

CITY OF LINCOLN
COMMITTEE OF THE WHOLE MEETING
AGENDA
APRIL 25, 2023
CITY HALL COUNCIL CHAMBERS
7:15 PM

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Public Participation**
- 4. Alice Roate – Logan County Tourism 1st Quarter Report**
- 5. Request to Permit – Lincoln Community High School Senior Parade Saturday, May 6, 2023.**
- 6. Economic Development Commission Grant Approvals.**
- 7. Advice & Consent to the Mayoral re-appointments. Joe Meister-Chief of Police, Robert Dunovsky- Fire Chief, Walt Landers-Street Superintendent, Wes Woodhall-Building & Safety Inspector.**
- 8. Resolution Establishing Salaries and/or Pay Increases for the City of Lincoln.**
- 9. Building and Safety Department facilitated a Public Planning Commission regarding Indoor Gun Range.**
- 10. Ordinance Creating 3-26 of the City Code Regulating Indoor Gun Ranges within the City of Lincoln and allowing them as C-1 Businesses.**
- 11. Announcements**
- 12. Possible Executive Session**
- 13. Adjournment**
- 14. Upcoming Meetings:** City Council Meeting: Monday, May 1, 2023 at 7:00 PM
Committee of the Whole Meeting: Tuesday, May 9, 2023 at 7:00 PM



101 N. Chicago St. Lincoln, IL 62656 / 217.732.8687 / www.destinationlogancountyil.com

Logan County Tourism Bureau 2023 1st Quarter Report

Board of Directors

President: Kathie Williams	Tracy Welch- (<i>ex officio</i>)
Vice President: Gail Sasse	Emily Davenport
Treasurer: Neal Patel	Molly Pickering
Secretary: Nila Smith	Steve Parrott
	Jim Wessbecher
	Olivia Partlow
	Rick Hoefle
	Melanie Blankenship
	Jean Ann Miller

- **Financials**
 - Hotel/Motel Tax Income (95%) 1/2023, 2/2023 & 3/2023- **\$36,639.02**
 - Hotel/Motel Tax 2023 Quarter 1 revenue is **down 17%** compared to 2022 Quarter 1 revenue.
- **Grants Received**
 - Illinois Department of Commerce & Economic Opportunity LCTB Grant July 2022 – June 2023 - **\$46,287.00**
 - Illinois Tourism Attractions & Festivals Grant - **\$25,187.00**
- **Advertising Efforts**
 - **Digital Marketing continued for July 2022 – June 2023** – Radio spots, Location Targeted Geo-Fencing, Facebook/Instagram Ads.
 - **The Depot and The Mill are official stops in the Route 66 Passport-** (<https://www.route66navigation.com/passport>). We had **121** people with Tourism related inquiries (via in person/phone/web) at The Depot and **10** of those were visitors with Route 66 Passports.
- **The Mill Museum**
 - The Mill Museum has re-opened for the season! The museum will be open Tuesday – Saturday, 12:00pm – 4:00pm.

Financials attached – Account Balances as of March 31, 2023

Logan County Tourism Bureau

Balance Sheet

As of March 31, 2023

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
10000 Savings	74,523.64
10001 Main Checking	128,022.09
10002 Lincoln Initiative Checking	3,820.71
10003 The Mill Checking	3,588.55
10004 Balloons Over 66 Checking	15,000.00
Total Bank Accounts	\$224,954.99
Other Current Assets	
12000 Petty Cash (Depot)	50.00
12001 Petty Cash (Mill)	310.00
150001 Inventory- Mill & Depot	5,526.82
Total Other Current Assets	\$5,886.82
Total Current Assets	\$230,841.81
TOTAL ASSETS	\$230,841.81
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
20000 Payroll Liabilities	
20001 FWT FICA Medicare Payable	3,966.14
20002 SWT Payable	889.74
Total 20000 Payroll Liabilities	4,855.88
Total Other Current Liabilities	\$4,855.88
Total Current Liabilities	\$4,855.88
Total Liabilities	\$4,855.88
Equity	
30000 Opening Balance Equity	215,588.95
31000 Net Assets	5,526.82
Net Revenue	4,870.16
Total Equity	\$225,985.93
TOTAL LIABILITIES AND EQUITY	\$230,841.81

THE CITY OF LINCOLN

Date Received APR 10 2023

REQUEST TO PERMIT EVENT WITH STREET CLOSURE

Must Have Council Approval

RECEIVED

Date(s) of Event: 5/6/2023 A copy of this form must be available at the Event!

