



GATE CITY TOWN COUNCIL PUBLIC HEARING MINUTES
September 3, 2019
156 E. JACKSON ST.
6:30 PM

I. PUBLIC HEARING MEETING CALLED TO ORDER AT 6:31 P.M. BY: Mayor - Frances Perry

II. ROLL CALL – Town Clerk – Lydia Lane

| | PRESENT: | ABSENT: |
|--|----------|---------|
| Mayor, Frances Perry | X | |
| Vice Mayor, Robin Richards | X | |
| Council Member, Allan “Cotton” Roberts | X | |
| Council Member, Roger Cassell | X | |
| Council Member, Wallace W. Ross, Jr. | X | |
| Council Member, Ron Kindle | | X |
| Town Manager, Greg Jones | X | |
| Town Attorney, Michele Brooks | X | |

Others present: Jason Snapp; Mattern & Craig, Marley Brooks, Kevin Barnette, Jessee McMurray; Law Offices of Jessee McMurray and Commonwealth Title Services, Edwin Cox; James River Advisors, Elizabeth Bricquet, Bruce McMillian, Chief Terry Sivert

III. NEW BUSINESS

• Proposed Change in Sec. 16-4. - Weapons; discharging firearms

Current Ordinance: Sec. 16-4. - Weapons; discharging firearms

It shall be unlawful for any person in the town, except a duly authorized officer in the course of his duty, to fire or discharge any gun, pistol or other firearms of any kind.

Proposed Ordinance: Sec. 16-4. - Weapons; discharging firearms

It shall be unlawful for any person in the town, except a duly authorized officer in the course of his duty, to fire or discharge any gun, pistol or other firearms of any kind.

By special permit issued by the Town of Gate City containing reasonable conditions or restrictions, upon written application showing good cause for the request of firing or discharge.

IV. PUBLIC COMMENT

Town Manager Greg Jones explained that in 2013 the Town amended the weapons discharge ordinance to allow by special permit issued by the Town of Gate City containing reasonable conditions or restrictions, upon written application showing good cause for the request of firing or discharge. Town Manager Jones explained that this ordinance was left out of the Municode online ordinances when they were uploaded and the best way to solve this issue would be to bring this ordinance back up, hold a public hearing, and re-vote. Vice-Mayor Robin Richards stated that Mayor Perry stated “proposed change” and asked if there is change

to the 2013 ordinance? Town Attorney Michele Brooks stated that it is exactly the same ordinance that was passed in 2013, and the only issue is that the ordinance was left out and needs to be re-adopted.

Ms. Elizabeth Bricquet asked if the amendment being put in would allow the police chief to fire a weapon in downtown to scare away birds? Mayor Frances Perry stated that officers have that right. Ms. Bricquet asked if they already have that right, why is this being added to the ordinance? Town Manager Greg Jones stated that it is not for police officers but for citizens and organizations. Ms. Bricquet asked if this would allow citizens to fire guns within city limits? Town Manager Greg Jones stated that citizens will have to have a permit. Council Member Allan “Cotton” Roberts stated that the ordinance was changed due to a customer complaint that deer were eating their crops. Council Member Roberts stated that this change in the ordinance allowed the customer to kill the animals overrunning the crops, but only with a special permit. Ms. Bricquet stated that she is concerned because she just spent a large sum of money on a fence on her property that was torn down by individuals trespassing on her property to hunt illegally. Ms. Bricquet stated that she has called the police and had individuals arrested for this and as a former police officer, gun fire in the middle of the night, does not make her feel better about living in Gate City. Ms. Bricquet stated that the houses in Gate City are very close together and as a taxpayer, she would hate to see the City sued because they gave someone permission to use a gun and someone gets hurt. Ms. Bricquet stated that as a property owner she is concerned that individuals may state that they are in need of a permit to scare off an animal when in reality they are hunting in their yard. Council Member Roberts stated that permits will not be handed out without reasonable cause. Town Attorney Michele Brooks stated that this is mainly for areas within Gate City that are very rural and areas with homes close together would most likely be turned down. Town Attorney Michele Brooks stated that she is not aware that anyone has obtained a permit since the ordinance was passed. Town Manager Greg Jones stated that the only organization that has asked for it was the Scott County Golf Course.

Council Member Wallace W. Ross, Jr. asked if you carry a permit issued by the state does that qualify you to shoot within town limits? Mayor Frances Perry stated that it does not and does not have anything to do with the ordinance. Council Member Ross asked if this was already approved why do we need to do it again? Mayor Frances Perry stated that it was omitted from the Municode when it was put on record. Council Member Ross asked if it was implemented and it was left off when you signed it, wouldn't that automatically make it as is? Town Attorney Michele Brooks stated that everything was re-adopted and for reasons of caution, this ordinance is being re-passed and added to the Municode document. Town Attorney Michele Brooks stated that an argument can be made because of the adoption of the Municode, that the ordinance was no longer enforced. Town Attorney Brooks stated that re-adoption will leave no question that it is duly passed.

V. PUBLIC HEARING CLOSES AT 6:44 P.M

Frances Perry – Mayor

Town Clerk – Lydia Lane