



Public Administration Committee

AGENDA

Tuesday, May 28, 2024
4:00 pm

Council Chambers
Dallas City Hall
187 SE Court St
Dallas, OR 97338

COMMITTEE

**Nancy Adams,
Chair**

Kim Fitzgerald

Micah Jantz

Michael Schilling

Debbie Virden

This meeting is electronically streamed and recorded via the City of Dallas YouTube Channel:

<https://www.dallasor.gov/community/page/dallasyoutube>

A. Roll Call

B. Approval of the January 22, 2024 Meeting Minutes p.2

**C. Proposed Amendment to DCC 5.102 (Discharge of
Weapons) p.3**

D. Adjournment

MEETING MINUTES

**Dallas Public Administration Committee
Monday, January 22, 2024**

1 Committee Chair Nancy Adams called the Public Administration Committee meeting to order on
2 Monday, January 22, 2024, at 4:00 PM.

3 **ROLL CALL**

4 **Council Members Present:** Councilor Nancy Adams, Councilor Kim Fitzgerald, Councilor Mi-
5 cah Jantz, Council President Michael Schilling, and Councilor Debbie Virden

6 **Council Members Excused:** none

7 **Also Present:** City Manager Brian Latta, Assistant City Manager Emily Gagner, Police Chief
8 Tom Simpson, Finance Director Cecilia Ward, Public Works Director Gary Marks, and City Re-
9 corder Kim Herring

10 **APPROVAL OF THE September 25, 2023 MEETING MINUTES**

11 It was moved by Councilor Schilling and seconded by Councilor Virden to approve the minutes
12 as presented. The vote was taken and the motion passed with a vote of 5-0.

13 **REPUBLIC SERVICES WEEKLY SERVICE**

14 Julie Jackson and Darren Fast from Republic Services presented information regarding current
15 levels of service and where customers could possibly save some money by downsizing the size
16 of their trash cart. With weekly recycling and yard waste it would potentially reduce the amount
17 of trash that people generate. If there was weekly yard waste pick up then food waste could be
18 included in this bin. There was a consensus to refer this topic back to the City Council.


19 **ADJOURNMENT: 4:39 PM**

Respectfully Submitted,

Kim Herring
City Recorder



**PUBLIC ADMINISTRATION COMMITTEE
STAFF REPORT**

MEETING DATE: May 28, 2024
AGENDA ITEM NO. C
TOPIC: Proposed Amendment to DCC 5.102 (Discharge of Weapons)
PREPARED BY: Thomas Simpson, Chief of Police
APPROVED BY:  City Manager
ATTACHMENTS: Exhibit A – Dallas City Code 5.102

RECOMMENDED ACTION:

Forward a recommendation to the City Council to approve an ordinance amending Dallas City Code Section 5.102 regarding exceptions to the discharge of weapons in the city.

BACKGROUND:

Every year, a US History teacher at La Creole Middle School (LMS) conducts a Civil War lesson for 8th grade students so they may learn more about the life of people who experienced the Civil War. This lesson usually includes firing historic muskets. During the demonstration of the muskets, there is never any projectiles involved—only black powder “blanks”—to demonstrate to the students how muskets work.

Each year that La Creole has approached the police department about this event, after conferring with our city attorney, the Chief of Police has approved their event. While their planned activities technically are in violation of a strict interpretation of city ordinance (DCC 5.102) the Chief of Police has determined that the PD will not enforce that ordinance in this particular instance since it is an educational setting and there are no overt concerns for public safety. In addition, the Dallas School District has been asked to push advanced awareness of this reenactment through their communications channels to help dissuade “shots fired” calls near the school.

The proposed ordinance would allow the City Manager to allow the discharge of blanks for educational and sporting events. The ordinance also clarifies that peace officers may discharge their weapons when engaged in training or while working in their official capacity.

SUMMARY TIMELINE:

May 28, 2024 – Proposed Code amendment presented to the Public Administration Committee.

FISCAL IMPACT:

N/A - (Staff time only)

RECOMMENDED MOTION:

I move to forward the proposed ordinance in Exhibit A to the City Council with a recommendation to approve.

5.102 Discharge Of Weapons [Edit](#)

1. Except at firing ranges approved by the chief of police, no person other than an authorized peace officer shall fire or discharge a gun or other weapon, including spring or air-actuated pellet guns, air guns, BB guns, bow and arrow, or any weapon which propels a projectile by use of gunpowder or other explosive, jet, or rocket propulsion.
2. The provisions of this section shall not apply to or be construed to prohibit:
 1. Firing or discharging a weapon by a person in the lawful defense or protection of his or her person, family, or property.
 2. Firing or discharging a weapon into a bullet trap device, approved by the chief of police, at a licensed commercial gun store.
 3. Peace officers, for the purpose of and while engaged in official training or other official activities.
3. ~~The~~Notwithstanding subsection 1, the city manager, or the city manager's designee, may, upon application and subject to such conditions and limitations as the city manager or the city manager's designee may deem necessary and appropriate under the circumstances, grant a variance for a limited duration from the prohibitions in subsection ~~(1)~~ to:
 1. The National Guard of the United States and the Oregon National Guard, and members thereof, for the purpose of and while engaged in official training or other official activities.
 2. ~~Peace officers, for the purpose of and while engaged in official training or other official activities.~~ The discharge of blanks for educational or athletic activities .
 3. Persons named as agents and authorized to shoot wildlife under a kill permit issued by the Oregon Department of Fish and Wildlife upon application of the city, subject to and in accordance with the terms of such permit.
 4. Any other person for a purpose or activity not otherwise provided for herein, upon the finding that such activity does not represent a threat to public health or safety
4. Violation of this section is a Class C misdemeanor.

[Section amended by Ordinance No. 1700, passed 2-2-2009; amended by Ordinance No. 1738, passed May 2, 2011; amended by Ordinance No. 1811, passed December 4, 2017.]