

**NOTICE**

At a Regular Rochester Hills City Council Meeting held at the City of Rochester Hills Municipal Offices, 1000 Rochester Hills Drive, Oakland County, Michigan on Monday, May 17, 2010:

Present: President Gregory Hooper, Members J. Martin Brennan, Nathan Klomp, James Rosen, Michael Webber and Ravi Yalamanchi

Absent: Vern Pixley

**QUORUM PRESENT**

**MOTION BY** Webber, seconded by Yalamanchi, **Resolved that Ordinance No. 553**, an Ordinance to amend Section 74-108 of Article II, Division 3, of Chapter 74, Parks and Recreation, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify the regulation of firearms in City Parks, repeal inconsistent or conflicting Ordinances, and prescribe a penalty for violations, **BE AND IS HEREBY ADOPTED** and shall become effective on Friday, May 28, 2010 the day following its publication in the *Rochester Post*.

Ayes: Brennan, Hooper, Klomp, Rosen, Webber and Yalamanchi

Absent: Pixley

**MOTION CARRIED**

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ORDINANCE NO. 553

AN ORDINANCE TO AMEND SECTION 74-108 OF ARTICLE II, DIVISION 3, OF CHAPTER 74, PARKS AND RECREATION, OF THE CODE OF ORDINANCES OF THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, TO MODIFY THE REGULATION OF FIREARMS IN CITY PARKS, REPEAL INCONSISTENT OR CONFLICTING ORDINANCES, AND PRESCRIBE A PENALTY FOR VIOLATIONS.

THE CITY OF ROCHESTER HILLS ORDAINS:

Section 1. Section 74-108 of Chapter 74, Article II of the Code of Ordinances shall be amended, as follows:

**Sec. 74-108. Firearms and weapons.**

It shall be unlawful to ~~bring in, have or use~~ discharge any firearm, air rifle, airgun, or any other weapon that ~~discharges-propels~~ projectiles by any means in a park. However, this section shall not apply to any authorized peace officer while carrying out the duties of his position, nor to any individual who discharges a firearm in lawful self-defense or the lawful defense of another individual.

**CODIFIED ORDINANCE NO. 553**

Section 2. Severability. This ordinance and each article, section, subsection, paragraph, subparagraph, part, provision, sentence, word and portion thereof are hereby declared to be severable, and if they or any of them are declared to be invalid or unenforceable for any reason by a court of competent jurisdiction, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

Section 3. Penalty. All violations of this ordinance shall be misdemeanors and upon conviction thereof shall be punishable by a sentence of not more than ninety (90) days of confinement to jail or by a fine of not more than \$500, or both, in the court's discretion.

Section 4. Repeal, Effective Date, Adoption.

(1) Repeal. All regulatory provisions contained in other City ordinances, which are inconsistent with the provisions of this ordinance, are hereby repealed.

(2) Effective Date. This ordinance shall become effective on May 28, 2010, following its publication in the *Rochester Post* on May 27, 2010.

(3) Adoption. This ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof held on May 17, 2010.

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Bryan K. Barnett, Mayor  
City of Rochester Hills

**CERTIFICATE**

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ADOPTED BY THE CITY COUNCIL OF THE CITY OF ROCHESTER HILLS AT A MEETING THEREOF ON MAY 17, 2010.

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Jane Leslie, Clerk  
City of Rochester Hills

Accepted for First Reading: 5/3/10  
cw: 5/17/10