

Effective Date: July 6, 2015

6/22/2015

6/10/2015

5/6/2015

51-O-15

AN ORDINANCE

Amending Portions of the Zoning Ordinance to Add a Firearm Range Use and Special Use Restrictions, Amending Title 3 to Add Licensing of Firearm Ranges and Amending Title 4 with Associated Building Code Regulations to Firearm Ranges

SECTION 1. Legislative Statement.

Following (1) the enactment of Ordinance 6-O-15, "Amending the Text of Title 9, Chapter 8, Weapons,"(2) recent court rulings concerning Second Amendment rights, and (3) new legislative action in the State of Illinois, (the "Firearm Concealed Carry Act," Public Act 98-63 ("the Act")), effected significant changes to firearm regulations. The City Council of the City of Evanston enacted Ordinance 6-O-15 on March 23, 2015, amending City Code Title 9, Chapter 8 which compliments the City's ongoing compliance with the Act, following the Act's adoption in 2013. This Ordinance imposes the companion zoning restrictions on firearm ranges contained within Ordinance 6-O-15 and establishes specific regulations for firearm range facilities related to construction, licensing and operational requirements.

Article VII, Section (6)a of the Illinois Constitution of 1970 states that, "a home rule unit may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power... to license." As a home rule unit, the City of Evanston's powers shall be construed liberally. *Scadron v. City of Des Plaines*, 153 Ill. 2d 164 (1992). This Ordinance is presumed constitutional and the burden of

rebutting that strong presumption is on the party challenging the validity of the statute to clearly demonstrate a constitutional violation. *Napleton v. Village of Hinsdale*, 229 Ill. 2d 296, 306 (2008). It is well-settled law in Illinois that the legislative judgment of the City Council must be considered presumptively valid. *Glenview State Bank v. Village of Deerfield*, 213 Ill. App. 3d 747, 759 (2nd Dist. 1991). A court has a duty to uphold the constitutionality of a statute/ordinance when reasonably possible, and if a statute's/ordinance's construction is doubtful, the court will resolve the doubt in favor the statute's/ordinance's validity. *Id.* (citing *People ex rel. Sherman v. Cryns*, 203 Ill.2d 264, 291 (2003)).

The City Council and City staff reviewed and considered comparable ordinances from similarly situated jurisdictions regarding firearm regulations, as well as relevant court precedent. The City Council finds that that there is a compelling governmental interest in implementing reasonable regulations on firearms in the City under this Ordinance to promote the health, safety, and welfare of City residents and visitors alike. These regulations comply with the Act and recent court rulings. The firearm range operational and licensing restrictions contained herein, that amend Title 4, Chapter 2 (the "Building Code") are devoted to topics specifically attributable to firearm range uses such as ventilation, height and area limitations for the practice area, and other regulations established to protect the health, safety and welfare of City residents and visitors.

On May 13, 2015, the Plan Commission held a public hearing, pursuant to proper notice, regarding case no. 15PLND-0027, to consider various amendments to Zoning Ordinance relating to the creation of the Use known as "Firearms Range". The Plan

Commission received testimony and made written findings pursuant to Section 6-3-4-5 of the Zoning Ordinance that the proposed amendments meet the standards for text amendments, and recommended City Council approval thereof. On June 8, 2015, the Planning and Development Committee of the City Council considered and adopted the findings and recommendation of the Plan Commission in case no. 15PLND-0027, and recommended City Council approval thereof. On June 8, 2015 and June 22, 2015, the City Council considered and adopted the records and recommendations of the Plan Commission and the Planning and Development Committee. The City Council held meetings in compliance with the provisions of the Illinois Open Meetings Act and considered the statements, points, and authorities made in the legislative Record, and received additional input from the public.

SECTION 2: Title 3 of the Evanston City Code of 2012, as amended, is hereby further amended to add a new chapter, Chapter 31, entitled "Firearm Range License" which shall read as follows:

3-31-1. - FIREARMS RANGE LICENSE REQUIRED.

No person or entity shall operate a firearms range in the City of Evanston without first obtaining a Firearm Range License in accordance with the provisions of this Chapter and payment of an annual Firearm Range License fee. A separate Firearms License shall be required for each firearms range location, regardless of whether such multiple establishments are operated by the same person or entity.

3-31-2. – APPLICATION INFORMATION.