Please describe below your request for use of City Property.

Description of Event (including participating merchants, vendors, exhibitors, and units, etc.)

2022-2023 LCHS Senior Parade

Police Escort Requested

Location of Event Property: (Address Utilized Space) Start / End @ 1000 Raier Way

Items occupying street space utilized: NONE

Date(s) and time(s) for usage of Property: 5/6/23 @ 5:00 pm

Are licenses needed, if yes, please attach. YES NO

Street Closures and Parking Street(s) will be closed (Please attach map or sketch of all closures.)

If closed, which streets and blocks? See attached Parade Route

Closed from _____ a.m./p.m. until _____ a.m./p.m. (circle a.m. or p.m.)

If different times on different days, please specify. _____

Does this street normally have access to a permitted parking lot? Specify, _____

Certificate of Insurance Liability for event must be attached to request before approval.

Business/Organization/Sponsor Name: Lincoln Community High School

Contact Name: David Helm Email: dhelm@lchsraiders.org

Address: 1000 Raier Way Signature: [Signature]

Phone: Business: 217-732-4131 Cell: 217-299-0198

APPROVED: (signatures)

Police Department: [Signature]

Mayor: [Signature]

Fire Department: [Signature]

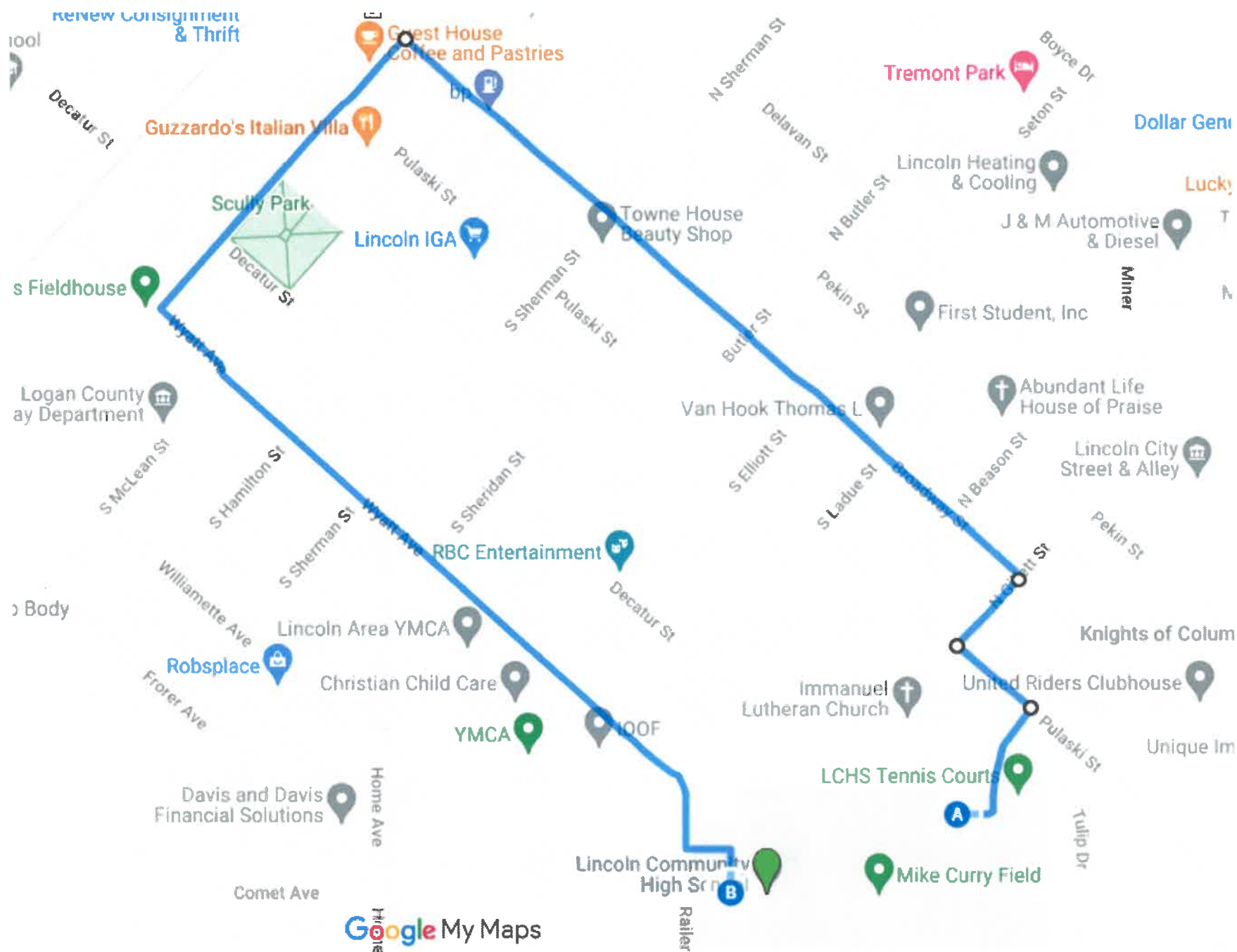
Vote: Council Approval ___ Years ___ Nays

