

## **ORDINANCE**

WHEREAS, the Mayor and council of the City of Norcross have authority to adopt ordinances resolutions and regulation pursuant to O.C.G.A. § 36-35-3; and

WHEREAS, the 1989 Code for the City of Norcross, in Section 54-1 contained an Ordinance making it unlawful for any person to fire a rifle, shotgun, gun or pistol in the city without legal justification, other than shooting contests specifically authorized by the chief of police; and

WHEREAS, the Norcross City Code of Ordinances was substantially rewritten in 1998; and

WHEREAS, the Norcross City Code of Ordinances currently does not prohibit the discharge of firearms within the City Limits; and

WHEREAS, the Mayor and Council are desirous of implementing a new Ordinance Section 28-5 to regulate the discharge of firearms within the City Limits of the City of Norcross;

**NOW THEREFORE**, the Mayor and Council hereby amend Article I of Chapter 28 of the Code of Ordinances as is more particularly set forth below:

### **Ordinance No. 10-2014**

#### **An Amendment to the City Code of Ordinances**

#### **CHAPTER AND PURPOSE.**

**CHAPTER AND PURPOSE** Chapter 28, Offenses and Miscellaneous Provisions

ENACTING CLAUSE. The Council of the City of Norcross, Georgia hereby ordains that the adopted Code of Ordinances is hereby amended as more particularly set forth herein. It is the intention of the Mayor and the Council, and it is hereby ordained that the following shall become and be made a part of the Code of the City of Norcross, and the Sections of the Code in this Chapter and of this ordinance may be renumbered to accomplish that intention.

- I. **Amendment.** Article I entitled “In General” of Chapter 28 entitled “Offenses and Miscellaneous Provisions” of the Code of Ordinances of the City of Norcross shall be amended by adding the following Section 28-5, as follows:

#### **“28-5. Discharge of Firearms**

- (a) No person shall discharge any firearm within the city limits, except as authorized by permit secured from the City Manager or his designee. The term "firearm" as used in this ordinance shall have the same meaning as in O.C.G.A. § 16-11-171 (3).

(b) In order to obtain a permit to discharge a firearm within the city limits, such activity shall be conducted within an approved and permitted indoor firing range which provides a sufficient backstop or bullet trap to prevent the projectile from leaving the range or causing injury. The City Manager or his designee shall establish criteria for periodic inspection and permitting of indoor firing ranges. Outdoor firing ranges are prohibited within the city limits.

(c) This section shall not be construed to prohibit any officer of the law from discharging a firearm in the performance of his duty, nor any citizen from discharging a firearm when lawfully defending his person or property.

(d) This section shall not be construed to prohibit the discharge of firearms loaded with blank cartridges during a funeral ceremony conducted by the police, the United States military, or by United States Military veterans' organizations;

(e) Citizens desiring to conduct hunting, turkey shoots or other events on property owned by them or with permission from the owner shall obtain a letter of authorization from the chief of police whose duty it will be to inspect the area for safety and to approve or disapprove the request. Approval shall be given upon a showing that public safety will not be endangered by the proposed activity and a further showing that the proposed activity will not violate any law or ordinance.”

II. **Severability.** If the provisions of any section, subsection, paragraph, subdivision or clause of this ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any ordinance, section, subsection, paragraph, subdivision or clause of this ordinance.

III. **Repealer.** All ordinances or parts thereof which are in conflict with any provision or any section, subsection, paragraph, subdivision or clause of this ordinance are hereby repealed to the extent of the conflict.

IN WITNESS WHEREOF, I have hereunto set my hand and caused this seal to be affixed, this the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Bucky Johnson, Mayor

ATTEST:

\_\_\_\_\_  
Monique Lang, City Clerk