- (A) Applications for a Firearms Range License shall be made to the City Manager or his or her designee on forms prescribed and furnished by the City Manager or designee. The City Manager or his or her designee may request additional information from an applicant including but not limited to proof of all state and federal firearm registrations and licenses.
- (B) The applicant must provide detailed plans of the facility, with fully-designed architectural drawings including Mechanical/Electrical/Plumbing ("MEP") designs,

for review by the Police Department and Community Development Department. All safety, environmental, security, ventilation and noise pollution concerns must be satisfactorily addressed and meet the approval of the Chief of Police and the Community Development Department, Building Division, before an application will be processed.

- (C) All applications shall be accompanied by a criminal background investigation of all owners, operators, officers, managers, members, partners and shareholders of the proposed firearms range. Failure of any party to agree to submit to such an investigation will be considered automatic grounds for denial of a license. The results of the criminal background investigation may be grounds for denial of a license.

3-31-3. – GROUNDS FOR DENIAL, NON-RENEWAL, SUSPENSION OR REVOCATION.

The City Manager or his or her designee may (i) deny an application for a license, (ii) refuse to renew a license, (iii) suspend or (iv) revoke a license, if it is determined that the applicant, licensee, or an owner, officer or manager of a licensee:

- (A) Was convicted of any crime under the laws of the United States or any state or territory therein that is either: (a) a felony, (b) a misdemeanor, pertaining to battery, dishonesty or directly related to the use, purchase, sale, or possession of firearms or other weapons, or (c) an offense listed in Article 24 of the Illinois Criminal Code, 720 ILCS 5/24-1 et. seq., or (d) a violation of 430 ILCS 65 or 430 ILCS 66. Conviction, as used in this paragraph, shall include a finding or verdict of guilty, an admission of guilt, or a plea of nolo contendere;
- (B) Made fraudulent, false or misrepresentative statements, or material omissions, in the application for the license or in any related license or permit.
- (C) Is indebted to the City for (1) required fees, (2) costs incurred by the City in relation to the individual or entity, or (3) outstanding fines or penalties; or
- (D) Has not complied with applicable codes, ordinances, statutes, laws or rules and regulation of the City, State of Illinois, or United States Federal Government.

3-31-4. – TEMPORARY SUSPENSION

In the event the City Manager finds that there is sufficient evidence that indicates the occurrence of criminal behavior, or a practice that would constitute a danger to the public, he or she may temporarily suspend a license without a hearing simultaneously with the notification of the right to a hearing provided for in City Code Section 3-31-6. In the event that the City Manager or his or her designee suspends a license, a hearing must be held within thirty (30) calendar days after the suspension has occurred.

3-31-5. – CONTENTS AND SERVICE OF NOTICES

- (A) *Contents.* All notices required to be given in accordance with this Chapter shall be in writing, setting forth the reasons for the denial, suspension, non-renewal or revocation of the license. The notice shall inform the applicant or licensee that the applicant or licensee has the right to request a hearing before the City Manager.
- (B) *Service.* All notices shall be sent by certified mail, return receipt requested, to the applicant or licensee specified on the application or license. Notice shall be considered given on the date such notice is mailed.

3-31-6. – HEARINGS

In addition to the provisions contained in this Chapter, the City Manager or his or her designee may establish rules and regulations for the conduct of a hearing relating to the revocation or suspension of a license under this section. The City Manager or his or her designee shall send notice of intent to revoke a license issued under this Chapter. A license shall not be revoked unless the licensee has had an opportunity to present evidence or has had an opportunity for evidence to be presented on his behalf. The City Manager or his or her designee shall issue a written order after the hearing. Such written order shall be sent to the licensee or in accordance with the notice provisions of City Code Section 3-31-5. If within ten (10) days of the notice, the licensee does not request a hearing in writing, the license shall be revoked.

3-31-7. – FEES

Fees for a Firearm Range License under this Chapter shall be two hundred dollars (\$200.00) per lane. Fees for commercial inspection of the premises shall be one hundred dollars (\$100.00) per firearm range.

3-31-8. – TRANSFER

No license issued or granted under this Chapter shall be assigned or transferred to any other person or corporation other than to the person to whom such license was issued. No individual or entity other than the licensee shall act or do business under such license.

3-31-9. – CEASE AND DESIST

The City Manager or his or her designee is authorized to issue a cease and desist order to any person owning or operating a firearms range, or acting as a firearms seller in the City, as defined by the City Code, that is not properly permitted and affiliated with a licensed firearms range. The City Manager or his or her designee is authorized to issue a cease and desist order to any person or entity operating a firearms range or acting as a firearms seller without being properly licensed.

