

AN ORDINANCE TO CONTROL AND REGULATE THE SALE, POSSESSION AND USE OF AIR GUNS, BOWS AND ARROWS, AND SLING SHOTS IN THE VILLAGE OF MARTIN, MICHIGAN; AND TO PROVIDE A PENALTY FOR THE VIOLATION OF SAME:

THE VILLAGE OF MARTIN ORDAINS:

Section 1. Definitions:

(a) The term "air gun" means any gun, rifle or pistol, by whatever name known, which is designed to expel a projectile by the action of compressed air or gas, or by the action of a spring or elastic, but does not mean a firearm.

(b) The term "slingshot" means any instrument of wood or other material and rubber, metal spring or other elastic material, designed, intended to, or capable of propelling shot, stone, or other missiles or any substance whatsoever.

(c) The term "dealer" means any person engaged in the business of selling at retail or renting any of the articles designated in the preceding section.

Section 2.

(a) It shall be unlawful for any dealer to sell, lend, rent, give, or otherwise transfer any air gun, slingshot, or bow and arrow to any person under the age of sixteen (16) years, where the dealer knows or has reasonable cause to believe the person could be under sixteen (16) years of age, or where such dealer has failed to make reasonable inquiry relative to age of such person and such person is under sixteen (16) years of age.

(b). It shall be unlawful for any person to give, lend, or otherwise transfer any air gun, slingshot or bow and arrow to any person under sixteen (16) years of age, except where the relationship of parent and child, guardian and ward, or adult instructor and pupil exists between such person and the person under sixteen (16) years of age.

Section 3. Notwithstanding any inconsistent provision of this section or any other provisions of this ordinance, it shall be lawful for any person under sixteen (16) years of age to have in his possession an air gun, slingshot or bow and arrow if the said article is:

(a) Kept within his domicile;

(b) Used by the person under sixteen (16) years of age and he is a duly enrolled member of any club, team or society organized for educational purposes and maintaining as part of its facilities or having written permission to use an indoor or outdoor rifle range or other safe area, to possess, load and fire in such a place under the supervision, guidance and instruction of a responsible adult;

(c) Used in or on any private grounds or residence under circumstances when such article as designated in Section 1 hereof can be fired, discharged or operated in such a manner as not to endanger persons or property and also in such manner as to prevent the projectile from transversing any grounds or space outside the limits of such grounds or residence.

Section 4.

(a) It shall be unlawful for any minor to carry any article designated in Section 1 hereof on the streets, alleys, public roads, or public lands within the Village of Martin unless accompanied by an adult, provided, however, that said person under sixteen (16) years of age may carry such articles as designated in Section 1 hereof if unloaded and in a suitable case or securely wrapped.

(b) It shall be unlawful for any person to discharge any of the articles designated in Section 1 hereof from or across any street, alley, sidewalk or public road within the limits of the Village of Martin, or on or across any public land except on a properly constructed and supervised target range.

Section 5. Any person violating any provision of this ordinance, or who falsely represents himself or any other person as being over sixteen (16) years of age in order to purchase or otherwise obtain any article designated in Section 1 hereof, shall be guilty of a misdemeanor and upon conviction therefor shall be punished by a fine of not more than \$25.00, or by imprisonment in the county jail, or by both such fine and imprisonment in the discretion of the court.

Section 6. Should any phrase, sentence, clause, or section of this ordinance be declared invalid by any court of competent jurisdiction, such invalidity shall not be deemed to invalidate any other part or section of this ordinance, which shall continue in full force and effect.

Section 7. This ordinance shall take effect and be in force twenty (20) days after its passage and approval.

Passed and approved this 22 day of January, 1962.

Signed:

E. J. Salisbury
Village Clerk

Approved: _____

Village President

This is to certify that on the 26th day of January, 1963, a copy of this ordinance was posted at the Martin State Bank, the Martin Post Office, and Geib's Service Station.

E. J. Salisbury