

ORDINANCE NO. 41
ROLLIN TOWNSHIP FIREARMS ORDINANCE

An Ordinance to regulate the discharge of firearms in Rollin Township and to provide penalties for the violation of the provisions thereof. In order to protect the health, welfare and safety of the citizens of Rollin Township, the township hereby ordains:

Section 1. Definitions

- A. Firearm shall mean any rifle, pistol, revolver, canon, or device from which a projectile is propelled by powder, air, spring, or any other propellant including bows and crossbows.
- B. Building shall mean any dwelling, or other structure intended for housing humans, animals or for storage.
- C. Shooter shall mean any person who discharges a firearm at any time.

Section 2. Discharge of Firearms

- A. No person shall discharge a firearm within four hundred fifty (450) feet of any building unless said building is on land owned or legally controlled by him or her, or is a person being instructed in firearm use and is under competent adult supervision on the instructor's land.
- B. In no case shall a firearm be discharged in such manner that the projectile passes into, over or through the property of another without the express written permission of the owner or other person having legal control of that land.
- C. The discharge of a firearm in a residential or commercial district is prohibited except for officers of the Law or military personnel in the line of duty.
- D. The use of a firearm for self-defense or for the prevention of a crime to another person is exempt from the provisions of this ordinance, regardless if the person is licensed for concealed carry or not.

Section 3. Target Shooting

- A. Target shooting is permitted on one's own property provided that a backstop sufficient to prevent projectiles from traveling past the backstop or ricocheting outside the target range.
- B. Backstops shall be of earth free of rocks or of concrete or other suitable material and sufficiently wide and high to prevent "misses" from leaving the range.

Section 4. Enforcement and Penalties

- A. Any person violating any provision of this ordinance shall be deemed responsible for a civil infraction. Penalties may be imposed as set forth in Ordinance 34, the Rollin Township Municipal Civil Infractions Ordinance, together with costs and all expenses, direct and indirect, to which the plaintiff has been put in connection with the municipal civil infraction, including actual attorney fees, up to the entry of judgment. Costs of not more than \$500.00 shall be ordered.

- B. In addition to pursuing a municipal civil infraction proceeding pursuant to subsection A hereof, the Township may also initiate an appropriate action in a court of competent jurisdiction seeking injunctive, declaratory, or other equitable relief to enforce or interpret this Ordinance or any provision of the Ordinance.
- C. All remedies available to the Township under this Ordinance and Michigan law shall be deemed to be cumulative and not exclusive.
- D. Each and every day during which a violation of this Ordinance shall exist shall be deemed to be a separate offense.
- E. Any person, firm or entity that assists with or enables the violation of this Ordinance shall be responsible for aiding and abetting, and shall be considered to have violated the provision of this Ordinance involved for which such aiding and abetting occurred. Furthermore, any attempt to violate this Ordinance shall be deemed a violation of the provision of this Ordinance involved as if the violation had been successful or completed.
- F. The violator shall pay all costs which may include all expense, direct and indirect, which the Township has incurred in connection with the municipal infraction. In no case shall a cost of less than \$10.00 or more than \$300.00 be ordered. Furthermore, the township shall have the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance.

Section 5. Severability

Should any provision or Section of this Ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 6. Effective Date

This Ordinance shall take effect 30 days after its publication. Ordinance declared adopted on

Ordinance declared adopted on _____

YEAS: 0: _____

NAYS: 0: None

ABSENT: 0: None

Ordinance declared adopted on _____