

**ORDINANCE NO. \_\_\_\_\_, SERIES 2022**

**AN ORDINANCE AMENDING CHAPTER 135 OF THE LOUISVILLE METRO CODE OF ORDINANCES (“LMCO”) RELATING TO THE DISCHARGE OF FIREARMS WITHIN LOUISVILLE METRO.**

**SPONSORED BY: COUNCIL MEMBERS MULVIHILL, HOLLANDER, GEORGE, TRIPLETT, BLACKWELL, 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, Exceptions**

(A) Except as permitted under subsection (B) of this section, it shall be unlawful for any person to discharge a firearm in Louisville Metro at any time. For the purposes of this section, "firearm" means any weapon which will expel a projectile by the action of an explosive.

(B) Exceptions to the prohibition on discharging a firearm under subsection (A) of this section are as follows:

(1) When legally defending persons or property;

(2) By peace officers, military personnel, or similar officers in the execution of their official duties and during training;

(3) Within a properly zoned and constructed indoor firing range;

(4) When legally hunting as permitted by Kentucky law; and

(5) When engaged in target shooting, skeet shooting, sport shooting, or demonstration shooting between dawn and dusk on outdoor premises which have been inspected for safety purposes by the Director of the Department of Codes and Regulations or the Director's designee, and for which a written shooting permit has been obtained from the Director under subsection (C) of this section.

(C)(1)(a) The Director of the Department of Codes and Regulations or the Director's designee shall develop a shooting permit application form and submittal requirements.

(b) There shall be no charge for a permit issued under this section.

(c) The Director may consult or contract with a firearms shooting expert in determining if a permit applicant's premises presents a safety hazard.

(2)(a) The Director shall issue a shooting permit upon application by any private sporting club which has been in existence and operation for at least one year prior to the adoption of this section;

(b) For all other shooting permit applicants, the Director shall issue the permit upon application unless, for reasons stated in writing, the Director finds that conditions at the premises constitute a safety hazard.

1. If evidence is presented that the applicant intends to engage in target shooting, skeet shooting, sport shooting, or demonstration shooting within five or more acres of open and/or unimproved land owned by the applicant, the premises shall be presumed safe.

2. If evidence is presented that the applicant intends to shoot on less than one and one-half (1.5) acres of property, the premises shall be presumed unsafe, although the presumption may be overcome upon inspection of the premises by the Director.

3. Shooting in the direction of a roadway shall be presumed unsafe, although the presumption may be overcome upon inspection of the premises by the Director.

(3) Subsequent to the issuance of a permit, if the Director determines in writing that any shooting activity on the premises constitutes a safety hazard, the permit may be suspended.

(4) Any denial of application for a permit or any suspension of a permit may be appealed to the Code Enforcement Board as provided in §§ 32.275 et seq.

**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 120 days after its passage and approval.

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Sonya Harward  
Metro Council Clerk

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David James  
President of the Council

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Greg Fischer  
Mayor

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Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

BY: \_\_\_\_\_

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