

PREPARED BY: DONALD W. BOURNE
CITY ATTORNEY
P.O. BOX 428
RUSSELLVILLE, AR 72811
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ORDINANCE NO. 1564

AN ORDINANCE REGULATING THE DISCHARGE
OF FIREARMS IN THE CITY LIMITS, REGULATING HUNTING WITHIN
THE CITY LIMITS, REPEALING ORDINANCE NO. 1232
AND FOR OTHER PURPOSES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
RUSSELLVILLE, ARKANSAS:

SECTION 1: From this date forward it shall be unlawful for
any person (excluding law enforcement officials acting in their
official capacity) to discharge any type of firearm or gun
(including handgun, rifle, shotgun, pellet gun, BB gun) in the city
limits of the City of Russellville.

It shall also be unlawful and punishable as provided under the
provisions of this ordinance, for any person to kill, shoot at, or
otherwise hunt wildlife within the City of Russellville with a
handgun, shotgun, rifle, bow and arrow, or any other weapon or
means whatsoever. Exception found below and in Section No. 2.

EXCEPTION: Property owners with a minimum of forty (40)
acres of vacant land shall be permitted to
hunt on this land during open seasons.
However, only the property owner, his/her
immediate family or their invited guests shall
be permitted to hunt. Persons other than the
property owner/s or their minor children may
not hunt unless they have written permission,
in their possession, from the property owner.
Said permission slip must have been signed
within 12 months of the date of the hunt.
Furthermore, no firearms of the handgun or

rifle categories shall be permitted. Shotguns and bows and arrows (including cross-bows) are allowed, but rifled slugs for shotguns are not allowed (shot shells only).

SECTION 2: ADDITIONAL EXCEPTIONS: Property owners may, on tracts of land two (2) acres or larger, use a handgun, ~~or a rifle~~ ^{or a rifle}, or a shotgun (any gauge) to exterminate varmints such as skunks, opossums, armadillos, snakes, etc.

The provisions of this Ordinance are not intended to restrict the possession of unloaded firearms if said possession is permissible under state law, and are not intended to conflict with conduct allowed in Act No. 419 of 1995 (law allowing carrying of concealed handguns). Provided further, this Ordinance shall not apply to any individual acting in self-defense of his person or property as such action is defined in the laws of the state of Arkansas.

Additionally, this Ordinance is not intended to regulate the conduct of individuals using firearms at approved firing ranges, skeet/trap ranges, or other such facilities, if said facilities have previously been permitted by the City of Russellville and approved by the Chief of Police. Upon receiving a request for a permit for a public or private range, the Police Chief or his designee shall inspect the site of the proposed range. If, upon inspection, the range is determined to be located so that it may be operated safely, the Police Chief shall issue a permit to the owner/operator. No fee shall be required for private ranges. The owners/operators of public, for profit, ranges will be required to

obtain a business permit before receiving a permit to operate a range.

If the request for a permit to operate a range is denied by the Chief of Police, the applicant may appeal this decision, in writing, to the Mayor. If the request is denied by the Mayor, the applicant may, upon written request, have his application reviewed by the City Council. An appeal of any decision made by the Police Chief or Mayor must be submitted to the next level within fifteen (15) days of the decision denying the request.

SECTION 3: Penalty - Persons violating any of the provisions of this Ordinance shall be guilty of a misdemeanor offense. Any person found guilty of violating any provision of this Ordinance shall be fined not less than \$100.00 nor more than \$500.00 for the first offense. Any person found guilty of violating any of the provisions of this Ordinance for a second or subsequent offense shall be fined not more than \$1,000.00.

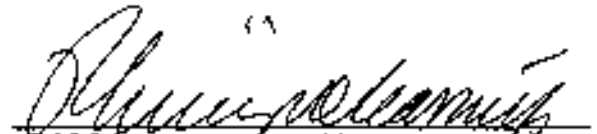
SECTION 4: It is the intent of the Russellville City Council that this Ordinance be enforced by the officers of the Russellville Police Department. Upon receiving a complaint relating to the possession or discharge of firearms or relating to an individual hunting inside the city limits the Russellville Police Department shall respond to the scene of the complaint and ensure that the provisions of this Ordinance are enforced. Individuals possessing or discharging firearms, or hunting in violation of this Ordinance should be issued a citation directing that they appear in the Russellville Municipal Court.

SECTION 5: All ordinances or parts of thereof in conflict herewith are repealed to the extent of said conflict.

SECTION 6: Ordinance No. 1232 is hereby repealed.

SECTION 7: This Ordinance shall be in full force and effect upon its passage and approval.

Passed and approved this 13 day of February, 1997.

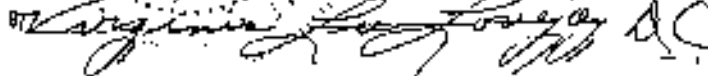

Phillip G. Carruth, Mayor

Attest:


Helen Price, City Clerk

CLEAR'S CERTIFICATE OF RECORDED
STATE OF ILLINOIS - COUNTY OF COPEL

I, JUDITH BARBER, Court Clerk and Recorder of the County aforesaid do hereby certify that the instrument was filed for recording on the 13 day of Feb., 1997 at 12:30 o'clock P. and to name is
as described in Record Book 28-A
Pages 254-257 Where
my hand and seal of said county on the 13 day of Feb. 1997
Judith Barber, Court Clerk and Recorder


JCB

THIS ORDINANCE PREPARED BY THE CITY ATTORNEY AT THE REQUEST OF AN ALDERMAN.