

PUBLIC PEACE AND WELFARE

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CHAPTER 9.24 WEAPONS AND FIREWORKS

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§ 9.24.1 POSSESSION OF FIREARMS.

(A) For the purposes of this chapter, *FIREARM* means a pistol, revolver, gun, rifle, including a miniature weapon, spring gun, air gun, BB gun or other weapon which projects a missile or shot by force of gunpowder or any other explosive, by spring or by compressed air, jet or rocket propulsion.

(B) It is unlawful for any person to possess or carry a firearm, loaded or unloaded, in a park, public building, school, school premises, school parking lot or school premises used in connection with public passenger transportation. The prohibitions in this section do not apply to:

- (1) A peace officer acting within the scope of duty, any government employee authorized or required by their employment or office to carry or use firearms or any person authorized by permit of the Police Chief to possess or discharge a firearm;
- (2) Any person issued a lawful concealed weapons permit (unless an area has been deemed a weapon-free zone by the Municipal Judge);
- (3) The possession of a bow and arrow in an archery range duly established and supervised as a part of a formal program of education by any recognized institution of learning;
- (4) Persons authorized by written permission of the Police Chief to discharge blank ammunition for a lawful purpose; or
- (5) Hunters using the Riverview Park dock facility as access for boat hunting.

(Prior Code, § 44.186) (Ord. 1249, passed 12-10-1991; Am. Ord. 1468, passed 5-13-2008) Penalty, see § 1.3.1

§ 9.24.2 DISCHARGING A WEAPON.

(A) A person commits the offense of discharging a weapon if he or she discharges a firearm, air rifle, pellet gun, bow and arrow, sling shot, catapult or other device capable of propelling a shot, arrow or other projectile with force sufficient to cause risk of injury to person or property, within the limits of the city.

(B) This section shall not apply to:

- (1) A peace officer who shall discharge a firearm in the line of the officer's official duty;
- (2) The discharge of an arrow in an archery range duly established and supervised as a part of

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a formal program of education by any recognized institution of learning;

(3) Any person justified in using deadly physical force under the provisions of ORS Ch. 161;

(4) Adult persons (age 18 years or older) utilizing a pellet gun to euthanize a nutria which has been caught in a trap on private property, and with permission of the property owner. Persons so discharging a weapon under this exemption must first notify the Police Department to advise their name, location and approximate time they will be using the weapon. (ODPW Rules [OAR 635-056] states trapping of nutria is permitted but transport and/or release of the animal is not allowed).

(Prior Code, § 44.185) (Ord. 1207, passed 1-9-1990; Am. Ord. 1468, passed 5-13-2008) Penalty, see § 1.3.1

§ 9.24.3 CONCEALED WEAPONS.

(A) Except as provided in ORS 166.260 and ORS 166.291, as now constituted and hereafter amended, no person shall carry concealed about his or her person or carry concealed in a vehicle a revolver, pistol or other firearm, any knife other than an ordinary pocket knife, any dirk, dagger or stiletto, any metal knuckles or any other weapon by the use of which injury could be inflicted upon the person or property of another.

(B) For purposes of this section, an **ORDINARY POCKET KNIFE** is 1 with a maximum blade length of 3 and 1/2 inches, which is not a switchblade or spring-blade knife.

(Prior Code, § 44.180) (Am. Ord. 1468, passed 5-13-2008) Penalty, see § 1.3.1

§ 9.24.4 FIREWORKS.

The following sections of the Oregon Fireworks Law, together with all acts and amendments applicable to cities which are now in effect, are adopted by reference and made a part of this chapter: ORS 480.110, 480.120, 480.130, 480.140(1) and 480.150.

(Prior Code, § 44.190) (Am. Ord. 1468, passed 5-13-2008)