

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. 12-23.28

AN ORDINANCE TO AMEND THE CITY OF NOVI CODE OF ORDINANCES, CHAPTER 22, "OFFENSES," ARTICLE VI, "OFFENSES AGAINST PUBLIC SAFETY," SECTION 22-129, "POSSESSION OF DANGEROUS OR DEADLY WEAPONS; TRANSPORTATION OF FIREARMS," IN ORDER TO CLARIFY THE WEAPONS TO WHICH THE EXISTING GENERAL PROHIBITION AGAINST DISCHARGE APPLIES, TO CLARIFY THE AREAS WHERE DISCHARGE IS NOT PROHIBITED, AND TO REMOVE THE DISCRETION OF THE CHIEF OF POLICE TO ISSUE PERMITS ALLOWING THE DISCHARGE OF CERTAIN WEAPONS

THE CITY OF NOVI ORDAINS:

PART I. That Chapter 22, "Offenses," of the City of Novi Code, at Article VI, "Offenses Against Public Safety," Section 22-129, "Possession of Dangerous or Deadly Weapons; Transportation of Firearms," is hereby amended to read as follows:

Sec. 22-129. - Possession of dangerous or deadly weapons; transportation of firearms.

(a)

It shall be unlawful for any person in the city to:

(1) - (5) Unchanged

(6) Discharge a pistol or other firearm, or fire or launch a projectile from a bow or similar device, within the jurisdiction of the City of Novi.

(7) a. The prohibition in subsection (a)(1) shall not apply to activities conducted at shooting galleries and ranges, or archery ranges, provided that such facilities are licensed and in compliance with all provisions of applicable state laws and the City of Novi Code of Ordinances. The prohibition of subsection (a)(1) shall not apply to the transportation of items pursuant to subsections (a)(3) and (a)(4) or as otherwise authorized unde applicable state laws.

b. Unchanged

c. The prohibition in subpart (a)(6) shall not apply to the discharge of a firearm at a shooting range, provided that such facilities are licensed and in compliance with all provisions of applicable state laws and the City of Novi Code of Ordinances. The prohibition in subpart (a)(6) shall not apply to the discharge of a firearm consisting solely of a blank charge without projectile, when the discharge is made as part of an historical reenactment, memorial service or similar ceremony, provided such discharge is obtained in advance from the chief of police or his designee, who shall review such request and determine whether the proposed discharge is safe with regard to time, location as compared to adjacent or nearby uses, duration, and proposed precautions against injury.

PART II.

Severability. Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

PART III.

Savings Clause. The amendment of the Novi Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Novi Code of Ordinances set forth in this Ordinance.

PART IV.

Repealer. All other Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

PART V.

Effective Date: Publication. The provisions of this Ordinance shall become effective fifteen (15) days after its adoption and shall be published within 15 days of its adoption by publication of a brief notice in a newspaper circulated in the City, stating the date of enactment and the effective date of the ordinance, a brief statement as to the subject matter of this Ordinance and such other facts as the Clerk shall deem pertinent, and that a copy of the Ordinance is available for public use and inspection at the office of the City Clerk.

Made, Passed and Adopted by the Novi City Council this 24th day of September, 2012.

Robert J. Gatt, Mayor

Maryanne Cornelius, City Clerk

Certificate of Adoption

I hereby certify that the foregoing is a true and complete copy of the ordinance adopted at the regular meeting of the Novi City Council held on the 24th day of September, 2012.

Maryanne Cornelius, City Clerk

Adopted: 09/24/2012

Published: 10/04/2012

Effective: 10/09/2012

CERTIFICATE OF CLERK

I hereby certify that the foregoing ordinance was published by posting a copy thereof at each of the following times and places within the City of Novi, on the 25th day of September, 2012.

- | | | |
|----|----------------|------------------------|
| 1. | Novi City Hall | 45175 W. Ten Mile Road |
| | Novi Library | 45245 W. Ten Mile Road |

I do further certify that on the 4th day of October, 2012 said Ordinance Text Amendment 12-23.28 was published in brief in the Novi News, a newspaper published and circulated in said City.

Maryanne Cornelius, City Clerk