

EDUCATIONAL ADMINISTRATION CENTER

School District of West Allis - West Milwaukee, et al.

9333 West Lincoln Avenue • West Allis • Wisconsin • 53227-2395
(414) 604-3000 Fax (414) 546-5795



November 16, 2010

City of West Allis Common Council
7525 W. Greenfield Avenue
West Allis, WI 53214

RECEIVED

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CITY OF WEST ALLIS
CLERK/TREASURER

Dear Common Council Members,

On behalf of the West Allis – West Milwaukee School District, I would like to thank you for your consideration regarding ordinance changes on gun shops and indoor gun ranges in the City of West Allis. Currently, under the City of West Allis Ordinance **12.41, C-2 Neighborhood Commercial District**, gun shops are allowed. The current ordinance reads: ***The C-2 Neighborhood Commercial District is intended to provide convenience shopping in close proximity for persons residing in nearby residential areas, by allowing only such uses as are necessary to satisfy basic shopping needs which occur daily or frequently. Normally these uses attract little vehicular traffic and are compatible with residential areas.*** However, the proposed new ordinance by Alderman Vitale will read: ***Amend Subsection 12.40(1)(ii) and 12.41(1)(dd) relative to sporting good stores. To repeal Subsection 12.41(1)(q) relative to indoor gun ranges in the C-2, Neighborhood Commercial District. To repeal and recreate Subsection 12.48(3)(a) relative to firearm ranges in Park Districts and to amend Subsection 12.43(2)(m) of the Revised Municipal Code to permit gun, firearm and/or ammunition sales; and, indoor ranges as a special use within the C-4 Regional Commercial District.*** The approval of these revisions will make the location of businesses such gun shops more appropriate in C-4 Commercial Districts rather than with what currently exists in the C-2 Neighborhood Commercial District definition. We strongly feel that gun shops do not fit into the basic shopping area as identified in the current C-2 classification. Therefore, as a representative of the West Allis – West Milwaukee School District, I wish to voice our favorable position for Alderman Vitale's proposals.

The approval of these ordinance revisions will still allow for gun shops and indoor shooting ranges to open and do business within the City of West Allis; however, they will also prevent a situation like what is happening at South 60th and Grant Streets. This new ordinance will truly make the "*Gun Free School Zone Act of 1995*", which was crafted with the help of Senator Herb Kohl, a gun free school zone and keep gun shops and shooting ranges in an adequate location that is not located within 1000 feet of our schools. As Senator Kohl stated in 1995: "*The Gun-Free School Zones Act of 1995 is a common-sense, bipartisan, constitutional approach to combating violence in and around our schools.*" The federal Gun Free School Zones Act makes knowingly bringing a gun within 1,000 feet of a school a federal crime punishable by a maximum prison sentence of five years and a fine of up to \$5,000.

In addition currently in Wisconsin there is also a state statute (s948.605) known as the Gun-Free School Zone. This law also clearly states that it is unlawful to possess a firearm within 1,000 feet of a school. While the law does provide an exception for private property the spirit of the law is very clear of its intent, keep guns away from schools, playgrounds, and our children.

If you have any questions on this matter please feel free to contact me.

Sincerely,

Kurt Wachholz,
Superintendent of Schools,
West Allis – West Milwaukee Schools, et al.