

ORDINANCE NO. 2011-22

INTRODUCED BY: Mayor Rinker and Council as a Whole

**AN EMERGENCY ORDINANCE
CREATING SECTION 139.07
ADOPTING PROCEDURES FOR THE OPERATION
OF THE MAYFIELD VILLAGE POLICE FIRING
RANGE**

WHEREAS, the Village has a firing range located in the police facility of Mayfield Village; and

WHEREAS, the Village deems it in the best interest of the health, safety and welfare of all Village residents to adopt procedures for the operation of the Mayfield Village Police Firing Range.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF MAYFIELD VILLAGE, OHIO, THAT:

SECTION 1. Section 139.07 of the Codified Ordinances of Mayfield Village pertaining to the operations of the Mayfield Village Police Firing Range is hereby and herein enacted to read as set forth in Exhibit "A" attached hereto and incorporated herein by reference.

SECTION 2. All of the other provisions of the Village's Codified Ordinances not inconsistent herewith shall remain in full force and effect.

SECTION 3. The Clerk of Council is authorized and directed to forward a certified copy of this Ordinance to the Codifier of the Village of Mayfield.

SECTION 4. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

Exhibit A
139.07 Firing Range Procedures

- (a) Use of Firing Range - Anyone wishing to use the Mayfield Village Police Department firing range must obtain the permission of the Chief of Police or his designee. Such position shall be known as the Safety Officer, being the intent of Council that the Safety Officer be in direct charge of said firing range.

- (b) Rental Rates for Firing Range – The Mayor is hereby authorized and directed to establish a rate for rental of the firing range located in the police facility of Mayfield Village to other governmental agencies at an hourly rate to be computed by the Finance Department, which shall be based upon the cost of labor, utilities expended and supplies furnished for the rental of such shooting range, the Village. Such rental does not include ammunition or targets which are to be furnished by the Participating Agency, unless otherwise negotiated. Should the Participating Agency wish to use ammunition and targets owned by Mayfield Village, the cost of such items shall be added to the hourly rate.

- (c) Use Agreement Required - The Participating Agency shall be required to enter into a Use Agreement and submit an application for range reservation. The Participating Agency shall be responsible for its officers and equipment on Mayfield Village premises.

**MAYFIELD VILLAGE
POLICE DEPARTMENT FIRING RANGE USE AGREEMENT
(Law Enforcement Agencies)**

This Use Agreement, by and between Mayfield Village, an Ohio municipal corporation through its Police Department (“Mayfield Village”) and _____ (“Participating Agency”), provides for Participating Agency to use Mayfield Village’s Firing Range (“Range”) at 620 SOM Center Road, Mayfield Village, Ohio 44143 for authorized firearms training activities subject to the terms and conditions outlined below.

1. Participating Agency refers to any public law enforcement agency that wishes to conduct firearms training activities at the Range. Use of the Range is authorized for and limited to license officers of the Participating Agency. No unauthorized persons will be allowed to use the Range.
2. The term of this Use Agreement shall be from _____ to _____. Mayfield Village shall have the right to terminate this Use Agreement at any time upon written notice to Agency.
3. Agency agrees to pay Mayfield Village a fee based on the current fee schedule.
4. The time, date, and duration of Participating Agency’s use of the Range will be scheduled and approved by the Range Officer.
5. Participating Agency shall at all times adhere to the rules and regulations of the Range and Mayfield Village, as applicable, and is subject to the guidance and authority of the Range Office, or his/her designee.
6. Participating Agency agrees to defend, indemnify, and hold harmless Mayfield Village, its officers, employees, representatives, and agents from and against all claims for bodily or personal injury or property damage resulting from Participating Agency’s use of the Range and its performance under this Use Agreement.
7. Participating Agency agrees to provide a Certificate of Insurance evidencing coverage for general liability insurance, auto liability insurance, and workers compensation insurance, covering all Participating Agency’s personnel, in minimum statutory limits, including contractual liability specifically covering Participating Agency’s obligations under the above HOLD HARMLESS and INDEMNIFICATION AGREEMENT, prior to its use of the Range. Such Certificate of Insurance shall name Mayfield Village and the Mayfield Village Police Department as additional insureds.

