

BILL NO. 2024 - 64

ORDINANCE NO. 1771

**AN ORDINANCE ENACTING CHAPTER 210.290 TO TITLE II, CHAPTER 210
ARTICLE VI OF THE CITY OF PAGEDALE MUNICIPAL CODE REGARDING THE
UNLAWFUL USE, TRANSFER AND DISPLAY OF FIREARMS.**

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERPERSON OF
THE CITY OF PAGEDALE, MISSOURI, AS FOLLOWS:**

SECTION 1. Chapter 210.290 is hereby enacted and added to the City of Pagedale Municipal Code, Title II, Chapter 210, Article IV and shall hereby state as follows:

210.290: Specific Actions, Prohibited.

1. It shall be unlawful for any person to sell, give, lend or otherwise transfer any firearm to any person sixteen (17) years of age or younger, except where the relationship of parent and child, guardian and ward, or adult instructor and pupil exists between such person, and the person sixteen (17) years of age or younger, or in the case of a gift or loan, where such gift or loan is made with the consent of the parent or guardian of such person sixteen (17) years of age or younger.
2. It shall be unlawful for any person sixteen (17) years of age or younger to carry any firearm on or in any public street, road, highway or park unless accompanied by a person twenty-one (21) years of age or older.
3. It shall be unlawful for any person sixteen (17) years of age or younger to fire or discharge any firearm except while under the immediate personal supervision of his parent, guardian, or any person twenty-one (21) years of age or older designated by the parent or guardian and who is supervising the firing or discharge of such firearm.
4. It shall be unlawful for the parent or guardian of any person sixteen (17) years of age or younger in his charge or custody, to knowingly permit any such person sixteen (17) years of age or younger to fire or discharge any firearm except if it be so done under the immediate personal supervision of said parent, guardian or a person twenty-one (21) years of age or older designated by the parent or guardian.
5. It shall be unlawful for any person to fire or discharge a firearm in such a manner so as to injure, wound or damage the person or property, real or personal, of another, or in such direction that any projectile or projectiles expelled therefrom strikes, hits, enters or goes through any vehicle, dwelling, house, apartment, church, school or other building.
6. It shall be unlawful for any person to fire or discharge any firearm from or across any street, sidewalk, road, highway, or any park, except on a target, trap, skeet or practice range.

7. It shall be unlawful for any person to knowingly fire or discharge any firearm at or in the direction of any person, vehicle, dwelling, house, apartment, building, church, school or other building which is within range of the same.

8. It shall be unlawful for any person to fire or discharge any firearm expelling a single solid projectile from any boat or other water vessel, or across or into the Missouri, Mississippi or Meramec Rivers, or any lake or reservoir.

9. It shall be unlawful for any person carrying a firearm to willfully enter or go upon the premises or property of another, or to fire or discharge any firearm while on the premises or property of another without first having obtained the written permission from the owner, lessee or person in charge of such premises or property, and unless such person has said written permission on his person. This section shall not apply to a person carrying, firing or discharging any firearm while in the immediate presence of the owner, lessee, or person in charge of the property or premises, or to the entry upon the premises for the sole purpose of obtaining the written permission of the owner, lessee or person in charge of the property.

10. It shall be unlawful for any person to knowingly openly carry or display a firearm readily capable of lethal use in the City of Pagedale unless: (a) said person has been issued a valid Missouri concealed carry endorsement or permit, or a valid concealed carry permit issued by another state or political subdivision of another state that is recognized by the State of Missouri; and (b) displays the concealed carry endorsement or permit upon demand of a law enforcement officer except as provided in Subsection 2 of this Section.

This Section (10) shall not apply to or affect any of the following:

(a) All state, county and municipal peace officers who have completed the training required by the police officer standards and training commission pursuant to sections 590.030 to 590.050 RSMo, as amended, and who possess the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, whether such officers are on or off duty, and whether such officers are within or outside of their employing law enforcement agency's jurisdiction; all qualified retired peace officers, as defined in section 571.030.12 RSMo, as amended, and who carry the identification defined in section 571.030.13 RSMo, as amended; and any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(b) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crimes;

(c) Members of the armed forces or national guard while performing their official duty;

(d) Those persons vested by article V, Section 1 of the Missouri Constitution with the judicial power of the state and those persons vested by article III of the Constitution of the United States with the judicial power of the United States, as members of the state and federal judiciary;

(e) Any person whose bona fide duty is to execute process, whether civil or criminal;

