

CITY OF WILLS POINT, TEXAS

ORDINANCE NO. 2024-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLS POINT, TEXAS, REPEALING CHAPTER 26, SECTION 26-25, ENTITLED "FIREARMS PROHIBITED" IN ITS ENTIRETY, AND REPLACING IT WITH A NEW SECTION 26-25, ENTITLED "AIR GUNS AND FIREARMS PROHIBITED" BY PROHIBITING THE CARRYING OF AN AIR GUN OR FIREARM, OTHER THAN A HANDGUN CARRIED BY A PERSON NOT OTHERWISE PROHIBITED BY LAW FROM CARRYING A HANDGUN, AT A PUBLIC PARK; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in the 2021 Texas Legislative Session, the Texas Legislature approved House Bill 1927 (2021), which in pertinent part amended section 229.001(b)(5)(A) of the Texas Local Government Code, to provide that municipalities can regulate "the carrying of an air gun or firearm, other than a handgun carried by a person not otherwise prohibited by law from carrying a handgun, at a: (A) public park"; and

WHEREAS, the City Council of the City of Wills Point, Texas, finds and determines that Chapter 26, Section 26-25 of the Code of Ordinances of the City of Wills Point, Texas, should be amended to be consistent with Section 229.001(b)(5)(A) of the Texas Local Government Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLS POINT, TEXAS, THAT:

Section 1. FINDINGS INCORPORATED

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2. That Chapter 26, Section 26-25 of the Code of Ordinances of the City of Wills Point, Texas, entitled "Firearms Prohibited" is hereby repealed in its entirety, and is replaced with a new Section 26-25, entitled "Air Guns and Firearms Prohibited," which shall read as follows:

"Sec. 26-25. Firearms prohibited.

It shall be unlawful for any person to have in their possession any air gun or firearm, other than a handgun carried by a person not otherwise prohibited by law from carrying a handgun, while in any City park, City recreational area, or City-owned lake property, except in such areas as may be designated by the City Council as firing ranges."

Section 3. PENALTY CLAUSE.

Any person, firm, or corporation violating any of the provisions or terms of this Ordinance shall be guilty of a misdemeanor and upon conviction, shall be fined a sum not to exceed \$500.00 for each offense, and each and every violation or day such violation shall continue or exist, shall be deemed a separate offense.

Section 4. EFFECTIVE DATE

This Ordinance shall become effective immediately upon its passage and publication as required

by law.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Wills Point, Texas, on this the 13 day of February 2024.



APPROVED:

Wade Emerson
Wade Emerson, Mayor Pro-Tem

APPROVED AS TO FORM:

Jeff Moore
Jeff Moore, City Attorney

ATTEST:

Leann Holley
Leann Holley, City Secretary

Sec. 26-25. - Firearms prohibited.

It shall be unlawful for any person to have in their possession any pistol, rifle, shotgun or other type of firearm while in any City park, City recreational area, City-owned lake property, or City property wherever located, except in such areas as may be designated by the City Council as firing ranges.

(Code 1981, § 18.47; Ord. No. 03-02)