Street Department: [Signature]

Date: _____

As soon as all signatures are obtained, you will be contacted at the phone number you provided.

If your special event will be held more than once during this year with the same location and arrangements, you may use the same application with a change in dates.



MEMORANDUM

TO: Mayor and City Council Members
FROM: Ashley Metelko, Administrative Assistant
MEETING DATE: April 25, 2023
RE: Economic Development Commission Grant Approvals

Background:

On April 21, 2023, the Economic Development Grant Commission met and approved the following applications:

FACADE GRANTS:

Jamie Harnacke/Sublime (Guest House) – 111 ½ S. Kickapoo Street

Signage for front of building

Amount approved by Economic Development Commission: \$447.12

Spirited Republic/Guzzardo's – 509 Pulaski Street

Signage for front and back of building

Amount approved by Economic Development Commission: \$4,848.00

RESOLUTION

RESOLUTION ESTABLISHING SALARIES AND/OR PAY INCREASES FOR THE CITY OF LINCOLN

THIS RESOLUTION is made and adopted by the CITY COUNCIL OF THE CITY OF LINCOLN, LOGAN COUNTY, ILLINOIS, at a regular meeting held in the City Council Chambers in said City on the ____ day of _____, 2023, WITNESSETH:

WHEREAS, the City of Lincoln establishes a salary for all appointed officials and employees for the City of Lincoln; and

WHEREAS, the City Council will consider the performance, skill levels, and market conditions in determining the amount and type of pay increases for its employees;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LINCOLN, as follows:

Section 1: The following full-time, exempt positions shall receive a cost of living increase to their current annual salary in the amount of five percent (5.0%) to be paid out in a manner established by City policy and shall be paid retroactive to May 1, 2023:

1. Fire Chief
2. Police Chief
3. Street Superintendent
4. Assistant Fire Chiefs (3)
5. Deputy Police Chief

Section 2: The following full-time, exempt positions shall receive a cost of living increase to their current annual salary in the amount of seven percent (7.0%) to be paid out in a manner established by City policy and shall be paid retroactive to May 1, 2023:

1. Building & Safety Inspector

Section 3: The following full-time, exempt positions shall receive a cost of living increase to their current annual salary in the flat amount of \$4,183.00 to be paid out in a manner established by City policy and shall be paid retroactive to May 1, 2023:

1. Deputy City Clerk
2. Sewer Clerks (2)
3. Administrative Assistant to the Chief of Police
4. Police Records Clerk
5. Deputy Building and Safety Official
6. Administrative Assistant to the Street Department, and Building & Zoning Department

Section 4: The following full-time, exempt positions shall receive a cost of living increase to their current annual salary in the flat amount of \$4,000.00 to be paid out in a manner established by City policy and shall be paid retroactive to May 1, 2023:

1. Administrative Assistant to the Mayor and City Council

Section 5: The following part-time positions shall receive a cost of living increase to their current hourly rate in the amount listed below to be paid out in a manner established by City policy and shall be paid retroactive to May 1, 2023:

- | | | |
|----|-------------------------------------|------------------|
| 1. | Sewer Clerk (Part-Time) | \$18.68 per hour |
| 2. | Landfill Attendants (2) (Part-Time) | \$14.00 per hour |
| 3. | School Crossing Guard (Part-Time) | \$22.50 per hour |

The vote on the adoption of this Resolution was as follows:

Alderman Parrott _____ Alderwoman Rohlf's _____

Alderman Downs _____ Alderman Zurkammer _____

Alderman Hoefle _____ Alderman Bateman _____

Alderman Eimer _____ Alderwoman McClallen _____

Ayes: _____

Nays: _____

Abstain _____

Absent: _____

Passed and approved this ____ day of _____, 2023.

