

AN ORDINANCE OF THE BOARD
OF MAYOR AND ALDERMEN OF THE
TOWN OF LOUISVILLE, TENNESSEE,
PROVIDING FOR THE REGULATION
OF THE DISCHARGE OF FIREARMS
WITHIN CLOSE PROXIMITY TO
RESIDENTIAL STRUCTURES, PUBLIC PARKS,
SCHOOLS, CHURCHES AND PUBLIC ROADS

ORDINANCE NO. 2018-

FIRST READING
DATE PASSED:

SECOND READING
DATE PASSED:

PUBLIC HEARING:

BE IT HEREBY ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF LOUISVILLE, TENNESSEE, AS FOLLOWS:

WHEREAS, The Board of Mayor and Alderman desire for the Town of Louisville to exercise its authority under the law to provide for the regulation of the discharge of firearms within close proximity to residential structures, public parks, schools, churches public roads and public right of ways; and

WHEREAS, it has been determined that the adoption of such an ordinance is necessary and proper for the health, safety and welfare of citizens of the Town of Louisville;

THEREFORE, IT IS ORDAINED:

1. **Definitions.** As used in this ordinance, the following terms shall mean:
 - a. **Person:** An individual, group of individuals or entity.
 - b. **Public Parks and Public Recreation Area:** Any and all buildings, lands and waters, including roadways, recreation equipment, structures and the flora and fauna therein, located within the Town of Louisville and owned, leased or operated by the Town of Louisville or any other governmental entity as a park or recreation area and open to the general public for park or recreation purposes.
 - c. **Building:** Any structure having a roof supported by walls, posts, or columns.
 - d. **Residential Structure:** A building designed, constructed, or used for the shelter, housing or enclosure of persons as well as any building or structure accessory to such use.

2. **Distance Limitation.**

- a. No person shall discharge a firearm within one hundred (100) yards, as measured by a direct line to the closet point, of any residential structure, whether or not such residential structure is on public or private lands, without the owner's written permission.
- b. In addition, no person shall discharge a firearm within one hundred (100) yards, as measured by a direct line to the closet point of the boundary line of any public park or public recreation area, school, church or other place of public gathering.
- c. No person shall discharge a firearm on a public road or public right of way or within one hundred (100) yards, as measured by a direct line to the closet point, of any public road or public right of way.

3. **Exception.** The provisions of this ordinance shall not apply to the discharge of a firearm in reasonable protection of a person or property.

4. **Penalty.** A violation of any provision or section of this ordinance shall constitute a Class C misdemeanor. Upon a third or further subsequent violation of this ordinance the Town of Louisville is authorized to seek forfeiture of the firearm used in violation of this ordinance consistent with the provisions of TCA section 70-6-202.

5. **Jurisdiction.** The General Sessions Court for Blount County, Tennessee, is hereby granted authority and shall have jurisdiction to enforce this ordinance by assessing the monetary penalties and ordering forfeiture as provided under Section 4 above.

6. **Initiation of Proceedings.** All proceedings for the violation of any provision or section of this Ordinance shall be initiated by a citation issued by a law enforcement officer.

7. **Strict Liability.** Any person causing personal injury or property damage from the recreational discharge of a firearm shall be strictly liable for such damage or injury

8. **Supplemental Nature of This Ordinance.** The provisions of this ordinance are in addition and supplemental to, and not in substitution for, any other provision in the municipal charter, this municipal code of ordinances or other applicable state and federal law.

9. **Effective Date.** This ordinance shall take effect upon its adoption on second and final reading, the public welfare requiring it.

Mayor

Town Recorder