

*This is from
Law Enforcement
for Batesville*

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in control of the fishing apparatus. If such person is in control then such persons shall be considered fishing within the meaning of the ordinance and punished accordingly. (Ord. No. 834, Sec. 3)

7.20.04 Penalty for violation. A violation of this ordinance shall be a misdemeanor and punishable by a fine of not less than Five (\$5.00) Dollars nor more than One Hundred (\$100.00) Dollars. (Ord. No. 834, Sec. 5)

Chapter 7.24

USE OF COUNTY JAIL

Section:

7.24.01 City of Batesville use of county jail

7.24.01 City of Batesville use of county jail. The City of Batesville, Arkansas, shall use the Independence County, Arkansas jail in the usual manner and to the exclusive extent a jail is needed and utilized by a city in its full and complete law enforcement functions. For the use of such facilities, and in full satisfaction thereof, the city shall pay to the county sheriff and/or the county jailer the current rate for each and every city prisoner who may be kept, fed and confined therein, payable monthly. Bills shall be rendered the city on or before the fifth day of each month covering itemized charges for the preceding month. (Ord. No. 648, Sec. 1)

STATE LAW REFERENCE-Ark. Stats. 19-2414

Chapter 7.28

FIREARMS

Sections:

- 7.28.01 Unlawful to discharge
- 7.28.02 Exception
- 7.28.03 Penalty

7.28.01 Unlawful to discharge. It shall be unlawful for any person to purposely, knowingly or recklessly discharge or fire or cause to be discharged or fired any firearm including rifles, shotguns and handguns within the city limits of Batesville. (Ord. No. 929, Sec. 1)

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7.28.02 Exception. (a) It shall not be unlawful for any duly elected or appointed law enforcement officer or person employed as a law enforcement officer to fire or discharge a firearm within the city limits when done in the line of duty and said firing or discharge is necessary and reasonable under the circumstances, and such discharge of a firearm is not otherwise prohibited by any state or federal law; the reasonableness of such action shall be determined by state or federal law where applicable.

(b) It shall not be unlawful for a person to fire or discharge a firearm in the city limits when upon an approved firing range; an approved firing range shall meet the following requirements:

- (1) Each person or corporation desiring to open a firing range shall make written application to the City Clerk and the City Clerk upon receipt of a Ten Dollar (\$10.00) application fee shall submit a copy of the application to the Chief of Police and Chief of the Fire Department for a physical inspection of facility.
- (2) All firing ranges must be in a location approved by the Batesville Planning Commission according to the standards set out in the Batesville Zoning ordinance, a written copy of the Planning Commission's approval of location must be submitted to the City Clerk with each application.
- (3) The City of Batesville does not approve ranges in the sense that it guarantees the safety of the range; the city's approval is intended to set minimum guidelines only for purpose of sound control, location and safety of persons outside of the range; the city assumes no liability to any person for accidents or intentional misconduct on the range owner or participants; the range owner and/or operator is responsible for the safe operation and design of the range and he shall obtain and maintain liability insurance in an amount sufficient to cover damage or injury to persons or their property resulting from the operation of the firing range.
- (4) The firing range must be located in a building with walls at least eight (8) inches thick, and made of solid concrete, solid masonry units or other material capable of preventing any bullet or part of any bullet fired within the range from escaping the confines of the range.
- (5) All doors and windows downrange must be shut and covered with bullet proof material when the range is in use.

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- (6) The walls, floors and ceiling must be bullet proof.
- (7) An air exhaust system must be supplied and said system shall be built to prevent toxic lead and other contaminants generated by firing from settling on or being inhaled by the shooter or any other occupant of the range; furthermore, the exhaust system shall not cause unsafe deposits of lead or other contaminants to settle upon persons or property surrounding the range.
- (8) The firing range must be equipped with a suitable backstop and bullet trap; the thickness, design and material used in the backstop and the depth of the trap must be adequate to safely withstand and contain the velocity and energy of the ammunition in use.
- (9) Any service equipment that is exposed downrange of the firing line must be protected. This includes electrical wiring, lighting, heating and ventilation ducts and exhaust fans.
- (10) Noise Reduction: (a) Persons using the range must be provided adequate ear protection to prevent hearing damage.
 - (b) In order to prevent sound disturbances outside the firing range the range must be equipped with effective sound absorbent materials, all air leaks from the range must be closed and when possible, the air intake and exhaust system must be designed by use of muffling chambers; the noise resulting from the range cannot exceed that of other uses in the same area and must be compatible with other uses in the zoning area.
- (11) All carpeting, insulation and materials capable of absorbing lead particles and unburned gun powder and all surfaces upon which these substances settle must be cleaned regularly to prevent fire and health hazards.
- (12) The firing range must comply with all state and federal laws and regulations including those of the Environmental Protection Agency, Occupational Safety and Health Act (OSHA), General Services Administration and National Institute of Occupational Health (NIOSH). If the laws and regulations named above differ or conflict with this ordinance and if those standards or regulations are more strict then they shall apply.

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(13) The range must be supervised at all times when in use; beginning shooters must receive adequate safety instructions prior to actual use of the range.

(14) Prior to actual use of the range, it must be inspected and approved in writing by the Chief of Police and the Fire Chief and they shall determine if all of the requirements of this ordinance, state and federal laws are complied with. (Ord. No. 960, Sec. 1)

7.28.03 Penalty. Any person violating this ordinance shall upon conviction thereof, be adjudged guilty of a violation and fined in a sum not to exceed One Hundred Dollars (\$100.00) for each offense. (Ord. No. 929, Sec. 5)

Chapter 7.32

FIREWORKS

Sections:

7.32.01	Unlawful to discharge
7.32.02	Exception
7.32.03	Penalty
7.32.04	Unlawful to sell

7.32.01 Unlawful to discharge. It shall be unlawful for any person to set off or cause to explode any Roman candle, firecracker, sky rocket, fountain or other fireworks within the city limits of Batesville, Arkansas. (Ord. No. 935, Sec. 1)

7.32.02 Exception. It shall not be a violation of this ordinance if said Roman candle, firecracker, sky rocket or other firework is exploded or set off in order to scare off or prevent the roosting of blackbirds or other birds in the city limits provided that the Mayor or his designated agent has declared an emergency situation to exist and the user of said fireworks has obtained authorization from the Mayor or his designated agent to use the fireworks; said authorization shall state specific times, dates and places on which the fireworks may be used. (Ord. No. 935, Sec. 2)

7.32.03 Penalty. Any person violating this ordinance shall be guilty of a violation and fined in an amount not to exceed One Hundred Dollars (\$100.00) for each offense. (Ord. No. 935, Sec. 5)