

CITY OF ARDMORE
DEVELOPMENT SERVICES

Council Letter No. 4185
Meeting Date: August 6, 2018

Mayor and City Commission
City of Ardmore, OK

RE: Discharging Firearms Ordinance

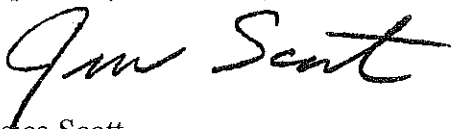
Dear Mayor and Commissioners:

To coincide with the City's update of the Unified Development Code (UDC), staff has begun a review of Ardmore's Code of Ordinances in order to amend or repeal outdated sections. The original ordinance that prohibited discharging firearms within the City, including BB guns and pellet guns was adopted in 1971. In 1998, the UDC permitted indoor or outdoor shooting ranges within the city limits as long as certain restrictions were met. At that time, the previous 1971 ordinance should have been amended, however it was not.

After researching what the ordinances in other cities throughout Oklahoma say regarding the discharging of firearms, staff has found the following are consistently included as exceptions: 1) Police and security officers who shoot in the line of duty, 2) Areas where hunting is permitted within the city limit, and 3) Permitted indoor or outdoor shooting ranges.

At this time, staff is respectfully requesting that Chapter 19, Article I, Section 19-48 of the Code of Ordinances of the City of Ardmore, 2014 be amended.

Respectfully Submitted,



Jessica Scott
Development Services Director

Attachments: CC Ordinance

Reviewed by:



ASST. City Manager

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ARDMORE CHAPTER 19 ENTITLED "OFFENSES AND MISCELLANEOUS PROVISIONS," ARTICLE I ENTITLED "IN GENERAL," SECTION 19-48 "DISCHARGING FIREARMS IN CITY LIMITS," TO PROVIDE FOR EXCEPTIONS; PROVIDING FOR REPEALER, SAVING CLAUSE, SEVERABILITY, AND CODIFICATION.

BE IT ORDAINED BY THE MAYOR AND BOARD OF COMMISSIONERS OF THE CITY OF ARDMORE, OKLAHOMA:

Section I: That Chapter 19, Article I, Section 19-48 of the Code of Ordinances of the City of Ardmore, 2014, is hereby amended to read as follows:

Sec. 19-48. Discharging firearms in the city limits.

From and after the effective date of this section, it shall be unlawful for any person to discharge within the city limits any firearm which shall include what is commonly known as B.B. guns or pellet guns, except as provided hereinafter:

- (a) Police Officers. Police Officers, security guards or those impressed into peace officers' duties by the Police Department, who, in the performance of their duties, discharge firearms, stun guns or other authorized weapons as the occasion warrants.
- (b) Duck and water fowl hunting. A gun may be discharged by person with a valid permit to hunt duck and water fowl at Lake Jean Neustadt and Lake Scott King.
- (c) Firing range. Any type of firearm discharged in an approved and permitted indoor or outdoor firing range.

(Code 1980, § 30-253; Ord. No. 18218, § 2, 8-6-85; Ord. No. 23693, § 1, 9-23-08)

State Law reference— Similar provisions, 21 O.S. § 1289.13.

Section II: Repealer. All ordinances or parts thereof, which are inconsistent with this Ordinance, are hereby repealed.

Section III: Savings Clause. Nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceedings now pending in any court, or any rights acquired or liability incurred, nor any cause or causes of action accrued or existing, under any act or Ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section III: Severability. If any one or more of the sections, sentences, clauses, or parts of this Ordinance shall, for any reason, be held to be invalid, the invalidity of such section, sentence, clause, or part, shall not affect or prejudice in any way the applicability and validity of any other provision of this Ordinance. It is hereby declared to be the intention of the Mayor and Board of Commissioners of the City of Ardmore that this section of the Code of Ordinances for the City of Ardmore, Oklahoma, 2014, would have been adopted had such unconstitutional, illegal, or otherwise invalid section, sentence, clause, or part had not been included.

Section IV: Codification. This Ordinance shall be codified as Chapter 19, Article I, Section 19-48 of the Code of Ordinances of the City of Ardmore, Oklahoma, 2014.

PASSED AND APPROVED by the Mayor and Board of Commissioners of the City of Ardmore, Oklahoma, on this 6th day of August 2018.

CITY OF ARDMORE, OKLAHOMA
A MUNICIPAL CORPORATION

Sheryl Ellis, Mayor

ATTEST:

Ken Campbell, City Clerk