

ORDINANCE NO. 2020-003

CITY OF LITTLE FLOCK, ARKANSAS

AN ORDINANCE PROHIBITING THE DISCHARGE OF FIREARMS NEAR
SCHOOLS, AND FOR OTHER PURPOSES.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
OF LITTLE FLOCK, ARKANSAS AS FOLLOWS:

1. Addition of Chapter 7.28 to Title 7 of the Little Flock Code. Chapter 7.28 is hereby added to Title 7 of the Little Flock Code and shall read as follows:

CHAPTER 7.28

PROHIBITION OF THE DISCHARGE OF FIREARMS NEAR SCHOOLS

Sections

- 7.28.01 Definitions
- 7.28.02 Prohibition
- 7.28.03 Exceptions to the Prohibition
- 7.28.04 Penalty
- 7.28.05 Severability
- 7.28.06 Repealer

7.28.01 Definitions.

Firearm shall mean either of the following:

- a. Any device, such as, but not limited to, pistols, rifles, and shotguns, designed, made, or adapted to expel a projectile by an explosive force.
- b. Any device readily convertible to expel a projectile by an explosive force, such as by adding a clip or by inserting a bullet, shell, or cartridge into the firing chamber.

Discharge of Firearm shall mean either of the following:

- a. The expelling or a projectile from a firearm as defined herein.
- b. The firing of a blank bullet, shell, or cartridge that contains no projectile in a Firearm as defined herein.

School shall mean a public, private, parochial, charter, or alternative educational program that offers kindergarten through grade 12 or any part thereof.

School Property shall mean all land owned by, rented by, or used by a school, as

defined herein, provided that there is at least one building on the said land that is used, at least in part, for instruction of kindergarten through grade 12 students or any part thereof.

7.28.02 Prohibition. No person, from within the City of Little Flock, shall Discharge a Firearm within 1,000 feet of a School Property, whether the School Property is located within the City of Little Flock or not.

7.28.03 Exceptions to the Prohibition. The following are not prohibited by this Chapter:

- a. The Discharge of a Firearm by a law enforcement officer in the discharge of the officer's official duties.
- b. The Discharge of a Firearm by anyone to prevent the commission of a felony involving force or violence.
- c. The Discharge of a Firearm by anyone to protect that person against the use of unlawful deadly physical force.
- d. The Discharge of a Firearm by anyone to protect another person against the use of unlawful deadly physical force.

7.28.04 Penalty. Any person who violates Section 7.28.02, without having an exception as provided in Section 7.28.03, shall be guilty of an offense and upon a first conviction shall be assessed a fine of \$100 to \$300 and upon a second or subsequent conviction shall be assessed a fine of \$400 to \$1,000.

7.28.05 Severability. If any part of this Chapter is held invalid, the remainder of this Chapter shall continue in effect as if such invalid portion never existed.

7.28.06 Repealer. All ordinances, resolutions, or orders of the City Council, or parts of the same, in conflict with this Chapter are repealed to the extent of such conflict.

2. Emergency. An emergency is declared because the discharge of firearms near has been frightening students and school personnel; so this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED on _____, 2020.

Attest

CITY OF LITTLE FLOCK, ARKANSAS

LINDA USREY, Recorder/Treasurer

By _____
TRACY ENGLEBRECHT, Mayor