

ORDINANCE NO. 46

AN ORDINANCE DECLARING THE CARRYING OF SIDEARMS AND OTHER PERSONAL WEAPONS A NUISANCE: DEFINING TERMS: PROHIBITING THE CARRYING OR DISPLAY OF SIDEARMS AND OTHER PERSONAL WEAPONS WITHIN THE TOWN: PROVIDING EXCEPTIONS: PROVIDING FOR NON-AFFECT AS TO PROVIDING THAT THIS ORDINANCE IS EMERGENCY IN NATURE AND IS EFFECTIVE IMMEDIATELY.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ENNIS:

THAT WHEREAS it appears that a nuisance is created in the Town of Ennis by the act of individuals carrying within the said Town sidearms and other personal weapons in public places and upon its streets; the Town does hereby adopt the following ordinance for the prevention of said nuisance, to-wit:

SECTION 1. For the purpose of this ordinance the following definitions shall apply:

- A. Sidearms shall include any handgun or firearm, having a barrel of 16 inches or less.
- B. Other personal weapons shall include any knife, having a blade of more than (3) inches in length.

SECTION 2. No person shall in any public place or upon the streets or alleys of the Town of Ennis carry or have on his person a sidearm or other personal weapon or display the same to two or more persons in such places.

SECTION 3. This act shall not apply to any bona fide licensed dealer in weapons offering sidearms or other personal weapons in a place of business nor to cooks and food service personnel using knives in the exercise of their trade nor to law enforcement officers or peace officers of the Town, State or Federal Government carrying sidearms or other personal weapons in the exercise of their duties.

SECTION 4. This ordinance shall in no way limit or affect the criminal laws of the State of Montana dealing with the carrying of concealed weapons upon the person which shall remain in all respects in full force and effect.

SECTION 5. Any person violating this ordinance shall upon conviction be punished by a fine of not less than \$100.00 and not more than \$300.00 or by imprisonment for a term of not exceeding 15 days or both, provided that if such person shall be convicted of a violation of this ordinance twice within a period of one year, upon the second conviction by a fine or not less than \$150.00 nor more than \$300.00 and by imprisonment for a term of not less than thirty days and no more than ninety days; and in the latter case imprisonment shall be mandatory for a period of thirty days.

SECTION 6. The Council specifically finds that an emergency has arisen by reason of the imminence of the summer tourist season within the Town of Ennis and deems this ordinance

emergency in nature and provides hereby that this ordinance shall be effective immediately upon passage and approval.

PASSED by the Council and APPROVED by the Mayor this 28 th day of June, 1971.

Robert Story
Mayor

ATTEST:

Lolenta L. Neiffer
Town Clerk