

Chapter 6-04

FIREARMS; WEAPONS

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Section 6-04-01 DISCHARGE OF WEAPONS AND FIREARMS PROHIBITED

A. It is unlawful for any person to discharge a weapon or a firearm anywhere within the corporate limits of the city of Boise City, except:

1. At a shooting gallery, sport shooting range, or archery range operated in compliance with Title 11, Boise City Code, as required by Idaho Code § 18-3302J(4)(b);
2. At, upon, or within a structure on private property specifically designed and constructed for the safe discharge of a weapon or firearm. Boise City Council reserves the right to approve, disapprove, revoke, or terminate the allowed use of such structure based on its assessment of whether such structure creates a hazard or is otherwise detrimental to the public safety or convenience;
3. By a law enforcement officer while acting in the course and scope of his official duties;
4. In the lawful defense of a person or persons or property, as required by Idaho Code § 18-3302J(4)(a). or
5. The discharge of blank rounds from a firearm during burial ceremonies, celebrations of historical events or events of military significance, theatrical performances, to start athletic events (such as races), or in other similar activities, provided that: (i) if the firing of a blank round is proposed to occur within a City park or facility, other than in a cemetery during a burial service performed by a recognized veterans' organization, prior written approval is obtained from the Director of Boise City's Parks and Recreation Department; (ii) if the firing of a blank round is proposed to occur anywhere within Boise City that is not on school property and not within a Boise City park, facility, or cemetery, prior written approval is obtained from the Chief of the Boise Police Department (or his or her designee), except when such firing occurs at a burial or memorial service conducted by a recognized veterans' organization, in which case prior approval is not required, but notice must be given to Boise Police Department dispatch at least one hour prior to

firing.

B. As used in this chapter:

1. “Discharge” means the act that causes the potential release, expulsion, propulsion, or ejection of a projectile from a weapon or a firearm. If the weapon or firearm is capable of the expulsion of a projectile, the act of firing or releasing it shall be sufficient to constitute a discharge, without regard to whether or not a projectile was actually ejected, propelled, expelled, or released.

2. “Firearm” means a pistol, revolver, gun, rifle, or other ordnance, including a miniature weapon, which projects a missile or shot by force of gunpowder or any other explosive or chemical reaction.

3. “Weapon” means any instrument, device, article, item, or thing capable of releasing, expelling, propelling, or ejecting a projectile through the action or release of a spring, pressurized gas, compressed air, expanding gas, explosive, chemical reaction, or other force-producing means or method including, but not limited to, objects commonly referred to as air guns, air pistols, air rifles, BB guns, pellet guns, blow guns, airsoft guns, or paintball markers or paintball guns.

Section 6-04-02 PENALTIES

The violation of any one (1) of the provisions of this Chapter is punishable as a general misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars (\$1000) or by imprisonment in the County jail for not more than six (6) months, or by both such fine and imprisonment.

(Ord 43-18, Amended, 9/25/18, Ord-40-15, Repealed and Replaced; 6569, Amended, 06/05/2007; 6569, Renumbered, 06/05/2007; 4571, Added, 11/17/1980)