

ORDINANCE NO. 485

AN ORDINANCE ESTABLISHING AND AUTHORIZING THE PURCHASE OF RETIRED AND/OR UNUSED FIREARMS BY MEMBERS OF THE BARLING POLICE DEPARTMENT; DECLARING AN EMERGENCY HEREIN; AND FOR OTHER PURPOSES.

WHEREAS, the Barling Police Department, from time to time, retires firearms no longer used by the Department; and

WHEREAS, it is the desire of the Barling Police Department to dispose of said firearms in a time and manner sufficient to relieve the Department of the cost of storage and maintenance of said retired and/or unused firearms; and

WHEREAS, it has been voiced by members of the Barling Police Department an interest in purchasing said retired and/or unused firearms; and

WHEREAS, the purchase of the Barling Police Department's retired and/or unused by members of the Barling Police Department would allow the Department an opportunity by which it could safely transfer said firearms by sale within the Department; now therefore

BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF BARLING, ARKANSAS, THAT:

SECTION 1: Purchase of Retired and/or Unused Firearms. Any firearm belonging to the City of Barling Police Department declared by the Chief of Police to "retired and/or unused" may be sold to active members of the Barling Police Department.

SECTION 2: Sales to Be Conducted Through a Licensed Federal Firearms (FFL) Dealer. Sales of retired and/or unused firearms under the terms and conditions of this Ordinance shall be conducted through a dealer holding a Federal Firearms License (FFL). The Barling Police Department shall maintain any and all records pertaining to the sale and purchase of any and all firearms pursuant to this Ordinance.

SECTION 3: Purchase Only by Certain Employees. Only active and presently-employed Barling Police Officers are authorized to purchase retired and/or unused firearms. This Ordinance does *not* include retired officers of the Barling Police Department, nor does it include any other employee or elected official of the City of Barling.

SECTION 4: Purchase Price. Any and all firearms sold pursuant to this Ordinance are to be sold for "fair market value" with "fair market value" to be determined by the FFL dealer monitoring the transfer.

SECTION 5: Severability Provision. If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed.

SECTION 6: Repeal of Conflicting Provisions. All Ordinances, Resolutions, or Orders of the Board of Directors, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

SECTION 7: Emergency Clause. The need for firearms to remain safe and off of the street are of utmost importance and an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after the date of its passage.

PASSED AND APPROVED this 26 day of October, 2021.

Wally Gattis

Wally Gattis, Mayor

ATTEST:

Florene Brown

Florene Brown, City Clerk

