

**CHARTER TOWNSHIP OF WASHINGTON
MACOMB COUNTY, MICHIGAN
ORDINANCE NO. 145**

DISCHARGE OF FIREARMS ORDINANCE

AN ORDINANCE repealing Ordinance No. 57, Hunting Cloture Ordinance, and providing regulations for the discharge of firearms within the Charter Township of Washington, and repealing any and all Ordinances and/or Resolutions or parts thereof in conflict with the provisions of this Ordinance.

**THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF WASHINGTON,
MACOMB COUNTY, MICHIGAN, ORDAINS:**

Section 1. SHORT TITLE.

This Ordinance shall be known and may be cited as the Charter Township of Washington Discharge of Firearms Ordinance.

Section 2. DEFINITIONS.

The following words, terms and phrases when used in this Ordinance shall have the meaning described to them in this section, except where the context clearly indicates a different meaning:

- A. *Firearm* means any weapon or device from which is propelled, by means of explosives, compressed air or gas, springs, levers, or other mechanical devices, any missile, projectile, bullet, shot, pellet or slug.
- B. *Private Shooting Range* means any area of land, building, structure, or portion thereof kept, used or maintained, in whole or in part, for the shooting or discharge of firearms and/or weapons which is not held out for use by the general public.
- C. *Public Shooting Range* means any area of land, building, structure, or portion thereof kept, used or maintained, in whole or in part, for the shooting or discharge of firearms and/or weapons which is held out for use by the general public.

- D. *Weapon* means any device from which it is, or appears to be, capable of discharging or propelling any projectile, arrow, missile, knife, spear, bullet, shot, pellet or slug.

Section 3. PROHIBITIONS.

In all parts of the Township, it shall be prohibited to either discharge or attempt to discharge a firearm within 450 feet of an occupied building, dwelling, residential structure, cabin, house, or any barn or other building used in connection with a farm operation, without obtaining the written permission of the owner, renter, or occupant of the property, except in the following circumstances:

- A. discharge or use of firearm in lawful self-defense or in lawful defense of another person.
- B. law enforcement officers and military personnel while in pursuance of official duties.
- C. pursuant to posted regulations and procedures at either a public or private shooting range located on private property.
- D. discharge of a firearm while within an enclosed building into a bullet trap adequate to stop and contain the discharge and which bullet trap is constructed and utilized in accordance with the manufacturer's specifications.

Section 4. ADMINISTRATION AND ENFORCEMENT.

This Ordinance shall be administered and enforced by the Township Supervisor or other such person authorized by the Township Board of Trustees.

Section 5. PENALTIES.

Any person, persons, firm or corporation, or any acting on behalf of a person, persons, firm or corporation who shall violate any of the provisions of this Ordinance, shall be responsible for a municipal civil infraction and shall be subject to a fine in accordance with the Washington Township Municipal Civil Infraction Ordinance, being

Ordinance No. 144 and the cost of prosecution and administrative costs of the Court in the discretion of the District Court. Each day such violation continues shall be deemed a separate violation. The imposition of any costs or fines by the Court shall not exempt the offender from compliance of the requirements of this Ordinance.

Section 6. REPEAL OF ORDINANCE NO. 57, HUNTING CLOTURE ORDINANCE.

Washington Township Hunting Cloture Ordinance, being Ordinance No. 57, is hereby repealed. All other resolutions, ordinances or parts thereof in conflict with the provisions of this Ordinance or to the extent of such conflict are repealed.

Section 7. SEVERABILITY.

If any section, paragraph, clause or provision of this Ordinance is for any reason held to be invalid or unconstitutional, the invalidity or unconstitutionality of such section, paragraph, clause or provision shall not effect any of the remaining provisions of this Ordinance.

Section 8. PUBLICATION.

A true copy of this Ordinance shall be posted in full in the office of the Township Clerk and on the Charter Township of Washington's website within fifteen (15) days after its adoption as authorized by MCL 42.8(3)(b).

Section 9. EFFECTIVE DATE.

This Ordinance shall take effect thirty (30) days after the date of its second publication as authorized by MCL 42.20(2).

CERTIFICATE OF TOWNSHIP CLERK

I hereby certify that the foregoing constitutes a true and complete copy of an Ordinance duly adopted by the Township Board of Washington Township, Macomb County, Michigan, at a meeting held on the 21st day of September, A.D., 2011.

I hereby further certify that the following Township Board members were present at the meeting: Bosheers, Grimes, Jacobson, O'Leary, Richardson, Verellen

and the following Township Board Members were absent: Rapp.

I further certify that Member Bosheers moved for the adoption of the Ordinance, and that motion was supported by Member Jacobson.

I further certify that the following Township Board Members voted for the adoption of the Ordinance: Bosheers, Jacobson, Grimes, O'Leary, Richardson, Verellen.

and that the following Township Board members voted against adoption of the Ordinance: None

Kathy Bosheers, Clerk
Charter Township of Washington

CERTIFICATE OF PUBLICATION

I, Kathy Bosheers, the Township Clerk of the Charter Township of Washington do hereby certify that on September 13, 2011 and September 23, 2011, the foregoing Ordinance was posted in the office of the Township Clerk and on the Charter Township of Washington's website as authorized by MCL 42.8(3)(b).

Kathy Bosheers, Clerk
Charter Township of Washington