

## **ORDINANCE NO. 12-1004**

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### **AN ORDINANCE OF THE CITY OF OREGON CITY AMENDING CHAPTER 9.24 OF THE OREGON CITY MUNICIPAL CODE RELATING TO CARRYING OR DISCHARGE OF WEAPONS.**

**WHEREAS**, The City of Oregon City is authorized under ORS 166.173 to regulate the possession of loaded firearms in public places; and

**WHEREAS**, The City of Oregon City has adopted OCMC Chapter 9.24 to regulate the possession of loaded firearms in public places; and

**WHEREAS**, ORS 166.173(2) explicitly exempts certain persons from the effects of any city ordinance affecting the possession of loaded firearms in public places.

#### **NOW, THEREFORE, OREGON CITY ORDAINS AS FOLLOWS:**

**Section 1.** Section 9.24.020 of the Oregon City Municipal Code is hereby amended as follows:

#### **9.24.020 - Carrying or discharge of weapons.**

A. It is unlawful for any person to carry a firearm, loaded or unloaded, in a park, school ground or public building.

B. It is unlawful for any person on a public street or in a public place to carry a firearm upon his person, or in a vehicle under his control or in which he is an occupant, unless all ammunition has been removed from the chamber and from the cylinder, clip or magazine.

C. It is unlawful for any person to fire or discharge a firearm within the boundaries of the city.

D. The provisions in subsections A through C and subsection E do not apply to or affect:

1. A law enforcement officer in the performance of official duty.
2. A member of the military in the performance of official duty.
3. A person licensed to carry a concealed handgun.
4. A person authorized to possess a loaded firearm while in or on a public building or court facility under ORS 166.370.
5. An employee of the United States Department of Agriculture, acting within the scope of employment, who possesses a loaded firearm in the course of the lawful taking of wildlife.

E. It is unlawful for any person carrying a firearm upon his person, or in a vehicle under his control or in which he is an occupant, to refuse to permit a peace officer to inspect that firearm after the peace officer has identified himself as such.

F. No person shall discharge a bow and arrow, BB gun or air gun within the city limits in a manner likely to endanger persons, animals or property.

G. The prohibition in subsections C and F of this section does not apply to:

1. Any person attempting to:

- a. Prevent the commission of a felony upon him or upon his or her husband, wife, parent or child,
- b. Prevent the commission of a felony upon his property or upon property in his possession, or upon or in any dwelling house where he is, or
- c. By lawful means, to arrest a person who has committed a felony or to suppress a riot or preserve the peace;

2. The member, guest or patron of any licensed organization or business who, for the purpose of shooting practice, discharges a firearm upon an established target range or shooting gallery of that organization or business;

3. A person conducting an athletic contest who fires blank ammunition toward the sky;

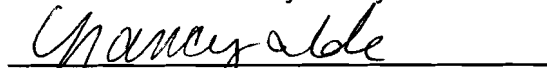
4. Members of the armed forces firing blank ammunition at military ceremonies; or

5. Persons authorized by permit of the chief of police to discharge blank ammunition for a lawful purpose.


Read for the first time at a regular meeting of the City Commission held on the 18th day of April and the City Commission finally enacted the foregoing ordinance this 2nd day of May.

  
DOUG NEELEY, Mayor

Attested to this 2nd day of May 2012:

  
Nancy Ide, City Recorder

Approved as to legal sufficiency:

  
City Attorney