

ORDINANCE NO. 633-17

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAGE, COCONINO COUNTY, ARIZONA AMENDING THE CODE OF THE CITY OF PAGE, ARIZONA, SECTION 130.20 WEAPONS.

WHEREAS, A.R.S. §13-3118, except for limited exceptions, prohibits any agency or political subdivision from enacting or implementing any law or ordinance relating to the possession of firearms; and

WHEREAS, A.R.S. §13-3107 prohibits the discharge of firearms in municipalities with certain exceptions; and

WHEREAS, Section 130.20 WEAPONS of the Page City Code contains some provisions that are redundant or conflict with state statute; and

WHEREAS, the Mayor and City Council desire to amend the parts of Section 130.20 that are either redundant or in conflict with state statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PAGE, COCONINO COUNTY, ARIZONA, as follows:

SECTION 1. That Section 130.20 WEAPONS of the Page City Code is hereby amended and adopted as follows:

§ 130.20 WEAPONS.

(A) It is unlawful for any person within the limits of the city to fire or discharge any ~~firearm~~, BB gun, air gun, pellet gun, dart gun, slingshot, gas operated gun or other similar ~~gun or~~ instrument.

(B) The prohibitions of division (A) above shall not apply to the use of any such gun or instrument by:

(1) A law enforcement officer or other duly authorized public official or employee in the performance of any official duty;

(2) Any person to whom a license, permit or authority is issued by the Chief of Police of the city for the use of such gun or instrument for a valid and proper purpose and for use in a manner not likely to harm any person, animal or property;

(3) Any person when used only for the necessary protection of property, habitation or person in a manner authorized by the laws of the state under or within rights guaranteed by the Constitution of the state or the United States of America; or

(4) Any person on a rifle, pistol or shotgun range constructed and maintained in accordance with such rules and regulations as the Council may designate.

~~(C) It is unlawful for any person, except a peace officer in actual service and discharge of his or her duty, to have on or about his or her person a concealed weapon.~~

~~—(1) WEAPON, as used in this section, means anything readily capable of lethal use and possessed under circumstances not manifestly appropriate for lawful uses which it may have. The term WEAPON includes a firearm which is not loaded or lacks a clip or other component to render it immediately operable, and components which can readily be assembled into a weapon.~~

~~—(2) A weapon is not concealed weapon as used in this section if:~~

~~—(a) It is carried in a belt holster which is wholly or partially visible, or is carried in a scabbard or case designed for carrying weapons which scabbard or case is wholly or partially visible; or~~

~~—(b) It is located in a closed trunk, luggage or glove compartment of a motor vehicle.~~

~~(D) It is unlawful for any person to recklessly or carelessly handle a weapon.~~

~~(E) Any person other than a peace officer on duty carrying a weapon, upon entering any public place or attending a public event, may be required by the operator of the establishment or the sponsor of the event to remove his or her weapon and place it in the custody of the operator of the establishment or the sponsor of the event.~~

~~(F) It is unlawful for any person to sell or give to a person under the age of 18 years, without written consent of the person's parent or legal guardian, a weapon, ammunition or toy pistol by which dangerous and explosive substances may be discharged.~~

SECTION 2. That the City Clerk be authorized to correct typographical and grammatical errors, as well as errors of wording and punctuation, as necessary; and that the City Clerk be authorized to make formatting changes needed for purposes of clarity and form, if required, to be consistent with Page City Code.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PAGE, COCONINO COUNTY, ARIZONA this 22nd day of March, 2017, by the following vote:

Ayes	<u>6</u>
Nays	<u>0</u>
Abstentions	<u>0</u>
Absent	<u>1</u>




CITY OF PAGE

By William R. Deak
Mayor

ATTEST:


Deputy CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY