

ORDINANCE NO. 3702

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED "AN ORDINANCE TO REPEAL AND RE-ENACT WITH AMENDMENTS SECTION 11-93 OF THE CODE OF THE CITY OF CUMBERLAND (1991 EDITION) ENTITLED 'DISCHARGE OF FIREARMS' FOR THE PURPOSE OF IMPLEMENTING EXCEPTIONS TO THE GENERAL RULE PROHIBITING THE DISCHARGE OF FIREARMS IN THE CITY."

WHEREAS, Section 11-93 of the City Code prohibits the discharge of cannons, guns, pistols or firearms within the City and does not include any exceptions to that prohibition;

WHEREAS, from time to time, the City receives requests to allow for the discharge of firearms within the City, particularly in relation to historical reenactments;

WHEREAS, the repeal and reenactment of Section 11-93 will provide a permitting process whereby organizations desiring to conduct such displays will be able to do so on a permitted basis; and

WHEREAS, additional provisions are added to the section relative to the rights of law enforcement officers to discharge their firearms in the course of their duties and the rights of private citizens to use firearms in the defense of their person only where such use is permitted as a matter of law.

NOW, THEREFORE:

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, that Section 11-93 of the Code of the City of Cumberland (1991 Edition) be and is hereby repealed and reenacted with amendments, to read as follows:

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SEP 13 2011

Sec. 11-93. - Discharge of firearms.

No person shall discharge any cannon, gun, pistol or firearm within the city without a written permit from the Chief of Police; provided, however, that this section shall not apply to the use of firearms by law enforcement officers in the lawful discharge of their duties, nor shall it apply to persons in the lawful defense of themselves or others. A permit may only be granted to a bona fide charitable, educational, cultural or governmental institution or organization or an organization that is sponsoring an educational or cultural event. The Chief of Police shall give due consideration to safety concerns and the ability of the applicant to address those concerns in determining whether or not to issue the permit or to issue it subject to stated conditions the applicant shall be required to meet.


SECTION 2: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect from the date of its passage.

Passed this 13 day of September, 2011.



Brian K. Grim, Mayor

ATTEST:



Marjorie E. Eirich, City Clerk

1st reading: 8/30/2011

2nd reading: 9/13/2011

3rd reading: 9/13/2011

Effective 9/13/2011

Eirich, Margie

From: Eirich, Margie
Sent: Wednesday, September 14, 2011 2:28 PM
To: 'Muni Code Corporation (ords@municode.com)'
Subject: Ordinance 3702 Firearms
Attachments: Ordinance Firearms 11-93 - Firearms.doc

Attached for codification for the City of Cumberland is Ordinance No. 3702 passed September 134, 2011 providing certain exceptions for the discharge of firearms within the city.

If you should need further information, please do not hesitate to contact me.

Margie

Margie Eirich
City Clerk
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