

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND SECTION 18-274 TO CHANGE WORDING TO
REFERENCE “WEAPON” INSTEAD OF “FIREARM”**

WHEREAS, state law has restricted the City’s ability to regulate pawn shops relating to weapons, and not just firearms, and the City Council desires to amend the City Code to comply with state law;

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE GOVERNING
AUTHORITY OF THE CITY OF CANTON as follows:

1. Section 18-274 shall be deleted in its entirety and the following substituted therefor:

Sec. 18-274. Enforcement of Article.

This article shall be enforced by the Cherokee County Sheriff or his designee. Pursuant to O.C.G.A. § 16-11-173(b), weapons shall not be regulated under this article. However, pawnbrokers must comply with all requirements, including but not limited to record-keeping requirements for weapons as specified in O.C.G.A. § 44-12-132 of Title 44, Article 3, Part 5, of the Official Code of Georgia Annotated, and shall be subject to all applicable criminal penalties under state law for any violation of same.

2. If any portion of this Ordinance be declared invalid or unconstitutional by any court or competent jurisdiction or if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid. It is hereby declared to be the intent of the City Council to provide for separable and divisible parts and does hereby adopt any and all parts hereof as may not be held invalid for any reason.

3. This Ordinance shall become effective on the date the Mayor signs the ordinance indicating approval, ten days after the adoption of the ordinance if the Mayor has not signed nor vetoed, or immediately upon an affirmative vote of the City Council after the Mayor’s veto, whichever shall first occur.

Attest:

Susan C. Stanton
CITY CLERK

Gene Hobgood, MAYOR
Date:

Approved as to form:

Robert M. Dyer, City Attorney

ORDINANCE NO. _____

First Reading _____

Adopted by Council _____

Approved by Mayor _____

Veto by Mayor _____

Second Vote by Council _____

Effective Date _____

Susan C. Stanton, City Clerk