

VILLAGE OF BOSTON HEIGHTS	Codified?	First Reading _____	Waiver 3-Reading Rule _____
ORDINANCE NO: __2016- 12-21	Yes _____	Second Reading _____	Yes _____
INTRODUCED BY <u>J. MILLER</u>	No _____	Third Reading <u>X</u>	No <u>X</u>

AN ORDINANCE AMENDING CODIFIED ORDINANCE 549.08 OF THE CODIFIED ORDINANCES REGARDING THE DISCHARGING OF WEAPONS WITHIN THE VILLAGE AND DECLARING AN EMERGENCY

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Boston Heights, Summit County, Ohio, as follows:

Section 1: That Codified Ordinance 549.08 of the Codified Ordinances of the Village of Boston Heights be amended to state as follows:

549.08. DISCHARGING WEAPONS.

The discharge of weapons within the Village is hereby restricted as follows:

- (a) No person shall discharge any weapon including, but not limited to, a rifle, shotgun, bow and arrow, pellet gun, or bow gun, within the corporate limits of the Village.
- (b) It is a defense to subsection (a) when the violator thereof was:
 - (1) discharging a shotgun in order to eliminate non-game quadrupeds or birds which are not protected by State or Federal law causing destruction to personal property or livestock; or
 - (2) bow hunting in conformity with C.O. 505.11, applicable State and Federal law, and all rules, regulations, and guidelines of the Ohio Department of Natural Resources, Division of Wildlife.
- (c) Subsection (a) hereof shall not be construed to apply to the use of firearms in the lawful defense of the person, family, or property of any person, nor to apply to law enforcement officers or military while on duty or in the course of employment, nor to bona fide gun clubs, nor to persons lawfully hunting pursuant to law.
- (d) Whoever violates subsection (a) hereof is guilty of a misdemeanor of the third degree.

Section 2: That this Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements including Section 121.22 of the Ohio Revised Code.


Section 3: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety of the Village residents and to allow the Village Police Department to enforce the Village's laws more effectively and begin to do so while weather permits, to bring the Codified Ordinances into conformity with state and federal laws and regulations, and to eliminate the likelihood of any lack of clarity as to the ongoing current enforcement efforts of the Police Department, and shall therefore take effect and be in force from and immediately after its passage.

PASSED:



BILL GONCY, MAYOR

ATTEST:



BETTY KLINGENBERG, FISCAL OFFICER

I, Betty Klingenberg, Fiscal Officer and Clerk of the Village of Boston Heights, Summit County, Ohio, do hereby certify that the foregoing Ordinance **2016-12-21** was duly passed by the Council of the Village of Boston Heights, County of Summit, State of Ohio at a meeting of Council on this 14th day of February, 2017.