

**CITY OF RUSSELLVILLE, KENTUCKY  
ORDINANCE 2018-03**

**AN ORDINANCE AMENDING ORDINANCE 2003-01 TO REMOVE THE  
PROHIBITION OF GUNS IN THE CEMETERY**

WHEREAS, City of Russellville, Kentucky, Ordinance 2003-01, does not permit guns on the grounds of the cemetery; AND

WHEREAS, KRS 65.870 renders null, void, and unenforceable, any ordinance regulating the possession or carrying of firearms, unless the authority to do is specifically provided for by statute; AND

WHEREAS, KRS 237.115, permits a city to pass an ordinance that prohibits or limits the carrying of concealed deadly weapons by licensees in that portion of a building owned, leased, or controlled by said city; AND

WHEREAS, the cemetery owned by the City does not fall within the purview of KRS 237.115, and therefore the City is not permitted to regulate firearms in that area.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of Russellville, Kentucky as follows:

**SECTION I. SUBSTANTIVE AMENDMENTS.**

Ordinance 2003-01, found in City of Russellville Code of Ordinances §95.06(E), is hereby amended as follows:

*(E) No unleashed dogs ~~or guns~~ are permitted to be taken on the grounds. Neither poultry nor any kind of livestock shall be taken on the grounds or permitted to remain thereon.*

**SECTION II. SEVERABILITY.**

The provisions of this Ordinance are severable. If any sentence, clause, or part of this Ordinance or the application thereof to any particular state of case is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or repeal any of the remaining provisions, sentences, clauses or sections or parts of this Ordinance, it being the legislative intent of this body to ordain and in act each other.

**SECTION III. REPEAL OF EXISTING ORDINANCES.**

All ordinances or parts of ordinances in conflict herewith now in effect, to the extent of said conflict, are hereby repealed.

**SECTION IV. EFFECTIVE DATE.**

This ordinance shall become effective upon passage and publication as required by law.

\* \* \*

FIRST READING conducted on April 17, 2018.

SECOND READING AND PASSAGE on May 8, 2018.

APPROVED:

By: Mark Stratton  
Mark Stratton, Mayor  
City of Russellville

ATTEST:

By: Bob Riggs  
Bob Riggs, City Clerk  
City of Russellville

At a meeting of the City Council of the City of Russellville, Kentucky, held on May 8, 2018, the foregoing ordinance was adopted, after full discussion, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAINING:

Pat Bell  
Sandra Kinser

Larry Wilcutt  
Darlene Gooch