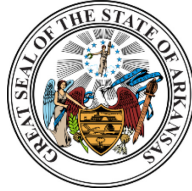


## State Laws and Published Ordinances – Arkansas

Current through all acts of the 2021 Regular Session, First Extraordinary Session, Extended Session, Second Extraordinary Session, and the 2022 Fiscal Session including corrections and edits by the Arkansas Code Revision Commission.

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**Title 5 – Criminal Offenses**  
**Subtitle 1 – General Provisions**  
**Chapter 1 – General Provisions**

**Section 5-1-102. Definitions.**

As used in the Arkansas Criminal Code:

**(4) "Deadly weapon"** means:

**(A)** A firearm or anything manifestly designed, made, or adapted for the purpose of inflicting death or serious physical injury; or

**(B)** Anything that in the manner of its use or intended use is capable of causing death or serious physical injury;

**(6)**

**(A) "Firearm"** means any device designed, made, or adapted to expel a projectile by the action of an explosive or any device readily convertible to that use.

**(B) "Firearm"** includes:

**(i)** A device described in subdivision (6)(A) of this section that is not loaded or lacks a clip or another component to render it immediately operable; and

**(ii)** Components that can readily be assembled into a device described in subdivision (6)(A) of this section;

**Subtitle 6 – Offenses Against Public Health, Safety, or Welfare**

**Chapter 73 – Weapons**

**Subchapter 1 – Possession and Use Generally**

**Section 5-73-101. Definitions.**

As used in this chapter:

**(4) "Destructive device"** means:

**(A)** Any of the following:

**(i)** Any explosive, incendiary, or poison gas;

**(ii)** Bomb;

**(iii)** Grenade;

**(iv)** Rocket having a propellant charge of more than four ounces (4 oz.);

**(v)** Missile having an explosive or incendiary charge of more than one-quarter ounce (.25 oz.);

**(vi)** Mine; or

**(vii)** Similar device; and

**(B)** Any combination of parts either designed or intended for use in converting any device into a destructive device as defined in subdivision (4)(A) of this section and from which a destructive device may be readily assembled for use as a weapon;

**(11) "Minor"** means any person under eighteen (18) years of age;

**Section 5-73-103. Possession of firearms by certain persons.**

**(a)** Except as provided in subsection (d) of this section or unless authorized by and subject to such conditions as prescribed by the Governor, or his or her designee, or the United States Bureau of Alcohol, Tobacco, Firearms, and Explosives, or other bureau or office designated by the United States Department of Justice, no person shall possess or own any firearm who has been:

**(1)** Convicted of a felony;

**(2)** Adjudicated mentally ill; or

**(3)** Committed involuntarily to any mental institution.

**(b)**

**(1)** Except as provided in subdivisions (b)(2) and (3) of this section, a determination by a jury or a court that a person committed a felony constitutes a conviction for purposes of subsection (a) of this section even though the court suspended imposition of sentence or placed the defendant on probation.

(2) Subdivision (b)(1) of this section does not apply to a person whose case was dismissed and expunged under section 16-93-301 et seq. or section 16-98-303(g).

(3) The determination by the jury or court that the person committed a felony does not constitute a conviction for purposes of subsection (a) of this section if the person is subsequently granted a pardon explicitly restoring the ability to possess a firearm.

(d) The Governor may restore without granting a pardon the right of a convicted felon or an adjudicated delinquent to own and possess a firearm upon the recommendation of the chief law enforcement officer in the jurisdiction in which the person resides, so long as the underlying felony or delinquency adjudication:

- (1) Did not involve the use of a weapon; and
- (2) Occurred more than 8 years ago.

**Section 5-73-104. Criminal use of prohibited weapons.**

(a) A person commits the offense of criminal use of prohibited weapons if, except as authorized by law, he or she knowingly uses, possesses, makes, repairs, sells, or otherwise deals in any:

- (1) Bomb;
- (3) Other implement for the infliction of serious physical injury or death that serves no lawful purpose.

(b) This section does not apply if the person uses, possesses, makes, repairs, sells, or otherwise deals in an item described in this section that is in compliance with the National Firearms Act, 26 U.S.C. §§ 5801 — § 5861, or other applicable federal law, as either existed on January 1, 2019.

