

ORDINANCE 06-2014
City of Diamond City, Arkansas

**AN ORDINANCE PROVIDING FOR THE CONTROL, REGULATION AND ENFORCEMENT
OF PENALTIES FOR THE UNLAWFUL USE OF FIREARMS AND OTHER WEAPONS
WITHIN THE INCORPORATED AREA OF THE CITY OF DIAMOND CITY WHICH
INCLUDES CORPS PROPERTY AND REPLACING ORDINANCE 7-06.**

Whereas, the City of Diamond City wishes to provide for the safety of its citizens as regards the use of Firearms or other Devices, the following is set in place:

SECTION 1: Definitions: Whereas, for the purpose of this ordinance, these definitions shall be used to describe certain words and terms herein:

- A. The term “gun” or “pistol,” for the purpose of this chapter, shall mean any weapon, which expels its projectile by the combustion of powder.
- B. The term “device,” for the purpose of this chapter, shall mean any device capable of throwing or discharging any projectile to include, but not limited to: BB guns, pellet guns, air guns, paint ball guns, bow and arrow devices or similar devices

SECTION 2: Discharge of Firearms and other Devices: Be it ordained that

- A. It shall be unlawful for any person to fire or discharge any gun or pistol capable of discharging a missile or projectile within the incorporated area of Diamond City, Arkansas, as set forth in this chapter except as authorized by the Council for special events.
- B. It shall be unlawful for any person to fire or discharge any device capable of expelling a missile or projectile in any of the streets, alleys, or public places of Diamond City, Arkansas, as set forth in this chapter.
- C. It shall be unlawful for any person under the age of Sixteen (16) to fire or discharge any device capable expelling a missile or projectile within the incorporated area of Diamond City, Arkansas unless in the physical presence of a parent or guardian at any event authorized by the City Council.
- D. It shall be unlawful to recklessly or maliciously discharge a gun, pistol, or device as to cause possible harm or danger to persons or property.

SECTION 3: CONFISCATION OF WEAPONS/DEVICES: Be it ordained that

- A. Upon violation of any of this Ordinance by any person, firm or corporation, the weapon/device used in violation may be confiscated, and upon conviction, may be forfeited to the City of Diamond City, Arkansas.

SECTION 4: Penalties: Be it ordained that

- A. Violators of Section 2. A or C above, upon conviction, shall be subject to a fine of not less than Twenty-Five Dollars (\$25) and not more than Two-Hundred and Fifty Dollars (\$250.00), plus any court costs. Said offense shall be deemed a misdemeanor.

B. Violators of Section 2. B above, upon conviction, shall be subject to a fine of not less than Twenty-Five Dollars (\$25) and not more than One-Hundred Dollars (\$100.00), plus any court costs.

SECTION 5: EXCEPTIONS: Be it ordained that

The Chief of Police or the Mayor, or their designated representative, is authorized to grant exceptions to said chapter to organizations or individuals of whom they deem necessary.

SECTION 6: POSSESSION OF FIREARMS

The Possession of firearms shall be allowed as provided for by the laws of the State of Arkansas

SECTION 7: ADOPTION AND REPLACEMENT: Be it ordained that

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 8: SEVERABILITY Be it ordained that

If any portion of this ordinance is found to be invalid by a court of competent jurisdiction, that invalidity shall in no wise affect and other parts that are valid.

Passed and approved by the City Council of Diamond City, Arkansas, on the 26th day of August, 2014.

 5 Yes 1 No 0 Abstain 0 Absent

Approved:


Shari L. Marshall, Mayor

ATTEST:


Cheryl Guthrie, Recorder/Treasurer