3-31-10. – LOCATION

No firearms range may be located within 350 feet of any R1, R2, R3 district, or within 350 feet of any school, child daycare facility, or public park, in any zoning district as measured from lot line to lot line.

3-31-11. – HOURS OF OPERATION

Permitted hours of operation for a firearms range are: 10:00 a.m. to 7:00 p.m. daily.

3-31-12. – RENEWAL OF FIREARMS RANGE LICENSE

The Firearms Range License shall expire at the end of each City fiscal year. The Firearms Range License may be renewed based upon an application for renewal and the payment of the Firearms Range License annual fee. The City Manager or his or her designee is authorized to review a renewal request in the same manner as an initial application.

SECTION 3: Section 4-2-2 of the Building Code of the Evanston City Code of 2012, as amended (“City Code”), is hereby further amended to add Appendix A entitled “Building Code Regulations for Firearm Ranges.” Appendix A is attached to this Ordinance as Exhibit 1 and incorporated herein by reference.

SECTION 4: Section 6-18-3 of the Zoning Ordinance, “Definitions,” is hereby amended to add the following definition:

<p>FIREARM RANGE:</p>	<p>Any indoor establishment where the discharging of a firearm, as defined in Section 9-8-1, is allowed for a sporting event or for practice, instruction, testing, or training in the use of a firearm. A Firearm Range may also include rental of a firearm for allowable uses within the establishment and a firearm dealer as defined and regulated by Title 9 Chapter 8 – Weapon of the City Code.</p>
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SECTION 5: Title 6, Chapter 4 of the Zoning Ordinance is hereby further amended by adding a new Section 10 for regulations pertaining to firearm ranges, which shall read as follows:

6-4-10: Special Regulations Pertaining to Firearm Ranges:

- (A) Purpose and Applicability: The purpose of this Section 6-4-10 is to ensure new Firearm Ranges are integrated with surrounding uses and are compatible in character with surrounding neighborhood or area of the zoning district in which they are located.
- (B) Special Use: The approval for a Firearm Range shall only be allowed as a Special Use in I1, I2, and I3 Zoning Districts. Any such Firearm Range shall not be located within 350 feet of any R1, R2, R3 district, or within 350 feet of any school, child daycare facility, or public park, as measured from lot line to lot line.
- (C) Distance Requirement: The distance requirement shall be measured from the nearest property lines of each property the Firearm Range is located on.
- (D) Certificate of Zoning Compliance: A Certificate of Zoning Compliance is required prior to any Firearm Range use being established.

SECTION 6: Subsection 6-14-2-3 of the Zoning Ordinance, "Special Uses" in the I1 District, is hereby amended to include "Firearm Range (located more than three hundred fifty feet (350') from any R1, R2, R3 district, or located more than three hundred fifty feet (350') from any school, child daycare facility, or public park in any zoning district as measured from lot line to lot line)."

SECTION 7: Subsection 6-14-3-3 of the Zoning Ordinance, "Special Uses" in the I2 District, is hereby amended to include "Firearm Range (located more than three hundred fifty feet (350') from any R1, R2, R3 district, or located more than three hundred fifty feet (350') from any school, child daycare facility, or public park in any zoning district as measured from lot line to lot line)."

SECTION 8: Subsection 6-14-4-3 of the Zoning Ordinance, "Special Uses" in the I3 District, is hereby amended to include "Firearm Range (located more than three hundred fifty feet (350') from any R1, R2, R3 district, or located more than

three hundred fifty feet (350') from any school, child daycare facility, or public park in any zoning district as measured from lot line to lot line)."

SECTION 9: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 10: If any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 11: This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

SECTION 12: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: June 8, 2015

Approved:

Adopted: June 22, 2015

June 26, 2015

Elizabeth B. Tisdahl
Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:

Rodney Greene
Rodney Greene, City Clerk

Michelle Maronec / Acting Corporation Counsel
W. Grant Farrar, Corporation Counsel

EXHIBIT 1**Appendix A. BUILDING CODE REGULATIONS FOR FIREARM RANGES****(1) DEFINITIONS.**

For purposes of this Appendix, the following definitions apply:

ANCILLARY SPACES.	The uses associated with the operations of the firearm range outside of the practice area, which directly support the operations of the practice area. "Ancillary spaces" may include, but are not limited to, offices, classrooms, locker facilities, washroom facilities, and spectator spaces.
FIREARM RANGE.	Any indoor establishment where the discharging of a firearm, as defined in Section 9-8-1 and Section 6-18-3, is allowed for a sporting event or for practice, instruction, testing, or training in the use of a firearm. A Firearm Range may also include rental of a firearm for allowable uses within the establishment and a firearm dealer as defined and regulated by Title 9 Chapter 9 – Weapon of the City Code.
FIRING LINE.	The point where a person stands or positions himself to discharge a firearm.
REAR WALL.	The wall located in a practice area that is parallel to and opposite from, the wall where the bullet trap/backstop is located.
SHOOTING BOOTH.	The space between fixed panels along the firing line designed to protect someone discharging a firearm from an adjacent person discharging a firearm.
SHOOTING POSITION.	The space along the firing line designated for an individual practice area patron to use when discharging a firearm.
PRACTICE AREA.	The section of the firearm range facility from the firing line to the rear (exterior) wall of the structure behind the backstop.

(2) GENERAL REQUIREMENTS.

- (a) Every firearm range erected, constructed within an existing building, or substantially rehabilitated shall comply with all applicable special provisions of this appendix.
- (b) Every firearm range erected, constructed within an existing building, or substantially rehabilitated shall comply with the requirements the applicable code

requirements for the specific use of the space as determined by Title 4, Chapter 2 "Building Code" of the Evanston City Code of 2012, as amended.

- (c) Where a more specific or restrictive requirement is provided in this section than found elsewhere in the code, the requirements in this section shall govern.

(3) PERMITS REQUIRED.

- (a) It shall be unlawful to proceed with the construction, installation, enlargement or alteration of a firearm range without first obtaining a permit from the Division Manager of Building and Inspection Services Division or his/her designee and other required departments.
- (b) The permit fee for the initial installation and inspection of the firearm range shall be in the amount required by Ordinance 138-O-14, as amended.
- (c) The permit application shall include drawings and documents that fully describe all features of the firearm range, including but not limited to the installed equipment and all required ballistic safety features, along with all supporting documents to fully describe the building, all appurtenances and the intended caliber of ballistics.

(4) ENCLOSURE REQUIREMENTS.

- (a) A practice area must be totally enclosed with contiguous walls, a ceiling, and a floor that separates the practice area from the remaining part of the firearm range and any other uses located in the building. Except as provided in subsection (b) of this section, the enclosure shall be penetration-proof for the heaviest caliber of ammunition used in the practice area if fired point blank into the enclosure at 90 degrees to the surface. Enclosure walls, floors, ceiling assemblies, doors and opening protective assemblies for the practice area shall be designed and constructed with materials and assemblies sufficient to stop all bullets fired or projectiles from penetrating beyond the practice area enclosure.
- (b) The rear wall shall be designed and constructed of materials, assemblies, and opening protectives strong enough to be capable of stopping a ricochet of a bullet, fragment or back splatter, from penetrating beyond the rear wall.
- (c) All enclosure requirements shall comply with *Range Design Criteria - U.S. Department of Energy Section 5 – Indoor Range Design, as amended.*

(5) ANCILLARY SPACES.

Ancillary spaces shall be contiguous to the practice area and directly support the operations of the practice area. These spaces shall be separated from the practice area with appropriate means to diminish contamination from the by-products of the practice area and be protected from any projectiles straying from the practice area.

(6) OCCUPANCY REQUIREMENTS.

- (a) A firearm range occupancy classification shall be an A-3 occupancy. All ancillary spaces shall have an occupancy classification in accordance with all of the requirements that are applicable to each of the purposes for which the room or space will be occupied. Where a structure is proposed for a purpose that is not specifically provided for in this code, such structure shall be classified in the

group that the occupancy most nearly resembles, according to the fire safety and relative hazard involved. The most restrictive ancillary space occupancy which is greater than 5% of the total firearm range area shall govern the occupancy classification. A firearm range shall comply with the applicable code requirements for the specific use of the space as determined by Title 4, Chapter 2 and this section. The amount of area per person shall be determined by 2012 International Building Code, Section 1004, as amended.

