

ORDINANCE NO. 579

AN ORDINANCE TO REGULATE THE SALE OF PISTOLS WITHIN THE CITY OF LAS VEGAS; PROVIDING FOR SAFEGUARDS IN THE SALE THEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO; PROVIDING FOR PENALTIES FOR THE VIOLATION OF THIS ORDINANCE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

WHEREAS, CERTAIN INDIVIDUALS WITHIN THE CITY OF LAS VEGAS HAVE FOUND THE PRESENT REGULATIONS NO BARRIER TO OBTAINING FIREARMS NOT FOR PEACEFUL PURSUITS; AND

WHEREAS, THE ABILITY OF UNDESIRABLE INDIVIDUALS TO OBTAIN FIREARMS HAS RESULTED IN UNFORTUNATE OCCURRENCES AND ACTS OF VIOLENCE; AND

WHEREAS, THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS DEEM IT EXPEDIENT AND NECESSARY FOR THE PROTECTION OF SAFETY, LIFE AND WELFARE AND THE PRESERVATION OF PEACE AND GOOD ORDER TO RESTRICT THE SALE OF CERTAIN TYPES OF FIREARMS WITHIN THE CITY;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, AS FOLLOWS:

SECTION 1. IT SHALL BE UNLAWFUL FOR ANY PERSON, FIRM, OR CORPORATION, BEING A DEALER AT RETAIL OR IN THE PAWNSHOP BUSINESS TO SELL, GIVE AWAY, LEND, EXCHANGE, OR OTHERWISE DISPOSE OF OR TRANSFER WITHIN THE CITY, OR FOR ANY PERSON TO PURCHASE, BORROW, ACCEPT AS A GIFT OR EXCHANGE, OR OTHERWISE RECEIVE OR TAKE FROM SUCH DEALER OR PAWNSHOP, ANY PISTOL OR REVOLVER OR AUTOMATIC PISTOL OR FIREARM WHATSOEVER, CAPABLE OF BEING CONCEALED ON THE PERSON, EXCEPT AS AUTHORIZED BY THIS ORDINANCE.

SECTION 2. FOR THE PURPOSE OF THIS ORDINANCE, THE TERM PISTOL SHALL MEAN ANY SMALL FIREARM FIRED BY HAND, CAPABLE OF BEING CONCEALED UPON THE PERSON OR BEING STRAPPED AROUND SOME PORTION OF THE BODY. THE TERM SHALL INCLUDE ALL SMALL FIREARMS HAVING ONE OR MORE BARRELS, SUCH AS REVOLVERS, AUTOMATICS, DERRINGERS AND THE LIKE, DISCHARGING BALL OR SIMILAR AMMUNITION AND USUALLY CALLED PISTOLS.

SECTION 3. NO PERSON, FIRM, CORPORATION, ASSOCIATION, OR OTHER, SHALL BE AUTHORIZED TO BUY AND SELL PISTOLS, WHETHER AT WHOLESALE, OR RETAIL UNTIL THEY SHALL HAVE RECEIVED A SPECIAL PERMIT FROM THE BOARD OF COMMISSIONERS TO DEAL IN PISTOLS. ANY PERSON DESIRING SUCH SPECIAL PERMIT SHALL FIRST APPLY TO THE BOARD OF COMMISSIONERS SETTING OUT HIS NAME, ADDRESS AND THE BUSINESS (OTHER THAN DEALING IN PISTOLS) INTENDED TO BE CARRIED ON, AND STATING A REQUEST FOR A SPECIAL PERMIT TO DEAL IN PISTOLS AT SUCH PLACE. THE BOARD OF COMMISSIONERS, AFTER CONSIDERING SAME, IN ANY MANNER THAT MAY APPEAR TO THEM PROPER, MAY APPROVE OR DISAPPROVE SUCH APPLICATION. IF DISAPPROVED, THEN NO SPECIAL PERMIT SHALL BE ISSUED SUCH APPLICANT FOR THE SALE OF PISTOLS. IF APPROVED, THE CITY CLERK SHALL ISSUE A SPECIAL PERMIT TO SUCH PERSON TO SELL PISTOLS AT THE PLACE NAMED AND UNDER THE PRESENT BUSINESS LICENSE OF SUCH PERSON. THIS SECTION SHALL APPLY TO HARDWARE STORES, GUNSMITH SHOPS, PAWNSHOPS, AND ALL OTHER PLACES WHERE PISTOLS ARE KEPT FOR SALE.

SECTION 4. FROM AND AFTER THE ADOPTION OF THIS ORDINANCE, SALES OF PISTOLS SHALL BE MADE WITHIN THE CITY OF LAS VEGAS ONLY BY PERSONS LICENSED IN ACCORDANCE WITH SECTION 3 OF THIS ORDINANCE AND SUCH SALES OR PURCHASES SHALL BE SUBJECT TO THE FOLLOWING CONDITIONS AND LIMITATIONS.

- (1) THERE SHALL BE A FORTY-EIGHT (48) HOUR WAITING PERIOD BETWEEN THE TIME WHEN THE SALE IS REQUESTED, AND THE ACTUAL TRANSFER OF THE PISTOL TO THE PURCHASER OR TRANSFEREE, AND SUCH SALE OR TRANSFER SHALL ONLY BE MADE BETWEEN THE HOURS OF 9:00 A.M. & 5:00 P.M. OF THE DAY WHEN THE WAITING PERIOD HAS EXPIRED. RECORDS OF SUCH SALES SHALL BE OPEN FOR INSPECTION BY THE CHIEF OF POLICE AT ALL REASONABLE TIMES.