CITY OF LINCOLN,

BY: _____

Tracy Welch, Mayor
City of Lincoln, Logan County, Illinois

ATTEST: _____ (SEAL)

City Clerk, City of Lincoln,
Logan County, Illinois

MEMORANDUM

TO: Mayor Tracy Welch and Members of the City Council

FROM: Wes Woodhall, Building and Safety Official

DATE: April 25th, 2023

RE: PC 2023-01, Ordinance Amendment Regarding Indoor Shooting Range.

Background: Lincoln Police Chief Joe Meister and City Attorney John Hoblit have been working on creating an ordinance that would amend the City of Lincoln Municipal Code, Section 11-5-2, to include an allowable use of Indoor Shooting Ranges within the C-1 district.

Analysis/Discussion: The Building and Safety Department facilitated a public planning commission meeting, held on April 20th, 2023 in the City Hall Council Chambers. Public notice was created per statute by Building and Safety Department staff. There were no public comments on the request. The Planning Commission unanimously approved the request for the allowance of an Indoor Shooting Range in the C-1 zoning district.

COW Recommendation: Place on Council agenda for discussion of the proposed change.

Fiscal Impact: There will be no negative financial impact to the City of Lincoln.

Council Recommendation: Approve/Deny proposed change to the Lincoln City Code.

3-26: SHOOTING RANGES

3-26-1. Definitions: Following are the definitions for the purpose of this section:

ENCLOSED SHOOTING RANGE: A fully enclosed building of a permanent character specifically designed or subsequently modified for the specific purpose of providing a location for the discharge of firearms for purposes of practicing marksmanship.

OUTDOOR SHOOTING RANGE: An outside area designed specifically or subsequently modified for the specific purpose of providing a location for the discharge of firearms for purposes of practicing marksmanship.

3-26-2. Outdoor Shooting Ranges Prohibited: Outdoor shooting ranges are prohibited within the City of Lincoln corporate limits.

3-26-3. Construction Requirements:

1. Buildings containing shooting ranges shall have walls, ceilings and floors that are impenetrable to the bullets of the firearms being used within it, or have internal baffling built so that the bullets cannot hit the walls or ceiling. Doors and windows which are in front of the firing points must be bolted from the range side and must always comply with this subsection as a part of the building walls at all times the range is in use.

2. The range shall be so constructed and insulated from noise that the discharge of firearms within the range shall not disturb the peace of other persons; eye protection and hearing protectors which fully cover the shooter's ears will be made available for all shooters or other persons in the firing area. No gas or incendiary projectiles shall be allowed.

3. Any construction of a new building, or remodeling of an existing building in order to establish a range, will require the issuance of a building permit, as otherwise provided in this Code. Detailed plans and specifications must be submitted along with the application for such permit. Prior to the issuance of such permit, the plans and specifications must be approved in writing by the Lincoln building inspector and the Lincoln Chief of Police.

4. Protective stalls shall be built in between each firing point.

5. Range shall have an exhaust fan or system placed above the shooting and target area capable of a complete change of air in the range no less than twenty (20) times per hour.

6. Nothing in this section shall be construed to exempt such range, or its construction or remodeling, or its operation, from any applicable City, State or Federal law, or rule or regulation.

3-26-4. Licensing Requirements:

1. A license to operate a range is required by each operator prior to the commencement of a range operation and said license must be renewed annually as a condition for continued operation.

2. All instructors shall be certified by the National Rifle Association or by the State of Illinois and shall provide proof of said certification before a City license will be issued. Instructors shall maintain their certification with the National Rifle Association and shall provide proof of such certification on an annual basis before a City license will be renewed.

3. The application for a license shall be made in writing, and said application shall contain the following information:

- a. Name of applicant, stating whether individual, partnership, corporation or association.
- b. Address of applicant.
- c. Age of applicant (individual's age, or date of incorporation or formation if a business entity).
- d. If applicant is not an individual, name and addresses of all officers and members (if there are more than five (5) such officers and members, the list shall include only the managing officers, and those persons or entities which collectively own majority interests).
- e. Location and legal description of the premises sought to be licensed, and a statement of whether the premises are owned or leased by applicant.
- f. Qualifications and experience of applicant which will include a "Firearms Instructor and/or Range Safety Officer" certification
- g. Designation of service agent for service of legal process.

