



City Attorney

DATE: May 4, 2021

FROM: Janelle Combs, City Attorney

ITEM: Ordinance 6464 regarding BB and Pellet Guns

REQUEST

Consider introduction and call for a public hearing on Ordinance 6464 to amend Ordinance 6-08-06 regarding BB and Pellet Guns.

Please place this item on the 5/11/2021 City Commission meeting agenda.

BACKGROUND INFORMATION

Clarification has been requested in the ordinance to allow a paintball gun business to be able to operate within the City limits. The Police Department has requested review of site plans for outdoor sites for their protection. This review would be administrative for staff to determine if it is appropriate from a public safety and community area standpoint.

RECOMMENDED CITY COMMISSION ACTION

First reading and introduction of Ordinance 6464 and call for a public hearing.

STAFF CONTACT INFORMATION

Janelle Combs | City Attorney, 355-1340 or jcombs@bismarcknd.gov

CITY OF BISMARCK
ORDINANCE NO. 6464

<i>First Reading</i>	_____
<i>Second Reading</i>	_____
<i>Final Passage and Adoption</i>	_____
<i>Publication Date</i>	_____

AN ORDINANCE TO AMEND CHAPTER 06-08-06 OF THE CODE OF ORDINANCES OF THE CITY OF BISMARCK, NORTH DAKOTA, AS AMENDED, RELATING TO BB AND PELLET GUNS.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA:

Section 1. Amend. Section 06-08-06 of the Code of Ordinances of the City of Bismarck, North Dakota, relating to BB and Pellet Guns, is hereby amended to read as follows:

6-08-06. BB and Pellet Guns.

1. No person may discharge in the city or carry loaded in a vehicle a weapon that will expel or is readily capable of expelling a projectile by the action of a spring, compressed air or compressed gas, including any such weapon commonly referred to as a BB gun, air rifle, pellet gun or CO2 gun.

2. This section shall not apply to lawful discharge by law enforcement officers, discharge by citizens in defense of person or property, discharge at structured events or competitions designed to test the skill of the participants, discharge at indoor target ranges, ~~or~~ discharge in conjunction with educational or gun safety classes, or discharge of a paintball gun in City administratively approved paintball arenas, either indoors or outdoors.

(Ord. 4576, 02-15-94)

Section 2: Severability. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent remaining portions of this ordinance.

Section 3. Effective Date. This ordinance shall take effect after final passage, adoption and publication.