

# CITY OF OBERLIN, OHIO

## ORDINANCE NO. 13-44 AC CMS

AN ORDINANCE AMENDING SECTION 927.07 OF THE CODIFIED ORDINANCES OF THE CITY OF OBERLIN TO ELIMINATE THE BLANKET PROHIBITION OF THE POSSESSION OF FIREARMS IN MUNICIPAL PARKS

WHEREAS, Section 9.68 of the Ohio Revised Code provides that “except as specifically provided by the United States Constitution, Ohio Constitution, state law, or federal law, a person, without further license, permission, restriction, delay or process, may own, possess, purchase, sell, transfer, transport, store or keep any firearm, part of a firearm, its components, and its ammunition;” and,

WHEREAS, the Ohio Supreme Court has held that Section 9.68 of the Ohio Revised Code is a general law that displaces municipal firearm ordinances and that it does not unconstitutionally infringe on municipal home rule authority; and,

WHEREAS, Section 927.07 of the Codified Ordinances of the City of Oberlin conflicts with the provisions of Section 9.68 of the Ohio Revised Code because it prohibits the possession of firearms in City parks and recreation areas.

NOW THEREFORE, BE IT ORDAINED by the Council of Oberlin, County of Lorain, State of Ohio, a majority of all members elected thereto concurring:

SECTION 1. That Section 927.07 of the Codified Ordinances of the City of Oberlin is hereby amended to read as follows:

### 927.07 FIREARMS AND WEAPONS.

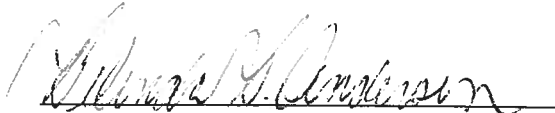
The unlawful possession, use or discharge of any type of a firearm or the possession of any, knife, switchblade, bow and arrow, air gun, paintball gun, B-B gun, spring-operated gun, slingshot, or other offensive weapon within a City park or recreation area is strictly forbidden. The throwing of stones or the launching of other harmful projectiles within a City park or recreation area is forbidden. The term “firearm” as used in this section shall have the same meaning as in section 2923.11 of the Ohio Revised Code.


SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this ordinance shall take effect the earliest date allowed by law.

PASSED: 1st Reading: August 19, 2013  
2nd Reading: September 3, 2013  
3rd Reading: September 16, 2013

ATTEST:

  
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BELINDA B. ANDERSON, CMC  
CLERK OF COUNCIL

  
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RONNIE J. RIMBERT  
PRESIDENT OF COUNCIL

POSTED: 09/17/2013

EFFECTIVE DATE: 10/16/2013