4. The annual license fee for the operation of a range shall be _____ dollars (\$_____), payable at the time of application and at the time of the application for renewal. A license issued under this section shall not be transferable or assignable, and any attempt to transfer, assign or encumber such license shall render such license void.

5. Prior to the issuance of any license, or the renewal of any license, the Chief of Police or his designee who are certified Firearms Instructors and/or Range Safety Officers shall inspect the range to see that all requirements of this section are met. Such inspector may inspect the range more often as needed. The operator, by applying for a license, consents to such safety inspections during any normal business hours.

6. No license granted under this section shall ever be held to bar a prosecution for violation of any other ordinance of the City, or to prevent the enforcement of any ordinance or inhibit the exercise of powers and duties of any officer under the terms of any such ordinance.

7. A license issued for the operations of a shooting range shall set forth the name and location of the range covered by such license, name, or names of those persons to whom the license is issued, and any other information the Chief of Police or his designee may deem necessary.

8. Such license shall be placed and maintained at all times in an open, prominent and conspicuous place inside the range.

3-26-5. Insurance Requirements: The owner of the range, whether individual, or corporation, or other business entity, shall carry liability insurance protecting the general public and users of the range against any injury resulting from the discharge of firearms in the range in an amount no less than one million dollars (\$1,000,000.00).

3-26-6. Alcohol Prohibited: It shall be unlawful for any licensee to permit any person or persons to bring any alcoholic beverages on the premises of any range, or to permit the consumption of same on the premises, or to permit same to be left at any place on the premises. It shall be unlawful for any person operating a range to permit any intoxicated person to be or remain therein.

3-26-7. Operations Requirements:

1. The permissible hours for enclosed shooting ranges operations are between the hours of 9 a.m. through 8 p.m. Monday through Saturday and 11 a.m. through 6 p.m. Sunday.

2. Any person under the legal age of eighteen (18), desiring to use the range must be accompanied by an adult.

3. No more than one (1) person shall shoot from a single firing point at one (1) time. All other persons (except instructors) must stand behind the firing point. No one shall be allowed in front of the firing points without express approval of the Firearms Instructor or Range Safety Officer.

4. Loaded weapons shall be allowed only in the firing area on the range and shall not be permitted at any other place inside the building or premises (may offer caveat for employees/owner).

5. It shall be unlawful for any person to discharge any firearm in a manner so that the shot, bullets, or fragments thereof will avoid the backstop and other safety precautions and escape the confines of the range or cause bodily injury to persons on the range. The operator shall supervise the users of the range and shall remove and bar from the range any person who refuses to comply with generally accepted safety practices, or with this section, or with the rules and regulations concerning safety imposed by the operator.

6. Shotguns, handguns, and rifles of any caliber larger than a .22 caliber long rifle shall not be used in enclosed ranges, unless the range is equipped with backstop equipment which will safely contain such ammunition, and the Chief of Police or his designee specifically certifies the range to be so equipped, following actual inspection of the equipment as installed.

7. Any shooting range establishment, gunsmith, or firearm retailer shall be authorized and encouraged to utilize a discharge barrel or other similar safety apparatus to ensure the safe handling of firearms.

8. A sign stating the Rules and Regulations of the range operation shall be placed in a prominent and conspicuous location within the range.

9. The provisions preventing a discharge of a firearm under Lincoln City Code 6-3-8 are hereby relieved while making use of an enclosed firing range under this chapter.

3-26-8. Mandatory Reporting: If at any time, an accidental discharge involves injury or death, the licensee shall provide a written Incident Report to the Lincoln Police Department that shall include the following:

1. Name of shooter.
2. Name of victim.
3. Time and date of the incident.

4. Detailed statement of the events that occurred.

3-26-9. Revocation of License: The Chief of Police or his designee is hereby vested with authority to revoke or suspend any license issued under this section on any of the following grounds:

1. Violation of any of the provisions of this section, or of any rules or regulations existing now or hereafter adopted, or of any laws of the State.

2. Permitting, aiding or abetting the commission of an illegal act in or on the licensed premises.

3. Selling or permitting the consumption of alcoholic beverages or non-intoxicating beverages or any intoxicating substances on the licensed premises.

4. Admitting any person under the influence of alcohol or any intoxicating substance to use the facilities of the range.

5. In any case of such suspension or revocation, the reasons therefore shall be furnished the owner or manager of the range in writing, and the licensee shall have the right to appeal to the City Council by filing notice of his intent to appeal within ten (10) days from the date of receipt of the notice of suspension and revocation from the Chief of Police. Such appeal shall be set down for hearing within thirty-one (31) days after the City Clerk receives the notice of intent to appeal.

3-26-10. Penalty:

Violations of this Chapter that do not result in permanent revocation of their license will subject the business to a fine of not less than \$400.00 to a fine of no greater than \$2,500.00 for each violation.

ORDINANCE NO.

**ORDINANCE CREATING 3-26 OF THE CITY CODE REGULATING INDOOR
GUN RANGES WITHIN THE CITY OF LINCOLN AND ALLOWING THEM
AS C-1 BUSINESSES**

THIS ORDINANCE is made and adopted by the CITY COUNCIL OF THE CITY OF LINCOLN, LOGAN COUNTY, ILLINOIS, at a regular meeting held in the City Council Chambers in said City on the ____ day of _____, 2023, WITNESSETH:

WHEREAS, the CITY OF LINCOLN is a municipal corporation located in Logan County, Illinois; and

WHEREAS, the CITY OF LINCOLN acknowledges that State Statute provides for gun ranges as an allowable use within a municipality provided they meet certain criteria; and

WHEREAS, the CITY OF LINCOLN believes it would be of benefit to the constituents of Lincoln that they have access to indoor gun ranges provided said indoor gun ranges are operated in a safe manner with proper sound dampening; and

WHEREAS, the CITY OF LINCOLN acknowledges that its Planning Commission met on April 20, 2023 and recommended that indoor gun ranges be classified as C-1 business;

NOW, THEREFORE, IT IS HEREBY ORDAINED by the CITY COUNCIL OF THE CITY OF LINCOLN, as follows:

1. That the City of Lincoln will create a new 3-26 to regulate indoor gun ranges within the City of Lincoln. (see attached exhibit A).
2. That the City of Lincoln will amend 11-5-2 to add indoor gun ranges as an allowable C-1 business. (see attached exhibit B).
3. Effective Date. That this Ordinance is effective upon passage of the same.

The vote on the adoption of this Ordinance was as follows:

Alderman Parrott	_____	Alderman Zurkammer	_____
Alderman McClallen	_____	Alderman Rohlf	_____
Alderman Hoefle	_____	Alderman Bateman	_____
Alderman Downs	_____	Alderman Eimer	_____

Ayes: _____

Nays: _____

Absent: _____

Abstain: _____

Passed and approved this ____ day of _____, 2023.

CITY OF LINCOLN,

BY: _____

Tracy Welch, Mayor
City of Lincoln, Logan County, Illinois

ATTEST: _____ (SEAL)

City Clerk, City of Lincoln,
Logan County, Illinois

EXHIBIT A

3-26: SHOOTING RANGES

3-26-1. Definitions: Following are the definitions for the purpose of this section:

ENCLOSED SHOOTING RANGE: A fully enclosed building of a permanent character specifically designed or subsequently modified for the specific purpose of providing a location for the discharge of firearms for purposes of practicing marksmanship.

OUTDOOR SHOOTING RANGE: An outside area designed specifically or subsequently modified for the specific purpose of providing a location for the discharge of firearms for purposes of practicing marksmanship.

3-26-2. Outdoor Shooting Ranges Prohibited: Outdoor shooting ranges are prohibited within the City of Lincoln corporate limits.

3-26-3. Construction Requirements:

1. Buildings containing shooting ranges shall have walls, ceilings and floors that are impenetrable to the bullets of the firearms being used within it, or have internal baffling built so that the bullets cannot hit the walls or ceiling. Doors and windows which are in front of the firing points must be bolted from the range side and must always comply with this subsection as a part of the building walls at all times the range is in use.

2. The range shall be so constructed and insulated from noise that the discharge of firearms within the range shall not disturb the peace of other persons; eye protection and hearing protectors which fully cover the shooter's ears will be made available for all shooters or other persons in the firing area. No gas or incendiary projectiles shall be allowed.

