

Sec. 34-21. - Weapons.

(a)

Firearms.

(1)

Firearms use instruction required. Minnesota State Statutes known as M.S.A. 97B.015, 97B.021, and 97B.025 which pertain to the safe use of firearms and instructions in using are hereby adopted by reference. Every provision contained in said statutes are made a part of this Code as if fully set forth herein.

(2)

Firearm. "Firearm" means a gun that discharges shot or projectile by means of an explosive, a gas, or compressed air.

(3)

Discharge prohibited. Except as hereinafter provided, no person shall fire or discharge any gun, pistol or firearm of any description within the limits of the city without first obtaining a city permit.

(4)

Possession prohibited. Except as hereinafter provided, no person shall have in their possession any gun, pistol or firearm of any description within the limits of the city unless said pistol, gun or firearm is dismantled or broken apart or carried in a case in such a manner that it cannot be discharged, nor shall any person carry or conceal any pistol or firearm upon their person without a proper permit required under this section or by state statute.

(5)

Law enforcement officers. The terms of this section shall not prohibit the possession or discharge of firearms by duly authorized peace officers or military authorities.

(6)

Firing ranges. The terms of this section shall not prohibit the possession or discharge of firearms upon a firing range, either indoor or outdoor, provided said range is properly equipped and supervised to insure reasonable safety as determined by the certificate of the chief of police of the city or pursuant to licensing ordinances hereinafter enacted for such ranges.

(7)

Protection of home and family. Nothing in this section shall prevent the possession, storage or use of a firearm within the home when done in the lawful defense of person, family or property.

(8)

Discharge of firearms.

a.

The owner or tenant or persons having written authorization of such owner or tenant may, upon the land of the owner or the owner's tenant, discharge firearms in hunting wild game in accordance with the laws of the State of Minnesota and this section.

b.

Discharge of firearms shall not be permitted within 1,500 feet of any residential dwelling or other structure, park or playground without a city permit that specifically grants permission.

c.

The use of a lead shot or a lead round of any kind may only be used by permit only.

(9)

Permit to hunt or discharge. A permit to hunt or discharge a firearm within the city is required and shall be issued by the police chief.

(10)

Target shooting. A permit to "target shoot" is required for either firearm or bow and arrow, and may be issued by the police chief. The police chief or his designee must inspect the location prior to a permit being issued.

(b)

Bows and arrows.

(1)

Use of bows and arrows.

a.

The use of a bow and arrow for hunting or target shooting purposes shall be permitted in the city in accordance with the laws of the State of Minnesota and this section.

b.

Bow and arrow hunting shall not be permitted within 500 feet of any residential dwelling or other structure, park or playground without a city permit that specifically allows it.

c.

Hunting shall not be permitted within 500 feet of any trunk highway without a city permit that specifically grants permission.

(3)

Permits for bow and arrow hunting. A permit for bow and arrow hunting shall be required prior to such hunting in the city. Applicants for a bow and arrow hunting permit shall apply to the police chief or his/her designated representative.

(4)

Restrictions. Bow and arrow hunting shall not be within 500 feet of any residential structure, commercial structure, park or playground, or any trunk highway without a city permit that specifically grants permission.

(c)

Permit issuance and administration.

(1)

Authority. The police chief shall be granted the authority to administer the permit process and issue permits under this section.

(2)

Permit denials. Any party that has a permit request denied under this section may appeal to the board of administrative hearings. The request for a hearing must be in writing, detailing the reason for the appeal, and shall include the filing fee as set in the city rates and fees schedule. The filing fee would be refunded if the Hearing Board reverses the denial and issues a permit.

(Code 1978, § 5.07; Ord. No. 73-10, 8-20-1973; Ord. No. 73-14; Ord. No. 83-15; Ord. No. 05-26, 11-14-2005; Ord. No. 08-06, § 2, 2-12-2008; Ord. No. 09-10, § 2, 7-14-2009)

State law reference— *Local firearms ordinances, Minn. Stats. § 471.633.*