ordinance to include “Shooting Range, Indoor” and “Shooting Range, Outdoor” as uses permitted by specific use permit within the Commercial and Industrial zoning districts. In addition, the Commission voted to recommend approval of the definitions for both uses as shown below. Furthermore, the Commission voted to recommend that standards be established for both uses.

WHEREAS, on the 11th day of October 2021, the City Council of the City of Athens, Texas after due notice as required by law, held the first reading of the ordinance as required by Article III, Section 3.11 of the City of Athens Charter.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, TEXAS

Section 1. The City Council hereby authorizes the amendment of Chapter 22, Article IV, Section 22-32(h) to incorporate the use of “Shooting Range, Indoor”, to be allowed by specific use permit within Commercial and Industrial zoning districts only, and to incorporate the use of “Shooting Range, Outdoor”, to be prohibited in all zoning districts, as shown below.

	A, SF-15, SF-10, SF-7, SF-5, SF-PH, MF-2, SFA, MF-4, MF-5, MH, SF-CH, O, R, CBD	C	I
Shooting Range, Indoor		S	S
Shooting Range, Outdoor			

Section 2. Furthermore, the City Council hereby authorizes the amendment of Chapter 22, Appendix A, A-3 to incorporate the definitions for “Shooting Range, Indoor” and “Shooting Range, Outdoor” as shown below.

Shooting Range, Indoor – Any public or private indoor facility or portion thereof operated for the purpose of discharging firearms for testing, training, or recreational purposes.

Shooting Range, Outdoor – Any public or private outdoor facility or portion thereof operated for the purpose of discharging firearms for testing, training, or recreational purposes.

Section 3. Should any clause, phrase, sentence section of this Ordinance be deemed invalid or unconstitutional by a court of competent jurisdiction, said finding shall not affect the remaining clauses, phrases, sentences or sections of this Ordinance.

Section 4. Any ordinance, resolution or order previously passed and/or adopted by the City Council, or any part thereof, if found to be in conflict with the provisions of this Ordinance, shall be resolved in favor of the terms and conditions of this Ordinance, and any prior conflicting ordinance, resolution or order or any part thereof, is hereby repealed to the extent of said conflict.

Section 5. This ordinance shall be and become effective from and after its adoption and publication in accordance with the provisions of the Charter of the City of Athens, Texas.

First reading on the 11th day of October 2021.

PASSED, APPROVED and ADOPTED this the **25th** day of **October 2021** at a regular meeting of the City Council of the City of Athens, Texas, with the following record vote:

Toni Clay, Mayor	Aye
Aaron Smith, Mayor Pro Tem	Aye
Robert Gross, Councilmember	Nay
SyTanna Freeman, Councilmember	Nay
Mark Carroll, Councilmember	Aye
Voted in favor of the motion	3
Voted against the motion	2
Motion carried	3-2

Toni Clay, Mayor

ATTEST:

Bonnie Hambrick, City Secretary