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- (2) NO PERSON UNDER THE AGE OF 21 YEARS SHALL PURCHASE A PISTOL OR AMMUNITION FOR ANY PISTOL, AND NO LICENSEE UNDER THIS ORDINANCE SHALL TRANSFER OR SELL ANY PISTOL OR AMMUNITION FOR A PISTOL TO ANYONE UNDER 21 YEARS OF AGE.
- (3) NO PISTOL WHICH HAS THE IDENTIFYING NUMBERS REMOVED SHALL BE SOLD OR PURCHASED.
- (4) ALL SECONDHAND OR USED PISTOLS, EXCEPT ANTIQUE PIECES, SOLD OR PURCHASED, SHALL BE IN A FIRST CLASS SAFETY CONDITION.
- (5) NO HOMEMADE WEAPONS SHALL BE BOUGHT OR SOLD.
- (6) NO WEAPON OF FOREIGN MAKE SHALL BE SOLD WITH AMMUNITION FOR THE SAME, UNLESS THE SAID AMMUNITION IS EXPRESSLY MADE FOR SAID PISTOL.
- (7) NO SALE OR PURCHASE OF A PISTOL AS DEFINED BY THIS ORDINANCE SHALL BE MADE TO ANY PERSON WHO HAS BEEN CONVICTED OF A FELONY IN THE STATE OF NEVADA, OR IN ANY ONE OF THE STATES OF THE UNITED STATES, OR ANY POLITICAL SUBDIVISION THEREOF, OR TO ANY FOREIGN BORN PERSON NOT A NATURALIZED CITIZEN OF THE UNITED STATES OF AMERICA, OR ANY STATE THEREOF, OR TO ANY PERSON OF AN UNSOUND MIND.

SECTION 5. UPON THE SALE OF A PISTOL, UNDER THE PROVISIONS OF THIS ORDINANCE, THE DEALER OR OTHER PERSON MAKING SAID SALE, SHALL WITHIN TWELVE (12) HOURS, NOTIFY THE SHERIFF'S OFFICE OF CLARK COUNTY, NEVADA, IN WRITING, OF SUCH SALE GIVING THE NAME OF THE PURCHASER OR TRANSFEREE TOGETHER WITH THE NUMBER OF SAID PISTOL AND A COMPLETE DESCRIPTION THEREOF; AND SHALL NOTIFY THE PURCHASER OR TRANSFEREE THAT SAID PISTOL MUST BE REGISTERED WITH THE SAID SHERIFF'S OFFICE. THE PURCHASER OR TRANSFEREE SHALL, WITHIN ONE HOUR OF SUCH PURCHASE OR RECEIPT OF SAID PISTOL, PERSONALLY APPEAR AT THE SHERIFF'S OFFICE, TOGETHER WITH SAID PISTOL, AND REGISTER SUCH PISTOL WITH SAID OFFICER.

SECTION 6. ANY PERSON VIOLATING ANY OF THE PROVISIONS OF THIS ORDINANCE SHALL UPON CONVICTION THEREOF BE PUNISHED BY A FINE OF NOT TO EXCEED FIVE HUNDRED (\$500.00) DOLLARS, OR IMPRISONED IN THE CITY JAIL FOR NOT MORE THAN SIX (6) MONTHS, OR BY ANY COMBINATION OF SUCH FINE OR IMPRISONMENT.

SECTION 7. SHOULD ANY PROVISION, CLAUSE OR WORD OR WORDS OF THIS ORDINANCE BE INVALID, THEIR INVALIDITY OR UNCONSTITUTIONALITY SHALL NOT ANNUL ANY OTHER PROVISION OF THIS ORDINANCE.

SECTION 8. THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT UPON ITS FINAL READING AND ADOPTION, AND FINAL PUBLICATION AS IN THE NEXT SECTION PROVIDED.

SECTION 9. THE CITY CLERK AND CLERK OF THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS SHALL CAUSE THIS ORDINANCE TO BE PUBLISHED ONCE A WEEK FOR TWO SUCCESSIVE WEEKS IMMEDIATELY FOLLOWING ITS FIRST READING AND ADOPTION IN THE LAS VEGAS SUN, A DAILY NEWSPAPER PUBLISHED IN THE CITY OF LAS VEGAS.

APPROVED:

s/ C. D. BAKER
MAYOR

ATTEST:

s/ SHIRLEY BALLINGER
CITY CLERK

THE ABOVE AND FOREGOING ORDINANCE WAS FIRST PROPOSED AND READ BY TITLE TO THE BOARD OF COMMISSIONERS ON THE 21ST DAY OF OCTOBER, 1953, AND REFERRED TO THE FOLLOWING COMMITTEE COMPOSED OF COMMISSIONERS BUNKER AND JARRETT FOR RECOMMENDATION; THEREAFTER THE SAID COMMITTEE REPORTED FAVORABLY ON SAID ORDINANCE ON THE 2ND DAY OF DECEMBER, 1953; WHICH WAS THE REGULAR MEETING OF SAID BOARD OF COMMISSIONERS; THAT AT SAID REGULAR MEETING HELD ON SUCH DAY THE PROPOSED ORDINANCE WAS READ IN FULL TO THE BOARD OF COMMISSIONERS AND WAS ADOPTED BY THE FOLLOWING VOTE:

VOTING "AYE": COMMISSIONERS BUNKER, JARRETT, WHIPPLE AND HIS
HONOR MAYOR BAKER

VOTING "NAY": COMMISSIONER SHARP ABSENT: NONE

APPROVED:

s/ C. D. BAKER
MAYOR

ATTEST:

SHIRLEY BALLINGER
CITY CLERK

Per motion made at a recessed regular meeting held December 7, 1953, Clerk was authorized to withdraw publication of this Ordinance No. 579.

Shirley Ballinger
City Clerk