

**MEMO FROM THE POLICE CHIEF** - by Bill Lane

As our community continues to develop as an official 'City' it is incumbent upon our Mayor and Council to address safety issues the citizens and city staff bring to their attention. Most of these concerns will eventually be handled through internal policies and procedures designed to remedy the issue, however it will often require an official city ordinance to give those public safety professionals the authority to enforce safety related matters. Having said that, I would like to use this forum to periodically inform and educate our citizens about certain ordinances, why they came to be, and visit about the actual wording and meaning of the new law.

My first article in this series will address the recently passed **Discharge of Firearms** ordinance, one of the more controversial laws, or at least so it would seem from many of the comments I have received from some of you. I think one of the biggest issues is what this ordinance does *not* do rather than what it does. Some people think this means no person can *possess* a firearm in the city. Not so and all applicable state statutes still apply within the city as they did before. Concealed handgun licenses are still legal, possession in a vehicle while traveling is *not* a violation and a person absolutely still has the right of self-protection from felonious attack from the criminal element.

All this ordinance restricts is the actual *discharge* of a firearm within the city and when you stop and think about all of the implications of *not* having that type of law you can better understand why we now do. This law prohibits hunting in the city unless you own a very large plot of land which would fall under the provisions of the state statutes which allow hunting. It will also prohibit the discharge of weapons having such a caliber and range as to injure or kill someone a great distance away. Let's think about this one a moment; do we actually want Grandpa out on the porch with his trusty 30-06 caliber deer rifle attempting to eliminate that pesky squirrel? If you live across the yard from Grandpa, I can assure you that you don't! Or take, for example, the young man who thinks standing outside on the 4<sup>th</sup> of July and putting 15 rounds into the air from his 9 mm handgun is cool. Unfortunately this 'rocket scientist' doesn't realize that what goes up eventually comes back down! Don't laugh, this is a more common practice in many communities than you can ever imagine.

The ordinance prohibits the discharge of a firearm, bow and arrow, crossbow, or any other mechanical means of shooting a projectile which may harm persons or property. As I mentioned earlier, this does not prohibit you using a firearm for personal defense so long as that defense is in accordance with existing state statutes which pertain to self-defense. The ordinance also allows for control of certain critters such as snakes, rodents, and other potentially harmful wildlife that would not otherwise be protected by our Parks and Wildlife laws. The new law states that one may utilize a BB gun, pellet gun, or even a .22 caliber rifle as long as the only ammunition used is what is commonly referred to as 'rat shot', or very small bird-shot projectiles designed for varmint control. A *very* important part of that provision requires that even if you do use one of the above weapons for eradication of pests or dangerous snakes they can be used "*only when there is no danger to persons or property*" which simply means you cannot shoot unless it is absolutely safe to the neighborhood and neighbors. The final provision requires that you be at least 18 years of age and only discharge those specified weapons on your own property.

I hope I have shed some light on our Discharge of Firearms ordinance and eliminated any confusion you might have on this issue. I look forward to visiting with you in future articles about new topics. As always, I am as close as your phone if you need to discuss this or any other matter which may concern you if you think I might have the answers you seek.