

ORDINANCE NO. 2018-14

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS, BY AMENDING CHAPTER 15. OFFENSES AND MISCELLANEOUS PROVISIONS, SECTION 15-1. DISCHARGE OF FIREARMS, PELLET GUNS AND EXPLOSIVE CARTRIDGES IN THE CITY OF BOERNE; AND PROVIDING FOR A PENALTY NOT TO EXCEED \$500.00 FOR EACH VIOLATION OF THIS ORDINANCE

WHEREAS, it becomes necessary from time to time to make certain changes in ordinance of the City of Boerne, Texas;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS:

That Chapter 15, Section 15-1, of the Code of Ordinances, is hereby amended to read as follows:

Section 15-1. - Discharge of firearms, pellet guns and explosive cartridges.

- a) *Firearms, discharge of.* It shall hereafter be unlawful for any person, firm, corporation, or association to discharge or cause to be discharged, any gun, pistol, rifle, shotgun or firearm of any kind designed for the purpose of discharging a shell or cartridge which is capable of propelling a bullet, pellet, or missile, at any place within the corporate limits of the City; however, nothing contained in this Section shall prohibit or interfere with duly qualified and commissioned Peace Officers or Animal Control Officers from discharging firearms in the performance of the official duties of their office. Furthermore, this section shall not prohibit an individual from discharging a firearm for the purpose of protecting that individual's residence or property in or about the residence, in the performance of the official duties of their office or with the protection of a person's private person or property in or about his home, from discharging firearms.
- b) *Compressed Air and Spring Guns, Firing of.* It shall be unlawful for any person to fire any gun or weapon which discharges a bullet, pellet, or missile by means of compressed air or compressed gas, or to fire any gun or weapon capable of propelling or discharging a bullet, pellet or missile by means of a spring. This section shall not prohibit the firing of BB guns by adults or minors under direct adult supervision whoa are on private property owned or occupied by the supervisor. For purposes of this ordinance, a minor is a person younger than sixteen (16) years of age.
- c) *Exceptions.* Nothing herein shall be construed to apply to the use of firearms in exhibitions of charitable contests conducted under conditions and supervision approved by the City Council after application has been made to the City and permit has been issued.
- d) *Penalty Clause.* Any person or corporation or association violating any of the provisions of this ordinance or failing to observe any of the provisions hereof, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not more than Two hundred (\$200.00) five hundred (\$500.00) Dollars, and each violation shall be a separate offense.

PASSED AND APPROVED on this the first reading the 24th day of April, 2018.

PASSED, APPROVED AND ADOPTED on this the second reading the ____ day of May, 2018.

APPROVED:

ATTEST:

Mayor

City Secretary

APPROVED AS TO FORM:



City Attorney