

ORDINANCE 2024-\_\_\_\_\_

**AN ORDINANCE TO AMEND ARTICLE VI. WEAPONS, OF THE CODE OF ORDINANCES OF THE CITY OF VICKSBURG, MISSISSIPPI, BY AMENDING SEC. 17-160. DISCHARGING FIREARMS TO INCREASE THE PENALTY FOR VIOLATIONS AND TO PROVIDE A DUTY TO REPORT LOSS OR THEFT OF FIREARM AND TO PROVIDE FOR THE FORFEITURE OF FIREARM**

WHEREAS, Section 45-9-53 of the Mississippi Code Annotated (1972) as amended authorizes municipal governing authorities, in their discretion, to regulate the discharge of firearms within the limits of the municipality; and

WHEREAS, Section 17-160. of the Code of Ordinances of the City of Vicksburg, Mississippi, provides, “the discharging of any gun, pistol, or firearm of any description within the city limits shall be a misdemeanor. This section does not apply to police officers in performance of their duties as law enforcement officers, nor to the discharge of firearms at locations, times and/or specific events previously approved for the discharge of firearms by the police chief, nor to a person in self-defense or defense of others, or if otherwise allowed by law. Any person found guilty of discharging a firearm within the City of Vicksburg shall be punished by a fine not exceeding one thousand dollars (\$1,000) and imprisoned for a term up to ninety (90) days”; and

WHEREAS, the Board of Mayor and Aldermen of the City of Vicksburg, Mississippi, recognizes the need for amendments to the provision to protect the health and safety of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF VICKSBURG as follows:

SECTION ONE: Sec. 17-160. of the Code of Ordinances of the City of Vicksburg, Mississippi, as it presently exists is hereby deleted.

SECTION TWO: The following language shall be substituted in place of the deleted language in Sec. 17-160. Discharging Firearms, and shall state as follows:

**Sec. 17-160. Discharging Firearms Within City; Duty to Report Loss or Theft of Firearm; Forfeiture of Firearm**

- (a) The discharging of any gun, pistol, or firearm of any description within the city limits shall be a misdemeanor. Any person found guilty of discharging a firearm within the City of Vicksburg shall be punished by a fine not exceeding one thousand dollars (\$1,000) and imprisoned for a minimum term of thirty (30) days, but not to exceed a term of twelve (12) months. This section does not apply to police officers in the performance of their duties as law enforcement officers, nor to the discharge of firearms at locations, times and/or specific events previously approved for the discharge of firearms by the police chief, nor to a person in self-defense or defense of others, or if otherwise allowed by law.
- (b) Any person residing in the City of Vicksburg who owns or possesses a firearm shall report the theft or loss of the firearm to the Vicksburg Police Department within forty-eight (48) hours of the time the owner knew or reasonably should have known that the firearm had been lost or stolen. Failure to report this loss shall constitute a misdemeanor and upon conviction shall be punishable by a fine not exceeding one thousand dollars (\$1,000.00) and/or imprisoned for a term not to exceed thirty (30) days.

(c) Any weapon used in violation of this section or used in the commission of any other crime, shall be seized by the arresting officer, may be introduced in evidence, and in the event of a conviction, shall be ordered to be forfeited, and shall be disposed of as ordered by the court having jurisdiction of such offense. In the event of dismissal or acquittal of charges, such weapon shall be returned to the accused from whom it was seized pursuant to Section 97-37-3 of the Mississippi Code Annotated (1972), as amended.

- (1) If the weapon to be forfeited is merchantable, the court may order the weapon forfeited to the seizing law enforcement agency.
- (2) A weapon so forfeited to a law enforcement agency may be sold at an auction as provided by state law.

SO ORDAINED this the \_\_\_\_\_ day of December 2024.

The Mayor and Aldermen of the  
City of Vicksburg, Mississippi

---

George Flaggs, Jr. Mayor

---

Thomas J. Mayfield, Alderman

---

Alex J. Monsour, Jr., Alderman