

ORINANCE NO. 88-6

AN ORDINANCE REGULATING THE CARRYING AND/OR POSSESSION OF DEADLY WEAPONS AND PROVIDING PENALTIES THEREFORE AND REPEALING ORDINANCE NUMBER 18-405 1951 REVISED ORDINANCES AND ANY OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY GOVERNING BODY OF GALENA, KANSAS:

SECTION 1: It shall be unlawful for any person to carry on or about his person, whether concealed or unconcealed, any firearm, loaded and unloaded, or other dangerous weapon. The term other dangerous weapon shall include any bludgeon, sandclub, billy, billy club, black jack, sling shot, metal knuckles, or throwing star, or any knife, commonly referred to as switchblade, which has a blade which opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by any outward, downward or centrifugal thrust or movement.

SECTION 2: It shall be unlawful for a person to have a loaded firearm on or within any part of a motor vehicle.

SECTION 3: Any person convicted of violating Section 1 or Section 2 of this Ordinance shall, on a first conviction, be subject to a fine of not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00) and, on a second conviction within a period of one year, be subject to a fine of not less than three hundred dollars (\$300.00) nor more than five hundred dollars (\$500.00) and/or imprisonment for an indeterminate term to be set by the Court at not more than sixty (60) days.

SECTION 4: This ordinance shall not apply to:

- A. Any person carrying an ordinary pocket knife with a blade of less than $4\frac{1}{2}$ inches.
- B. Any person possessing or transporting an unloaded firearm in his motor vehicle.
- C. Law enforcement officers.
- D. Military personnel of the federal or state governments while in the active performance of their duties.
- E. R.O.T.C. cadets or cadets of any other regularly organized military academy while in the active performance of their duties and under the supervision of military personnel of the federal or state governments or officials of the academy.
- F. Any person on his own land or in his regular abode or place of business or on the land or in the regular abode or place of business or another person if that other person consents to the activities being performed.

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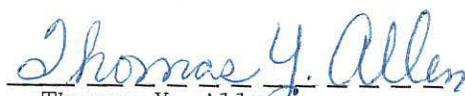
- G. Any licensed dealer in firearms or other weapons when on the regular premises of his business.
- H. Any person participating in or enroute to or from any peaceable public display or exhibition, such as a gun show, trade show, parade, or historical demonstration, provided, however, that any such display or exhibition to be held out-of doors must have the prior approval of the Chief of Police of Galena, Kansas if any firearms are to be exhibited or carried.
- I. Any person summoned by law enforcement officers to assist in making arrests or in preserving the peace while actually thus engaged.
- J. Personnel of prisons, jails, and penitentiaries in the active performance of their duties.
- K. Watchmen or security personnel actually in the performance of their duties and on their employer's premises.
- L. Persons licensed as private detectives by the State of Kansas.
- M. Any person carrying an unloaded firearm or other weapon directly from or to a place where said firearm or other weapon is to be or has been repaired or sold by gunsmith or dealer; provided, however, that the most direct route of travel must be used and must not be more than three hundred (300) feet in length.
- N. Firearms or other weapons displayed inside a museum or other building.
- O. Any person carrying an unloaded firearm or other weapon from a place outside the scope of this ordinance to another place outside the scope of this ordinance, provided that the most direct route is used and said route shall not be more than three hundred (300) feet in length.

SECTION 5: Ordinance 18-405 of the 1951 Revised Ordinances of of the City of Galena is hereby repealed in its entirety and any other ordinance or section thereof in conflict herewith.

SECTION 6: That this ordinance shall be effective and in full force from and after it approval and publication in the official city newspaper, The Galena Sentinel-Times.

Passed by Council this 16th day of February 1988.

Approved by the Mayor:


Thomas Y. Allen

ATTEST:


Jeanie Holstrom, City Clerk

(SEAL)