

ORDINANCE NO. 122-12

BY: **BRIAN BROCHETTI**

AN ORDINANCE TO AMEND SUBSECTION (d) OF SECTION 672.14 "POINTING AND DISCHARGING FIREARMS AND OTHER WEAPONS" OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. That subsection (d) of Section 672.14 "Pointing and Discharging Firearms and Other Weapons" of the Codified Ordinances of the City of Parma, which presently reads as follows:

"672.14 POINTING AND DISCHARGING FIREARMS AND OTHER WEAPONS.

- (a) Except as provided in subsections (c) and (d) hereof, no person shall discharge any BB gun, air gun, rifle, shotgun, revolver, pistol or other firearm, or make use of any sling or arrow, within the corporate limits of the Municipality.
- (b) No person shall, intentionally and without malice, point or aim a firearm at or toward another or discharge a firearm so pointed or aimed.
- (c) This section does not extend to cases in which firearms, slings or arrow are used in self-defense, in the discharge of official duty or in justifiable homicide.
- (d) This section does not extend to cases in which BB guns and other air guns, or slings or arrows, are used in the confines of dwellings, provided such use is under adult supervision and is approved by the Chief of Police.
- (e) Whoever violates any of the provisions of this section is guilty of a misdemeanor of the fourth degree and shall be subject to the penalty provided in Section 698.02"

is hereby amended to read as follows:

"672.14 POINTING AND DISCHARGING FIREARMS AND OTHER WEAPONS.

- (a) Except as provided in subsections (c) and (d) hereof, no person shall discharge any BB gun, air gun, rifle, shotgun, revolver, pistol or other firearm, or make use of any sling or arrow, within the corporate limits of the Municipality.
- (b) No person shall, intentionally and without malice, point or aim a firearm at or toward another or discharge a firearm so pointed or aimed.
- (c) This section does not extend to cases in which firearms, slings or arrow are used in self-defense, in the discharge of official duty or in justifiable homicide.
- (d) This section does not extend to cases in which BB guns and other air guns, or slings or arrows, are used **WITHIN** in the confines of **EITHER** dwellings, **ENCLOSED STRUCTURES OR OUTDOOR LOTS THAT MEASURE A MINIMUM OF ONE (1) ACRE**, provided such use is under adult supervision and ~~is approved by the Chief of Police~~ **IS GIVEN ADVANCE NOTICE OF SUCH USE.**
- (e) Whoever violates any of the provisions of this section is guilty of a misdemeanor of the fourth degree and shall be subject to the penalty provided in Section 698.02"

Section 2. That only subsection (d) of Section 672.14 "Pointing and Discharging Firearms and Other Weapons" of the Codified Ordinances of the City of Parma, as it existed heretofore, is hereby repealed.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City of Parma, and for the further reason that this measure is necessary in order to make this amendment in the Codified Ordinances in the near future, and this Ordinance shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____ PRESIDENT OF COUNCIL

ATTEST: _____ APPROVED: _____
CLERK OF COUNCIL

FILED WITH
THE MAYOR: _____ MAYOR, CITY OF PARMA, OHIO