

ORDINANCE NO. 2458

AN ORDINANCE REGULATING THE DISCHARGING OF FIREARMS AND USE OF OTHER PROJECTILE WEAPONS IN ALL DENSELY POPULATED AREAS WITHIN THE CITY OF ERLANGER

WHEREAS, Erlanger is concerned with the discharge of firearms and use of other projectile weapons in the densely populated areas, and;

WHEREAS, the City is desirous of making the residential zones safer for its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ERLANGER, IN KENTON COUNTY, KENTUCKY, AS FOLLOWS:

Section 1.0 DISCHARGING WEAPONS.

- (A) It shall be unlawful to discharge a firearm , revolver, pistol, shotgun, or rifle of any description which may be used for the explosion of cartridges and which shall cause a bullet or projectile of any type to be propelled therefrom, whether such instrument is called by any name set forth above or by any other name, within the city limits. This restriction shall not apply to any commercial establishment operating a gun range within any zone that allows guns ranges.
- (B) The above prohibition shall not be construed to forbid United States marshals, sheriffs, constables, and their deputies; any regular, special, or ex-officio police officers; or any other law enforcement officers from discharging , while on duty, such weapons as shall be necessary in the proper discharge of their duty.
- (C) It shall be unlawful to discharge any air-gun or air-pistol, "BB" gun or pistol, or air rifle or air pistol, whether gas-operated or spring gun, or weapon, commonly known as sling shot, or bow made for the purpose of throwing or projecting dangerous missiles of any kind or by any means whatsoever, whether such instrument is called by any name set forth above or by any other name, unless the discharge of the instrument described above is done on private property and the projectiles from the instrument do not go beyond the property line of the private property, all within the city limits.
- (D) Any police officer of the city, or any other police officer with jurisdiction within the city, is hereby authorized and directed to confiscate any air rifles, air guns, or BB guns, bows, or sling shots found in the possession

of or used by any person within the limits of the city, and in violation of this section.

- (E) Any person violating this Ordinance or any part thereof, shall be deemed guilty of a class A misdemeanor and, upon conviction, shall be fined not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00) or imprisoned for not less than one (1) day nor more than twelve (12) months, or both.
- (F) Any parent, guardian, or person having the legal custody of a minor who violates any provisions of this Ordinance shall be guilty of a misdemeanor and shall be fined not more than five hundred dollars (\$500.00). In addition, any minor violating any provisions of this Ordinance may be referred to Juvenile Court.

Section 2.0

The provisions of this ordinance are severable; and the invalidity of any provision of this ordinance shall not affect the validity of any other provision thereof; and such other provisions shall remain in full force and effect as long as they remain valid in the absence of those provisions determined to be invalid.

Section 3.0

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 4.0

This ordinance shall be effective as soon as possible according to law.

Section 5.0 - Publication

This ordinance shall be published in summary pursuant to K.R.S. 83A.060 (9).

Adopted this _____ day of _____, 2017.

First Reading- _____, 2017

Second Reading- _____, 2017 Votes Cast _____ Yes _____ No

TYSON HERMES, Mayor