

ORDINANCE NO.

309

AN ORDINANCE REGULATING THE DISCHARGE OF FIREARMS, AIR GUNS, PELLET GUNS, AND SIMILAR WEAPONS WITH THE CORPORATE LIMITS OF THE CITY OF MCCRORY, WOODRUFF COUNTY, ARKANSAS; PROVIDING PENALTIES; PROVIDING FOR THE REPEAL OF EXISTING ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

ARTICLE 1. FIREARMS AND OTHER WEAPONS

SECTION 1-1. Definition of Firearm

- A. "Firearm" means any device which is designed to expel a projectile by the action of an explosion, expansion of gas, or escape of gas; including, but not limited to a handgun, pistol, air gun, revolver, rifle or shotgun.

SECTION 1-2. Discharge of Firearms within City Limits

- A. It shall be unlawful for any person to discharge a firearm within the corporate limits of the City of McCrory except:
1. By a duly authorized law enforcement or animal control officer when necessary in the performance of his official duties, or
  2. By any member of the United States Armed Forces, Reserves or National Guard when in performance of military duty and under military orders, or
  3. By a person acting in actual defense of his life or that of another person, or
  4. By a person engaged in lawful hunting as provided for hereinafter, or
  5. By a person engaged in lawful participation at a facility properly licensed to conduct a firearms sporting activity, including by not limited to, skeet shooting, trap shooting, paintball events, and similar sporting activities, or
  6. By a person engaged in lawful participation at a facility properly licensed for the conduct of firearms training, education, or qualification activities.

Section 1-3. Air Guns, Pellet Guns, Etc.

- A. The use, shooting or discharge within the corporate limits of any air gun, pellet gun, or similar weapon or thing that shoots a BB, ball or pellet, shall be restricted to persons 21 years of age or older, unless the activity is performed under the direct supervision of a parent or other responsible adult.

Section 1-4. Discharge of Firearms for Lawful Hunting Purposes

- A. Residential Areas. No hunting shall be permitted within three hundred (300) yards of any occupied building, street, public way, park, school, church, commercial and/or residential developed area.

ARTICLE II. PENALTY

Section 2-1. Penalty for Violation

- A. Any person who violates the provision of this ordinance shall be deemed guilty of a misdemeanor and punished by a fine of not less than one hundred fifty dollars (\$150) nor more than one thousand dollars (\$1000). Each day any violation of this ordinance shall continue shall constitute a separate offense.

Section 2-2. Seizure of Firearm or Other Weapon

- A. Any firearm or other weapon used in the commission of a violation of this ordinance shall be seized by law enforcement and held until such time as the offense is properly adjudicated. Any seized firearm or other weapon shall be returned to the owner or responsible party only upon order from a court of competent jurisdiction.

ARTICLE III. SEVERABILITY

The provisions of this ordinance are severable and if a section, phrase or provision shall be declared invalid: such declaration shall not affect the validity of the remainder of this ordinance.

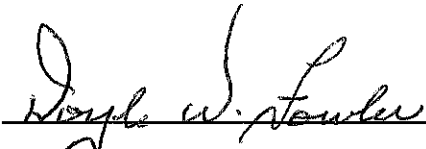
ARTICLE IV. REPEALING CLAUSE

This ordinance repeals any ordinances and / or parts thereof in conflict herewith.

ARTICLE V. EMERGENCY CLAUSE

It is hereby ascertained and declared that the regulation of firearms and other weapons within the City is necessary for the public welfare, safety, comfort and convenience of the inhabitants of the City of McCrory, Woodruff County, Arkansas, and an emergency is hereby declared to exist, and this ordinance shall take effect immediately upon its passage and publication.

PASSED THIS 9<sup>TH</sup> DAY OF OCTOBER 2017.

  
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Doyle Fowler, Mayor

ATTEST:

  
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Karen Harrison, City Clerk