- (f) Any federal probation officer or federal flight deck officer as defined under the federal flight deck officer 4 program, 49 U.S.C. Section 44921, regardless of whether such officers are on duty, or within their employing law enforcement agency's jurisdiction;
- (g) Any state probation or parole officer, including supervisors and members of the board of probation and parole;
- (h) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the Missouri Department of Public Safety under section 590.750 RSMo, as amended;
- (i) Any coroner, deputy coroner, medical examiner, or assistant medical examiner;
- (j) Any municipal or county prosecuting attorney or assistant prosecuting attorney; circuit attorney or assistant circuit attorney; municipal, associate, or circuit judge; or any person appointed by a court to be a special prosecutor and who has completed the firearms safety training course required under section 571.111.2 RSMo, as amended;
- (k) Any member of a fire department or fire protection district who is employed on a full-time basis as a fire investigator and who has a valid Missouri concealed carry endorsement issued prior to August 28, 2013, or a valid concealed carry permit issued under sections 571.101 to 571.121 RSMo, as amended, when the use of the firearm is reasonably associated with or is necessary to the fulfillment of such person's official duties;
- (l) Upon the written approval of the governing body of a fire department or fire protection district, any paid fire department or fire protection district member who is employed on a full-time basis and who has a valid Missouri concealed carry endorsement issued prior to August 28, 2013, or a valid concealed carry permit issued under sections 571.101 to 571.121 RSMo, as amended, when the use of the firearm is reasonably associated with or is necessary to the fulfillment of such person's official duties; and
- (m) Any persons who are engaged in a lawful act of defense pursuant to section 563.031 RSMo, as amended.
- (n) Section 10 shall not be construed to preclude the use of a firearm in accordance with section 252.243 RSMo, as amended.

11. Penalties:

1. Any person 18 years of age or older violating Section 210.290 shall upon conviction be punished by a fine of not less than Twenty-Five Dollars (\$25.00), nor more than Five Hundred Dollars (\$500.00), or by imprisonment in the County Jail for not more than one (1) year, or by both such fine and imprisonment.
2. Any person under 18 years of age violating Section 210.290 shall upon conviction be punished by a fine of not less than Twenty-Five Dollars (\$25.00), nor more than Five Hundred Dollars (\$500.00), or by community service for a period of hours to be determined by the court, or by both such fine and community service.

3. Subsection 1 of this Section (11) shall not apply under the following circumstances:

(a) When a person with a valid Missouri concealed carry endorsement or permit or a valid concealed carry permit issued by another state or political subdivision of another state that is recognized by the State of Missouri openly carries or displays a firearm readily capable of lethal use without having their concealed carry endorsement or permit in their possession. Under such circumstances, a person may be punished by a fine of not more than Thirty-Five Dollars (\$35.00).

(b) When a person with a valid Missouri concealed carry endorsement or permit or a valid concealed carry permit issued by another state or political subdivision of another state that is recognized by the State of Missouri openly carries or displays a firearm readily capable of lethal use and fails to display their concealed carry endorsement or permit upon demand of a law enforcement officer. Under such circumstances, a person may be punished by a fine of not more than Thirty-Five Dollars (\$35.00).

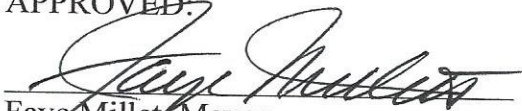
SECTION 3. The provisions of this ordinance shall be severable. In the event any provision of this ordinance is found by a court of competent jurisdiction to be unconstitutional, the remaining provisions of this ordinance are valid unless the court finds the valid provisions of this ordinance are so essentially and inseparably connected with, and so dependent upon, the void provision that it cannot be presumed that the City of Pagedale would have enacted the valid provisions without the void ones or unless the court finds that the valid provisions, standing alone, are incomplete and incapable of being executed in accordance with the legislative intent.

SECTION 4. All other ordinances or parts of ordinances in conflict herewith are to the Extent of such conflicts hereby repealed.


SECTION 5. This ordinance shall be in full force and effect from and after its passage by the Board of Alderpersons and Approval by the Mayor.

PASSED AND APPROVED BY THE CITY OF PAGEDALE BOARD OF ALDERPERSONS AND MAYOR THIS 11th DAY OF July 2024

APPROVED:


Faye Millet, Mayor

ATTESTED:


Lois Sampson-Hawker
City Clerk