

**ORDINANCE 2022-006**

**AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, DELETING AND REPLACING CHAPTER 8 "OFFENSES AND NUISANCES", ARTICLE 8.02 "AIR GUNS, FIREARMS AND WEAPONS"; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY; AND CREATING AN EFFECTIVE DATE**

**WHEREAS**, the City of San Angelo has an ordinance, Article 8.02, that regulates weapons in the City of San Angelo; and

**WHEREAS**, Article 8.02 does not address firing archery devices within the City limits; and

**WHEREAS**, Article 8.02 conflicts with state law in regards to carrying handguns within the City limits.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SAN ANGELO, TEXAS:**

SECTION 1: THAT Chapter 8, Article 8.02, is hereby deleted and replaced as depicted in "Exhibit A".

SECTION 2: THAT the terms and provisions of this Ordinance shall be deemed to be severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

SECTION 3: THAT this Ordinance shall take effect and be in full force and effect from and after the date of its publication as required by the City of San Angelo Charter unless otherwise replaced by the San Angelo City Council.

**INTRODUCED with public hearing on the 4th day of January, 2022 and finally PASSED on this 18<sup>th</sup> day of January 2022.**

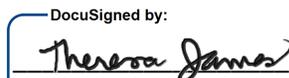
**THE CITY OF SAN ANGELO, TEXAS:**

**ATTEST:**

DocuSigned by:  
  
\_\_\_\_\_  
Julia Antley, City Clerk

DocuSigned by:  
  
\_\_\_\_\_  
Brenda Gunter, Mayor

**APPROVED AS TO FORM:**

DocuSigned by:  
  
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Theresa James, City Attorney

**Exhibit "A"****ARTICLE 8.02 WEAPONS****Sec. 8.02.001 Definitions**

"Air powered weapon" means any BB rifle or BB gun, pellet gun, air gun, paint ball gun, spear gun, wrist rocket and/or slingshot of any description.

"Archery device" means any bow, compound bow, longbow, cross bow, cross bow pistol or any other device capable of firing an arrow or bolt. Archery devices shall not include toys.

"Firearm" means any pistol, handgun, rifle or shotgun that fires a projectile through the combustion of gunpowder or other propellant.

"Archery range" means specifically designated room, place, or enclosure equipped with targets for practice with a bow, compound bow, cross bow, cross bow pistol or any other device capable of firing an arrow or bolt.

"Shooting gallery" means a room, place or enclosure wherein the firing of firearms permitted to practice marksmanship. Each shooting gallery shall consist of only one target area.

"Weapon" means any air powered weapon, archery device, firearm or any combination thereof.

**Sec. 8.02.002 Discharge of weapons prohibited.**

Except as otherwise provided in Section 8.02.003, it is unlawful for any person to fire or discharge any air powered weapon, archery device, firearm or other weapon for any reason, including but not limited to hunting, sporting, target practice or competition within the City.

**Sec.8.02.003 Exceptions.**

Section 8.02.002 of this Chapter shall not apply to the following:

- A. Weapons discharged as may be allowed by the laws of this State or the United States; or
- B. Weapons discharged in the extraterritorial jurisdiction of the City or in an area annexed by the City after September 1, 1981, if the firearm or other weapon is:
  1. A shotgun, air rifle or pistol, BB gun, or bow and arrow discharged:
    - a. On a tract of land of ten acres or more and more than 150 feet from a residence or occupied building located on another property; and
    - b. In a manner not reasonably expected to cause a projectile to cross the boundary of the tract; or
  2. A center fire or rim fire rifle or pistol of any caliber discharged:
    - a. On a tract of land of 50 acres or more and more than 300 feet from a residence or occupied building located on another property; and
    - b. In a manner not reasonably expected to cause a projectile to cross the boundary of the tract; or
- C. Weapons discharged in an archery range, shooting gallery, or gunsmith's establishment.
- D. Archery devices discharged in a manner so the projectile does not cross the boundary of property owned, leased, or controlled by a person, or with consent of such person.

**Sec. 8.02.004 Penalty**

Any person convicted of violating any provision of this article shall be guilty of a misdemeanor and shall be subject to a fine in accordance with the general penalty provision found in section 1.01.009 of this code. Each incident of such violation shall constitute a separate offense.