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HOUSE ENGROSSED SENATE BILL

STATE OF ARIZONA  
SENATE  
FORTY-FIFTH LEGISLATURE  
SECOND REGULAR SESSION  
2002

SENATE BILL 1008

AN ACT

AMENDING TITLE 17, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 6; RELATING TO OUTDOOR SHOOTING RANGES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 17, Arizona Revised Statutes, is amended by adding  
3 chapter 6, to read:

4 CHAPTER 6  
5 SHOOTING RANGES

6 ARTICLE 1. OUTDOOR SHOOTING RANGE NOISE STANDARDS

7 17-601. Definition of outdoor shooting range

8 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES, "OUTDOOR  
9 SHOOTING RANGE" OR "RANGE" MEANS A PERMANENTLY LOCATED AND IMPROVED AREA THAT  
10 IS DESIGNED AND OPERATED FOR THE USE OF RIFLES, SHOTGUNS, PISTOLS,  
11 SILHOUETTES, SKEET, TRAP, BLACK POWDER OR ANY OTHER SIMILAR SPORT SHOOTING IN  
12 AN OUTDOOR ENVIRONMENT. OUTDOOR SHOOTING RANGE DOES NOT INCLUDE ANY AREA FOR  
13 THE EXCLUSIVE USE OF ARCHERY OR AIR GUNS OR A TOTALLY ENCLOSED FACILITY THAT  
14 IS DESIGNED TO OFFER A TOTALLY CONTROLLED SHOOTING ENVIRONMENT THAT INCLUDES  
15 IMPENETRABLE WALLS, FLOOR AND CEILING, ADEQUATE VENTILATION, LIGHTING SYSTEMS  
16 AND ACOUSTICAL TREATMENT FOR SOUND ATTENUATION SUITABLE FOR THE RANGE'S  
17 APPROVED USE.

18 17-602. State outdoor shooting range noise standards;  
19 preemption; measurement; definitions

20 A. THE LEGISLATURE FINDS THAT OUTDOOR SHOOTING RANGE NOISE STANDARDS  
21 ARE A MATTER OF STATEWIDE CONCERN. CITY, TOWN, COUNTY AND ANY OTHER STATE  
22 NOISE STANDARDS ARE PREEMPTED AS APPLIED TO OUTDOOR SHOOTING RANGES.

23 B. EACH OUTDOOR SHOOTING RANGE IN THIS STATE SHALL MEASURE THE NOISE  
24 EMITTED FROM THE RANGE PURSUANT TO SUBSECTION E AT LEAST ONCE. IN ADDITION,  
25 THE RANGE SHALL MEASURE THE NOISE IT EMITS IF THE RANGE EXPANDS THE AREA  
26 DESIGNED AND OPERATED FOR THE USE OF FIREARMS OR EXPLOSIVES BY MORE THAN  
27 TWENTY PER CENT IN SIZE THAN AT THE TIME OF ITS INITIAL NOISE MEASUREMENT OR  
28 IF THE RANGE INTRODUCES THE USE OF A TYPE OF FIREARM OR EXPLOSIVE DEVICE THAT  
29 WILL INCREASE NOISE PRODUCTION. THE RANGE SHALL PAY FOR THE MEASUREMENT AND  
30 SHALL KEEP THE RESULTS OF THE MEASUREMENT AT THE RANGE AT ALL TIMES. ANY  
31 PERSON MAY REVIEW THE NOISE MEASUREMENT DURING THE RANGE'S BUSINESS  
32 HOURS. RANGES THAT ARE LOCATED AT LEAST ONE MILE FROM AREAS THAT ARE ZONED  
33 FOR RESIDENCES, SCHOOLS, HOTELS, MOTELS, HOSPITALS OR CHURCHES ARE EXEMPT  
34 FROM THIS SUBSECTION.

35 C. ANY PERSON, AT THE PERSON'S EXPENSE, MAY MEASURE THE NOISE EMITTED  
36 FROM AN OUTDOOR SHOOTING RANGE PURSUANT TO SUBSECTION E.

37 D. THE NOISE EMITTED FROM AN OUTDOOR SHOOTING RANGE SHALL NOT EXCEED  
38 AN LEQ(h) OF SIXTY-FOUR DBA.

39 E. IN MEASURING THE NOISE EMITTED FROM AN OUTDOOR SHOOTING RANGE:

40 1. IF A RANGE PERFORMS THE MEASUREMENT OF NOISE PURSUANT TO SUBSECTION  
41 B, SOUND PRESSURE MEASUREMENTS SHALL BE TAKEN TWENTY FEET FROM THE NEAREST  
42 OCCUPIED RESIDENCE, SCHOOL, HOTEL, MOTEL, HOSPITAL OR CHURCH, OR FROM THE  
43 NEAREST PROPOSED LOCATION OF A RESIDENCE, SCHOOL, HOTEL, MOTEL, HOSPITAL OR  
44 CHURCH IF THE PROPERTY IS ZONED FOR SUCH A STRUCTURE BUT IS CURRENTLY  
45 UNIMPROVED. IF A PERSON PERFORMS THE MEASUREMENT OF NOISE PURSUANT TO

1 SUBSECTION C, SOUND PRESSURE MEASUREMENTS SHALL BE TAKEN TWENTY FEET FROM THE  
2 PERSON'S RESIDENCE, SCHOOL, HOTEL, MOTEL, HOSPITAL OR CHURCH, OR TWENTY FEET  
3 FROM THE PROPOSED LOCATION OF THE PERSON'S RESIDENCE, SCHOOL, HOTEL, MOTEL,  
4 HOSPITAL OR CHURCH IF THE PROPERTY IS ZONED FOR SUCH A STRUCTURE BUT IS  
5 CURRENTLY UNIMPROVED.