**Section 5-73-105. Legitimate manufacture, repair, and transportation of prohibited weapons.**

Section 5-73-104 shall not be construed to prohibit the manufacture, repair, transportation, or sale of the weapons enumerated in section 5-73-104 to or for an authorized representative of:

- (1) The armed forces; or
- (2) Any law enforcement agency.

**Section 5-73-107. Possession of a defaced firearm.**

(a) A person commits the offense of possession of a defaced firearm if he or she knowingly possesses a firearm with a manufacturer's serial number or other identification mark required by law that has been removed, defaced, marred, altered, or destroyed.

(b) It is a defense to a prosecution under this section that:

- (1) The person reported the possession to the police or other governmental agency prior to arrest or the issuance of an arrest warrant or summons; or
- (2) The firearm was manufactured prior to January 1, 1968.

(c)

- (1) Possession of a defaced firearm is a Class D felony.
- (2) However, possession of a defaced firearm is a Class A misdemeanor if the manufacturer's serial number or other identification mark required by law is merely covered or obstructed, but still retrievable.

**Section 5-73-108. Criminal acts involving explosives.**

(a)

(1) A person commits the offense of criminal possession of explosive material or a destructive device if the person:

- (A) Sells, possesses, manufactures, transfers, or transports explosive material or a destructive device; and
- (B) Either:

- (i) Has the purpose of using that explosive material or destructive device to commit an offense; or
- (ii) Knows or should know that another person intends to use that explosive material or destructive device to commit an offense.

**Section 5-73-109. Furnishing a deadly weapon to a minor.**

(a) A person commits the offense of furnishing a deadly weapon to a minor if he or she sells, barter, leases, gives, rents, or otherwise furnishes a firearm or other deadly weapon to a minor without the consent of a parent, guardian, or other person responsible for general supervision of the minor's welfare.

**Section 5-73-111. Unlawful procurement of a firearm.**

(a) As used in this section:

(1) "**Ammunition**" means any cartridge, shell, or projectile designed for use in a firearm;

(2) "**False information**" means information that portrays an unlawful transaction as lawful or a lawful transaction as unlawful;

(3) "**Licensed dealer**" means a person who is licensed under 18 U.S.C. section 923, as it existed on January 1, 2013, to engage in the business of dealing in firearms; and

(4) "**Private seller**" means a person other than a licensed dealer who sells or offers for sale a firearm or ammunition.

(b) A person commits the offense of unlawful procurement of a firearm or ammunition if he or she knowingly:

(1) Solicits, persuades, encourages, or entices a licensed dealer or private seller to transfer a firearm or ammunition under unlawful circumstances; or

(2) Provides false information to a licensed dealer or private seller with a purpose to deceive the licensed dealer or private seller concerning the lawfulness of a transfer of a firearm or ammunition.

(c) It is a defense to prosecution under this section if the person is:

(1) A law enforcement officer acting in his or her official capacity; or

(2) Acting at the direction of a law enforcement officer.

**Section 5-73-119. Handguns – Possession by minor or possession on school property.**

(a)

(1) No person in this state under 18 years of age shall possess a handgun.

(b)

(1) No person in this state shall possess a firearm:

(A) Upon the developed property of a public or private school, kindergarten through grade 12 (K-12);

(B) In or upon any school bus; or

(C) At a designated bus stop as identified on the route list published by a school district each year.

(2)

(A) A violation of subdivision (b)(1) of this section is a Class D felony.

(B) No sentence imposed for a violation of subdivision (b)(1) of this section shall be suspended or probated or treated as a first offense under section 16-93-301 et seq.

(c)

(1) Except as provided in section 5-73-322, a person in this state shall not possess a handgun upon the property of any private institution of higher education or a publicly supported institution of higher education in this state on or about his or her person, in a vehicle occupied by him or her, or otherwise readily available for use with a purpose to employ the handgun as a weapon against a person.

(2) A violation of subdivision (c)(1) of this section is a Class D felony.

(d) "**Handgun**" means a firearm capable of firing rimfire ammunition or centerfire ammunition and designed or constructed to be fired with one (1) hand.

