

NOTICE

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**CHAPTER 672
WEAPONS AND EXPLOSIVES**

672.01	Discharging Firearms		672.04	Sale of Fireworks
672.02	Throwing or Projecting Missiles		672.05	Fireworks Display Permits
672.03	Sale of Explosives to Minors			

SECTION 672.01 DISCHARGING FIREARMS.

(a) No person shall discharge any cannon, pistol, or other firearm, of any kind whatsoever, or any air rifle, pellet gun, gas gun, BB gun or other similar object, or any bow and arrow, crossbow, or other similar object, within the City. This section shall not prohibit the firing of a military salute or the firing of weapons by members of the United States Armed Forces acting under military authority and shall not apply to law enforcement officers in the proper enforcement of the law; or to any person in the proper exercise of the right of defense. The offense established under this section is a strict liability offense and strict liability is a culpable mental state for purposes of Ohio R.C. Section 2901.20. The designation of this offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.

(b) "Firearm" has the same meaning as in Ohio R.C. 2911.11.

(c) Whoever violates any of the provisions of this section is guilty of a misdemeanor of the fourth degree. Punishment shall be as provided in Section 698.02.

(d) Notwithstanding anything else to the contrary, if the court finds that the victim suffered physical harm as a result of the negligent commission of this offense, whoever violates any provision of this section is guilty of a misdemeanor of the first degree.

SECTION 672.02 THROWING OR PROJECTING MISSILES.

(a) No person shall recklessly throw or propel a missile or other object at or toward a person, structure, vehicle, or other property which might be injured or damaged thereby, or strike or wound a person or injure or damage any such property by such act.

(b) Whoever violates this section is guilty of a minor misdemeanor. Punishment shall be as provided in Section 698.02.

(c) Notwithstanding anything else to the contrary, if the court finds that the victim suffered physical harm as a result of the commission of this offense, whoever violates any provision of this section is guilty of a misdemeanor of the second degree.

SECTION 672.03 SALE OF EXPLOSIVES TO MINORS.

(a) No person shall sell, give away or otherwise dispose of or deliver to any person under twenty-one years of age any explosive, as defined in Ohio R.C. 2923.11, whether such person is acting on their own behalf or for any other person.

(b) The offense established under this section is a strict liability offense and strict liability is a culpable mental state for purposes of Ohio R.C. Section 2901.20. The designation of this offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.

(c) Whoever violates this section shall be fined not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00).

SECTION 672.04 SALE OF FIREWORKS.

(a) No person shall possess for sale at retail, or sell at retail, or discharge, ignite or explode any fireworks, as defined herein, within the Municipality, except as provided in Section 672.05.

The term "fireworks" means any combustible or explosive compositions, or any substance or combination of substances or article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation, but shall not mean or include toy pistols, toy canes, toy guns or other devices in which paper or plastic caps containing twenty-five hundredths grains or less of explosive compounds are used, provided they are so constructed that the hand cannot come in contact with the cap when in place for the explosion, and toy pistol paper or plastic caps which contain less than twenty hundredths grains of explosive mixture.

(b) The offense established under this section is a strict liability offense and strict liability is a culpable mental state for purposes of Ohio R.C. Section 2901.20. The designation of this offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.

(c) Whoever violates this section shall be fined not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00).

SECTION 672.05 FIREWORKS DISPLAY PERMITS.

Upon written permission secured from the Fire Chief, fireworks may be used for public or private exhibitions of fireworks in connection with fairs, carnivals or other celebrations. Application for such permits shall be made to the Chief and shall be issued under such reasonable regulations to protect the safety of persons or property as the Chief may prescribe. In such cases parties in charge of such exhibitions shall be held strictly responsible for any damage to persons or property resulting from the use of fireworks so used. Fireworks being held in storage for such exhibitions must be kept in a closed wooden box or tarpaulin until they are to be used. Section 672.12 and this section do not prohibit any wholesaler, dealer or jobber from selling at wholesale such fireworks as are permitted to be used by such sections or the sale of fireworks to be shipped directly out of the State.

Legislative History: Ord. 4309-18; passed 5/8/18.