3. Any construction of a new building, or remodeling of an existing building in order to establish a range, will require the issuance of a building permit, as otherwise provided in this Code. Detailed plans and specifications must be submitted along with the application for such permit. Prior to the issuance of such permit, the plans and specifications must be approved in writing by the Lincoln building inspector and the Lincoln Chief of Police.

4. Protective stalls shall be built in between each firing point.

5. Range shall have an exhaust fan or system placed above the shooting and target area capable of a complete change of air in the range no less than twenty (20) times per hour.

6. Nothing in this section shall be construed to exempt such range, or its construction or remodeling, or its operation, from any applicable City, State or Federal law, or rule or regulation.

3-26-4. Licensing Requirements:

1. A license to operate a range is required by each operator prior to the commencement of a range operation and said license must be renewed annually as a condition for continued operation.

2. All instructors shall be certified by the National Rifle Association or by the State of Illinois and shall provide proof of said certification before a City license will be issued. Instructors shall maintain their certification with the National Rifle Association and shall provide proof of such certification on an annual basis before a City license will be renewed.

3. The application for a license shall be made in writing, and said application shall contain the following information:

- a. Name of applicant, stating whether individual, partnership, corporation or association.
- b. Address of applicant.
- c. Age of applicant (individual's age, or date of incorporation or formation if a business entity).
- d. If applicant is not an individual, name and addresses of all officers and members (if there are more than five (5) such officers and members, the list shall include only the managing officers, and those persons or entities which collectively own majority interests).
- e. Location and legal description of the premises sought to be licensed, and a statement of whether the premises are owned or leased by applicant.

- f. Qualifications and experience of applicant which will include a "Firearms Instructor and/or Range Safety Officer" certification
- g. Designation of service agent for service of legal process.

4. The annual license fee for the operation of a range shall be _____ dollars (\$_____), payable at the time of application and at the time of the application for renewal. A license issued under this section shall not be transferable or assignable, and any attempt to transfer, assign or encumber such license shall render such license void.

5. Prior to the issuance of any license, or the renewal of any license, the Chief of Police or his designee who are certified Firearms Instructors and/or Range Safety Officers shall inspect the range to see that all requirements of this section are met. Such inspector may inspect the range more often as needed. The operator, by applying for a license, consents to such safety inspections during any normal business hours.

6. No license granted under this section shall ever be held to bar a prosecution for violation of any other ordinance of the City, or to prevent the enforcement of any ordinance or inhibit the exercise of powers and duties of any officer under the terms of any such ordinance.

7. A license issued for the operations of a shooting range shall set forth the name and location of the range covered by such license, name, or names of those persons to whom the license is issued, and any other information the Chief of Police or his designee may deem necessary.

8. Such license shall be placed and maintained at all times in an open, prominent and conspicuous place inside the range.

3-26-5. Insurance Requirements: The owner of the range, whether individual, or corporation, or other business entity, shall carry liability insurance protecting the general public and users of the range against any injury resulting from the discharge of firearms in the range in an amount no less than one million dollars (\$1,000,000.00).

3-26-6. Alcohol Prohibited: It shall be unlawful for any licensee to permit any person or persons to bring any alcoholic beverages on the premises of any range, or to permit the consumption of same on the premises, or to permit same to be left at any place on the

premises. It shall be unlawful for any person operating a range to permit any intoxicated person to be or remain therein.

3-26-7. Operations Requirements:

1. The permissible hours for enclosed shooting ranges operations are between the hours of 9 a.m. through 8 p.m. Monday through Saturday and 11 a.m. through 6 p.m. Sunday.

2. Any person under the legal age of eighteen (18), desiring to use the range must be accompanied by an adult.

3. No more than one (1) person shall shoot from a single firing point at one (1) time. All other persons (except instructors) must stand behind the firing point. No one shall be allowed in front of the firing points without express approval of the Firearms Instructor or Range Safety Officer.

4. Loaded weapons shall be allowed only in the firing area on the range and shall not be permitted at any other place inside the building or premises (may offer caveat for employees/owner).

5. It shall be unlawful for any person to discharge any firearm in a manner so that the shot, bullets, or fragments thereof will avoid the backstop and other safety precautions and escape the confines of the range or cause bodily injury to persons on the range. The operator shall supervise the users of the range and shall remove and bar from the range any person who refuses to comply with generally accepted safety practices, or with this section, or with the rules and regulations concerning safety imposed by the operator.

