

AN ORDINANCE AMENDING AMC 7.28.070 TO PERMIT THE USE AND POSSESSION OF CERTAIN WEAPONS ON PARK PROPERTY AS AUTHORIZED BY THE PARKS AND RECREATION DIRECTOR IN THE CONDUCT OF SUPERVISED RECREATIONAL AND EDUCATIONAL ACTIVITIES AND DECLARING AN EMERGENCY.

WHEREAS, AMC 7.28.070(1) prohibits the use or possession of firearm, air rifle, spring gun, bow and arrow, or other weapons potentially harmful to wildlife and human safety; and

WHEREAS, AMC 7.28.070 presently includes no exceptions for well-supervised, legitimate recreational activities or for the display, carrying, or use of weapons in connection with historical, or theatrical reenactments, or recreational or education programs; and

WHEREAS, it is the purpose of this ordinance to create such an exception in controlled circumstances wherein human and wildlife safety will not be endangered.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: AMC 7.28.070 is amended by the creation of sections (2) and (3) as follows:

“AMC 7.28.070(2) The restriction provided in section (1) above shall not apply if all of the following criteria are met:

- (a) The Director authorizes, in writing, the activity which would otherwise be prohibited; and
- (b) The activity in question promotes a legitimate educational, scientific, historical, or recreational activity; and
- (c) The Director reasonably concludes that the activity in question will be conducted in a manner consistent with wildlife and human safety; and
- (d) The organization or party applying for the exemption provides the Director with a Certificate of Liability Insurance Coverage naming the City as an additional insured and providing coverage limits for the activity in question which are not less than the applicable statutory limits of governmental liability provided by state law.

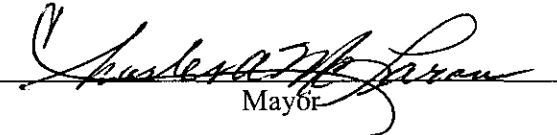
AMC 7.28.070(3) If the Director denies an application for authorization to engage in an activity which would otherwise be prohibited by section (1) above, the Director’s decision may be appealed within 10 days by a written appeal to the City Manager. The City Manager shall thereafter conduct proceedings as he or she deems appropriate; and upon consideration of the criteria set forth in section (2) above, may reverse, modify, or affirm, the decision of the Director. The decision of the City Manager shall be final.”

Section 2: Emergency Clause. In as much as this ordinance is necessary for the immediate preservation of the public peace, health, and safety of the city of Albany, and an emergency is hereby declared to exist; and this Ordinance shall take effect and be in full force and effect when signed by the Mayor.

Passed by Council: May 10, 2006

Approved by Mayor: May 10, 2006

Effective Date: May 10, 2006



Mayor

ATTEST:



City Clerk