

CHAPTER 21

WEAPONS.

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21-101. Carrying concealed weapons.

No person in the City shall wear under his or her clothes, or conceal about his or her person, or display in a threatening manner, any dangerous or deadly weapon including, including but not limited to, any pistol, revolver, sling shot, cross-knuckles or knuckles of lead, brass or other metal, or any bowie knife, or any knife resembling a bowie knife, or any knife with a switch-blade or device whereby the blade or blades can be opened by a flick of a button, pressure on the handle or other mechanical contrivance, or a pocket knife having a blade of more than three inches in length. Nothing in this section shall prohibit the carrying of a concealed handgun in a manner otherwise consistent with Neb. Rev. St. § 69-2427 et. seq., known as the Concealed Handgun Permit Act or 18 United States Code 926, known as the Law Enforcement Officer's Safety Act.

(Code 1973, 39-1; Ord. No. 1750 and 4222-5/2009)

Reference: For state law authorizing City to regulate, punish, etc., the carrying of concealed weapons, see Neb. Rev. Stat. 1943, Section 28-1201 et seq.

21-102. Sale of switch-blade knives prohibited.

No person in the City shall sell, offer for sale or display any knife having the appearance of a pocket knife, the blade of which can be opened by a flick of a button, pressure on the handle or other mechanical devices. Such knife is hereby declared to be a dangerous or deadly weapon within the meaning of Section 21-101 and shall be subject to forfeiture to the City as provided in this Chapter.

(Code 1973, 39-2; Ord. No. 1750)

21-103. Discharge of firearms and weapons.

It shall be unlawful for any person to discharge or cause to be discharged any rifle, gun, pistol, revolver, shotgun, air gun, blank cartridge revolver or any other firearm or any sling shot loaded with rock or other dangerous missile, or any crossbow or bow and arrow, at any time or under any circumstances within the City or within any park, the property of the City, whether within or without the corporate limits; provided, that this Section shall not apply to an officer of the law in the discharge of his duties; to licensed shooting galleries; to any theatrical performance or exhibition duly authorized or licensed; to the discharge of any crossbow or bow and arrow when the bolt or arrow does not leave the property from which it is discharged; to the discharge of a shotgun related to cleaning inside the furnace at Whelan Energy Center; or when the same may be necessary for the public or individual defense and safety.

(Code 1973, 39-3; Ord. Nos. 1750, 1836, 4363-8/2013)

Reference: For state law authorizing City to regulate or prohibit the discharge of firearms, see Neb. Rev. Stat. 1943, Section 16-227.

21-104. Display and sale of specified weapons prohibited.

No person engaged in business in the city shall display or place on exhibition in any show window or other window facing upon any street, any pistol, revolver or other firearm, with barrel less than twelve inches in length, or any brass or metal knuckles, or any club loaded with lead or other weight, or any blackjack or billyclub.

(Code 1973, 39-4; Ord. Nos. 1750 and 1836)

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21-105. Sale to intoxicated persons, minors, etc.

No person in the City shall purchase from, or sell, loan or furnish any weapon in which any explosive substance can be used to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, or to any person in a condition of agitation and excitability, or to a minor under the age of eighteen years.

(Code 1973, 39-5; Ord. Nos. 1750 and 1836)

21-106. Records of sales, etc.

(1) Required generally. Every person in the City engaged in the sale, rental or exchange of any weapons described in Sections 21-101 and 21-104 shall keep a record of each such weapon purchased, sold, rented or exchanged at retail.

(2) Time of recordation; contents. The record required herein shall be made at the time of the transaction, in a book kept for that purpose, and shall include the name of the person to whom such weapon is sold or from whom such weapon is purchased; his age, physical description, occupation, residence and, if residing in a municipality, the street and number where he resides; the make, caliber and finish of the firearm, together with the number or serial letter thereof, if any; the date of the purchase, sale, rental or exchange of such weapon; and the name of the employee or other person making such purchase, sale, rental or exchange.

(3) Report to Chief of Police. Every person in the City engaged in the sale, rental or exchange of any handguns described in Sections 21-101 and 21-104 shall inform the Chief of Police of every such purchase, sale, loan or gift within one day after the written purchase order described in Section 21-105 is received.

(Code 1973, 39-6; Ord. Nos. 1750 and 1836)

21-107. Forfeiture of weapons.

Every person convicted of a violation of this Chapter shall forfeit to the City such dangerous or deadly weapon so concealed or displayed.

(Code 1973, 39-7; Ord. Nos. 1750 and 1836)

21-108. Disposition of confiscated weapons.

Every police officer, upon making any arrest and taking a weapon used in violation of this Chapter, shall deliver the same to the Chief of Police to be held by him until the final determination of the prosecution for such offense; and upon the finding of guilt, it shall then be the duty of the Chief of Police to make disposition of the weapon.

(Code 1973, 39-8; Ord. Nos. 1750 and 1836)

21-109. Report of treatment of wounds.

Every physician or surgeon duly admitted to the practice of medicine or surgery in the State, whenever he shall treat any person in the City for a wound inflicted by a dangerous or deadly weapon of any kind, shall notify the City Police Department within one hour of the time when he renders such professional service, or is called upon to render the same.

(Code 1973, 39-9; Ord. Nos. 1750, 1836 and 3117-2/89)