

ORDINANCE NO. 96- 4

AN ORDINANCE PROHIBITING THE DISCHARGE OF FIREARMS WITHIN THE CITY OF RUSSELLVILLE, KENTUCKY, WITH SPECIFIC EXCEPTIONS AND PROVIDING FOR PENALTIES FOR THE VIOLATION OF SAME; WITH SEVERABILITY AND REPEALER CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Russellville has determined that it would be in the City's best interest to establish an ordinance prohibiting the discharge of firearms within the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF RUSSELLVILLE, that:

Section 1. It shall be unlawful for any person to discharge a firearm within the City of Russellville.

Section 2. As used in this ordinance, the following words and phrases shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

City: The City of Russellville.

Firearm: Any weapon, whether loaded or unloaded, which will expel a projectile by the action of an explosive and includes any such weapon commonly referred to as a pistol, revolver, rifle, gun, machine gun. Any weapon which can be readily made into a firearm by the insertion of a firing pin, or other similar thing in the actual possession of the actor or an accomplice, is a firearm.

Section 3. It shall not be a violation of this Ordinance to discharge a firearm under the following conditions:

- A. In the protection of life or property;
- B. By Law Enforcement Officers in the performance of their duties;
- C. At an established firing range or at an educational program properly supervised;
- D. At military functions or special events, such as parades and funerals, by firing blank charges.
- E. In connection with the operation of a lawful, licensed business; or
- F. For hunting purposes, provided all state and federal regulations are being complied with.

Section 4. Any person, firm or corporation violating any provision of this ordinance shall be fined not less than five dollars (\$5.00) nor more than Five Hundred Dollars (\$500.00) for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Section 6. In the event any provision of this Ordinance is invalid for any reason, such invalidity shall not affect the validity of any other provision.

Section 7. All portions of any section of any ordinance or rule or regulation in conflict herewith are hereby repealed to the extent of that conflict only.

Section 8. This Ordinance shall be effective upon its passage and publication according to law.

FIRST READING CONDUCTED on April 4th, 1996.

SECOND READING AND PASSAGE by roll call vote this 21 day of May, 1996.

| AYES: | NAYS: | ABSTAINING | ABSENT |
|------------------------|----------------------|------------|--------|
| <u>Willie Hampton</u> | <u>Russell Jones</u> | _____ | _____ |
| <u>Patricia Basham</u> | <u>Michael Baugh</u> | _____ | _____ |
| <u>Howard Wren</u> | _____ | _____ | _____ |
| <u>Jean Hankins</u> | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |



KEN SMITH, MAYOR

ATTEST:



PEGGY JENKINS, CITY CLERK