

CHAPTER 13 – MISCELLANEOUS PROVISIONS AND OFFENSES

Sec. 13-41. Misconduct involving weapons; defenses; classification; definitions

(a) A person who with criminal negligence discharges a firearm within or into the limits of the City, except as provided by this section is guilty of a class (1) misdemeanor.

- (1) Firearms may be discharged within the boundaries of a county park of more than 640 acres located within the City subject to rules and regulations adopted by a County Board of Supervisors pursuant to A.R.S. 11-935. Absent adoption of rules and regulations by a County Board of Supervisors, the discharge of firearms shall be permitted within a County Park meeting the requirements of this subsection.
- (b) This section does not apply if the firearm is discharged:
 - (1) As allowed pursuant to the provisions of Title 13, Chapter 4, Arizona Revised Statutes.
 - (2) On a properly supervised range.
 - (3) Except as provided in subsection (a) (1), In an area of the City recommended as a hunting area by the Arizona Game and Fish Department and approved by the Chief of Police. The Chief of Police may at any time modify the designated area. The areas designated may be limited to certain hunting seasons or types of firearms upon the recommendation of the Arizona Game and Fish Department and the approval of the Chief of Police. Any such areas designated under this subsection of this Section shall be designated by the Chief of Police filing a map with the City Clerk, the Director of the Game and Fish Department and recording a copy with the Office of the County Recorder in which the designated area is located. The Public Works Director shall post signage approved by the Chief of Police in such areas designated as hunting areas. The signage shall contain a citation to this code provision.
 - (4) Any designated hunting area may be closed when deemed unsafe by the Chief of Police or the Director of the Arizona Game and Fish Department. Upon receipt of a designation from the Arizona Game and Fish department, the Chief of Police shall close such areas within thirty (30) days thereafter.
 - (5) For the control of nuisance wildlife by permit from the Arizona Game and Fish department or the United States Fish and Wildlife Service.
 - (6) By special permit of the Chief of Police. The special permit shall indicate the dates, times and general locations where firearms will be used and any other requirements deemed appropriate by the Chief of Police. The City may impose a fee for such permits as provided in Chapter 2 of this code.

CHAPTER 13 – MISCELLANEOUS PROVISIONS AND OFFENSES

- (7) As required by an animal control officer in the performance of duties as specified in section 9-499.04 or pursuant to Chapter 4 of this code.
 - (8) In self-defense or defense of another person against an animal attack if a reasonable person would believe that deadly physical force against the animal is immediately necessary and reasonable under the circumstances to protect oneself or the other person.
- (c) For the purposes of this section:
- (1) "Adult" means a person over the age of 21 years having legal care, custody and control of a person under the age of 18 years shooting a device defined in paragraph (c)(3) of this section or a person over the age of 18 years shooting a device defined in paragraph (c)(3) of this section.
 - (2) "City " means the City of Peoria and includes any property that is fully enclosed within the City.
 - (3) "Properly supervised range" means a range that is operated:
 - a. By a club affiliated with the national rifle association of America, the amateur trapshooting association, the national skeet association or any other nationally recognized shooting organization, or by any public or private school, or
 - b. Approved by any agency of the federal government, this state, a county or city within which the range is located or
 - c. With adult supervision for shooting air or carbon dioxide gas operated guns, or for shooting in underground ranges on private or public property.
 - d. Notwithstanding any other provision of this section, except subsection (a) (1), it shall be unlawful to discharge a firearm as defined in A.R.S. §13-3101 within 2,640 feet of a residence or a building which reasonably appears to be used as a residence.

State law reference(s) -- Discharge of firearms, A.R.S. §13-3107.

(Code 1977, §5-1-27)

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