

Article 34 - Banning Assault Weapons

MOTION: That Chapter 97 of the Code of the Town of Lexington be amended by adding a new section as set forth below, and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Lexington:

Section 97-5 Assault Weapons Ban:

- A) The manufacture, sale, or possession of assault weapons and large capacity ammunition magazines is prohibited within the Town of Lexington.
- B) Definitions.
- 1) Assault weapon means
 - a) A semiautomatic rifle that has the capacity to accept a large, detachable, magazine and one or more of the following properties:
 - Only a pistol grip without a stock attached
 - Any feature capable of functioning as a protruding grip that can be held by the non-trigger hand
 - A folding, telescoping, or thumbhole stock
 - A shroud attached to the barrel that partially or completely encircles the barrel, allowing the shooter to hold the firearm with the non-trigger hand
 - A muzzle brake or muzzle compensator
 - b) A semi-automatic pistol or any semi-automatic rifle that has a fixed magazine and the capacity to accept more than ten (10) rounds of ammunition.
 - c) A semi-automatic pistol that has the capacity to accept a detachable magazine and has one or more of the following properties:
 - Any feature capable of functioning as a protruding grip that can be held by the non-trigger hand.
 - A folding, telescoping, or thumbhole stock
 - A shroud attached to the barrel that partially or completely encircles the barrel and that allows the bearer to hold the firearm with the non-trigger hand
 - A muzzle brake or muzzle compensator
 - The capacity to accept a detachable magazine outside of the pistol grip
 - d) A semiautomatic shotgun that has one or more the following properties:
 - Only a pistol grip without a stock attached

- Any feature capable of functioning as a protruding grip that can be held by the non-trigger hand
 - A folding, telescoping, or thumbhole stock
 - A fixed magazine capacity in excess of five rounds
 - An ability to accept a detachable magazine
- e) Any shotgun with a revolving cylinder
- f) Any conversion kit, part, or combination of parts from which an assault weapon can be assembled
- g) The above prohibitions shall include, but not be limited to, the following assault weapon models:
- AK, AKM, AKS, AK-47, ARM, MAK90, MISR, NHM 90, NHM 91, SA 85, SA 93, VEPR
 - AR-10
 - AR-15, BUSHMASTER XM 15, ARMALITE M15, OLYMPIC ARMS PCR
 - AR 70
 - CALICO LIBERTY
 - DRAGUNOV SVD SNIPER RIFLE, DRAGUNOV SVU
 - FABRIQUE NATIONAL FN/FAL, FN/LAR, FNC
 - HI-POINT CARBINE
 - HK-91, HK 93, HK 94, HK PSG 1
 - KEL-TEC SUB RIFLE
 - SAIGA
 - SAR 8, SAR 4800
 - SKS with detachable magazine
 - SLG 95
 - SLR 95, SLR 96
 - STEYR AUG
 - STURM, RUGER MINI-14
 - TAVOR
 - THOMPSON 1927, THOMPSON M1, THOMPSON 1927 Commando
 - UZI, GALIL, UZI SPORTER, GALIL SPORTER, GALIL SNIPER RIFLE (GALATZ)
 - BARRETT 50 mm.
 - BFG 9000

And the following pistols, copies, or duplicates

- Calico M10
- MAC 10, MAC 11, MPA3
- OLYMPIC OA
- TEC 9, TEC d9, TEC 22 SCORPION, AB 10
- UZI

And the following shotguns, copies, or duplicates

- Armscor 30 BG
- SPAS 12, LAW 12
- STRIKER 12
- STREETSWEEPER

- h) Detachable magazine means any ammunition feeding device, the function of which is to deliver one or more ammunition cartridges into a firing chamber and which can be removed from the firearm without the use of any tool or kind of tool, including a bullet or an ammunition cartridge
- i) Large capacity magazine means any ammunition feeding device with the capacity to accept more than ten (10) rounds, but excluding a 22 caliber tube feeding device and a tubular magazine that is contained in a lever-action firearm
- j) Muzzle brake means a device attached to the muzzle of a weapon so that it utilizes escaping gases to reduce recoil
- k) Muzzle compensator means a device attached to the muzzle of a weapon so that it utilizes escaping gases to control muzzle movement

C) Exemptions

- 1) Assault weapon does not include any firearm that has been made permanently inoperable, or that satisfies the definition of an antique firearm (that is, manufactured before 1899)
- 2) These prohibitions against the manufacture, sale, ownership, and possession of assault weapons and high-capacity magazines within the Town of Lexington shall not apply to

law enforcement officers or members of the armed forces of the United States acting within the scope of official duties

D) Enforcement & Disposition

- 1) The violation of this by-law is punishable by a fine of \$300

E) Effective Date

This amended by-law shall be in full force and effect from and after its passage, approval, and publication in the manner provided by Town by-laws and State regulations.