- (b) The occupancy calculation to determine the occupancy count of the practice area shall be determined by calculating the amount of area behind the firing line between the firing line and the perimeter of the enclosure protecting the remaining firearm range facility from projectiles and dividing that area by 20 square feet. All firing lines shall be stationary.
- (c) The occupancy count shall be used to determine the required number and size of the exits. The area between the firing line and the bullet trap/backstop shall be unoccupied and shall not be counted in the occupancy load calculations or be considered for exiting travel distance.

(7) HEIGHT AND AREA LIMITATIONS.

- (a) The height and area limitations of a firearm range shall be as provided in Title 4, Chapter 2 and the 2012 International Building Code, Chapter 5. In calculating the maximum allowable area of the firearm range, the total area in the practice area, including the area from the firing line to the wall behind the backstop/bullet trap, shall be included in such calculations.
- (b) The maximum height of every practice area erected or constructed within a new or existing building shall be one-story or 20 feet, whichever is less, and the maximum area shall match the limitations for H-3 classification, Construction Type I or II only per 2012 International Building Code, table 503.

(8) PRACTICE AREA FACILITY REQUIREMENTS.

- (a) The firearm range must comply with all applicable code sections as determined by the occupancy classification. Where the ancillary spaces are under the direct control and management of the owner of the practice area, no mixed occupancy separation is required between the practice area and the ancillary spaces. Where the ancillary spaces are not under the direct control and management of the owner of the practice area, or where the practice area is constructed without ancillary spaces, the mixed occupancy separation shall be as set forth in the 2012 International Building Code, Table 508.4.
- (b) Exiting for the firearm range shall not be through the practice area.
- (c) (1) The firearm range may include the following uses: office space, mercantile, training, classroom or spectator space, general patron use space, locker rooms including showers, range master booth, storage of ammunition, and storage of firearms.
 - (2) The firearm range shall include the following uses:
 - (a) a practice area;
 - (b) security entrance;

- (c) toilet facilities in compliance with current edition of the Illinois Plumbing Code; and
- (d) All occupancies within the firearm range must be protected from any projectiles straying from the practice area.

(9) PRACTICE AREA REQUIREMENTS.

- (a) Every practice area shall be separated from the rest of the firearm range facility and/or other occupancies with a separation that prevents projectiles from straying from the practice area.
- (b) Every practice area shall comply with the following:
 - (1) *Area Requirement:* The shooting range shall have a minimum ceiling height of 8 feet. The area between the firing line and the rear wall shall be at a minimum adequate to accommodate a designated exit path beyond the depth of the area occupied by the practice area patron and any appurtenances. The exit path shall be in addition to the area required for practice area patrons to easily and directly move from one shooting booth or shooting position to another along the firing line without disturbing another practice area patron, and in addition to the area required for the range master to monitor operations;
 - (2) *Sound Control:* The noise emanating from the practice area to areas outside of the firearm range is subject to City of Evanston Code, Title 6, 13-1-4, compliance with applicable regulations for noise and vibration control. The maximum noise emanating from the firearm range shall not be more than 55 dB when measured from a distance of 100 feet or more from the source, or 70 dB when measured from a distance of 10 feet or more from the source. The practice area shall conform to the requirements of The Occupational Noise Exposure Standard Section 1910.95 of 29 C.F.R. Part 1910 and shall be designed and constructed to contain noise generated from the discharge of firearms.
 - (3) *Special Ballistic Protectives:* The practice area shall have ceiling baffles, deflector plates and floor guards of appropriate materials, such as steel plate covered with wood or other materials, which are designed with sufficient bullet resistive strength, thickness, and configuration to function safely for the type and caliber of firearms and ammunition used within the practice area. Such protectives shall be permanently located and anchored to protect the building structure, lighting fixtures, HVAC ductwork and appurtenances, plumbing hose bibbs, floor drains and cleaning apparatus, ceilings, target carrier apparatus or other range appurtenances or assemblies to protect against ricochets or back splatter and to re-direct the projectiles to the backstop;
 - (4) *Bullet Trap/Backstop:* The practice area shall have a permanent, fixed, manufactured bullet trap system capable of stopping and containing the bullets or projectiles from any firearms discharged in the practice area. The bullet trap shall be designed and constructed of appropriate bullet resistive, durable materials, such as steel plate. The bullet trap shall be capable of functioning safely for the type, amount and duration of

firearm usage at the practice area. The bullet trap shall cover the entire space between the two side walls of the practice area and provide complete coverage for all firing positions from floor to the underside of the structural ceiling assembly. Bullet trap systems which utilize rubber chunks, blocks, sheets, layered rubber, laminated carpeting or other materials potentially subject to combustion, shall be fire-treated to be fire-resistive and meet the flame spread requirements of Class 1, unless the building is equipped with an approved automated sprinkler system, in which case Class 2 requirements shall apply. Mobile or temporary bullet traps/backstops are prohibited;

- 5) *Exit Pathways*: Exits and exit pathways serving the practice area shall not require occupants to pass beyond the firing line and cross through the practice area. The area from the firing line to the back of the backstop/bullet trap shall not be included in the exiting travel distances. No exits shall be located in this area;
- (6) *No Doors or Windows Downrange*: No doors or windows shall be located in the practice area in the space between the back face of the bullet trap to a point five feet behind the firing line located the farthest distance from the bullet trap/ backstop;
- (7) *Floors, Ceilings, and Walls*: The floors, ceilings, and walls of every practice area shall be constructed of smooth non-porous materials to facilitate effective maintenance and cleaning and removal of lead particulate.
- (8) *Shooting Booths*: Where shooting booth separations are provided, the shooting booth panels shall be constructed of permanently fixed, cleanable, non-porous materials. The shooting booths shall be constructed to provide an impenetrable protective barrier between people in the shooting booths and to protect against the effects of ejected bullet casings and muzzle blast;
- (9) *Range Master Booth*: Where a range master booth is provided, the practice area shall be limited in size to the area that can be directly visible to the range master at all times. The range master booth shall be constructed to provide:
 - (i) protection from any projectiles straying from the practice area;
 - (ii) clear visibility of all firing positions at the practice area;
 - (iii) ready access to the practice area;
 - (iv) acoustical protection and separation for the range master;
 - (v) protection from exposure to lead particulate from the practice area, as provided for in rules and regulations promulgated by the department of health; and
 - (vi) immediate access to and use of the practice area communication system;
- (10) *Removal of Lead Particulate*: The practice area shall be equipped with a lead particulate removal system, such as a HEPA vacuum or other such system approved by the commissioner of public health, or a lead

particulate removal system which removes the lead particulate using water; and

- (11) If the practice area uses a lead particulate removal system that removes the lead particulate using water, the practice area shall have a floor drain at the backstop/bullet trap that collects lead and other hazardous waste material in a separate drainage system to an approved collection device or treatment system that complies with all applicable local, state or federal laws and standards.

(10) VENTILATION REQUIREMENTS.

In addition to general building ventilation and heat requirements applicable to a firearm range, the practice area shall be provided with an engineered ventilation and exhaust system that complies with OSHA Lead Standard for General Industry, 29 C.F.R. 1910.1025 that limits lead exposure and prevents the build-up of noxious gases caused by the discharge of firearms. The practice area ventilation and exhaust system shall conform to the following requirements:

- (a) The ventilation air supply system shall provide a horizontal laminar air flow from floor to ceiling at the firing line of 75 fpm. The minimum allowable range laminar air flow shall be 50 fpm from the firing line to the bullet trap. The laminar flow of air shall be directed away from shooters at the firing line downrange towards the backstop/bullet trap area.
- (b) The entire practice area shall be maintained at a slightly negative pressure with respect to adjacent areas to prevent the escape of contaminants from the shooting range. Exhaust air shall exceed supplied air by a minimum of 10%.
- (c) The practice area shall be designed and constructed with separation walls, doors, windows and assemblies with related gaskets and sealing materials sufficient to close off the practice area from the firearm range and adjacent spaces to provide the air pressures required for the practice area ventilation and exhaust system to operate correctly.
- (d) Where a firearm range contains multiple practice areas, each practice area shall be provided with a separate ventilation and exhaust system.
- (e) The supply and exhaust systems shall be electrically interlocked to turn on each system at the same time.
- (f) The practice area ventilation and exhaust system shall be a totally separate system isolated from any other ventilation and exhaust system which serves the ancillary spaces of the firearm range facility.
- (g) The ventilation and exhaust system shall be commissioned prior to initial operation, and a regular schedule of maintenance and system adjustment shall be included in the description of the ventilation and exhaust system as part of the permit application. For purposes of this subsection (g), "commissioned" has the same meaning ascribed to that term in *American Society of Heating, Refrigeration, and Air-conditioning Engineers Guideline 0-2005, as amended*. The practice area ventilation and exhaust system shall be operated and maintained in conformity with the submitted schedules and procedures.
- (h) The practice area ventilation and exhaust systems shall be either:

