

gambling device, money or other thing of value may commence separate civil proceedings in the manner provided by law.

(e) Any gambling device displayed for sale to a riverboat gambling operation or used to train occupational licensees of a riverboat gambling operation as authorized under the Riverboat Gambling Act is exempt from seizure under this section.

(f) Any gambling equipment, devices and supplies provided by a licensed supplier in accordance with the Riverboat Gambling Act which are removed from the riverboat for repair are exempt from seizure under this section.
(Ord. No. 13501, § 1, 12-15-92)

Secs. 20-147–20-160. Reserved.

ARTICLE VI. WEAPONS

DIVISION 1. GENERALLY

Sec. 20-161. Discharging, etc., prohibited; exception.

(a) No person shall fire or discharge any gun, pistol or other firearm within the city, except on premises used by a duly licensed shooting gallery, gun club or rifle club.

(b) No person shall be permitted to fire or discharge upon any public way within the city any air gun, spring gun or other similar device which is calculated or intended to propel or project a bullet, arrow or similar projectile; provided, however, that nothing in this article shall prevent the use of such weapons in shooting galleries or in any private grounds or residence, where the projectile fired or discharged from any such gun or device will not traverse any space used as a public way.

(Code 1957, § 41-1)

Sec. 20-162. Exception to provisions of section 20-161.

The provisions of section 20-161 shall not apply to sheriffs, coroners, constables, members of the police department or other peace officers engaged in the discharge of their official duties; or to any

person summoned by any such officers to assist in making arrests or preserving the peace, while such person so summoned is engaged in assisting such officer.

(Code 1957, § 41-2)

Sec. 20-163. Confiscation.

Weapons used in violation of this article shall be forfeited to and confiscated by the city, in addition to being subject to the penalty provided in section 1-5 of this Code.

(Code 1957, § 41-3)

Secs. 20-164–20-180. Reserved.

DIVISION 2. CONCEALABLE DEADLY WEAPONS

Sec. 20-181. License to sell, etc.

(a) It shall be unlawful for any person to engage in the business of selling, or to sell or give away, any pistol, revolver, dagger, stiletto, billie, derringer, Bowie knife, dirk or other deadly weapon, which can be concealed on the person, without securing a license so to do.

(b) An application for the license required by subsection (a) of this section shall be made in conformity with the general requirements of article I of chapter 18 of this Code, relating to applications for licenses.

(c) The annual fee for a deadly weapon license shall be \$20.00.

(d) In case the city manager shall determine that an applicant for a license under this section has violated any provision of this section, he shall revoke the license of such person for the selling of such weapons, and the money paid for such license shall be forfeited to the city. No other license shall be issued to such licensee for a period of three years thereafter.

(Code 1957, §§ 41-4–41-7)

Sec. 20-182. Required certificate and thumbprint.

(a) It shall be unlawful for any person to sell, barter or give away to any person within the city any deadly weapon mentioned in section 20-181,

except to licensed dealers, without first obtaining from the person receiving such deadly weapon a signed statement in which he states that he is over 21 years of age; that he is not under indictment for, nor has been convicted of, a crime punishable by imprisonment for a term of one year or more; that he is not a fugitive from justice; nor an unlawful user or addicted to a depressant, stimulant or narcotic drug; nor that he has been adjudicated mentally defective or has been committed to a mental institution; and which statement shall contain a thumbprint from the person receiving such weapon. Such thumbprint shall be the right-hand thumbprint unless circumstances prevent, in which case it shall be the lefthand thumbprint. All such information required by this section shall be entered upon forms provided by the superintendent of police for that purpose.

(b) Any person violating the provisions of this section shall be punished as provided in section 1-5 of this Code.

(Code 1957, § 41-8)

Sec. 20-183. Record of weapons sold, loaned, etc., to be kept; form; inspection.

(a) Every person dealing in the weapons mentioned in section 20-181 at retail within the city shall keep a record of all such weapons sold, loaned, rented or given away by him. 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, loaned, rented or given; his age; date of birth; legal residence; social security number, if any; driver's license number, if any; the kind and description of the weapon; if a firearm, the make, caliber and finish thereof, together with the number or serial letter thereof, if any; his state firearm owner's identification number; the date of the sale, loaning, rental or gift and the name of the employee or other person making such sale, rental, loan or gift.

(b) Such book shall be kept open for the inspection of the police at all reasonable times during business hours.

(c) Any person violating the provisions of this section shall be punished as provided in section 1-5 of this Code.

