

ORDINANCES CITY OF GRAPELAND

Ordinance Number 08-0802

AN ORDINANCE BY THE CITY OF GRAPELAND, HOUSTON COUNTY, TEXAS, STRICTLY PROHIBITING THE DISCHARGE OF FIREARMS WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF GRAPELAND, HOUSTON COUNTY, TEXAS.

ARTICLE I

DECLARATION OF POLICY

It currently is and shall continue to be the policy of the City of Grapeland, Houston County, Texas, to promote the safety, welfare and health of the City's residents by regulating the discharge of firearms, within the corporate limits of the City of Grapeland.

ARTICLE II

FIREARMS

Defined

The term "firearms", as used in this article, shall mean any instrument used to propel any shot, shell or bullet or other harmful objects by the action of gunpowder exploded within it, or by the action of compressed air within it, or by the power of springs and including what are commonly known as air rifles and BB guns.

Discharge prohibited.

It shall be unlawful for any person to discharge firearms of any kind or description within the city; provided, however, that this section shall not apply to police officers in the discharge of their duties.

Permits

The city council may, at any time, upon receipt of a proper application, grant permits to shooting galleries, gun clubs and others for shooting in fixed localities and under specified rules. The permits shall be in writing attested by the city secretary and shall conform 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.

**ARTICLE IV
PENALTY**

Any person found guilty of violating any provision of this ordinance is guilty of a Class C Misdemeanor and may be fined not more than five hundred dollars (\$500.00). Each day or part of a day a person is found guilty of violating any provision of this ordinance shall be guilty of a new and separate offense.

**ARTICLE V
CUMULATIVE AND REPEAL OF CONFLICTING ORDINANCES**

The provisions of this ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent that such inconsistency or conflict is apparent.

**ARTICLE VI
SEVERABILITY**

If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Grapeland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

**ARTICLE VII
EMERGENCY DECLARED**

The importance of this Ordinance and the intent and purpose thereof intended for the benefit of the citizens and property owners for the City of Grapeland, Houston County, Texas, constitutes an emergency and an imperative public necessity dictates that it be declared to be an emergency measure and that this Ordinance shall take effect immediately from and after its passage and accordingly, it is so enacted.

Passed and Approved this 12th day of August, 2008.

CITY OF GRAPELAND

BY:



DAN WALLING, MAYOR

ATTEST:



DONNA DEAL, CITY SECRETARY