(e) It is permissible to carry a handgun under this section if at the time of the act of possessing a handgun or firearm:

(1) The person is in his or her own dwelling or place of business or on property in which he or she has a possessory or proprietary interest, except upon the property of a public or private institution of higher learning;

(2) The person is a law enforcement officer, correctional officer, or member of the armed forces acting in the course and scope of his or her official duties;

(3) The person is assisting a law enforcement officer, correctional officer, or member of the armed forces acting in the course and scope of his or her official duties pursuant to the direction or request of the law enforcement officer, correctional officer, or member of the armed forces;

(4) The person is a registered commissioned security guard acting in the course and scope of his or her duties;

(5) The person is hunting game with a handgun or firearm that may be hunted with a handgun or firearm under the rules and regulations of the Arkansas State Game and Fish Commission or is enroute to or from a hunting area for the purpose of hunting game with a handgun or firearm;

(6)

(A) The person is a certified law enforcement officer, either on-duty or off-duty;

(B) If the person is an off-duty law enforcement officer, he or she may be required by a public school or publicly supported institution of higher education to be in physical possession of a valid identification identifying the person as a law enforcement officer; (7) The person is on a journey beyond the county in which the person lives, unless the person is 18 years of age or less;

(8) The person is participating in a certified hunting safety course sponsored by the commission or a firearm safety course recognized and approved by the commission or by a state or national nonprofit organization qualified and experienced in firearm safety;

(9) The person is participating in a school-approved educational course or sporting activity involving the use of firearms;

(10) The person is a minor engaged in lawful marksmanship competition or practice or other lawful recreational shooting under the supervision of his or her parent, legal guardian, or other person 21 years of age or older standing in loco parentis or is traveling to or from a lawful marksmanship competition or practice or other lawful recreational shooting with an unloaded handgun or firearm accompanied by his or her parent, legal guardian, or other person 21 years of age or older standing in loco parentis;

(11) The person has a license to carry a concealed handgun under section 5-73-301 et seq. and is carrying a concealed handgun on the developed property of:

(A) A kindergarten through grade 12 (K-12) private school operated by a church or other place of worship that:

(i) Is located on the developed property of the kindergarten through grade 12 (K-12) private school;

(ii) Allows the person to carry a concealed handgun into the church or other place of worship under section 5-73-306; and

(iii) Allows the person to possess a concealed handgun on the developed property of the kindergarten through grade 12 (K-12) private school; or

(B) A kindergarten through grade 12 (K-12) private school or a prekindergarten private school that through its governing board or director has set forth the rules and circumstances under which the licensee may carry a concealed handgun into a building or event of the kindergarten through grade 12 (K-12) private school or the prekindergarten private school; or

(12)

(A) The person has a license to carry a concealed handgun under section 5-73-301 et seq. and is carrying a concealed handgun in his or her motor vehicle or has left the concealed handgun in his or her locked and unattended motor vehicle in a publicly owned and maintained parking lot.

(B)

(i) As used in this subdivision (e)(12), "**parking lot**" means a designated area or structure or part of a structure intended for the parking of motor vehicles or a designated drop-off zone for children at a school.

(ii) "**Parking lot**" does not include a parking lot owned, maintained, or otherwise controlled by the Division of Correction or Division of Community Correction.

### **Section 5-73-125. Interstate sale and purchase of shotguns, rifles, and ammunition.**

(a) The sale of shotguns and rifles and ammunition in this state to residents of other states is authorized under regulations issued by the United States Attorney General under the Gun Control Act of 1968, 18 U.S.C. section 921 et seq., as in effect on January 1, 2009.

(b) A resident of this state may purchase a rifle, shotgun, or ammunition in another state as expressly authorized under the regulations issued under the Gun Control Act of 1968, 18 U.S.C. section 921 et seq., as in effect on January 1, 2009.

**Section 5-73-129. Furnishing a handgun or a prohibited weapon to a felon.**

(a) A person commits the offense of furnishing a handgun to a felon if he or she sells, barter, leases, gives, rents, or otherwise furnishes a handgun to a person who he or she knows has been found guilty of or pleaded guilty or nolo contendere to a felony.