6. Shotguns, handguns, and rifles of any caliber larger than a .22 caliber long rifle shall not be used in enclosed ranges, unless the range is equipped with backstop equipment which will safely contain such ammunition, and the Chief of Police or his designee specifically certifies the range to be so equipped, following actual inspection of the equipment as installed.

7. Any shooting range establishment, gunsmith, or firearm retailer shall be authorized and encouraged to utilize a discharge barrel or other similar safety apparatus to ensure the safe handling of firearms.

8. A sign stating the Rules and Regulations of the range operation shall be placed in a prominent and conspicuous location within the range.

9. The provisions preventing a discharge of a firearm under Lincoln City Code 6-3-8 are hereby relieved while making use of an enclosed firing range under this chapter.

3-26-8. Mandatory Reporting: If at any time, an accidental discharge involves injury or death, the licensee shall provide a written Incident Report to the Lincoln Police Department that shall include the following:

1. Name of shooter.
2. Name of victim.
3. Time and date of the incident.
4. Detailed statement of the events that occurred.

3-26-9. Revocation of License: The Chief of Police or his designee is hereby vested with authority to revoke or suspend any license issued under this section on any of the following grounds:

1. Violation of any of the provisions of this section, or of any rules or regulations existing now or hereafter adopted, or of any laws of the State.
2. Permitting, aiding or abetting the commission of an illegal act in or on the licensed premises.
3. Selling or permitting the consumption of alcoholic beverages or any intoxicating substances on the licensed premises.
4. Admitting any person under the influence of alcohol or any intoxicating substance to use the facilities of the range.
5. In any case of such suspension or revocation, the reasons therefore shall be furnished the owner or manager of the range in writing, and the licensee shall have the right to appeal to the City Council by filing notice of his intent to appeal within ten (10) days from the date of receipt of the notice of suspension and revocation from the Chief of Police. Such appeal shall be set down for hearing within thirty-one (31) days after the City Clerk receives the notice of intent to appeal.

3-26-10. Penalty:

Violations of this Chapter that do not result in permanent revocation of their license will subject the business to a fine of not less than \$400.00 to a fine of no greater than \$2,500.00 for each violation.

EXHIBIT B

§ 11-5-2. C-1 District, Uses.

[1960 Code § 12.08.051; amended Ord. 199, 3-18-1985; Ord. 317, 10-15-1990, 0-3-2022 by Ord. No. 2022-988]

The following uses shall be permitted in all C-1 districts:

Any use permitted in a residential district; individual mobile homes when located in an approved trailer park.

Accessory uses or buildings.

Automotive and related uses: new and used car sales, service and repair (providing such repairs are of a minor nature and totally contained within buildings), gasoline filling stations, motorcycle and bicycle shops, cab and bus stands and depots.

Business and advertising signs pertaining to the business on the property on which the sign is located; providing that:

- (A) Illumination of all signs shall be diffused or indirect and shall be arranged so as not to reflect direct rays of light into adjacent residential districts or into the public ways, and
- (B) That any sign located in the direct line of vision of any traffic control signal shall not have flashing intermittent red, green or amber illumination.

Business and professional offices: medical and dental offices and clinics, law offices, insurance and real estate offices, banks, finance and utility companies.

Community residential alternatives and community living facilities providing the following requirements are met:

- (A) The minimum lot area shall be 750 square feet per resident.
- (B) The required off street parking shall be provided only in the rear and side yards.
- (C) The facility shall be licensed or approved by the state agency.

Food, drug and beverage: grocery stores, supermarkets, meat markets, drugstores and liquor stores, bakery in conjunction with retail sales, restaurants, tea rooms and taverns.

Major retail outlets: furniture, department, clothing, shoe and variety stores; hardware, appliance, paint and wallpaper stores.

Non Retail Cannabis Business Establishment: craft growing facilities, infuser organization, processing organization, and transporting organizations as defined in 3-25-2

Nursing homes.

Service and recreation: motels and hotels; laundromats; dry cleaning and laundry pick up stations; barber and beauty shops; shoe repair and tailor shops; mortuaries,

newspaper publishing, indoor gun ranges, printing shops, with not more than 10 full time regular employees; storage and transfer establishments; places of amusement and assembly; commercial recreation.

Specialty shops: gift shops, magazine, book and stationery outlets, florist shops, camera and photography shops, sporting goods.