

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF COPPELL, TEXAS, AMENDING THE CODE OF ORDINANCES BY REPEALING CHAPTER 9, ‘GENERAL REGULATIONS’, ARTICLE 9-3 ‘FIREARMS’ IN ITS ENTIRETY AND REPLACING IT WITH A NEW CHAPTER 9, ‘GENERAL REGULATIONS’, ARTICLE 9-3 ‘FIREARMS’; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Coppel finds it will benefit to amend and update the City’s Code of Ordinances; and

**WHEREAS**, the City of Coppel believes that additional regulations are needed and is in the best interests of the citizens and; and

**WHEREAS**, the City staff have made a comprehensive review and recommended changes which have been reviewed by City Council; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF COPPELL, TEXAS:**

**SECTION 1.** The City of Coppel Code of Ordinances, to repeal Chapter 9 “General Regulations”, Article 9-3 “Firearms”, in its entirety and replace with a new Chapter 9, “General Regulations” Article 9-3 “Firearms” to hereinafter read as follows:

**“CHAPTER 9 – GENERAL REGULATIONS**

**.....**

**ARTICLE 9-3 – FIREARMS/WEAPONS**

**Sec. 9-3-1. – Definitions**

*Bow* means a weapon for shooting arrows and/or projectiles, typically made of a curved piece of wood, fiberglass or carbon fiber whose ends are joined by a taut string, and shall include any cross-bow, longbow or other such device.

*Cross bow* means fixed across a wooden, fiberglass, carbon fiber, or combination thereof, support and has a groove for the bolt and a mechanism for drawing and releasing the string.

*Handgun* means any firearm that is designed, made, or adapted to be fired with one hand.

*Firearm* means any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use. Firearm does not include a firearm that may have, as an integral part, a folding knife blade or other characteristics of weapons made illegal by this chapter and that is:

- (A) an antique or curio firearm manufactured before 1899; or
- (B) a replica of an antique or curio firearm manufactured before 1899, but only if the replica does not use rim fire or center fire ammunition.

*Improvised explosive device* means a completed and operational bomb designed to cause serious bodily injury, death, or substantial property damage that is fabricated in an improvised manner using nonmilitary components. The term does not include:

- (A) unassembled components that can be legally purchased and possessed without a license, permit, or other governmental approval; or
- (B) an exploding target that is used for firearms practice, sold in kit form, and contains the components of a binary explosive.

*Knife* means any exposed bladed edge over six (6) inches in length instrument that is capable of inflicting serious bodily injury or death by cutting or stabbing a person with the instrument.

*License holder* means a person licensed to carry a handgun under Chapter 411 of the Texas Govt Code, as amended.

*Long bow* means a large bow.

*Premises* means a building or a portion of a building. The term does include any public street, sidewalk or walkway, parking lot, parking garage, or other parking area.

*Zip gun* means a device or combination of devices that was not originally a firearm and is adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion, burning or mechanical device.

### **Sec. 9-3-2. - Regulation of *firearms*.**

- A. **Discharging *firearms* unlawful.** It shall be unlawful for any person to fire, discharge or shoot, or cause to be fired or discharge any handgun, BB gun, air rifle, air gun, pellet gun, zipgun, *firearm or handgun*, within the corporate limits of the city; provided however, this section shall not apply to persons who discharge, shoot or fire a pistol, rifle or any other device capable of discharging a solid projectile by mechanical springs as long as the person is within the legal boundaries of their own property and the projectile does not exit outside the boundaries of said property.

- B. Exempting peace officers. Provided, however, that this article shall not apply to licensed peace officers while in the performance of their official duties.
- C. It shall be unlawful for any person to cause, discharge or shoot any bow or projectile from any bow within the corporate limits of the City.

**Sec. 9-3-3. - Possessing or carrying weapons.**

- A. It shall be unlawful for any person to carry any *firearm* except by a person who is a license holder under State law to carry a handgun or carry or display any knife on any public property, including but not limited to the following municipal owned property
  - 1. Public park(s);
  - 2. Special events;
  - 3. Community Center;
  - 4. Within any portion of Old Town Commons;
  - 5. City Annex Building;
  - 6. City Service Center; or
  - 7. CORE Center
  - 8. Town Center
- B. Nothing withstanding the provisions in Subsection (A) of this section, no person may carry any firearm or bow into or on the premises of a building or structure where there is a meeting room of the governing body of the City or Independent School District is being held or into any building wherein a court resides.
- C. The city manager shall cause appropriate signs to be erected at the entrances to municipal buildings and premises required by State law; and, shall require that all agendas for city council, boards and commissions meetings shall contain a notice, in both English and Spanish, that it is unlawful to carry any firearm on the premises and is in violation of State law and/or this ordinance. The sign posted at entrances shall be in compliance with State law.
- D. That the regulations contained in this section shall not apply if the *firearm or bow* is in case or enclosure and is carried to or from an area designated for use in a lawful hunting, fishing or other sporting event.”

**SECTION 2.** That all provisions of the ordinances of the City of Coppell in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Coppell not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3.** That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

**SECTION 4.** An offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended in effect when the offense was committed, and the former law is continued in effect for this purpose.

**SECTION 5.** That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Coppell, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense.

**SECTION 6.** This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.”

**DULY PASSED** by the City Council of the City of Coppell, Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

**CITY OF COPPELL, TEXAS**

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**KAREN SELBO HUNT, MAYOR**

**ATTEST:**

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**CHRISTEL PETTINOS, CITY SECRETARY**

**APPROVED AS TO FORM:**

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**ROBERT E. HAGER, CITY ATTORNEY**