



# City of Killeen

## Legislation Details (With Text)

**File #:** OR-18-019    **Version:** 1    **Name:** Weapons Ordinance Amendment  
**Type:** Ordinance    **Status:** Passed  
**File created:** 11/19/2018    **In control:** City Council  
**On agenda:** 12/18/2018    **Final action:** 12/18/2018  
**Title:** Consider an ordinance amending the Killeen Code of Ordinances Chapter 16, to no longer regulate the discharge of firearms in areas annexed after 1981 in accordance with state law, and to allow air-powered weapon businesses.  
**Sponsors:** Police Department, City Attorney Department  
**Indexes:**  
**Code sections:** Sec. 16-43. - Discharge of firearms, Sec. 16-44. - Discharge of air powered weapons or archery device, Sec. 16-45. - Discharge of firearm near structures buildings roadways  
**Attachments:** 1. Staff Report, 2. Ordinance, 3. Presentation

Date	Ver.	Action By	Action	Result
12/18/2018	1	City Council	Approved	Pass
12/11/2018	1	City Council Workshop		

Consider an ordinance amending the Killeen Code of Ordinances Chapter 16, to no longer regulate the discharge of firearms in areas annexed after 1981 in accordance with state law, and to allow air-powered weapon businesses.

**DATE:**            **December 11, 2018**  
**TO:**                **Ronald L. Olson, City Manager**  
**FROM:**           **Kathryn H. Davis, City Attorney**  
**SUBJECT:**       **Amendment of Chapter 16**

### **BACKGROUND AND FINDINGS:**

Current state law restricts cities from regulating the discharge of firearms or other weapons in the extraterritorial jurisdiction or in an area annexed by the city after September 1, 1981, except under certain circumstances.

In addition, our current ordinances restrict the use of air-powered weapons to such an extent as to prevent certain entertainment businesses from offering these services to patrons.

### **THE ALTERNATIVES CONSIDERED:**

1. Maintain current ordinance which will leave us in conflict with current state law and prevent the operation of certain types of entertainment businesses that use air-powered weapons.

2. Approve the recommended amendments as presented.

**Which alternative is recommended, and Why?**

Staff recommends alternative 2, approve amendments as presented. This will allow the city's ordinances to be in compliance with state law and also allow air-powered type weapon businesses to open in the city.

**CONFORMITY TO CITY POLICY:**

These ordinance amendments are in compliance with city policies.

**FINANCIAL IMPACT:**

N/A

**What is the amount of the expenditure in the current fiscal year? For future years?**

N/A

**Is this a one-time or recurring expenditure?**

N/A

**Is this expenditure budgeted?**

N/A

**If not, where will the money come from?**

N/A

**Is there a sufficient amount in the budgeted line-item for this expenditure?**

N/A

**RECOMMENDATION:**

City staff recommends adopting the amendments to Chapter 16 as provided.

**DEPARTMENTAL CLEARANCES:**

Legal

**ATTACHED SUPPORTING DOCUMENTS:**

Ordinance