

130.03 FIREARMS.

Definitions. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DEADLY WEAPON. Includes, but is not limited to, the following:

FIREARMS. Any device from which may be fired or ejected, one or more solid projectiles by means of a cartridge or shell or by the action of an explosive substance; or for which the propelling force is a spring, elastic band, carbon dioxide, air or other gas or vapor. ***FIREARMS*** include rifles, shotguns, muzzleloaders and pistols.

- a. Bows and arrows when arrows are tip pointed.
- b. All instruments used to propel a high-velocity pellet of any kind, including, but not limited to, air rifles and compressed air guns.
- c. Sling shots.
- d. Any similar type instrument, whether such instrument is called by any name set forth herein or any other name.

HIGH POWERED FIREARM. Any gun from which a shot or a projectile other than a shot shell or shotgun slug is discharged by the means of explosive gas or compressed air.

HUNTING. Taking birds or mammals, or stalking or being in possession of a firearm or deadly weapon for the purpose of taking birds and mammals.

RURAL AREAS. Portions of the city which are undeveloped or developed for low-density residential use (one parcel/per ten acres).

Concealment, discharge and use prohibited. Except as herein specifically authorized, the concealment, discharge or use of deadly weapons within the city is hereby prohibited.

Aiming prohibited. The aiming of any deadly weapon, whether loaded or not, at or toward any human being is hereby prohibited.

Selling or furnishing a deadly weapon to a minor. The selling, giving, loaning or furnishing in anyway of a deadly weapon to a minor under the age of 18 years without the written consent of his or her parent or guardian is hereby prohibited.

Minors under the age of 14. No minor under the age of 14 years shall handle or have any deadly weapon in his or her possession or under his or her control, except while accompanied by or under the immediate charge of his or her parent or guardian.

Exceptions; lawful defense and law enforcement. Nothing in this section shall be construed to prohibit the use or discharge of a deadly weapon in the lawful defense of persons or property or in the enforcement of the law by peace officers and other law enforcement personnel.

Hunting and shooting, permission by landowner. Written permission from the landowner shall be required for hunting or shooting upon land within the city, except that no permission shall be required for members of the owner's immediate family or guests in the company of the owner of the land. On another person's private land, or a public right-of-way, a person may not shoot, hunt or discharge a deadly weapon or take a wild animal with a firearm within 500 feet of a building occupied by humans or livestock without written permission. Also, a person may not shoot, hunt or discharge a deadly weapon or take a wild animal with a firearm within 500 feet of a corral containing livestock without written permission.

Special permits. Special permits must be obtained from the Chief of Police to allow hunting on Goose Lake, the discharging of a high-powered firearm under certain conditions, and for permits required under division (L). The permits shall only be issued after first obtaining the written consent of the landowner of the land. A condition of the hunting permit shall be that the hunter has in his or her possession all required state and federal hunting licenses while hunting.

Conditions. The permit shall be subject to the conditions as are deemed necessary by the Chief of Police to protect the health, safety and welfare of residents of the city. Appeals may be taken from any determination of the Chief of Police to the City Council. No permit issued under this section shall be deemed valid unless the permit and the written consent of the landowner are in the possession of the person using the permit. The fee for the permit shall be determined by a resolution of the City Council.

Terms. Permits issued pursuant to this section shall be valid until March 1 of the following year, but shall be subject to revocation upon showing that the permittee has violated any conditions of the permit.

Goose Lake. All persons shooting or hunting on Goose Lake, or within 500 feet of the surface water, must obtain a permit from the Chief of Police. Guests of Goose Lake landowners must have written permission from the landowners and obtain a permit from the Chief. The owners of land shall not allow more than one hunting party (water craft) on Goose Lake at any one time. The Chief may restrict or reduce the number of permits issued to maintain safe hunting conditions.

Firearms deer hunting. Any person hunting deer with a firearm must hunt from an elevated stand of no less than six feet in height. Special permits may be obtained from Chief of Police if a person has physical limitations that restrict them from safely complying with hunting from an elevated stand. All firearms must be unloaded and cased to and from the stand. No deer driving is allowed. Archery deer hunting is exempt from this division.

Discharge of high-powered firearm. The discharge of a high-powered firearm is allowed only with the written permission from the landowner and a permit from the Chief of Police. A rural and safe area must be proven by the person before a permit is to be issued. A landowner or a

member of a landowner's immediate family, however, may use a firearm or a high powered firearm up to a .22 caliber rim fire for the purpose of protecting livestock from an unprotected predator, destroying nuisance raccoons, when open season, and nuisance unprotected birds and animals within the rural areas of the city.