

AN ORDINANCE PROHIBITING THE DISCHARGE OR FIRING OF ANY RIFLE, PISTOL OR ANY OTHER WEAPON DISCHARGED BY THE IGNITION OF GUN POWDER OR ANY OTHER EXPLOSIVE WITHIN ITS FIRING CHAMBER, WITHIN THE CORPORATE LIMITS OF THE CITY OF MILES, TEXAS, OR AN AREA WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY AND WITHIN ONE HUNDRED (100') FEET OF THE CITY LIMITS OF THE CITY OF MILES, TEXAS; PROVIDING A PENALTY; DECLARING THAT SAME CONSTITUTES A DANGER THROUGH PUBLIC HEALTH AND SAFETY OF THE CITY OF MILES, TEXAS, AND CONSTITUTES A NUISANCE.

WHEREAS, it has been determined that the City of Miles, Texas, is in need of an Ordinance prohibiting the firing or discharging of any rifle, pistol or weapon discharged by the ignition of gun powder or any other explosive within its firing chamber, declaring same constitutes a danger to the citizens of Miles, Texas, and constitutes a nuisance. Now therefore:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MILES, TEXAS:

Section 1: This Ordinance shall not apply to:

- (a) Law enforcement officials engaged in activities pursuant to their office or persons directed by them or under their supervision in connection with activities pursuant to their office.
- (b) The use of a firearm used to repel or eliminate snakes, possums, skunks, rats, raccoons, armadillos and other wildlife that may pose a threat to property or humans.
- (c) Defense of person or personal property.

Section 2: That no person or firm shall fire or discharge any rifle, pistol or weapon discharged by the ignition of gun powder or any other explosive within its firing chamber, within the corporate limits of the City of Miles, Texas, or in an area within the extraterritorial jurisdiction of the City where said area is within one hundred (100') feet of the city limits.

Section 3: The firing or discharging of any rifle, pistol or any other weapon discharged by the ignition of gun powder or any other explosive within its firing chamber within the corporate limits of Miles, Texas, or within the extraterritorial jurisdiction of the City within one hundred (100') feet of the city limits constitutes a danger to the public and is declared a nuisance.

Section 4: It shall be unlawful and an offense for any person to discharge a projectile from an air rifle, pellet gun or other instrument in which the projectile is propelled by compressed air in, upon, across or into a public street, alley or other public thoroughfare or across a property line within the City.

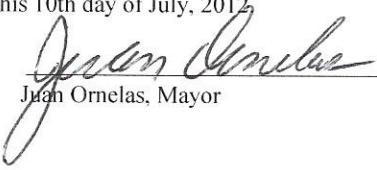
Section 5: That any person or firm violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined not more than five Hundred (\$500.00) Dollars. Each such violation shall continue, or be permitted to continue, shall be deemed a separate offense.

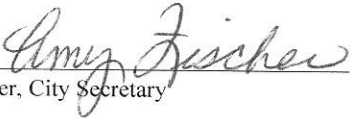
Section 6: That if any provision of this Ordinance, of the application thereof, to any person or circumstance shall be held invalid, such invalidity shall not affect the provisions or application of this Ordinance which can be given effect without the invalid provision or application and to this and the provisions of this Ordinance are declared to be severable.

Section 7: The Ordinance shall become effective as of the 31st day of July, 2012.

The Ordinance will supersede any and all previous Ordinances of the City of Miles regarding prohibiting the discharge of firearms within the city limits of the City of Miles or in an area within the extraterritorial jurisdiction of the City where said area is within one hundred (100') feet of the city limits.

PASSED, APPROVED AND ADOPTED this 10th day of July, 2012

  
Juan Ornelas, Mayor

ATTEST:   
Amy Fischer, City Secretary

