

40.0500

**FIREARMS ORDINANCE
TOWNSHIP OF GRAND HAVEN, MICHIGAN
ord. no. 581 eff. April 13, 2020**

An Ordinance to secure the public peace, health, safety, and welfare of the residents and property owners of the Charter Township of Grand Haven, Ottawa County, Michigan, by regulation of the use of firearms, the restriction as to the firing of firearms, and the prohibition of shooting firearms within specified areas; to provide penalties for the violation of this Ordinance; and to repeal all ordinances or parts of ordinances in conflict with this Ordinance.

THE CHARTER TOWNSHIP OF GRAND HAVEN, OTTAWA COUNTY,
MICHIGAN, ORDAINS:

40.0501 Sec. 1 PURPOSE

The purpose of this Ordinance is to secure and maintain the public peace, health, safety, and welfare of the residents and property owners of the Township, by the regulation of the use of firearms within the Township and the approval of firearm ranges. This Ordinance is not intended to regulate hunting or to conflict with the exclusive control of hunting activities by the State of Michigan.

40.0502 Sec. 2 TITLE

This Ordinance shall be known and cited as the Charter Township of Grand Haven Firearms Ordinance, and it is intended to completely restate and replace the Charter Township of Grand Haven Firearms Ordinance, Ordinance No. 356, as amended.

40.0503 Sec. 3 FIREARM DEFINITION

The word "firearm," as used in this Ordinance, shall mean any weapon or device from which is propelled any missile, projectile, bullet, shot, or other mass by means of explosives, or any device which simulates the propulsion of any missile, bullet, shot, or other mass but instead fires blanks or other items not intended to inflict damage on people or animals (*e.g. paint cartridges*).

40.0504 Sec. 4 REGULATION OF USE OF FIREARMS

No person shall, from and after the effective date of this Ordinance, discharge any firearm within the Township, except under the following circumstances.

1. Authorized officers of the law are permitted to discharge their firearms in the performance of their duties.
2. A person may discharge a firearm for the protection of life and/or property, to the extent otherwise allowed by law.

3. A person may discharge a firearm for target practice purposes, in a safe manner, upon any sport shooting range in existence prior to December 26, 1989 that is operating in accordance with applicable laws and ordinances; which specifically includes, but is not limited to, the North Ottawa Rod and Gun Club.
4. A person may discharge a firearm in connection with otherwise lawful hunting activities allowed by the State of Michigan.
5. A person may discharge a firearm (between the hours of 8:00 a.m. and the earliest of sunset or 8:30 p.m.) on any parcel of land with a lot area, as defined by the Township Zoning Ordinance, of ten acres or larger which is located in any area zoned Agricultural, Rural Preserve, or Rural Residential as defined by the Township Zoning Ordinance.
6. A person may discharge a firearm that discharges only paint cartridges if allowed by the Township's Zoning Ordinance and if the firearm does not simulate the noise of a firearm discharging any missile, bullet, shot, or other mass intended to inflict damage on people or animals.
7. A person may discharge a starter's pistol, firing a blank round only, to initiate the start of an athletic contest sanctioned by an athletic association or organization governing school, amateur, semi-professional, or professional athletic events.

40.0505 Sec. 5 DISCHARGE RESTRICTIONS; ROADWAYS

From and after the effective date of this Ordinance, it shall be unlawful to discharge any firearms, upon or across any public road or highway, within said township.

40.0506 Sec. 6 AGE RESTRICTION

Except as may be permitted by the Hunting Regulations of the State of Michigan, it shall be unlawful for any person under the age of 17 years to discharge a firearm unless under the direct supervision and control of and accompanied by a parent, legal guardian, or adult person authorized by the parent or legal guardian, to have direct supervision of the person under the age of 17 years. Further, it shall be the responsibility of every parent, legal guardian, or other person having the physical custody or charge of any minor under the age of 17 years to control the minor and prevent the minor from violating or attempting to violate any provisions of this Ordinance.

40.0507 Sec. 7 ADMINISTRATIVE LIABILITY

No officer, agent, or employee of the Township shall be personally liable for any damage that may occur to any person as a result of any act required or permitted in the discharge of duties in the enforcement of this Ordinance.

40.0508 Sec. 8 PENALTIES

Any person who violates any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than \$500, or by imprisonment in the county jail not to exceed 90 days, or by both such fine and imprisonment.

40.0509 Sec. 9 VALIDITY

Should any action, clause, or provision of this Ordinance be declared to be invalid, the same shall not affect the validity of this Ordinance as a whole, or any other part of this Ordinance.

40.0510 Sec. 10 EFFECTIVE DATE/REPEAL

This Ordinance was approved and adopted by the Township Board of Grand Haven Charter Township, Ottawa County, Michigan, on January 27, 2020, after a first reading on January 13, 2020, and publication following the first reading. This Ordinance shall be effective on April 13, 2020, thirty (30) days after publication following adoption.