

ORDINANCE NO. 2-2024

**AN ORDINANCE TO PROHIBIT THE FIRING OR DISCHARGING OF ANY GUN, PISTOL, OR OTHER DEVICE CAPABLE OF DISCHARGING A PROJECTILE WITHIN THE CITY OF BERGMAN ARKANSAS, ESTABLISHING PENALTIES, AND FOR OTHER PURPOSES AND DECLARING AN EMERGENCY
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BERGMAN, ARKANSAS, THAT:**

SECTION 1

DEFINITIONS:

A. The terms "gun" and "pistol", for the purpose of this Ordinance, shall mean any weapon which expels its projectile by the combustion of powder.

B. The term "device", for the purpose of this Ordinance, shall mean any device capable of throwing or discharging any type of projectile to include, but not limited to: B.B. guns, air- guns, bean flips, sling shots, or similar devices.

SECTION 2:

A. It shall be unlawful for any person to fire or discharge any gun or pistol capable of discharging a projectile within the incorporated area of the City of Bergman, Arkansas as set forth in this Ordinance.

B. It shall be unlawful for any person to fire or discharge any device capable of expelling a projectile in any of the streets, alleys, or public places of the incorporated areas of the City of Bergman, Arkansas, as set forth in this Ordinance.

SECTION 3: CONFISCATION OF WEAPON(S)/DEVICE(S).

Upon the violation of any of the provisions of this Ordinance by any person, the weapon/device used in the violation may be confiscated, and, upon conviction, may be forfeited to the City of Bergman.

SECTION 4: PENALTIES

Violators of Section 2 A or 2B above, upon conviction, shall be subject to a maximum fine of \$500.00, plus any court cost for the city. Said offense shall be deemed a misdemeanor.

SECTION 5: EXCEPTION

PERMISSION OF CHIEF OF POLICE: The Chief of Police, or his designated representative, is authorized to grant exceptions to said Ordinance to organizations or individuals of whom necessary.

SECTION 6: SEVERABILITY

If any provision thereof to any person this Ordinance of or circumstance is invalidity shall not effect they deem or the application held invalid, such the other provisions or applications without the invalid of the Ordinance which can be given effect provisions or applications; and to this end, the provisions of this Ordinance are declared to be severable.

SECTION 7:

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 8: EMERGENCY CLAUSE

THIS ORDINANCE BEING NECESSARY FOR THE PROTECTION AND PRESERVATION OF THE PUBLIC HEALTH AND SAFETY, AN EMERGENCY HEREBY DECLARED TO EXIST AND THIS ORDINANCE FORCE AND SHALL TAKE EFFECT UPON PASSAGE. PASSED AND ADOPTED THIS 2 DAY OF APRIL, 2024.

CITY OF Bergman, ARKANSAS

BY: *Danny Farmer*
DANNY FARMER, MAYOR

ATTEST: *Donia Cook*
DONIA COOK, RECORDER