(b) A person commits the offense of furnishing a prohibited weapon to a felon if he or she sells, barter, leases, gives, rents, or otherwise furnishes:

(1) A bomb;

(3) A defaced firearm, as described in section 5-73-107; or

(4) Other implement for the infliction of serious physical injury or death that serves no lawful purpose, to a person he or she knows has been found guilty of or who has pleaded guilty or nolo contendere to a felony.

**Section 5-73-132. Sale, rental, or transfer of firearm to person prohibited from possessing firearms.**

(a) A person shall not sell, rent, or transfer a firearm to any person who he or she knows is prohibited by state or federal law from possessing the firearm.

**Subchapter 2 – Uniform Machine Gun Act**

**Section 5-73-202. Definitions.**

As used in this subchapter:

(2) "**Machine gun**" means a weapon of any description by whatever name known, loaded or unloaded, from which more than five (5) shots or bullets may be rapidly, or automatically, or semi-automatically, discharged from a magazine, by a single function of the firing device; and

(3) "**Person**" includes a firm, partnership, association, or corporation.

**Section 5-73-204. Possession or use for offensive or aggressive purposes unlawful.**

Possession or use of a machine gun for offensive or aggressive purpose is declared to be a crime punishable by imprisonment in the state penitentiary for a term of not less than 10 years.

**Section 5-73-205. Presumption of offensive or aggressive purpose.**

(a) Possession or use of a machine gun is presumed to be for an offensive or aggressive purpose:

(1) When the machine gun is on premises not owned or rented for bona fide permanent residence or business occupancy by the person in whose possession the machine gun may be found;

(2) When in the possession of or used by an unnaturalized foreign-born person or a person who has been convicted of a crime of violence in any court of record, state or federal, of the United States of America, its territories or insular possessions;

(4) When empty or loaded pistol shells of 30 (.30 in. or 7.63 mm.) or larger caliber which have been or are susceptible of use in the machine gun are found in the immediate vicinity of the machine gun.

(b) A machine gun is exempt from the presumption of offensive or aggressive purpose if:

(1) The machine gun has been registered to a corporation in the business of manufacturing ammunition or a representative of the corporation under the National Firearms Act, 26 U.S.C. section 5801 et seq., or the Gun Control Act of 1968, 18 U.S.C. section 921 et seq.;

(2) The machine gun is being used primarily to test ammunition in a nonoffensive and nonaggressive manner by the corporation or the corporation's representative that the machine gun is registered to; and

(3) The corporation or the corporation's representative is not prohibited from the possession of a firearm by any state or federal law.

**Section 5-73-207. Manufacture for military, nonaggressive, or nonoffensive use.**

Nothing contained in this subchapter prohibits or interferes with:

(1) The manufacture for and sale of machine guns to the military forces or the peace officers of the United States or of any political subdivision of the United States, or the transportation required for that purpose;

(2) The possession of a machine gun for scientific purpose, or the possession of a machine gun not usable as a weapon and possessed as a curiosity, ornament, or keepsake; or

(3) The possession of a machine gun other than one adapted to use pistol cartridges of 30 (.30 in. or 7.63 mm.) or larger caliber, for a purpose manifestly not aggressive or offensive.

**Section 5-73-208. Registration by manufacturers.**

(a) Every manufacturer shall keep a register of all machine guns manufactured or handled by the manufacturer.

(b) This register shall show:

(1) The model and serial number, date of manufacture, sale, loan, gift, delivery, or receipt, of every machine gun, the name, address, and occupation of the person to whom the machine gun was sold, loaned, given, or delivered, or from whom it was received; and

(2) The purpose for which it was acquired by the person to whom the machine gun was sold, loaned, given, or delivered, or from whom received.

(c) Upon demand every manufacturer shall permit any marshal, sheriff, or police officer to inspect the manufacturer's entire stock of machine guns, parts, and supplies therefor, and shall produce the register, required by this section, for inspection.

