

CITY OF MARGARET, ALABAMA
ORDINANCE NO. 2026-005

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

WHEREAS, the discharge of firearms and other projectile devices poses a significant danger to the public health, safety, and general welfare of the citizens of the City of Margaret; and

WHEREAS, the City of Margaret City Council desires to regulate the discharge of firearms and other projectile devices to protect the public health, safety, and general welfare of the citizens of the City of Margaret,

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

SECTION 1. TITLE, AUTHORITY, PURPOSE

- (a) This ordinance shall be known as the “**D scharge of Firearms and Projectile Devices Ordinance.**”
- (b) 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.
- (c) 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.

SECTION 2. DEFINITIONS

As used in this chapter, the following words and terms shall have the meanings respectively ascribed:

- (a) **Firearm** means any weapon which will or is designed to expel a projectile by the action of an explosive;
- (b) **Projectile Device** means any air rifle, pellet gun, BB gun, or similar device capable of expelling a projectile that may cause injury or property damage;

- (c) **Discharge** means the firing, shooting, or releasing of a projectile from a firearm or projectile device; and
- (d) **Dwelling** means any building, structure or portion thereof which is occupied, designed, or intended for occupancy as a residence by one or more families.

SECTION 3. DISCHARGE PROHIBITED

- (a) It shall be unlawful for any person to discharge a firearm within one hundred (100) yards of any dwelling belonging to another, whether occupied or not, without the permission of the owner or lessee of said dwelling, within the corporate limits of the City of Margaret.
- (b) It shall be unlawful for any person to discharge a firearm in such a manner that any projectile strikes any dwelling or building used for human occupation, whether occupied or not, without the permission of the owner or lessee of said dwelling or building, within the corporate limits of the City of Margaret.
- (c) It shall be unlawful to discharge any projectile device within the corporate limits of the City of Margaret in a manner that endangers persons or property.

SECTION 4. EXCEPTIONS

- (a) The prohibitions in Section 3 shall not apply to:
 - (1) Discharge by law-enforcement officers or military personnel acting in the lawful performance of their duties;
 - (2) Lawful discharge in self-defense or defense of another person, consistent with state law.
 - (3) Discharge by authorized personnel for animal control, humane dispatch, or public safety purposes.
 - (4) Discharge on property used for agricultural or pest-control purposes; and
 - (5) Discharge conducted during authorized training exercises, safety demonstrations, or educational events approved by the City.

SECTION 5. RECKLESS OR UNSAFE DISCHARGE

Notwithstanding the exceptions in Section 4, 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.

SECTION 6. ENFORCEMENT

The provisions of this chapter are enforceable by any duly sworn police officer employed by the City of Margaret, Alabama, or a duly authorized representative thereof, or as otherwise allowed by law for the prosecution of offenses.

SECTION 7. FINES AND PUNISHMENT

- (a) It shall be unlawful to violate any of the terms and provisions of this Ordinance. Any person, firm, or corporation violating any of the said terms and provisions of this Ordinance shall be guilty of a misdemeanor and, upon conviction, shall be fined in accordance with the City's general penalty ordinance, not to exceed \$500 per offense, and/or other lawful municipal penalties.
- (b) Each discharge event constitutes a separate offense.

SECTION 8. SUMMONS AND COMPLAINT

- (a) Pursuant to Ala. Code § 11-45-9.1, which authorizes municipalities to issue Summons and Complaints in lieu of arrest warrants for violations of certain municipal ordinances:
 - (1) Any law enforcement officer employed by the City of Margaret, Alabama, may issue a Summons and Complaint to any person charged with violation of this Ordinance and release such person from custody upon his or her written promise to appear in court at the designated time and place as evidenced by his or her signature on the Summons and Complaint;
 - (2) The form of the approved Summons and Complaint shall be the Uniform Non-Traffic Citation and Complaint form, State of Alabama Unified Judicial System ARJA-20, 07/1994, or its successors.

SECTION 9. NO REGULATION OF POSSESSION

- (a) Nothing in this ordinance shall be construed to regulate or restrict:
 - (1) Ownership;
 - (2) Possession; or
 - (3) Lawful carrying of firearms or weapons.
- (b) This ordinance regulates only the discharge of weapons for public safety purposes.

SECTION 10. REPEALER

- (a) The following ordinances are hereby repealed in their entirety:
 - (1) Ordinance 94-76; and
 - (2) Any prior ordinance or provision inconsistent with this Ordinance.

SECTION 11. MISCELLANEOUS

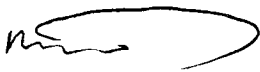
- (a) Nothing in this Ordinance excuses noncompliance with any Federal or State law, other City of Margaret, Alabama Ordinances, or any rule or regulation that prohibits smoking.
- (b) If any portion of this Ordinance shall be held unconstitutional, invalid, or unenforceable, such holding shall not affect the remaining portions of this Ordinance nor render the remaining portions of this Ordinance invalid, and, to that end, the provisions hereof are declared to be severable.

SECTION 12. EFFECTIVE DATE

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

PASSED AND ADOPTED this 16 day of March, 2026.

APPROVED:



Matt Tortorice, Mayor

ATTEST:



Tabitha Hanner, City Clerk

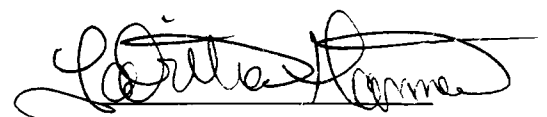
CERTIFICATION OF CITY CLERK

STATE OF ALABAMA

ST. CLAIR COUNTY

I, Tabitha Hanner, City Clerk of the City of Margaret, Alabama, do hereby certify that the above and foregoing is a true and correct copy of an ordinance duly and legally adopted by the City Council of the City of Margaret, Alabama, on the 16 day of March, 2026, while in regular session.

Witness my hand and seal of office this the 17 day of March, 2026.



CITY CLERK