

# CITY OF MARGARET, ALABAMA

## ORDINANCE NO. 2026-\_\_\_\_\_

**AN ORDINANCE REGULATING THE DISCHARGE OF FIREARMS AND CERTAIN PROJECTILE DEVICES WITHIN THE CITY LIMITS; PROVIDING EXCEPTIONS; AND REPEALING PRIOR ORDINANCES**

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**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARGARET, ALABAMA, AS FOLLOWS:**

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### **SECTION 1. TITLE; AUTHORITY; PURPOSE**

#### **1.1 Title**

This ordinance shall be known as the “**Discharge of Firearms and Projectile Devices Ordinance.**”

#### **1.2 Authority**

This ordinance is adopted pursuant to the City’s police powers under §11-45-1, Code of Alabama 1975, and is intended solely to regulate the **discharge** of weapons for the protection of public safety.

#### **1.3 Purpose**

The purpose of this ordinance is to:

1. Protect persons and property from injury;
  2. Prevent reckless or unsafe discharge of weapons;
  3. Preserve public peace and safety; and
  4. Regulate discharge without infringing upon lawful ownership or possession of firearms.
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### **SECTION 2. DEFINITIONS**

For purposes of this ordinance:

### **2.1 Firearm**

Any weapon designed to expel a projectile by the action of an explosive.

### **2.2 Projectile Device**

Any air rifle, pellet gun, BB gun, or similar device capable of expelling a projectile that may cause injury or property damage.

### **2.3 Discharge**

The firing, shooting, or releasing of a projectile from a firearm or projectile device.

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## **SECTION 3. DISCHARGE PROHIBITED**

### **3.1 General Prohibition**

Except as provided in Section 4, **no person shall discharge any firearm within the corporate limits of the City of Margaret.**

### **3.2 Projectile Devices**

No person shall discharge any projectile device within the corporate limits of the City **in a manner that endangers persons or property.**

(This replaces the old blanket BB/pellet bans with a safety-based standard.)

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## **SECTION 4. EXCEPTIONS**

The prohibitions in Section 3 **shall not apply** to:

- 1. Law Enforcement and Military**

Discharge by law-enforcement officers or military personnel acting in the lawful performance of their duties.

- 2. Self-Defense or Defense of Others**

Lawful discharge in self-defense or defense of another person, consistent with state law.

- 3. Animal Control / Humane Dispatch**

Discharge by authorized personnel for animal control, humane dispatch, or public safety purposes.

- 4. Agricultural or Pest Control Use**

Discharge on property used for agricultural or pest-control purposes, **provided it is conducted safely and does not endanger the public.**

5. **Approved Training or Demonstrations**

Discharge conducted during authorized training exercises, safety demonstrations, or educational events approved by the City.

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## **SECTION 5. RECKLESS OR UNSAFE DISCHARGE**

Regardless of any exception, **no person shall discharge any firearm or projectile device in a reckless, negligent, or unsafe manner**, or in a way that endangers persons, dwellings, vehicles, or occupied structures.

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## **SECTION 6. ENFORCEMENT**

This ordinance shall be enforced by the City Police Department and any other authorized City official.

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## **SECTION 7. PENALTIES**

### **7.1 Municipal Offense**

Any violation of this ordinance shall constitute a municipal offense.

### **7.2 Penalties**

Upon conviction, a person may be fined in accordance with the City's general penalty ordinance, **not to exceed \$500 per offense**, and/or other lawful municipal penalties.

Each discharge event constitutes a separate offense.

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## **SECTION 8. NO REGULATION OF POSSESSION**

Nothing in this ordinance shall be construed to regulate or restrict:

- Ownership,
- Possession, or
- Lawful carrying of firearms or weapons.

This ordinance regulates **only the discharge** of weapons for public safety purposes.

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## **SECTION 9. REPEALER**

The following ordinances are hereby **repealed in their entirety**:

- Ordinance **94-76**
- Any prior ordinance or provision inconsistent with this ordinance

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## **SECTION 10. SEVERABILITY**

If any provision of this ordinance is held invalid, the remaining provisions shall remain in full force and effect.

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## **SECTION 11. EFFECTIVE DATE**

This ordinance shall take effect upon adoption, approval, and publication as required by law.

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**PASSED AND ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2026.

**CITY OF MARGARET, ALABAMA**

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Matt Tortorice, Mayor

ATTEST:

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City Clerk