**Subchapter 3 – Concealed Handguns**

**Section 5-73-301. Definitions.**

As used in this subchapter:

(1) "Acceptable electronic format" means an electronic image produced on the person's own cellular phone or other type of portable electronic device that displays all of the information on a concealed handgun license as clearly as an original concealed handgun license;

(2) "Concealed" means to cover from observation so as to prevent public view;

(3) "Convicted" means that a person pleaded guilty or nolo contendere to or was found guilty of a criminal offense;

(4) "Handgun" means any firearm, other than a fully automatic firearm, with a barrel length of less than twelve inches (12") that is designed, made, or adapted to be fired with one (1) hand;

(5) "Licensee" means a person granted a valid license to carry a concealed handgun pursuant to this subchapter;

(6) "Parking lot" means an area, structure, or part of a structure designated for the parking of motor vehicles or a designated drop-off zone for children at a school;

(7) "Private university or private college" means an institution of higher education that is not a public university, public college, or community college as defined in [§ 5-73-322](#); and

(8) "Retired law enforcement officer" means a person who retired as a certified law enforcement officer from a local or state law enforcement agency with at least ten (10) years of experience as a law enforcement officer

**Title 9 – Family Law  
Subtitle 2 – Domestic Relations  
Chapter 15 – Domestic Abuse Act  
Subchapter 2 – Judicial Proceedings**

**Section 9-15-207. Order of protection - Enforcement - Penalties - Criminal jurisdiction.**

(b) An order of protection shall include a notice to the respondent or party restrained that:

(3) It is unlawful for an individual who is subject to an order of protection or convicted of a misdemeanor of domestic violence to ship, transport, or possess a firearm or ammunition pursuant to 18 U.S.C. section 922(g)(8) and (9) as it existed on January 1, 2019;



**Title 16 – Practice, Procedure, and Courts**  
**Subtitle 6 – Criminal Procedure Generally**  
**Chapter 85 – Pretrial Proceedings**  
**Subchapter 7 – Arraignment and Pleading Generally**

**Section 16-85-714. No contact orders — Definitions.**

(a) As used in this section:

(1) “**Court**” means a judge or judicial officer; and

(2) “**No contact order**” means an order issued by a court to a defendant at or after his or her first appearance on charges as described under Rule 8.1 of the Arkansas Rules of Criminal Procedure that prohibits the defendant from contacting directly or indirectly a person in any manner or from being within a certain distance of the person's home or place of employment.

(b)

(3) A no contact order issued under this section may contain, without limitation, the following:

(D) A prohibition against the defendant's possessing a dangerous weapon or engaging in certain described activities, including the ingestion of alcohol or certain drugs;

**Conway Code of Ordinances**

Current through

**Title 7 – Public Peace, Safety and Morals**  
**Chapter 7.40 – Removing Manufacturer’s Serial Number**

**Section 7.40.01. Unlawful.**

It shall be unlawful for any person to knowingly possess personal property with a manufacturer's serial number or other identification mark attached in the ordinary course of business which has been removed, defaced, marred covered, altered or destroyed.

**Section 7.40.02. Definition.**

**Personal Property** shall include, but is not limited to, ... and firearms.

**Eureka Springs Code of Ordinances**

Current through March 24, 2020.

**Title 4 – Business Licenses and Regulations**  
**Chapter 4.36 – Occupational Licenses**

**Section 4.36.01. License required**

**A.**

1. The carrying on of any of the trades, businesses, occupations, professions or vocations named in this chapter within the corporate limits of the city of Eureka Springs by any person, firm, partnership, company or corporation is a privilege subject to an annual occupational license.

**Section 4.36.04. Fee schedule**

145	Gun dealer	\$50.00
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**Title 14 – Zoning**  
**Chapter 14.08 – Zoning Districts**

**District C-2-C: Contemporary Commercial**

**C.** Conditional uses. The following is a list of conditional uses in the Contemporary Commercial District: These uses require a Conditional Use Permit (CUP).

Pawn and gun shops

**Appendix B**

P = Permitted  
C = Conditional

Blank = Prohibited

	R-1	R-2	R-3	C-1	C-2	C-3	I	A	MHP
Pawn and gun shops					C				

**Forrest City Code of Ordinances**

Current through Ordinance 1889, enacted February 16, 2015. (Supplement 55)

**Chapter 18 – Occupational Licenses**

**Article II – Pawnbrokers**

**Section 18-30. Weapons, certain firearms, etc., not to be accepted; separate record of firearms; report to police.**

No pawnbroker shall receive as pledge or purchase any blackjack or sawed off shotgun, and no pawnbroker shall display in his window or shop any such weapons for sale. Any firearms, whether revolver, pistol, shotgun, rifle, or other weapons commonly described as firearms, shall be entered and kept upon a separate record and each such sale or pledge shall be reported the day of receipt, or as soon thereafter as may be practical in the regular course of business, to the chief of police or officer in charge of the police station, giving a description of the weapon, its serial number, the name of the person from whom it was received, such person's address, and the manner in which such person identified himself, whether by driver's license or otherwise.

