



Mayor and Commissioner  
Of the Town of Elkton

Ordinance 12 - 2018

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BY: Mayor and Commissioners  
INTRODUCED: October 17, 2018  
ADOPTED: November 7, 2018

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**AN ORDINANCE** concerning

**The Code of the Town of Elkton**  
Title 9  
Chapter 9.08  
Offenses Against Public Peace or Decency

**FOR THE PURPOSE** of amending the Code of the Town of Elkton, Chapter 9.08 regarding the discharge of firearms within the town, the duty of parents or guardians, and fortunetelling.

**WHEREAS**, Article XI-E., Constitution of the State of Maryland; Section 4-103(b)(3), Subtitle 1, Title 4, Division II, Local Government Article, Annotated Code of Maryland; and the Charter and Code of the Town of Elkton provide the authority by which the Board of Commissioners may adopt, repeal, and/or amend the ordinances of the Town of Elkton; and

**WHEREAS**, the Board of Commissioners has determined that Chapter 9.08, Section 9.08.010 – Discharge of Firearms, should be amended to prohibit the discharge of firearms within the town for the purpose of protecting the health, safety, and welfare of the town’s residents, along with exceptions; and

**WHEREAS**, the Board of Commissioners has further determined that Chapter 9.08, Section 9.08.020 – Duty of Parent or Guardians Regarding Firearms, should be amended as set forth hereinafter; and

**WHEREAS**, the Board of Commissioners has further determined that Chapter 9.08, Section 9.08.03 - Fortunetelling, should be repealed, since the Maryland Court of Appeals struck down a similar ordinance banning fortunetelling in Maryland; and

**WHEREAS**, the Board of Commissioners has further determined that Chapter 9.08, Section 9.08.040 – Penalty, should be amended to designate the specific penalty for a violation of this Chapter.

**NOW, THEREFORE**, the Mayor and Commissioners of the Town of Elkton hereby ordain that:

Section 1. The Code of the Town of Elkton, Chapter 9.08, shall be repealed; and

Section 2. The Code of the Town of Elkton, Chapter 9.08, shall be re-enacted and read as follows:

**THE CODE OF THE TOWN OF ELKTON**  
**Title 9**  
**Chapter 9.08**  
**Offenses Against Public Peace or Decency**

Sections:

9.08.010	Discharge of firearms
9.08.020	Duty of Parents or Guardians Regarding Firearms
9.08.030	Violation – Penalty

§9.08.010 Discharge of firearms.

It is unlawful for any person to fire, discharge or set off any gun, rifle, pistol, revolver, shotgun or other firearm or other dangerous weapon of any character

within the town; provided that this section shall not apply to members of any military unit when engaged in military operations; or by persons performing a military honor ceremony firing blanks; or to the use of firearms in the lawful defense of person; or to the use of firearms by law enforcement officers in the lawful discharge of their duty; or at a firing range permitted by the Town's zoning ordinance.

§9.08.020 Duty of parents or guardians regarding firearms.

It is unlawful for the parent, guardian or other adult person having the care and custody of a minor knowingly to permit such minor to violate any provisions of Section 9.08.010.

§9.08.030 Violation – Penalty

A violation of this Chapter shall be a misdemeanor and a person convicted thereof before a Judge of the District Court shall be subject to a fine not to exceed One Thousand Dollars (\$1,000.00) or imprisonment not to exceed Ninety (90) days, or both such fine and imprisonment.

**DATE OF EFFECT**

**THIS ORDINANCE** shall be effective on the 27<sup>th</sup> day of November, 2018.

Mayor and Commissioners  
of the Town of Elkton

Commissioner Jean A. Broomell  
Commissioner Charles H. Givens, Sr.  
Commissioner Mary Jo Jablonski  
Commissioner Earl M. Piner, Sr.