

State of South Carolina	*	
	*	Ordinance # 2020-013
County of Lancaster	*	
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Town of Kershaw	*	

An Ordinance to Revise Chapter 26: Offenses and Miscellaneous Provisions – Article IV. Offenses Against the Peace: Division 2 Weapons Section 26-189.

BE IT ORDAINED by the Mayor and Council of the Town of Kershaw, in lawful assembly, that:

Section 1. Section 26-189 Pointing or discharging firearms or other dangerous devices.

Sections 26-189 of Article IV. Offenses Against the Peace Division 2. Weapons. This Section states the following:

Section 26-189 Pointing or discharging firearms or other dangerous devices.

- (a) Prohibited. It shall be unlawful for any person to do the following:
 - 1) Point at or discharge or cause to be discharged at any person any loaded or unloaded firearm of any kind.
 - 2) Fire, aim or discharge any air rifle, pellet rifle, sling shot or other device, in any manner, which may be intentionally used to harm any person or property.
- (b) Exceptions. Nothing contained in this division, however, shall be construed to abridge the right of self-defense, or apply to theatricals or like performances or to peace officers in the discharge of their duties.

Section 2. Revised Section 26-189 Pointing or discharging firearms or other dangerous devices (Revision is as follows).

(a) It shall be unlawful to point, fire or discharge, attempt to point, fire or discharge or cause to be pointed, fired, or discharged any firearm within the municipal limits of the Town of Kershaw. Firearm is described in this ordinance without limitation, any pistol, rifle, shotgun, air gun, spring loaded gun, crossbow, bow and arrow, or any other device capable of firing a dangerous projectile.

(b) This section shall not apply to the following:

- 1. Any officer of the law from discharging a firearm in the performance of his/her duty, nor shall it be construed to prohibit any citizen from discharging

a firearm lawfully defending his/her person when in fear of life or serious bodily harm or when lawfully defending the life another.

- 2. Any person discharging a firearm to protect people, pets, and property from animals that the person reasonably believes to pose a direct threat or danger to people and/or pets or cause damage to property from such animal.

Section 3. Conflicting Ordinances

All ordinances, or parts of ordinances, in conflict with this ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 4. Severability

Any chapter, article, section or subsection, sentence, clause, or phrase of this ordinance is for any reason declared to be unconstitutional or invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remaining portions hereof.

Section 5. Implementation

The provisions of this ordinance shall become effective upon its final adoption.

First Reading: October 21, 2020

Final Reading: November 16, 2020

Mark Dorman

Mayor Mark Dorman

Attest:

Alicia DeBruhl

Town Clerk Alicia DeBruhl

Gail Rogora
Gail Rogora

John S. Connell III
John S. Connell III

Danny Williams
Danny Williams

Harvey Truesdale
Harvey Truesdale

Michael Cook
Michael Cook
