

ORDINANCE NO. 1776

AN ORDINANCE OF THE CITY OF WOODBURY, WASHINGTON COUNTY, MINNESOTA PROVIDING THAT THE CITY CODE BE AMENDED BY AMENDING CHAPTER 13: MISCELLANEOUS PROVISIONS AND OFFENSES, SECTION 13-5 WEAPONS

THE CITY COUNCIL OF THE CITY OF WOODBURY, WASHINGTON COUNTY,
MINNESOTA DOES ORDAIN:

1776.01 that language be added and deleted in Chapter 13, Miscellaneous Provisions
and Offenses, Section 13-5 Weapons, of the City Code as follows:

13-5. Weapons.

(a) In this section:

- (1) Closed area means that area of the city which is so designated by city council resolution from time to time.
- (2) *Controlled weapons* are defined as any gun or device from which a shot or projectile is discharged by means of gas, or compressed air, or any *other* mechanical means capable of launching said projectile or arrow and includes, but is not limited to, pellet and BB guns, archery bows, crossbows, wrist rockets, sling shots, and paint ball guns.
- (3) *Firearms* are defined as any gun from which any projectile is discharged or propelled by means of an explosion, excluding devices used exclusively for the firing of stud cartridges, explosive rivets, or similar industrial apparatus, instruments, or equipment used by construction personnel, licensed physicians or veterinarians in the course or scope of their professions.
- (4) Shotgun only in designated "open" areas. The city council may, by resolution, designate certain areas of the city to be open to shot guns only. Upon the adoption of such a resolution, it shall be unlawful for any person to discharge any firearm other than a shot gun within such designated areas. The maximum size of the shot which may be used in such designated areas is a No. 2 steel shot or smaller or a No. 4 lead/Bismuth/tungsten/Hevi-Shot or similar shot or smaller. The use of appropriate shot is also dictated by MN DNR regulations. The use of shotguns slugs shall be prohibited. The Department of Public Safety may grant a limited permit to allow the discharge of a firearm other than a shotgun or a shotgun with slugs.

(b) Minnesota Statutes, Chapters 97 through 100 and sections 624.71 through 624.715 as amended by laws of 2006, are adopted by reference as if fully set forth herein.

(c) It shall be unlawful for any person to discharge any firearm or other controlled weapon in any place or manner so as to endanger any person or property even if no injury or damage results.

- (d) It shall be unlawful for any person to discharge any firearm within the closed area. The Department of Public Safety may grant a limited permit to allow the discharge of a firearm by person(s) demonstrating a reasonable necessity for such action.
- (e) It shall be unlawful within the closed area for any person on property not his own to possess, carry or have under his control any firearm except:
 - (1) To carry it between his residence or place of business and his vehicle for transportation in accordance with state law; or
 - (2) To carry it between his vehicle and a gun dealer or gunsmith shop; or
 - (3) To carry a handgun unless the person has a valid permit to do so.
- (f) It shall be unlawful for any person to discharge a firearm or controlled weapon in any residentially platted area zoned R-2 or R-4, in any city park, or on any school property, in any developed business, commercial or industrial area. The chief of police may grant a limited permit to allow the discharge of a controlled weapon to person(s) demonstrating a reasonable need.
- (g) It shall be unlawful for any person on any property not his own to possess, carry, or have under his control any controlled weapon in any residentially platted area zoned R-2 or R-4, in any city park, on any school property, or in any developed business, commercial, or industrial area except for transportation in a locked container, in the trunk of a vehicle, or if the vehicle has no trunk, the rear most portion of the vehicle inaccessible to occupants. The Department of Public Safety may grant a limited permit to person(s) demonstrating a reasonable necessity for such action.
- (h) It shall be unlawful for any person to possess, carry or have under his control any firearm upon the land of another without the written permission, or be in the presence of, the owner or lessee of that land. The person(s) authorized to hunt/shoot must have in their possession the written permission. Written permission must be dated and include the following: the full name, address, date of birth, phone number, and signature of the person authorized to hunt or shoot on identified land; the full name, address, phone number and signature of the landowner or lessee.

It shall be unlawful for any person to possess, carry or have under his control any controlled weapon upon the land of another without the written permission, be in the presence of, or have the oral permission of the owner or lessee of that land. If permission is oral, the person must be able to provide immediately the name, address, and phone number of the owner or lessee from whom permission was obtained, and if requested, must be able to produce written verification of that permission within seventy-two (72) hours.

- (i) Subsections (c) through (h) do not apply to law enforcement or military personnel while in the course of their duties.
- (j) It shall be unlawful for any person to be in possession of, carry, or transport any firearm or other controlled weapon while under the influence of alcohol or a controlled substance.
- (k) Firearm discharge is permitted by the land owner or designee for the control of varmints in any area of the city except residentially platted area zoned R-2 or R-4, any city park, or any school property, or in any developed business,

commercial, or industrial area provided it is done in a safe and prudent manner and in possession of a limited permit signed by a Department of Public Safety Representative.

1776.01 Effective Date

This Ordinance shall become effective upon its passage and publication according to law.

Passed and adopted by the City Council of the City of Woodbury, Washington County, Minnesota, this 27th day of September 2006.

William J. Hargis
Mayor

ATTEST:

Clinton P. Gridley, City Administrator

(SEAL)

Adopted:
Published: