

## ORDINANCE NO. 36

AN ORDINANCE REGULATING THE CONTROL AND USE OR DISCHARGE OF FIREARMS, BOW, CROSSBOWS, PELLET GUNS, BB GUNS, SWORDS, KNIVES OR ANY OTHER DANGEROUS INSTRUMENTALITY AND SETTING PENALTIES FOR VIOLATIONS.

The City Council of the City of Plato ordains:

## Section 1. Definitions

- a. "Fire Arms" shall mean any form of shot gun, rifle, pistol or combination thereof designed to shoot a bullet, pellet, slug or projectile by an explosion of gun powder in any form, and whether such instrument is specifically designed or manufactured for such purpose, or designed for some other purpose but put to such a use.
- b. "Cross bows and bows" shall mean any instrumentality designed to fire a missile, dart, projectile, arrow or a similar device by the use of tension upon a string, spring, wire, cable or tether, and shall include hand bows, foot bows, crossbows, gunbows or any other similar device whether or not the same were designed and manufactured for such a purpose or designed for some other purpose but put to such a use.
- c. "Pellet guns and BB guns" shall mean any form of a gun or similar device designed to shoot a pellet, BB, buckshot or other projectile by the use of compressed gas, tension or springs whether such device was designed and manufactured for such purpose or designed for some other purpose but put to such use.
- d. "Swords, knives and similar devices" Any instrument including swords, knives, daggers, hunting knives, spears, cleavers, hatchets, stiletos, razor blades, razors and other devices designed for stabbing, cutting, cleaving or chopping whether or not designed or manufactured for that purpose or designed for some other purpose but put to such a use.
- e. "Dangerous instrumentalities" shall be defined as any instrument or device designed to throw, hurl, shoot, project or toss any stone, missile, projectile, marble or other object including but not limited to: sling shots, sling bows, spear throwers or other devices that are manufactured and designed for that purpose or designed for some other purpose but put to such a use.

Section 2. It shall be unlawful for any person within the city limits of the City of Plato to discharge, fire or shoot any firearm, BB gun, pelletgun, crossbow or bow. Discharge or use of any of the above said prohibited instruments shall also be prohibited notwithstanding that the discharge or use occurred outside the city limits of the City of Plato, if such items are shot into the city, causing any object discharges or used to pass through or into the city whether or not they actually struck or alight there.

Section 3. All firearms whatsoever shall be unloaded at all times within the City of Plato. In addition to being unloaded all such firearms shall be encased in a gun case, holster, gun box, gun bag or other completely enclosed container. Any firearms in a holster shall be strapped or fastened to the holster and not available to immediately removeable without the loosening or unfastening of a securing strap or clip.

Section 4. All bows or cross bows shall be unloaded and unstrung at all times within the city. It shall not be deemed a violation of this ordinance to target shoot hand bows within the City of Plato, provided such target shooting is under conditions and circumstances as not to endanger any person or property and conducted in a safe and reasonable manner.

Section 5. It shall be unlawful for any person to shoot or discharge any pellet gun or BB gun within the City of Plato. All pellet guns and BB guns shall be unloaded and uncocked at all times. In the case of pellet guns such guns, shall not contain any compressed gas, gas cylinders, or devices used as a propellant while in the city.

Section 6. All swords and knives and other described items of this category shall be used in the City of Plato only for a lawful and reasonable purpose for which they were intended. At all other times such items shall be sheathed, stored in a safe place, and not exposed to public view.

Section 7. It shall be unlawful to discharge, use or set off in any fashion any dangerous instrumentality within the City of Plato, including such use or discharge that causes any projectile to be thrown, hurled, or passed into the city whether or not the same lands there. Any dangerous instrumentality to be transported in public, or in any motor vehicle, shall be encased as to prevent its use. Any dangerous instrumentality which is strung or capable

of use, not stored or contained in a form of container to prevent its immediate use, shall be considered a violation of this ordinance.

Section 8. Any item described in Section 1 shall at all times and places be stored in a safe and reasonable manner so as to not be available to children, incompetents or other persons not of the sufficient mental capacity to handle such items.

Section 9. This ordinance shall not be construed to authorize or permit the ownership and possession of any otherwise unlawful items including but not limited to: Switch blade knives, spring bladed stiletos, zip guns, machine guns or other fully automatic firearms, sawed-off shotguns or other illegal devices prohibited by federal law, state statute or local ordinance.

Section 10. Any violation of this ordinance shall constitute a misdemeanor and be punishable accordingly.

Section 11. The foregoing shall take effect and be in force from and after this passage and publication.

Adopted this 4th day of February, 1985.

Approved: Tim Pinske, Mayor

Attest: Kathleen Stuedemann, Clerk

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