



## Legislation Details (With Text)

**File #:** 15-1303      **Version:** 1      **Name:** 11/5/15 Temp Moratorium Regarding Discharge of Weapons in Public Places  
**Type:** Resolution/Public Hearing      **Status:** Passed  
**File created:** 11/5/2015      **In control:** City Council  
**On agenda:** 11/5/2015      **Final action:** 11/5/2015  
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**Title:** Resolution to Impose a Temporary Moratorium on Enforcement of the Prohibition Regarding the Possession and Discharge of Weapons in Public Places

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

| Date      | Ver. | Action By    | Action          | Result |
|-----------|------|--------------|-----------------|--------|
| 11/5/2015 | 1    | City Council | Approved        | Pass   |
| 11/5/2015 | 1    | City Council | Held and Closed |        |

Resolution to Impose a Temporary Moratorium on Enforcement of the Prohibition Regarding the Possession and Discharge of Weapons in Public Places

Attached for your consideration is a request to suspend enforcement of the prohibition on possession and discharge of firearms in public places for the limited purpose of implementing the 2016 cull under the Deer Management Program.

Prepared by: Mary Joan Fales, Senior Assistant City Attorney

Reviewed by: Sumedh Bahl, Community Services Area Administrator

Approved by: Steven D. Powers, City Administrator

Whereas, Possession and discharge of weapons or firearms in public places under the provisions of Chapter 115 of the City Code is prohibited subject to certain limited exception;

Whereas, On August 17, 2015, City Council has adopted a Deer Management Program that includes authorization to conduct direct control activities (i.e. culls) to reduce human health and safety risks and property damage associated with urban deer population within the City limits;

Whereas, Under the approved Deer Management Program, a cull of the urban deer population on City of Ann Arbor property beginning in winter 2016, at night with noise-suppressed firearms using trained personnel with experience in conducting a cull in an urban setting is scheduled;

Whereas, It is necessary to establish a temporary moratorium on the enforcement of the provisions of Chapter 115 of the City Code regulating the possession and discharge of firearms on City property to complete the objectives for a cull of the urban deer population as stated in the Deer Management Program;

Whereas, The establishment of this temporary moratorium is for a specific timeline and will be as brief as possible to achieve the underlying objective;

Whereas, The temporary moratorium is limited to the cull in the pilot year of the Deer Management Program to allow City Council to evaluate the need for other legislative action in connection with successive years of the Deer Management Program; and

Whereas, City Council held a public hearing on the matter on November 5, 2015 to receive public comment and being fully advised finds it necessary to impose this moratorium in order to promote the public health, safety, and welfare of City residents;

RESOLVED, That City Council hereby imposes a temporary moratorium on enforcement of the prohibition on possession and discharge of weapons or firearms in public places subject to the following conditions:

- The temporary moratorium shall apply only to the winter 2016 cull undertaken in compliance with the approved Deer Management Program and the issued MDNR special permit requirements.
- The temporary moratorium defers and exempts from enforcement only those persons who have been authorized by the City of Ann Arbor to implement the cull under the Deer Management Program
- The temporary moratorium does not alter or amend any provision of, or the restrictions imposed by, Chapter 115 of the City Code; and

RESOLVED, That City Council may consider the extension of a moratorium or other action after the 2016 cull and its receipt of a Deer Management Program report from the City Administrator.