**Little Rock Code of Ordinances**

Chapter 17 – Licenses, Taxation and Miscellaneous Business Regulations

**Article II – Business Tax**

**Section 17-38. Payment required.**

The carrying on of any business, profession or occupation of whatever kind or nature within the city is a privilege subject to an annual business license. Any person who maintains a business location within the city or engages in any business, profession or occupation, regardless of whether or not all functions peculiar to the business are affected within the city, shall pay an annual business license. The business license shall apply to all and shall not be limited to those businesses, professions or occupations as classified specifically by this article.

**Section 17-52. Schedule of license taxes.**

The following license taxes are due and payable in advance on January 1 of each year except as otherwise provided by this article:

		Annual Charge Base and Variable	
(85.2)	Department Store, Major chain, Sells a wide variety of goods and services	200.00	plus 0.24% stock
	Plus additional services:		
	j. Gun Dealer	135.00	
(114)	Gun Dealers	200.00	plus 0.24% stock
(115)	Hardware Store	200.00	plus 0.24% stock
	Plus additional services:		
	a. Gun dealer	100.00	
(203.1)	Sporting Goods Companies	200.00	plus 0.24% stock
	Plus additional services:		
	a. Gun dealer	100.00	

**Lowell Code of Ordinances**

Current through Ordinance No. 1089, enacted November 16, 2021. (Supp. No. 23)

**Chapter 16 – Land Development Code**

**Article III – Zoning**

**Division 4 – District Regulations**

**Section 16-145. Office, retail, commercial, town center, and industrial district uses permitted.**

(a) Uses permitted in the foregoing districts are set forth in the table below. Where the letter "P" appears opposite a listed use and underneath a district, the use is permitted in that district "by right" subject to:

- (1) Providing off-street parking and loading facilities as required by section 16-254;

(2) Providing landscaping and screening as required by section 16-256; and

(3) Conformance with special conditions applying to certain uses as set forth in division 7 of this article, the town center district or by other separate regulation.

(b) Where the letter "C" appears instead of "P", the use is permitted subject to acquiring a conditional use permit as set forth in section 16-172. Where neither "P" nor "C" appears similarly within the table, the use is not permitted. Any uses which are not listed in the following table will be permitted only upon application for a conditional use permit and approval for such permit by the planning commission.

Schedule of Uses, Nonresidential

Class	C-1	C-2	C-3	I	Karst*
Guns-Indoor shooting range		C		C	P
Guns, retail	C	P	C		P
Gunsmiths	C	P	C		P

**Malvern Code of Ordinances**

Current through Ordinance 2021-07, enacted November 8, 2021. (Supplement 14)

**Title 5 – Business Licenses and Regulations  
Chapter 5.08 – Business Licenses and Fees  
I – License and Fee Provisions**

**Section 5.08.010. Required.**

It is unlawful for any person to engage in or carry on any of the businesses, occupations, vocations, professions, trades or callings within the city of Malvern, Arkansas for which a license is required by this chapter without having first paid the privilege tax and procured a license therefor from the clerk/treasurer.

**II – Fees Schedule**

**Section 5.08.110. Designated.**

The fee to be paid in order to obtain the license to carry on or engage in the businesses, occupations, vocations, professions, or callings named in this section are established, defined and fixed under several items as follows:

(82) Locksmith or Gun Dealer, Gun Repair, Keymakers. Fees are as follows:

- (A) Twenty-five dollars base rate;
- (B) Plus seven dollars per employee;
- (C) Up to a maximum of one hundred dollars.

**Paragould Code of Ordinances**

Current through Ordinance No. 2022-16, enacted April 25, 2022. (Supp. No. 12).

