AMENDED COUNCIL BILL NO. 2025-003 ORDINANCE NO.

AN ORDINANCE amending Chapter 82 - Offenses and Miscellaneous Provisions, Section 82-191 – Unlawful Use of Weapons; Exceptions, as it pertains to hunting within city limits; establishing regulations; and fixing the time when this ordinance shall become effective.

WHEREAS, deer/vehicle collisions occurring on city streets each year present traffic safety concerns to the community; and

WHEREAS, by reducing the number of deer within the city using hunting, the city can manage the deer population in a safe and effective manner; and

WHEREAS, it is the desire of the City Council to prioritize traffic safety through a reduction in the deer population.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That Chapter 82. Offenses and Miscellaneous Provisions, Article I, Section 82-191. - Unlawful use of weapons; exceptions, is amended by enacting a new subsection (g), as follows:

"Sec. 82-191. Unlawful use of weapons; exceptions.

(a) For the purposes of this section, terms and phrases used herein shall have the definitions given them under RSMo 571.010.

(b) A person commits the crime of unlawful use of weapons if he knowingly:

(1) Carries concealed upon or about his person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use.

(2) Sets a spring gun;

(3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft or motor vehicle as defined in RSMo 302.010, or any building or structure used for the assembling of people;

(4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner;

(5) Possesses or discharges a firearm or projectile weapon while intoxicated;

(6) Discharges a firearm within 100 yards of any occupied schoolhouse, courthouse, or church building;

(7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public highway or discharges or shoots a firearm into any outbuilding;

(8) Carries a firearm or any other weapon readily capable of lethal use into any church or place where people have assembled for worship, or into any school, or into any election precinct

on any election day, or into any building owned or occupied by any agency of the federal government, state government or political subdivision thereof;

(9) Discharges or shoots a firearm at or from a motor vehicle, as defined in RSMo 301.010, while within any city, town or village, and discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable structure, unless the person was lawfully acting in self-defense;

(10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use, into any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board.

(c) Subsections (b)(1), (3), (4), (6), (7), (8), (9), and (10) of this section shall not apply to or affect any of the following:

(1) All state, county, and municipal peace officers possessing the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, whether such officers are within or outside their jurisdictions, or on-duty or off-duty, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents, and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime;

(3) Members of the armed forces or national guard while performing their official duty;

(4) Those persons vested by article V, section 1 of the state Constitution with the judicial power of the state and those persons vested by article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary;

(5) Any person whose bona fide duty is to execute process, civil or criminal;

(6) Any federal probation officer;

(7) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the board of police commissioners under RSMo 84.340; and

(8) Any state probation and parole officer, including supervisors and members of the board of probation and parole, authorized to carry a firearm pursuant to RSMo 217.710.

(9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner.

(d) Subsections (b)(1), (5), (8), and (10) of this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subsection (b)(1) of this section does not apply to any person 21 years of age or older transporting a concealable firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm is otherwise lawfully possessed, or when the actor is also in possession of an exposed firearm or projectile weapons for the lawful pursuit of game, or is in his or her dwelling unit or upon business premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this state. Subsection (b)(10) shall not apply if the firearm is otherwise lawfully possessed by a person while traversing school premises for the purposes of transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a school sanctioned firearm-related event.

(e) Subsections (b)(1), (8), and (10) of this section shall not apply to any person who has a valid concealed carry endorsement issued pursuant to RSMo 571.094, or a valid permit or endorsement to carry concealed firearms issued by another state or political subdivision of a state.

(f) Any person violating this section shall be punished upon conviction thereof as provided by section 1-5.

(g) Archery hunting of deer on a privately owned tract of land one (1) acre or larger where the property is in single ownership with no more than one dwelling unit per one acre on the tract, with provisions for controlled hunting on public lands are subject to the following conditions:

(1) Hunters must have all required state permits and abide by all state hunting regulations and seasons.

(2) Hunters must register at city hall and carry written permission from the property owner. A hunter must display that written permission at the request of a law enforcement officer.

(3) Hunters must be at least (16) years of age; and if under (18) years of age such person must hunt in the immediate presence of a properly licensed adult hunter who is eighteen (18) years of age or older and who has in his/her possession a valid hunter education certificate card or was born before January 1, 1967.

(4) Hunters must be elevated a minimum of ten (10) feet from the ground when discharging a bow in the act of hunting.

(5) It shall be unlawful to discharge a bow and arrow within sixty (60) feet of a dwelling house, a building or structure used for the assembly of people, a street, a highway, park, or property line.

(6) Hunters may aggregate adjacent land to hunt on with written permission from the property owner(s).

(7) No bow and arrow shall be discharged in the direction of any human, roadway, structure, or domestic animal within reasonable range of the weapon at an angle which might allow the projectile to strike at, or dangerously near, these objects.

(8) No field dressing will be allowed within one hundred (100) feet of any property line.

(9) Each hunter who successfully harvests a deer will report the hunter's name, the gender of the animal, and the location where harvested to the city manager's office.

(10) Only a recurve archery bow or compound bow that requires completely manual operation without any means to cock the weapon and leave it in a stable state until it is released or fired via a trigger mechanism are authorized for use under this subsection.

(11) Hunters using a recurve archery bow or compound bow are required to have taken a Missouri Department of Conservation approved hunter education course and are required to mark their arrows with their nine-digit Missouri Conservation Identification Number; except that persons born before January 1, 1967 shall be exempt from the hunter education course requirement, and shall instead be required to mark their arrows with a city-issued identification number.

(12) No crossbows are permitted.

(13) Hunters shall have the right of retrieval based upon the permission of the adjoining landowner.

Section 2. That this ordinance shall be in full force and effect twenty (20) days after its passage."

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____ day of _____, 2025, by a vote of _____.

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Keenan T. Cortez, Sr., Mayor

ATTEST:

_____
Holly Nagy, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney