

## CITY ORDINANCE

85.13. Discharge and Transportation of Weapon. Subdivision 1. For purposes of this section, the term “firearm” shall mean any weapon from which is propelled any dart, arrow, missile, projectile or bullet by means of explosive or gas, or by energy stored in a string or spring, notwithstanding the fact that such dart, arrow, missile or projectile remains attached to the weapon by wire.

Subd. 2. Prohibition. No person shall fire, discharge or transport any firearm within the City limits. A person may transport a firearm if it is in a closed case and not ready for immediate firing or discharge.

Subd. 3. Exceptions. This section does not apply to:

- A. Law enforcement or military personnel acting within the performance of their duty;
- B. Any person lawfully defending a person or property;
- C. The transportation by a person who has obtained a permit to possess or transport a pistol under the provisions of Minn. Stat. Section 624.714;
- D. A person discharging a firearm in an outdoor shooting or archery range which has been approved for that purpose by the chief of police;
- E. Except as provided in section 85.135, a person lawfully hunting on public or private lands within the City that have been approved for use of firearms by the chief of police;
- F. A person whose firearm is using blank ammunition in conjunction with a sporting event or upon a ceremonial occasion; or
- G. A person firing or discharging a firearm which propels a single projectile which is a spherical steel shot of .177 caliber or less, commonly referred to as a “BB gun.”

Subd. 4. Any person who violates this section is guilty of a misdemeanor.

(966, 6/5/57; 2120, 5/5/80; 2166, 2/7/81; 2648, 8/22/89; 3715, 7/6/05; 3734, 9/19/05; 3830, 8/6/07; 3961, 3/15/10)

85.135. Game Hunting Within the City. Subdivision 1. No person may use a firearm, bow or other dangerous weapon in hunting game within the City except as permitted in section 85.13, subdivision 3(E) or section 85.135, subdivision 2.

Subd. 2. A person may hunt deer or wild turkeys using a bow and pointed tip arrow under all of the following circumstances:

- A. The shooting occurs on property the person owns or on another person's property if the shooter has in his possession written permission of the property owner to engage in the activity;
- B. The arrow does not travel beyond the boundaries of that property;
- C. Unless otherwise specified by written permission of the property owner, any shooting must occur at least 200 feet from any building and from any land not owned by that landowner;
- D. The shooting does not endanger anyone else;
- E. The person has in his or her possession a valid State of Minnesota Deer Archery or Turkey Season License.
- F. The person has completed a Bowhunter Educational Program and an Archery Proficiency Test, and is able to show proof of this proficiency as granted and administered by a certified Archery Instructor.
- G. A person archery hunting for deer must make use of a tree stand at least five feet from ground level unless a person engaged in hunting is physically unable. A person archery hunting for turkey must make use of a portable ground blind.
- H. Bow fishing may be done within the City in accordance with the State of Minnesota fishing regulations, except that bow fishing will be prohibited in the following waters:
  - (1) Silver lake between the 7<sup>th</sup> Street NE bridge and the T.H. 63 (North Broadway) bridge.
  - (2) Any waters located within the boundaries of Quarry Hill Park.
  - (3) The South Fork of the Zumbro River between the T.H 14 bridge and the T.H. 63 (South Broadway) bridge (Soldiers Field Golf Course).
  - (4) Cascade Creek and the future Cascade Lake area bounded by CSAH 22 ( West Circle Drive) on the west, T.H. 52 on the east, T.H. 14 on the north, and CSAH 34 ( 2<sup>nd</sup> Street SW) on the south.

Subd. 3. Any person who violates this section is guilty of a misdemeanor. The minimum penalty for a person's first offense under subdivision 2 is a fine of \$450. (3961, 3/15/10)