

SUMMARY -- An Ordinance relating to the sale and purchase of pistols in Clark County; repealing Ordinance No. 16 relating to weapons and firearms capable of being concealed.

ORDINANCE NO. 242
(of Clark County, Nevada)

AN ORDINANCE RELATING TO AND REGULATING THE SALE AND PURCHASE OF PISTOLS IN CLARK COUNTY, NEVADA, BY DEFINING TERMS; PROVIDING FOR THE ISSUANCE OF PERMITS TO ENGAGE IN THE BUSINESS OF BUYING AND SELLING PISTOLS; DEFINING ESTABLISHMENTS TO WHICH SAID PERMIT MAY BE ISSUED; PROHIBITING SALES TO CERTAIN PERSONS; PROVIDING FOR A SEVENTY-TWO HOUR WAITING PERIOD FOR THE PURCHASE OF A PISTOL; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR VIOLATION HEREOF; AND REPEALING ORDINANCE NO. 16 RELATING TO WEAPONS AND FIREARMS CAPABLE OF BEING CONCEALED.

THE BOARD OF COUNTY COMMISSIONERS OF CLARK COUNTY,

NEVADA DOES ORDAIN AS FOLLOWS:

SECTION 1. DEFINITIONS. In this Ordinance, unless the context clearly requires otherwise, the following definitions shall apply and be effective:

1. DEALER: The term "dealer" means any person engaged in the business of buying or selling pistols at wholesale or retail, or of accepting pledges of pistols as security for loans.

2. FIREARMS CAPABLE OF BEING CONCEALED: A firearm concealed is any gun, pistol, revolver or other weapon of which does not exceed twelve (12) inches in length and a dangerous projectile may be propelled by explosives, springs, gas or air, as a means of propulsion.

SECTION 2. DEALING IN PISTOLS WITHOUT PERMIT UNLAWFUL: It shall be unlawful within the unincorporated area of Clark County, Nevada, for any person, except a dealer having a pistol permit issued under the provisions of this Ordinance, to engage in the business of buying or selling pistols at retail or wholesale, or of accepting pledges of pistols as security for loans, and no such permit shall authorize the leasing of any pistol.

SECTION 3. BUSINESS TO WHICH PISTOL PERMITS MAY BE ISSUED: Applications for pistol permits to buy, sell or accept pistols as security for loans under this Ordinance, shall be accepted only

from hardware stores, gunsmith shops, sporting goods stores, antique gun dealers and pawn shops, licensed by Clark County.

SECTION 4. APPLICATION AND INVESTIGATION: Any person desiring a pistol permit to engage in the business of buying or selling pistols, or of accepting pledges of pistols as security for loans, in the unincorporated area of Clark County, under the provisions of this Ordinance, shall first make written application to the Board of County Commissioners, on forms of application prescribed therefor by the Office of the Sheriff of Clark County setting out his name, address and other information required, and the business (other than dealing in pistols) intended to be carried on, and expressly requesting the issuance of a pistol permit to deal in pistols at such location. Such application will then be referred to the Sheriff of Clark County for investigation and recommendation, and then returned to the Board of County Commissioners which may (after considering same in any manner that may appear to them proper), approve or disapprove such application. If disapproved, no pistol permit shall be issued. If approved, the Sheriff of Clark County shall issue a pistol permit to deal in pistols at the place named or described, and under the present business license of such applicant.

SECTION 5. PERSONS PROHIBITED FROM PURCHASING OR OWNING PISTOLS: It shall be unlawful in the unincorporated area of Clark County, Nevada, for any person to receive from another by loan, gift, purchase, or in any manner, or attempt to obtain in any manner or have in his possession or control, a pistol as defined by this Ordinance who:

- (1) Has been convicted of a felony in the State of Nevada, or in any state or territory of the United States or any political subdivision thereof.
- (2) Is a fugitive from justice.
- (3) Is an unlawful user or seller of narcotics.
- (4) Is a habitual drunkard.

(5) Is a member of an organization advocating criminal syndicalism as defined in NRS 203.160 through 203.190.

(6) Is foreign born and not a naturalized citizen of the United States of America.

