



# THE CITY OF **MADRAS**

## PUBLIC NOTICE

### COUNCIL CONSIDERATION OF PROPOSED ORDINANCE NO. 908

The City Council of the City of Madras, Oregon, will be considering approval of proposed Ordinance No. 908 during their regularly scheduled City Council meeting on Tuesday, September 12, 2017 at 7:00 p.m. in the Madras City Hall Council Chambers.

#### **ORDINANCE NO. 908**

AN ORDINANCE OF THE CITY OF MADRAS AMENDING ORDINANCE NO. 519, AN ORDINANCE PROHIBITING THE UNSAFE DISCHARGE OF ANY FIREARMS, HANDGUNS, OR WEAPONS OF ANY KIND WITHIN THE CITY LIMITS OF THE CITY OF MADRAS, TO PROVIDE EXEMPTIONS FOR FIRING BLANK AMMUNITION IN CONNECTION WITH HONOR SERVICES AND ATHLETIC CONTESTS.

A copy of the proposed ordinance will be available for review at the Madras City Hall, located at 125 S.W. 'E' Street, during the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. The proposed ordinance can also be found on the City's website at [www.ci.madras.or.us](http://www.ci.madras.or.us).

Publish Date: September 6, 2017 (Madras Pioneer)

Posting Locations: Jefferson County Clerk's Office  
Madras City Hall  
U.S. Post Office

## ORDINANCE NO. 908

**AN ORDINANCE OF THE CITY OF MADRAS AMENDING ORDINANCE NO. 519, AN ORDINANCE PROHIBITING THE UNSAFE DISCHARGE OF ANY FIREARMS, HANDGUNS, OR WEAPONS OF ANY KIND WITHIN THE CITY LIMITS OF THE CITY OF MADRAS, TO PROVIDE EXEMPTIONS FOR FIRING BLANK AMMUNITION IN CONNECTION WITH HONOR SERVICES AND ATHLETIC CONTESTS.**

**WHEREAS**, on March 23, 1993, City of Madras ("City") adopted Ordinance No. 519 (the "Firearms Ordinance"), which Firearms Ordinance prohibits the unsafe discharge of weapons within City limits; and

**WHEREAS**, City received a request from the Veterans of Foreign Wars ("VFW") to allow gun salutes performed by VFW's Honor Guard in connection with honor services conducted inside City limits, which ceremonial gun salutes are currently prohibited under the Firearms Ordinance; and

**WHEREAS**, the Madras City Council (the "Council") desires to amend the Firearms Ordinance to allow (a) firing of blank ammunition by the VFW Honor Guard in connection with honor services performed inside City limits, and (b) firing of blank ammunition toward the sky at sanctioned athletic contests.

**NOW, THEREFORE**, the City of Madras ordains as follows:

1. Findings; Purpose. The above-stated findings are hereby adopted. The purpose of this Ordinance No. 908 (this "Ordinance") is to amend the Firearms Ordinance to allow (a) firing blank ammunition by the VFW Honor Guard in connection with honor services conducted inside City limits, and (b) firing blank ammunition at sanctioned athletic contests.

2. Amendment No. 1. A new subsection D is added to Section 3 of the Firearms Ordinance to read in its entirety as follows:

"D. This ordinance will not be construed to prohibit the discharge of blank ammunition (i.e., no projectile) by the Veterans of Foreign Wars ("VFW") Honor Guard in connection with military and/or law enforcement honor ceremonies (i.e., gun salutes); provided, however, VFW must provide the City of Madras Police Department not less than 48 hours' prior notice of any honor ceremonies that may include the discharge of blank ammunition."

3. Amendment No. 2. A new subsection E is added to Section 3 of the Firearms Ordinance to read in its entirety as follows:

"E. This ordinance will not be construed to prohibit a person conducting a sanctioned athletic contest from discharging blank ammunition (i.e., no projectile) in a plugged firearm toward the sky."

4. Miscellaneous. This Ordinance is hereby made part of the Firearms Ordinance. The provisions of the Firearms Ordinance that are not amended or modified by this Ordinance remain unchanged and in full force and effect. All pronouns contained in this Ordinance and any variations thereof will be deemed to refer to the masculine, feminine, or neutral, singular or plural, as the identity of the parties may require. The singular includes the plural and the plural includes the singular. The word "or" is not exclusive. The words "include," "includes," and "including" are not limiting. Any reference to a particular law, statute, rule, regulation, code, or ordinance includes the law, statute, rule, regulation, code, or ordinance as now in force and hereafter amended. The provisions of this Ordinance are hereby declared severable. If any section, subsection, sentence, clause, and/or portion of this Ordinance is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this Ordinance. This Ordinance may be corrected by order of the Council to cure editorial and/or clerical errors.

**ADOPTED** by the Madras City Council and signed by the mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Ayes: \_\_\_\_\_  
Nays: \_\_\_\_\_  
Abstentions: \_\_\_\_\_  
Absent: \_\_\_\_\_  
Vacancies: \_\_\_\_\_

\_\_\_\_\_  
Royce Embanks, Mayor

ATTEST:

\_\_\_\_\_  
Karen J. Coleman, City Recorder