MAYFIELD VILLAGE, OHIO

PARTICIPATING AGENCY

Signature: _____

Signature: _____

Title: _____

Title: _____

Date: _____

Date: _____

Mayfield Village Police Department
Application for Range Reservation

IMPORTANT: Please review all Current Range Rules and Rates before filling out the Range Reservation form.

- Fill in the agency or group name, address, phone number and contact name. Please list only one contact. This should be the primary contact for the agency or group.

Law Enforcement Use

- Check purpose of use
- Note the number of shooters
- Include Instructor's names
- Attach a complete Lesson Plan and Course of Fire listing type and caliber of firearms

Please contact Sgt. Rick Whitehead at 440-461-1234 or rwhitehead@mayfieldvillage.com with questions regarding Range scheduling or paperwork.

Mayfield Village, in its sole discretion, reserves the right to refuse Range Use to any individual or group, at any time for any reason, including without limitation, any group without adequately trained and certified instructors.

Mayfield Village
Police Department Firearms Range
Application for Range Reservation
Law Enforcement Agencies

Law Enforcement Agencies wishing to use the range facility must provide the following information and documentation:

1. Documentation needed:

A lesson plan and course of fire must be attached to this application. The attachments must list the type and caliber of firearms to be used.

2. Agency Information:

Agency Name: _____

Agency Address: _____

Agency Contact Person: _____

Contact Phone Number: _____

3. Reservation Information

Proposed Date(s) of Use: _____

Purpose of Use (check one)

Instruction

Competition Match

Other: _____

Number of shooter(s): _____

Name of Instructors: _____

MAYFIELD VILLAGE POLICE DEPARTMENT

RANGE RULES

- All Users must read, sign, and comply with the liability waiver form provided by Mayfield Village.
- Use of the range must be scheduled through Mayfield Village Police Department. To obtain more information call Sgt. Rick Whitehead at 440-461-1234 or e-mail him at rwhitehead@mayfieldvillage.com.
- Use of the Mayfield Village Police Department range is authorized only when there is an employee of the Mayfield Village Police Department or other authorized personnel on site acting as a safety officer. The safety officer shall have full command of the range at all times.
- Firearms and ammunition must not exceed range limitations. Mayfield Village reserves the right to disqualify the use of any firearm or any type of ammunitions. The Mayfield Village Police Department reserves the right to restrict the caliber of weapon fired at the range. Prior to use of the range, all users shall inform the Range Safety Office of each caliber of ammunition that the user intends to fire. The following are disqualified from use:
 1. **Absolutely no tracer ammunitions of any type is allowed.**
 2. Shot gun 1 1/4 ounce ammunition with a muzzle velocity of 1,560 feet per second or greater.
 3. Rifle 300 grain ammunition with a muzzle velocity of 3,500 feet per second or greater.
 - Also, full automatic weapon fire may not exceed two hundred (200) rounds per minute for more than two (2) hours duration in any twenty-four (24) hour period.
- All Users must have a certified range officer on site the entire time the users are present.
- Prior to using the range, all users must verify that all the communications systems are working.
- It is the responsibility of all users to ensure the serviceability of weapons used at the range.
- A minimum of two people must be at the range any time the range is in use.
- All personnel while on the firing line must wear hearing and eye protection.
- No pagers, cell phones, or other such devices are permitted at the firing line.
- Smoking is not permitted.
- No alcoholic beverages are allowed on the range property.

- Mayfield Village Safety Officer may remove anyone from the property at any time.
- In the event of a weapon malfunction, the shooter must always point the weapon down range and attempt to clear the weapon. If the shooter is unable to clear the weapon, he/she must give the safety officer control of the weapon.
- Weapons shall be drawn, loaded, or unloaded only at the firing line and only upon the command of a range instructor. All weapons must be holstered or in a case at all times except:
 1. At the firing line
 2. At the firearm cleaning station
 3. At the instruction of a safety officer
- All users shall provide their own gun cleaning supplies. All users are responsible for removing the used materials at the end of the shoot.
- Each user shall clean the range. Each user will pick all brass and any shooting trash up daily, and will secure all equipment, buildings and range.
- Any user shall immediately report any safety violation to the Mayfield Village Police Department Safety Officer.