

## ORDINANCE NO. 3876

### AN ORDINANCE AMENDING SECTION 130.01 OF THE NEW CASTLE CITY CODE

WHEREAS, the City of New Castle ("City") has enacted Section 130.01 of the New Castle City Code, entitled *Discharge of Firearms Prohibited*, which provides, "... it is declared unlawful for any person to discharge, fire, or shoot a sling shot, firearm, air rifle, pellet gun, or any other device whereby a pellet or other projectiles is propelled by the explosive power of either gun powder or air, within the limits of the city." and;

WHEREAS, the City has determined that shooting of an arrow and the throwing of knives, axes, or other objects with a blade poses a danger to persons and property within the City and should also be prohibited.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of New Castle, Indiana, as follows:

Section 130.01 of the City Code is hereby amended to read as follows:

1. Within the City limits, no person shall discharge, fire, or shoot:
  - (a) any firearm, air rifle, or other device whereby a pellet or other projectile is propelled by the explosive power of gunpowder or air; or
  - (b) any bow and arrow, archery equipment, or slingshot.
2. Within the City limits, no person shall throw any knife, axe, spear or other tool with a blade or sharp edge.
3. This section shall not be construed to prohibit:
  - (a) any law enforcement officer from utilizing a firearm or other device in the course of duty;
  - (b) the lawful use of any weapon in self-defense;
  - (c) the lawful operation of a firearms range, archery range, or business that offers axe throwing on a property that is open to the general public and zoned for business use; or
  - (d) an exhibition that involves any of the activities described in paragraphs one (1) and two (2) that is approved in advance by the Board of Public Works and Safety.

**REPEALER:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.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 of law shall be inapplicable, shall be deemed omitted but the rest and remainder of this ordinance, to the extent feasible, shall remain in full force and effect.

**EFFECTIVE DATE:** This Ordinance shall become effective immediately upon passage and publication as required by law.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS  
\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

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Greg York, Presiding Officer,  
Common Council, City  
of New Castle, Indiana

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ATTEST:

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Brenda Grider, Clerk-Treasurer

APPROVED BY ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2021.

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Greg York, Mayor of the City  
of New Castle, Indiana