

Code of Ordinances City of Pine Bluff, Arkansas

Sec. 14-26. Discharging firearms.

(a) The discharging or firing of any weapon, modern or primitive, or any bow instrument where the pull of the bow is thirty (30) pounds or more, compound bow, crossbow, recurved bow, long bow, air rifle, pellet gun, or firearm of any description within the city is prohibited with the following exceptions:

(1) When discharged or fired by a duly certified law enforcement officer when necessary in the performance of his duty.

(2) The chief of police may issue a permit to a state licensed and qualified pest exterminator authorizing the use of either an air rifle, air gun, or pellet gun for the purpose of eradicating pests causing injury or damage to property, or the existence of which creates a health hazard within this city. Such permit will restrict the use of such weapon to a designated area, for a limited period of time and to a specific person, and shall identify specifically the weapon to be used.

(3) The discharge of any weapon by a certified law enforcement or regulatory officer of any local, state or federal agency if the discharge is necessary to the performance of the officer's duty.

(4) The discharge of any bow instrument, compound bow, crossbow, recurved bow, long bow, or firearm on any public or private archery, rifle or pistol range, or shooting gallery, which has been approved in writing by the chief of police. Jefferson Gun Club, Pine Bluff Bow Hunter's Regional Park East and Delta Rivers Archery Range are known existing ranges which shall be permitted under this provision.

(5) The discharge of any bow instrument, compound bow, crossbow, recurved bow, long bow, at a stationary target with significant backdrop on the person's property, or upon property for which the person has the owner's permission to practice, if the stationary target is set up in such a way that it poses no risk of harm to any person or property.

(6) Archery discharge for the taking of wild game on private property with the landowner's written permission, in compliance with all Arkansas Game and Fish Commission Rules and Regulations and no closer than two hundred (200) yards to any residence.

For purposes of this section, a weapon is defined as:

(1) A firearm or anything manifestly designed, made or adapted for the purpose of inflicting death or serious physical injury; or

(2) Anything that in the manner of its use or intended use is capable of causing death or serious physical injury.

(b) The possession of any of the weapons or instruments listed in subsection (a) above in a city park or upon other municipally-owned or maintained within the city limits of Pine Bluff is prohibited, except as provided in subsection (a), or as provided in the state concealed handgun law, A.C.A. § 5-73-103, which authorizes law enforcement officers to carry weapons, or A.C.A. § 5-73-122, which provides that mere possession is allowed as long as the firearm or weapon is unloaded.

(c) The possession or use of any permanent stand, such as that commonly used for deer hunting, is prohibited in a city park or municipally-owned or maintained property.

(d) There shall be a presumption that possession of loaded weapons or instruments listed in subsections (a) or (c) in a city park or upon other municipally-owned or maintained property in contravention of the exceptions listed in subsections (a) and (c), is for the purpose of or to aid in the discharging or firing said weapon or instrument unlawfully.

(e) It shall be unlawful to chase, snare, catch, tease, molest, injure or antagonize animals in any way within the city limits or to throw or fire any projectile at or towards animals within the city limits, except as may be authorized by subsection (a) of this section.

(f) Any law enforcement officer acting under this section shall seize as evidence the firearm, weapon, modern or primitive, bow and equipment, pistol, rifle, apparatus or implement unlawfully in the possession of the perpetrator as well as any animal or game killed or injured in the possession of the perpetrator when cited or arrested for a violation of subsections (a), (b) or (e) of this section.

(g) A violation of this section shall be deemed a misdemeanor. The perpetrator must appear in court and upon conviction thereof, a fine of no less than three hundred dollars (\$300.00) nor more than five hundred dollars (\$500.00) shall be assessed and any firearm, weapon, bow and equipment, pistol, rifle, apparatus, implement seized by the law enforcement official pursuant to this ordinance shall be deemed contraband and shall be forfeited to law enforcement by the Court to be destroyed, sold, or if capable of lawful use, retained by the law enforcement agency responsible for the arrest.

(h) Repeat offenders shall be punished by double such sum provided for in subsection (d) of this section for each repetition thereof.

(Code 1967, §§ 23-23, 23-24; Ord. No. 6049, § 1, 3-17-03; Ord. No. 6122, §§ 1--8, 12-6-04)

Sec. 14-27. Reserved.

Editor's note: Ord. No. 6119, § 1, adopted Nov. 15, 2004, repealed § 14-27 in its entirety. Formerly, said section pertained to hunting prohibited within the city limits as enacted by Ord. No. 5629, § 1, adopted Oct. 2, 1995; as amended.