

ORDINANCE NUMBER 5.07A

AN ORDINANCE PROHIBITING AND REGULATING THE CARRYING AND DISCHARGE OF FIREARMS, BOWS & ARROWS, AIR RIFLES AND ANY OTHER ITEM CONSIDERED A WEAPON FOR THE CITY OF ROTHSA Y, MINNESOTA

An Ordinance Repealing Ordinance Number 5.07, And Adopting Ordinance Number 5.07A

THE CITY COUNCIL OF ROTHSA Y, MINNESOTA ORDAINS:

SECTION 1. DANGEROUS WEAPONS AND ARTICLES.

Subd. 1. Unlawful Acts. It is unlawful for any person to:

- A. Recklessly handle or use a gun or other dangerous weapon or explosive so as to endanger the safety of another; or,
- B. Intentionally point a gun of any kind, capable of injuring or killing a human being and whether loaded or unloaded, at or toward another; or,
- C. Manufacture or sell for any lawful purpose any weapon know as a sling-shot or sand club; or
- D. Manufacture, transfer or possess metal knuckles or a switch blade knife or an automatically open knife; or,
- E. Possess any other dangerous article or substance for the purpose of being used unlawfully as a weapon against another; or,
- F. Sell, or have in his/her possession, any device designed to silence or muffle the discharge of a firearm; or,
- G. Furnish a minor under eighteen years of age with a firearm, air gun, ammunition, or explosive without the written consent of his/her parent or guardian as well as a firearm safety card held in the minor's name; or,

Subd. 2. Exception. Nothing in Subdivision 1 of this Section shall prohibit the possession of the articles therein mentioned if the purpose of such possession is for public exhibition by museums or collectors of art.

Subd. 3. Discharge of Firearms, Explosives, or Other Dangerous Weapons. It is unlawful for any person to fire or discharge, or otherwise release or trigger within the City limits, any cannon, gun, pistol or other firearm, firecracker, rocket or other fireworks, slingshot, blow gun, air gun, air rifle, or other similar device commonly referred to as a B-B gun, or bow equipped with anything other than a blunt target arrow unless it is discharged at a firing range which has been approved in advance by the City Council.

Subd. 4. Exception. Nothing in Subdivision 3 of this section shall apply to a display of fireworks by an organization, or group of organizations, authorized in writing by the Council, or to a peace officer in the discharge of his/her duty, or to a person in the lawful defense of his/her person or family.

Subd. 5. Possession and Sale of Fireworks. It is unlawful for any person to sell, or have in his/her possession for any purpose other than as allowed in Subdivision 4 of this Section, any firecracker, rocket or other fireworks.

Subd. 6. Penalties.

- A. Any violations of Subdivision 1 of this Section shall be a misdemeanor punishable by up to 90 days in jail and a 700.00 fine (or any greater amount as allowed by Minnesota Statutes, Section 609.034).
- B. Any violation of Subdivision 3 or 5 of this Section shall be a petty misdemeanor punishable by a fine of up to \$200.00 (or any greater amount allowed by Minnesota Statutes, Section 609.02, Subd. 4),

except that when any person violates Subdivisions 3 or 5 within 12 months of a previous conviction under this Section, the violation shall be a misdemeanor punishable by up to 90 days in jail and a \$700.00 fine (or any greater amount as allowed by Minnesota State Statutes, Section 609.034).

SECTION 2. FIREARMS AND HUNTING REGULATIONS.

Subd. 1. Definitions. The following terms, as used in this Section, shall have the meanings stated:

- A. "Firearm" means a weapon of any gauge, caliber or designation which, when a trigger is pulled or some other means of discharge employed, propels a projectile of or projectiles of any kind and includes, but is not limited to, shotguns, handguns, air guns, pellet guns or B-B guns.
- B. "Hunting" means carrying or discharging a firearm, bow and arrow, or other similar device in an attempt to kill game or other animals or fowl.
- C. "Encased Firearm" means any firearm placed in a case in such a manner as to prevent discharge of the same.
- D. "Dismantled Firearm" means any firearm which is dismantled in such a manner as to prevent discharge of the same.


Subd. 2. Unlawful Acts. It is unlawful for any person to carry or discharge a firearm which is not an encased firearm or dismantled firearm except:

- A. In a range or area equipped for target practice which has been specifically described and approved by the Council.
- B. Law enforcement officers in the line of duty.
- C. When necessary in the lawful defense of a person or family
- D. When hunting in the Agricultural District of the city while not discharging a firearm toward any Residential District of the City.

Adopted this 1st, day of June 2020.

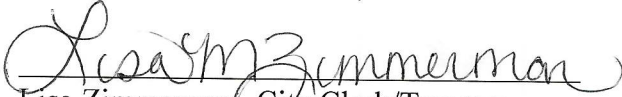
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Approved:


Joseph Tillman, Mayor

(Seal)

Attest:


Lisa Zimmerman, City Clerk/Treasurer