

CITY OF WILLOW PARK

ORDINANCE NO. 477-02

AN ORDINANCE AMENDING CHAPTER 7, “OFFENSES & NUISANCES”, ARTICLE 7.300, “FIREARMS” OF THE MUNICIPAL CODE OF THE CITY OF WILLOW PARK, TEXAS, TO PROVIDE THAT THE HUNTING WITH BOWS AND ARROWS, WITHIN THE MUNICIPAL BOUNDARIES IS ILLEGAL; MAKING CONFORMING CHANGES; PROVIDING A PENALTY; AND, AN EFFECTIVE DATE.

WHEREAS, the City of Willow Park is a municipal corporation organized under the laws of the State of Texas; and

WHEREAS, it is intent of the City of Willow Park to protect the health, safety and welfare and well being of its citizens; and

WHEREAS, the unrestricted hunting of fish, fowl or animal by bow and arrow is inherently dangerous; and

WHEREAS, hunting with a bow and arrow within the municipal limits of the City constitutes a danger to the health, safety and welfare of the citizens of the City; and

WHEREAS, the Texas Parks and Wildlife Code, Subchapter C, Section 1.101 has defined the term “Hunt”.

NOW THEREFORE: BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS:

SECTION 1. AUTHORIZATION

The Mayor, as duly deputized municipal officer of the City of Willow Park is hereby authorized and directed to implement the applicable provisions of this ordinance as relates to the enforcement of the speed zones contained herein, within the municipal boundaries of the City of Willow Park, Texas.

SECTION 2. AMENDMENT

Amend Article 7.300, “Firearms,” as follows:

§ 7.300 FIREARMS AND DEADLY WEAPONS

§ 7.301 Firearm Discharge It shall hereinafter be unlawful for any person to fire off or discharge any gun, pistol, rifle or other fire arms of any description within the corporate limits of the City of Willow Park, Texas, except BB guns or air rifles. This article shall not apply when such firing is done in the necessary and lawful protection of one’s person, premises, or property, unless such firing be recklessly or negligently done.

§ 7.302 Bow and Arrow Hunting. It shall be unlawful for any person to hunt with a bow and arrow within the corporate limits of the City of Willow Park, Texas, as defined in Subchapter C, Texas Parks and Wildlife Code.

§ 7.303 It shall hereinafter be unlawful for any person to fire off or discharge any gun, pistol, rifle or other fire arms of any description within the corporate limits of the City of Willow Park, Texas, except BB guns or air rifles. This article shall not apply when such firing is done in the necessary and lawful protection of one’s person, premises, or property, unless such firing be recklessly or negligently done. (Chapter 6, Section 5, Code of 1986).

SECTION 3. RECITALS

The City Council hereby finds and declares all precatory language herein to be true and correct and approves and adopts the same herein as part of this Resolution.

SECTION 4. PENALTY

Any person who violates any provision of this Ordinance shall be deemed guilty of a Class "C" misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed two hundred dollars (\$200.00).

SECTION 5. SEVERABILITY

If for any reason any section, paragraph, subdivision, clause, phrase or provision of this Ordinance shall be held invalid, it shall not affect any valid provisions of this or any other Ordinance of the City of Willow Park to which these rules and regulations relate.

SECTION 6. REPEAL OF CONFLICTING ORDINANCES

All Ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.

SECTION 7. EFFECTIVE DATE

This Ordinance shall be effective on or after its publication in a newspaper of general circulation stating its purpose and penalty.

PASSED AND APPROVED this 15th day of January, 2002.

/s/ James H. Poythress
Mayor

ATTEST:

/s/ Hetty Haggard
City Secretary/Clerk

APPROVED AS TO FORM:

/s/ _____
City Attorney

The Willow Park City Council in acting on Ordinance No. 477-02, did on the 15th day of January 2002 vote as follows:

	<u>FOR</u>	<u>AGAINST</u>
James H. Poythress, Mayor	_____	_____
Scott Rule, Place 1	<u> X </u>	_____
Terry Skaggs, Place 2	<u> X </u>	_____
Marvin Glasgow, Place 3	<u> X </u>	_____
Robin Brown, Place 4	<u> X </u>	_____
Gerald Liepert, Place 5	<u> X </u>	_____