

ORDINANCE NO. 2013-002

AN ORDINANCE TO GOVERN THE DISCHARGE OF FIREARMS

WHEREAS, the Mayor and City Council of the City of Vincent have been requested to adopt an ordinance prohibiting or regulating the discharge of firearms within the City in certain instances; and

WHEREAS, the Mayor and City Council are of the opinion that it is necessary for the protection of the health and welfare of the citizens of the City to adopt an ordinance regulating the discharge of firearms within the corporate limits of the City.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Vincent, Alabama (the "City") as follows:

Section 1: Definitions.

As used herein, the following terms and phrases shall have the following meanings:

"Firearm" means any instrument from which shot, shell, bullets or other projectile is discharged by gunpowder and shall include, without limitation, shotguns, pistols, and rifles.

Section 2: Adoption of State Code Offenses.

It shall be unlawful for any person to violate within the corporate limits of the City any law of the state, now or hereafter enacted, pertaining to the possession, ownership, use or discharge of a firearm. Any person in violation of same shall be punished as provided in Section 4 of this Ordinance.

Section 3: Discharge of Firearms.

(A) It shall be unlawful for any person to discharge a firearm within the corporate limits of the City except as follows:

(1) in self-defense or in the defense of another person as provided for in *Code of Alabama*, §13A-3-23 (1975);

(2) for protection of livestock from predators; and

(3) when the discharge can be accomplished in a safe and responsible manner so as to not be a threat to the safety of others or the use of surrounding property; provided, however, that any discharge must be conducted in such a manner that any projectile discharged from a firearm will not go onto the property of another person.

(B) Notwithstanding anything to the contrary herein, it shall be unlawful to discharge a firearm within two hundred (200) feet of any roadway, school, park, church, business or dwelling (other than the dwelling of the person discharging the firearm and his/her guest(s)).

(C) Notwithstanding anything to the contrary herein, no person shall hunt any wild game with a firearm or shoot for sport (skeets, sporting clays, targets) within two hundred (200) feet of any roadway, school, park, church, business or dwelling (other than the dwelling of the person discharging the firearm and his/her guest(s)).

(D) This ordinance is not intended to take away any hunting or shooting for sport so long as the discharge can be accomplished in a safe and responsible manner so as to not be a threat to the safety of others or the use of surrounding property and as otherwise provided herein.

Section 4: Violation - A Misdemeanor

Any person who shall be convicted of a violation any of the provision of this Ordinance shall be guilty of a misdemeanor and shall be punished by a fine of not more than five hundred dollars (\$500) or by imprisonment for not more than six (6) months or by both fine and imprisonment. Each day that any violation is committed shall constitute a separate offense and shall be punishable as a separate offense.

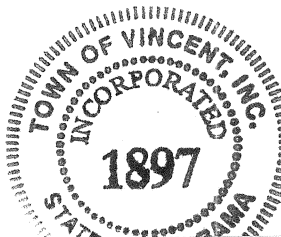
Section 5: That all ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 6: That this ordinance shall become effective upon passage, approval and publication as required by law.

ORDAINED and ADOPTED this the 02nd day of July, 2013.

CITY OF VINCENT, ALABAMA


Ray McAllister, Mayor



ATTEST: 
Joy Marler, City Clerk