

ORDINANCE NO. 1352

AN ORDINANCE AMENDING CHAPTER 10, OFFENSES AND MISCELLANEOUS PROVISIONS, ARTICLE III, DANGEROUS WEAPONS, SECTION 10-54, DISCHARGE OF FIREARMS AND ADOPTING NEW SECTION 10-55, SHOOTING A BOW AND ARROW WITHIN CITY LIMITS

The City Council of the City of Willmar hereby ordains as follows:

Section 1. AMENDMENT OF MUNICIPAL CODE SECTION 10-54. Chapter 10, Article III, Section 10-54 of the Willmar Municipal Code is hereby amended as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

Sec. 10-54. – Discharge of firearms.

- (c) *Lawful defense, law enforcement.* Nothing in this article shall be construed to ~~embrace~~ prohibit the firing of a gun, pistol, revolver or other kind of firearm when done in the lawful defense of person or family or in the necessary enforcement of the laws.
- (d) *Permit.* Nothing in this article shall be construed to ~~embrace~~ prohibit the firing of a gun, pistol, revolver or other kind of firearm when permission therefor has first been given by the chief of police of the city, which permission shall designate the place where and the time when such firearms may be used. When the applicant for a permit is an individual requesting a permit for purposes of shooting pests on private property, the permit shall only be granted for the use of a pellet gun or twenty-two-caliber rifle using birdshot. No permit shall be granted for more than ~~sixty (60)~~ one hundred eighty (180) days. Every applicant for a permit shall execute a hold harmless agreement, indemnifying the city from all claims that result from the discharge of the firearm. When the applicant for the permit is not the property owner, a hold harmless agreement shall also be executed by the property owner.

Section 2. ENACTMENT OF NEW MUNICIPAL CODE SECTION 10-55. Chapter 10, Article III of the Willmar Municipal Code is hereby amended to include a new Section 10-55 to read as follows:

Sec. 10-55.—Bows and Arrows

- (a) *Definitions.* The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in

this section, unless the context clearly indicates a different meaning.

Arrow - shall mean any shaft, rod or bolt constructed out of any substance.

Bow - shall mean any device designed as or commonly known as a bow, long-bow, compound-bow, or cross-bow and fashioned to propel, thrust or project an arrow, shaft, bolt, or rod beyond one foot of the device itself.

(b) *Shooting of Bows and Arrows Prohibited.* It is unlawful to shoot, discharge or otherwise propel an arrow from a bow in the city except under the conditions listed under Paragraph (c) of this section.

(c) *Exemptions.* Use of bows and arrows in the following circumstances shall be exempted from the general prohibition thereof contained in Paragraph (a) of this section:

- (1) Bows and arrows may be used as authorized in a physical education program in a school when supervised by a member of its faculty;
- (2) Bows and arrows may be used in a community-wide supervised class or event as specifically authorized in advance by the Chief of Police; or
- (3) Bows and arrows may be used in any archery range specifically designated and approved by the city council.
- (4) Bows and arrows may be used at the edge of or upon any water for the purpose of taking fish.

Section 3. EFFECTIVE DATE. This ordinance shall be effective from and after its adoption and second publication.

This Ordinance introduced by Council Member: Christianson

This Ordinance introduced on: November 4, 2013

This Ordinance published on: November 8, 2013

This Ordinance given a hearing on: November 18, 2013

This Ordinance adopted on: November 18, 2013

This Ordinance published on: November 23, 2013