

COUNCIL BILL NO. 1921

INTRODUCED BY: JIM AUGHENBAUGH

ORDINANCE NO. 1822

AN ORDINANCE

AN ORDINANCE OF THE CITY OF DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES OF THE CITY OF DUBOIS ENTITLED "CONDUCT" TO REPEAL PART 6 PROHIBITING THE DISCHARGE OF FIREARMS AND SIMILAR DEVICES AND IMPOSING PENALTIES FOR VIOLATIONS THEREOF IN ITS ENTIRETY.

WHEREAS, the City of Dubois recognizes that *District of Columbia v. Heller*, 554 U.S. 570 (2008), is a landmark case in which the Supreme Court of the United States held that the Second Amendment protects an individual's right to possess a firearm unconnected with the service in a militia for traditionally lawful purposes, such as self-defense within the home; and

WHEREAS, in *McDonald v. City of Chicago*, 561 U.S. 742 (2010), the Supreme Court of the United States ruled that Second Amendment rights are applicable to states through the Fourteenth Amendment; and

WHEREAS, The Legislature of the Commonwealth of Pennsylvania has just passed Important Firearms Preemption Legislation through House Bill 671 and Senate Bill 5 adversely affecting municipalities that have enacted gun control legislation whether or not the same is being enforced by such municipalities; and

WHEREAS, the City further recognizes that all regulations of the right to hunt within the boundaries of the City of DuBois are properly regulated by the Commonwealth of Pennsylvania and not by the City of DuBois.

NOW, THEREFORE, the City of DuBois being firmly in support of the Second Amendment rights of its citizens does hereby declare that it be enacted and ordained by the authority of the same as follows:

SECTION 1. Chapter 6, Part 6, consisting of Section 601, Section 602, Section 603, and Section 604 prohibiting discharging of firearms and similar devices and establishing penalties for violation of the provisions thereof are hereby repealed in its entirety.

SECTION 2. All other portions of Chapter 6 or any other ordinance of the City of DuBois in conflict herewith are hereby repealed.

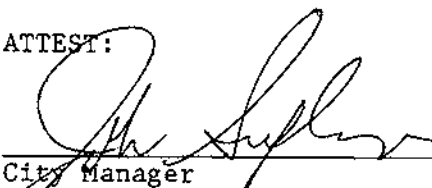
SECTION 3. All other portions of Chapter 6 not in conflict herewith are hereby re-affirmed and re-certified as if set forth herein at length.

SECTION 4. This Ordinance shall take effect immediately upon final enactment.

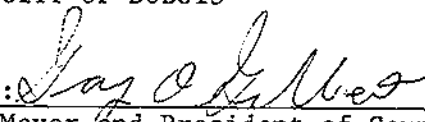
Ordained and enacted by the City Council of the City of DuBois in lawful session assembled this 22 day of May, 2017

ATTEST:

CITY OF DUBOIS



City Manager

By: 

Mayor and President of Council

PASSED BY COUNCIL:

APPROVED:

May 22, 2017