(7) Has been adjudged insane in this State or any other state and has not subsequently been adjudged sane.

SECTION 6. PROHIBITED SALES AND TRANSFERS OF A PISTOL: It shall be unlawful for any person or a dealer in pistols to sell, lease, lend, or otherwise transfer a pistol to any person who he knows or has reasonable cause to believe:

- (1) Is under the influence of intoxicating beverages.
- (2) Is mentally ill or disturbed.
- (3) Is 17 years of age or under.
- (4) Is a person prohibited from purchasing a pistol as provided in Section 5 preceding.

SECTION 7. CERTAIN PERSONS PROHIBITED FROM PURCHASING OR OWNING PISTOLS: It shall be unlawful for any person who is included in [REDACTED] of the categories set forth in Section 5 of this [REDACTED] receive from another by loan, gift, purchase or in any other manner, or in any manner whatsoever, to attempt to obtain, or have in his or her possession or control, any pistol; provided, however, that a person under the age of 18 years may have a pistol in his or her possession, or under his or her control, while accompanied by or under the immediate charge of his or her parent, guardian, or other responsible adult, and while engaged in hunting or target practice or other lawful purpose.

SECTION 8. SEVENTY-TWO HOURS MUST ELAPSE BETWEEN SALE AND DELIVERY OF PISTOL: When any sale of a pistol is made by a dealer under this Ordinance, seventy-two (72) hours must elapse between the time of sale and the time of delivery to the purchaser. When delivered, all pistols must be securely wrapped and be unloaded,

and must be accompanied by a receipt, signed by the dealer, setting forth the name, address, and description of the purchaser or transferee, a complete description of the pistol (including the manufacturer, model and manufacturer's serial number thereof), the date and time of sale, and the date and time of delivery, of such pistol, and advice to the purchaser or transferee that said pistol must be registered with the Sheriff of Clark County within twenty-four (24) hours.

SECTION 9. EXCEPTIONS: The aforesaid seventy-two (72) hour waiting period shall not apply to the sale of a pistol to any person who, at the time of such sale, produces bona fide documentary evidence that he is a member of a federal law enforcement agency; or a peace officer of the State of Nevada or any political subdivision thereof, regularly employed for pay by the State or such subdivision; or that he currently owns a pistol which is duly registered in his name with any law enforcement agency in Clark County, Nevada. And said waiting period shall not apply to any person who requires the use of a pistol in connection with [REDACTED] and who receives written permission from the Sheriff of Clark County with express waiver of said waiting period; however, all of the other provisions herein shall apply to any such sales.

SECTION 10. SHERIFF TO BE NOTIFIED: A dealer making a sale of a pistol shall, within twenty-four (24) hours thereof, furnish the Sheriff of Clark County with a duplicate copy of the receipt referred to in Section 8 of this Ordinance, signed by the dealer and by the purchaser or transferee of such pistol.

SECTION 11. REGISTRATION OF PISTOLS WITHIN TWENTY-FOUR HOURS: Any person receiving title to a pistol, whether by purchase, gift, or any other transfer, and whether from a dealer or from any other person, shall, within twenty-four (24) hours of such

[REDACTED] personally appear at the Clark County Sheriff's Office, together with said pistol, for the purpose of registering the same with the Sheriff of Clark County. It shall be the duty of the Sheriff of Clark County to register said pistol, and he may, and is hereby authorized to cooperate in any manner he sees fit with other law enforcement agencies, and with licensed dealers, relative to registration of pistols, so that efficient registration shall be secured at minimum cost and duplication.

SECTION 12. SALE OR POSSESSION OF CERTAIN PISTOLS PROHIBITED:

It shall be unlawful to purchase, sell, or in any manner transfer, or have in possession or control, any pistol if the name of the manufacturer, or the model, or the manufacturer's serial number has been removed, obliterated, concealed, or altered.

SECTION 13. WINDOW DISPLAYS OF PISTOLS AND AMMUNITION PROHIBITED:

No pistols or ammunition shall be openly displayed in any store or business window, except only during such hours when said store is open for business and under the supervision of the licensee or adult authorized personnel.

