

HARRISON COUNTY ORDINANCE
REGULATING THE DISCHARGE OF FIREARMS IN PLATTED SUBDIVISIONS
HARRISON COUNTY, MISSISSIPPI

WHEREAS pursuant to Mississippi Code Annotated 45-9-57, the County Board of Supervisors is given authority to regulate the discharge of any firearm or weapon, other than a BB gun, within any platted subdivision, as well as any firearm or weapon that is discharged in a manner reasonably expected to cause a projectile from such firearm or weapon to travel across any property line without permission of the property owner; and

WHEREAS the unincorporated portions of Harrison County have experienced significant growth, including the development of a number of platted subdivisions; and

WHEREAS each subdivision is clearly defined and populated with families, children and pets; and

WHEREAS the discharge of firearms within platted subdivisions and actively hunting with bows within platted subdivisions constitutes a safety hazard to people and pets;

THEREFORE, BE IT RESOLVED AND ORDAINED by the Board of Supervisors of Harrison County, Mississippi, that the provisions of this Ordinance shall now govern the discharge of all firearms, whether gun, pistol, shotgun, rifle, or assault weapon within any platted subdivision, and hunting with any type of bow, whether compound, recurve, longbow, crossbow, or any other type of bow (excluding toy bows) within any platted subdivision within the unincorporated portions of Harrison County as follows:

(1) The discharge of any firearm of any description within a platted subdivision or the shooting of any bow of any description (excluding toy bows) within a platted subdivision is prohibited, subject to the below exceptions:

- a. This prohibition shall not apply to any law enforcement officer in the discharge of his or her official duties.
- b. This prohibition shall not apply to any person utilizing such firearm in the proper manner authorized by law in defense of home or life, provided this shall not be construed to otherwise create any right in connection with such a use.

- c. This prohibition shall not in any way, manner, shape or form affect any citizen's right to own, possess or bear arms in accordance with the Mississippi Constitution and the United States Constitution.
- d. For the purpose of this Ordinance, the safe use of a bow for target practice within a platted subdivision shall not be deemed to be "hunting with a bow" as set forth in this Ordinance, and same shall be permitted, so long as such target practice with a bow takes place completely within the boundaries of a defined lot within a platted subdivision.
- e. If any section, sentence, clause or word is held to be unconstitutional by any court of jurisdiction, such section, sentence, clause or word shall not invalidate the constitutionality of the remaining portions of this Ordinance.

(2) Violation of this Ordinance shall be a misdemeanor and may carry a sentence of confinement of less than 90 days or payment of a fine of not more than \$1000, or both in the discretion of the judge. However, nothing herein shall be construed to limit the discretion of a peace officer to charge an individual violating this Ordinance with any additional appropriate charges.

This Ordinance shall become effective immediately upon passage. Upon passage of the Ordinance, notice of the Ordinance shall be given by publication of the Ordinance for four (4) consecutive weeks.

ADOPTED as an official Ordinance of the Harrison County Board of Supervisors, this

_____ day of _____, 20_____

HARRISON COUNTY BOARD OF SUPERVISORS