(Code 1957, § 41-9)

Sec. 20-184. Report of sales, etc., to superintendent of police.

Every person dealing in the deadly weapons referred to in section 20-181 shall deliver daily reports to the superintendent of police. The reports shall be on forms provided by the superintendent of police and shall be a legible and correct report of every sale or gift made under authority of his license during the preceding 24 hours and shall set forth the information required in section 20-183 and the certificate required by section 20-182.

(Code 1957, § 41-10)

Sec. 20-185. Restriction on sale.

It shall be unlawful for any person to sell, barter or give away; to any person within the city; any deadly weapon mentioned in section 20-181, to any person known to him to be under 21 years of age or of unsound mind or under indictment or a drug addict or a fugitive from justice or who has been convicted of a crime of violence.

(Code 1957, § 41-11)

Sec. 20-186. Exhibiting firearms.

It shall be unlawful for any person to exhibit or display any firearm capable of being concealed on the person in any display window on the exterior of a business establishment during hours the establishment is not opened for business.

(Code 1957, § 41-12)

Sec. 20-187. Registration.

(a) All permanent residents of the city and those persons who reside in the city continuously for more than ten days who have in their possession any pistol, revolver or gun which may be concealed on the person shall register such gun or pistol with the superintendent of police, setting forth the caliber, make, model and manufacturer's number of the weapon. No fee shall be required for such registration.

(b) For the purpose of this article only, the term "reside" shall mean either the physical presence of a person at a location for the reason of shelter or lodging, or the keeping of a dwelling by a person for the purpose of his shelter.

(c) Any person who does not register a deadly weapon as provided shall be fined not less than \$50.00 nor more than as provided in section 1-5 for failure to register such revolver, gun or pistol. (Code 1957, § 41-13; Ord. No. 13656, § 2, 12-7-93)

Sec. 20-188. Carrying concealed—Prohibited.

No person within the city shall carry or wear under his clothes or concealed about his person, any pistol, revolver, derringer, Bowie knife, dirk, knife, razor, dagger, slingshot, metallic knuckles or other dangerous or deadly weapons of a like character.

(Code 1957, § 41-14)

Sec. 20-189. Same—Arrest and detention of persons.

Any police officer of the city may, within the limits of the city, without warrant, arrest any person whom such police officer may find in the act of carrying or wearing under his clothes or concealed about his person any deadly weapon of the character in this division specified, or any other dangerous or deadly weapon and may detain him in custody until a summons or warrant can be procured on complaint made, under oath or affirmation, for the trial of such person and for the seizure and confiscation of such of the weapons as such person may be found in the act of carrying or wearing under his clothes or concealed about his person.

(Code 1957, § 41-15)

Sec. 20-190. Slingshots, knuckles, etc.

No person shall have in his possession within the city any slingshot or metallic knuckles or other deadly weapons of like character.

(Code 1957, § 41-16)

ARTICLE VII. GRAFFITI

Sec. 20-191. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Aerosol paint container means any aerosol container that is adapted or made for the purpose of applying spray, paint or other substances capable of defacing property.

Broad-tipped marker means any felt tip indelible marker or similar implement with a flat or angled writing surface that, at its broadest width, is greater than one-quarter of an inch, containing ink or other pigmented liquid that is not water soluble.

Etching equipment means any tool, device, or substance that can be used to make permanent marks on any natural or man made surface.

Graffiti means any inscription, word, figure, painting or other defacement that is written, marked, etched, scratched, sprayed, drawn, painted or engraved on or otherwise affixed to any surface of public or private property by any graffiti implements not authorized in advance by the owner or occupant of the property.

Graffiti implements means an aerosol paint container, a broad-tipped marker, paint stick, etching equipment, brush or any other device capable of scarring or leaving a visible mark on any natural or manmade surface.

Paint stick means any device containing a solid form of paint, chalk, wax, epoxy or other similar substance capable of being applied to a surface by pressure and leaving a mark of at least one-eighth of an inch in width.

(Ord. No. 14581, § 1, 9-22-98)

Sec. 20-192. Prohibited acts.

(a) *Defacement.* It shall be unlawful for any person to apply graffiti to any natural or manmade surface on any city owned property or, without the permission of the owner or occupant, on any property not owned by the city.

(b) *Possession of graffiti implements.* It shall be unlawful for any person under the age of 18 years to possess any graffiti implement while on public property, or on private property without the prior consent of the owner or occupant of such private property to be on said property with graffiti implements.

(Ord. No. 14581, § 1, 9-22-98)