

BER 07 PA020548

## TOWN OF MOUNTAIN LAKE PARK

**ORDINANCE NO. 2013-02**

Filed and recorded  
October 17, 2013.

### **WEAPONS ORDINANCE**

**AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF MOUNTAIN LAKE PARK MAKING IT ILLEGAL FOR ANY PERSON WITHIN THE TOWN OF MOUNTAIN LAKE PARK TO DISCHARGE, FIRE, OR USE ANY WEAPON; REPEALING ALL OTHER ORDINANCES REGULATING THE USE OF WEAPONS; AND PROVIDING THAT A VIOLATION OF THE ORDINANCE SHALL BE A MUNICIPAL INFRACTION.**

**WHEREAS**, the Mayor and Town Council of Mountain Lake Park is authorized by Article 23 A of the Maryland Annotated Code and by the Mountain Lake Park Town Charter to enact ordinances to protect the health, safety and welfare of residents of and visitors to Mountain Lake Park.

**WHEREAS**, the Mayor and Town Council of Mtn. Lake Park have learned from observation and from residents of the Town that certain persons are using bows, compound bows and/or cross bows, as well as rifles, air rifles, and other dangerous instruments within the limits of the Town, and

**WHEREAS**, the Town of Mtn. Lake Park is a relatively densely populated area with, in many neighborhoods, houses located within close proximity to each other, and

**WHEREAS**, it is considered dangerous to the health, safety and welfare of the residents of the Town that such dangerous contrivances or mechanisms be used within the Town limits, and

**NOW, THEREFORE, THE MAYOR AND TOWN COUNCIL OF MOUNTAIN LAKE PARK, DOES ORDAIN AND RESOLVE THE FOLLOWING:**

### **ARTICLE ONE**

#### **REPEAL OF PRIOR ORDINANCES AND RESOLUTIONS**

Ordinance No. 97-1 which was, enacted and adopted by the Mayor and Town Council of Mtn. Lake Park on January 28, 1997 and any and all other ordinances and resolutions regulating weapons are hereby repealed.

**ARTICLE TWO**

**DEFINITIONS**

Section 1. "Person" shall mean any natural person, firm, partnership, association, corporation or organization of any kind.

Section 2. "Town" shall mean the Town of Mountain Lake Park, a municipal corporation organized under the laws of the State of Maryland, and includes the Mayor and Town Council of Mountain Lake Park.

Section 3. "Weapon" shall mean any rifle, hand gun, shotgun, muzzleloader, air rifle, bow, cross bow, compound bow, paintball gun, blow gun, dart gun, bb gun, or any other mechanism, for the purpose for propelling projectiles, including any sling shot, catapult, or any other similar contrivance or mechanism used for the purpose of propelling arrows, shot, bullets, stones, pebbles, or any other such objects.

**ARTICLE THREE**

**PROHIBITIONS**

It shall be unlawful for any person to shoot, fire, or discharge any weapon within the Town of Mountain Lake Park.

**ARTICLE FOUR**

**ENFORCEMENT**

Section 1. Violation of any provision(s) of this ordinance is a municipal infraction and is subject to the Enforcement Ordinance and the fines or penalties provided in the Resolution of Fines for Municipal Infractions. The Mayor and Town Council may change the amount of fines and penalties in the Resolution of Fines for Municipal Infractions after the changes have been duly posted in accordance with the policy of the Mayor and Town Council of Mountain Lake Park for advertising for the adoption of resolutions.

Section 2. Nothing contained in this ordinance shall prohibit or prevent the Town from seeking other legal remedies, such as injunction, criminal prosecution, or damages in a civil action pursuant to Section 3 of Article 23A, Annotated Code of Maryland as amended.

**ARTICLE FIVE**

**MINORS**

In the event the violator of any provision of this ordinance is a minor, the enforcement provisions in Section Six shall apply with full force and effect upon the parent, parents, guardian, or other such person or persons directly responsible for the conduct of the minor.

**ARTICLE SIX**

**SEPARABILITY**

Section 1: It is the intention of the Mayor and Town Council of Mountain Lake Park that each separate provision of his Ordinance shall be deemed independent of all other provisions herein.

Section 2: It is further the intention of the Mayor and Town Council of Mountain Lake Park that if any provisions of this Ordinance be declared invalid or unconstitutional, all other provisions hereof shall remain valid and enforceable.

