

ARTICLE 8.02 WEAPONS

§ 8.02.001 Discharge of firearms.

(a) Prohibited. It shall be unlawful for any person to discharge or cause to be discharged any firearm, as defined by section 46.01(3) of the Texas Penal Code, as amended, including blank shells or cartridges, within the corporate limits of the town.

(b) Exceptions. This section shall not apply to:

(1) A licensed peace officer when acting in the performance of his or her official duties;

(2) Upon prior notification to the town marshal, the use of blank cartridges is permitted for theatrical productions, as a signal for ceremonial or athletic purposes, for mounted shooting competition training or exhibition, or by military organizations of the United States of America or the state;

(3) Those circumstances where the use of deadly force is justified under applicable law, including but not limited to, sections 9.31 through 9.43 of the Texas Penal Code, as amended, and for the protection of life and property against animal predators, wild animals, or marauding animals; and

(4) The extraterritorial jurisdiction of the town or in an area annexed by the town after September 1, 1981, if the firearm or other weapon is:

(A) A shotgun, air rifle or pistol, or BB gun, or bow and arrow discharged:

(i) ~~on~~ a tract of land of 10 acres or more and: ~~more than 150 feet from a residence or occupied building located on another property; and~~

(a) more than 1,000 feet from:

a. the property line of a public tract of land, generally accessible by the public, that is routinely used for organized sporting or recreational activities or that has permanent recreational facilities or equipment; and

b. the property line of a school, hospital, or commercial day-care facility;

(b) more than 600 feet from:

a. the property line of a residential subdivision; and

b. the property line of a multifamily residential complex;
and

(c) more than 150 feet from a residence or occupied building located on another property; and

(ii) ~~in~~ a manner not reasonably expected to cause a projectile to cross the boundary of the tract; or

(B) A center fire or rim fire rifle or pistol of any caliber discharged:

(i) ~~On a tract of land of 50 acres or more and: more than 300 feet from a residence or occupied building located on another property; and~~

(a) more than 1,000 feet from:

a. the property line of a public tract of land, generally accessible by the public, that is routinely used for organized sporting or recreational activities or that has permanent recreational facilities or equipment; and

b. the property line of a school, hospital, or commercial day-care facility;

(b) more than 600 feet from:

a. the property line of a residential subdivision; and

b. the property line of a multifamily residential complex; and

(c) more than 300 feet from a residence or occupied building located on another property; and

(ii) ~~in a manner not reasonably expected to cause a projectile to cross the boundary of the tract; or~~

(C) Discharged at a sport shooting range, as defined by Section 250.001 of the Texas Local Government Code, in a manner not reasonably expected to cause a projectile to cross the boundary of a tract of land.

(c) Penalty. Any person, firm, or corporation violating any of the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in accordance with the general penalty provision found in section 1.01.009 of this code for each offense, and each and every day such offense is continued, and/or each and every time an offense takes place after being informed of the violation by any peace officer, shall constitute a new and separate offense.