

ST. STEPHEN CITY CODE
CHAPTER 9 & 10: NUISANCES AND OFFENSES

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ORDINANCE 91 FIREARMS AND OTHER WEAPONS

Section 91.01: INTENT. This Ordinance's intent and purpose is to preserve and protect the citizen's health, safety and welfare by regulating firearms or bows and arrows within the City.

Section 91.02: DEFINITIONS.

Subd. 1: Bow and Arrow. Any device or combination of devices designed to propel any arrow from a cord connecting the two (2) ends of a bow by pulling on the cord thus bending the bow and then releasing the cord, excluding devices of this type commonly interpreted to be toys.

Subd. 2: Firearm. Any device from which is propelled any missile, projectile, bullet or other mass through a barrel by an explosive, gas, air and/or spring device. Any device that discharges blank cartridges for a show or theater, for signal or ceremonial purposes in athletics or sports, or for use as a bird or animal repelling device shall not be considered a "firearm" under this Ordinance.

Subd. 3: Air Rifle. A firearm that propels a projectile or other mass through a barrel by gas or air. The definition of Air Rifle shall include a BB-gun and paintball gun.

Section 91.03: PROHIBITED CONDUCT.

Subd. 1: No person shall discharge any firearm or bow and arrow upon or onto any lands within the City, except as Section 91.04 provides. This provision shall not apply to Law Enforcement or Military Members while engaged in official activities, a person participating in a certified firearms safety program, or discharge occurring as part of a funeral, parade or other lawful ceremony. Nothing in this Section shall be construed to include any discharge of any device used exclusively for firing stud cartridge, explosive rivets, or similar industrial ammunition when used wholly for construction purpose.

Subd. 2: It shall be unlawful for any persons to be under the influence of alcohol, narcotics or any other drug when discharging a firearm or bow and arrow.

Subd. 3: No parent or guardian of any child under sixteen (16) years of age or the guardian of an incompetent person shall knowingly permit the child or incompetent person to carry or use a firearm, paintball gun, air rifle, air gun, BB gun, sling shot, bow and arrow in the City, except under the following circumstances.

- a) The child or incompetent is accompanied by a parent or guardian.

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- b) The child is 14 or 15 years of age and has a firearms safety certificate, or
- c) The child is participating in an organized target shooting program with adult supervision.

Section 91.04: EXCEPTIONS.

Subd. 1: A person may use a bow and arrow on private property, or on school and city property in connection with an organized school or recreation class, if the arrows are equipped with blunt tips (also known as "field points" or "target arrows").

Subd. 2: A person may discharge a firearm on any approved firearm range operating under a permit issued by the City Council.

Subd. 3: A person authorized to use and carry a firearm may discharge a firearms within the St. Stephen City limits if the point of discharge is at least 500 feet from a residential structure, church or school.

Subd. 4: A person authorized to use and carry a firearm may discharge an air rifle within the St. Stephen City limits within the confines of private property, or on school or city property in connection with an organized school or recreation class.

Section 91.05: CONFLICT WITH STATE LAW. The City adopts Minnesota Statutes regulating firearms by reference. Except for discharge, the City does not intend this Ordinance to further restrict or permit the use or possession of firearms as already regulated by State Law. In the event a Court of competent jurisdiction determines that any portion of this ordinance is unenforceable because it conflicts with the State or Federal Statutes or Constitutions, that determination shall not affect the enforceability of the remainder of this Ordinance.

Section 91.06: PENALTY. Any person violating this Ordinance shall be guilty of a petty misdemeanor upon the first violation and a misdemeanor upon the second and subsequent violations.