[REDACTED] SALE OF FOREIGN MADE PISTOLS WITH AMMUNITION

[REDACTED] pistol of foreign make shall be sold with ammunition for the same unless said ammunition is expressly designed for use with such pistol.

SECTION 15. SALE OF HOME-MADE PISTOLS PROHIBITED: No home-made pistols shall be bought or sold except as provided by law under the Federal Firearms Act.

SECTION 16. CONDITION OF PISTOLS SOLD: All secondhand and used pistols, except antique pieces, sold or purchased, shall be in a safe and operable condition.

SECTION 17. UNLAWFUL TO PERMIT PERSONS UNDER 18 YEARS TO HAVE POSSESSION OR CONTROL OF PISTOL: It shall be unlawful within the unincorporated area of Clark County, for any person to aid, or knowingly permit, another under 18 years of age to handle, or

~~have in his~~ possession, or under his or her control, any pistol, except while accompanied, by or under the immediate charge of, his or her parent, guardian, or other responsible adult and while engaged in hunting, target practice, or other lawful purpose.

SECTION 18. CONCEALED WEAPONS PROHIBITED WITHOUT PERMIT: It shall be unlawful, within the unincorporated area of Clark County, Nevada, for any person to carry upon his person a concealed ~~weapon of any~~ description, including a knife with a blade of three ~~inches or~~ more, a gun, pistol, revolver or other firearm, capable of being concealed, without first having received written permission therefor from the Sheriff of Clark County.

SECTION 19. EXCEPTIONS: Nothing in section 18 hereof shall be construed to apply to any law enforcement officer in the performance of his duty.

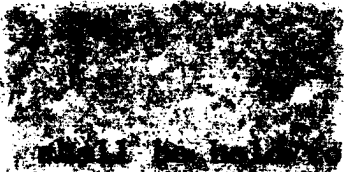
SECTION 20. REGISTRATION OF FIREARMS CAPABLE OF BEING CONCEALED:

It is hereby made unlawful for any person to own or have in his possession, within the unincorporated area of Clark County, Nevada, ~~a~~ revolver, or other firearm capable of being concealed ~~which~~ has first been registered with the Sheriff or with a Police Department of any of the incorporated cities, of Clark County, Nevada.

SECTION 21. UNLAWFUL TRANSFER OF FIREARMS CAPABLE OF BEING

CONCEALED: It shall be unlawful for any person to sell, give away, or permanently pass possession to another person of any pistol, revolver or other firearm capable of being concealed, unless the transferor thereof first registers, or causes said weapon to be registered to the transferee and new owner thereof, either with the Sheriff, or with a Police Department of one of the incorporated cities of Clark County, Nevada.

SECTION 22. SEVERABILITY OF PROVISIONS: The provisions of this Ordinance shall be separable, and if any of the provisions hereof



shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 23. PENALTIES: Any person who violates any of the provisions of this Ordinance is guilty of a misdemeanor and upon conviction shall be punished by imprisonment in the County Jail for a term not to exceed six (6) months or by a fine of not to exceed Five Hundred (\$500.00) Dollars, or by both.

SECTION 24. REPEALER CLAUSE:

1. Ordinance No. 16 is hereby repealed.

2. All other Ordinances or parts of Ordinances in

conflict herewith are hereby repealed.

SECTION 25. EFFECTIVE DATE: This Ordinance shall take effect, and be in force from and after its passage and publication thereof for two consecutive weeks in a daily newspaper of general circulation published in Clark County, Nevada.

PROPOSED BY Commissioner Darwin W. Lamb.

PROPOSED on the 8th day of November, 1965.



on the 22nd day of November, 1965.

Commissioner William H. Briare

Commissioner Darwin W. Lamb

Commissioner Lou F. LaPorta

Commissioner James G. Ryan

NAYS: None

ABSENT: Commissioner Robert T. Baskin

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, NEVADA

By James G. Ryan
Chairman

ATTEST:
LORETTA BOWMAN, County Clerk

By John Bowman, Deputy

Effective Date: 12-2-, 1965.