

ORDINANCE NO. 035, SERIES 2022

AN ORDINANCE AMENDING CHAPTER 135 OF THE LOUISVILLE METRO CODE OF ORDINANCES (“LMCO”) RELATING TO THE DISCHARGE OF FIREARMS WITHIN LOUISVILLE METRO. (AMENDMENT BY SUBSTITUTION) (AS AMENDED)

SPONSORED BY: COUNCIL MEMBERS MULVIHILL, HOLLANDER, GEORGE, TRIPLETT, BLACKWELL, PURVIS, AND PRESIDENT JAMES

WHEREAS, the discharge of firearms within a populated area poses a threat to public safety; and

WHEREAS, in 2021 Metro Call received approximately 5,756 calls for shots fired; and

WHEREAS, on December 31, 2021 and January 1, 2022, Metro Call received 325 calls for shots fired, or approximately 6 percent of the total number received in 2021; and

WHEREAS, KRS 65.870 preempts local legislation regarding the manufacture, sale, purchase, taxation, transfer, ownership, possession, carrying, storage, or transportation of firearms, ammunition, components of firearms, components of ammunition, firearms accessories, or combination thereof; and

WHEREAS, local regulation regarding the discharge of firearms is not preempted by KRS 65.870 or other provisions of Kentucky law; and

WHEREAS, several cities in Kentucky prohibit the discharge of firearms within their jurisdictions, such as Lexington, Bowling Green, Shelbyville, and Erlanger.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (“THE COUNCIL”) AS FOLLOWS:

SECTION I: A new section of LMCO Chapter 135 of the Louisville Metro Code of Ordinances (“LMCO”) is created as follows:

Section 135.03. Firearms Discharge Prohibited

(A) Unless otherwise permitted by Kentucky law or on a properly zoned and licensed firing range, no person in Louisville Metro shall discharge a firearm:

- (1) Within 300 feet of a public roadway or public alley; or
- (2) In the direction of a structure capable of being occupied that is within 300 feet

of the person discharging the firearm.

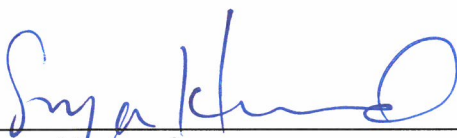
(B) The Louisville Metro Police Department shall report information associated with the enforcement of this section upon request by Metro Council.

SECTION II: LMCO § 135.99 is hereby amended as follows:

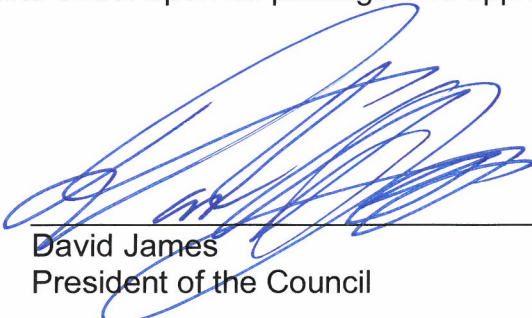
(A) Any person found to have violated the provisions of § 135.03 shall be guilty of a misdemeanor and upon conviction shall be punished by an amount not to exceed \$500 or imprisonment not to exceed 12 months, or both, for each offense.

(B) Any person found to have violated the provisions of § 135.04 shall be guilty of a misdemeanor and upon conviction shall be punished by an amount not to exceed \$500 or imprisonment not to exceed 90 days, or both, for each offense.


SECTION III: This Ordinance shall take effect upon its passage and approval or otherwise becoming law.



Sonya Harward
Metro Council Clerk



David James
President of the Council



Greg Fischer
Mayor

4/14/2022

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

BY: *Kiana M. Ferguson*

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