

ORDINANCE NO.: 2017-15

AN ORDINANCE REPEALING ORDINANCE 2017-14, SECTION 12-8. DISCHARGE OF FIREARM., OF CHAPTER 12, ARTICLE I, OFFENSES AND MISCELLANEOUS PROVISIONS, OF *THE CODE OF ORDINANCES OF THE CITY OF OZARK, ALABAMA* AND REPLACING SAID SECTION 12-8. DISCHARGE OF FIREARM., IN ITS ENTIRETY.

BE IT ORDAINED by the Ozark City Council in regular session sitting that Section 12-8. Discharge of firearm., of Chapter 12, Article I, of *The Code of Ordinances of the City of Ozark, Alabama*, is repealed and replaced by a new Section 12-8. Discharge of firearms., regarding the discharge of firearms within the City of Ozark.

SECTION 1. Sec. 12-8. Discharge of firearm., is hereby repealed in its entirety.

SECTION 2. Sec. 12-8. Discharge of firearms, of Chapter 12, Article I, OFFENSES AND MISCELLANEOUS PROVISIONS., shall hereafter be as herein set forth and is so ordained:

“Sec. 12-8. Discharge of firearms. Except for personal protection or protection of property, it shall be unlawful for any person to fire or discharge, or cause to be fired or discharged any firearm within a distance of one hundred fifty (150) yards of any public street, road, highway, residence, place of business or city owned property within the Municipal Limits of Ozark.

Provided however, that target practice or target shooting is lawful within the prohibited distance, but only after written approval is obtained from the Police Chief or his or her designee. The approval of the Target Range, the berm(s), or other backstop shall not be granted unless the range is built to adequately provide for the safety of all citizens.

Further provided, that small caliber firearms or shotguns may be discharged for the elimination of or warning to, threatening and nuisance animals or reptiles. As used herein threatening animals include, but are not limited to coyotes, foxes, bobcats, wild dogs, wild hogs, alligators and poisonous snakes. As used herein, nuisance animals include, but are not limited to, racoons, opossums, armadillos, squirrels and non-poisonous snakes.

This Ordinance shall not supercede or negate Game and Conservation Laws of the State of Alabama which provide limitations for killing or destruction of some of the animals listed above and provides penalties for such limitations. Hunting, according to Game and Conservation Laws, shall be permitted in the Rural and Holding Zone (RH), subject to the distance requirements set forth above.

A violation of this Ordinance or any part thereof, shall constitute a misdemeanor offense against the City of Ozark. Such violation is subject to punishment in

Ozark Municipal Court and the Judge of said Court is authorized to impose a fine of not less than Twenty-five Dollars (\$25.00), or not more than Five Hundred Dollars (\$500.00) for each violation, in addition to cost of court.”

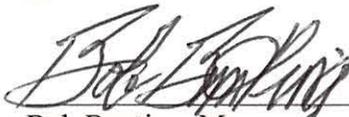
SECTION 3. Severability. In the event that any provision of this ordinance should be declared by a Court of competent jurisdiction to be invalid for any reason, then in such event the remaining portions of this ordinance shall remain and be in full force and effect.

SECTION 4. Effective Date. This Ordinance shall become effective immediately after its adoption and publication as required by law.

APPROVED AND ADOPTED by the City Council of the City of Ozark, Alabama, this the 7th day of November, 2017.



Frank Garrett, Council President



Bob Bunting, Mayor

ATTEST:



Deborah Bruggink, City Clerk