

ORDINANCE NO. _____

AN ORDINANCE REGULATING THE DISCHARGE OF FIREARMS AND AIR GUNS WITHIN THE LIMITS OF THE TOWN OF SOUTH BEND, COUNTY OF BLUE EARTH, STATE OF MINNESOTA, FOR THE PROMOTION OF THE SAFETY AND GENERAL WELFARE OF THE PUBLIC.

PURSUANT TO THE AUTHORITY VESTED IN IT BY CHAPTER 559, LAWS OF 1963, SECTION 1, THE TOWN BOARD DOES ORDAIN AS FOLLOWS:

Section 1. Definitions. For the purpose of this ordinance, the following terms are defined as follows:

(a) "Firearm" means a revolver, pistol, shotgun, rifle or other device which may be used for the explosion of cartridges or which utilizes the explosion of cartridges for its operation.

(b) "Air Gun" means any air rifle, air gun, B-B gun, spring gun, or similar device for the propulsion of shot, pellet or other missile by means of compressed air, compressed gas or mechanical spring action.

Section 2. Unlawful Discharge. It shall be unlawful to fire off or discharge any firearm or air gun within the limits of the Town of South Bend in the following instances:

(a) When the operator of the firearm or air gun is situated within nine hundred (900) feet of any private or public structure, dwelling or house or any commercial or industrial structure.

(b) When the missile projected from such firearm or air gun comes within six hundred (600) feet of any private or public structure, dwelling or house or any commercial or industrial structure, during any portion of its flight or projection.

(c) When the person firing off or discharging the firearm

or air gun is under the age of sixteen (16) years and is unaccompanied by an adult person at the time of such discharge or operation.

Section 3. Parental Duties. It shall be unlawful for any parent or guardian of any person under the age of sixteen (16) years to knowingly permit any such person to discharge a firearm or air gun in violation of Section 2 (c) hereof.

Section 4. Exceptions.

(a) Nothing in this ordinance shall be construed to prohibit the discharge or operation of a firearm or air gun by any person when done in the lawful defense of person, property or family, or in an attempt to enforce the laws of the State of Minnesota or any political subdivision thereof, or the laws of the United States of America.

(b) It shall be lawful to operate and discharge firearms or air guns upon and within the limits of any target or rifle range provided the operation of such range has been approved by the Town Board.

Section 5. Penalties. Any person violating any of the provisions of this ordinance ~~shall be punished by a fine of not more than \$100 or by imprisonment for a period of not more than ninety (90) days, or both, and any firearm or air gun utilized by such person in such violation of this ordinance may be confiscated.~~, upon conviction, shall be punished by a fine of not more than \$100 or by imprisonment for a period of not more than ninety (90) days, or both, and any firearm or air gun utilized by such person in such violation of this ordinance may be confiscated.

Section 6. Implementation. This ordinance shall take effect immediately upon its publication in accordance with law.

Adopted by the Town Board of South Bend on the _____ day of _____, 1966.

Harley Strand
Chairman of Town Board

ATTEST:

Clayton Young
Town Clerk