ORDINANCE NO. 13, 2013 AMENDED FROM ORDINANCE NO. 9.12.020 (ORIGINAL ORDINANCE NO. 4, 1988) 2013 DISCHARGING OF FIREARMS AND USE OF WEAPONS ORDINANCE

WHEREAS, Ind. Code 36-1-3-2 et. seq. grants to the City of Columbus, Indiana, all powers that are necessary for the effective operation of government as to local affairs; and

WHEREAS, Indiana Code 36-1-5-4 et. seq. grants to the City of Columbus, Indiana, powers that are necessary to incorporate by reference into an ordinance or code any material; and

WHEREAS, the current "Discharging of Firearms and Use of Weapons" ordinance does not regulate modern weapons such as pellet guns, BB guns, air-soft guns, paintball guns, etc.; and

WHEREAS, the Chief of Police believes that modern weapons need to be regulated by ordinance in order to maintain the peace and to protect the people and property within the City of Columbus.

NOW THEREFORE, BE IT ORDERED AND ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA as follows:

SECTION I. The Discharging of Firearms and Use of Weapons Ordinance be amended to reflect the following changes:

9.12.020 Discharging of firearms and use of weapons.

- A. The term "firearm" means any weapon which is capable of or designed to or which may readily be converted to expel a projectile by means of an explosion.
- B. The term "weapon" means, but shall not be limited to mean, any firearm, any archery equipment, any device used to discharge a projectile either by means of explosion, by force or mechanical means, any sling shot or slings or any device that can hurl or otherwise discharge a projectile.
- C. The term "projectile" means, but shall not be limited to mean, any object that is propelled from a firearm or weapon such as a bullet, shell, rocket, grenade, arrow, BB, pellet, paintball, rock or any other similar object.
- D. No person shall fire or discharge, or cause to be fired or discharged, within the limits of the city any firearm or weapon.
 - E. No person under the age of 18 shall publicly display a weapon.

- F. No person shall alter any federally required orange markings or identification marks on any weapons, toys, or other similar items designating such as not a firearm. This restriction applies to any weapon, toy, or other similar items which will be displayed in public.
- G. This section shall not apply to police officers or soldiers in the discharge of their official duties while in the exercise of reasonable care; nor to a person using firearms or weapons in necessary self-defense; nor to shooting clubs or other businesses or operations who have a fixed place of business within the city and whereby they have taken appropriate measures to ensure that there is no danger to any person whatsoever.
- H. Any person who violates this section shall be subject to a fine of one hundred fifty dollars for a first offense. Any person who commits a second or subsequent violation of this section shall be subject to a fine of not less than three hundred fifty dollars nor more than one thousand dollars. Fines may be imposed on a per violation basis.
- I. This section shall not prohibit any activity explicitly allowed elsewhere in Columbus Municipal Code.

SECTION II. All prior ordinances or parts thereof inconsistent with any provision of this Ordinance are hereby repealed.

SECTION III. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

ADOPTED, by the Common Council of the City of Columbus, Indiana, this 2nd day of July, 2013 at 6:45 o'clock P.M. by a vote of 6 ayes and 0 nays.

Presiding Officer

ATTEST:

Luann Welmer

Clerk Treasurer, City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the Aday of July, 2013 at 10:170 o'clock AM.

Kristen Brown

Mayor, City of Columbus, Indiana