

ORDINANCE NO. 261

AN ORDINANCE REGULATING THE DISCHARGE OF FIREARMS, AIR GUNS, PELLET GUNS, AND SIMILAR WEAPONS WITHIN THE CORPORATE LIMITS OF THE CITY OF CARLISLE, LONOKE 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 I. 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, airgun, 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 Carlisle, 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 the 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 but not limited to, skeet shooting, trap shooting, paint-ball 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 any 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. Lawful Hunting Areas. The discharge of firearms within the corporate limits shall be permitted in designated hunting areas which shall consist of five (5) acres or more of open land or five (5) acres or more of timberland.
- B. 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.
- C. Hunting Seasons and Hours. Discharge of firearms for hunting purposes within the corporate limits shall comply with applicable federal and state hunting laws.

ARTICLE II. PENALTY

Section 2-1. Penalty for Violation

- A. Any person who violates the provisions 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 Carlisle, Lonoke County, Arkansas, an emergency is hereby declared to exist, and this ordinance shall take effect immediately upon its passage and publication.

PASSED THIS 15th DAY OF NOVEMBER, 2005.

Bob McCallie, Mayor

ATTEST:

Trudy Drye, Clerk-Treasurer