

# **ORDINANCE NO. 175**

## **AN ORDINANCE ESTABLISHING THE OFFENSE OF DISCHARGE OF FIREARMS IN CITY LIMITS**

*WHEREAS there is a problem with people discharging firearms within the city limits of the City of Cherry Valley, Arkansas, and,*

*WHEREAS there does not exist a law against discharging firearms within the city limits of the City of Cherry Valley, Arkansas and*

*WHEREAS it is necessary to enact this Ordinance to prevent the discharging of firearms within the city limits of the City of Cherry Valley, Arkansas*

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CHERRY VALLEY, ARKANSAS as follows:**

*1. It shall be unlawful for any person to discharge a firearm within the city limits of the City of Cherry Valley, Arkansas.*

*2. Any individual who violates the terms of this Ordinance shall be guilty of a Class U Misdemeanor, which carries a penalty upon conviction of a fine not to exceed \$500.00 and a sentence in the county jail not to exceed 30 days.*

*3. Violations - Separate violations each occurrence of discharge of a firearm within the corporate city limit of the City of Cherry Valley, Arkansas shall be deemed a sperate violation of this Ordinance.*

*4. Definition for the purpose of this Ordinance - A firearm shall be defined as a handgun, shotgun, muzzleloader, rifle, automatic or semi-automatic weapon, or any other apparatus designed, manufactured, or sold as a firearm.*

*5. Exclusions - This ordinance shall not be employed as a technical violation against anyone discharging a firearm in the defense of their life, the life of another person, or their property. If have being found to have acted justifiably by the appropriate investigating authority.*

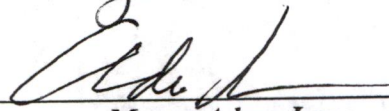
*6. Lawful Police Authority - This ordinance shall not be interpreted to interfere with the lawful use of firearms by the Cherry Valley Police Department or any other lawful police authority.*

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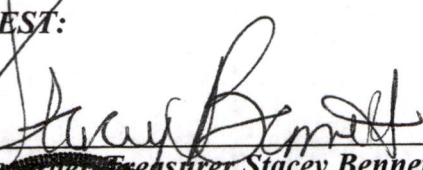
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7. It has been determined that an emergency exists in the City of Cherry Valley, Arkansas inasmuch as individuals who discharge firearms within the city limits of the City of Cherry Valley have been allowed to escape the penalties of the law and this Ordinance being necessary for the protection of the health and welfare of the citizens of Cherry Valley, Arkansas is hereby deemed to be in force and effect immediately from the passage hereof.

Dated this 18 day of May, 2021.

  
\_\_\_\_\_  
Mayor Adam Love

ATTEST:

  
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Recording Treasurer Stacey Bennett