**Chapter 38 – Taxations  
Article II – Occupational Tax**

**Section 38-24. Occupational tax schedule for classified businesses.**

The occupation tax to be paid in order to obtain a license to carry on or engage in the businesses, occupations, vocations, professions or callings enumerated under this section shall be as established in this section. The amounts set forth in this section are the amounts of tax per annum, unless otherwise specified:

Category	Business Classification	Fee
107.00	Gun repair shop and/or locksmith	37.50
107.01	Gun sales shall pay a minimum of \$37.50 plus according to section 38-25	

**Pine Bluff Code of Ordinances**

Current through Ordinance No. 6759, enacted April 18, 2022. (Supp. No. 119)

**Chapter 13 – Licenses, Taxation and Miscellaneous Business Regulations  
Article III – Privilege Tax**

**Section 13-72. Failure to procure license and pay tax unlawful.**

It shall be unlawful for any person, whether as principal or agent, to commence, engage in, or carry on any business, occupation or corporation within the city without having first paid the occupation tax and procured a license therefor.

**Section 13-89. Schedule of licenses and occupation taxes.**

The following license and occupation taxes are due and payable in advance on the first day of January, or the first day of July each year, except as otherwise provided by this chapter.

Occupation Tax Rate Schedule  
New Rates

Class Description	Schedule	New Rate
526 Gun Dealer	Schedule 1	
527 Gunsmith-Craftsmen	Per Craftsman	\$84.00
529 Gun Manufacturer	Schedule	
532 Gun Repair Shop	Per Gunsmith	\$84.00 see repair

**Chapter 29 – Zoning**  
**Article V – Supplemental Regulations**  
**Division 1 – Generally**

**Section 29-139. Home occupations.**

(f) The following activities shall not be permitted as home occupations in accordance with this section: ... ; the sale of firearms or ammunition; ... and any other type of business that would change the residential character of the neighborhood if permitted to operate.

**Texarkana Code of Ordinances**  
Current through Ordinance No. 37-2021, enacted December 20, 2021. (Supp. No. 44)

**Chapter 28 – Zoning**  
**Article III – Specific District Regulations**

**Section 28-23. Industrial districts.**

Zoning District	Indoor Shooting Range	Outdoor Shooting Range	Firearms Sales or Firearms Business
R-1 Rural Residential	—	—	—
R-2 Single-family Residential	—	—	—
R-3 Medium Density Residential	—	—	—
R-4 Medium Density Residential	—	—	—
RM Manufactured Housing	—	—	—
O-1 Office and Quiet Business	—	—	—
C-1 General Commercial	—	—	—
C-2 Central Business District	CU	—	X
C-3 Open Display Commercial	CU	CU	X
W-1 Warehousing and Wholesaling	—	CU	X
M-1 Limited Manufacturing	—	CU	X
M-2 General Manufacturing	—	CU	X

Notes: "CU"=Conditional Use; X=Permitted Use in conjunction with an indoor or outdoor shooting range; and "—"=Not Allowed.

**Article XI – Interpretations and Definitions**

**Section 28-142. Definitions.**

For the purposes of interpreting these regulations, certain terms and words are to be used and interpreted as defined hereinafter:

**Firearm:** Any device, designed to be used as a weapon, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive or other form of combustion, but excluding "BB" gun, scuba gun, stud or nail gun used in the construction industry, or pop gun or toy gun.

**Firearms dealer:** Any person engaged in the sale, lease, trade, or other transfer of firearms or ammunition at wholesale or retail. Firearms dealer shall not include any person engaged only in the business of repairing firearms.

**Firearms sales or firearms business:** An establishment having at least twenty-five (25) per cent of its gross floor area used for the sale of firearms, ammunition and ammunition components, and hunting or shooting equipment.

### **West Memphis Code of Ordinances**

Current through Ordinance 2441, adopted October 5, 2017.

## **Chapter 22 – Licenses, Permits and Miscellaneous Regulations**

### **Article II – Privilege Licenses**

#### **Section 22-27. Businesses and vocations requiring license.**

The trades, businesses, professions, vocations and/or callings for which a privilege license shall be payable are as follows:

Gunsmith shop (See merchants, retail, any store sales)