

Proposed by:	Public Safety Committee
First Reading:	05/06/2010
Second Reading:	05/20/2010
Third Reading:	06/03/2010
Vote:	5 Aye 1 Nay 0 Absent

MUNICIPALITY OF SKAGWAY, ALASKA
ORDINANCE NO. 10-07

AN ORDINANCE OF THE MUNICIPALITY OF SKAGWAY, ALASKA AMENDING SECTION 9.02.010 USE OF FIREARMS.

WHEREAS, the Public Safety Committee held a meeting regarding animal control and discharge of firearms on April 21, 2010; and

WHEREAS, the Public Safety Committee recommend the following changes to Section 9.02.010 Use of Firearms;

BE IT ORDAINED AND ENACTED BY THE MUNICIPALITY OF SKAGWAY, ALASKA AS FOLLOWS:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Skagway Municipal Code.

Section 2. Purpose. To amend Section 9.02.010 Use of Firearms to re-delineate areas for the discharge of a firearm. The Skagway Municipal Code is hereby amended (~~strike through~~) indicates text to be deleted from, and **bold** indicates text added to the current code as follows:

Section 3. Amendment. Title 9, Chapter 2, Section 010 Use of Firearms is hereby amended as follows:

- 9.02.010 Use of firearms.**
- A. It is unlawful for any person, other than authorized persons, to brandish in a menacing way, point, or discharge any firearm within any of the following areas:
 - Starting at ~~Reid Falls~~ **Boulder Sign (mile 4.5) on the railroad tracks** following the railroad track, ~~two hundred feet (200')~~ feet east of the railroad track to the south end of the Railroad Dock, west in a straight line to Yakutania Point, continue from Yakutania Point **to Smuggler's Cove** to the intersection of the Dyea Road ~~1,500 feet ½ mile~~ **three hundred feet (300')** ~~west,~~ east of the Dyea Road to the Klondike Highway Intersection, continuing east to Reid Falls **north up the Klondike Highway to mile marker 4.05**, including Yakutania Point Park, **Smuggler's Cove** and Pioneer Cemetery, and the beach area at the north end of Long Bay, ~~and within one three hundred feet (1 300')~~ of any roadway or trail recommended by the chief of police as "closed to firearms" and approved by borough assembly resolution. It is unlawful to discharge any firearm within the Taiya River floodplain south of the confluence of West Creek and the Taiya River, except that shotguns may be used on the Dyea tide flats; such use must further conform to all relevant Federal, State and municipal law regarding licensing, safety and use.
 - B. This section does not preclude firearms usage within any rifle range specifically designated as such by the borough assembly or on one's own property **north of 23rde Avenue** ~~outside of the area designated in Section (A) above.~~

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- ~~C. It is unlawful for any person, except authorized persons, to carry any firearms, air rifle, air pistol, B-B gun or other projectile, dart or other ammunition within the chamber or magazine thereof, within the boundaries identified in Section (A) above. This subsection does not apply to one's own private property.~~
- ~~D. For the purposes of this chapter, "authorized persons" shall mean, any law enforcement officer, or any citizen that possesses a concealed handgun permit issued pursuant to Alaska Statutes 18.65.700 through 18.65.790, "Permit to Carry a Concealed Handgun". For the purposes of this chapter, "firearm" shall mean, a weapon, including a pistol, revolver, rifle, shotgun, cross bow or bow & arrows, whether loaded or unloaded, operable or inoperable, designed for discharging a shot capable of causing death or serious physical injury.~~
- E. It is unlawful for any person, other than authorized persons, to brandish in a menacing way, point or discharge an air rifle, air pistol, pellet gun, B-B gun, paintball guns, or other projectile-propelling device within any of the following areas:
- From the railroad tracks west to the Skagway River, from 23rd Avenue south to the shoreline.

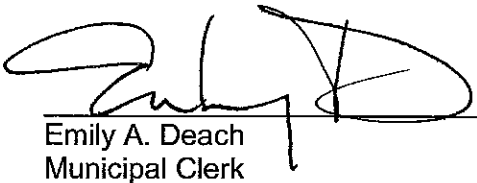
Section 4. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 5. Effective Date. This ordinance shall become effective immediately upon adoption.

PASSED AND APPROVED by a duly constituted quorum of the Borough Assembly of the Municipality of Skagway this 3rd day of June, 2010.


Thomas D. Cochran, Mayor

ATTEST:


Emily A. Deach
Municipal Clerk

(SEAL)

