

CHAPTER FIVE

ARTICLE I – Fire Arms And Other Weapons

5.1.1 Weapons – Not to be Carried Concealed on Person – It shall be unlawful for any person to carry any weapon concealed on his person. For the purpose of this Section, a concealed weapon shall include any concealed firearm, dirk, razor, billy, metallic or other false knuckles, knife, or other dangerous or deadly weapon of any kind or character.

This Section shall not be construed so as to prohibit the carrying of any weapon pursuant to license issued under authority of Section 61-7-2 of the Code of West Virginia of 1931, as amended, nor shall it be construed to prevent the carrying of any weapon by persons exempted under Sections 61-7-3 through 61-7-6 of the Code of West Virginia of 1931, as amended.

5.1.2 Weapons – Prohibited Discharge –It shall be unlawful for any person to discharge within the Town any firearm, slingshot or other weapon or instrument which propels a projectile capable of inflicting bodily injury except in the lawful defense of person or property and except when necessary in the performance of a lawful duty: Provided, that this Section shall not apply to the use of blank ammunition at athletic events, military funerals, theatrical performances and other functions at which the use of blank ammunition is appropriate and does not constitute any danger to any person or property, nor shall this Section apply to the use of live ammunition or arrows on authorized target ranges where such use is conducted under competent

supervision and adequate safeguards are provided for the protection of persons and property.

5.1.3 Weapons – Brandishing or Exposing Weapons; Threatening or Causing Breach of Peace; Penalty – It shall be unlawful for any person armed with a pistol, gun or other dangerous or deadly weapon, whether licensed to carry the weapon or not, to carry, expose, brandish or use such weapon in a way or manner to cause or threaten a breach of the peach. Any person violating this Section shall, upon conviction, be fined not less than fifty nor more than three hundred dollars, or imprisoned for thirty days, or both fined and imprisoned, in the discretion of the Mayor, Magistrate, or Court.

5.1.4 Weapons – Switchblade Knives – No person shall possess, sell, exhibit for sale, or carry on or about his person any knife equipped with a blade fitted with a mechanical device for automatic release of the blade, opening the knife and locking the knife in the open position, commonly known as a switchblade or automatic spring knife.

5.1.5 Weapons – Possession by Persons Under Age Sixteen – No person under the age of sixteen years shall carry or have in his possession upon any street, park or other public space in the Town any gun, pistol, rifle, airgun, beanshooter, sling or other dangerous weapon of any character: Provided, that nothing in this Section shall be construed as to prohibit members of duly authorized military, cadet corps or similar organizations from the proper use of their guns and other equipment as members of such organizations.

5.1.6 Weapons – Slingshots, Bows and Arrows and Airguns – It shall be unlawful for any person maliciously or recklessly to throw, shoot, cast or sling by hand, or by means of a slingshot, bow or airgun, or otherwise, any stone, arrow, pellet or other missile.