

## ORDINANCE NO. 05-2017

### AN ORDINANCE RESTRICTING THE DISCHARGE OF FIREARMS WITHIN THE CORPORATE LIMITS AND PROVIDING EXCEPTIONS THEREFOR.

**WHEREAS**, the City of Cordova, Alabama (“the City”), in order to promote the health, safety, and welfare of the public and otherwise serve the public interest, desires to regulate the discharge of firearms within its corporate limits according to the limited authority granted it pursuant to Section 13A-11-61.3(g)(11) of the *Code of Alabama* (1975); and

**WHEREAS**, the City does not desire or intend to preclude the operation of any state or federal law or regulation related to the possession or discharge of firearms, including, but not limited to Section § 13A-3-23 of the *Code of Alabama* (1975) (1975) related to the discharge of a firearm in self-defense;

**NOW, THEREFORE, BE IT HEREBY ORDAINED** by the City Council of the City of Cordova, Alabama, sitting in regular session on Tuesday, \_\_\_\_\_, 2017, at 6:30 p.m. as follows:

#### **Section 1. Discharge of firearms.**

- (a) Except for those circumstances set forth below, it shall be unlawful for any person to shoot or otherwise discharge within the corporate limits of the City any firearm, including, but not limited to, a pistol, rifle, shotgun, or other similar firearm of any kind between the hours of 9:00 p.m. and 5:00 a.m.
- (b) The following shall be excepted from the application of the restriction set forth in subsection (a):
  - 1. Discharge of any firearm in defense of one’s self or family or in defense of one’s property.
  - 2. Discharge of any firearm by a duly sworn law enforcement officer in the execution of his duties or during training exercises.
- (c) Upon conviction, any person in violation of this section shall be punished by a fine of not more than five hundred dollars (\$500.00) or by imprisonment for not more than six (6) months, or by both such fine and imprisonment, and may also be assessed the costs of court for each offense. Each separate firing or discharge shall constitute a separate offense.
- (d) Nothing contained in this section shall exempt, negate, or nullify compliance with all other applicable state and federal laws and regulations. Furthermore, nothing contained herein shall be construed as an authorization to discharge a firearm not otherwise permitted by law.

**Section 2. Effective date.**

That this Ordinance shall become effective upon its adoption as provided by law.

**Section 3. Severability.**

That the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by a court of competent jurisdiction, then such ruling shall not affect any other portion thereof and the remainder shall continue in full force and effect.

**ADOPTED AND APPROVED THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2017.**

\_\_\_\_\_  
DREW GILBERT, MAYOR

**ATTEST:**

\_\_\_\_\_  
Leanne Dawkins, City Clerk

**CERTIFICATION OF CITY CLERK**

**STATE OF ALABAMA                    )**  
**WALKER COUNTY                    )**

I, Leanne Dawkins, City Clerk of the City of Cordova, Alabama, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance duly adopted by the City Council of the City of Cordova, Alabama, on the \_\_\_\_ day of \_\_\_\_\_, 2017.

The above and foregoing ordinance was published on the \_\_\_\_ day of \_\_\_\_\_, 2017, by posting copies thereof in three public places within the City of Cordova, one of which was the post office or the Mayor's office in the City of Cordova.

Witness my hand and seal of office this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Leanne Dawkins, City Clerk