

RESOLUTION NO. 01212014-2
A RESOLUTION OF THE CITY OF NEW CASTLE CORRECTING
NEW CASTLE CITY CODE REGARDING FIREARMS CONTROL

WHEREAS, the New Castle Board of Public Works on October 3, 2011, adopted a resolution which in part declared, "It is further resolved that any prior policy or motion passed by any prior Board of Public Works and Safety or administration that regulates the possession or carrying of firearms or ammunition is hereby repealed."; and,

WHEREAS, said resolution was confirmed by the Common Council of the City of New Castle on the same date at its public meeting; and,

WHEREAS, said resolution conforms with the mandate established by the Indiana General Assembly when it adopted I.C. 35-47-11.1-2; and,

WHEREAS, it has been brought to the attention of the City Council that certain provisions of the New Castle Codified Code of Ordinances have not been removed in accordance with said resolution.

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE that its laws and regulations should in all respect conform with the mandates of the Indiana General Assembly and more particularly with regard to its mandates regarding firearms and ammunition as set forth in I.C. 35-47-11.1-2 which provides that political subdivisions of the state may not regulate firearms, ammunition, firearm as an accessory, the ownership of, possession, carrying, transportation, registration, transfer or storage of firearms, ammunition and firearm accessory or commerce in and taxation of firearms, firearms ammunition and firearms accessory except in the case of prohibiting same from Courtrooms. It is resolved that all provisions of the New Castle City Code which contradict or violate this provision have been repealed and revoked by its prior acts. Further such provisions should be removed from the codified version of the New Castle City Code. More specifically, New Castle Code Section 91.01(A)(6)(G) and 92.05(G) should be deleted from the codified version of the New Castle City Code as it appears in print and online.

REPEALER: All resolutions or parts of resolutions in conflict herewith are hereby repealed.

SEVERABILITY: Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation shall be inapplicable, shall be deemed omitted but the rest and remainder of this resolution, to the extent feasible, shall remain in full force and effect.

EFFECTIVE DATE: This resolution shall become effective immediately upon passage.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE
THIS _____ DAY OF _____, 2014.

Greg York, PRESIDING OFFICER
COMMON COUNCIL, NEW CASTLE, IN

ATTEST:

CHRISTY YORK, CLERK-TREASURER

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APPROVED BY ME THIS _____ DAY OF _____, 2014.

Greg York, Mayor
City of New Castle, Indiana