

ROCKFORD TOWNSHIP

ORDINANCE NO.: 22-11.1

AN ORDINANCE REPEALING AND REPLACING THE ORDINANCES CONCERNING FIREARMS DISCHARGE, DANGEROUS WEAPONS, EXPLOSIVES, EXPLOSIVE DEVICES, AND INCENDIARY DEVICES WITHIN ROCKFORD TOWNSHIP

The Board of Supervisors of Rockford Township, a Minnesota political subdivision located within Wright County, Minnesota, hereby Ordains:

Section 1 Authority.

This Ordinance is enacted pursuant to the authority given to the Township under Minnesota Statutes, Section 366.01, subdivision 2, which provides “[The Township Supervisors may]” by ordinance . . . regulate or prohibit the discharge of firearms, when deemed to be in the public interest.”

Section 2 Statement of Purpose.

The Township Board of Supervisors hereby finds that the unregulated discharge of firearms in or near residential areas within the Township endangers public safety and creates public welfare concerns, and that regulation is necessary and in the public’s interest.

Section 3 Repeal of Current Ordinances; Severability.

Town Ordinances Nos 91-1 and 91-2 respectively titled, “An Ordinance Regulating the Discharge of Firearms, Dangerous Weapons, Explosives, Explosive Devices, and Incendiary Devices within the limits of the Town of Rockford and Providing a Penalty for Violation Thereof, and Repealing an Ordinance Dated February 12, 1974” and “An Ordinance Amending Ordinance No. 91-1, Regulating The Discharge Of Firearms, Dangerous Weapons, Explosives, Explosive Devices, And Incendiary Devices Within The Limits Of The Town Of Rockford” are hereby repealed. Notwithstanding the repeal of these ordinances, and for avoidance of doubt, the former firearms and explosives ordinance dated February 12, 1974, shall remain void and of no force and effect.

Any provision or clause contained in this Ordinance which is determined to be invalid by a court of competent jurisdiction shall not affect any other provision or clause of this Ordinance and shall be severed to the extent possible, without impacting the spirit of this Ordinance.

Section 4 Regulation of Firearms and Other Weapons.

Subdivision 1 Definitions

- (a) “FIREARMS” within the meaning of this section, shall be deemed to include shotguns of whatever size, and any rifle, revolver, or pistol of size .22 caliber or larger.

- (b) "OTHER WEAPONS" shall be deemed to include air guns, spring guns, BB guns, pellet guns, bows and arrows, compound bows, cross bows, or any similar devices.

Subdivision 2 Regulation of Discharge. It shall be unlawful for any person to fire or discharge any firearm or other weapon within the Township, except in those areas zoned for Agricultural uses; provided, however, that no firearm or other weapon may be fired or discharged within five hundred (500) feet of a building occupied by humans or animals without the express written permission of the landowner. In all instances it shall be illegal to discharge a firearm from across the right-of-way of a road or within two hundred (200) feet of areas zoned for Residential uses.

Subdivision 3 Exceptions. This section shall not apply to licensed peace officers or other persons required or permitted to use firearms in the performance of their duties.

Subdivision 4 Penalty/Enforcement. Any person found in violation of this provision shall be guilty of a misdemeanor, punishable by up to a \$1,000.00 fine, up to 90 days in jail, or both.

Section 5 Regulation of Explosives.

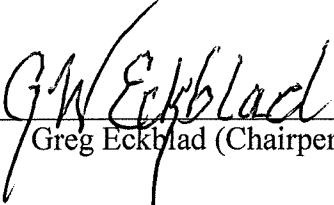
Subdivision 1 Explosives, Explosive Devices, and Incendiary Devices. It shall be unlawful for any person to detonate any explosive, explosive device, or incendiary device without a license or permit from, and under the supervision of, the proper authorities. Explosives include explosive fireworks, which are regulated under Minnesota Statutes, section 624.20 through 624.25, and may only be sold, possessed, and used by valid licensee and/or permit holders under section 624.221, which requires prior approval by the Wright County Auditor under Section 624.22, subdivision 1, clause (c), and may be done so only under the supervision of the County Sheriff.

Subdivision 2 Non-Explosive Fireworks. Legal (non-explosive) fireworks in Minnesota (as defined in Minnesota Statutes, sections 624.20 through 624.25, which is incorporated herein by reference), may be detonated or ignited between the hours of 9 a.m. and 10 p.m., Monday through Saturday, and on Independence Day (July 4) and New Year's Eve (December 31), whatever day of the week those holidays fall on; provided, however, that no fireworks may be detonated when doing so (i) endangers personal safety, life, or property, (ii) when burning restrictions are in effect due to a high risk for wildfire, (iii) when doing so is negligent or reckless, (iv) when doing so is a public nuisance (i.e., creates excessive or protracted noise), or (v) when weather conditions do not otherwise permit for the safe use of fireworks.

Subdivision 3 Detonations of other fireworks or explosives (i.e., T-N-T for agricultural or construction uses) are regulated by federal, state, county, and local laws and regulations, which require proper licenses and/or permits, and supervision.

Subdivision 4 Any person found in violation of this provision is guilty of a misdemeanor and may be fined up to \$1,000.00, imprisoned for up to 90 days, or both.

Enacted by the Board of Supervisors of Rockford Township, Wright County, Minnesota on this 1 day of November 2022.



Greg Eckblad (Chairperson)

Attest:



Rachelle L. McDougall (Clerk/Treasurer)

