THE CITY OF ASHEVILLE

Staff Report

Council Meeting Date: January 24, 2023

Subject: Update to Appendix G-List of Recreational Facilities of City Code of Ordinances

Staff Resource(s): D. Tyrell McGirt, Parks and Recreation Director and
Candy Hensley Shaw, Recreation Division Manager

Action Requested: Adoption of an ordinance to update Appendix G of the Code of Ordinances identifying recreational facilities where concealed handguns are prohibited.

Background:

- Section 12-42 (a) (5) of the Asheville City Code prohibits carrying a concealed handgun by permit (CCHP) at recreational facilities identified in Appendix G of the Code.
- This Section also requires that the list of facilities in Appendix G be reviewed and updated as necessary.
- The Appendix was last updated via Ordinance No. 4251 on November 12, 2013.
- Since that time there have been several recreational facilities added and a few recreational facilities that are no longer in existence and therefore an update to Appendix G is necessary.
- Signs listing prohibited concealed handguns will be visibly posted at all listed recreational facilities and city buildings in compliance with Section 12-44 of City Code.
- Section 12-42 (a) (3) of the Asheville City Code also prohibits carrying concealed handgun by permit (CCHP) in all buildings that are owned, leased or temporarily controlled by the city.
- A list of Parks and Recreation city-owned buildings has been added to Appendix G in order to clarify that while they are defined separately from “recreational facilities”, CCHP are also prohibited within and on their premises.

Vendor Outreach Efforts: N/A

Council Goal(s):

- Improve/Expand Core Services

Committee(s):

- None

Pro(s):

- Updated Appendix G correctly reflects all recreational facilities and provides guidance for citizens.
- Appendix G - List of Recreational Facilities of City Code of Ordinances solidifies the City’s understanding and commitment to safety.
- Supports City Council’s fiscal year 2022 - 2023 Improve and Expand Core Services priority.
- Corrects incomplete and improper listings.

Con(s):

- None

Fiscal Impact:

- This action requires no additional City resources and has no fiscal impact.

Suggested Motion:

- Motion to adopt an ordinance to update Appendix G of the Asheville Code of Ordinances identifying recreational facilities where concealed handguns are prohibited in compliance with Section 12-42 (a) (5) of the Code

Attachment(s):

- Ordinance

ORDINANCE NO. _____

ORDINANCE AMENDING APPENDIX G-LIST OF RECREATIONAL FACILITIES OF THE ASHEVILLE CITY CODE

WHEREAS, the City Council of the City of Asheville has the authority pursuant to Article II of the City Charter, to adopt changes to its General Ordinances; and

WHEREAS, Section 12-42 (a) (5) of the Asheville City Code prohibits carrying a concealed handgun by permit (CCHP) at recreational facilities identified in Appendix G of the Code and provides that the list of facilities in Appendix G be reviewed and updated as necessary; and

WHEREAS, Appendix G requires updating to reflect changes, both additions and deletions, to the City Park Department's recreational facilities;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

Section 1: Appendix G of the Asheville City Code is hereby amended as follows:

(a) **Amend Appendix G by replacing it in its entirety with the attached Appendix G**

Section 2: If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

Section 3: All ordinances or parts of ordinances in conflict are hereby repealed to the extent of such conflict.

Section 4: This ordinance will become effective upon adoption.

Read, approved and adopted this 24th day of January, 2023

_____ _____

City Clerk Mayor

Approved as to form:

_____

City Attorney

Appendix G- RECREATIONAL FACILITIES WHERE CONCEALED HANDGUNS ARE PROHIBITED [REVISED 1/24/23]

Swimming Pools

Malvern Hills

Recreation Park

Dr. Wesley Grant Sr. Southside Center Pool

Splasheville

Athletic Fields

Ballfields

Carrier Park

Charlie Bullman Park (3)

Jones Park

Martin Luther King, Jr. Park

McCormick Field

Montford Complex

Murphy-Oakley Park

Ray L. Kisiah Park (4)

Roger Farmer Memorial Park (3)

Shiloh Park

Walton Street Park

Weaver Park

West Asheville Park

Soccer Fields

Azalea Park (4)

Carrier Park

Martin Luther King, Jr. Park

Memorial Stadium

Athletic Facility

Basketball Courts

Aston Park (2)

Burton St. Center (4)

Carrier Park (2)

Dr. Wesley Grant Sr. Southside Center

Jake Rusher Park

Kenilworth Park

Lakewood Park

Magnolia Park

Malvern Hills Park

Montford Complex

Murphy-Oakley Park

Recreation Park (3)

Roger Farmer Park (2)

Shiloh Park

Stephens-Lee Center

Walton Street Park

Weaver Park

West Asheville Center

Shuffleboard Courts

Harvest House

Tennis/Pickleball Courts

Aston Park Tennis Center

Kenilworth Park - 2 tennis courts; 4 Pickleball courts

Malvern Hills Park - 2 tennis courts; 4 Pickleball courts

Montford Park - 2 tennis courts; 4 Pickleball courts

Murphy-Oakley Park - 3 tennis courts; 6 Pickleball courts

Weaver Park - 2 tennis courts; 4 Pickleball courts

Climbing Wall

The Montford Climbing Wall

Disc Golf

Richmond Hill Park

Golf Course

The Asheville Municipal Golf Course

Gymnasiums

Dr. Wesley Grant Sr. Southside Center

Montford Complex

Shiloh Center

Stephens-Lee Center

Lawn Bowling

Carrier Park

Velodrome

Carrier Park

Sand Volleyball

Carrier Park

Skate Park

Cherry Street Skate Park

PARKS & RECREATION CITY BUILDINGS (see City Code Section 12-42(a)(3)

Burton Street Community Center

Dr. Wesley Grant Sr. Southside Center

Grove Street Center

Harvest House Center

Linwood Crump Shiloh Center

Murphy Oakley Center

North Asheville Center

Stephens-Lee Center

Tempie Avery Montford Center

West Asheville Center