

**ORDINANCE NO. 842 (16)**

**AN ORDINANCE AMENDING PART 10, CHAPTER 4, SECTION 10-407, REPEALING THE AUTHORIZATION OF TURKEY OR HAM SHOOTS WITHIN THE CITY LIMITS; AMENDING PART 10, SECTION 10-517 CHANGING TYPOGRAPHICAL ERROR; AMENDING PART 10, SECTION 10-518 BY INCLUDING DIGITAL FORMAT IN DEFINITION OF MATERIAL.**

**BE IT ORDAINED BY THIS COUNCIL OF THE CITY OF MOORE, OKLAHOMA THAT:**

**SECTION 10-407      CARRYING, DISCHARGING FIREARMS.**

- A. A person is permitted to carry firearms open and unconcealed only as may be authorized by state law.
- B. It is unlawful for any person to discharge a firearm within the city except when doing so in line of duty, in defense of oneself, of another person or property or when otherwise authorized by law or ordinance. "Firearms" as used in this section includes air rifles, BB guns and all firearms as defined by state law.

**SECTION 10-517      PREVENTION OF YOUTH ACCESS TO TOBACCO**

- 5. Sale of tobacco products except in original sealed package.
  - A. It is unlawful and an offense for any person to sell cigarettes except in the original, sealed package in which they were placed by the manufacturer.
  - B. Any person violating the provisions of subsection A. of this section, shall be guilty of an offense and upon conviction shall be punished by a fine of not more than two hundred dollars (\$200.00), excluding costs, fees and assessments, for each offense.
- 6. Signs in retail establishments required.
  - A. Every person who sells or displays tobacco products at retail shall post conspicuously and keep so posted at the place of business a sign, as specified by the Alcoholic Beverage Laws Enforcement (ABLE) Commission, stating the following: "IT'S THE LAW. WE DO NOT SELL TOBACCO PRODUCTS TO PERSONS UNDER 18 YEARS OF AGE." The sign shall also provide the toll-free number operated by the Alcoholic Beverage Laws Enforcement (ABLE) Commission for the purpose of reporting violations of the Prevention of Youth Access to Tobacco Act.
  - B. Any person violating the provisions of subsection A. of this section shall be guilty of an offense and upon conviction shall be punished by a fine of not more than fifty dollars (\$50.00), excluding costs, fees and assessments, for each day a violation occurs. Each day a violation is continuing shall constitute a separate offense. The notice required by Subsection A of this section shall be the only notice required to be posted or maintained in any store that sells tobacco products at retail.
- 11. Restrictions on manner of enforcement.
  - A. Any conviction for a violation of Sections 2 through 9 of this chapter and compliance checks conducted by the city pursuant to subsection B. of this section shall be reported in writing to the Alcoholic Beverage Laws Enforcement ("ABLE") Commission within thirty (30) days of the conviction or compliance check. Such reports shall be compiled in the manner prescribed by the ABLE Commission.
  - B. Persons under eighteen (18) years of age may be enlisted by the city to assist in enforcement of Sections 2 through 9 of this chapter; provided such persons may be used to test compliance only if written parental consent has been provided and the testing is conducted under the direct supervision of the Alcoholic Beverage Laws Enforcement ("ABLE") Commission or conducted by another law enforcement agency if such agency has given written notice to the ABLE Commission in the manner prescribed by the ABLE Commission. The city may conduct, pursuant to rules of the ABLE Commission, compliance checks without prior notification to the ABLE Commission and shall be exempt from the written notice requirement of this subsection. This subsection shall not apply to the use of persons under eighteen (18) years of age to test compliance if the compliance test is being conducted by or on behalf of a retailer of cigarettes, as

defined in 68 O.S. 2001, § 301, at any location the retailer of cigarettes is authorized to sell cigarettes.

**SECTION 10-518      DISPLAY OF MATERIAL HARMFUL TO MINORS**

7. "Material" means any book, magazine, newspaper, pamphlet, poster, print, picture, figure, image, description, motion picture film, record, recording tape, or video tape; whether in its original form or any digital format;

8. "Performance" means any motion picture, film, video tape, played record, phonograph or tape, preview, trailer, play, show, skit, dance or other exhibition performed or presented to or before an audience of one or more, with or without consideration;

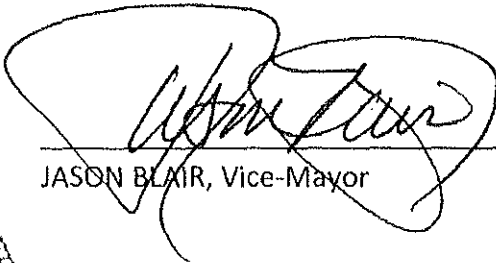
**Severability**

If any of the provisions of this ordinance are determined to be unconstitutional or unlawful by any court of competent jurisdiction, the remainder shall be severable and unaffected.

**Repealer**


Any ordinance or parts thereof in conflict with this section are hereby repealed.

PASSED AND APPROVED THIS 19<sup>th</sup> DAY OF December, 2016.

  
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JASON BLAIR, Vice-Mayor

ATTEST: (Seal)



  
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LINDA STEWART, City Clerk

APPROVED AS TO FORM AND LEGALITY:

  
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RANDY C. BRINK, City Attorney