

LAPORTE COUNTY COMMISSIONERS

ORDINANCE NO. 2017-_____

**ORDINANCE PROHIBITING THE DISCHARGE OF A FIREARM WITHIN
1,000 FEET OF A RESIDENTIAL DWELLING WITHIN THE
UNINCORPORATED AREAS OF LAPORTE COUNTY**

WHEREAS, it has come to the attention of the Board of Commissioners of LaPorte County, Indiana, that individuals are discharging firearms near residential areas, in close proximity to residential dwellings, within the boundaries of LaPorte County;

WHEREAS, these discharges are causing excessive disturbances and noise pollution, while creating potentially dangerous and harmful conditions for the residents of LaPorte County;

WHEREAS, I.C. 36-1-3-2 grants the Board of County Commissioners all the powers that they need for the effective operation of government as to local affairs; and

WHEREAS, the Board of County Commissioners has deemed it necessary for the safety, security and peace of LaPorte County residents, to prohibit the discharge of a firearm within 1,000 feet of a residential dwelling within LaPorte County, Indiana.

NOW, THEREFORE, be it ordained by the Board of Commissioners of LaPorte County that the discharge of a firearm within 1,000 feet of a residential dwelling is hereby prohibited in LaPorte County, Indiana, as follows:

1. **Residential Dwelling** shall mean a permanent building, or portion thereof, which is arranged, designed, used, or intended to be used for residential occupancy by one or more families, including single-family dwellings, two-family dwellings, and multiple-family dwellings.

2. **Firearm** shall mean any weapon that is capable of expelling, or designed to expel, or that may readily be converted to expel, a projectile by means of an explosion. Indiana Code § 35-47-1-5.

3. It shall be unlawful for any person, within the limits of LaPorte County, to shoot or discharge any air gun, rifle, shotgun, revolver, pistol or any other firearm, within One Thousand (1,000) feet of a residential dwelling.

4. This Ordinance does not extend to cases in which firearms are used by any legally appointed officer in the discharge of official duty, or when otherwise lawfully authorized.

5. Nothing in this Ordinance shall be construed or interpreted as abridging the right of the individual guaranteed by Article I, Section 32 of the state Constitution to bear arms in defense of self or others.

6. Any target shooting for recreational purposes shall also be subject to the one thousand (1,000) foot limitation set forth above, and must also be conducted in a safe manner and with a sufficient safety backdrop so as to avoid any impact on surrounding neighbors.

7. Any person that violates the provisions of this Ordinance shall be subject to a fine in the following amounts for each violation:

First Offense - \$100.00

Second Offense - \$200.00

Third Offense - \$300.00

Fourth and subsequent offenses - \$400.00

*Offenses shall be counted on a calendar year basis.

PASSED AND ADOPTED by the Board of Commissioners of the county of LaPorte, State of Indiana, on this _____ day of April, 2017.

Richard Mrozinski, Commissioner

Vidya Kora, Commissioner

Michael Gonder, Commissioner