

EDINBURGH TOWN COUNCIL

ORDINANCE NO. 2011-13

**AN ORDINANCE PROHIBITING THE DISCHARGE OF WEAPONS
WITHIN THE TOWN LIMITS OF THE TOWN OF EDINBURGH**

WHEREAS, the Indiana Code allows citizens to carry firearms within the town limits of the Town of Edinburgh;

WHEREAS, in order to promote public safety, the Edinburgh Town Council deems it in the best interest of the Town of Edinburgh to prohibit the discharge of firearms or any apparatus capable of propelling a missile, including but not limited to any air rifle or gun, CO₂ rifle or gun, slingshot or bow and arrow within the town limits of the Town of Edinburgh;

NOW, THEREFORE, BE IT ORDAINED BY THE EDINBURGH TOWN COUNCIL, AS FOLLOWS:

SECTION 1. DEFINITION OF WEAPONS

a. For purposes of this ordinance, Weapons shall be defined as all of the following:

- i. Firearm -- as defined by Indiana Code 35-47-1-5;
 - ii. Handgun -- as defined by Indiana Code 35-47-1-6;
 - iii. Shotgun - as defined by Indiana Code 35-47-1-11;
 - iv. Air rifle or gun;
 - v. CO₂ rifle or gun;
 - vi. Slingshot;
 - vii. Bow and arrow as defined by Indiana Code 14-22-40-1;
 - viii. Any apparatus capable of propelling a missile;
 - ix. Any type of gun from which a shell, pellet, cartridge, bullet or other projectile is propelled by any force including, but not limited to, air, gas, explosion, spring, elasticity or leverage.
- (collectively referred to as "Weapons") .

II. SECTION 2. PROHIBITION AGAINST DISCHARGE OF WEAPONS

- a. No person or members of a corporation, firm or organization shall discharge any Weapons within the limits of the Town of Edinburgh, ("Town") or on Town-owned property located outside the Town's limits.

III. SECTION 3. LAW ENFORCEMENT

- a. Nothing in this ordinance shall prohibit any federal, state or Town law enforcement officer from discharging Weapons while in the lawful performance of such officer's duties.

IV. SECTION 4. VIOLATION - PENALTIES

- a. Any person who violates this ordinance by discharging Weapons within the town limits of the Town shall be guilty of an ordinance violation in the amount of five hundred dollars (\$500.00) for each such violation.
- b. In accordance with the procedures and requirements of Indiana Code 35-47-14, the chief of police of the Town or his authorized deputies may impound; retain; and/or destroy any Weapons used in violation of the provisions of this ordinance.

V. SECTION 5. PUBLIC NOTICE

- a. In accordance with Indiana Code 36-5-2-10(b) and Indiana Code 5-3-1-2(h), this ordinance shall be published in newspapers of general circulation in Johnson, Shelby, and Bartholomew Counties one (1) time within thirty (30) days after it is adopted by Edinburgh Town Council.

VI. SECTION 6. PUBLIC BENEFIT

- a. That the Edinburgh Town Council finds that this ordinance will be in the best interest of the Town and for the benefit of the public and residents of the Town.

VII. SECTION 7. REPEALER

- a. All ordinances or parts of ordinances in conflict with provisions of this ordinance are hereby repealed.

VIII. SECTION 8. SEVERABILITY

a. Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be unconstitutional or invalid.

IX. SECTION 9. EFFECTIVE DATE

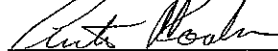
a. This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

ADOPTED this ~~12~~²⁶th day of September, 2011.

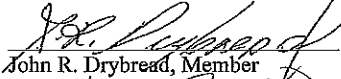
EDINBURGH TOWN COUNCIL



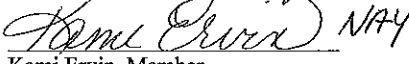
Ron Hoffman, Council President



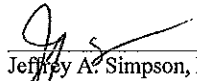
Curtis Rooks, Vice President



John R. Drybread, Member

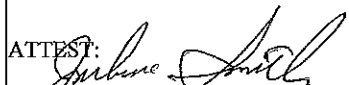


Kami Ervin, Member



Jeffrey A. Simpson, Member

ATTEST:



Jackie L. Smith, Clerk-Treasurer