

**A SUMMARY OF ORDINANCE NO. 17-246 INTRODUCED BY THE BOARD OF DIRECTORS OF THE BEAR VALLEY COMMUNITY SERVICES DISTRICT TO AMEND AND RESTATE SECTION 6-3-20 OF CHAPTER 3 OF TITLE 6 OF THE DISTRICT CODE PERTAINING TO RULES AND REGULATIONS AT DISTRICT FIRING RANGE FACILITIES**

The following is a summary of Ordinance No. 17-246, which was introduced by the Bear Valley Community Services District Board of Directors on June 8, 2017 and adopted on July 13, 2017, at a meeting to be held at the Bear Valley Community Services District, located at 28999 South Lower Valley Road, Tehachapi, CA 93561.

Ordinance No. 17-246 amends Section 6-3-20 of Chapter 3 of Title 6 of the Bear Valley Community Services District Code to update the rules and regulations at the District Firing Range facilities. The amendments may be summarized as follows:

1. Updating subsection (C) to remove express prohibition on “assault weapons,” while prohibiting any firearm or ammunition that an individual is expressly prohibited by law from owning or using.
2. Updating definitions of “firearm” and “ammunition” to reflect current State law definitions in the Penal Code, and incorporating future changes to such definitions.
3. Clarifying the role of the range master.
4. Authorizes the General Manager to grant use exceptions, which could include outside law enforcement agencies as well as the District Police Department.

Ordinance 17-246 was adopted by the following vote:

AYES:	Muell; Roberts; Grace; Carlyn
NOES:	None
ABSENT:	None
ABSTAIN:	Baron

A certified copy of the full text of the ordinance is available upon request and posted for review in the District Office at 28999 South Lower Valley Road, Tehachapi, CA 93561 and on the District’s website. This ordinance will be in full force and effective thirty (30) days after its adoption, and published and posted as required by law.

Full Text of Ordinance 17-246 follows:

**ORDINANCE NO. 17-246**

**AN ORDINANCE OF BOARD OF DIRECTORS OF  
THE BEAR VALLEY COMMUNITY SERVICES DISTRICT  
AMENDING SECTION 6-3-20 OF CHAPTER 3 OF TITLE 6 OF  
THE DISTRICT CODE PERTAINING TO RULES AND REGULATIONS  
AT DISTRICT FIRING RANGE FACILITIES**

The Bear Valley Community Services District Board of Directors ordains as follows:

**SECTION 1. Findings.** The Board of Directors finds as follows:

A. Section 6-3-20 of Chapter 3 (District Owned Facilities) of Title 6 (Public Ways and Property) of the District Code establishes certain rules and regulations regarding the use and operation of District owned firing range facilities.

B. The Board desires to amend District Code Section 6-3-20 to update these rules and regulations to be consistent with applicable state and federal law and address certain operational issues.

**SECTION 2. Environmental Findings.** The Board of Directors exercises its independent judgment and finds that the enactment of this ordinance is exempt from the California Environmental Quality Act (“CEQA”) under Section 15061(b)(3) of the CEQA Guidelines (Chapter 3 of Title 14 of the California Code of Regulations beginning at Section 15000), because the adoption of this ordinance will implement a regulatory process that will not foreseeably result in construction or other physical activities, either directly or indirectly, and that therefore it can be seen with certainty that the enactment of this ordinance does not have the potential to result in any significant effect on the environment.

**SECTION 3. Amendment to District Code Section 6-3-20.** Section 6-3-20 of Chapter 3 of Title 6 of the Bear Valley Community Services District Code is amended and restated as follows:

**“6-3-20: FIRING RANGE:**

The following rules and regulations apply on all firing ranges owned and operated by the district or its designee:

A. Aiming Restrictions. No person may aim any firearm or bow and arrow at another person or any animal, wild or domestic, at any time.

B. Ammunition Restrictions. No person may use tracer ammunition.

C. Prohibited Firearms and Ammunition. No person may use any firearm or ammunition that such person is prohibited from possessing or using under state or federal law.

D. Alcohol Prohibited. No person may possess or consume any alcoholic beverage within the boundary of the firing range.

E. Enforcement. Whenever an individual designated as the range master is present, that individual has the responsibility to ensure the safe operation of the firing range. All individuals using or present at the firing range must obey the instructions of the range master, and may be removed from the firing range by the range master, any police officer or any other designee of the General Manager for failure to comply with any applicable ordinance, resolution, or policy of the district, or instruction of the range master, police officer, or other designee.

F. Exceptions. The General Manager may authorize exceptions to the use of the firing range including use by district employees, for training and certification programs, and use outside the direct control of the range master.

G. Definitions. As used in this Section, the following terms are defined as follows:

1. "Firearm" has the definition set forth in Penal Code section 16520, as it may be amended, which currently means any device, designed to be used as a weapon, from which is expelled through a barrel a projectile by the force of any explosion or other form of combustion. The term "firearm" also includes any rocket, rocket propelled projectile compressed air launcher, or similar device containing any explosive or incendiary material.

2. "Ammunition" has the definition set forth in Penal Code section 16150, as it may be amended, which currently includes, but is not limited to, any bullet, cartridge, magazine, clip, speed loader, autoloader, or projectile capable of being fired from a firearm with a deadly consequence."

**SECTION 4. Severability.** If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The Board of Directors hereby declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

**SECTION 5. Publication.** The Secretary of the Board of Directors is directed to cause this ordinance to be published in the manner required by law.

David Edmonds  
Bear Valley Community Services District General Manager

Date: 09/11/2017

Publication Date: 09/20/2017