

**RESOLUTION NO. 2012- 09**

**A RESOLUTION PROHIBITING THE DISCHARGE OF A FIREARM**

WHEREAS, the Board of County Commissioners is entitled and authorized to exercise the powers of home rule in order to transact all county business and to perform all powers of local legislation and administration it deems appropriate pursuant to K.S.A. 19-101, et seq.; and

WHEREAS, the Board of County Commissioners of Reno County deems it necessary and appropriate for the safety and welfare of Reno County citizens to regulate and restrict the discharge of firearms along the Arkansas River.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF RENO COUNTY, KANSAS, that the following be adopted:

1. The following terms as used herein shall mean as follows:
  - a. For purposes of this Resolution, the term "firearm" shall include any rifle, pistol, revolver, or shotgun.
2. PROHIBITED PRACTICES: Unlawful Discharge of a Firearm. It shall be unlawful for any person to discharge a firearm within the banks of the Arkansas River or to discharge a firearm from public or private property when the intended target of the firearm's projectile lies within the banks of the Arkansas River.
3. This Resolution shall not be construed to apply:
  - a. To the discharge of a firearm by any duly authorized law enforcement officer when necessary in the discharge of his or her official duties.
  - b. To any activity permitted by K.A.R. 115-8-1 including hunting during open seasons for hunting on lands and waters designated

for public hunting by a person in possession of a valid hunting license issued for that purpose.

4. It shall be a defense that the defendant was acting within the scope of K.S.A. 21-5222; K.S.A. 21-5223; K.S.A. 21-5225; K.S.A. 21-5227; and K.S.A. 21-5228; and K.A.R. 115-8-1.
5. PENALTY. Unlawful discharge of a firearm as prohibited by this Resolution is a misdemeanor punishable by up to six (6) months in the County Jail or up to a \$1,000.00 fine or both such imprisonment and fine.
6. EFFECTIVE DATE: This Resolution shall become effective upon its adoption and publication once in the official County newspaper.

ADOPTED in regular session this 17<sup>th</sup> day of April, 2012.

BOARD OF COUNTY COMMISSIONERS  
OF RENO COUNTY, KANSAS

  
James D. Schlickau, Chairman

  
Dan Deming, Member

  
Brad Dillon, Member

ATTEST:

  
Reno County Clerk