

ORDINANCE NO. 2024- 10

AN ORDINANCE SETTING STANDARDS, CONDITIONS AND REQUIREMENTS  
FOR THE DISCHARGE OF FIREARMS IN THE CITY OF GLUCKSTADT AND  
PRESCRIBING PENALTIES OF THE VIOLATION THEREOF

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY  
OF GLUCKSTADT, MISSISSIPPI AS FOLLOWS:

SECTION ONE

*Definitions*

For the purposes of this ordinance, the following definitions shall apply:

1. **Firearm**: Any gun, pistol, revolver, rifle, shotgun, or other weapon designed or intended to expel a projectile by the action of an explosive, expanding gas, or mechanical force.
2. **Discharge**: The act of firing or releasing a projectile from a firearm.
3. **Public Meeting**: A meeting held in a public place or a meeting of a governmental body where the public is invited to attend or observe, including but not limited to city council meetings, county board meetings, and school board meetings.
4. **Official Political Meeting**: A gathering or assembly organized for the purpose of discussing, promoting, or conducting political activities or campaigns, including but not limited to party meetings, rallies, and political conventions.
5. **Non-Firearm-Related School, College, or Professional Athletic Event**: An event related to educational or athletic activities that do not involve or require the use of firearms, including but not limited to school sports games, college events, and professional sporting events.
6. **Self-Defense**: The use of force that is reasonably necessary to protect oneself from an imminent threat of physical harm.
7. **Chief of Police**: The chief law enforcement officer of the City of Gluckstadt or their designee.
8. **Law Enforcement Officer**: An individual who is employed by a federal, state, or local law enforcement agency and who is authorized by law to enforce the laws of the state and the City of Gluckstadt.
9. **Merchantable**: Refers to a firearm that is in a condition suitable for sale or use as determined by the court.
10. **Federally Licensed Firearms Dealer**: An individual or business entity licensed by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) to buy and sell firearms in accordance with federal law.

## SECTION TWO

### *Discharge of firearms within city; forfeiture of firearm.*

- a) If any person shall discharge any gun, pistol, or firearm of any description within the city limits, he shall be guilty of a misdemeanor. This section shall not apply to police officers in the discharge of their duties nor to the discharge of firearms at locations and times approved in advance by the chief of police or other legal cause such as self-defense. Any person found guilty of discharging a firearm within the City of Gluckstadt shall be punished by a fine of not more than \$1,000 or 90 days in jail or both.
- b) Any weapon used in violation of this section shall be seized by the arresting officer, may be introduced in evidence, and in the event of a conviction, shall be ordered to be forfeited, and shall be disposed of as ordered by the court having jurisdiction of such offense. In the event of dismissal or acquittal of charges, such weapon shall be returned to the accused from whom it was seized pursuant to § 97-37-3 of the Mississippi Code Annotated (1972), as amended.
  - 1) If the weapon to be forfeited is merchantable, the court may order the weapon forfeited to the seizing law enforcement agency.
  - 2) A weapon so forfeited to a law enforcement agency may be sold at an auction as provided by state law to a federally licensed firearms dealer, with the proceeds from such sale at auction to be used to buy bulletproof vests for the seizing law enforcement agency.
- c) The prohibition on discharging firearms in Section Two shall not apply to the use of firearms at shooting ranges that have been approved by the City of Gluckstadt, or to the site of a 07 FFL permit holder for the purposes of firearm manufacturing, gunsmithing, research and development, or has a bullet trap. Such shooting ranges must be designed in such a way as to assure that any projectile shall be fully contained within the premises of said range, and shall comply with all applicable city ordinances, state laws, and regulations governing their operation. The operator of any approved shooting range must maintain proper licenses, permits, and ensure that the range operates in a manner that does not pose a risk to public safety or violate any other applicable laws.
- d) Pursuant to Mississippi Code Annotated § 45-9-53, the prohibition on discharging firearms in Section Two shall not apply if the firearm or other weapon is:
  - 1) A shotgun, air rifle or air pistol, BB gun or bow and arrow discharged:
    - i. On a tract of land of ten (10) acres or more and more than one hundred fifty (150) feet from a residence or occupied building located on another property; and
    - ii. In a manner not reasonably expected to cause a projectile to cross the boundary of the tract; or
  - 2) A center fire or rim fire rifle or pistol or a muzzle-loading rifle or pistol of any caliber discharged:

- i. On a tract of land of fifty (50) acres or more and three hundred (300) feet from a residence or occupied building located on another property; and
- ii. In a manner not reasonably expected to cause a projectile to cross the boundary of the tract.

**SECTION THREE**

*Carrying firearms In Certain Places*

- a) It shall be unlawful for any person to carry any gun, pistol or firearm of any description at a public meeting of a county, municipality or other governmental body; or official political meeting; or a non-firearm-related school, college or professional athletic event. The provisions of this section notwithstanding, to the extent authorized by Mississippi Code Annotated, § 97-37-7(2) and 45-9-101(13), enhanced concealed carry permit holders are not prohibited from possessing a concealed firearm at the meeting place of a governmental entity; at any school, college, or professional athletic event not related to firearms; or in a parade or demonstration for which a permit is required.
- b) This section shall not apply to city police officers or other law enforcement officers in the discharge of their duties.

**SECTION FOUR**

*Effective Date*

This ordinance shall be effective thirty (30) days from and after its passage.

**ORDAINED, ADOPTED, AND APPROVED** by the Mayor and Board of Aldermen of the City of Gluckstadt, Madison County, Mississippi at a regular meeting thereof held on the 8th day of October 2024.

A MOTION to adopt the foregoing Ordinance was made by Slay and SECONDED by Bates and the foregoing having been first reduced to writing, was submitted to the Board of Aldermen for passage or rejection on roll call vote with the following results:

Alderman Maya Warfield  
 Alderman Jayce Powell  
 Alderman Wesley Slay  
 Alderman John Taylor  
 Alderman Lisa Williams

voted: Aye  
 voted: Aye  
 voted: Aye  
 voted: Aye  
 voted: Aye

CITY OF GLUCKSTADT, MISSISSIPPI

BY: Walter Morrison  
WALTER MORRISON, MAYOR

ATTEST:

Lindsay Kellum  
LINDSAY KELLUM, CITY CLERK

