**DRAFT MOTION TO APPROVE HARDSHIP**

**EXCEPTION FOR SPURWINK ROD & GUN CLUB**

Upon the application of the Spurwink Rod & Gun Club (“**Applicant**”) dated April 10, 2016 for an amendment to its shooting range license, currently limited by prior Council order to operation of its 25 yard range, to reduce the required minimum liability insurance from $3,000,000.00per occurrence to $1,000,000.00 per occurrence,

Upon motion made by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, seconded by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

The Town Council finds the enforcement of the Town’s Shooting Range Ordinance, Chapter 24 (“**Ordinance**”) requiring $3,000,000.00 per occurrence in liability coverage would result in a hardship to the Applicant due to the significantly greater cost associated with such liability coverage as opposed to $1,000,000.00 per occurrence coverage.

The Town Council further finds:

1. The hardship results from the literal application of the specific provisions of the Ordinance;

2. The hardship relates to the Applicant’s specific shooting range, which pre-dates the Ordinance;

3. The hardship was not self-induced or self-created by the Applicant after the effective date of the Ordinance;

4. The hardship is peculiar to the Applicant’s shooting range in that it is the only current licensed shooting range in the Town;

5. There are unique conditions pertaining to the Applicant’s shooting range, it having existed in the Town, at its current location since the 1950’s;

6. Imposing the $3,000,000.00 per occurrence liability coverage, given the cost and availability of such greater insurance, and the limited revenues and assets of the Applicant, would likely deprive the Applicant of its right to continue to operate its existing facility;

7. Reducing the required $3,000,000.00 per occurrence liability coverage to $1,000,000.00 per occurrence liability coverage will not materially affect the safety of the surrounding neighborhoods or the general public welfare as the Applicant’s current operations, limited to its 25 yard range, has been determined to meet the Town’s safety standards; and

8. The requested reduction in insurance coverage does not serve to eliminate the Ordinance requirement of a licensed range to maintain liability insurance and reducing the Applicant’s insurance requirement to $1,000,000.00 is the minimum allowed reduction to allow for the continued operation of the Applicant’s range.

Based upon the above findings, the Applicant’s request for an amendment to its current license to operate its range by reducing its required minimum liability insurance from $3,000,000.00 per occurrence to $1,000,000.00 per occurrence is granted.