

On motion of **Mr. Bonano**, seconded by **Mr. Walker**, the following resolution was offered:

RESOLUTION NO. 141684

A resolution requesting and authorizing the Planning Department and the Planning Advisory Board to study the text of Chapter 33 Unified Development Code and Chapter 40 Zoning of the Code of Ordinances of Jefferson Parish, with the intent of evaluating and amending regulations related to firearm related commercial establishments and “firearm-free zones”; establishing interim development standards during the study; and providing for related matters. (Parishwide)

WHEREAS, Louisiana state law defines and regulates the possession and sale of firearms on any school campus or firearm-free zone; and

WHEREAS, La. R.S.14:95.2.1 defines “firearm” as “any pistol, revolver, rifle, shotgun, machine gun, submachine gun, or assault rifle, which is designed to fire or is capable of firing fixed cartridge ammunition or from which a shot or projectile is discharged by an explosive”; and

WHEREAS, La. R.S. 14:95.2 prohibits the possession of a firearm, or dangerous weapon by a student or nonstudent with certain exceptions within a firearm-free zone; and

WHEREAS, La. R.S. 14:95.6 defines a firearm-free zone for schools, “as an area inclusive of any school campus and within one thousand (1,000) feet from any school campus, and within a school bus”; and

WHEREAS, current Jefferson Parish definitions and regulations located within Chapters 33 and 40 of the Code of Ordinances (Code) do not define “firearm related commercial establishments” or “firearm-free zones”; and

WHEREAS, use-separation requirements typically try to distance certain potentially detrimental uses from protected uses more directly such as the existing separation requirements for adult uses, barrooms, and off-track wagering facilities found in the Code; and

WHEREAS, the Code does not currently provide regulations or use-separation requirements for firearm related commercial establishments.

NOW, THEREFORE, BE IT RESOLVED by the Jefferson Parish Council of Jefferson Parish, Louisiana, acting as governing authority of said Parish:

SECTION 1. That the Planning Department and the Planning Advisory Board are hereby authorized to study the text of Chapter 33 Unified Development Code and Chapter 40 Zoning of the Code of Ordinances of Jefferson Parish, with the intent of evaluating and amending regulations related to firearm related commercial establishments and “firearm-free zones”; establishing interim development standards during the study; and providing for related matters.

SECTION 2. That the following interim development standards are hereby established:

- a. *Generally.* Where there is a conflict between the interim standards and the regulations in Chapter 33 Unified Development Code and Chapter 40 Zoning, the interim standards shall govern. Where the interim standards are silent on a standard, the provisions of the applicable section shall apply.
- b. *Definitions.*
 1. *Firearm(s)* shall mean any pistol, revolver, rifle, shotgun, machine gun, submachine gun, or assault rifle, which is designed to fire or is capable of firing fixed cartridge ammunition or from which a shot or projectile is discharged by an explosive.
 2. *Firearm related commercial establishments* shall mean:
 - a) any commercial establishment engaged in the business of selling firearms or ammunition at wholesale or retail;
 - b) any commercial establishment engaged in the business of repairing firearms or of making or fitting special barrels, stocks, or trigger mechanisms to firearms;
 - c) any commercial establishment engaged in the business of providing maintenance for firearms or dipping, coating, wrapping firearms or other related activities;

- d) any commercial establishment engaged in the business of manufacturing firearms or ammunition for purposes of sale or distribution.
3. *Ammunition* shall mean ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm.
4. *Firearm-free zone* shall mean an area inclusive of any school campus and within one thousand (1,000) feet of any such school campus, and within a school bus, wherein the possession of firearms is prohibited, as defined by the State.
5. *School* shall mean any public or private elementary, secondary, high school, or vocational-technical school, college, or university.
6. *School campus* shall mean all facilities and property within the boundary of the school property.
7. *Specific use standards for firearm retail establishments*.
8. For the purpose of this section, provisions related to firearm related commercial establishments shall not apply to existing firearm related commercial establishments legally permitted and operating prior to the adoption date of this resolution.
9. *Minimum Distance*. The minimum distance between any firearm related commercial establishment and any school campus shall be one thousand (1,000) feet, measured in a straight line from the nearest point of the firearm related commercial establishment property line to the nearest point of the property line of the school campus.

SECTION 3. The interim development standard set forth in this resolution is in accordance with and by the authority of Sec. 33-2.21.5 of the Jefferson Parish Code of Ordinances, providing, in pertinent part, that when the Jefferson Parish Council initiates a study to prepare an amendment to the text or official maps of Chapter 33, Chapter, 40, or the Comprehensive Plan, and pending final disposition of the study, the Jefferson Parish Council may establish interim development standards that provide for reasonable approval conditions for certain types of development applications that would otherwise be affected by the study for one (1) year, which may be extended by the Jefferson Parish Council for not longer than one (1) six (6)-month period.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:


YEAS: 7

NAYS: None

ABSENT: None

The resolution was declared to be adopted on this the **12th day of April, 2023.**

THE FOREGOING IS CERTIFIED
TO BE A TRUE & CORRECT COPY


EULA A. LOPEZ
PARISH CLERK
JEFFERSON PARISH COUNCIL