6 2. SOUND PRESSURE MEASUREMENTS SHALL BE MADE IN A LOCATION DIRECTLY  
7 BETWEEN THE RANGE AND THE NEAREST EXISTING OR PROPOSED RESIDENCE, SCHOOL,  
8 HOTEL, MOTEL, HOSPITAL OR CHURCH. IF THERE ARE NATURAL OR ARTIFICIAL  
9 OBSTRUCTIONS THAT PREVENT AN ACCURATE NOISE MEASUREMENT, THE MEASUREMENT MAY  
10 BE TAKEN WITHIN AN ADDITIONAL TWENTY FEET RADIUS FROM THE INITIAL MEASUREMENT  
11 LOCATION.

12 3. SOUND PRESSURE MEASUREMENTS SHALL BE MADE ON THE A-WEIGHTED FAST  
13 RESPONSE MODE SCALE. MEASUREMENTS SHALL BE TAKEN DURING THE NOISIEST HOUR OF  
14 PEAK USE DURING THE OPERATION OF THE RANGE. MEASUREMENTS SHALL BE TAKEN  
15 ACCORDING TO AMERICAN NATIONAL STANDARDS INSTITUTE'S STANDARD METHODS ANSI  
16 S1.2-1962 (R1976) AMERICAN NATIONAL STANDARD METHOD FOR PHYSICAL MEASUREMENT  
17 OF SOUND AND ANSI S1.2-1971 (R1976) AMERICAN NATIONAL STANDARD METHOD FOR  
18 MEASURING SOUND PRESSURE LEVELS. MEASUREMENTS SHALL BE TAKEN USING A TYPE 1  
19 SOUND METER MEETING THE REQUIREMENTS OF ANSI S1.4L-1971. ANY PART OF THE  
20 MEASUREMENTS CONDUCTED ON A RANGE SHALL COMPLY WITH THE RANGE SAFETY RULES.

21 F. OUTDOOR SHOOTING RANGES IN OPERATION ON JULY 1, 2002 SHALL COMPLY  
22 WITH THE PROVISIONS OF THIS SECTION BEFORE JULY 1, 2003. RANGES NOT IN  
23 OPERATION ON JULY 1, 2002 SHALL COMPLY WITH THE PROVISIONS OF THIS SECTION  
24 WHEN THEY BEGIN OPERATION.

25 G. FOR THE PURPOSES OF THIS SECTION:

26 1. "A-WEIGHTED" MEANS A FREQUENCY WEIGHTING NETWORK USED TO ACCOUNT  
27 FOR CHANGES IN SENSITIVITY AS A FUNCTION OF FREQUENCY.

28 2. "DBA" MEANS A-WEIGHTED DECIBELS, TAKING INTO ACCOUNT HUMAN RESPONSE  
29 TO SOUND ENERGY IN DIFFERENT FREQUENCY BANDS.

30 3. "DECIBEL" MEANS THE UNIT OF MEASURE FOR SOUND PRESSURE DENOTING THE  
31 RATIO BETWEEN TWO QUANTITIES THAT ARE PROPORTIONAL TO POWER. THE NUMBER OF  
32 DECIBELS IS TEN TIMES THE BASE TEN LOGARITHM OF THIS RATIO.

33 4. "LEQ(h)" MEANS THE EQUIVALENT ENERGY LEVEL THAT IS THE STEADY STATE  
34 LEVEL THAT CONTAINS THE SAME AMOUNT OF SOUND ENERGY AS A TIME VARYING SOUND  
35 LEVEL FOR A SIXTY MINUTE TIME PERIOD.

36 START\_STATUTE17-603. Preexisting outdoor shooting ranges; noise  
37 buffering or attenuation

38 A. IF AN OUTDOOR SHOOTING RANGE WAS CONSTRUCTED BEFORE JULY 1, 2002 IN  
39 COMPLIANCE WITH EXISTING APPLICABLE COUNTY OR MUNICIPAL ORDINANCES AND ZONING  
40 REQUIREMENTS AND IF PROPERTY LOCATED WITHIN ONE MILE OF THE EXTERIOR PROPERTY  
41 BOUNDARY OF THE RANGE IS REZONED AFTER JULY 1, 2002 FOR RESIDENTIAL USE OR  
42 ANY OTHER USE THAT INCLUDES A SCHOOL, HOTEL, MOTEL, HOSPITAL OR CHURCH, THE  
43 ZONING AUTHORITY MUST PROVIDE FOR NOISE BUFFERS OR ATTENUATION DEVICES THAT  
44 ARE EITHER:

