

2006 SESSION

SENATE SUBSTITUTE

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HOUSE BILL NO. 1537

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee for Courts of Justice
on March 1, 2006)

(Patron Prior to Substitute— Delegate Saxman)

A *BILL to amend and reenact § 15.2-917 of the Code of Virginia, relating to condemnation of sport shooting ranges.*

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-917 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-917. Applicability of local noise ordinances to certain sport shooting ranges.

A. No local ordinance regulating any noise shall subject a sport shooting range to noise control standards more stringent than those in effect at the time the construction or operation of the range initially was approved, or at the time any application was submitted for the construction or operation of the range its effective date. The operation or use of a sport shooting range shall not be enjoined on the basis of noise, nor shall any person be subject to action for nuisance or criminal prosecution in any matter relating to noise resulting from the operation of the range, if the range is in compliance with all ordinances relating to noise in effect at the time construction or operation of the range was approved, or at the time any application was submitted for the construction or operation of the range.

B. Any sport shooting range operating or approved for construction within the Commonwealth, which has been condemned through an eminent domain proceeding by any condemning entity, and which relocates to another site within the same locality within two years of the final condemnation order, shall not be subjected to any noise control standard more stringent than those in effect at the effective date of such sport shooting range.

C. For purposes of this section, "sport shooting range" means an area or structure designed for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any other similar sport shooting.

For purposes of this section, "effective date" means the time the construction or operation of the sports shooting range initially was approved, or at the time any application was submitted for the construction or operation of the sports shooting range, whichever is earliest.

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