

**BILL # 231  
CITY OF FERNLEY  
ORDINANCE #2016-006**

**AN ORDINANCE AMENDING FERNLEY MUNICIPAL CODE TITLE 6, CHAPTER 2  
SPECIFICALLY RELATING TO 6.02.02 DISCHARGE OF WEAPONS IN CONGESTED AREA.**

**THE CITY COUNCIL OF THE CITY OF FERNLEY, hereinafter “the Council,” DOES HERBY  
ORDAIN:**

6.02.02 Discharge of weapons in congested area:

**A. Definitions**

1. “Firearm,” as used in this chapter, shall hold the same definition as currently defined by NRS 202.253, which at the time of adoption of this ordinance reads in part as follows:
  - a. “Firearm” means any device designed to be used as a weapon from which a projectile may be expelled through the barrel by the force of any explosion or other form of combustion.
2. “Peace officer,” as used in this chapter, is defined by NRS Chapter 289.450 through NRS 289.600.

**B. Unsafe discharge of firearms**

1. It shall be unlawful for any person to discharge any gun, pistol, rifle, shotgun or other firearm in an unsafe and/or unlawful manner.
2. Unsafe and/or unlawful manner shall include, but is not limited to:
  - a. Discharging any gun, pistol, rifle, shotgun, black power firearm, or other firearm within one thousand, five hundred (1,500) feet of any
    - i. School property; or
    - ii. Any building as defined by Nevada Revised Statutes 193.0125. Which at the time of adoption of this ordinance reads as follows:
      - 1) Building includes every house, shed, boat, watercraft, railway car, tent or booth, whether completed or not, suitable for affording shelter for any human being, or as a place where any property is or will be kept for use, sale or deposit.
  - b. Any act as set forth in Nevada Revised Statutes 202.290 - Aiming firearm at human being; discharging weapon where person might be endangered; penalty.

**3. Exceptions – This section shall not apply to:**

- a. On the property of the homeowner as long as it is not within 1,500 feet of a building owned by someone other than the property owner.
- b. Peace officers in the discharge of official duties;
- c. Persons lawfully discharging a firearm in protection of life or in self-defense as defined in Nevada law;
- d. Persons shooting in any City of Fernley licensed:
  - i. rifle range
  - ii. gun club; or
  - iii. shooting gallery
- e. Agricultural real property as defined by NRS Chapter 361A
- f. Persons participating in an organized historical reenactment organization with appropriate permits, if required.
- g. Any exception for the protection of livestock as outlined in NRS, including but not limited to NRS 575.020 and 568.370.

C. Penalties

Any person violating the terms of this section is guilty of a misdemeanor with penalties as defined by NRS. In addition to any other penalty allowed by law, the court may require the person convicted to complete a court approved safety course.

PROPOSED on March 2, 2016.

PASSES, APPROVED, and ADOPTED this 4<sup>th</sup> day of April, 2016, by the following vote of the Council:

Ayes: 4    Nays: 0    Abstentions: 0    Absent: 1

By: \_\_\_\_\_

Date: \_\_\_\_\_

Roy Edgington, Mayor

Attest By: \_\_\_\_\_

Date: \_\_\_\_\_

Kimberly Swanson, City Clerk