

ORDINANCE # 902

AN ORDINANCE TO CLARIFY AND REVISE THE RED LODGE WEAPONS ORDINANCE.

WHEREAS: The City Council of the City of Red Lodge, Montana has determined the need to clarify the limitations on weapons within the City Limits; and

WHEREAS: The City Council has determined that there appears to be a conflict in the current ordinance as it is compared to current Montana Law; and

WHEREAS: The City Council has determined that it is in the best interest of the City, its residents and our visitors to have reasonable limitations on the carry and concealment of weapons within the City Limits that remains consistent with State Law; and

Now therefore:

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF RED LODGE, MONTANA:

5-4-9: Weapons. *RESERVED*

- ~~A. Carrying Prohibited: Any person within the city carrying into any business establishment or any public building or place, excepting highways, streets, alleys and sidewalks, any pistol, revolver, rifle or any other firearm is guilty of a misdemeanor, and upon conviction thereof shall be punished as set forth in section 1-4-1 of this code.~~
- ~~B. Exceptions: Subsection A of this section shall not apply to:~~
- ~~1. Any peace officer of the state;~~
 - ~~2. Any officer of the United States government authorized to carry a weapon;~~
 - ~~3. A person in actual service as a national guardsman;~~
 - ~~4. A person summoned to the aid of any of the persons named in subsections B1 through B3 of this section;~~
 - ~~5. A civil officer or his deputy engaged in the discharge of official business;~~
 - ~~6. A person authorized by a judge of a district court of this state to carry a weapon;~~
 - ~~7. The carrying of arms on one's own premises or at one's home or place of business;~~
 - ~~8. A person carrying a firearm into a business establishment for the purpose of the sale, purchase, repair or display of such firearm, provided such business establishment is engaged in such sale, purchase, repair or display; or~~
 - ~~9. A participant in a sponsored event which uses a firearm as part of a play, skit or simulated gunfight, with provisions as specified in subsection C of this section.~~
- ~~C. Sponsored Event:~~
- ~~1. Notification and Permission of Chief of Police Required: Any event described in subsection B9 this section will require notification to be given to the chief of police, in writing, at least forty eight (48) hours in advance of the planned activity. The written notice shall contain the date, time and location where the event will take place. At the same time, the name, address and date of birth of the individual who will be carrying firearms shall be provided to the chief of police. A permit shall be issued by the chief of police for each and every event, herein described, with the following provisions:~~

3/3/2014

- ~~a. Liability Insurance: The applicants for the permit provide proof of liability insurance for both spectators and players for minimum coverage of at least three hundred thousand dollars (\$300,000.00);~~
 - ~~b. Certification: The applicant provides evidence that at least one person per group has been certified or is qualified in the use of firearms;~~
 - ~~c. Measures Ensuring Public Safety: The applicant provides adequate measures of ensuring public safety through the establishment of safe distances between spectators and players involved in the discharge of firearms for their performance;~~
 - ~~d. Responsibility of Regulating Use of Firearms: The applicant provides the responsibility of regulating the use of firearms including the issuance and retrieval of both weapons and blank ammunition to be used for the performance;~~
 - ~~e. Ammunition Approved by Chief of Police: Neither the applicant nor members of the group he or she represents be allowed to carry, display or use ammunition that has not been approved by the chief of police;~~
 - ~~f. Geographical Location: That the geographical location for the scheduled event is approved by the chief of police.~~
- ~~2. Permit Issued; Fee: The chief of police, after having approved applicant's compliance to the provisions thus stated in subsections C(1)(a) through C(1)(f) of this section, may then issue a performance permit for the nominal fee of five dollars (\$5.00), to each applicant and that such permit be valid for the dates and times specified in subsection C of this section.~~
- ~~a. Badge or Patch Required: Upon issuance of the performance permit, all individuals involved in the display and usage of firearms for the performance shall wear a conspicuous badge or patch that has been approved by the police department for the duration of the event. (Ord. 775, 5-14-1991)~~

Effective Date.

This ordinance shall be effective 30-days after approval of second reading by the Red Lodge City Council.

Be It Ordained By The Council Members of the City of Red Lodge.

First Reading by the Council on the ___ day of _____ 2014.

Second Reading by the Council on the ____ day of _____ 2014

PASSED and APPROVED by a majority of the elected members of the Red Lodge City Council this ____ day of _____ 2014.

The City of Red Lodge

By: _____
Ed Williams, Mayor

Attest: _____
Debbie Tomicich, City Clerk