

Ordinance # 43

AN ORDINANCE PROHIBITING THE CARRYING OF CONCEALED WEAPONS AND PROVIDING A PENALTY THEREFORE; PROVIDING FOR THE SEIZURE AND DESTRUCTION OF CONCEALED WEAPONS AND DECLARING AN EMERGENCY.

The City of Garibaldi does ordain as follows:

SECTION 1. It shall be unlawful for any person to carry, concealed about his person or within the vehicle of the carrier, in any manner, any revolver, pistol or other firearms, any knife other than an ordinary pocket knife or dirk, dagger, slungshot, metal knuckles, or any instrument by the use of which injury could be inflicted upon the person or property of any other person. Any person upon conviction thereof, shall be punished by a fine of not less than ten dollars (\$10.00) or more than two-hundred dollars (\$200.00), or by imprisonment in the City Jail of not less than five (5) days or more than one-hundred (100) days or both.

SECTION 2. Nothing in section 1 of this ordinance applies to any sheriff, constable, police or other peace officer whose duty it is to serve, process or make arrest.

SECTION 3. The unlawful, concealed carrying upon the person or within the vehicle of the carrier of any machine gun, pistol, revolver or other firearm capable of being concealed upon the person is a nuisance. Any such weapons taken from the person or vehicle of any person unlawfully carrying the same are nuisances and shall be surrendered to the head of the police force or police department. The officer to whom such weapons are surrendered, except upon the certificate of a judge of a court of record, or of the district attorney of the county, or of the recorder of said city that their preservation is necessary or proper to the ends of justice, shall annually between July 1, and July 10, destroy the weapons to such an extent that they are wholly or entirely ineffective and useless for the purpose for which they were manufactured. In event any such weapon has been stolen and is thereafter recovered from the thief or his transferee it shall not be destroyed but shall be restored to its lawful owner as soon as its use as evidence has been served, upon his

identification of the weapon and proof of ownership. Upon the certificate of a judge or of the district attorney of any county of the State of Oregon or the Recorder of the City of Garibaldi that the ends of justice will be subserved thereby such weapon shall be preserved until the necessity for its use ceases.

SECTION 4. Whereas, the peace, health and safety of the people of the City of Garibaldi is involved, therefore, an emergency is declared to exist, and this ordinance shall be in full force and effect from after its passing by the Common Council and approved of and by the Mayor.

PASSED by the Garibaldi City Council and approved by the Mayor this 13<sup>th</sup> day of August, 1956.

A L M  
Recorder

APPROVED:

R. L.

Mayor