- (1) a 100% total exhaust/purge system utilizing 100% fresh make up air. All air from the practice area shall be completely exhausted. The exhausted air shall be filtered and cleaned to remove lead particulate before exhausting to the open atmosphere. Twenty-five percent of the airflow shall be exhausted 15 feet downrange from the firing line and the other 75% shall be exhausted at the apex of the backstop/bullet trap. The ventilation system shall operate at one fan speed only and shall be designed and provided with automatic sensors and controls, where required, to monitor and ensure the performance and safety of the system; or
- (2) an air cleaning re-circulation system that re-circulates up to a maximum of 75% of the air and cleans and exhausts a minimum of 25% of the air in the practice area. The air re-circulation system shall be designed and provided with primary and secondary filters, high efficiency particulate air (HEPA) filters, electronic precipitators or other air filtering and cleaning technology, as reviewed and approved by the Building Official, to remove lead particulate from the re-circulated air before re-introduction into the practice area. System exhaust fans may operate at variable speeds. The ventilation system shall be designed and provided with automatic sensors and controls, where required, to monitor and ensure the performance and safety of the system.
 - (i) New technology or designs for practice area ventilation and exhaust systems not authorized in this code shall be reviewed and approved by the Building Official on standards and tests prior to installation.
 - (j) All other ventilation, refrigeration and heating systems for the firearm range shall conform to the requirements of the 2012 International Mechanical Code, as amended by the City of Evanston.
 - (k) The practice area shall be provided with heating and cooling for the comfort of practice area patrons and staff. Where the heating or cooling system is not a component of the ventilation and exhaust system, such as radiant heating or geothermal sourcing, one heating or cooling system in the firearm range is permitted.
 - (l) All ventilation and exhaust equipment, ducts and appurtenances shall be located and installed to allow ready maintenance and inspection.

(11) PLUMBING REQUIREMENTS.

- (a) Every firearm range shall meet all applicable plumbing code requirements of the Illinois Plumbing Code as adopted and amended by the City of Evanston.
- (b) The occupancy calculation to determine the required number of plumbing fixtures for the firearm range shall be determined by this Appendix, Occupancy requirements.
- (c) The discharge of any waste from the firearm range shall be in compliance with all applicable local, state or federal laws or standards, and shall comply with the requirements of the City of Evanston Code, Title 4, Chapter 13 to prevent the discharge of any prohibited waste from entering into any sewer, watercourse, natural outlet or waters.

- (d) Interceptors or separators shall be installed to recover solids from metal particles, metal chips, shavings, plaster, stone, clay, sand, cinder, ashes, glass, gravel, oily or greasy residual waste and similar materials in separating lighter than water waste from heavier than water waste or waste from soiled water to prevent such matter from entering the drain line. The size, type, location and construction material of each interceptor and of each separator shall be designed and installed in accordance with the manufacturer's instructions. All interceptors and all separators shall be installed in an accessible location to permit the convenient removal of the lid and internal contents and to permit service and maintenance. Unless otherwise approved, all interceptors and separators shall have an inspection manhole located outside on private property to permit observation, measurement and sampling downstream of the interceptors or separators.
- (e) Waste that does not require treatment or separation need not be discharged into any interceptor or separator and may be in a separate line until after the interceptor or separator but must connect to the building sewer before the public way. Waste from the firearm range which does not have a lead contamination level of more than 0.5 mg/L is not required to discharge into an interceptor or separator.
- (f) Grease traps approved by the department of buildings shall have the waste retention capacity indicated in the Illinois Plumbing Code for the flow-through rated indicated.

(12) ELECTRICAL REQUIREMENTS.

- (a) Every firearm range shall be constructed with emergency lighting in conformance with the requirements of 2011 National Electric Code, Article 700.
- (b) The practice area shall be constructed to be free of excessive glare and major differences in light levels. Floors and ceilings shall be designed to provide light reflection.
- (c) The lighting design and construction of every practice area shall include the following:
 - (1) General lighting shall provide uniform light levels over the entire practice area and adjoining spaces;
 - (2) Local lighting shall supplement general lighting along the firing line to provide better visibility;
 - (3) Semi-direct lighting shall be provided to direct 60 to 90 percent of the lighting on the target.

(13) GREEN BUILDING STANDARDS.

All new buildings or spaces altered shall comply with the City of Evanston, Title 4, Chapter 21, Green Building Ordinance.