

ORDINANCE NO. 21

AN ORDINANCE PROHIBITING THE DISCHARGE OF FIREARMS WITHIN THE CITY LIMITS OF ROSE CITY, TEXAS, AND PROVIDING FOR THE OBTAINING OF A PERMIT TO CONDUCT RIFLE OR PISTOL CONTESTS OR MATCHES OR SIMILAR ENTERPRISES, AND FURTHER PROVIDING FOR THE PENALTY BY FINE IN A SUM NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS FOR ANY VIOLATION HEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROSE CITY, TEXAS:

SECTION 1 - Definitions

- A. "Firearms" - The term firearms as used herein shall include all rifles and pistols, including shotguns, as such terms are commonly known, but shall not include any air rifle or air pistol, which by means of compressed air or compressed gas is capable of discharging shots, pellets, or any solid objects.

SECTION 2

It shall be unlawful for any person, except a peace officer in the discharge of official duties, to discharge any firearm within the city limits of the City of Rose City, Texas, unless the point of discharge and the trajectory and impact of the bullet or projectile shall be on property owned by such person or property such person has a legal right to occupy.

SECTION 3

This ordinance shall not be so construed as to prohibit the discharge of firearms or other weapons mentioned herein on premises owned or operated by any responsible organization desiring to conduct rifle or pistol contests or matches or similar enterprises, providing such discharge is in the course of the regular functions of such organization and provided that such organization has secured and holds a permit from the council to conduct such activities on the premises involved, and provided that such discharge is done in such a safe manner as not to endanger the public or surrounding property.

SECTION 4

It shall be necessary for any organization or group of persons to obtain a permit from the city council as referred to in Section 3 above, when three or more persons each shall discharge a firearm on the same property at any given time.

## SECTION 5

Any person who violates any provision of this ordinance or who shall neglect to comply with the terms hereof shall be deemed guilty of a misdemeanor and shall on conviction thereof be fined in any sum not more than Two Hundred (\$200.00) Dollars. Each separate act or violation of this ordinance shall be considered as a separate offense, as shall each day's violation of any separate provision hereof constitute a separate offense

## SECTION 6

If any Section, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional by a court of competent jurisdiction, it shall not render the remaining sections hereof unconstitutional, and no part of this Ordinance shall be dependent upon the validity of any other part hereof.

Passed and approved, this 26<sup>th</sup> day of July, 1976.

Leon P. Payne

Mayor

ATTEST:

James A. Butts

City Secretary