

**CITY OF DOVER
ORDINANCE NO. 124**

AN ORDINANCE OF THE CITY OF DOVER, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING DEFINITIONS; REGULATING, RESTRICTING AND PROHIBITING THE DISCHARGE OF DEADLY WEAPONS WITHIN DOVER CITY LIMITS; PROVIDING FOR VIOLATION AND PENALTY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Idaho Code §18-3302J, Dover City Council has determined certain regulations be set into place regarding the discharging of deadly weapons within the City Limits of Dover to promote and protect the health, safety and general welfare of its citizenry.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DOVER, IDAHO AS FOLLOWS:

SECTION 1. DEFINITIONS. In construing the provisions of this Ordinance the following definitions shall apply:

1. "Deadly Weapon" shall mean: Any firearm, whether loaded or unloaded; or
 - a. Any weapon which is capable of producing death or great bodily harm, including, but not limited to, any types of daggers, brass knuckles, switchblade knives, bowie knives, poniards, butcher knives, dirk knives and all such weapons with which dangerous cuts can be given or with which dangerous thrusts can be inflicted, including sword canes and any kind of sharp pointed canes; or
 - b. Slingshots, flippers or bludgeons; or
 - c. Bow and arrow, crossbow or related weapons; or
 - d. Any other weapon with which dangerous wounds can be inflicted.

SECTION 2. PERMITS.

The City Council may, at any time, upon receipt of proper application, grant permits to shooting galleries, gun clubs and others for shooting in fixed localities and under specified rules. Such permits shall be in writing, attested by the City Clerk and conforming to such requirements as the City Council shall demand, and the permit thus issued shall be subject to revocation at any time by action of the City Council. Such rules and regulations concerning permits and the revocation of permits shall be adopted by the City Council by Resolution.

SECTION 3. DISCHARGE OF DEADLY WEAPONS PROHIBITED.

- a. It shall be unlawful for any person to use or discharge deadly weapons of any kind or description within a Residential Zone and/or a Commercial Zone within the City Limits.
- b. It shall be unlawful for any person to use or discharge deadly weapons of any kind or description carelessly or without due caution and in a manner so as to endanger or which is likely to endanger any person or property within a Suburban, Rural, or Agricultural Zone within the City Limits.

SECTION 4. EXCEPTIONS. The discharge of any deadly weapon of any kind or description under the following circumstances IS NOT a violation of this Ordinance:

- a. Protection of Life: The discharge of a deadly weapon in the protection of life or property;
or
- b. Law Enforcement Officer: The discharge of a deadly weapon by law enforcement during the course of his or her duties; or
- c. Military Personnel: The discharge of a deadly weapon by military personnel at military functions such as parades and funerals, and the firing of blank charges by such personnel;
or
- d. Permitted: The prohibitions of this Ordinance shall not apply to a licensed shooting gallery or on private grounds or premises within Suburban, Rural, or Agricultural Zones within the City Limits and under circumstances when such weapon can be fired, discharged or operated in a manner such as not to endanger persons or property, and also in such manner as to prevent the projectile from traversing any ground or space outside the limits of such gallery, grounds or residence.

Nothing contained in this Ordinance shall be construed to prevent the carrying of such weapons, when unloaded, to or from any range or gallery or to or from an area where the discharge of such weapon has been permitted by law.

SECTION 5. PENALTIES FOR VIOLATION. Any person who violates or fails to comply with any of the provisions of this Ordinance is guilty of a misdemeanor, punishable by imprisonment in a county jail not to exceed six (6) months, or by a fine not to exceed One Thousand Dollars (\$1,000), or both. (Idaho Code §50-302)

SECTION 6. SEVERABILITY. The provisions of this Ordinance are hereby declared to be severable and if any provision of this Ordinance or the application of such provision to a person or circumstance is declared to be invalid for any reason such declaration shall not affect the validity of the remaining portions of this Ordinance.

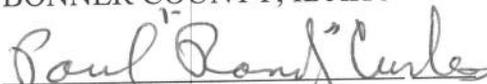
SECTION 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect upon passage and publication as provided by law.

Upon suspension of the rules and a motion and second to approve the foregoing the following vote was recorded:

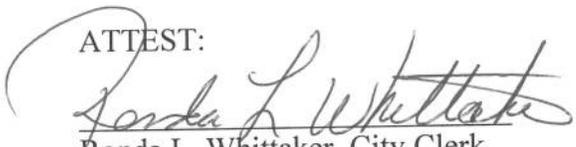
Councilwoman Shaha - Aye
Councilman Darling - Aye
Councilwoman Burge - Aye
Councilwoman Travis - Aye

PASSED AND ADOPTED BY THE DOVER CITY COUNCIL AND APPROVED BY THE MAYOR THIS 12th DAY OF September 2013.

CITY OF DOVER
BONNER COUNTY, IDAHO


Paul "Randy" Curless, Mayor

ATTEST:


Ronda L. Whittaker, City Clerk