**ARTICLE SEVEN**

**ENACTMENT**

**IT IS HEREBY ORDAINED AND RESOLVED**, this ordinance shall be in full force and effect after introduction, advertising, public hearing, and approval as provided by law.

**BE IT FURTHER RESOLVED**, this ordinance shall be duly advertised in accordance with the Policy for the Adoption of Ordinances by the Mayor and Town Council of Mountain Lake Park, and a public hearing on this Ordinance shall be held on the 5th day of September, 2013, at 6:00 P. M., at the Town Hall located at 1007 Allegany Drive, Mountain Lake Park, Maryland 21550

**INTRODUCED** this 1st day of August, 2013.

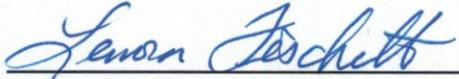
**SECOND READING AND ADOPTION** this 5th day of September 2013.

**AND BE IT FURTHER RESOLVED**, this Ordinance shall be effective as of September 5, 2013.

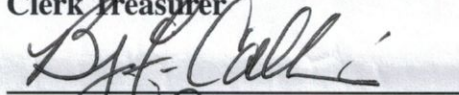
**THIS ORDINANCE IS SUBJECT TO REFERENDUM AS OUTLINED IN  
ARTICLE 23A, SECTIONS 11 THROUGH 17.**

**ATTEST:**

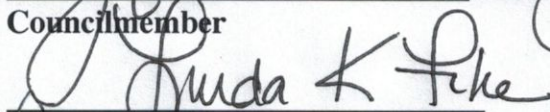
**APPROVED:**



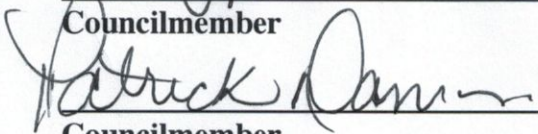
Clerk Treasurer



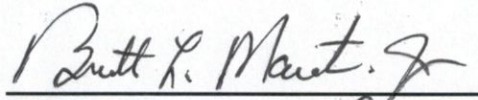
Councilmember



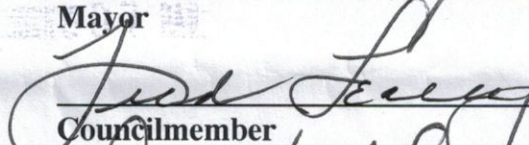
Councilmember



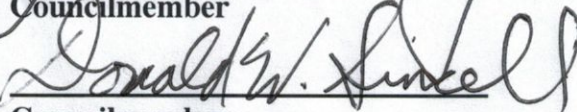
Councilmember



Mayor



Councilmember



Councilmember

## TOWN OF MOUNTAIN LAKE PARK ORDINANCE CHECKLIST

1. 7/31/13 Review and recommendation by Mountain Lake Park's Planning Commission.
2. 8/1/13 Introduce proposed ordinance to governing body. (Constitutes first reading.)
3. 8/8 + 8/15 Publish public hearing date and time and a fair summary of proposed ordinance for two week intervals. (This date must be set at least 6 days but not more that 60 days after introduction for hearing.)
4. 9/5/13 Conduct public hearing, and second reading.
5. 9/5/13 Adoption of Ordinance.
6. 9/5/13 Ordinance will become effective immediately upon adoption.
7. 10/15/13 Wait 40 days to allow time for petition to ordinance referendum.
8. 10/16/13 If no petition, is received, promptly register the ordinance with the county, Clerk of Courts.

TOWN OF MOUNTAIN LAKE PARK  
ORDINANCE CHECKLIST

Review and recommendation by Mountain Lake Park Planning Commission

7/31/13

**ORDINANCES & RESOLUTIONS**

Introduce proposed ordinance to governing body (Constitutes first reading)

8/1/13

Filed and recorded October 17, 2013,

in O & R Record, Liber S.R.B., No. 007,

8/8 + 8/12

folio 548, one of the records in the

60 days after introduced in for hearing

Office of the Clerk of the Circuit Court

Conduct public hearing and record reading

8/2/13

for Garrett County, Maryland, and compared

Adoption of Ordinance

8/2/13

by:

*Tracy W. Miller*

CLERK

Ordinance will be effective immediately upon adoption

8/2/13

Wait 30 days to allow time for petition to ordinance retention

10/12/13

of Court